

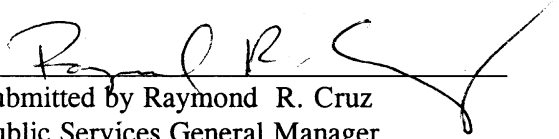


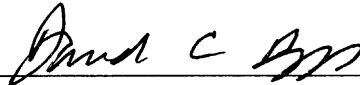
# City of Carson

## Report to Mayor and City Council

March 6, 2012  
New Business Consent

**SUBJECT: CONSIDER APPROVING RESOLUTION NO. 12-025 SUPPORTING THE SAFE CALIFORNIA ACT THAT WOULD REPEAL THE DEATH PENALTY**

  
Submitted by Raymond R. Cruz  
Public Services General Manager

  
Approved by David C. Biggs  
City Manager

### **I. SUMMARY**

On February 21, 2012, the City Council added this matter to tonight's agenda for consideration at the request of Councilmember Santarina.

On November 7, 1978, California voters passed the Briggs Initiative that expanded the number of crimes that can be punishable by death. The sponsors of this initiative argued that it would permit prosecutors to seek just punishment for murders, and serve as a warning to criminals that the state would deliver swift and final justice. However, instead of meeting these goals, approximately half of murders and rapes committed go unsolved. The number of death row inmates has ballooned to more than 700 and the cost of incarcerating them has reached \$72 million each year. Since the initiative was passed, only 13 inmates have been executed. In light of these facts, The Savings, Accountability, and Full Enforcement for California Act (SAFE California Act) was developed that would repeal the death penalty as maximum punishment for persons found guilty of murder, and replace it with life without the possibility of parole.

### **II. RECOMMENDATION**

TAKE the following actions:

1. WAIVE further reading and ADOPT Resolution No. 12-025, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, SUPPORTING THE SAFE CALIFORNIA ACT THAT WOULD REPEAL THE DEATH PENALTY."
2. DIRECT staff to transmit the resolution to James C. Harrison with Remcho, Johansen & Purcell, LLP and representative of The SAFE California Act, Governor Jerry Brown, State Senator Ted Lieu and State Assemblyman Warren Furutani.

### **III. ALTERNATIVES**

TAKE another action the City Council deems appropriate.

**IV. BACKGROUND**

In 1978, Proposition 7, or the Briggs Initiative, was approved by California voters. This law broadened the use of the death penalty as punishment for crimes. It was hoped that passage of this law would send a message to criminals that the state would apply swift and final justice, and California would be a model for capital punishment in the nation.

Unfortunately, these goals were far from met. Instead, it created a system of nearly endless appeals by inmates; more than 700 prisoners are on death row at a cost of \$72 million to incarcerate them annually; and after nearly 34 years, only 13 inmates have been executed. Given these statistics, many are now calling for a repeal of the death penalty in California.

The Savings, Accountability, and Full Enforcement for California Act, or The SAFE California Act, would repeal the death penalty as maximum punishment for persons found guilty of murder, and replace it with life imprisonment without the possibility of parole. The act would apply retroactively to persons already sentenced to death. It requires former death row inmates to work while in prison, with their wages applied to any victim restitution fines or orders against them. Finally, the initiative would create a \$100 million fund to be distributed to law enforcement agencies to help them solve more homicide and rape cases.

Should California voters approve this initiative, the net savings to the state and counties could amount to the high tens of millions of dollars annually as the costs, such as for incarceration and the appeals process, associated with the death penalty, would be eliminated. As it currently exists, the death penalty costs taxpayers \$184 million dollars each year. This said, there will be a one-time state cost that would total \$100 million to provide funding to local law enforcement agencies to investigate and hopefully solve more homicide and rape cases.

Tonight, the City Council is asked to approve Resolution No. 12-025 supporting the SAFE California Act that would repeal the death penalty (Exhibit No. 1).

**V. FISCAL IMPACT**

None.

**VI. EXHIBITS**

1. Resolution No. 12-025. (pgs. 4-5)

Document1

Prepared by: Luchie Magante, Sr. Administrative Analyst

TO: Rev01-23-12

Reviewed by:

City Clerk	City Treasurer
Administrative Services	Development Services
Economic Development	Public Services

**Action taken by City Council**

Date \_\_\_\_\_ Action \_\_\_\_\_

RESOLUTION NO. 12-025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON,  
CALIFORNIA, SUPPORTING THE SAFE CALIFORNIA ACT THAT  
WOULD REPEAL THE DEATH PENALTY

WHEREAS, the Briggs Initiative was approved by California voters on November 7, 1978. The act broadened the use of the death penalty as punishment for crimes. It was hoped that passage of this law would send a message to criminals that the state would apply swift and final justice, and California would be a model for capital punishment in the nation; and

WHEREAS, the goals imagined for the Briggs Initiative would not be realized. Instead, it created a system of nearly endless appeals by inmates; more than 700 prisoners are on death row at a cost of \$72 million to incarcerate them annually; and after nearly 34 years, only 13 inmates have been executed; and

WHEREAS, given these statistics, many are now calling for a repeal of the death penalty in California; and

WHEREAS, The Savings, Accountability, and Full Enforcement for California Act, or The SAFE California Act, would repeal the death penalty as maximum punishment for persons found guilty of murder, and replace it with life imprisonment without the possibility of parole; and

WHEREAS, The Safe California Act would apply retroactively to persons already sentenced to death; and

WHEREAS, The Safe California Act requires former death row inmates to work while in prison, with their wages applied to any victim restitution fines or orders against them; and

WHEREAS, The Safe California Act would create a \$100 million fund to be distributed to law enforcement agencies to help them solve more homicide and rape cases; and

WHEREAS, should California voters approve this initiative, the net savings to the state and counties could amount to the high tens of millions of dollars annually as the costs, such as for incarceration and the appeals process, associated with the death penalty would be eliminated. Implementation of the death penalty currently costs taxpayers \$184 million dollars each year.

NOW, THEREFORE, BE IT RESOLVED, that the city of Carson, California, supports The SAFE California Act that would repeal the death penalty.

**PASSED, APPROVED and ADOPTED** this \_\_\_\_ day of March, 2012.

**EXHIBIT NO. - 1**

[MORE]



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Mayor Jim Dear

ATTEST:

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Chief Deputy City Clerk Wanda Higaki

APPROVED AS TO FORM:

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City Attorney

