

DATE SUBMITTED 09/15/2016
 SUBMITTED BY GALVAN
 DATE ACTION REQUIRED 09/21/2016

COUNCIL ACTION (x)
 PUBLIC HEARING REQUIRED ()
 RESOLUTION ()
 ORDINANCE 1ST READING ()
 ORDINANCE 2ND READING ()
 CITY CLERK'S INITIALS ()

**IMPERIAL CITY COUNCIL
 AGENDA ITEM**

SUBJECT: DISCUSSION/ACTION: LETTER OF SUPPORT IN OPPOSITION OF STATE OF CA PROP 57 "THE PUBLIC SAFETY AND REHABILITATION ACT OF 2016"

1. APPROVAL OF LETTER OF SUPPORT STATING THE CITY OF IMPERAIL'S OPPOSITION TO STATE OF CALIFORNIA PROPOSITION 57.

DEPARTMENT INVOLVED: CITY MANAGER'S OFFICE

BACKGROUND/SUMMARY:

Per Council direction during the Regular Meeting of the City Council on September 7, 2016 the City of Imperial has taken an OPPOSE position on Proposition 57, the Public Safety and Rehabilitation Act of 2016.

If passed on the November Ballot, it is the City's position that Prop. 57 would overturn decades of criminal justice laws that have lowered crime rates in our State and City. Prop. 57 will allow tens of thousands of violent, dangerous and career criminals to be released early. This measure follows actions taken by the Governor, the Legislature and passed at the ballot box that reduces the prison population and continues to create concerning public safety issues in our communities. According to Attorney General Kamala Harris, since the passing of Prop 47 – The Public Safety Realignment Act, California is experiencing a marked increase in crime. In the last year Violent Crime has increased by 10%, Property Crime has increased by 8.1% and Homicide Rate has increased by 9.7%.


The City of Imperial joins the growing list of organizations and law enforcement agencies opposed to this detrimental measure. For more information, please see the attached documents.

FISCAL IMPACT: NONE

F.O. INITIALS: 

STAFF RECOMMENDATION: It is Staff's recommendation to agree with Management to approve the support of opposition on Prop 57.

MANAGER'S RECOMMENDATION: It is the Interim City Manager's recommendation to support the NO on PROP 57 movement for the safety and security of our citizens.

MANAGER'S INITIALS 

MOTION:

SECONDED: APPROVED () REJECTED ()
 AYES: DISAPPROVED () DEFERRED ()
 NAYES:
 ABSENT: REFERRED TO:



September 15, 2016

CITY COUNCIL
Doug Cox – Mayor
James Tucker – Mayor Pro Tem
Geoff Dale – Councilmember
Mark Gran – Councilmember
Betty Sampson – Councilmember

CITY CLERK
Debra Jackson

CITY TREASURER
Stacy Cox

RE: City of Imperial NO on Proposition 57

To Whom It May Concern:

On behalf of the City Council of the City of Imperial, I am writing to inform you that the City of Imperial strongly opposes Proposition 57. If passed by the California electorate on the November 8, 2016 Presidential election ballot, Prop. 57 will undo four decades of Criminal Justice Reform by allowing the early release of criminals convicted of “non-violent” felonies. It is important to note that the following crimes are classified as “non-violent” in the California Penal Code:

- Rape by intoxication
- Rape of an unconscious person
- Human trafficking involving sex act(s) with minors
- Drive-by shooting
- Assault with a deadly weapon
- Hate crime causing physical injury
- Domestic violence involving trauma
- Arson causing great bodily injury
- Lewd acts upon a child
- False imprisonment of an elder

By enabling early release for these crimes, Proposition 57 would overturn key provisions of the Victim’s Bill of Rights, Marcy’s Law, and the Californians Against Sexual Exploitation Act. Furthermore, by disregarding sentences imposed by judges for repeat and career criminals, Prop. 57 would treat the worst criminals the same as the first-time offenders. In addition, Prop. 57 would give the California Department of Corrections and Rehabilitation unlimited constitutional authority to reduce sentences for “good behavior,” even for inmates previously convicted of murder, mayhem and rape.

