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sent to Law + Leg

DEPARTMENT OF POLICE

CITY OF SACRAMENTO CALIFORNIA

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ARTURO VENEGAS, JR. CHIEF OF POLICE

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April 16, 1999

City Council Sacramento, California

Honorable Members in Session:

SUBJECT INFORMATIONAL REPORT ON PAROLEE RELATED ISSUES

LOCATION AND COUNCIL DISTRICT Citywide.

RECOMMENDATION

This report is being brought forward at the request of the Mayor and it provides information on the impact of parolees in the City of Sacramento. Additionally, this report recommends that the Law and Legislation Committee study the feasibility of a proposed ordinance to apply a tax on the sale of bullets to support additional officers and prosecutors to address the problems caused by parolees and parolees at-large, especially those possessing firearms.

CONTACT PERSON(S):

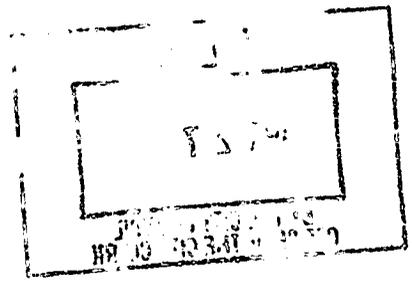
Arturo Venegas, Jr., Chief of Police Sacramento Police Department, 264-5121

Matt Powers, Deputy Chief of Police Sacramento Police Department, 264-5121

FOR THE COUNCIL MEETING OF April 27, 1999

SUMMARY

This report was prepared at the direction of the Mayor, as it reflects themes he identified in his last State of the City address. This informational report describes the impacts of parolees and parolees at-large (parolees that have absconded parole and are fugitives) in the City of Sacramento. Additionally, this report recommends that the Law and Legislation Committee study the feasibility of a proposed ordinance to apply



a tax on the sale of bullets to support additional officers and prosecutors to address the problems caused by parolees in possession of firearms.

COMMITTEE/COMMISSION ACTION None.

BACKGROUND

In accordance with Section 12021 of the California Penal Code, it is a felony for any person who has been convicted of a felony anywhere in the world to own or possess a firearm. Frequently, persons accused of a violation of this code are not prosecuted to the fullest extent of the law, although it may be considered as a violation of his/her parole (if applicable). The issue of parolees with guns is a particularly volatile one, especially here in the City of Sacramento. The following is information related to the impact of parolees and parolees at-large:

- In Sacramento County, there are almost four thousand parolees. Because of a number of reasons that include affordable housing and social services delivered in the City of Sacramento, nearly half of these parolees (46%) reside within the City limits.
- Although parolees are less than one percent (0.53%) of the City's population, they represented an average of ten percent (10%) of the bookings into the Sacramento County Jail.
- In 1998, the Police Department booked an average of 5.2 parolees per day. Moreover, Sacramento Police Officers arrested and booked 1,899 parolees in 1998, 57 more than the number of "active" or supervised parolees residing in the City of Sacramento.
- During 1998, Sacramento experienced a dramatic criminal impact associated with violent parolees including the recent shooting of Officer Bill Bean, Jr. who was killed in the line of duty by a parolee at-large.
- Also during 1998, two other officers were shot and wounded by parolees. Seven other parolees were involved in violent confrontations and were subsequently shot by Sacramento Police Officers.
- According to the California Department of Corrections, Parole Division, the current ratio of parolees to parole agents is 80-100 to 1. A significant increase in the size of caseloads occurred when the State of California reduced the number of parole agents. Prior to 1993, parole agents managed an average of 50 caseloads.
- In California, the recidivism rate for subjects on parole is approximately 70%.
- Due to caseloads, the Sacramento County District Attorney's office often dismisses felony charges, such as a violation of 12021 PC (felon in possession of a firearm) against parolees and refer the matter to the Board of Prison Terms for a parole revocation hearing. The maximum sentence that can be served for

a parole revocation is 12 months. Due to an entitlement of "good time" the actual time will rarely be more than six months, and more frequently is only one to three months.

The Sacramento Police Department is recognized as one of the most pro-active police agencies in the state for its innovations and attentiveness to the problems associated with a large parole population. Chief Arturo Venegas, Jr. and Deputy Chief Matt Powers were charter members in the Law Enforcement Consortium, a nationally recognized advisory group. This organization is both a partner in problem solving and a "watch dog" of the many complex issues concerning the impacts of State Department of Corrections policies on local crime. The Police Department's commitment to reducing the crime problems associated with parolees is evidenced in its innovative use of personnel including the creation of the nationally recognized Career Criminal Apprehension Team; the assignment of SWAT to locate parolees-at-large; the rebuilding of our Crime Analysis Unit with a focus on parolees in our neighborhood; and a new attention to the problem in Patrol.

