

# News

From Supervisor Gary Ovitt  
Fourth District, San Bernardino County



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## **County Supervisor Gary C. Ovitt Comments on San Diego Judge's Recent Ruling Concerning Jessica's Law**

Fourth District County Supervisor Gary Ovitt was a Statewide Chairman of Proposition 83 – the Jessica's Law Ballot Initiative. In 2006, the voters of California voted affirmatively, 70.5% to 29.5%, for its passage.

A San Diego judge ruled Friday, February 18, that a provision of state law that bars registered sex offenders from living within 2,000 feet of parks and schools infringes upon the offenders' constitutional rights and may not be enforceable.

In a 38-page decision, Superior Court Judge Michael Wellington determined that a portion of Jessica's Law - passed by voters in 2006 - violates parolees' rights to travel and privacy, because it forbids them from entering specific areas of a city and could force them out of their family homes. In some cases, the parolees are forced into homelessness.

The judge ordered prison and parole officials to stop applying the restriction as a parole condition for four registered sex offenders who challenged Jessica's Law in Superior Court. Therefore, they cannot be accused of violating parole for living in the 2,000-foot restricted zone.

Wellington said prison and parole officials have 120 days to comply with a state law that outlines an approval process for government regulations. If they fail to comply, some regulations used to enforce Jessica's Law will be deemed invalid.

"Activist judges put the public at risk," Supervisor Ovitt said. "While working to inform the public about Jessica's Law, I listened to their concerns. They agreed with me that registered sex offenders need to be prohibited from living in certain areas, including 2,000 feet from parks and schools. Superior Court Judge Michael Wellington's ruling potentially puts children at risk from these predators."

County Supervisor Gary Ovitt represents the Cities of Chino, Chino Hills, Ontario, and Montclair.

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