As has been noted by Attorney General Kamala Harris, California is experiencing a marked increase in crime. In the last year:

- Violent Crime has increased by 10%
- Property Crime has increased by 8.1%
- The Homicide Rate has increased by 9.7%



The City of Imperial was named the “Safest City in California” by Safewise for 2016. This is due to the continued efforts of our Imperial Police Department and other groups in our region such as the Imperial County Gang Coalition and Narcotics Task Force. Given the rising levels throughout California, the City of Imperial strongly opposes Proposition 57, which we believe would, if approved, exacerbate and trend toward more crime throughout the State. We have endorsed the No on 57 Campaign (FPPC ID# 1386627), and we encourage you to stand with us and California Law Enforcement by also coming out in opposition to Proposition 57.

Sincerely,

Douglas A. Cox
Mayor
City of Imperial

OPPOSITION TO PROP. 57

Coalition Members

No on 57 State Chairs

San Diego Mayor Kevin Faulconer
Merced County District Attorney Larry Morse
Ventura County District Attorney Greg Totten

No on 57 State Co-Chairs

Los Angeles County District Attorney Steve Cooley (ret.)
Fresno County Sheriff Margaret Mims
State Senator Cathleen Galgiani
Orange County Sheriff Sandra Hutchens

No on 57 Endorsements

Alpine County District Attorney Karen Dustman
Amador County District Attorney Todd Riebe
Butte County District Attorney Mike Ramsey
Calaveras County District Attorney Barbara Yook
Colusa County District Attorney John Poyner
Contra Costa County District Attorney Mark Peterson
Del Norte County District Attorney Dale Trigg
El Dorado County District Attorney Vern Pierson
Fresno County District Attorney Lisa Smittcamp
Glenn County District Attorney Dwayne R. Stewart
Humboldt County District Attorney Maggie Fleming
Imperial County District Attorney Gilbert Otero
Inyo County District Attorney Thomas Hardy
Kern County District Attorney Lisa Green
Kings County District Attorney Keith Fagundes
Lake County District Attorney Don Anderson
Lassen County District Attorney Stacey Montgomery
Los Angeles County District Attorney Jackie Lacey
Madera County District Attorney David Linn
Marin County District Attorney Ed Berberian
Mariposa County District Attorney Thomas Cooke
Mendocino County District Attorney C. David Eyster
Merced County District Attorney Larry Morse
Modoc County District Attorney Jordan Funk
Mono County District Attorney Tim Kendall
Monterey County District Attorney Dean Flippo
Napa County District Attorney Gary Lieberstein
Nevada County District Attorney Cliff Newell
Orange County District Attorney Tony Rackauckas
Placer County District Attorney R. Scott Owens
Plumas County District Attorney David Hollister
Riverside County District Attorney Mike Hestrin
Sacramento County District Attorney Anne Marie Schubert
San Benito District Attorney Candice Hooper
San Bernardino County District Attorney Mike Ramos

San Luis Obispo County District Attorney Dan Dow
San Mateo District Attorney Steve Wagstaffe
Santa Cruz County District Attorney Jeff Rosell
Siskiyou County District Attorney Kirk Andrus
Solano County District Attorney Krishna Abrams
Sonoma County District Attorney Jill Ravitch
Stanislaus County District Attorney Birgit Fladager
Sutter County District Attorney Amanda Hopper
Tehama County District Attorney Gregg Cohen
Trinity County District Attorney Eric Heryford
Tulare County District Attorney Tim Ward
Tuolumne County District Attorney Laura Krieg
Ventura County District Attorney Greg Totten
Yolo County District Attorney Jeff Reisig
Yuba County District Attorney Pat McGrath
Association for Los Angeles Deputy Sheriffs
Association of Orange County Deputy District Attorneys – Civic Action Committee
Asian American Prosecutors Association
Butte County Deputy District Attorneys Association
California Coalition of Law Enforcement Associations
California District Attorneys Association
California Homeowners Association
California Peace Officers' Association
California Police Chiefs Association
Clovis Police Officers' Association
Contra Costa County District Attorneys' Association
Crime Survivors
Crime Victims United
Davis Police Officers' Association
Fresno County Deputy Sheriff's Association
Grover Beach Police Officers' Association
Kern County Prosecutors' Association
Placer County Deputy District Attorneys' Association
Sacramento Chapter of Parents of Murdered Children
Sacramento County Deputy District Attorneys' Association
Sacramento Farm Bureau
Saint Helena Police Officers' Association
San Francisco Police Officers' Association
Santa Barbara County Deputy District Attorneys' Association
Sonoma County Prosecutors' Association
Southern California Alliance of Law Enforcement
Stockton Police Officers' Association
UC Davis Police Officers Association
West Sacramento Police Officers' Association
Winters Police Officers' Association
Woodland Police Officers' Association
Yolo County Deputy Sheriffs' Association
Yolo County Deputy District Attorneys' Association
Butte County Sheriff Kory Honea
Colusa County Sheriff Joe Garofalo

