



# City of San Antonio

## Legislation Details (With Text)

**File #:** 21-3168

**Type:** Staff Briefing - Without Ordinance

**In control:** Public Safety Committee

**On agenda:** 4/20/2021

**Title:** Briefing and possible action on amending the "Park Safety Zone" ordinance that prohibit all registered sex offenders from a) entering any City park (with certain limited exceptions), b) loitering within 300 feet of a City park, or c) establishing a residence within 1,000 feet of a City park to include areas close to schools. [Maria Villagomez, Deputy City Manager; William P. McManus, Chief of Police]

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 04. Park Safety Zone Ordinance PSC 4.20.21

Date	Ver.	Action By	Action	Result
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**DEPARTMENT:** Police Department

**DEPARTMENT HEAD:** William P. McManus, Chief of Police

**COUNCIL DISTRICTS IMPACTED:** Citywide

**SUBJECT:** Briefing on Park Safety Zone Ordinance

### SUMMARY:

Overview of the existing Park Safety Zone city ordinance enacted by City Council in December 2013 and discussion on potential amendments to the ordinance as it relates to restrictions for registered sex offenders. Discussion will be centered around potential amendments to the ordinance to include zones close to schools.

### BACKGROUND:

To provide background to the Public Safety Committee on the existing Park Safety Zone Ordinance, below is a summary highlighting the current ordinance and the Police Department enforcement and outreach efforts.

### Park Safety Zone Ordinance

The Park Safety Zone ordinance, enacted in December 2013 (2013-12-05-0855) provides:

- It is a Class C misdemeanor for a person required to register as a sex offender to have a temporary residence (reside 14 or more total days in a calendar year) or a permanent residence (reside 14 or more consecutive days) within 1,000 feet of a park, or to enter or come within 300 feet of a city park.
- The residence and park proximity restriction does not include most of the Riverwalk on the street level.
- There are exceptions for attending official meetings and voting.
- Affirmative defenses include that the person lived at the location prior to enactment of the ordinance.

- The police chief can grant an exemption.

The city can adopt the additional restrictions for those on probation and parole, with the caveat that the city may not limit places where sex offenders may live as to effectively prohibit sex offenders from living within the city limits.

### **SAPD Enforcement**

The Sex Offender Registration Detail (SORD) is responsible for monitoring the approximately 2,900 registered sex offenders that reside within San Antonio. In addition to conducting monthly, quarterly and annual compliance checks as determined by the State, the Detail also proactively identifies and contacts individuals who fail to register.

### **Registration Requirements**

Individuals with a reportable conviction or adjudication after September 1, 1970 are required to register as sex offenders to include those that are convicted out of state, under federal law, military law or under the law of other countries. Ultimately, the type of offense will determine the duration of registration:

- Adults must either register for 10 years or lifetime
- Juveniles must register for 10 years after date of supervision or discharge

As part of the registration process, individuals must do the following:

- Conduct verification of registered information either monthly, quarterly or annually based on the number of offense convictions
- Provide notification within 7 days of:
  - Change of residence to include the homeless
  - Change in name, health or job status
  - Employment or enrollment at an institution of higher education
  - Establishment or change of an email account, online identifier

### **Public Access to Information**

The SORD submits information on registered sex offenders to the Department of Public Safety (DPS) for inclusion on its Sex Offender Database. The database, which is accessible to the public, offers a variety of information on registered sex offenders within the state of Texas. Information provided in the database includes:

- Photo of the offender
- Physical description (weight, height, tattoos, etc.)
- Date of last verification
- Address of residence
- Offense information

### **SAPD Outreach**

The SORD participates in sex offender compliance checks throughout the year in coordination with the Bexar County Sheriff's Office, the Department of Public Safety and the United States Marshal Service to ensure compliance during certain times of the year such as Halloween.

The Detail also responds to questions from the public regarding the sex offender program and will present information on the role of the Detail and the sex offender registration process at various community meetings.

**RECOMMENDATION:**

This briefing is for informational purposes only.