
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguin, Chair
2025 - 2026 Regular

Bill No: AB 1210 **Hearing Date:** July 8, 2025
Author: Lackey
Version: April 1, 2025
Urgency: No **Fiscal:** Yes
Consultant: SJ

Subject: *Postrelease community supervision*

HISTORY

Source: Chief Probation Officers of California

Prior Legislation: SB 990 (Hueso), Ch. 826, Stats. of 2022
AB 109 (Com. on Budget), Ch. 15, Stats. of 2011

Support: California Police Chiefs Association

Opposition: None known

Assembly Floor Vote: 78 - 0

PURPOSE

The purpose of this bill is to increase the number of days of notice that the California Department of Corrections and Rehabilitation (CDCR) is required to provide to a county probation department prior to the release of a person onto postrelease community supervision (PRCS) from 30 days to 165 days.

Existing law provides that a person released from prison is subject to PRCS by the county probation department in the county to which the person is released. (Pen. Code, § 3451, subd. (a).)

Existing law provides that persons convicted of the following crimes are not eligible for PRCS:

- A “serious” or “violent” felony, as defined;
- A crime for which the person suffered an increased sentence for having two or more prior “serious” or “violent” felony convictions, as specified;
- A crime for which the person is classified as a high-risk sex offender; or,
- A crime for which the person is required, as a condition of parole, to undergo treatment by the State Department of State Hospitals (DSH), as specified. (Pen. Code, § 3451, subd. (b)(1)-(5).)

Existing law requires PRCS to be implemented by the county probation department according to a postrelease strategy designated by each county’s board of supervisors. (Pen. Code, § 3451, subd. (c)(1).)

Existing law requires CDCR to inform every incarcerated person released from state prison and subject to PRCS of PCRS requirements and their responsibility to report to the county probation department. (Pen. Code, § 3451, subd. (c)(2).)

Existing law requires CDCR, 30 days prior to the release of a person subject to PRCS, to notify the county of all information that would otherwise be required for parolees, as specified. (Pen. Code, § 3451, subd. (c)(2).)

Existing law requires a person released to PRCS, regardless of any subsequent determination that the person should have been released to parole, as specified, to remain subject to PRCS after having served 60 days under PRCS. (Pen. Code, § 3451, subd. (d).)

Existing law requires that an incarcerated person who is released on PRCS be returned to the county that was the last legal residence of the person prior to their incarceration. (Pen. Code, § 3003, subd. (a).)

Existing law provides that a person released on PRCS may be returned to another county or city if that would be in the best interests of the public. Requires CDCR, in determining an out-of-county commitment, to give priority to the safety of the community and any witnesses and victims. (Pen. Code, § 3003, subds. (b) & (c).)

Existing law requires CDCR to release specified information to local law enforcement agencies regarding a paroled person or a person placed on PRCS who is released in their jurisdiction (Pen. Code, § 3003, subd. (e)(1)(A)-(M).)

Existing law requires CDCR to electronically transmit to the county agency the incarcerated person's tuberculosis status, specific medical, mental health, and outpatient clinic needs, and any medical concerns or disabilities for the county to consider as the person transitions onto PRCS for the purpose of identifying the medical and mental health needs of the individual unless the information is unavailable. (Pen. Code, § 3003, subd. (e)(2).)

This bill requires CDCR, no later than 165 days prior to the discharge date for a person subject to PRCS, to provide the county probation department written and verbal notification of the scheduled release date of the person and of all information that would otherwise be required for parolees, as specified.

This bill requires CDCR, if a discharge date is set or reset for fewer than 165 days after the date that the discharge date is set or reset, to provide the scheduled release date and specified information to the county probation department no later than five business days after the date the discharge date is set or reset, but not later than 30 days before the discharge date of the person.

This bill requires CDCR to notify the county probation department of the name and contact information of the prerelease care manager, postrelease care manager, and enhanced care manager for the person being released to ensure California Advancing and Innovating Medi-Cal (CalAIM) processes are integrated with local reentry service delivery and court-ordered conditions.

This bill requires CDCR to coordinate with the county probation department to determine a person's current county of residence and to develop coordinated plans for the release and transport of the person to the person's current county of residence if the county probation

department identifies, prior to the release of a person, that the person's current county of residence may be different than the county of the person's last legal residence.

COMMENTS

1. Need For This Bill

According to the author:

Probation departments recognize the importance of early, timely, and robust reentry planning prior to release. Currently, statute requires CDCR to provide to county probation departments information on a person that will be released to PRCS 30 days prior to release. However, there are current agreements for CDCR to provide this information no less than 165 days. This bill would codify this timeline for the sharing of information from CDCR to probation departments to ensure that county probation can plan, prepare and coordinate reentry services prior to release.