Del Norte County Sheriff Erik Apperson
El Dorado County Sheriff John D'Agostini
Fresno County Sheriff Margaret Mims
Retired Fresno County Sheriff Steve Magarian
Kern County Sheriff Donny Youngblood
Mariposa County Sheriff Doug Binnewies
Mendocino County Sheriff Tom Allman
Merced County Sheriff Vern Warnke
Modoc County Sheriff Mike Poindexter
Mono County Sheriff Ingrid Braun
Orange County Sheriff Sandra Hutchens
Sacramento County Sheriff Scott Jones
Retired Sacramento County Sheriff John McGinness
Retired Sacramento County Sheriff Lou Blanas
San Luis Obispo Sheriff Ian Parkinson
San Mateo County Sheriff Greg Munks
Shasta County Sheriff Tom Bosenko
Siskiyou County Sheriff Jon E. Lopey, Sr.
Solano County Sheriff Tom Ferrara
Sonoma County Sheriff Steve Freitas
Stanislaus County Sheriff Adam Christianson
Tehama County Sheriff Dave Hencratt
Tulare County Sheriff Mike Boudreaux
Tuolumne County Sheriff James Mele
Ventura County Sheriff Geoff Dean
Yolo County Sheriff Ed Prieto
Los Angeles County Supervisor Mike Antonovich
Cloverdale Chief of Police Stephen Cramer
Clovis Police Chief Matt Basgall
Corona Police Chief Mike Abel
Crescent City Police Chief Ivan Minsal
Desert Hot Springs Police Chief Dale Mondary
Dinuba Police Chief Devon Popovich
Exeter Police Chief Clifton Bush
Farmersville Police Chief Mario Krstic
Fresno Police Chief Jerry Dyer
Hanford Police Chief Parker Server
Hollister Police Chief David Westrick
Imperial Police Chief Mike Colon
Lindsay Interim Director of Public Safety Chris Hughes
Los Banos Police Chief Gary Brizzee
Monrovia City Council
Paradise Vice Mayor Scott Lotter
Petaluma Police Chief Patrick Williams
Porterville Police Chief Eric Kroutil
San Diego Mayor Kevin Faulconer
Sebastopol Police Chief Jeffrey Weaver
Sonora Police Chief Mark Stinson
Visalia Police Chief Jason Salazar
Woodlake Police Chief Mike Marquez

Justice James Ardaiz, former Presiding Judge, 5th District Court of Appeal
Harriet Salarno, Chair and Co-Founder, Crime Victims United
Collene Campbell, Crime Victim Advocate, Founder, Memory of Victims Everywhere
Marc Klaas, Crime Victim Advocate, Founder, KlaasKids Foundation
Michael Rushford, President, Criminal Justice Legal Foundation
State Senator Cathleen Galgiani
State Assembly Minority Leader Chad Mayes
State Assembly Member Katcho Achadjian
State Assembly Member Travis Allen
State Assembly Member Catherine Baker
State Assembly Member Frank Bigelow
State Assembly Member Bill Brough
State Assembly Member Ling Ling Chang
State Assembly Member Rocky Chávez
State Assembly Member Brian Dahle
State Assembly Member Beth Gaines
State Assembly Member James Gallagher
State Assembly Member Shannon Grove
State Assembly Member David Hadley
State Assembly Member Matthew Harper
State Assembly Member Brian Jones
State Assembly Member Young Kim
State Assembly Member Devin Mathis
State Assembly Member Brian Maienschein
State Assembly Member Melissa Melendez
State Assembly Member Jim Patterson
State Assembly Member Tim Lackey
State Assembly Member Eric Linder
State Assembly Member Jay Obernolte
State Assembly Member Kristen Olsen
State Assembly Member Devon Mathis
State Assembly Member Marc Steinorth
State Assembly Member Don Wagner
State Assembly Member Marie Waldron
State Assembly Member Scott Wilk

