May 11, 2020
Pacifica City Council Meeting

Public Comments
Agenda Item # 4

From: Rose Bay [redacted]
Sent: Saturday, May 9, 2020 9:09 PM
To: Public Comment
Subject: 5/11/20 City Council meeting Agenda Item 4

[CAUTION: External Email]

Subject: 5/11/20 City Council Meeting Agenda Item 4

please read this comment into the record

From: Rose Bay
[redacted] Salada Ave
Pacifica Ca 94044

Thank you for your pro-active approach and efforts to protect the economy, health, and well-being of our City and residents during the COVID-19 emergency. As you are voting to continue our local emergency, I would like to share my concern as to how small cell wireless communications facilities (WCFs) be treated during this time. We want WCFs to be implemented in a thoughtful way with citizen involvement and planned expansion. There is serious potential for a negative effect on property values and aesthetics to our City. The City, State and Nation have very successfully used the precautionary principle to protect its residents from COIVD-19, we ask that the same principle be applied to new small cell WCFs.

Our concern is that the wireless providers are using the COVID-19 emergency to expand a hasty and unsupervised deployment of evidently harmful, poorly tested, small cell (4G and 5G) WCFs. While there has been Federal legislation to further this aim, many of these newer acts and orders are being brought to the federal appeals court to examine their constitutionality as they clearly demonstrate federal overreach into municipalities' rights.

Nearby cities have recently halted new WCF applications and new and pending permits- only allowing the legally required maintenance and repairs due to the COVID-19 emergency. Pacifica can do the same under State and FCC laws to implement tolling (pausing) of all the telecommunication applications- new or pending- during the local emergency and for a reasonable time afterwards to resolve any permitting backlog. Governor Newsom's Executive Order N-33-20, includes "maintenance of communications infrastructure" but it does not provide essential status to new wireless facility construction. Such tolling is also consistent with federal telecommunication laws. (see FCC 18-111: 157 (2018)).

For the sake of the City and its residents, please follow the precedent of Simi Valley, Santa Barbara and others who have ceased accepting WCF applications for a 90-day period. This will give Pacifica the time it needs to join the dozens of neighboring municipalities including Santa Cruz, Hillsborough, and Petaluma who have already adapted their city ordinances to specifically define, and legally regulate, small cell wireless facilities.

Thank you for your attention to this urgent matter.

Reasons for tolling WCF's:

1)Staff productivity may be impacted by technical difficulties at this time. This results in the pace of permit processing generally occurring more slowly than usual. A written directive can be issued to provide all interested parties with prior notice of the City's reduced capacity and consequential tolling of the processing of wireless permits, to avoid noncompliance with FCC shot clocks.

2)In- person meetings cannot take place during the permit application process. Site visits, consultant analysis, and fire department review may be impaired.

3)It will not be feasible to implement public participatory rights in this process. Residents have the right to participate. Tolling the processing of wireless permits when the city has also slowed processing of other permits is lawful, non-discriminatory, and prudent.

4)The City may be exposed to liability if unable to comply with FCC shot clocks or declines to accept new applications without giving pre-notification to applicants. If the City decides to continue accepting or processing new applications, it may be unable to meet the usual 60-90 day shot clocks. (see FCC 18-111:109).

Sent from my iPhone
CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Rick May [redacted]
Sent: Sunday, May 10, 2020 9:08 PM
To: Public Comment
Subject: PUBLIC COMMENT: 5/11/20 City Council Meeting Agenda Item 4

[CAUTION: External Email]

Subject: 5/11/20 City Council Meeting Agenda Item 4

please read this comment into the record

From: Rick May [redacted] Everglades Dr

Thank you for your pro-active approach and efforts to protect the economy, health, and well-being of our City and residents during the COVID-19 emergency. As you are voting to continue our local emergency, I would like to share my concern as to how small cell wireless communications facilities (WCFs) be treated during this time. We want WCFs to be implemented in a thoughtful way with citizen involvement and planned expansion. There is serious potential for a negative effect on property values and aesthetics to our City. The City, State and Nation have very successfully used the precautionary principle to protect its residents from COIVD-19, we ask that the same principle be applied to new small cell WCFs.

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Rick May
[redacted] Everglades Dr

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From: wongjennifer10[redacted]
Sent: Sunday, May 10, 2020 9:19 PM
To: Public Comment
Subject: 5/11 agenda item 4

[CAUTION: External Email]

please read this comment into the record.

Thank you for your pro-active approach and efforts to protect the economy, health, and well-being of our City and residents during the COVID-19 emergency. As you are voting to continue our local emergency, I would like to share my concern as to how small cell wireless communications facilities (WCFs) be treated during this time. We want WCFs to be implemented in a thoughtful way with citizen involvement and planned expansion. There is serious potential for a negative effect on property values and aesthetics to our City. The City, State and Nation have very successfully used the precautionary principle to protect its residents from COIVD-19, we ask that the same principle be applied to new small cell WCFs. Our concern is that the wireless providers are using the COVID-19 emergency to expand a hasty and unsupervised deployment of evidently harmful, poorly tested, small cell (4G and 5G) WCFs. While there has been Federal legislation to further this aim, many of these newer acts and orders are being brought to the federal appeals court to examine their constitutionality as they clearly demonstrate federal overreach into municipalities' rights. Nearby cities have recently halted new WCF applications and new and pending permits- only allowing the legally required maintenance and repairs due to the COVID-19 emergency. Pacifica can do the same under State and FCC laws to implement tolling (pausing) of all the telecommunication applications- new or pending- during the local emergency and for a reasonable time afterwards to resolve any permitting backlog. Governor Newsom's Executive Order N-33-20, includes "maintenance of communications infrastructure" but it does not provide essential status to new wireless facility construction. Such tolling is also consistent with federal telecommunication laws. (see FCC 18-111: 157 (2018)). For the sake of the City and its residents, please follow the precedent of Simi Valley, Santa Barbara and others who have ceased accepting WCF applications for a 90-day period. This will give Pacifica the time it needs to join the dozens of neighboring municipalities including Santa Cruz, Hillsborough, and Petaluma who have already adapted their city ordinances to specifically define, and legally regulate, small cell wireless facilities.

Thank you for your attention to this urgent matter.

Jennifer
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From: Sunil Bhat [redacted]
Sent: Sunday, May 10, 2020 10:15 PM
To: Public Comment
Subject: 5/11/20 City Council Meeting Agenda Item 4

[CAUTION: External Email]

please read this comment into the record

From: Dr. Sunil Bhat, [redacted] Park Pacifica Ave

Thank you for your pro-active approach and efforts to protect the economy, health, and well-being of our City and residents during the COVID-19 emergency. As you are voting to continue our local emergency, I would like to share my concern as to how small cell wireless communications facilities (WCFs) be treated during this time. We want WCFs to be implemented in a thoughtful way with citizen involvement and planned expansion. There is serious potential for a negative effect on property values and aesthetics to our City. The City, State and Nation have very successfully used the precautionary principle to protect its residents from COIVD-19, we ask that the same principle be applied to new small cell WCFs.

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--

Sunil Bhat D.O.
Osteopathictouch.com
Board Certified Osteopathic Family Medicine
Board Certified Osteopathic Neuromusculoskeletal Medicine

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From: Megan McKenna [redacted]
Sent: Monday, May 11, 2020 10:49 AM
To: Public Comment
Subject: Subject: 5/11/20 City Council Meeting Agenda Item 4

[CAUTION: External Email]

From; Megan McKenna
Palou Drive, Pacifica, 94044

Thank you for your pro-active approach and efforts to protect the economy, health, and well-being of our City and residents during the COVID-19 emergency. As you are voting to continue our local emergency, I would like to share my concern as to how small cell wireless communications facilities (WCFs) be treated during this time. We want WCFs to be implemented in a thoughtful way with citizen involvement and planned expansion. There is serious potential for a negative effect on property values and aesthetics to our City. The City, State and Nation have very successfully used the precautionary principle to protect its residents from COIVD-19, we ask that the same principle be applied to new small cell WCFs.

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Thank you

z,rhsm

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From: MarLuna Yoga [redacted]
Sent: Monday, May 11, 2020 4:31 PM
To: Public Comment
Subject: 5/11/20 City Council Meeting Agenda Item 4

[CAUTION: External Email]

Members of the planning commission,

New cellular facilities are not essential and should be delayed until after the shelter in place is lifted and the community can be present. I am a single mother of three boys, 22, 15 at TNHS & 9. I'm extremely passionate about our youth, earth and this beautiful coastal town that I blessed enough to call HOME. Pacifica has been such a sacred place for some many of us. These last few years I opened a yoga meditation business within the community. I'm greatly concerned with this decision being made when many do not know and understand options for safer technology. It is extremely unfair to move forward to move forward when the commUNITY cannot be present.

Thank you for your time.

Sincerely,

Maria Lunardi
[redacted] Banyan Way

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Public Comments
Oral Communications

May 11, 2020
City Council Meeting

From: Terri Echelbarger [redacted]
Sent: Thursday, May 7, 2020 3:39 PM
To: Public Comment
Subject: May 11 Oral Communications

[CAUTION: External Email]

Good Evening: Last year the County of San Mateo and four cities recognized Gay Pride month in some way, via flag raisings or proclamations. This year I urge Pacifica's City Council to do the same, recognizing June as LGBTQ+ Pride month. The many ways to do this were in an e-mail I sent last week. I hope you've had to time to review that, and I hope to hear from you soon.

Terri Echelbarger (she/her/hers)
Pacifica
Member San Mateo County LGBTQ+ Commission

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From: Cherie Wieland [redacted]
Sent: Monday, May 11, 2020 10:56 AM
To: Public Comment
Subject: No RV parking on Terra Nova and other streets in Pacifica

[CAUTION: External Email]

Please ban RV parking on Terra Nova and other streets in Pacifica. This is not safe as there are 2 schools on TN. It will also impact availability of parking.

Thank you for your consideration and attention to this important matter.

Cherie Wieland
[redacted] Poplar Ave

Sent from my iPad
CAUTION: This email originated from outside of the City of Pacifica. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

From: Maria Fastidio [redacted]
Sent: Monday, May 11, 2020 12:18 PM
To: Public Comment; Martin, Deirdre; O'Neill, Mike; Vaterlaus, Sue; Beckmeyer, Sue; Bier, Mary
Cc: Lavonda Williams; shermfrederick@gmail.com
Subject: Rv parking

[CAUTION: External Email]

I'd like these comments to be read aloud.

The issue of homelessness and rv living is not one that can be taken litely and I don't think there is a solution that can be implemented overnight. But I do not think risking and changing the daily lives of the residents of terra nova boulevard is the answer.

Terra nova blvd has a lot of kids that walk by themselves to school and activities. In my run this morning I ran by people walking their dogs, parents with their kids and people strolling along. When school is in session kids are walking to and from Ortega, to the bus stop and when soccer and softball season are here the streets are busy with families enjoying the games. With rv parking here that would not happen. Our lives have already been changed with SIP what more with rv parking here we would not feel safe outside.

Many of the town homes face outward to terra nova. Decks and windows are easily seen. Are you ready for the increased amount of petty theft reports or any other crimes that would occur because do you know who dwells in these rvs?

Parking can be hard on these streets and sometimes even with our designated spots most families have more than one cars. As someone who works night shift and has to constantly go back and forth for my kids I do not want to park farther than I already have to. I just want to park and sleep.

Can we also discuss the hygiene aspect? Right now our street has green garbage cans for dog waste. Can you imagine what would be In those garbage bags if rv dwellers are here? Let's not forget about the recent Incident of waste being strewn across the sun valley market parking lot.

Parking of vehicles over 6 feet tall be banned on ALL city streets, ALL at the same time, and to make the Safe Parking Program plans public and transparent, as these may vastly impact our neighborhood.

Maria Fastidio
Sent from my iPhone

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From: Denita Rosmarin [redacted]
Sent: Monday, May 11, 2020 12:49 PM
To: Public Comment
Subject: FW: RV PARKING ON TERRA NOVA - Please read into the record

[CAUTION: External Email]

I am a long time resident of Pacifica and have been using the sidewalk on Terra Nova regularly.

