



Department of Corrections and Rehabilitation
NOTICE OF CHANGE
TO DEPARTMENT OPERATIONS MANUAL

Chapter 8, Article 48,
Glossary of Parole Terms

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May 9, 2016

The purpose of this document is to provide information regarding revisions to Department Operations Manual (DOM), Chapter 8, Article 48, Glossary of Parole Terms.

Revisions to Chapter 8, Article 48 update the Glossary of Parole Terms. In 2011, the Governor signed into law Assembly Bill 109, Public Safety Realignment. As a result, several terms in the DOM in regards to organization names such as Civil Addicts, Narcotic Addiction Evaluation Authority and Board of Parole Terms are no longer current. Additionally, on July 1, 2013, the parole authority for the revocation and warrant process shifted from the Board of Parole Hearings to the jurisdiction of the superior court within each of the 58 counties in the State of California. These revisions are necessary to meet current glossary of terms Division of Adult Parole Operations utilizes.

Please inform all persons concerned of the contents of this Notice, which shall remain in effect until incorporated into the next edition of the DOM. Inquiries regarding the subject matter may be directed to Troy Todd, Division of Adult Parole Operations, at (916) 327-1136.

Original signed by

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Director
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ARTICLE 48 — GLOSSARY OF PAROLE TERMS

Revised May 9, 2016

86030.1 Policy

The Division of Adult Parole Operations (DAPO) maintains a list of terms commonly used within DAPO.

86030.2 Purpose

The purpose of this Article is to provide an alphabetical collection of terms commonly used in DAPO and their meanings to ensure consistent and effective communication among staff.

86030.3 Rules of Construction

The terms "inmate," "offender," "prisoner," and "parolee" apply to any person who is or has been committed to the custody of the Secretary of the California Department of Corrections and Rehabilitation (CDCR), regardless of the person's present status.

Responsibilities specified for a particular level of supervision or administration may be delegated within any limits specified unless expressly prohibited.

"Shall" is mandatory; "should" is advisory; and "may" is permissive.

Unless otherwise indicated, reference to part or section refers to the DOM.

86030.4 Glossary of Terms

ABSCONDER: Any parolee, whose whereabouts are unknown (whether suspended by the Board of Parole Hearings (BPH) or the courts), or any parolee who is not available for supervision, whether whereabouts are known or not known. A parolee in custody in another jurisdiction who is not available for supervision falls into this category.

ADVERSE WITNESS: A person who has given or will give information against a prisoner or parolee. For the purpose of conducting parole revocation hearings, "adverse witness" means a person whose expected testimony supports the violation charged.

BOARD OF PAROLE HEARINGS: The board responsible for conducting parole consideration hearings for inmates sentenced to life terms with the possibility of parole and inmates sentenced to determinate terms but who have been deemed eligible for parole consideration hearings pursuant to statute or court order. The board also conducts parole reconsideration hearings for inmates returned to CDCR custody pursuant to Penal Code (PC) 3000(b)(4) or 3000.1. In addition, the board conducts hearings pursuant to PC 3550 and screens Mentally Disordered Offenders and Sexually Violent Predators.

CALIFORNIA ADULT COMPACT ADMINISTRATOR: The Director, DAPO Headquarters.

CALIFORNIA INTERSTATE PAROLEE: A person convicted and sentenced to prison in California but under parole supervision in another state according to the provisions of the Interstate Compact.

CALIFORNIA PAROLEE: A person convicted and sentenced to prison in California and under parole supervision in California.

CASE CONFERENCE: Documented communication between the parole agent and parole unit supervisor concerning a parolee (i.e., placing a parole hold).

CASE CONFERENCE REVIEW: Documented review of progress made in the case plan and effectiveness of the current plan to determine necessary modifications. It will also include a review to determine if the parole supervision/case management expectations have been met.

CASE PLAN: A written proposal of identified goals, tasks, and local service providers to address a parolee's identified criminogenic needs.

CASE SUMMARY: Written summation of a case at specified points in the parole period.

CENTRAL FILE: Master file maintained by CDCR containing records regarding each person committed to its jurisdiction. This file is maintained by the institution or parole region via Electronic Records Management System.

COLLATERAL CONTACT: Any communication between DAPO staff and another person concerning a parolee.