This level of commitment was appropriate due to the State's past practice of "dumping" out-of-county parolees in this county. Until recently, the City has been a location for the resettlement of a large population of out-of-town parolees. While the number of parolees increased, the number of agents did not. This resulted in increased caseloads and reduced supervision of this volatile population.

An additional problem was the impact of California's change from an indeterminate sentencing law (i.e. "Two years to life"), to determinate sentencing (i.e. fixed sentenced and shorter fixed parole requirements). This significantly reduced deterrent options available to parole agents. Prison crowding and Department of Corrections policies further hindered an agent's ability to return parole violators to prison. More importantly it hindered their equal obligation to successfully reintegrate former prisoners into the general population.

Compounding the parole situation in Sacramento, is easy access to guns. Parolees should not have guns and they don't buy them at a retail counter. One of the principle arguments of gun rights advocates is that the most appropriate social control of the misuse of firearms is to aggressively target the "people" who use guns, not restrict access to the law abiding citizens. The Police Department agrees that serious offenders - especially parolees - should face serious consequences for such offenses. Our resolve is evidenced by the reassignment of personnel from other pressing duties to focus on this population. But once arrested, it is of even greater import that parolee are prosecuted to the full extent of the law. If convicted, they must face penalties commensurate with the seriousness of the crime.

The Police Department proposes the creation of a team of highly trained officers to address problems with parolees and parolees at-large. This team would augment the existing staff to specifically work with the State Parole Division exclusively on the issue of arresting and prosecuting parolees who commit felonies, with a special emphasis on firearm violations..

Staff recommends that the City Council Law and Legislation Committee study the feasibility of a one to two cent per bullet tax on all ammunition sold within the City limits to finance these additional officers as well as additional prosecutors. Although staff is proposing that the City Council pursue this idea for the city, the

Committee may want to recommend to the full City Council to assume a leadership role with our local state legislators to pursue and the development and implementation of this legislative idea on a statewide basis.

FINANCIAL CONSIDERATIONS

No funding is being requested at this time. Staff recommends that the City Council Law and Legislation Committee study the feasibility of a one to two cent per bullet tax on all ammunition sold within the City limits to finance these officers and prosecutors to address problems with parolees and parolees at large, with a special emphasis on firearm violations.

ENVIRONMENTAL CONSIDERATIONS

This report does not constitute a "project" and is therefore exempt from the California Environmental Quality Act according to CEQA Guidelines, Section 15061(b)(1) and 15378(b)(3).

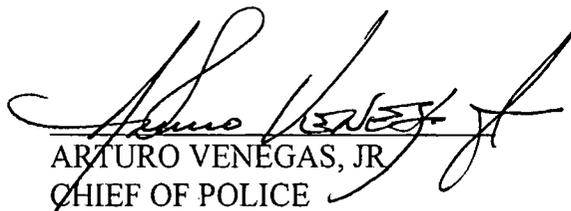
POLICY CONSIDERATIONS:

Any proposed tax on the sale of bullets may be subject to the provisions of Proposition 218 and require vote of the City residents. The Police Department will work with the City Attorney's Office to ensure compliance with Proposition 218. Additionally, creation of a team to address parolee and parolees at-large would aid in the enforcement of Penal Code 12021.

ESBD CONSIDERATIONS

Not applicable.