I have recently noticed an RV parked for some time in front of the church and it is encroaching on the sidewalk… its large mirrors protrude into the sidewalk and are a health and safety concern, I called and reported it to the police and they had the RV move so that it didn't have the mirror protruding into the sidewalk 2 feet so that someone can hurt themselves walking or running which I have seen the high school students train on this street many times. Since the RV has been moved, now its back end is protruding on the sidewalk…… and is another health and safety concern. I have not called the police yet but will.

This seems to be a bad idea to have large RV vehicles parked on the streets that are small and they don't have enough room to safely park their RV without encroaching on the sidewalk? I am wondering if your study took into consideration this encroachment and how far they have to park into the street so that they do not encroach on the sidewalk??? They have large mirrors and have to park like 2 feet or more to not encroach on the sidewalk…

This is a health and safety issue and people can hurt themselves running and or walking???? not to mention if other vehicles can safely drive by since they have to park farther away from the curb?

Denita Rosmarin
Certified FHA Appriaser
Coastside Appraisal Co
[redacted] Terra Nova Blvd
Pacifica CA 94044
[redacted] Cell

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From: aprisajn[redacted]
Sent: Monday, May 11, 2020 1:32 PM
To: Public Comment
Subject: 5G installations

[CAUTION: External Email]

Hello City Council,

Please read my comments into the record.Thank you.

5G is really just a name for the newest generation of mobile network, designed to connect virtually everyone and everything together including machines, objects, and devices. For many people, that is NOT a good thing. It will change life as we know it, not for the better. People tend to think change will benefit us all equally, but it won't. So the better question to ask is what do the rest of us pay for it?

Technology is moving so fast that lawmakers and society haven't had time to evaluate the cost/benefit balance. The biological cost to using uncontrolled 5G technology is tremendous. It facilitates high speed MOBILE transfer of large data via "pulsed" millimeter wave, so they can connect everything in the world, while making it unsafe for people to step outside, not to mention the effects on birds, other animals, insects, and plants.

This begs the question, "What kind of a world do we want to live in?"

The industry claims it's just like 3G and 4G but that's simply not true. They are also trying to use an averaging system to pretend safety, where the radiation from the pulses will far exceed safe levels, but averaged together with the times the antenna is not emitting, it will appear to be operating within limits. That's why testing is so important and the way testing is performed should not be controlled by installers.

A growing body of research establishes links to certain cancers in people living near cell installations. 5G technology will make the soup more toxic. This has already impacted property values near installations from 2 1/2 to 20 percent. Further, not even one insurance company anywhere, in any country, will insure them. So there is no compensation for lost property value, economic hardship, or medical bills for people living or attending school nearby. The welfare of those affected should outweigh any perceived "rights" of installers.

What city council can do is work with citizens to adopt a protective ordinance that encourages installation of high speed fiber optics in lieu of unfettered 5G rollout. Reliance on the speed of light fiber is safe, and faster than anything we will ever need. A growing number of cities are doing this. Santa Barbara city council put a 90 day moratorium on applications and I ask Pacifica city council to do the same. Until such ordinance can be reviewed and adopted, please prevent any antennae applications from being approved. Thank you.

I believe science can save us if we only listen soon enough, and ignore the biased assurances of so-called industry experts who are paid to sell the product. There are safer ways.

Sincerely,

Linda Prisajni

From: aprisajn[redacted]
Sent: Monday, May 11, 2020 5:30 PM
To: Public Comment
Subject: Oversized vehicle parking ban

[CAUTION: External Email]

Please read my comments aloud if time allows. Thank you.

RVs parked on the city streets create hazardous traffic conditions for cars pulling out of parallel spaces and driveways. Terra Nova Blvd. is a main artery to Back of the Valley with frequent auto and foot traffic, and is know for the occasional speeding car. Between the high school and Oddstad Blvd. there are only 3 crosswalks; at Lerida, Alicante, and Casa Pacifica. Many people cross wherever it's convenient because of the big distances to crosswalks. It is imperative that visual access to oncoming cars be maintained.

I question whether R3 zoning allows the parking of oversized vehicles in R2 zones. Guidelines for developers include strict safety measures that require keeping landscaping, fencing and walkways a specific number of feet back from the intersection of the road with driveways, to maintain safe visuals. There is also a restriction on how many dwellings can be constructed per acre, perhaps to control population density.

Linda Prisajni

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From: Larry Lewis [redacted]
Sent: Monday, May 11, 2020 3:57 PM
To: Public Comment
Subject: Oral Communications

[CAUTION: External Email]

Hello

I am a resident of Pacifica and I am curious what the city has planned for the parking lot closures. From what I can see, the major impact of the closures has fallen on the local businesses and community members who what access the parking lot near San Pedro where Grocery outlet is located. The parking lot is over run with out of town surfers and beach goers leaving us little to no room to park. This obliviously difficult for residents but also for the struggling business who are trying to remain open. What are you plans for 1) reopening these parking spaces or 2) Enforcing the parking restrictions at beach?

--
Take care,

Larry Lewis

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From: coastsided [redacted]
Sent: Monday, May 11, 2020 1:48 PM
To: Public Comment
Subject: Fwd: In opposition to allowing RVs to parking along Terra Nova Boulevard
Attachments: Homelessness Among Registered Sex Offenders in CA, CASOMB, 2008.pdf

[CAUTION: External Email]

(I originally sent this email to the city council, but I'd like it to be added to the public comments.)

Dear Mayor and City Council members,

I am writing in support of banning RV parking along Terra Nova Boulevard and the surrounding streets due to safety concerns for the children who attend Ortega Elementary, Terra Nova High School, Terra Nova Christian Preschool, and those who frequent the Pacifica Sanchez Library, all of which line a strip of road less than a mile on Terra Nova Boulevard.

The overall population of these schools, combined at any given time, surely must be the highest concentration of children in all of Pacifica and we should do our utmost to support and protect them, and having a possible criminal element so close by, is far from ideal.

We can all agree that homelessness is not a crime, however as noted in the attached report by the California Sex Offender Management Board:

"Since the implementation of residency restrictions, the number of sex offenders registering as transients has significantly increased."

"Homelessness increases the risk that someone who has offended sexually may commit another sex crime."

Although this report is dated, 2008, a simple Google search with the words "Sex offenders and homelessness in California", bring startling and sobering statistics about this unfortunate and complicated situation which alone should be enough to give a decision maker pause.

I understand there are rules, laws that are supposed to keep registered sex offenders away from schools, however what sort of policing will be in effect to ensure that the people occupying a given RV along Terra Nova isn't a sex offender?

The very nature of the transient lifestyle may impede the individual who finds themself in such a living situation, in making a clear decision of what area they should avoid in our small town, as well as keeping up to date of their whereabouts with local authorities. We should make it easier for them and direct them away from the most vulnerable of our citizens.

There is also a financial cost to consider here.

There will be a financial cost to the city in providing the extra police support needed in the area to protect the children but also, what if something dreadful happens and is linked to a resident from one of these loitering RVs? I can easily see a parent, suing the City et all, for the decision of allowing individuals living in RVs so close to the schools, and if the individual turns out to be a sex offender, how could they not lose in court with massive penalties to the City?

I understand you are facing tough decisions and I'm sure you realize once a decision is made as to which streets in Pacifica are open for RV parking, the city will be basically broadcasting to the homeless community to head to the given area as notification is spread through word of mouth.

I am just hoping you make the right decision, for the safety of the children as well as for the financial stability of Pacifica, to include Terra Nova Boulevard and surrounding streets in the area where RVs are banned.

Thank you

Matthew O'Malley

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California Sex Offender Management Board

Homelessness among Registered Sex Offenders in California: The Numbers, the Risks and the Response

December 2008

Members Of
The California Sex Offender Management Board

Suzanne Brown-McBride
CASOMB Chair
Executive Director
California Coalition Against Sexual Assault

Gerry D. Blasingame, MA
Licensed Marriage and Family Therapist
California Coalition on Sexual Offending

The Honorable Peter Espinoza
Judge
Los Angeles County Superior Court

Michael D. Johnson
County Administrator
Solano County

Sophia McBeth-Childs
Detective
Sacramento County Sheriff's Department

Robert Ambroselli
Deputy Director
Division of Adult Parole Operations
California Department of
Corrections and Rehabilitation

Appointment Pending
Undersecretary, Operations
California Department of
Corrections and Rehabilitation

Angela Thompson
Probation Officer
Los Angeles County Probation

Tom Tobin, Ph.D.
CASOMB Vice-Chair
California Coalition on Sexual Offending
SHARPER FUTURE

Catherine M. Duggan
Director
Crime Victims' Assistance Program
Ventura County
District Attorney's Office

David R. Gerard
Chief, Sex Offender Commitment Program
California Department of Mental Health

Janet Neeley
Deputy Attorney General
Office of the Attorney General

Pamela King
San Bernardino Public Defender's Office
Criminal Defense Attorneys

Nancy O'Malley
Chief Assistant District Attorney
Alameda County

Jerry Powers
Chief Probation Officer
Stanislaus County

Diane Webb
Detective
Sex Offender Program Coordinator
Los Angeles Police Department

RESEARCHERS

Principal Investigator
Russell Loving, J.D.

Associate Investigators
Jennie K. Singer, Ph.D.
Mary Maguire, Ph.D.

Division of Criminal Justice
California State University, Sacramento

THE CALIFORNIA SEX OFFENDER MANAGEMENT BOARD

In 2006, the California Sex Offender Management Board (CASOMB) was created when Assembly Bill (AB) 1015 was passed by the California State Legislature and signed by Governor Arnold Schwarzenegger. CASOMB is comprised of 17 appointed members representing various agencies that play a critical role in sex offender management. Five of the appointees come from state agencies, eight from local government (county or city) and four from the non-government sector.

Under AB 1015, CASOMB has been charged with providing the Governor and the California State Legislature with an assessment of current sex offender management practices, a progress report on the Board's work and a final report with recommendations. To accomplish these tasks, CASOMB meets monthly as a full Board and has broken up into Committees that meet during the interim period between Board meetings. The work by CASOMB connects with its mission and vision.

> Vision
> *The vision of the CASOMB is to decrease sexual victimization and increase community safety.*
>
> Mission
> *This vision will be accomplished by addressing issues, concerns, and problems related to community management of adult sexual offenders by identifying and developing recommendations to improve policies and practices.*

CASOMB's role in state government is to make recommendations, using evidence based practices as examples, to those who do have the authority to set policies and determine practices for the systems that manage sex offenders. CASOMB also serves as a resource for state legislators and other policymakers.

WANT MORE INFORMATION?

Monthly CASOMB meetings are open to the public and time is made available for public comment. CASOMB's web site (www.casomb.org) is the best source for meeting dates, agendas, minutes, and other resources including Board publications as well as national research.

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HOMELESSNESS AMONG REGISTERED SEX OFFENDERS IN CALIFORNIA: THE NUMBERS, THE RISKS AND THE RESPONSE

NOVEMBER 2008
SACRAMENTO, CALIFORNIA

EXECUTIVE SUMMARY

Why should our community care about issues related to homelessness among registered sex offenders? In the wake of the passage of state law and local ordinances restricting the residency of sex offenders, the number of sex offenders who registered as transient has risen significantly. Among all registered sex offenders (parolees, probationers and unsupervised), the number of sex offenders registering as transient has increased from 2050 in June 2007 to 3,267 by August 2008 – an increase of 60%. The only population of sex offenders where the residency restrictions of Proposition 83 has been consistently enforced has been parolees. Among parolees (parolees constitute approximately 15% of all registered sex offenders), the number of sex offenders registering as transient increased from 88 in November 2006 (prior to the passage of Proposition 83) to 1,056 by June 29, 2008 – an increase of over 800%. Currently, only the Department of Corrections and Rehabilitation, U.S. Probation and a few counties are enforcing Proposition 83. The Board anticipates that the number of sex offenders registering as transient will increase to a greater extent should other entities decide to enforce residency restriction laws. To better understand the significance of this rise in sex offenders registering as transient, the Board examined the events surrounding the increase in homelessness among sex offenders and how that increase may impact community safety.

