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**CITY OF OAKLAND
MEMORANDUM**

FILED
OFFICE OF THE CITY CLERK
OAKLAND

2004 FEB 25 AM 10:54

TO: Rules & Legislation Committee
ATTN: Assistant City Manager
FROM: Name: Council Member Desley Brooks
Phone No.: Ext. 7006
Address/Agency/Dept: City Council
DATE: 2/25/2004
SUBJECT: REQUEST TO SCHEDULE AGENDA ITEM

TITLE: ADOPT A RESOLUTION SUPPORTING AB-2450 WHICH WOULD CARIFY AND IMPROVE LOCAL AGENCY INPUT IN THE RELEASE OF SEXUALLY VIOLENT PREDATORS.

ACTION REQUESTED:

Schedule for action of the full Council.

SCHEDULING RECOMMENDATION:

- A. Committee _____
(Please specify)
- City Council ■ Redevelopment Agency
- B. Meeting Date: March 16, 2004

Is a staff report required/requested? No.

What is the fiscal/financial impact of item on the City/Agency? None.

Please indicate why the two-week (Sunshine Ordinance) agenda deadline cannot be met:

- Non-controversial and routine (i.e., ceremonial presentations)*
- Item referred for action by the City Council or ___ Committee*
- Item constitutes an emergency (Crippling disaster, work stoppage or other activity which severely impacts public health and/or safety)*
- Item is time-sensitive and/or action is required to avoid substantial adverse fiscal impact*
- Item relates to state/federal legislation which requires the City to take a position in a timely manner*

A separate request must be completed for each item for scheduling. Requests must be submitted by 10:00 A.M. of the Wednesday preceding the relevant Rules & Legislation Committee meeting.
Attach any supporting documentation.

04-0175

OAKLAND CITY COUNCIL

FILED
OFFICE OF THE CITY ATTORNEY
OAKLAND

RESOLUTION No. _____ C.M.S.

2004 FEB 25 AM 10: 54

INTRODUCED BY COUNCIL MEMBER DESLEY BROOKS

DRAFT

TITLE: ADOPT A RESOLUTION DECLARING THE CITY OF OAKLAND'S SUPPORT OF ASSEMBLY BILL-2450 WHICH WOULD CLARIFY AND IMPROVE LOCAL AGENCY INPUT IN THE RELEASE OF SEXUALLY VIOLENT PREDATORS.

WHEREAS, it has been reported that there are an estimated 3,000 parolees and 7,000 probationers in Oakland at any one time; and

WHEREAS, there are approximately 50 probation officers assigned to the City of Oakland who are responsible for supervising these estimated 10,000 adult probationers and parolees; and

WHEREAS, previous placements of sexually violent predators in the city of Oakland have been done under a cloak of secrecy; and

WHEREAS, existing law requires the State Department of Mental Health to notify local law enforcement officials when it makes a recommendation to the court for community outpatient treatment for any person committed as a sexually violent predator, or when it is aware that such a person has petitioned a court for release to the community; and

WHEREAS, Assembly Bill -2450 (AB-2450) authored by Assembly Member Canciamilla would require notice to be given when the community placement of a sexually violent predator is proposed by the court; and

WHEREAS, AB-2450 would require the notice to include, among other things, the date, place, and time of the court hearing, would authorize the local agencies to provide written comment to the department and the court, would require the department to respond to those comments, and would require the court to consider those comments and responses; and

WHEREAS, AB-2450 would delete the prohibition against notice being given after the release date; and be it

RESOLVED, that the City of Oakland declares its support for AB-2450; and

BE IT FURTHER RESOLVED, that the City Council directs the City Administrator and the City's legislative lobbyist to advocate for the above position in the State Legislature.

IN COUNCIL, OAKLAND, CALIFORNIA, MARCH 16, 2004

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

04-0175