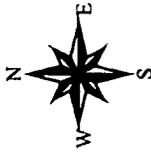
Respectfully submitted,


ARTURO VENEGAS, JR.
CHIEF OF POLICE

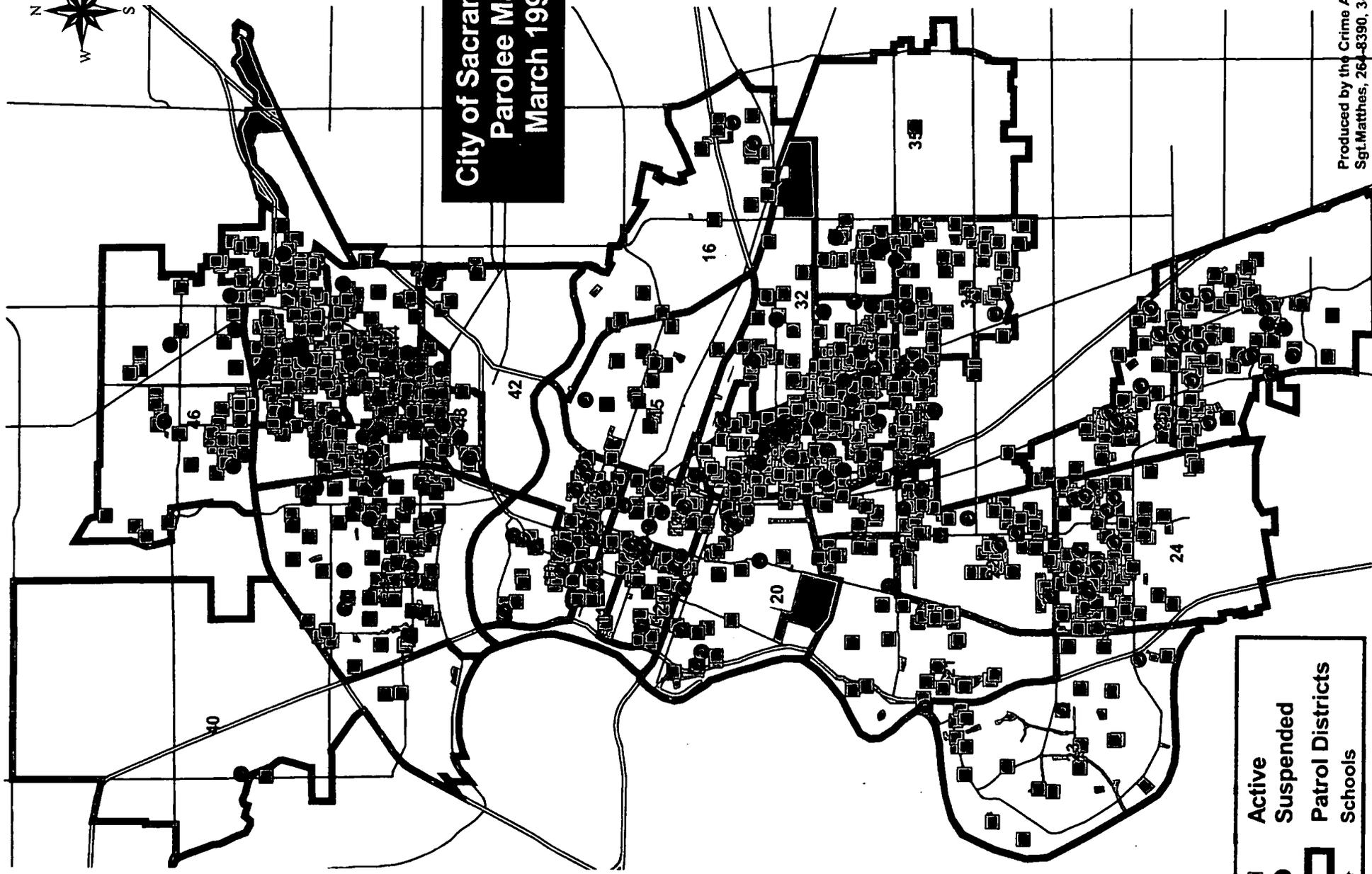
RECOMMENDATION APPROVED:


ROBERT P. THOMAS
CITY MANAGER

RPT/AV:tlv



**City of Sacramento
Parolee Map
March 1999**



■	Active
●	Suspended
□	Patrol Districts
⌞	Schools

Produced by the Crime Analysis Unit
Sgt. Matthes, 264-8390, 3-3-99

TO CONTINUED
5/11/99



6.1

March 12, 1999

Lauren Hammond
Council Member
915 I St Rm 205
Sacramento CA 95814-2608

Dear Lauren:

With little fanfare, SBC/Pac Bell is trying to gain authority to charge up to \$1.10 for the "411" calls it now charges 25 cents for. This outrageous 300+% price increase will not only significantly impact your costs, it will place a heavy burden on many of your constituents -- especially seniors and the handicapped -- for a vital service over which SBC/Pac Bell exercises a virtual monopoly.

A final decision about the rate increase won't occur until late April or early May, so you still have time to formally register your opposition to it.

Even though SBC/Pac Bell is attempting to keep a low profile on this issue, it already is generating a groundswell of opposition, with more than 4,000 consumers contacting the California Public Utilities Commission -- the 10th highest number of complaints of any issue ever before the commission. Consider the following:

- Most major newspapers in the state have editorialized against this increase and the surreptitious manner in which SBC/Pac Bell has tried to get its way. The monopoly originally issued a notice in consumers' bills saying it wanted to raise 411 rates to 50 cents, not mentioning that at the same time they had filed with the PUC for the authority to charge \$1.10. It so outraged the PUC that they ordered the company to print new notices included as bill inserts.
- The Los Angeles County Board of Supervisors has unanimously voted to file a brief with the PUC opposing this increase and has termed the increase a "gouging" of consumers.
- The late Los Angeles County Sheriff Sherman Block submitted a letter noting the severe impact this increase will have on law enforcement, a heavy user of 411 service in emergency matters. The Sheriff also objected to SBC/Pac Bell's efforts to raise the emergency interrupt charge from \$1 to \$5 and the effect this would have on emergency police situations.