* *Partial List*

“Violent” felonies per P.C. 667.5

- **Murder**
- **Attempt Murder**
- **Voluntary Manslaughter**
- **Mayhem**
- **Forcible sex offenses**
- **Rape in concert**
- **Robbery**
- **Arson**
- **Kidnapping**
- **Carjacking**
- **Certain gang offenses**
- **First degree burglary where victim is present**
- **Any felony punishable by death or life in prison**
- **Any felony where D inflicts GBI**
- **Any felony in which a gun is “used”**

Not “Violent” felonies

- **ADW - deadly weapon & force likely [245(a)(1) and 245(a)(4)]**
- **Battery with Serious Bodily Injury [243(d)]**
- **Solicitation to Commit Murder [653f(b)]**
- **Domestic violence [273.5]**
- **Inflicting corporal injury on a child [PC 273d]**
- **First degree burglary [PC 459]**
- **Rape/sodomy/oral copulation of unconscious person or by use of date rape drugs. [261(a)(3) & (4), 286(f), 288a(f)]**
- **Human trafficking involving a minor [PC236.1(c)]**
- **Hate crimes [PC 422.7]**
- **Arson of forest land [PC 451(c)] causing physical injury**
- **Assault w/ deadly weapon on Peace officer [245(c)]**
- **Active participation in a street gang [186.22]**
- **Exploding destructive device w/ intent to cause injury [18740]**

VIOLENT AND SERIOUS ACTS ELIGIBLE FOR
EARLY RELEASE UNDER THE GOVERNOR'S
"PUBLIC SAFETY AND REHABILITATION"
INITIATIVE



CALIFORNIA
DISTRICT
ATTORNEYS
ASSOCIATION

Violent and Serious Acts Eligible for Early Release Under the Governor's Proposed "Public Safety and Rehabilitation" Initiative

The term "non-violent felony offense" is not defined in the initiative, or elsewhere in California law. However, Penal Code section 667.5(c) defines a limited number of felonies as "violent."

The following crimes are not technically considered "violent," so therefore, appear to qualify as "non-violent offense" eligible for early release in the Governor's initiative. Crimes with an asterisk (*) appear more than once in the categories below.

This list is not necessarily an exhaustive compilation of every such felony, but should be considered a fairly complete listing. This list is offered as an aid to prosecution offices to be used should the Governor's initiative pass. Should you have any suggested additions, please send them to CDAA.

Crimes Involving Acts of Violence

- Assault by Means of Force Likely to Produce Great Bodily Injury (Pen. Code § 245(a)(4))
- Assault with a Deadly Weapon (Pen. Code § 245(a)(1))*
- Taking a Hostage (Pen. Code § 210.5)
- Any Felony in Which a Defendant Personally Uses a Dangerous or Deadly Weapon (Pen. Code § 667/1192.7)*
- Discharge of Firearm at Inhabited House, Occupied Building or Occupied Motor Vehicle ["Drive-by Shooting"] (Pen. Code § 246)
- Hit & Run Resulting in Death or Permanent, Serious Injury (Pen. Code § 20001(b)(2))
- Domestic Violence Resulting in a Traumatic Condition (Pen. Code § 273.5)*
- False Imprisonment by Violence, Menace, Fraud, or Deceit (Pen. Code §§ 236-237)
- Using Force or Violence Upon a Witness or Victim Because of Assistance Provided to a Law Enforcement Officer or Prosecutor (Pen. Code § 140)*
- Soliciting Another Person to Commit Murder (Pen. Code § 653f(b))
- Resisting a Peace Officer and Proximately Causing Death or Serious Bodily Injury to the Officer (Pen. Code § 148.10)*
- Peace Officer Beating or Assaulting a Person Without Lawful Necessity (Pen. Code § 149)
- Supplying, Selling, or Giving a Firearm to a Person to Commit a Gang Crime, and the Person Commits the Gang Crime and is Convicted of It (Pen. Code § 186.28)*
- Assault with a Stun Gun or Less Lethal Weapon (Pen. Code § 244.5)
- Corporal Punishment or Injury on a Child Resulting in a Traumatic Condition (Pen. Code § 273d)*
- False Imprisonment of an Elder or Dependent Adult by Violence, Menace, Fraud, or Deceit (Pen. Code § 368(f))*
- Hate Crime Causing Physical Injury, Property Damage Over \$950, or Where the Defendant Has a Prior Conviction for a Hate Crime (Pen. Code § 422.7)*