Among all registered sex offenders (parolees, probationers and unsupervised), the number of sex offenders registering as transient has increased from 2050 in June 2007 to 3,267 by August 2008 – an increase of 60%. The only population of sex offenders where the residency restrictions of Proposition 83 has been consistently enforced has been parolees. Among parolees (parolees constitute approximately 15% of all registered sex offenders), the number of sex offenders registering as transient increased from 88 in November 2006 (prior to the passage of Proposition 83) to 1,056 by June 29, 2008 – an increase of over 800%.

It can be no coincidence that the rise in homelessness among registered sex offenders corresponds with recent changes regarding residency restrictions

imposed on registered sex offenders. California imposes various limitations on where a registered sex offender may live depending on whether the offender is a High Risk Sex Offender (HRSO), a sexually violent predator (SVP) or a person required to register under Penal Code section 290 as the consequence of a conviction for any specified sexual crime. Local governments have also imposed their own residency restrictions, usually directed toward all Penal Code section 290 registrants. In addition, this state's registration and notification laws have provided communities with the ability to locate sex offenders within their neighborhoods. An unintended and collateral effect of this state's registration and community notification laws was the mobilization of neighborhoods to oust sex offenders. As a result, the housing options for sex offenders have diminished significantly. With fewer options available, the number of sex offenders registering as transient has increased.

Common sense leads to the conclusion that a community cannot be safer when sex offenders are homeless. In this case, the empirical evidence supports common sense. Lack of stability is a primary contributing factor to an increased risk of reoffending, including sexual reoffending. Residential instability leads to unstable employment and lower levels of social support. Unstable employment and lack of social support lead to emotional and mental instability. Emotional and mental instability breaks down the ability to conform and leads to a greater risk of committing another sex crime.

The Board believes that the rise in homelessness among sex offenders needs attention because it is so closely associated with an increased level of threat to community safety. Based on its examination of the available evidence, the Board makes the following findings:

- The evidence shows an unmistakable correlation between the implementation of residency restrictions and the increase in homelessness among registered sex offenders.
- The evidence shows that homelessness increases the risk that a sex offender may reoffend.
- Partnerships between different levels of governments and between government and the public to make stable and appropriate housing available to sex offenders provide the strongest hope for reducing the transient sex offender population and the associated risk of future sexual victimization.

The following report will examine more closely each of the elements noted in this summary and will provide information about the research which supports each of the statements made and conclusions drawn by the Board.

OVERVIEW

To understand the events leading to the increase in sex offenders registering as transient and the impact this increase may have on community safety, the Board explored the numbers, the risks and the response to this increase.

Part I of this report looks at the number of sex offenders registering as transient. The data is viewed by examining the increase in homelessness among all registered sex offenders and sex offenders who are on parole. It also sets out the historical events correlating with the rise in sex offenders registering as transient. More importantly, this part identifies the numerous federal, state and local laws limiting where sex offenders may live.

Part II examines the risk that transient sex offenders may pose to community safety. It begins with an exploration of the factors affecting the risk of reoffending, looks at the destabililizing affects of homelessness and reaches the conclusion that transiency increase the risk of reoffending.

Part III looks at the response and lack of response to the increase in transiency among sex offenders. It begins with a look at the methods used by other states to provide housing for sex offenders and concludes with a summary of Governor Schwarzenegger's "California Summit for Safe Communities."

Part IV gives the conclusions of the Board. The Conclusions section identifies factors that may increase or decrease the level of homelessness among sex offenders. It concludes with specific findings as supported by available evidence.

OUTLINE OF CONTENTS

Part I. SINCE THE IMPLEMENTATION OF RESIDENCY RESTRICTIONS, THE NUMBER OF SEX OFFENDERS REGISTERING AS TRANSIENT HAS SIGNIFICANTLY INCREASED.

a. Among all registered sex offenders, the number of sex offenders registering as transient has increased by sixty percent.
b. Registration and notification laws have impacted where sex offenders may live.
c. The housing options for sex offenders are limited by federal, state and local laws.

Part II. HOMELESSNESS INCREASES THE RISK THAT SOMEONE WHO HAS OFFENDED SEXUALLY MAY COMMIT ANOTHER SEX CRIME.

a. What are the factors that increase a sex offender's risk of committing another sex crime?

b. Homelessness, a dynamic risk factor, destabilizes the sex offender and increases the risk of committing another sex crime.
c. Housing helps the sex offender to stabilize and reduces the risk of re-offending.
d. Housing leads to stable employment and social support, which are factors reducing the risk of re-offending.

Part III. THE RESPONSE TO HOMELESSNESS AMONG SEX OFFENDERS REQUIRES A CREATIVE AND COLLABORATIVE EFFORT TO CREATE STABLE AND SUITABLE HOUSING.

a. Efforts to reduce homelessness among sex offenders have led to innovative approaches to housing.
    i. Shared Living Arrangements
    ii. Secure Community Transition Facility for sexually violent predators
    iii. Mobile trailers as transition housing
    iv. Leased Unit Model
    v. Private landlords with informal agreements with the government
    vi. Funding for construction of homes for the homeless
b. The solution to the problem of housing sex offenders begins with examining and developing a state-wide housing policy.

Part IV. CONCLUSIONS

Part I. SINCE THE IMPLEMENTATION OF RESIDENCY RESTRICTIONS, THE NUMBER OF SEX OFFENDERS REGISTERING AS TRANSIENT HAS SIGNIFICANTLY INCREASED.

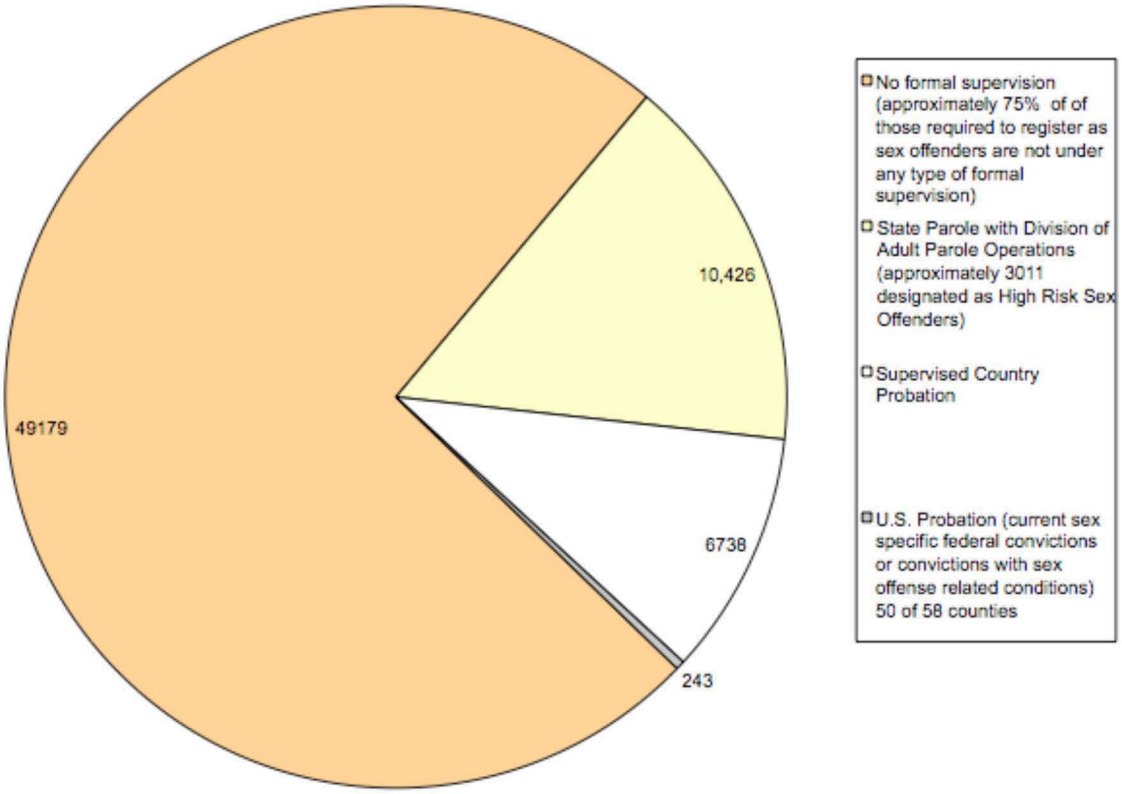
a. Among all registered sex offenders, the number of sex offenders registering as transient has increased by sixty percent.

Since the implementation of Proposition 83, there has been a surge in the number of sex offenders who register as transient. The most notable increase has been among paroled sex offenders. Paroled sex offenders are under close supervision and the California Department of Corrections and Rehabilitation (hereafter CDCR) has been the primary agency that has enforced Proposition 83.[1] The Board anticipates that, if residency restrictions were enforced against all registered sex offenders, including those on probation and those who are unsupervised, the number of sex offenders registering as transient would further increase.

The majority of registered sex offenders are not supervised. The California data base that contains information on those individuals who are required to register as sex offenders under Penal Code 290 is managed and maintained by the California Department of Justice (DOJ) under the State Attorney General. Data is submitted to DOJ by the various law enforcement agencies throughout the state who receive such information directly from the registrants. Approximately 70 - 80% of all sex offenders living in the community are not under the direct authority of the criminal justice system and are, therefore, under no formal supervision. Selected individuals may be kept under some level of observation by local law enforcement, particularly with regard to registration residency information. The other 25% are under the authority of either state parole or county probation. The distribution of supervised and unsupervised registered sex offenders is represented below in Chart 1-1.

[1] U.S. Probation and a few counties in California have also enforced Proposition 83.

Chart 1-1: Sex Offender Registrants in the Community
(Source: CASOMB Initial Report 2008)



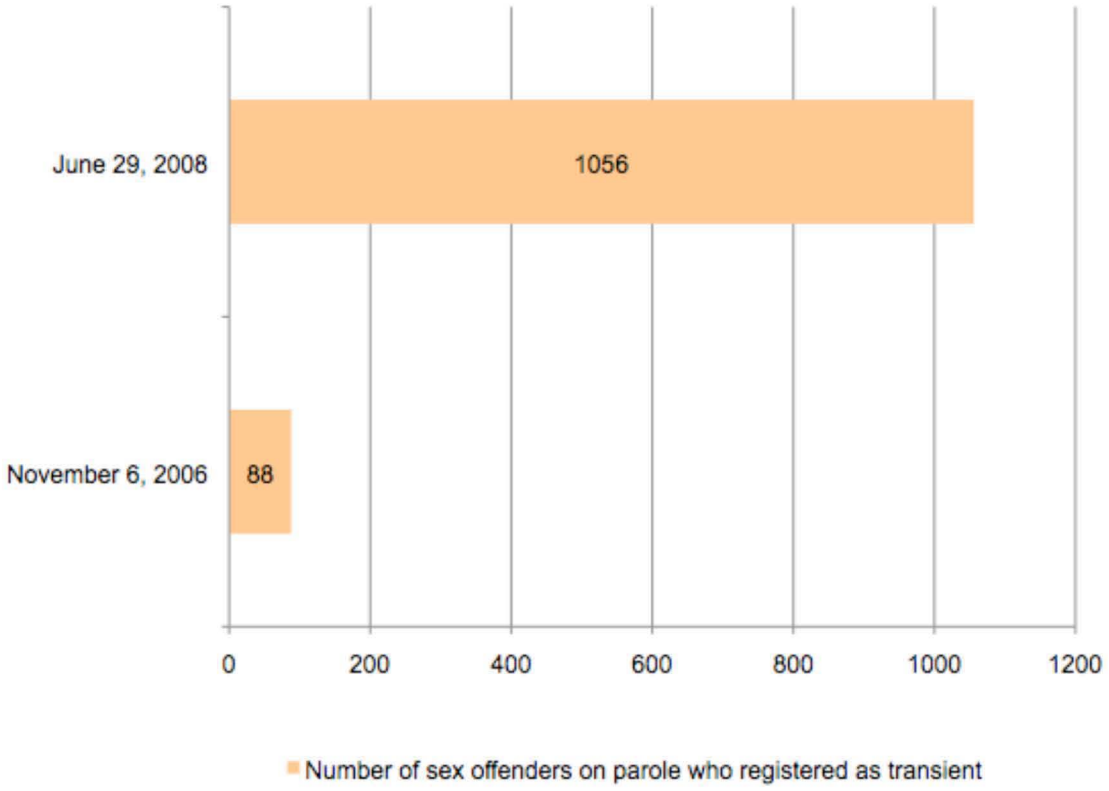
California voters passed Proposition 83 on November 6, 2006. In August 2007, CDCR established a procedure for implementing Proposition 83 (CDCR Policy No. 07-36, Aug. 17, 2007). The Memorandum directed unit supervisors to locate the current listing of all public and private schools and parks within their communities. Parole agents were then instructed to serve all affected parolees with a "Modified Condition(s) of Parole Addendum" (MCOPA) and/or a Notice to Comply instructional letter. The MCOPA and Notice to Comply advised the affected parolees of Proposition 83. Parolees were given 45 days after service to comply. Parole agents were to advise affected parolees that non-compliance will result in arrest and referral to the Board of Parole Hearings. Parole agents were to utilize a Global Positioning System (GPS) device to measure the proximity of the primary entrance of the affected parolee's residence from the exterior boundary of the prohibited school or park. Parole agents were to consider any parolee who absconds from parole supervision to avoid compliance with Proposition 83 as a Parolee-At-Large (PAL) and to request a warrant.

