

Introduced by Senator Runner

February 26, 2009

An act to amend Section 3004 of the Penal Code, relating to sex offenders.

LEGISLATIVE COUNSEL'S DIGEST

SB 504, as amended, Runner. Sex offenders: monitoring by global positioning systems.

Existing law requires every inmate who has been convicted for any felony violation of a registerable sex offense or any attempt to commit one of those offenses who is committed to prison and released on parole, to be monitored by a global positioning system for life.

~~This bill would replace the term "inmate" as used above with "person."~~

This bill would allow the monitoring of these offenders by the local law enforcement agency with jurisdiction over the city, county, or city and county, in which these offenders reside and with which they are required to register. The bill would make other technical changes.

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

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

- 1 SECTION 1. Section 3004 of the Penal Code is amended to
- 2 read:
- 3 3004. (a) Notwithstanding any other law, the parole authority
- 4 may require, as a condition of release on parole or reinstatement

1 on parole, or as an intermediate sanction in lieu of return to prison,
 2 that an inmate or parolee agree in writing to the use of electronic
 3 monitoring or supervising devices for the purpose of helping to
 4 verify his or her compliance with all other conditions of parole.
 5 The devices shall not be used to eavesdrop or record any
 6 conversation, except a conversation between the parolee and the
 7 agent supervising the parolee which is to be used solely for the
 8 purposes of voice identification.

9 (b) (1) Every person who has been convicted for any felony
 10 violation of a “registerable sex offense” described in subdivision
 11 (c) of Section 290 or any attempt to commit any of the
 12 above-mentioned offenses and who is committed to prison and
 13 released on parole pursuant to Section 3000 or 3000.1 shall be
 14 monitored by a global positioning system for life.

15 (2) *Any registered sex offender subject to global position*
 16 *monitoring by the Department of Corrections and Rehabilitation*
 17 *pursuant to this subdivision, may additionally be monitored by the*
 18 *local law enforcement agency with jurisdiction over the city,*
 19 *county, or city and county, in which he or she resides and with*
 20 *which he or she is required to register.*

21 (c) Any ~~inmate~~ *person* released on parole pursuant to this section
 22 shall be required to pay for the costs associated with the monitoring
 23 by a global positioning system. However, the Department of
 24 Corrections and Rehabilitation shall waive any or all of that
 25 payment upon a finding of an inability to pay. The department
 26 shall consider any remaining amounts the ~~inmate~~ *parolee* has been
 27 ordered to pay in fines, assessments and restitution fines, fees, and
 28 orders, and shall give priority to the payment of those items before
 29 requiring that the ~~inmate~~ *parolee* pay for the global positioning
 30 monitoring.