

**RESOLUTION NO. 2017-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, SUPPORTING AB 1408, A STATE MEASURE TO REQUIRE REVOCATION OF PROBATION AFTER A THIRD VIOLATION**

**WHEREAS**, Assembly Majority Leader Ian Calderon has introduced AB 1408, which would require revocation of probation if the offender violates probation terms for a third time;

**WHEREAS**, AB 1408 will require the Department of Corrections and Rehabilitation to provide the local law enforcement agency with copies of the record of supervision during any prior period of parole;

**WHEREAS**, AB 1408 will require the panel or Board of Parole Hearings, sitting en banc, to consider the entire criminal history of the inmate, including all current or past convicted offenses, in making the determination to grant parole;

**WHEREAS**, AB 1408 will require the county agency supervising the release of a person on post-release community supervision to also petition a court to revoke, modify, or terminate post-release community supervision if the person has violated the terms of his or her release for a third time; and

**WHEREAS**, AB 1408 will allow a peace officer to arrest a person without warrant who fails to appear at a hearing to revoke, modify, or terminate post-release community supervision.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF DESERT HOT SPRINGS, CALIFORNIA, DOES RESOLVE AS FOLLOWS:**

**Section 1.                      Recitals**

That the recitals set forth above are true and correct and are hereby incorporated herein as findings of the City Council

**Section 2.                      AB 1408 – Crimes: Supervised Release**

That the City Council strongly supports AB 1408 and hereby urges its immediate approval.

**Section 3.                      Effective Date**

That this resolution shall take effect immediately upon its adoption.

**Section 4.                      Certification**

That the City Clerk shall certify to the passage and adoption of this resolution, enter the same in the book of original resolutions of the City and make a minute of passage and adoption thereof in the records of the proceedings of the City Council in the minutes of the meeting at which the same is passed and adopted.

**Section 5.                      Severability**

That if any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of

this resolution which can be given effect without the invalid provision or application, and to this end the provisions of this resolution are severable and that the City Council hereby declares that it would have adopted this resolution irrespective of the invalidity of any particular portion thereof.

**PASSED AND ADOPTED** by the City Council of the City of Desert Hot Springs at a regular meeting held on the 5th day of July, 2017, by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

[SIGNATURES FOLLOW ON THE NEXT PAGE]

**ATTEST:**

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Jerryl Soriano, CMC, City Clerk

**APPROVED:**

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Scott Matas, Mayor

**APPROVED AS TO FORM:**

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Jennifer A. Mizrahi, City Attorney