

Legislative Proposal for Senator Chuck Poochigian
Vice Chairman of the Public Safety Committee
Initially drafted on 8-27-05

TO AMEND STREET GANG LAW
“ 3 BUSTS AND IT’S ON ”

PURPOSE

The purpose of this new legislation is to provide neighborhood watch programs and the public at large with additional laws and tools that would help them work together with their local authorities when “GANG ACTIVITY” is spotted in their neighborhood.

Exiting Laws in California’s PENAL CODES define “criminal street activities” and it also defines their “patterns” and by a “single prior offences”.

Exiting Laws also establish penalties and time lines for serious and violent felonies. And they address specific crimes as well such as “home invasions robberies” “carjacking”, “shooting from a vehicle”, “extortion or witness protection” and so on.

Exiting Laws in California’s PENAL CODES which address conflicting penalties and the severity of them should defers to those which are greater, according to Prop 21.

This bill provides that any “convicted gang members” while on **PAROLE**, will have his identity and residence posted on the internet. It provides that their identity will remain on the internet until their parole is finished. It will provide a “time enhancer” if their crime was violent and or used a gun (To be determined).

This bill provides that only their names shall be listed after parole for a period not to exceed one half of actual time on parole. **Example** : If convicted gang member was on parole for 3 years, his identity and address will be posted for three years and his name only for one and a half years. Total time 4 ½ years after release from prison.

This bill provides that if anyone in the state of California who is convicted (3x’s) three times or more of gang related activities and crimes and goes to prison, their names and identity would be placed on the ATTORNEY GENERALS web site on the internet.

This bill provides that their name only shall be listed on this web site until all conditions of probation are met.

This bill provides that if they violate their probation and are then committed to a “State Prison” for an amount of time, their names and identity shall be listed on the ATTORNEY GENERALS web site.

This bill provides that hosting of these names and identities shall be placed only on California's ATTORNEY GENERAL web site and a link to all 58 counties in California shall be made available.

This bill provides a penalty for anyone saving any photo image and posting it to another web site.

This bill provides a "pop-up warning" to everyone not to print information out or to download to another computer, diskette, or compact disc. The pop-up will alert the individual that only the (NWC) has authority and they must contact their local authority for more information.

This bill provides authority only to the authorized neighborhood watch captains, (NWC) to print out and save photos from web site.

This bill provides authority only to local authorities to send the name and contact information - first to the ATTORNEY GENERALS office for initial processing and then back to the local authorities for final approval for a "permit of use" for (NWC) to print out and save photos - only after they've taken an approve neighborhood watch course.

This bill provides the ATTORNEY GENERAL with a list of all (NWC) from all 58 counties in the state of California.

This bill provides on the ATTORNEY GENERALS web site a "Soon to be Released" page. This page shall contain the names only of soon to be released "gang members", **six months prior to their release.**

This bill provides the names and identity of the "Soon to be Released" gang member, **one month prior to release.**

This bill provides to anyone witnessing gang related activities and alerts the local authorities some form of protection by the authorities (To be determined).

This bill provides that the names or identities of any gang member who has a life sentence without the possibility of parole, unless they escaped, or are paroled early, be not listed on the ATTORNEY GENERALS web site.

Thank You

Gang Watchers