

**DIVISION OF ADULT PAROLE OPERATIONS**

1515 S Street, Room 212-N, Sacramento, CA 95811  
P.O. Box 942883, Room 212-N  
Sacramento, CA 94283-0001



September 4, 2007

Dear Interstate Commissioner:

On November 7, 2006 the citizens of the State of California passed an initiative called Jessica's Law. It is codified in the California Penal Code (PC), Section 3003.5, and states in part, that any person who is required to register as a sex offender, pursuant to PC 290 is prohibited from living within 2,000 feet of any public or private school and parks where children regularly gather. In addition, this law provides for lifetime global positioning satellite (GPS) for many of these same offenders. This law is being interpreted to apply to those individuals who must register and who were released from custody from any jurisdiction on or after November 8, 2006.

Effective immediately, all provisions of the Jessica's Law policy will be applied to not only California releasees, but also to those who are in the State of California either on a probation grant or parole grant from another state. If an offender is currently in the State of California, but was released from custody in the sending state on or after November 8, 2006, this law will apply.

The California Department of Corrections and Rehabilitation began the implementation of the residency restrictions of all affected parolees on August 20, 2007.

The following provisions are covered in the policy that is approved by the administration:

Offenders currently living in a residence that is not in compliance with PC 3003.5 will have a one-time opportunity of 45 calendar days from the date of notice to come into compliance with this law. Offenders will not be permitted to relocate to a new residence if the proposed residence does not comply with the provisions of this law.

Failure of an offender to comply with this law within the 45 calendar days will result in the subject's immediate arrest and referral for probable cause proceedings.

The only exceptions that will be allowed for at this time are offenders who are mentally ill and housed in a licensed mental health facility or are in need of medical care in a licensed facility. These facilities must also have 24-hour supervision in addition to their respective accreditation. Each case must be approved by the Division of Adult Parole Operations' Director and the Board of Parole Hearings.

Offenders released from prison after serving time for a registerable sex offense will not be allowed to reside with any other person required to register as a sex offender unless

that person is related by blood, marriage or adoption for the duration of their period of supervision.

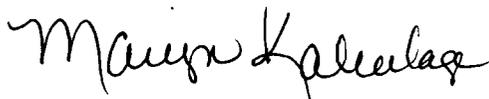
Any offender who is transient must be in compliance with the transient sex offender registration laws of the State of California and must report to their assigned supervising officer on a daily basis via telephone or in person and will be required to physically report to their assigned supervising officer at least once per week.

Pursuant to PC Section 3004, every inmate released on parole who has been convicted of a "registerable sex offense" pursuant to PC 290, will be monitored with a GPS. These offenders will also be required to pay the costs associated with this monitoring system.

It is noted that not all of the counties in the State of California have initiated the provisions of this law. However, as Commissioner it is my duty to inform you that any sex offender who meets the above criteria and is registerable either in the sending or receiving state will be subject to these restrictions. Therefore, it is imperative that the offender be informed that if it is his or her desire to come to the State of California, they will be held to this law/policy.

I have asked our Interstate Compact Unit, along with our Policy Unit, to develop and provide a notice requirement document that can be signed by any sex offender coming to reside in the State of California. This is to ensure that all are advised that even if today they do not meet the provisions of this law, but subsequently are arrested for a parole or probation violation and receive a period of confinement based on that violation or suffer any new convictions, they will be held to the provisions of this new law and policy. In addition, if the parole/probation residence plans that are submitted do not meet the residence requirements of this law, the transfer will be denied until a compliant housing plan can be confirmed. The only exception to this prohibition will be those probation cases that were deemed to be a "resident" under the Interstate Compact. They may be granted a return to the State of California, but will only be allowed to reside in a residence that is compliant with the provisions of Jessica's Law, PC Section 3003.5.

I appreciate your patience and assistance in adhering to this provision.



MARILYN KALVELAGE  
Interstate Commissioner  
State of California

cc: Chief County Probation Officers