



**CITY OF SAN ANTONIO  
OFFICE OF THE CITY COUNCIL  
COUNCIL CONSIDERATION REQUEST**

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TO: Mayor & City Council  
FROM: City Councilman Carlton Soules  
COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Edward Benavides, Chief of Staff; Chris Callanen, Assistant to the City Council; Michael Bernard, City Attorney; John Peterek, Senior Management Analyst  
SUBJECT: Sex Offender Registration Process  
DATE: October 2, 2013

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the **Public Safety Committee**:

I respectfully ask for your concurrence in requesting a detailed financial review of the San Antonio Police Department's Sex Offender Registration process in order to ensure that the current system is being adequately funded and does not place unnecessary burden on the law abiding citizens of San Antonio.

Significant aspects of the review include, but are not limited to:

- (1) A review of the registration process identifying the current number of offenders registered within the city and the risk level associated with said offender.
- (2) A progress report of the registration process identifying any challenges associated with maintaining the list.
- (3) An analysis of all costs associated with maintaining and implementing the sex offender registration process.
- (4) A discussion and potential recommendation of increasing Sex Offender Registration Fees in the event the program is not adequately funded or is being excessively subsidized by law abiding tax payers.

Brief Background

Since the early 1990s sex offenders have been required by state law to register with the government. Chapter 62, article 62.051 of the Texas Criminal Code of Criminal Procedures identifies that sex offenders must register with the local law enforcement authority of the municipality, i.e. the Chief of Police. Upon registration, local law enforcement becomes the offender's primary registration authority. State law requires local police authorities to obtain the following information yearly from sex offenders:

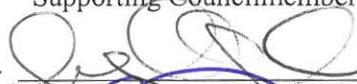
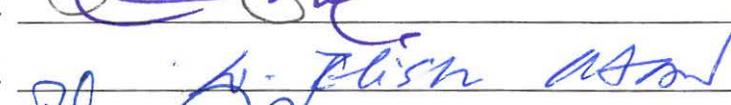
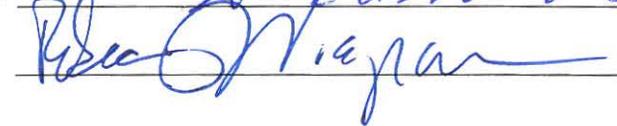
1. Individuals contact information to include social security number, driver license number, and a detailed description of each geographical location at which the person resides or intends to reside.
2. A recent picture and a complete set of the individual's fingerprints.
3. A description of offense committed and the sentence they received.
4. A list of all business, occupational, professional, certificates, permits, licenses, or other authorizations received and sought by the person.
5. The employment status and the name and address of the organization.
6. The identification of any "online identifier" established or used by the person.

Upon obtaining the registration information, local law enforcement is responsible for maintaining the registration locally, provide notification to schools, and submit all information to the Texas Department of Public Safety for inclusion to the DPS Sex Offender Database. Unlike the conditions of parole/probation a sex offender receives when released, registration with the Sex Offender Database can last anywhere from 10 years to life, depending on the severity of the offense(s).

A sex offender's individual action requires them to register with local police authorities. The law abiding citizens of San Antonio shouldn't be expected to offset all of the costs required to maintain the registration list and/or notify all parties impacted by said registration. Therefore, it would be reasonable for sex offenders to contribute financially to the costs required for the police department to operate and manage their registration.

As a home-rule municipality, the City of San Antonio has a constitutional right of self-government and a compelling interest to promote and protect the safety and welfare of its citizens. For that reason, the city should work to offset the costs imposed upon tax payers, by the state, to track and identify individuals on the state's Sex Offender Database.

Submitted for Council consideration by: Carlton Soules  
Councilman Carlton Soules, District 10

Supporting Councilmember's Signatures (4 only)	District No.
1. 	5
2. 	7
3. 	9
4. 	3

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