



# Memorandum

**TO: City Council**

**FROM:** Mayor Ron Gonzales,  
Vice Mayor Pat Dando,  
Councilmembers Williams and Gregory

**SUBJECT: Opposing the Placement  
Of Cary Verse in San Jose**

**DATE:** March 17, 2004

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Approved

Date

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## **RECOMMENDATION**

We recommend that the City Council:

- 1) Adopt a position opposing the placement of convicted sex offender Cary Verse in San Jose.
- 2) Send a letter outlining the City Council's position to the California Department of Mental Health and to the Presiding Judge in this case, inviting each Councilmember to co-sign.
- 3) Adopt a position supporting changes to the current State of California notification requirements to ensure that local communities are notified prior to a decision to place a high-risk sex offender in a community
- 4) Direct the Administration to work with state decision-makers to:
  - a. Develop stricter notification requirements for state agencies to provide longer advance notification to local communities regarding the proposed release and placement of sex offenders.
  - b. Explore state legislation or policies to better define an overall process for placing sex offenders in local communities, with requirements that limit their placement away from parks, schools, and other places where children are likely to be present, to ensure a high level of safety. .
  - c. Explore state legislation or policies that would prevent the placement of disproportionate number of sex offenders in any community compared to the rest of the region to prevent inappropriate concentrations.

**BACKGROUND**

We are gravely concerned about placement of convicted child molester Cary Verse in San Jose since his release from Atascadero State Hospital last month. This follows his placements in Mill Valley and Oakland that have been rejected by those communities. Verse's presence in our community has caused alarm among our residents that we also share. In short, the risk is too great, and the cost is too high.

San Jose has worked very hard to become the "Safest Big City in America." The commitment of the Mayor and City Council to protect our neighborhoods and maintain excellent public safety services has ensured that our residents both are safe and feel safe in our city. This is possible because we are responsive to our residents, have an excellent police force, and have developed strong and effective community support to achieve our goal.

Current state policy requires that sex offenders be released into the city or county where they were apprehended and convicted. This policy means that communities such as San Jose, with very effective law enforcement and prosecution that remove these high-risk offenders from our city, will end up bearing the burden of them returning here when released from prison. The "reward" for doing a good job to protect our residents in the first place is that we then face the unreasonable cost and burden of monitoring these high-risk individuals when they are back on the street in our city.

The lack of notification to the placement of Cary Verse in San José and the actual placement of him in our community is entirely inappropriate and unfair to the residents of our community. The City of San José has successfully worked in partnership with our neighborhoods to ensure their safety and protect our children and families. We also work in partnership with state agencies, and thus we were very surprised and extremely disappointed in the way the California Department of Mental Health has handled the Verse placements. The Department's decision to move him to San Jose was made without regard for the concerns of our community, without any prior notice to our police department, and without any local knowledge of suitable site that would ensure protection of our families.

We look forward to working with the state to develop stricter guidelines and requirements for both the agencies overseeing these individuals and the judges presiding over these cases to notify local communities prior to a placement decision. This approach will ensure the safety of our residents, neighborhoods and recommit our partnership with state agencies to achieve our mutual goals.

Our specific concerns about Cary Verse's placement in San Jose include the fact that his record clearly shows that he is a threat to the safety of our families and children. San Jose already serves as home to a disproportionate amount of sex offenders compared to the rest of the region, which places an unfair and costly burden on our community to monitor Verse.

Our community is sending us a clear message about Verse's release: the risks are too high and the costs are too great. The City Council should take steps to protect our community and to change state policies and laws that will ensure that all communities are adequately notified, that proper planning and coordination is done to achieve placements in suitable locations, and that the safety and security of our neighborhoods is maintained.