Parolees who declare themselves as transient had to comply with additional requirements. Penal Code section 290.011 provides that "'transient' means a person who has no residence. 'Residence' means one or more

addresses at which a person regularly resides, regardless of the number of days or nights spent there, such as a shelter or structure that can be located by a street address, including, but not limited to, houses, apartment buildings, motels, hotels, homeless shelters, and recreational and other vehicles." Transient parolees are required to contact their parole agent daily via telephone or in person. Once each week, they must report in person to the Parole Unit.

The rise in the number of sex offender parolees registering as transient rose significantly after enforcement of Proposition 83. On November 6, 2006 (prior to the passage of Proposition 83), 88 sex offenders on parole registered as transient. By June 29, 2008, the number had increased to 1056 – an increase of over 800 percent.

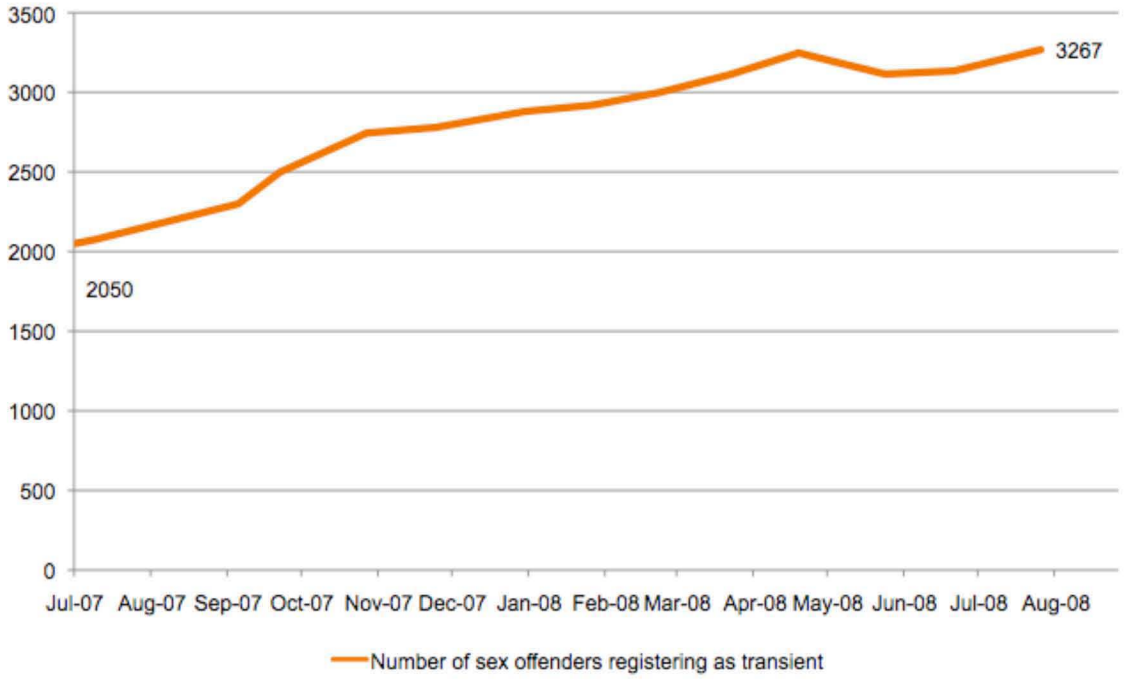
Chart 1-2: Changes in Homelessness among Paroled Sex Offenders
Data provided by the California Department of Corrections and Rehabilitation



When looking at all registered sex offenders (those on parole, those on probation, and those who are unsupervised), a similar pattern of a notable increase can be found. In June 2007, 2050 sex offenders registered as transient. By August 2008, the number had risen to 3,267 – an increase of sixty percent. (See Appendix A for the distribution by county of all registered sex offenders and

sex offenders registering as transient.) As noted above, the Board anticipates that, if residency restrictions were enforced against sex offenders on probation and unsupervised sex offenders, the number of sex offenders registering as transient would further increase.

Chart 1-3: Changes in Homelessness among All Registered Sex Offenders
Data provided by the California Department of Justice



b. Registration and notification laws have impacted where sex offenders may live.

Sex offender registration is not new. In 1947, California implemented the nation's first sex offender registry. However, the public's attention focused on sex offending when the media publicized particular incidents of sex attacks on children. Responding to public outcry, other states enacted sex offender laws.

The incentive for all states to pass registration and notification laws came when the federal government passed three laws: the Jacob Wetterling Crimes against Children and Sexually Violent Offender Registration Act (1994), Megan's Law (1996) and the Pam Lynchner Sexual Offender Tracking and Identification Act (1996). Collectively, these federal laws required all states to establish registration and notification programs. For example, the Jacob Wetterling Act prohibits states from receiving ten percent of the funds allocated to a state under the Omnibus Crime Control and Safe Streets Act of 1968 should the state fail to

implement a notification program. Congress continued to draw attention to sex offenders when, in 2006, it passed the Adam Walsh Child Protection and Safety Act of 2006. Among other provisions, the Act establishes a national database of sex offenders and allows public access to information regarding sex offenders released from prison.

In response to public outcry concern as well as federal mandate, California enacted the Child Protection Act of 1994. The Act created a Child Molester Identification Line 900 Number, which provided the public with the ability to call and inquire whether an individual was registered as a sex offender. In support of the Act, the California Legislature declared that sex offenders posed a high risk of re-offending, that there was a "necessary and compelling public interest" for the public to have access to information regarding sex offenders, and that convicted sex offenders had a reduced expectation of privacy. The system which provides such information to those citizens who take the initiative to inquire is sometimes called "passive notification."

Two years later, California amended the Child Protection Act of 1994 to include the means for "active" community notification. Commonly known as "Megan's Law," the amendments authorized local law enforcement to take the initiative to disclose offender information when deemed necessary for public safety. The amendments also provided for registration information to be made available to the public through CD-ROM and other electronic media. Members of the public would need to go in person to a special "kiosk" computer at a local police station to obtain the information.

The current version of California's registration and notification laws is found in the Sex Offender Punishment, Control, and Containment Act of 2006. The Department of Justice is required to make available to the public "via an Internet Web site" certain identifying information regarding persons required to register pursuant to Penal Code section 290 (Cal. Penal Code, § 290.46). Megan's Law continues to permit local law enforcement agencies to notify their communities about the presence of designated registered sex offenders who pose a risk in their area. Local law enforcement may use "whatever means the entity deems appropriate, when necessary to ensure the public safety" (Cal. Penal Code, § 290.45).

Notification laws provide communities with the ability to protect themselves by informing them where sex offenders live. However, one of the unintended and collateral effects of registration and community notification is that neighborhoods may attempt to oust the offender.

For example, earlier this year when they learned from the DOJ website about a "concentration" of 290 registrants in their neighborhood, residents of Long Beach mobilized to move out sex offenders living at a halfway house in

Alamitos Beach (Long Beach, 2008). Similarly, the Riverside Press-Enterprise reported that an angry mob picketed the home of a sex offender (as cited in Fry-Bowers, 2004). The mob's intimidating actions forced the offender to move away. In Hayward, CDCR had placed seven sex offenders at the Island Motel. However, the manager had all seven leave after area residents called and said they were outraged that sex offenders were living in their neighborhood (Graham, 2006). Last year in Lake County, the Megan's Law website may have led to the killing of a sex offender (Megan's Law, 2007). When a resident of a trailer park learned that a sex offender had moved in, the resident allegedly killed the sex offender because the resident was concerned that a child molester had moved into the neighborhood. The resident was wrong. The sex offender had raped an adult. Thus, though not intended to limit where registered sex offenders may live, registration and community notifications laws have impacted the availability of housing for registered sex offenders.

c. The housing options for sex offenders are limited by federal, state and local laws.

Housing of known sex offenders is closely regulated. The fundamental statutory requirement for all parolees is that a parolee shall be returned to the county that was the parolee's last legal residence (Cal. Pen. Code, § 3003, subd. (a)). On rare occasions, the parolee may be returned to another county if returning to another county is "in the best interest of the public" (Cal. Pen. Code, § 3003, subd. (b)). When making such a decision, the paroling authority must give the greatest weight to the protection of the victim and the safety of the community.

A second restriction is imposed on parolees who committed certain enumerated violent crimes (Cal. Pen. Code, § 3003, subd. (f)). The parolee may not reside within 35 miles of the actual residence of the victim or witness to the crime. The enumerated sex crimes are:

- Rape (Cal. Pen. Code, §§ 261, subd. (a)(2) & (a)(6) & 262, subd. (a)(1) & (a)(4));
- Sodomy (Cal. Pen. Code, § 286, subd. (c) & (d));
- Oral copulation (Cal. Pen. Code, § 288a, subd. (c) & (d)); and
- Lewd or lascivious act (Cal. Pen. Code, § 288, subd. (a) & (b))

State residency restrictions directed specifically to sex offenders fall under two broad categories: (1) Offenders who were released from prison and would be subject to parole supervision, and (2) offenders who were required to register under Penal Code section 290. Regarding the second category, whether the offender is, or is not, under supervision as a parolee or probationer does not matter. Chart 1-4 lists the state statutes that restrict where sex offenders may live.

Chart 1-4: State statutes restricting the residency of sex offenders

Statute	Pen. Code, § 3003.5, subd. (b)	Pen. Code, § 3003.5, subd. (a)	Pen. Code, § 3003, subd. (g)	Welf & Inst. Code, § 6608.5, subd. (f)
Restriction	2000 feet of any public or private school, or park where children regularly gather	With another registered sex offender in a single family dwelling*	¼ mile from any public/private school, grades K-12	¼ mile from any public/private school, grades K-12
All registered sex offenders	Yes			
Registered sex offenders who are on parole	Yes	Yes		
High Risk Sex Offenders who *(1) Are on parole and* *(2) were convicted of violating either Pen. Code, §§ 288 (Lewd and Lascivious Acts) or 288.5 (Continuous Sexual Abuse of a Child)*	Yes	Yes	Yes	
Sexually Violent Predators who *(1) are on parole and* *(2) either have had* *(a) a previous conviction for violating Pen. Code, § 288.5, subd. (a) & (b) or Pen. Code, § 288, subd. (c)(1) or* *(b) a finding by a court that the parolee has a history of improper sexual conduct with children.*	Yes	Yes		Yes

* Penal Code section 3003.5 provides an exception for persons legally related by blood, marriage or adoption to the parolee. This section also states that a "'single family dwelling' shall not include a residential facility which serves six or fewer persons."

