



OFFICE OF THE DISTRICT ATTORNEY
COUNTY OF TULARE

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Over the past few years, Californians have debated and voted on issues related to prison realignment, defining what a “non-violent” criminal offense is, and the early release of prisoners.

Some of the crimes which Proposition 57 determined to be non-violent and therefore eligible for reduced sentences are:

- rape by intoxication
- rape of an unconscious person
- human trafficking involving sex act with minors
- drive-by shooting
- assault with a deadly weapon
- taking a hostage
- domestic violence involving trauma
- supplying a firearm to a gang member, lewd acts with a child
- hate crime causing physical injury
- failing to register as sex offender
- arson causing great bodily injury
- felon obtaining a firearm
- discharging a firearm on school grounds
- false imprisonment of an elder.

This is now the law. Read that list again and look for all the crimes which target vulnerable victims.

These are criminals who enslave and sell minors, who rape women and men after they’re rendered helpless, criminals who harm children and the elderly —these are criminals will be released back into our communities early, based on participation in a program.

However, we as Californians may have an opportunity to go to the ballot box again and make some needed adjustments to the law.

The proposed “Initiative for Public Safety” is making its way through the initiative process and would expand the list of violent crimes for which early release from prison will not be an option.

Victims of these most heinous crimes deserve to have one basic question answered, “How long will my attacker be in prison?”

Under the current regulations, this decision is out of the hands of the local District Attorney and solely in that of the prison system.

As proposed, the Initiative for Public Safety will require members of parole board hearings to consider the inmate’s entire criminal history, not just the most recent offense for which he or she had committed.

It will also require that parole be revoked for any parolee who violated the terms of parole for the third time.

This adjusts AB109 (Prison Re-Alignment) in order to ensure that a parole board considers the totality of an inmates crimes and not just the last offense.

Sadly, it took Whittier Police Officer Keith Boyer’s murder to spark this movement after his attacker had allegedly violated the terms of his local parole on five separate occasions without any notice given to the local DA or court system.

Recently, I was honored to stand on the front lawn of the Whittier Police Department with several other District Attorneys from across this State and pledge my support to this initiative drive as it was launched.

The initiative will also tackle property crime issues. For instance, it will revise the theft threshold by adding a felony for serial theft (the third case of a theft with the value of \$250 dollars or higher).

Theft crimes in California have risen from 12% to 25% since Proposition 47 passed in 2014. Prop 47 changed the dollar amount for a theft to be considered a felony from \$450 to \$950 dollars.

As a result, many parts of our State have suffered an increase in serial thefts. The Initiative for Public Safety would address that ramification and give our prosecutors the tools hold these criminals accountable.

Maybe the most important aspect of the Initiative for Public Safety is the part that will reinstate DNA collection for certain crimes reduced to misdemeanors as a result of Proposition 47.

DNA that has been collected from defendants who have committed property crimes and drug offenses has helped to solve other violent crimes, including rapes and murders. Since the passage of Prop 47, cold case hits have dropped by over 2,000.

I know how important a cold hit can be. In 2006, while serving as a Supervising Attorney, I was called out to a murder scene in the Porterville area. I will never forget how young she was and I will never forget thinking how terrifying her last moments on Earth must have been.

Years passed and no charges were ever filed. That was until 2016 when a DNA cold hit was obtained by a suspect arrested in Los Angeles on totally unrelated matters.

Based on that DNA match, murder charges have been filed and the case is working its way through our system. This young victim's family understands firsthand how important DNA collection is to solving cold cases. To that end, this Public Safety Initiative must be supported.

Please join me this November and vote for the passage of the Initiative for Public Safety. It is our opportunity to make needed changes to the law, restore peace of mind to those victimized by violent crime, and protect our communities from those who wish harm on our way of life.

Tim Ward
Tulare County District Attorney