- Soliciting Another Person to Commit a Specified Crime Such as Carjacking, Robbery, Burglary, Kidnapping, Arson, Grand Theft, Perjury, Extortion, or Assault With a Deadly Weapon (Pen. Code § 653f(a))
- Inflicting Physical Pain or Mental Suffering on an Elder or Dependent Adult; Or, a Caretaker Endangering the Health of an Elder or Dependent Adult (Pen. Code § 368(b)(1))*
- Unlawfully Causing a Fire that Causes Great Bodily Injury (Pen. Code § 452(a))*
- Driving Under the Influence of Alcohol and/or Drugs and Causing Bodily Injury (Veh. Code § 23153)*
- Conspiracy to Commit Any Serious or Violent Felony (Pen. Code § 182)
- Involuntary Manslaughter with Personal Use of a Weapon, or Personal Infliction of Great Bodily Injury (i.e., death) (Pen. Code § 192(c))*
- Vehicular Manslaughter with Personal Infliction of Great Bodily Injury (i.e., death) (Pen. Code § 192(c))
- Vehicular Manslaughter While Intoxicated with Personal Infliction of Great Bodily Injury (i.e., death) (Pen. Code § 191.5(b))*

Sexual Assault-Related Crimes

- Rape of a Person Incapable of Giving Legal Consent (Pen. Code § 261(a)(1))
- Rape By an Intoxicating, Anesthetic, or Controlled Substance (Pen. Code § 261(a)(3))
- Rape of an Unconscious Person (Pen. Code § 261(a)(4))
- Sexual Penetration of an Unconscious Person (Pen. Code § 289(d))
- Sexual Penetration By an Intoxicating, Anesthetic, or Controlled Substance (Pen. Code § 289(e))
- Sexual Battery By Unlawful Restraint (Pen. Code § 243.4(a))
- Sexual Battery of a Disabled or Medically Incapacitated Person (Pen. Code § 243.4(b))
- Sexual Battery on an Unconscious Person (Pen. Code § 243.4(c))
- Sodomy on an Unconscious Person (Pen. Code § 286(f))
- Sodomy on a Person Incapable of Giving Legal Consent (Pen. Code § 286(g))
- Sodomy By Intoxicating, Anesthetic, or Controlled Substance (Pen. Code § 286(i))
- Oral Copulation on an Unconscious Person (Pen. Code § 288a(f))
- Oral Copulation on a Person Incapable of Giving Legal Consent (Pen. Code § 288a(g))
- Oral Copulation By an Intoxicating, Anesthetic, or Controlled Substance (Pen. Code § 288a(i))
- Soliciting Another Person to Commit a Forcible Sex Crime (Pen. Code § 653f(c))

Crimes Against Children

- Abandonment of a Child Under Age 14 (Pen. Code § 271)
- Failing to Provide for a Child Under Age 14 (Pen. Code § 271a)
- Corporal Punishment or Injury on a Child Resulting in a Traumatic Condition (Pen. Code § 273d)*
- Child Abduction By a Person Not Having a Right to Custody (Pen. Code § 277)
- Child Abduction to Deprive a Lawful Custodian of a Right to Custody (Pen. Code § 278)