Proposition 83 also permits local jurisdictions to enact ordinances restricting sex offender residency (Cal. Pen. Code, 3003.5, subd. (b)). As of October 2008, seventeen cities and three counties had enacted ordinances limiting where sex offenders may live. (See Appendix B for a list of the local jurisdiction imposing its own residency restrictions.) To the knowledge of the Board, no local jurisdiction is enforcing its ordinances limiting where sex offenders may live.

Federal law further limits where sex offenders may live. 42 U.S.C. §13663 prohibits federally assisted housing from admitting any person who is subjected to lifetime registration under a state sex offender registration program. Penal Code section 290 provides that sex offenders must register for life. As such, registered sex offenders in California cannot live in low-income subsidized housing.

To determine the impact of Proposition 83's 2,000 foot residency restriction, the San Diego District Attorney's Office used Geographic Information Systems (GIS) to assess the law's impact on San Diego County (Wartell, 2007). The researchers extracted out the residential parcels in San Diego County and overlaid the 2,000 foot buffers extending from schools and parks. The analysis revealed that fewer than 28 percent of the residential parcels were available for housing sex offenders. The analysis did not consider whether any of the housing in the available parcels was affordable to sex offenders.

The combined effects of federal, state and local residency restrictions, state registration and notifications laws, and public sentiment have significantly reduced the housing options for sex offenders. One result of these limitations is an increase in the number of sex offenders registering as transient.

Part II. HOMELESSNESS INCREASES THE RISK THAT SOMEONE WHO OFFENDED SEXUALLY MAY COMMIT ANOTHER SEX CRIME.

a. What are the factors that increase a sex offender's risk of committing another sex crime?

There are several empirical risk factors that raise the risk that an offender will re-offend sexually. These include deviant sexual preference (such as a desire for young children); an antisocial lifestyle (such as a propensity to violate rules); employment instability; and reckless, impulsive behavior (Hanson & Bussiere, 1998; Hanson & Morton-Bourgon, 2004, 2005). Other important factors include young age at time of offense, number of prior offenses, single marital status, failure in treatment, a preoccupation with sexual fantasy and poor interpersonal relationships (Hanson & Morton-Bourgon, 2004, 2005).

Dynamic risk factors are extremely important to assess because they are changeable over time. Static factors (such as age at time of offense and number of prior offenses), while easier to assess empirically, do not change from month to month or day to day. Therefore, monitoring them does not yield any helpful information in assessing current risk for re-offending (Harris, 2006). There are empirically-derived questions that can be used. Systems—such as the STABLE 2000 and the ACUTE 2000, which are used for evaluating changes in dynamic risk factors (Craig, Browne, & Beech, 2008)—can be assessed via a structured dynamic interview by a well-trained practitioner (Cauley, 2007; Harris, 2006).

Stable dynamic risk factors may change over time, usually months or years (Harris, 2006). Key dimensions are significant negative social influences; intimacy deficit feelings of rejection or loneliness; attitudes supportive of sexual assault or of hostility towards women; lack of cooperation with supervision; poor regulation of deviant sexual interests and general self-regulation, such as managing impulsive behaviors (Craig, Browne, & Beech, 2008; Hanson, Harris, Scott & Helmus, 2007).

Acute dynamic risk factors may change over more limited periods of time, such as weeks, days or hours (Harris, 2006). Key dimensions include sexual interests/ frequency of sexual fantasies; cooperation with treatment; clinical symptoms such as negative mood and substance use; and contextual factors such as isolation, unemployment, poor social influences, low levels of social support, relationship problems and access to potential victims (Craig et al., 2008).

Hanson and Harris (2000) reported an increase in acute dynamic factors offenders in the month prior to a sexual re-offense, specifically:

- An increase in negative mood or anger
- A decrease in physical appearance
- A decrease in compliance with supervision.

Hanson and Harris (2000) also cite an emotional crisis; a collapse of previous social supports; contextual factors such as hostility, substance abuse, and sexual preoccupations; and a unique trigger for the offending behavior such as a date or anniversary, health problem or homelessness. Both stable and acute dynamic factors have been found to be reliable predictors of sexual recidivism (Hanson, 2005), although they are most accurately used in a predictive capacity when combined with static factors (Hanson, et al., 2007).

b. Homelessness, a dynamic risk factor, destabilizes the sex offender and increases the risk of committing another sex crime.

Levenson and Cotter (2005) surveyed sex offenders in Florida under 1000 foot residency restrictions and found that most sex offenders felt that decreased stability and increased financial hardship were the result of not being able to live with or near family members. Most felt an increased risk of re-offending due to the resultant isolation. Burchfield and Mingus (2008) interviewed sex offenders and found that sex offenders have limited housing options, and have difficulty finding landlords who are willing to rent to a registered sex offender. Although there is no known study that empirically examines the risk of homelessness on sexual re-offense, Willis and Grace (2008) examined a group of released sex offenders who had completed a 32-week prison-based treatment program between 1990 and 2000, and were convicted of a sexual re-offense since February 2001. In evaluating the sample of 81 ex-offenders, Willis and Grace found that accommodation was a significant predictor of sexual recidivism, even when controlling for dynamic risk factors such as anger and other deviant thinking.

Despite the lack of large empirical studies, many researchers and policy makers are of the strong opinion that lack of housing in a sex offender population will lead to higher levels of risk and will decrease public safety. The United Kingdom sees finding appropriate accommodations for registered sex offenders to be a very high priority in reducing risk, and questions the helpfulness of putting too many restrictions on sex offenders with the concern that it could “backfire and encourage sex offenders to hide their activities. The potential for reduction or withdrawal of restrictions on the other hand was seen as a motivator, enabling the sex offender to demonstrate change and achieve targets” (Managing Sex Offenders in the Community, 2005, p. 29).

Durling (2006) states: “Low income sex offenders face a severe housing problem when they are released from prison because residency restrictions can dramatically limit where an offender can live…and prevent offenders from living in the areas closest to jobs and public transit” (p.334). Durling (2006) also states that even though residency restrictions are meant to protect communities, they may instead “banish” the sex offender, which may lead to higher levels of risk (p. 335).

Unstable housing has been linked with a lack of social support and with difficulty finding employment, both dynamic risk factors for sexual re-offense (Hanson & Morton-Bourgon, 2004, 2005). Similarly, Levenson, Zgoba, and Tewksbury (2007) argue that helping sex offenders locate stable housing will increase not only their levels of social support but also their success at finding lasting employment, thereby reducing their risk of re-offending. Residency restrictions have the unintended consequence of increasing homelessness and creating more transient sex offenders, “making them difficult to track and monitor” (Levenson et al., 2007, p.4). Data from Iowa in 2006 is cited by Levenson and her colleagues, stating that once residency restrictions were passed, the number of registered sex offenders who could not be located doubled, putting the sex offender registry validity and reliability in doubt, and raising community risk.

Additionally, the creators of the COMPAS, a risk assessment instrument now being validated for the State of California, found that parolees who have a high score on residential instability are at higher risk of recidivism (Brennan, Dieterich, Ehret & Beate, 2007). Using the COMPAS Matrix-R, a secondary assessment for parolees once they have been out on parole, Brennan et al. found that California parolees with the highest levels of recidivism had higher scores on residential instability and also had vocational and educational problems.

c. Housing helps the sex offender to stabilize, and reduces the risk of re-offending.

Finding housing is a serious issue; in addition, helping returning offenders find housing can be a way of keeping communities safe (Rodriguez & Brown, 2003). Housing options for returning prisoners who do not stay with family members or friends are very limited (Clark, 2007; Returning Home, The Urban Institute, 2008). There are few housing options in general, but options are particularly limited for sex offenders who are unable to receive any federally subsidized housing assistance such as special needs housing through HUD, or to live in group situations, common re-entry housing plans for returning offenders (Returning Home, 2008).

Financial challenges may push sex offenders into poorer neighborhoods. Neighborhood characteristics can affect recidivism rates. Kubrin and Stewart

(2006) found that for 5,002 released offenders living in Oregon, living in a disadvantaged neighborhood was a risk factor for recidivism, while living in a resource rich neighborhood performed an important protective factor in reducing re-offending.

> "Stable housing is an essential component of safe reentry and is a key to success" for high-risk sex offenders.

Aylward (2006) stated that in the State of Washington, "Stable housing is an essential component of safe reentry and is a key to success" for high-risk sex offenders (p. 77). Aylward also saw finding stable employment with an adequate wage as a key to maintaining housing, and having a good relationship with a significant other as a pro-social influence in keeping sex offenders from re-offending.

Other countries see re-entry and homelessness as a growing problem. An Australian report issued by the Department of Family and Community Services (2004) found that housing is a key factor that influences re-offending. In their 2004 report the Department of Family and Community Services reported many specific housing recommendations to prevent ex-offenders from becoming homeless, stating, "Research suggests that the availability of housing with support post-release has a positive impact on successful reintegration" (p. 20). The report also cites the lack of housing options for ex-offenders as a problem, because surveys and a needs analysis of ex-offenders found that many offenders attribute repeat offending to unemployment, homelessness, and lack of family support upon release (Department of Family and Community Services, Australian Government, 2004). The United Kingdom is concerned with creating local strategies and protocols in providing housing for high-risk sex offenders, which is seen as an important strategy to decrease community risk (Managing Sex Offenders in the Community, 2005).

When examining research focused on offenders who are convicted of a variety of criminal offenses, there have been many studies demonstrating that homelessness and incarceration are factors that are intertwined. Individuals who have been incarcerated tend to be homeless for longer than those who have not been incarcerated (Phelan & Link, 1999). Metraux and Culhane (2004, 2006) found that a significant portion (about one fourth) of individuals staying at a New York City Shelter had been incarcerated at a New York State prison or New York City Jail in the previous two years. Shelter stays among recently released prisoners are more likely a transitional stage than a long-term pattern of homelessness, and this transition may cause an increase in recidivism (Metraux & Culhane, 2004). In a study by DeLisi (2000), jail inmates who came from one

year or more of chronic transiency were more violent and had longer criminal histories than jail inmates who were domiciled in the year prior to arrest.

In numerous interviews with 25 repeat offenders ages 15 to 24, a lack of stable housing and accommodation emerged as a key theme in their re-offending behaviors (Halsey, 2007). Halsey found that the lack of stable housing increased their stress levels, decreased the likelihood of a supportive family environment, and decreased their likelihood of remaining out of prison. Roman and Travis (2004) found that when prisoners have no place to go upon release they are more likely to violate their parole conditions or to be rearrested. Meredith, Speir, Johnson and Hull (2003) found that each time a parolee moved, his or her likelihood of re-arrest increased by 25%. In California, Williams, McShane, and Dolny (2000) found that having unstable living arrangements was the most important factor in determining whether a large sample of parolees absconded from supervision.

d. Housing leads to stable employment and social support, which are factors reducing the risk of re-offending.

Unstable employment or unemployment has been seen as an important risk factor for all types of offenders reentering the community. Finding and maintaining employment upon release from prison has been seen as a way of reducing recidivism (Returning Home, The Urban Institute, 2008). Employment and vocational programs both in and out of prison including job linkage and placement services are classified as “what works” in corrections (Aos, Miller & Drake, 2006; The Little Hoover Commission Report, 2003; MacKenzie & Hickman, 1998). Tarlow and Nelson (2007) found that released offenders who start work immediately upon leaving prison have lower recidivism rates. Released offenders who were unable to find work, and who returned to disadvantaged neighborhoods with low levels of social support and economic problems, were more likely to be rearrested (McBride et al., 2005).

