



COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

AGENDA ITEM

DATE: August 26, 2025

28

TO: Board of Supervisors

SUBJECT

PROTECTING CHILDREN FROM SEXUAL ABUSE: SUPPORTING SENATE BILL 286 (MARY BELLA'S LAW) AND ASSEMBLY BILL 47 (DISTRICTS: ALL)

OVERVIEW

Public safety is the most fundamental responsibility of government. Yet under current California law, individuals convicted of the most egregious violent sex crimes, including the rape and molestation of children, can become eligible for parole simply because they have turned 50 years old and served 20 years of their sentence. This arbitrary standard ignores the lifelong trauma inflicted on victims, fails to reflect the severity of these offenses, and undermines public trust in the justice system.

State Senate Bill 286 (SB 286), also known as Mary Bella's Law authored by Senator Brian Jones, is a bipartisan effort to close this dangerous loophole in California's Elderly Parole Program. SB 286 would ensure that violent sex offenders, including rapists and child molesters, are excluded from early parole eligibility under the reduced 50/20 threshold, keeping them ineligible regardless of age or time served.

Mary Bella's Law is named after two survivors of horrific abuse, Mary Johnson and Bella Clark. Mary Johnson was sexually abused by her uncle, Cody Woodsen Klemp, who was found guilty and sentenced to 170 years in prison. Despite the seriousness of his crimes and the length of his sentence, Klemp became eligible for parole after just 29 years because of his age. Bella Clark was only five years old when she was kidnapped and sexually abused by Charles William Mix. Although Mix received a 350-year sentence, he became eligible for parole after only 20 years under current law.

These cases highlight the deep flaws in the existing system. Aging alone should never absolve the most violent offenders of the full consequences of their crimes. Victims and their families deserve the assurance that justice will be upheld throughout the entirety of the sentence.

Assembly Bill 47 (AB 47), authored by Assemblymember Stephanie Nguyen, takes a similar approach, addressing the same gap in the law by excluding violent sex offenders sentenced under

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the One Strike Law from being eligible for elderly parole prior to age 60 and before they have served at least 25 continuous years. While the two measures differ in how they address eligibility, both share the same essential goal: protecting the public by ensuring the worst offenders remain ineligible for early release.

By supporting SB 286 and AB 47, the County of San Diego would join a growing coalition of lawmakers, advocates, and community members committed to protecting victims, strengthening public safety, and ensuring the justice system reflects the severity of these crimes.

RECOMMENDATION

SUPERVISOR JIM DESMOND AND DISTRICT ATTORNEY SUMMER STEPHAN

Direct the Chief Administrative Officer to express the County’s support for State Senate Bill 286 and Assembly Bill 47, consistent with Board Policy M-2.

EQUITY IMPACT STATEMENT

Current eligibility for elderly parole fails to consider the lifelong trauma, inequity, and injustice experienced by child sexual abuse survivors. Supporting SB 286 and AB 47 prioritizes victim safety and restores fairness in the justice system by closing a loophole that disproportionately affects vulnerable children and families.

SUSTAINABILITY IMPACT STATEMENT

The proposed action to support SB 286 and AB 47 would contribute to the County of San Diego Sustainability Goal of protecting health and wellbeing.

FISCAL IMPACT

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

ADVISORY BOARD STATEMENT

N/A

BACKGROUND

Under California Penal Code § 3055, inmates aged 50 or older who have served at least 20 years in prison are eligible for elderly parole, including individuals convicted of child molestation, rape, and other violent sexual offenses.

State Senate Bill 286 (2025), also known as Mary Bella’s Law, corrects this by explicitly excluding violent sex offenders—particularly those who commit crimes against children—from qualifying for elderly parole under the reduced 50/20 threshold. These individuals would be barred from early parole eligibility entirely, regardless of age or time served.

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Assembly Bill 47 (2025) takes a similar approach, amending the same statute to bar offenders convicted of the most serious sexual and violent crimes from benefiting from elderly parole by raising the threshold to 60/25 (being at least 60 years of age and serving 25 continuous years).

Both bills share the same core intent: closing a dangerous loophole that allows the most violent offenders to seek early release based solely on age and time served.

Without the reforms required by SB 286 and AB 47, the following criminals would be eligible for early parole:

- **Brittney Mae Lyon (San Diego):** Convicted in 2025 of sexually abusing multiple children, ages 3 to 7, while posing as a babysitter. She received a 100-years to life sentence. Without reform, she could become eligible for elderly parole in her 50s.
- **Charles William Mix:** Convicted of kidnapping and molesting a 5-year-old in 2003. Though sentenced to 350 years to life, he became eligible for parole at age 69.
- **Cody Klemp:** Raped his 14-year-old niece and received a 170-year sentence. Under current law, he becomes parole-eligible in his 60s.
- **Michael Dausey:** Convicted of multiple child sex offenses. Despite his serious crimes, he is now in his 70s and parole-eligible.
- **Randal Gers:** Kidnapped, raped, and sodomized multiple women. Though sentenced to 567 years, he became eligible for parole after just 20 years.
- **Cameron Hooker:** Infamously held and raped a woman for seven years. He became eligible for parole due to age and time served.

These cases make it clear that parole eligibility should not be determined by age alone when an individual has committed violent and predatory acts against children.

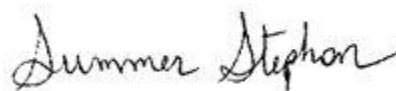
LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN

This action supports the justice initiative, in the County's 2025-2030 Strategic Plan, by ensuring public safety and protecting victims of crimes.

Respectfully submitted,



JIM DESMOND
Supervisor, Fifth District.



SUMMER STEPHAN
District Attorney

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ATTACHMENT(S)

N/A