- Transporting or Providing a Child Under Age 16 For the Purpose of a Lewd Act (Pen. Code § 266j)*
- Abduction of a Minor For the Purpose of Prostitution (Pen. Code § 267)*
- Physical Child Abuse/Endangering the Health of a Child (Pen. Code § 273a(a))
- Sodomy With a Minor Under Age 18; Or a Person Over Age 21 Participating in an Act of Sodomy With a Minor Under Age 16 (Pen. Code § 286(b))
- Lewd or Lascivious Act on Child Age 14 or 15 Where the Perpetrator is at Least 10 Years Older (Pen. Code § 288(c)(1))
- Contacting a Minor With Intent to Commit to a Specified Offense Such as Kidnapping, Sexual Assault, Physical Abuse, or Distribution of Obscene Matter (Pen. Code § 288.3)
- Arranging a Meeting With a Minor For Lewd Purposes, Where the Defendant Has a Prior Conviction for an Offense Requiring Registration as a Sex Offender; Or, Arranging a Meeting With a Minor for Lewd Purposes and Actually Going to the Meeting Place at the Arranged Time (Pen. Code § 288.4)
- Oral Copulation With a Minor Under Age 18; Or a Person Over Age 21 Participating in an Act of Oral Copulation With a Minor Under Age 16 (Pen. Code § 288a(b))
- Employing or Using a Minor, or a Parent Permitting a Minor, to Pose or Model or Produce Matter Involving Sexual Conduct by the Minor Alone or With Other Persons or Animals, for Commercial Purposes (Pen. Code § 311.4(b))
- Soliciting or Encouraging a Minor Violate Laws With Respect to Drugs Such as Heroin, Cocaine, or Cocaine Base (Health & Saf. § 11352)*
- Employing or Using a Minor to Sell or Transport a Controlled Substance (Health & Saf. § 11353(b))*
- Selling, Furnishing, Administering, Giving or Offering to Sell, Furnish, Administer, or Give Heroin or Cocaine to a Minor (Health & Saf. § 11353)*

Human Trafficking

- Human Trafficking Involving Forced Labor or Services (Pen. Code § 236.1(a))
- Human Trafficking Involving Sex Acts, Obscene Matter, or Extortion (Pen. Code § 236.1(b))
- Human Trafficking Involving a Minor and Commercial Sex Acts (Pen. Code § 236.1(c))
- Pimping (Pen. Code § 266h)
- Pandering (Pen. Code § 266i)
- Transporting or Providing a Child Under Age 16 For the Purpose of a Lewd Act (Pen. Code § 266j)*
- Abduction of a Minor For the Purpose of Prostitution (Pen. Code § 267)*

Terrorism-Related Crimes

- Exploding or Attempting to Explode a Destructive Device in a Specified Place (e.g., health facility, place of worship, bookstore, library, courthouse, judge's home, or school (Pen. Code § 11413)
- Possessing, Manufacturing, Transferring, or Acquiring a Weapon of Mass Destruction (Pen. Code § 11418(a))

- Possession of a Restricted, Biological Agent (Pen. Code § 11419)
- Possession of a Destructive Device or Explosion in or Near a Specified Place, Private Habitation, or in a Public Building or Public Place (Pen. Code § 18715)
- Possession of a Substance or Material With Intent to Make Destructive Device or Explosive (Pen. Code § 18720)
- Carrying or Placing a Destructive Device or Explosive in a Vessel, Aircraft, Vehicle, or Baggage (Pen. Code § 18725)
- Selling, Offering for Sale, or Transporting a Destructive Device (Pen. Code § 18730)
- Carrying a Concealed Explosive Substance on the Person (Pen. Code § 19100)
- Assembling or Placing a Booby Trap Device (Pen. Code § 20110(a))
- Possession of a Device with Intent to Use it as a Booby Trap (Pen. Code § 20110(b))
- Mingling Poison or Harmful Substance With Any Food, Drink, or Medicine; Or, Placing a Poison or Harmful Substance in a Spring, Well, or Water Supply (Pen. Code § 347(a))
- Possession of Destructive Device (Pen. Code § 18710)
- Exploding a Destructive Device or Explosive With Intent to Injure (Pen. Code § 18740)

Domestic-Violence-Related Crimes

- Violation of a Restraining Order Where Defendant Has a Prior Conviction Within Seven Years for Violating a Restraining Order That Involves a Credible Threat of Violence (Pen. Code § 273.6(d))*
- Violation of a Restraining Order Within One Year of a Restraining Order Conviction That Resulted in Physical Injury to the Victim (Pen. Code § 273.6(e))*
- Domestic Violence Resulting in a Traumatic Condition (Pen. Code § 273.5)*
- Stalking When the Defendant Has a Prior Felony Conviction for Domestic Violence, Violation of a Restraining Order, Criminal Threats, or Stalking (Pen. Code § 646.9(c))*

