



BOARD OF PAROLE HEARINGS



ADMINISTRATIVE DIRECTIVE NO: 2015-02

SUBJECT: ROLE OF VICTIM SUPPORT PERSONS

INTRODUCTION

This Administrative Directive explains who is allowed to bring a support person to a parole hearing and the role of a support person at the hearing. (See Administrative Directive 2014-05 for a discussion of the role of victim representatives at parole hearings.)

LEGAL AUTHORITY

Penal Code section 3043.1 states, "Notwithstanding any other provision of law, a victim, his or her next of kin, or any immediate family member of the victim who appears at any hearing to review or consider the parole suitability or the setting of a parole date for any prisoner pursuant to Section 3043 shall be entitled to the attendance of one person of his or her own choosing at the hearing for support. The person so chosen shall not participate in the hearing nor make comments while in attendance."

Penal Code section 3043.3 defines "immediate family" as including, "the victim's spouse, parent, grandparent, brother, sister, and children or grandchildren who are related by blood, marriage, or adoption."

DIRECTIVE

When a victim, his or her next of kin, spouse, parent, grandparent, brother, sister, children, or grandchildren attend a parole hearing, either in person, by video or by phone, each of them shall be allowed to select one additional person to act as a support person during the hearing. This support person shall not be allowed to participate in the hearing, make comments during the hearing, or speak on behalf of the victim at the hearing.

This Administrative Directive shall take effect immediately. If you have any questions concerning the contents of this Administrative Directive please contact the BPH Legal Division at (916) 324-7604.

APPROVED BY:


JENNIFER P. SHAFFER
Executive Officer, BPH

DATE:

7/21/2015