Visher (2007) of the Urban Institute states that finding employment is the single largest concern reported by men and women before they are released from prison. Over 75% of soon-to-be-released prisoners said that finding a job would be an important factor in keeping them from returning to prison, and 88% reported that they needed job training or more education (Visher, 2007). Petersilia determined in her report on Governor Schwarzenegger’s Rehabilitation Strike Team (2007) that employment causally contributes to successful reentry outcomes, because it signals that an individual has embraced a pro-social lifestyle, has money, makes positive social connections, and has social controls that prevent criminal behavior. She estimates that between 60% and 80% of parolees are unemployed one year after release from parole. Petersilia (2007) cites the California Legislative Analyst’s 2007 report as stating that parolees who

have stable housing and who find and maintain a steady job are more likely to avoid re-offense and to successfully complete their parole.

Social stability and support is also seen as an important factor in reintegrating into society and enhancing public safety (Petersilia, 2003). The Urban Institute's Returning Home Project cited family support as the most important factor in ex-offenders keeping out of prison (McBride, Visher, & LaVigne, 2005). Since most returning prisoners live with a family member, close friend, or significant other, it is a major problem if the offender is unable to live with these supportive individuals due to some conflict or legal restriction (Roman & Travis, 2004).

In summary, sex offenders are more likely to be faced with legal restrictions, preventing them from returning to social supports and homes due to current residency restriction laws in many states, including California. Homelessness, unemployment, and lack of social support may end up being factors facing many sex offenders, both those who are re-entering California communities and those who are continuing registered sex offenders. These factors increase dynamic risk and therefore may increase re-offending behaviors.

Part III. THE RESPONSE TO HOMELESSNESS AMONG SEX OFFENDERS REQUIRES A CREATIVE AND COLLABORATIVE EFFORT TO CREATE STABLE AND SUITABLE HOUSING.

a. Efforts to reduce homelessness among sex offenders have led to innovative approaches to housing.

States such as Washington and Colorado have employed innovative housing methods such as (1) shared living arrangements, (2) secure community transition facilities, (3) mobile trailers as transition housing and (4) the leased unit model. Sex offender housing is also provided by private landlords in a special agreement with parole authorities in Washington State.

Of these innovative housing methods, only the shared living arrangement has been studied to determine its effects on the level of violations by paroled sex offenders. Based on a 2004 study, Colorado has determined that high-risk sex offenders living in shared living arrangements had significantly fewer violations than those in other living arrangements (living alone or with family or friends).

i. Shared Living Arrangements

Shared Living Arrangements ("SLA") are based on the Therapeutic Community Treatment modality (*Colorado Dept. of Public Safety*, 2004). Therapeutic Community Treatment differs from other treatment approaches principally in its use of a community, comprising of the treatment staff and the recipients of the treatment, as key agents of change. In other words, peer influence is used to help participants learn and assimilate social norms which include not re-offending sexually.

SLA is used exclusively by Colorado. SLA consists of two or three sex offenders living together. They rent or own the house. The offenders are financially responsible for the housing. The treatment provider incurs no housing costs.

The location of the residence must be approved by the supervising officer and the treatment provider. The supervising officer ensures that the residence is not located within sight of a "school, playground, or next-door to a residence that has 'child-type' items (for example, a swing set)."

The residents hold each other accountable for their actions. They also have a responsibility to report certain high risk behavior such as returning home late or having contact with children. There are no treatment providers or supervising officers living on the premises. Instead, both the treatment provider and supervising officer conduct frequent site checks.

A study of SLA revealed that:

- SLA was occupied by higher risk offenders than those not living in SLA.
- Those living in SLA had fewer violations (reoffended or technical) than those living alone or with family or friends
- Those living in SLA who violated their conditions of parole were caught more quickly than those living alone or with family or friends (because the roommates reported the violations).
- Proximity of sex offender residency to where children regularly congregate had no impact on recidivism.

Based on the study, the Colorado Sex Offender Management Board found that:

- SLA functions as an effective containment modality for high risk sex offenders.
- Policies restricting a sex offender from living with another sex offender did not enhance community safety.
- Restrictions prohibiting sex offenders from residing near where children regularly congregate did not enhance community safety.

ii. Secure Community Transition Facility for sexually violent predators

A "secure community transition facility" ("SCTF") is the Washington State statutory name for a less restrictive alternative residential facility program operated or contracted by the Department of Social and Health Services. A "less restrictive alternative" placement is defined in the state law as a living arrangement that is less restrictive than total confinement.

The SCTF has on-site supervision and lock-down security. It also provides or ensures the provision of sex offender treatment services. The program offers 24-hour intensive staffing and line-of-sight supervision by trained escorts when residents leave the facility.

SCTF houses only court-approved, civilly committed sexually violent predators. The offender must first complete his prison term and then successfully complete a rigorous treatment program at the Washington State MacNeil Island's Special Commitment Center. Only a civil court can decide whether to transfer the offender from the confinement of the Special Commitment Center to the less restrictive SCTF.

At the SCTF, the resident will continue with treatment and will learn how to reintegrate into society. The residents attend weekly individual and group therapy sessions. The focus of the sessions is to teach and reinforce positive behavior.

Residents are required to maintain a journal and share the journal with their treatment providers.

Residents may leave the SCTF for trips. However, a community corrections officer must first determine that the destination is safe before approving the trip. The resident may then leave the SCTF in the company of a trained escort.

To date, no study has been completed to show the effects of this housing arrangement on reducing re-offending and on increasing community safety. Of significance, SCTF serves a very small community – sexually violent predators transferred by a court. For example, the SCTF in the SODO neighborhood of Seattle is equipped for only six residents.

iii. Mobile trailers as transition housing

Officials in Suffolk County, New York are experimenting with mobile trailers as transitional housing for sex offenders (Suffolk County, 2007). Each trailer houses eight sex offenders. The trailers are parked on county lands away from residential areas. Under county law, the trailers cannot be placed within 1,000 feet of schools, churches, daycare centers or nursing homes. A curfew is imposed on the residents from 8 p.m. to 7:30 a.m.

These trailers are moved from one part of the county to another part every one to three weeks. The continuous movement “avoids having to burden any single neighborhood with a permanent shelter for [sex offenders]” (Suffolk County, 2007). The movement also prevents too many sex offenders from settling into the same area. By constantly moving the trailers, the county distributes the offenders throughout the county.

The trailers are not intended as permanent residences. Instead, they serve as transition housing for those sex offenders who have yet to find permanent housing. To motivate sex offenders to find housing, the trailers have minimum comforts.

During the daytime, a van transports the sex offenders to work or to agencies providing referrals for permanent housing and other services. The operating cost is approximately $85 per person per night.

To date, no study has been completed to show the effects of this housing arrangement on reducing re-offending and on increasing community safety. The literature suggests that its primary purpose is to reduce fear in the community and not to reduce recidivism.

iv. Leased Unit Model

In 2004, the Partnership of Community Safety in Washington State recommended a pilot project called the “Leased Unit Model” (Restricted Transition Housing, no date). The key concept of a Leased Unit Model (LUM) is that the government enters into a contract with private landlords to lease to sex offenders. The housing provided in the recommended model is structured with supervision by corrections officers; participation in treatment by the offenders; assistance for the offender to find employment, permanent housing and a supportive social network; and coordination with local law enforcement. The participant is expected to pay $400 for monthly rent and program costs. The remainder of the rent is subsidized by the state.

As of this report, it is unknown if the LUM has been adopted by Washington State. As such, its impact on recidivism and on community safety is unknown.

v. Private landlords with informal agreements with the government

In Washington State, approximately one dozen landlords have agreed to house sex offenders (Homes, 2003.) The landlords feel safe since corrections officers are constantly visiting the premises. Washington officials believe that housing sex offenders together increases community safety because “They can pick up on signs and behavior” and “are the first ones to tell on each other” (pg. 11). The state does not compensate the landlords. Instead, the offenders pay the entire rent.

As an example of private landlords providing housing to sex offenders, Linda A. Wolfe-Dawidjan owns and manages the New Washington Apartments. She rents to 39 sex offenders and 15 other tenants with criminal backgrounds. Because of her reputation, she has a waiting list of sex offenders desiring to live at her apartment. Four of her tenants work as her office managers in exchange for rent. She describes her tenants as timely with rent, quiet in demeanor and stable as renters.

vi. Funding for construction of homes for the homeless

Funding to build new homes for the homeless can come from the community. In Minnesota, the McKnight and Blandin Foundations provided $32.5 million to help construct 3,000 units of affordable housing for the homeless (Safe Homes, 2001).

b. The solution to the problem of housing sex offenders begins with examining and developing a state-wide housing policy.

States are beginning to look at their policies regarding the housing of sex offenders. From 2000 until 2004, a Washington State multidisciplinary group entitled "The Partnership for Community Safety" met to identify the barriers and solutions to housing high risk sex offenders. This partnership was composed of the Washington State Department of Corrections, the Washington Coalition of Sexual Assault Programs, the Washington Association of Sheriffs and police Chiefs, state legislators, victim advocacy organizations and others.

On March 19, 2007, Governor Schwarzenegger hosted the "California Summit for Safe Communities." The summit was "a gathering of state and local stakeholders to discuss the challenges that communities face regarding the release and placement of high risk sex offenders and sexually violent predators" (California Summit). The report from the summit may be found at www.casomb.org/docs/SUMMIT%20FINAL%20REPORT.pdf. During the brainstorming session, the participants were asked to identify both gaps and solutions related to the housing of HRSOs and SVPs. The result of the summit was an extensive list of suggestions on how to provide housing to sex offenders while maintaining community safety.

One of the gaps identified was "finding appropriate housing" (p. 39). The commonality among the many suggested solutions is the need for a collaborative partnership between each level of government (state, county and city), between government and private businesses (landlords, treatment facilities), and between government and the public. One focus was to improve communication between the partners.

Some of the suggestions are to:

(1) "meet and confer (six months prior to anticipated release) between state and local agency," (pg. 39)
(2) "educate the community about housing and plan proactively," (pg. 40) and
(3) "create private-public partnerships to include city and county input on location" (pg. 39).

Another focus was to provide sex offenders with transitional housing. Some of the suggestions related to transitional housing are to:

(1) "review [the] halfway house model of the 1970's and 1980's and connect them to day reporting programs," (pg. 39)
(2) change the "transitional housing setting to include work furlough program," (pg. 40) and

(3) “establish licensed board and care/group home facilities that provide 24 hour supervision, treatment and vocational training” (pg. 39).

The suggested solutions also focus on providing incentives to local governments and private entities to participate in housing sex offenders. “Liability protection for private landlords and possible incentives such as tax break,” “incentives for local government to develop long term/short term housing for sex offenders,” and “state mandate coupled with state funding for housing in each county” were suggested (pg. 39).

Part IV. CONCLUSIONS

The substantial rise in numbers of transient sex offenders cannot be ignored. Among paroled sex offenders and all registered sex offenders, the number of sex offenders registering as transient has significantly increased.

Though it is difficult to predict whether the current increase will continue, the factors affecting the number of sex offenders registering as transient can be identified:

- The number of landlords willing to rent to sex offenders
- Enactment of more local ordinances restricting residency
- High media coverage of sex crimes
- Passage of more state statutes restricting residency
- Lack of funding for low-income housing open to sex offenders
- Low availability of stable employment
- Mobilization of neighborhoods to exclude sex offenders

(For a list of additional factors that may affect the number of sex offenders registering as transient, see Appendix C.)

Based on its examination of the available evidence, the Board makes the following findings:

- *The evidence shows an unmistakable correlation between the implementation of residency restrictions and the increase in homelessness among sex offenders.*
    - The number of sex offenders registering as transient has increased 60% among all registered sex offenders since the implementation of Proposition 83.
    - The combined effects of federal, state and local residency restriction, and neighborhoods mobilizing to exclude sex offenders, have severely limited the housing options for sex offenders.
- *The evidence shows that homelessness increases the risk that a sex offender may re-offend*.
    - Lack of stability is a primary contributing factor to an increased risk of re-offending. Residential instability leads to unstable employment and lower levels of social support. Unstable employment and low levels of social support lead to emotional and mental instability. Emotional and mental instability breaks down the ability to conform and leads to a greater risk of committing another sex crime.
    - Stable housing fosters stable employment and social support. Stable employment and social support lead to

emotional and mental stability and a reduced risk that the sex offender will commit another sex crime.