CONCURRENT PAROLEE: A person on parole for a California sentence and a sentence of another jurisdiction who is being supervised in a state other than California pursuant to the Uniform Act for Out-of-State Parole Supervision (PC 11175-11179).

CONDITIONS OF PAROLE: Specific terms and conditions regarding behavior required or prohibited during parole supervision.

CONFIDENTIAL WITNESS: An informant whose identity is unknown to the parolee and who could be subject to harm if the informant's identity were known.

CONFINEMENT PURSUANT TO REVOCATION: Continuous time in custody, under a parole hold in local custody in the absence of a new commitment to prison. Limited to no more than 180 days, time begins at the placement of the parole hold.

CONTINUE ON PAROLE: Final action in response to a parole violation that allows a parolee to remain in the community rather than be confined to custody. Once this action is taken the parolee may not be charged again with the same violation.

CRIMINAL IDENTIFICATION AND INFORMATION: The State Summary-Criminal History (SSCH) from Department of Justice (DOJ) containing the arrest and disposition information defined in PC 11105 or Federal Bureau of Investigation (FBI) report containing arrest history.

CRIMINOGENIC NEED: Traits and conditions that when present increase the likelihood that an offender will commit a crime.

CUMULATIVE CASE SUMMARY: Permanent and specific summary of portions of the record maintained by CDCR regarding each prisoner from reception to discharge.

CUSTODY TO COMMUNITY TRANSITIONAL RE-ENTRY PROGRAM: A voluntary program that allows eligible female offenders committed to state prison to serve a portion of their sentence in a departmentally approved facility in lieu of confinement in state prison.

COUNSELOR: Caseworker of the CDCR who is assigned to supervise and provide counseling for inmates, confined in a CDCR facility.

DAYS: Unless otherwise specified "days" refers to calendar days when used in specifying time limits. When due date falls on a weekend or holiday, report will be deemed due on next working day.

DEPUTY DIRECTOR: Reports to the Director of DAPO, and manages statewide parole administration.

DETERMINATE SENTENCE LAW RELEASE DATE: Date a prisoner sentenced under PC 1170 is released to parole or discharge; or, date a prisoner sentenced prior to July 1, 1977, (and whose sentence was recalculated by BPH under the provisions of PC 1170.2) is released to parole or discharge.

DIFFERENCE OF OPINION: Difference of opinion regarding a prisoner's or parolee's case.

DIRECTOR: DAPO's Executive/Administrative/Hiring Authority head of the Division, appointed by the Governor.

DISCHARGE REVIEW: A documented assessment and evaluation of a parolee's performance, over a specified period, for discharge consideration from DAPO supervision.

ELECTRONIC IN-HOME DETENTION: A tool that utilizes electronic monitoring equipment as a remedial sanction, or enhanced supervision restricting an offender to his or her residence during a specified time period.

ELECTRONIC RECORDS MANAGEMENT SYSTEM: The database of all offender's central records repository.

EXPANDED MEDICAL PAROLE: Supervision for inmates identified as permanently medically incapacitated, requiring 24-hour care in a licensed health care facility, does not require custody supervision or pose a risk to public safety, and found suitable for release by BPH.

EXPIRATION OF PAROLE: Date on which specified parole period expires.

FACE-TO-FACE: In person contact with a person under supervision of DAPO by a parole agent.

FEARFUL WITNESS: A person who has given adverse information against the parolee and, because of fear, is unwilling to appear personally at the hearing. Both identity of the fearful witness and adverse information are known by the parolee. However, the witness's fear and potential trauma due to facing the parolee outweigh the parolee's right to confrontation.

FIELD CONTACT: Face-to-face contact by DAPO staff with a parolee away from the parole unit or unit parking area.

FIELD FILE: Working file that is maintained in a parole unit which contains information about a parolee.

FRIENDLY WITNESS: A person whose expected testimony tends to support the parolee's arguments.

GLOBAL POSITIONING SYSTEM: A worldwide satellite navigation system DAPO utilizes to assist with supervising, monitoring, and tracking offenders.

GOOD CAUSE: Finding based upon a preponderance of the evidence that there is a factual basis and good reason for the decision made.