Elder/Dependent Adult Abuse

- False Imprisonment of an Elder or Dependent Adult by Violence, Menace, Fraud, or Deceit (Pen. Code § 368(f))*
- Inflicting Physical Pain or Mental Suffering on an Elder or Dependent Adult; Or, a Caretaker Endangering the Health of an Elder or Dependent Adult (Pen. Code § 368(b)(1))*
- Non-Caretaker Committing Theft, Embezzlement, Forgery, Fraud, or Identity Theft Against an Elder or Dependent Adult Where the Loss is Over \$950 (Pen. Code § 368(d))
- Caretaker Committing Theft, Embezzlement, Forgery, Fraud, or Identity Theft Against an Elder or Dependent Adult Where the Loss is Over \$950 (Pen. Code § 368(e))

Gang-Related Crimes

- Active Participation in a Criminal Street Gang (Pen. Code § 186.22(a))
- Supplying, Selling, or Giving a Firearm to a Person to Commit a Gang Crime, and the Person Commits the Gang Crime and is Convicted of It (Pen. Code § 186.28)*
- Soliciting or Recruiting Another Person to Participate in a Criminal Street Gang (Pen. Code § 219.2)

- Carrying a Loaded Firearm on the Person or in a Vehicle Where the the Defendant Has a Prior Felony Conviction, or the Firearm is Stolen and the Defendant Knows it, or the Defendant Is an Active Participant in a Criminal Street Gang, or the Defendant Is in a Class of Person Prohibited From Possessing or Acquiring a Firearm (Pen. Code § 25850)
- Any Felony with a Gang Enhancement Attachment (with exception of extortion and threats to victims/witnesses) (Pen. Code § 186.22(b))

Crimes Against Victims/Witnesses

- Stalking When There Is a Temporary Restraining Order or Injunction in Place (Pen. Code § 646.9(b))
- Stalking When the Defendant Has a Prior Felony Conviction for Domestic Violence, Violation of a Restraining Order, Criminal Threats, or Stalking (Pen. Code § 646.9(c))*
- Convicted Sex Offender in County Jail or State Prison Revealing the Name and Address of a Sexual Assault Victim to Another Prisoner with Intent That the Victim Be Harassed (Pen. Code § 136.7)*
- Credible Threat of Force or Violence Against a Witness or Victim of the Crime the Defendant was Convicted of (Pen. Code § 139(a))
- Using Force or Violence Upon a Witness or Victim Because of Assistance Provided to a Law Enforcement Officer or Prosecutor (Pen. Code § 140)*
- Violation of a Restraining Order Where Defendant Has a Prior Conviction Within Seven Years for Violating a Restraining Order That Involves a Credible Threat of Violence (Pen. Code § 273.6(d))*
- Violation of a Restraining Order Within One Year of a Restraining Order Conviction That Resulted in Physical Injury to the Victim (Pen. Code § 273.6(e))*
- Making a Credible Threat to Cause Serious Bodily Injury and Within 30 Days Entering the Victim's Residence or Workplace With Intent to Carry Out the Threat (Pen. Code § 601)

Hate Crimes

- Hate Crime Causing Physical Injury, Property Damage Over \$950, or Where the Defendant Has a Prior Conviction for a Hate Crime (Pen. Code § 422.7)*
- Terrorizing the Owner of Private Property by Placing a Sign or Mark (e.g., Nazi Swastika) on the Victim's Property on Two or More Occasions (Pen. Code § 11411(c))
- Burning or Desecrating a Cross or Religious Symbol on Private Property or School Grounds, For the Purpose of Terrorizing (Pen. Code § 11411(d))

Sex Offenders/Sexually Violent Predators

- Felon Failing to Register as Required as a Sex Offender; Or, Any Person Failing to Register as Required as a Sex Offender When That Person Has Previously Been Convicted of Failing to Register (Pen. Code § 290.018(b))
- Sexually Violent Predator Failing to Verify Sex Registration Every 90 Days (Pen. Code § 290.018(f))

Arson-Related Crimes

- Unlawfully Causing a Fire that Causes Great Bodily Injury (Pen. Code § 452(a))*
- Unlawfully Causing a Fire That Causes an Inhabited Structure or Inhabited Property to Burn (Pen. Code § 452(b))
- Unlawfully Causing a Fire of a Structure or Forest Land (Pen. Code § 452(c))

