

AMENDED IN ASSEMBLY APRIL 30, 2001

AMENDED IN ASSEMBLY APRIL 16, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1450**

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**Introduced by Assembly Member Cardenas**  
*(Coauthors: Assembly Members Firebaugh and Wyman)*

February 23, 2001

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An act to amend and renumber Section 3005 of, and to add *and repeal* Article 1.3 (commencing with Section 3010) to Chapter 8 of Title 1 of Part 3 of, the Penal Code, relating to parolees.

LEGISLATIVE COUNSEL'S DIGEST

AB 1450, as amended, Cardenas. Parolees: tracking.

Existing law provides for inmates to be released on parole following incarceration, as specified. The Board of Prison Terms may require that an inmate or parolee agree to the use of electronic monitoring or supervising devices for the purpose of helping to verify his or her compliance with the conditions of parole.

This bill would require the Department of Corrections to use a Global Positioning System (GPS) to track 1% of the parolee population over 12 months. Parolees selected for tracking would have been convicted of one or more serious crimes, as specified. This bill would also require the department to evaluate the GPS system on several points, report its findings to the Legislature, and make a recommendation on the continued use of GPS tracking devices to track high-risk offenders. *This bill would terminate these provisions on January 1, 2006.*

This bill would also make a technical, nonsubstantive change.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 3005 of the Penal Code, as added by  
2 Chapter 142 of the Statutes of 2000, is amended and renumbered  
3 to read:

4 3030. (a) The Department of Corrections, to the maximum  
5 extent practicable and feasible, and subject to legislative  
6 appropriation of necessary funds, shall ensure, by July 1, 2001,  
7 that all parolees under active supervision and deemed to pose a  
8 high risk to the public of committing violent sex crimes shall be  
9 placed on an intensive and specialized parole supervision  
10 caseload.

11 (b) The Department of Corrections shall develop and, at the  
12 discretion of the director, and subject to an appropriation of the  
13 necessary funds, may implement a plan for the implementation of  
14 relapse prevention treatment programs, and the provision of other  
15 services deemed necessary by the department, in conjunction with  
16 intensive and specialized parole supervision, to reduce the  
17 recidivism of high-risk sex offenders.

18 (c) The Department of Corrections shall study the effects of this  
19 legislation on recidivism rates of parolees. The study shall be a  
20 two-year analysis completed by January 1, 2003, with an initial  
21 report to the Legislature on or before January 1, 2004, and a final  
22 report on or before January 1, 2006.

23 (d) This section shall remain in effect only until July 1, 2006,  
24 and as of that date is repealed, unless a later enacted statute, that  
25 is enacted before July 1, 2006, deletes or extends that date.

26 SEC. 2. Article 1.3 (commencing with Section 3010) is added  
27 to Chapter 8 of Title 1 of Part 3 of the Penal Code, to read:

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29 Article 1.3. High Risk Parolee Tracking Act of 2001

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31 3010. This article shall be known and may be cited as the High  
32 Risk Parolee Tracking Act of 2001.

33 ~~3011. The Legislature hereby finds and declares all of the~~  
34 ~~following:~~



1 ~~(a) Global Positioning Systems (GPS) are proving to be an~~  
2 ~~effective risk management tool for placing high risk and~~  
3 ~~high-intervention inmates into community based reintegration~~  
4 ~~programs.~~

5 ~~(b) Because of its capability for full-time surveillance, GPS is~~  
6 ~~used in parole systems in other states for those inmates identified~~  
7 ~~as requiring the highest level of supervisory control. The~~  
8 ~~consensus nationally is that this feature is especially useful for~~  
9 ~~monitoring special cases such as high profile inmates, stalkers, sex~~  
10 ~~offenders, and pedophiles.~~

11 ~~(c) GPS is an exceptional tool for managing high-risk cases~~  
12 ~~where prevention and knowledge of the whereabouts of the~~  
13 ~~parolee are of the highest priority for maintaining public safety.~~

14 ~~(d) Traditional methods used by the Division of Parole include~~  
15 ~~ankle bracelets, drive-by monitoring, and scheduled reporting.~~  
16 ~~Because these methods provide only partial surveillance, they~~  
17 ~~provide much lower levels of supervision than does GPS. They~~  
18 ~~also lack the capability to detect certain violations.~~

19 ~~(e) The restricted zone capability of GPS provides additional~~  
20 ~~security for victims when the offender is placed back into the~~  
21 ~~community. This capability supports the public safety mission of~~  
22 ~~the Division Parole in supervising the placement of high-risk and~~  
23 ~~high-intervention offenders in the community.~~

24 3012. The Department of Corrections shall conduct a pilot  
25 study utilizing the Global Positioning System to track the  
26 movement and location of parolees in “real time.”

27 (a) The Department of Corrections shall prepare and  
28 implement a plan to test and use global positioning tracking  
29 devices to track 1 percent of the state parole population, or 1,230  
30 parolees, over the course of 12 months. This plan shall include the  
31 following:

32 (1) Criteria for selecting parolees who will be supervised under  
33 GPS. Parolees selected for tracking shall include parolees who  
34 have been convicted of one or more of the following serious  
35 crimes:

- 36 (A) Sex crimes.
- 37 (B) Gang-related crimes.
- 38 (C) Stalking.
- 39 (D) Violent crimes.
- 40 (E) Drug dealing.



1 (2) An evaluation of the use of GPS to track parolees and  
2 measure:

3 (A) The rate of recidivism of parolees monitored by GPS  
4 compared to a similar population not being monitored by a global  
5 positioning system.

6 (B) The rate of parolees at large being monitored by GPS  
7 compared to similar population not being monitored by GPS.

8 (C) Cost.

9 (D) Accuracy.

10 (E) Work load changes on parole officers.

11 3013. The Department of Corrections in developing a plan to  
12 test and implement the utilization of global positioning tracking  
13 devices to track high-risk offenders shall provide for direct data  
14 integration with other department programs.

15 3014. The Department of Corrections in developing a plan to  
16 test and implement the use of GPS tracking devices to track  
17 high-risk offenders shall consult with the following:

18 (a) Crime victim groups.

19 (b) Local law enforcement agencies, particularly those that  
20 have a high number of parolees within their jurisdiction.

21 (c) The Department of Justice.

22 (d) Other states that have used GPS tracking devices to track  
23 high-risk offenders.

24 3015. The Department of Corrections shall report its findings  
25 to the Legislature on or before February 1, 2003, and make a  
26 recommendation on the continued use of GPS tracking devices to  
27 track high-risk offenders.

28 3016. *This article shall remain in effect only until January 1,*  
29 *2006, and as of that date is repealed, unless a later enacted statute,*  
30 *that is enacted before January 1, 2006, deletes or extends that date.*