GOOD TIME CREDITS: Credits for PC 1170 prisoner's good behavior and participation in prison programs earned pursuant to PC 2930, et seq. Earned good time credits advance parole date of PC 1170 prisoners.

GOOD TIME RELEASE DATE: Determinate Sentence Law release date as advanced by good behavior and participation credits.

HEADQUARTERS (Central Office) CALENDAR: The "Headquarters Calendar" is composed of BPH commissioners or deputy commissioners as designated by the Chairman of BPH. They are authorized to make decisions on matters reported to BPH.

HEARING OFFICER: Any neutral person who is authorized to conduct a hearing.

HOLD: To retain an inmate or parolee, who is under the Secretary's jurisdiction, in custody at an institution or a local detention facility in response to the legal request of a law enforcement or correctional agency representative. A parolee under a hold has no right to bail; the court may set bail or release on their own recognizance.

HOME CONTACT: Face-to-face contact with a parolee at the parolee's residence.

INDETERMINATE SENTENCE LAW: A person sentenced to prison for a crime committed on or before June 30, 1977, who would have been sentenced under PC 1170 if he/she had committed the crime on or after July 1, 1977.

INDETERMINATE SENTENCE LAW RELEASE DATE: Date on which an Indeterminate Sentence Law (ISL) prisoner may be released from confinement pursuant to the ISL. Release may be to parole or to discharge.

INTERSTATE COMPACT: Agreement by which all 50 states, District of Columbia, Virgin Islands, and Puerto Rico function cooperatively in supervision of probationers and parolees.

INTERSTATE (COOPERATIVE) PAROLEE: Person convicted and sentenced to prison in a state other than California but under parole supervision in California according to provisions of Interstate Compact.

INTERSTATE COMPACT UNIT: DAPO Headquarters Unit that is charged with overseeing the day-to-day operations of the Interstate Compact for Adult Offender Supervision, a formal agreement between member states that seeks to promote public safety by systematically controlling the interstate movement of certain adult offenders.

LIFE PRISONER: Prisoner serving sentence of life with possibility of parole. Parole date is determined by BPH.

LIFE PRISONER (INDETERMINATE SENTENCE LAW) RELEASE DATE: A prisoner, whose offense was committed prior to July 1, 1977, serving a sentence of life with the possibility of parole. Parole date is determined by BPH under guidelines in effect prior to July 1, 1977.

LOCATED: A suspended parolee-at-large is "located" when parole staff have reestablished face-to-face contact with the parolee in the State of California, or know parolee's whereabouts in another state's jurisdiction, and verify parolee is available for supervision.

OFFICE CONTACT: Face-to-face contact with a parolee at a parole unit.

OUR HOLD ONLY: Parolee in custody under a PC 3056 parole hold who has no other charges or detainers pending.

PAROLE ADMINISTRATOR: Department's Administrator of a DAPO headquarters unit, district, program, or geographic location.

PAROLE AGENT: Each parolee will be assigned to a parole agent. The assigned parole agent shall be responsible for the delivery, or referral for delivery, of all services and controls contained in the parole plan, including legal requirements that may be unique to a parolee by operation of law or policy as specified by BPH, or DAPO.

PAROLE AGENT AUTHORITY: A parole agent's authority to arrest extends to any person committed to CDCR and released to parole or being supervised under the Interstate Compact. A parole agent's peace officer status extends to enforcement of the conditions of parole, to apprehension of an escapee from a CDCR institution, to the transportation of inmates or parolees, and to any violation of law that arises or is discovered in the course of employment. A parole agent shall not preempt another law enforcement agency in enforcing the law.

PAROLE HOLD: Authorization by departmental employee to hold a parolee in custody pursuant to PC 3056.

PAROLE UNIT: A facility where a paroled offender reports upon release from custody, order from court, or instructions through the Interstate Compact for DAPO supervision.

PAROLE VIOLATION: Conduct by a parolee that violates the conditions of parole or otherwise provides good cause for the modification or revocation of parole.

PAROLE VIOLATION DISPOSITION TRACKING SYSTEM: An electronic database utilized by DAPO staff to track remedial sanctions, warrant requests, discharge reviews and petitions to the local court for revocation of parole.

PAROLEE-AT-LARGE: Legal status of a parolee whose parole time has been suspended by BPH action or the courts and a warrant is issued for arrest and detention.