- *Partnerships between different levels of governments and between government and the public to make stable and appropriate housing available to sex offenders provide the strongest hope for reducing the transient sex offender population and the associated risk of future sexual victimization.*
    - As identified during the 2007 California Summit for Safe Communities, improved communications between partners, incentives for local governments and private parties, and innovative thinking on creating stable housing for sex offenders are necessary for an effective housing policy.

Partnerships between different levels of governments and between government and the public to make stable and appropriate housing available to sex offenders provide the strongest hope for reducing the transient sex offender population and the associated risk of future sexual victimization.

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APPENDIX A: CALIFORNIA TRANSIENT SEX OFFENDER DISTRIBUTION BY COUNTY
Prepared by the California Coalition on Sex Offending
June 2008

COUNTY	SEX REGISTRANTS IN THE COMMUNITY	REGISTERED TRANSIENTS
ALAMEDA	2,453	147
ALPINE	1	0
AMADOR	70	1
BUTTE	697	33
CALAVERAS	88	0
COLUSA	52	1
CONTRA COSTA	1,362	97
DEL NORTE	151	0
EL DORADO	335	8
FRESNO	2,338	31
GLENN	70	3
HUMBOLDT	454	38
IMPERIAL	221	3
INYO	50	3
KERN	2,128	50
KINGS	353	1
LAKE	269	0
LASSEN	81	0
LOS ANGELES	15,249	620
MADERA	378	4
MARIN	151	0
MARIPOSA	63	1
MENDOCINO	265	24
MERCED	703	30
MODOC	41	0
MONO	12	1
MONTEREY	692	36
NAPA	189	12
NEVADA	167	8
ORANGE	2,878	177
PLACER	558	19

PLUMAS	42	2
RIVERSIDE	3,159	127
SACRAMENTO	5,173	164
SAN BENITO	103	2
SAN BERNARDINO	3,787	166
SAN DIEGO	3,941	354
SAN FRANCISCO	1,144	193
SAN JOAQUIN	1,775	59
SAN LUIS OBISPO	461	55
SAN MATEO	779	57
SANTA BARBARA	715	64
SANTA CLARA	3,475	261
SANTA CRUZ	408	36
SHASTA	777	25
SIERRA	8	0
SISKIYOU	185	6
SOLANO	863	62
SONOMA	803	56
STANISLAUS	1,280	59
SUTTER	225	2
TEHAMA	275	6
TRINITY	64	0
TULARE	1,009	22
TUOLUMNE	167	5
VENTURA	1,110	70
YOLO	404	22
YUBA	281	6
Totals	64,932	3,229

APPENDIX B: LOCAL ORDINANCES REGULATING RESIDENCE AND PRESENCE OF SEX OFFENDERS AS OF OCTOBER, 2008

Prepared by the California Department of Corrections and Rehabilitation

Type of Restriction / CITY	In which County	Residence	Loitering or Being	School for Children	Bus Stop	Child/ Day Care	Swimming Pool	Play Ground or Park	Sports Facility	Arcade or Amusement Center	Library or Museum	Skate Park	Church or Place of Worship	Children's Facility	From Another Sex Offender	Single Family Dwelling	Multi-family Dwelling	Other	Being Locally Enfoced by Local Jurisdiction
Apple Valley	San Bernardino	NONE	500 ft.	Y		Y				Y	Y								No
Baldwin Park		2000 ft.	300 ft.											Y					No
Canyon Lake	Riverside	NONE	500 ft.																No
Cerritos	Los Angeles															Y	Y		No
Chula Vista	San Diego	500 ft.	NONE	Y[1]				Y											No
El Centro	Imperial		300 ft.	Y		Y		Y		Y				Y					No
El Monte	Los Angeles		300 ft.	Y		Y		Y		Y									No
Folsom	Sacramento	NONE	300 ft.	Y		Y	Y	Y		Y		Y							No
Galt	Sacramento	NONE	300 ft.	Y	Y	Y	Y	Y	Y	Y	Y	Y							No
Grover Beach	San Luis Obispo	1000 ft.	NONE	Y		Y		Y											No
Hesperia	San Bernardino	4000 ft.	500 ft.																No
La Mesa	San Diego	NONE	300 ft.	Y		Y		Y		Y									No
Long Beach	Los Angeles	2000 ft.	300 ft.	Y[2]	Y[3]	Y	Y	Y			Y								No
Loomis	Placer	NONE	300 ft.		Y	Y	Y	Y		Y		Y							No
National City	San Diego	NONE	300 ft.	Y		Y		Y		Y									No
Palmdale	Los Angeles	3000 ft.	300 ft.	Y	Y*	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y				No
Paso Robles	San Luis Obispo	1320 ft.	NONE	Y[4]		Y		Y	Y		Y		Y						No
Placerville	El Dorado	NONE	300 ft.	Y	Y	Y	Y	Y	Y	Y		Y							No
Pomona	Los Angeles	s																	No
Porterville	Tulare	NONE	300 ft.	Y		Y		Y		Y									No
San Diego	San Diego	2000 ft.	300 ft.	Y		Y		Y			Y								No
San Marcos	San Diego	300 ft.	300 ft.	Y		Y		Y	Y	Y									No
Santa Ana	Orange	NONE	300 ft.											Y					No
Santee	San Diego	NONE	300 ft.	Y		Y		Y	Y	Y									No
Shafter	Kern	2000 ft.	300 ft.	Y	Y	Y		Y											No
South Lake Tahoe	El Dorado	2000 ft.	300 ft.	Y	Y	Y	Y	Y	Y	Y		Y							No

Type of Restriction / CITY	In which County	Residence	Loitering or Being	School for Children	Bus Stop	Child/ Day Care	Swimming Pool	Play Ground or Park	Sports Facility	Arcade or Amusement Center	Library or Museum	Skate Park	Church or Place of Worship	Children's Facility	From Another Sex Offender	Single Family Dwelling	Multi-family Dwelling	Other	Being Locally Enfoced
Stockton	San Joaquin	None	300 ft.	Y	Y	Y	Y	Y	Y	Y		Y							No
Suisun City	Solano	NONE	1000 ft.	Y		Y	Y	Y	Y	Y		Y							No
Taft	Kern	2000 ft.	300 ft.			Y													No
Victorville	San Bernardino	2000 ft.	300 ft.																No
Wasco	Kern	2000 ft.	300 ft.	Y	Y	Y		Y											No
Weed	Siskiyou	NONE	300 ft.	Y	Y	Y	Y	Y	Y	Y		Y							No
West Covina	Los Angeles	2000 ft.	300 ft.	Y										Y					No
Fresno County		3000 ft.		Y	Y	Y		Y			Y								No
Kern County		2000 ft.	Yes			Y													No
Sacramento County		NONE	300 ft.	Y	Y	Y	Y	Y	Y	Y	Y	Y							No
San Bernardino County *		2640/ 2000	300 ft	Y				Y											No
San Diego County			300 ft.	Y		Y		Y		Y									No

[1] K-8
[1] K-12
[1] School bus stop
[1] K-1
Y = YES

APPENDIX C: RESIDENCE RESTRICTIONS: WHAT DOES THE FUTURE HOLD?

Even though it is not possible to predict future turns of events, it would be remiss not to not at least take note of a number of factors which could have an impact on the situation related to sex offender residence restrictions and their consequences. It should not be assumed that the following list is exhaustive, nor that the descriptions apply equally to every area of the state: opinions differ considerably about some of the issues noted.

- The California Supreme Court appears likely to hear a case in the Fall of 2008 which centers on residence restrictions. The court could view the matter broadly and render a decision which could range from overturning the entire set of restrictions on constitutional grounds to declaring that no elements of the law violate constitutional rights. Observers, however, anticipate a more narrowly focused ruling that addresses only the specific situations of the petitioners. Depending upon the decision, appeals or other court challenges could follow.
- County authorities and county probation departments may move forward with decisions about whether and how to interpret and enforce residence restrictions as they apply to individuals on probation. Since there is approximately the same number of sex offenders on county probation as there is on state parole, the number of affected sex offenders could approximately double if counties decide to take an approach similar to that taken by state parole officials. Counties appear to vary, at present, with regard to their interpretation and application of the law and some appear to be waiting for legal clarification.
- Law enforcement agencies may clarify their policies and strategies with respect to enforcement of the residence restrictions as they apply to sex offenders who are no longer on parole or probation. At this time there does not appear to be uniformity around the state in the way this population is responded to. Since the restrictions are not being viewed as retroactive, they will only be applied to those who are completing their parole term and, possibly, those completing probation. This population is relatively small at present but will only continue to grow.
- CDCR's Division of Adult Parole Operations may modify the level of assistance they are able to provide--both financial assistance and assistance in locating suitable housing—to paroled sex offenders who are at risk of being homeless. Such assistance may increase or may decrease and so may result in either more or fewer transient sex offenders.
- Local jurisdictions appear likely to continue to enact their own residence restrictions, in many cases imposing even more stringent requirements which will reduce even further the current pool of potential housing options.
- The number of parolees and—depending on county decisions as noted previously—probationers who are technically "subject to" housing restrictions can be expected to continue to increase as new offenders are released from prison or jail, or move through the court system. Since the residence restrictions will apply for the duration of the offender's life, the numbers will continue to swell for many years until all registered sex offenders are covered under the restrictions.
- The amount of housing actually available to sex offenders will continue to shrink as the limited supply of legal available units is absorbed through being occupied

by “new” sex offenders emerging from prison or jail or—again depending on local interpretation—placed on local probation supervision.

- Legislation which would allow landlords to freely exercise their own discretion in refusing to rent to anyone listed as a registered sex offender may be reintroduced and could become law. The impact on the pool of housing realistically available to sex offenders could only be expected to be reduced by such a policy. (Currently the information on the Megan’s Law website may not be used to discriminate against registrants.)

From: Bonnie Miller [redacted]
Sent: Monday, May 11, 2020 2:11 PM
To: Public Comment
Subject: Tonight's City Council Meeting Agenda item - allowing RV parking on some city streets,

[CAUTION: External Email]

Dear City Council,

I wanted to echo the sentiment of Matt O'Malley, Sun Valley in in today's NextDoor Post (copied below). We all know homelessness is complex with no easy fixes and will get worse locally due to the global pandemic and our small city filled with amazing community citizens and services has limited resources.

My own recent experiences here include concern about safety when an RV, old car, and a motorcycle took up residence up and down my narrow winding Sun Valley street for several weeks. I think ticketing seemed to encourage departure one by one and eventually. Park Mall has had concerning problems with RVs, trash. It breaks my heart to see camping out on Linda Mar Beach and the walkway. And, to hear other communities send homeless here. We don't have a lot of resources to manage this. I'm doing all I can to pay my taxes, mortgage, etc., to support our infrastructure in our wonderful city.

Tonight, email city council, have your voices heard.

A City Council meeting is to be held tonight to allow RV parking on some city streets, including Terra Nova Blvd. Within a one mile stretch of Terra Nova Blvd, is a High School, a grade school, a pre school, a library, an various elderly apartments.

Supporting a homeless encampment, be it an RV encampment or other, involves risks to the community, be it increased trash, drug use, or the increased risk of sexual predators. We can all agree that homelessness is not a crime, especially these days. Many of our fellow Pacificans are just a few steps of becoming homeless themselves, but there is an element out there, in the homeless community, which are not your most upright standing citizen As noted in a report by the California Sex Offender Management Board: "Since the implementation of residency restrictions, the number of sex offenders registering as transients has significantly increased." "Homelessness increases the risk that someone who has offended sexually may commit another sex crime." A simple Google search with the words "Sex offenders and homelessness in California", bring startling and sobering statistics about this unfortunate and complicated situation which alone should be enough to give a decision maker pause. There are rules, laws that are supposed to keep registered sex offenders away from schools, however what sort of policing will be in effect to ensure that the people occupying a given RV along Terra Nova isn't a sex offender? The very nature of the transient lifestyle may impede the individual who finds themself in such a living situation, in making a clear decision of what area they should avoid in our small town, as well as keeping up to date of their whereabouts with local authorities. We should make it easier for them and direct them away from the most vulnerable of our citizens.