Crimes Related to Firearms

- Supplying, Selling, or Giving a Firearm to a Person to Commit a Gang Crime, and the Person Commits the Gang Crime and is Convicted of It (Pen. Code § 186.28)*
- A Felon Possessing, Purchasing, or Receiving a Firearm (Pen. Code § 29800)
- A Person With a Prior Conviction for a Serious or Violent Felony Owning, Possessing, or Controlling a Firearm (Pen. Code § 29900)
- Discharge of Firearm at Inhabited House, Occupied Building or Occupied Motor Vehicle [“Drive-by Shooting”] (Pen. Code § 246)

Drug-Related Crimes

- Soliciting or Encouraging a Minor to Violate Laws With Respect to Drugs Such as Heroin, Cocaine, or Cocaine Base (Health & Saf. § 11352(a))*
- Employing or Using a Minor to Sell or Transport a Controlled Substance (Health & Saf. § 11353(b))*
- Driving Under the Influence of Alcohol and/or Drugs and Causing Bodily Injury (Veh. Code § 23153)*
- Vehicular Manslaughter While Intoxicated with Personal Infliction of Great Bodily Injury (i.e., death) (Pen. Code § 191.5(b))*
- Selling, Furnishing, Administering, Giving or Offering to Sell, Furnish, Administer, or Give Heroin or Cocaine to a Minor (Health & Saf. § 11353)*
- Possession of Specified Compounds With the Intent to Manufacture Methamphetamine (Health & Saf. § 11383.5)
- Driving Under the Influence of Alcohol and/or a Drug Where the Defendant Has Three or More Separate DUI Violations (Veh. Code § 23550)

Crimes Committed on School Grounds or Universities

- Threatening to Inflict Injury on an Officer or Employee of an Educational Institution (Pen. Code § 71)
- Assault on a Peace Officer Working at a School (Pen. Code § 241.4)
- Battery on a School Employee Where Injury is Inflicted (Pen. Code § 243.6)
- Discharging a Firearm in a School Zone (Pen. Code § 626.9(d))
- Assault on a School Employee Involving a Deadly Weapon (Pen. Code § 245.2)

Crimes Against Peace Officers

- Resisting a Peace Officer and Proximately Causing Death or Serious Bodily Injury to the Officer (Pen. Code § 148.10)*
- Removing or Taking a Firearm From a Peace Officer While Resisting Arrest (Pen. Code § 148(c))
- Battery with Injury Inflicted on Peace Officer, Custodial Officer, Firefighter, Emergency Medical Technician, Lifeguard, Process Server, Traffic Officer, or Animal Control Officer (Pen. Code § 243(c))

Crimes Committed By Inmates

- Inciting a Riot in State Prison or County Jail That Results in Serious Bodily Injury (Pen. Code § 404.6(c))
- Convicted Sex Offender in County Jail or State Prison Revealing the Name and Address of a Sexual Assault Victim to Another Prisoner with Intent That the Victim Be Harassed (Pen. Code § 136.7)*
- Assault on a Custodial Officer (Pen. Code § 241.1)
- Battery Against a Custodial Officer (Pen. Code § 243.1)
- Possessing, Carrying, or Controlling a Specified Weapon or Firearm in a State Prison or County Jail (Pen. Code § 4502(a))
- Manufacturing or Attempting to Manufacture a Specific Firearm in a State Prison or County Jail (Pen. Code § 4502(b))
- Possessing a Controlled Substance or Drug Paraphernalia in State Prison or County Jail (Pen. Code § 4573.6)
- Sodomy While Confined in State Prison or Jail (Pen. Code § 286(e))
- Oral Copulation While Confined in State Prison or Jail (Pen. Code § 288a(e))
- State Prison Inmate Committing an Assault By Means of Force Likely to Produce Great Bodily Injury (Pen. Code § 4501(b))
- Escape or Attempt to Escape From State Prison By Force or Violence (Pen. Code § 4503(a))
- Escape or Attempt to Escape From County Jail by Misdemeanant, Home Detainee, or Work Furlough Program Participant, By Force or Violence (Pen. Code § 4532(a)(2))
- Assault With a Deadly Weapon by State Prison Inmate (Pen. Code § 4501)
- Holding a Hostage by State Prison Inmate (Pen. Code § 4503)