PEACE OFFICER STATUS: Any parole agent employed by DAPO is a peace officer pursuant to the provisions of PC 830.5.

PHONE CONTACT: A telephone call to a parolee.

PROBABLE CAUSE: Statement of facts that would lead a person of ordinary caution and prudence to believe and conscientiously entertain a strong suspicion that the charges are true.

RECEIVING STATE: The state that supervises interstate (cooperative) or concurrent parolee.

REGIONAL ADMINISTRATOR: Administrator of a geographical region in DAPO.

RELEASE ON PAROLE: Released from custody to a term of parole supervision and includes: initial releases from custody; parolees released after having served a period of parole revocation; parole violators with a new term; parolees released from any other jurisdiction, for example, federal custody; and offenders ordered directly to parole by a sentencing court, also referred to as "court walkovers." Actual transfer of an inmate incarcerated in a CDCR institution, or a re-entry facility, or one housed temporarily in a county or city jail, to the supervision of DAPO on a date established by operation of law (PC 1170) or by BPH (PC 1168).

RELEASE PROGRAM STUDY: CDCR Form 611, Release Program Study. An informational document that describes inmate's proposed residence and employment, case factors, institutional adjustment, reporting instructions, and disability.

RESIDENT: Parolee who was an actual inhabitant of California continuously for a year or more before going to the sending state and who was not a resident of the sending state for six continuous months immediately preceding the current commitment offense.

RESIDENTIAL FACILITY: Property operated for the purpose of providing lodging and services to address criminogenic needs for two or more persons and approved by DAPO for use. Residential facilities include sober living facilities and transitional housing facilities that provide services such as money management, substance abuse prevention, relationship and self-esteem workshops, skills for employment stability, job training, and referrals to local community, social, and health services.

RESOURCE COLLATERAL: A person, group, or organization which assists the parolee in addressing his or her criminogenic needs.

REVOCATION HEARING: Adversarial judicial proceedings conducted in the superior courts pursuant to PC 1203.2, to determine if there is good cause to believe that a parole violation has occurred. If it is determined that a parole violation has occurred, the courts will also make determination as to the penalty unless the parolee falls under the provisions of PC 3000(b)(4) or 3000.1.

REVOCATION RELEASE DATE: The date on which a parolee is to be released from custody as specified by BPH or the courts in an order of revocation.

SECRETARY: Secretary of the California Department of Corrections and Rehabilitation, who serves as the Chief Executive Officer, appointed by the Governor. (See PC 5050).

SENDING STATE: State in which an interstate (cooperative) or concurrent parolee was convicted.

SIGNIFICANT COLLATERAL: Significant collateral is a person who has significant knowledge of the parolee. An individual who makes up a parolee's support group, family, friends, neighbors, associates, church members, colleagues, members of social groups, etc. Individuals who play a consistent part in the parolee's life before, during, and after parole.

SPECIAL CONDITION OF PAROLE: Condition placed by BPH, DAPO, or the courts and restricted to the individual. Special conditions of parole can be imposed if the condition is reasonably related to the parolee's commitment offense and tailored to prevent criminal conduct and/or future criminality.

STRATEGIC OFFENDER MANAGEMENT SYSTEM: A fully automated real-time data system that stores all internal/external movements; adult, juvenile, and parole records; and replaces certain manual paper processes.

UNIT SUPERVISOR: The parole agent responsible for the parole unit and supervision of case-carrying agents within DAPO.

SUBJECT TO PC 1168

- All persons sentenced to prison for a life term or for a term of not more than "a year and a day" for a crime committed on or after July 1, 1977.
- All persons sentenced to prison for a crime committed on or before June 30, 1977, who are not released on a parole date recalculated by BPH under PC 1170.2.
- All persons released on parole prior to July 1, 1977.

SUBJECT TO PC 1170

- All persons sentenced to prison under PC 1170 for a crime committed on or after July 1, 1977, except for persons sentenced to a life term or to a term of less than "a year and a day."
- All persons sentenced to prison for a crime committed on or before June 30, 1977, who are released on a parole date recalculated by the BPH under PC 1170.2.

86030.3 Revisions

The Deputy Director, DAPO shall ensure that this section is kept accurate and current.

86030.4 References

PC.