There is also a financial cost to consider here. There will be a financial cost to the city in providing the extra police support needed in the area to protect the children but also, what if something dreadful happens and is linked to a resident from one of these loitering RVs? Would a parent, possibly sue the City et all, for the decision of allowing

individuals living in RVs so close to the schools, and if the individual turns out to be a sex offender, how could they not lose in court with massive penalties to the City.

Whatever your thoughts, for or against, make your voices heard by emailing the city at publiccomment@ci.pacifica.ca.us

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Bonnie Miller

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From: H P [redacted]
Sent: Monday, May 11, 2020 3:19 PM
To: Public Comment
Subject: RV Parking

[CAUTION: External Email]

If you are to allow RV parking, do you think it would be good to have people get a permit or register in some way so we know whether or not these people are convicted sex offenders and they can have some sort of registration sticker on their vehicle? I would prefer not to have RVs parked on the streets since there are no sewage hook ups.
I would also prefer not to have small homeless encampments scattered throughout the city (needles, trash, sex offenders, etc).

Thank you.

Heather Page
Resident of Pacifica

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From: Lisa Mendez [redacted]
Sent: Monday, May 11, 2020 3:40 PM
To: martind@ci.pacifica.us; Public Comment
Cc: Vaterlaus, Sue; O'Neill, Mike; Bier, Mary; Beckmeyer, Sue
Subject: Parking on Terra Nova Blvd

[CAUTION: External Email]

Dear Mayor and all the city council.
I am a home owner and tax payer that lives at [redacted] Terra Nova Blvd.
I have found myself very concerned that my street will be filled with RV's and if needed I will have no parking available to me.
To allow RV parking on Terra Nova is an albatross in the making, Quite a few people now a days don't just park their RV'S, they are living in them and I do not believe that it should be permitted in a school zone. Please listen to all the complaints and
stop this from happening.

Thank you and sincerely,

Lisa Mendez
Service Manager
Ocean Honda of Burlingame DLR #208725
[redacted]

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From: Suzanne Moore [redacted]
Sent: Monday, May 11, 2020 4:42 PM
To: Public Comment
Cc: [redacted]
Subject: City Council oral comments 5/11/20
Attachments: City Council oral communication 51120.docx

[CAUTION: External Email]

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TO: City Council, oral communications 5/11/20
FROM: Suzanne Moore, Pacifica Manor resident

May is the month honoring affordable housing, and it seems proper to take a moment to envision a time and place when everyone has a home. This is certainly a dream we all can embrace.

The Pacifica Resource Center has demonstrated past success in helping our homeless find housing. During this COVID-19 pandemic, homeless providers are urging immediate interventions to provide hygiene and stabilize safety since our homeless are five times more likely than the general public to contract the Coronavirus.

Residents in Pacifica express support of a program to assist homeless on a path to stable housing yet ask important questions about safety and public health. The proposed Parking Permit Pilot was developed to address public concerns. Clients vetted by the Pacifica Resource Center and assigned to case managers would access waste management, life services, and a path to stable housing.

This fall, Pacifica is expected to begin enforcement of its Oversize Vehicle Ordinance. Fall will also see a likely second wave of COVID-19. Shelter protects us all.

I’m suggesting that Pacifica give the pilot a year’s trial. In a year’s time, we will likely have a protective vaccine and better treatment for those who become ill. In a year’s time, we could evaluate the pilot study and critique its effectiveness and community impact. In a year’s time, we may be closer to achieving our dream of homes for all. Let’s take this chance to begin the end of homelessness.

From: Eleanor Natwick [redacted]
Sent: Monday, May 11, 2020 4:56 PM
To: Public Comment
Subject: Terra Nova RV's

[CAUTION: External Email]

Again I am expressing my STRONG disapproval of allowing RV parking on Terra Nova Blvd.

It is a densely populated neighborhood with 2 senior housing complexes, a church, an elementary school, a preschool, a high school, a library and a steady amount of street and foot traffic. Many of the residents in the townhouses park their vehicles on the street. And the shortage of street parking is already an issue for tax paying homeowners.

It is NOT an RV park.

Pulling out of driveways is very difficult and dangerous when you cannot see around large vehicles parked on the street.

Do any of the committee members live in the area?
Do you care about the Pacificans who do?
Why do you continue to propose permitting RV's to camp on Terra Nova?

Eleanor Natwick
[redacted] Terra Nova Blvd.

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From: Lorraine Bannister [redacted]
Sent: Monday, May 11, 2020 5:06 PM
To: Public Comment
Cc: Martin, Deirdre; O'Neill, Mike; Vaterlaus, Sue; Bier, Mary; Beckmeyer, Sue
Subject: RV Parking

[CAUTION: External Email]

Dear Members of the City Council

PLEASE :
BAN parking of vehicles over 6 feet tall on **ALL** city streets, ALL at the same time. In addition, please, **make the Safe Parking Program plans public and transparent,** as these may vastly impact our neighborhood.
Terra Nova Blvd is home to single family homes, townhomes, small businesses, two schools, senior apartments etc..
Parking is **not** ample for current residents, and **ALL,** will be adversely affected by the City's decision to allow these vehicles to park here !!

Thank you,
Respectfully,
Lorraine Bannister
[redacted] Terra Nova Blvd
Pacifica CA 94044

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From: Anita M. Rees <Anita@pacresourcecenter.org>
Sent: Monday, May 11, 2020 7:38 PM
To: Public Comment
Subject: Oral communications

[CAUTION: External Email]

Apologies for not sending sooner. Please see below.

Anita

****

Pacifica Resource Center remains open during the statewide shelter in place order. Our open office hours are:

- Monday and Tuesday 9a-12:30p;
- Wednesday 1:30- 7p;
- Thursday 1:30- 5p; and
- Friday 9a-1p.

We are available other hours by phone

PRC continues delivering groceries to 260 families throughout Pacifica weekly thanks to support from Second Harvest of Silicon Valley, generous donors who continue to bring grocery donations, and volunteer drivers.

PRC also continues to provide financial assistance to help cover the cost of rent, mortgage, or other critical needs due to COVID-19 thanks to SMC Strong and SF Chronicle Season of Sharing Funds.

PRC started preparing taxes again by drop off or by providing materials electronically. We are coordinating volunteer tax preparers to be at PRC alone and when the office is closed to the public, so it may take a bit longer to complete returns. Taxes are due by 7/15/2020

And, PRC's shower program for unhoused Pacificans is also still available by appointment. We are the main entry point for unhoused families and individuals in Pacifica to access shelter options, including options for at risk individuals.

Lastly, the deadline to complete the census has been extended. You can complete the census online at my2020census.gov or by phone at 844-330-2020. Information from the census is used to determine vital funding for health care and emergency service funding, like the response to COVID19. #EveryoneCounts

If you or someone you know need help with groceries; financial assistance for rent, mortgage or other critical needs; tax preparation; or access to homeless services, please contact PRC at 650 738-7470 or via our website at pacresourcecenter.org.

Anita

Anita M. Rees
Executive Director
Pronouns: She/Her/Hers

Pacifica Resource Center – *Neighbors Helping Neighbors*
1809 Palmetto Ave. Pacifica, CA 94044

Connect on LinkedIn
650.738.7470 x3 | fax: 650.359.2053
pacresourcecenter.org | #WeArePRC | @prc94044

Complete your Census 2020 survey now!
Respond online at 2020census.gov

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May 11, 2020
Pacifica City Council Meeting

Public Comments
Agenda Item # 8

From: Dan Stegink [redacted]
Sent: Monday, May 11, 2020 7:00 PM
To: Public Comment; Coffey, Sarah; Woodhouse, Kevin
Subject: STEGINK: Public Comment Item 8: Giving $50K to SMC Strong to "assist Pacifica small businesses"

[CAUTION: External Email]

publiccomment@ci.pacifica.ca.us

Consideration item # 8: San Mateo County strong donation.

Councilmembers,
I'm Dan Stegink and I oppose this expenditure because it does not stipulate that the money will be returned solely to Pacificans and Pacifican-owned businesses and excludes sole proprietors and partnerships with storefronts but no employees, two groups most likely to fail during the Covid crisis.

Thousands of other non profits with proven track records that will kick back pennies on the dollar as SMC Strong has promised, but while this resolution's stated goal and title is "to Assist Pacifica Small Businesses", only a third of the SMC Strong fund is even earmarked for small business and again there is no requirement to assist Pacifican-owned businesses.

The Cities of Atherton & Colma have the highest per capita income and sales tax revenue respectively, yet have have only donated $15,000 each, Pacifica with its tiny fraction of assets and disposable funds is being asked to donate more than both Atherton and Colma combined?

Reject this resolution and in the future only give Pacifica money to support businesses owned by Pacificans..

Thanks, Dan Stegink

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From: Beth Lemke [redacted]
Sent: Monday, May 11, 2020 7:13 PM
To: Public Comment
Cc: Sue Beckmeyer
Subject: 5/11/2020 Council Mtg Item #8

[CAUTION: External Email]

I am extremely grateful and humbled by the generosity of the San Mateo County community as I learned Friday that A Grape in the Fog was awarded a grant.
I am impressed by the efficiency of the administration and disbursement of the grants. Council Member Sue Beckmeyer has stayed in touch with me from the moment we went into quarantine and has been a valuable resource since. I thank her for helping to shepherd me through the process. I know she cares deeply for the Pacifica business community. I hope that the Council will agree to provide funds to the San Mateo County Strong Foundation as a show of solidarity and needed support.
Thank you!

Beth Lemke
A Grape in the Fog
Rockaway Beach, Pacifica
[redacted]
https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fwww.agitf.com&c=E,1,PZTrWWBZZG76c4aUTRmtFi4oXr6rIdfI9ECUGYB_aMT4tLL62-qMveYR0h4w-c5CayB289RvHh_DwLvArc7ndRA3lTiqTnf45xPErDKKtZ8IOOsGCcU9SJgMu3MJ&typo=1
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May 11, 2020
Pacifica City Council Meeting

Public Comments
Agenda Item # 9

From: Cindy Abbott [redacted]
Sent: Monday, May 11, 2020 7:26 PM
To: Public Comment
Subject: 5/11/2020 Public Comment, Consideration Item #9 Sharp Park Parking In-Lieu
Attachments: City of Pacifica_May 11, 2020_ Item #9_ Consideration_Sharp Park Parking in Lieu Program.docx

[CAUTION: External Email]

Below and attached please find my public comment on Consideration Item #9.

May 11, 2020

Dear Mayor and Councilmembers,

Thank you and city staff for working on how to address parking issues in the City of Pacifica. The increase in parking in-lieu fees approved on April 27, 2020 for the Rockaway Beach area recognized how the City of Pacifica's fee structure ($3,000 versus an average of $40,260), was significantly below that of other cities and moved to address that.

At that same April 27 meeting, during City Council deliberation, City Manager Woodhouse remarked that a parking in-lieu fee is ***"a mechanism to start building a fund over many many years".*** Further discussion covered how there is no way of projecting how quickly an adequate fund could be built resulting in the actual construction of new parking facilities.

While in theory a valid and sustainable way of sharing parking infrastructure and costs across an area, a parking in-lieu fee program without a plan to build a structure in the near-term is often only a way for developers to pay their way out of providing appropriate code mandated parking in the impacted area. And, with the proposed fee structure, a developer would pay ***less than half of the cost of a single parking space in today's dollars.***

Parking is an issue ***today*** in many neighborhoods in the City of Pacifica. Creating a parking in-lieu program in connection with the development of the Sharp Park Specific Plan without any other plan may only serve to exacerbate the already difficult parking situation in the area.

Before implementing this program, please develop and communicate a more thorough strategy that addresses parking needs that exist today and are growing more difficult with each new development permit approved.

Thank you,

Cindy Abbott
West Sharp Park

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West Sharp Park