2. PRCS

AB 109 (Committee on Budget), Chapter 15, Statutes of 2011, enacted Criminal Justice Realignment which limited who could be sentenced to state prison—instead requiring that more felons serve their sentences in county jails—and made changes to supervision after release from custody. Prior to Realignment, individuals released from prison were placed on parole and supervised in the community by CDCR parole agents. Following Realignment, supervision of some individuals released from prison shifted from parole agents to county probation departments. Parole is now limited to those defendants whose term was for a serious or violent felony; who were serving a Three-Strikes sentence; who are classified as high-risk sex offenders; who are required to undergo treatment as mentally disordered offenders; or who, while on parole, commit new offenses. (Pen. Code, §§ 3000.08, subds. (a) & (c); 3451, subd. (b).) All other individuals released from prison are subject to up to three years of PRCS under local supervision. (Pen. Code, §§ 3000.08, subd. (b); 3451, subd. (a).)

When a person is released from prison onto PRCS, CDCR is required to notify the county probation department of specified information, including the person's name, date of birth, photo, and offense for which the person was convicted, among other things, 30 days prior to the person's discharge date. (Pen. Code, §§ 3451, subd. (c)(2); 3003, subd. (e)(1).)

This bill amends existing law to instead require CDCR to provide this notice no later than 165 days prior to the discharge of a person onto PRCS. This bill specifies that if a discharge date is set or reset for fewer than 165 days after the date that the discharge date is set or reset, CDCR is required to provide the information no later than five business days after the date the discharge date is set or reset, but not later than 30 days before the person's discharge date. The sponsor of the bill contends that these provisions codify CDCR's existing practices.

This bill also requires CDCR to notify the county probation department of the name and contact information of the prerelease care manager, postrelease care manager, and enhanced care manager for the person being released to ensure CalAIM processes are integrated with local reentry service delivery and court-ordered conditions. The proponents of the bill state that this provision would help facilitate a smoother re-entry for the CalAIM population.

3. Placement Following Release

Current law generally requires that a person who is released on PRCS be returned to the county that was the last legal residence of the person prior to the person's incarceration. (Pen. Code, § 3003, subd. (a).) A person released on PRCS may be returned to another county or city if that would be in the best interests of the public, but CDCR is required to give priority to the safety of the community and any witnesses and victims in determining an out-of-county commitment. (Pen. Code, § 3003, subds. (b) & (c).)

CDCR regulations specify that the county of last legal residence is the county of residence where the person resided prior to incarceration for the most current commitment offense. (Cal. Code of Regs., tit 15, § 3741.) If a person has multiple commitment offenses, the most current of the offenses is used to determine the county of last legal residence. (*Ibid.*) Offenses that occur in custody (i.e., while confined in a state prison, county jail, or a DSH facility) are not to be considered in determining the county of last legal residence. (*Ibid.*; Pen. Code, § 3003, subd. (a).)

The Division of Adult Parole Operations (DAPO) determines the county of last legal residence using the current Probation Officer's Report, sentencing transcript for the current commitment, arrest report for the current commitment offense, and the abstract of judgment with the recorded county of commitment for the current commitment offense. (Cal. Code of Regs., tit. 15, § 3742, subd. (a).) If all the documents list the person as either transient or homeless, or fail to list a complete address, the person will be discharged to the county of commitment. (Cal. Code of Regs., tit. 15, § 3742, subd. (e).)

This bill requires CDCR to coordinate with the county probation department, if a county probation department identifies prior to the person's release that their current county of residence may be different than their last legal residence, to determine the person's current county of residence and to develop coordinated plans for the release and transport of the released person to the person's current county of residence. The sponsor of this bill argues that there should be better communication and coordination between the state and county probation departments with respect to release and reentry plans when the information CDCR has regarding the last legal residence is known to the county to be outdated.

4. Argument in Support

According to the Chief Probation Officers of California, the bill's sponsor:

In 2011, AB 109 enacted Public Safety Realignment which, among other things, transferred responsibility for post-release supervision from the state to county probation departments by creating a new category of supervision called Post-Release Community Supervision (PRCS). Probation departments and officers are highly skilled and trained professionals who balance accountability with rehabilitation to safely supervise those in the justice system and support their successful reentry. Probation supervises and connects people to critical resources like workforce development, mental health services, and education while using evidence-based strategies to change behavior.

Probation recognizes the importance of early, timely, and robust reentry planning prior to release. Currently, statute requires the California Department of Corrections and Rehabilitation (CDCR) to provide to county probation departments information on a person that will be released to PRCS 30 days prior to release. However, there are current agreements for CDCR to provide this information no less than 165 days. This bill would codify this timeline for the sharing of information from CDCR to probation departments to ensure that county probation can plan, prepare and coordinate reentry services prior to release.

Further, to reflect important process changes resulting from the implementation of CalAIM, this bill would require CDCR to provide to county probation departments the contact information for the ECM for the person being released to ensure coordination of services for the reentry work.

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Additionally, probation recognizes the critical nature of the coordination and handoff for persons being released, particularly around transportation and housing on the date of release and in the immediate days following. We also know that at times, a person's county of residence at the time of release may be different than the county of residence at the time the person entered the jurisdiction of state prison. For these reasons, this bill proposes to better enhance communication and coordination from the State to county probation departments to ensure that as probation departments are coordinating release and reentry plans, that we can maximize the ability to connect them with services, family, employment and supports in their current county of residence.

Through practice, training and experience, we have identified these changes as important updates to existing processes to enhance probation's work in planning and preparing for individuals to be released from state prison to counties.

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