



## CAPITOL BEAT

# The Reducing Crime and Keeping California Safe Act

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Two of the 10 most dangerous cities in the nation are in California — yet we continue to see criminal justice reforms being passed that lessen sentences, allow for early release and put public safety at risk.

Props 47, 57 and AB 109, combined, have released tens of thousands of inmates, straining local jails and fueling a new surge in local crime and homelessness. They have also limited DNA collection and redefined criminal theft, costing millions to business owners and consumers. PORAC opposed all three reforms. We can agree that because of these acts, there are more serious flaws in our current criminal justice system than ever before.

Under current law, rape of an unconscious person, trafficking a child for sex, assault of a peace officer, felony domestic violence and other similar crimes are no longer classified as violent felonies, making criminals convicted of these crimes eligible

for early release. The release of these criminals without meeting the mental health, drug rehabilitation and reformative needs of the individuals often leads to homelessness and the continuous cycle of criminal behavior.

On October 30, a statewide ballot measure was filed with the Secretary of State in an attempt to fix the problems brought forth by recent criminal justice reforms. The initiative is sponsored by the California Public Safety Partnership (CAPSP), an alliance of law enforcement, public safety leaders, crime victims, child advocates and business leaders.

Specifically, the initiative takes action against crime on four fronts:

1) **Expands the violent crimes list for early release parole consideration.**

Added crimes include:

- Human trafficking of a child
- Abducting a minor for prostitution
- Rape by intoxication
- Rape of an unconscious person
- Felony sexual penetration, sodomy or oral copulation when drugs are used or the victim is unconscious
- Drive-by shooting or shooting on foot at an inhabited dwelling or vehicle
- Felony domestic violence

- Felony assault with a deadly weapon
- Solicitation to commit murder
- Felony assault using force likely to produce great bodily injury
- Assault with a caustic chemical
- False imprisonment/taking a hostage when avoiding arrest or for use as a shield
- Felony resisting a peace officer, causing death or serious injury
- Exploding a bomb to injure people
- Felony hate crime
- Any felony where it is pled and proven that the defendant personally used a deadly weapon
- Any crime with lifetime PC 290
- Felony use of force or threats against a witness or victim of a crime
- Felony elder or dependent adult abuse

This act also changes the standard of parole review from “Does inmate pose a danger to commit violence?” to “Does the inmate pose an unreasonable risk of creating victims as a result of felonious conduct if released from prison?”

2) **Reinstates DNA collection for certain crimes that were reduced to misdemeanors under Prop 47.**

Multiple studies have shown that DNA collected from theft and drug offenders helps solve cases of rape, murder and other violent crimes. But since the passage of Prop 47, cold-case hits have fallen dramatically.

3) **Makes serial theft a felony for offenders convicted of a third theft of property valued at \$250 or more.** Prop 47 reduced to a misdemeanor theft under \$950, and failed to account for thieves who steal repeatedly, which has spawned



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