

**REGULATION AND POLICY MANAGEMENT BRANCH**

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May 2, 2022

**NOTICE OF CHANGE TO TEXT AS ORIGINALLY PROPOSED**

The California Department of Corrections and Rehabilitation (CDCR or department) is providing Notice of Changes to Text as Originally Proposed regarding Release Funds and Assistance for Exonerated Persons.

Notice of Change to Regulations 21-12 was noticed to the public on November 5, 2021. The originally proposed amendments are shown in the original single underline and ~~strikethrough~~ format. The changes provided in this Notice are indicated by **bold double underline** for additional added text, and ~~**bold double strikethrough**~~ for deleted text to the originally proposed text.

In the attached text:

Proposed subsection 3075.2(c)(3) is amended to incorporate the revision of CDCR Form 102 (Rev. 03/22) regarding inmate release funds. Language is updated to remove “debit card” and replace with “release allowance”. In addition a reference to subsections 3075.2(d) and 3075.2(d)(1) is added to provide consistency and clarity to the text.

New subsection 3075.2(d)(1)(A) is amended to replace the word individual to persons for consistency within the regulations when referring to exonerated persons.

Proposed subsection 3075.2 (d)(5) is repealed because after further review it was determined, the language is outdated pursuant to 12 Code of Federal Regulations (CFR) section 1005.10(e)(2), which states, “No financial institution or other person may require a consumer to establish an account for receipt of electronic fund transfers with a particular institution as a condition of employment or receipt of a government benefit.”

New proposed subsection 3075.2 (d)(5) adds language that will allow inmates who are eligible for release allowance pursuant to Penal Code (PC) 2713.1 in the amount of \$200, a choice in how the release allowance is disbursed. PC 2713.1, states in part... “Each prisoner upon their release shall be paid the sum of two hundred dollars (\$200).” This added language will bring the department in compliance with 12 Code of Federal Regulations (CFR), section 1005.10(e)(2), providing the inmate with a choice on how the release allowance will be disbursed to them, by a debit card or check. Language which was initially noticed to the public that explained how release funds pursuant to PC section 3007.05 would be disbursed has been revised and moved to section 3075.2(f)(1) and (2).

New subsection 3075.2 (d)(5)(A) is adopted to establish language and specify when the inmate is eligible for release allowance of \$200, and the trust account balance is \$800 or less the total amount can be disbursed by debit card, if the inmate chooses the debit card option.

New subsection 3075.2 (d)(5)(B) is adopted to establish language that if the inmate chooses the debit card option, and the combined total of the \$200 release allowance and balance of

their trust account is greater than \$1,000, the release allowance will be issued by debit card and the trust balance will be issued by check.

Existing subsection 3075.2(f) is amended to replace the term “inmates” with the term “persons” to be consistent with the current language in PC 3007.05 regarding exonerated persons.

Subsection 3075.2(f)(1) is repealed to revise the language and incorporated in new subsections 3075.2(f)(1) and 3075.2(f)(2) to clarify the process regarding release allowances distribution for exonerated persons being discharged either from a court or from an institution.

New subsection 3075.2(f)(1) is adopted to establish that an exonerated person being discharged from an institution shall be provided the same choice regarding their disbursement of release allowances, trust fund balance, and any other payments as described in PC section 3007.05 as reflected in newly added subsection 3075.2(d)(5)(B).

New subsection 3075.2(f)(2) is adopted to establish language for an exonerated person being discharged from a court and specifies that their release allowances, trust account balance, and any other payments as specified in PC section 3007.05 shall be issued by check.

Existing subsection 3075.2(f)(2) has been renumbered to 3075.2(f)(3) and is updated to reflect the new revision date of CDCR Form 102 (Rev. 03/22).

Existing subsection 3075.2 (f)(3) is repealed because the language has been revised and included in new subsection 3075.2(f)(2) for additional clarity.

Section 3520 is amended to remove the phrase “while on parole” for clarification that an exonerated person is not on parole. Additional text is added to the last sentence for clear reading and grammatical correctness.

Subsection 3605 (a) is amended to replace the term “loaned” with “granted” to indicate that this reentry service is no longer considered a loan and is re-classified as financial assistance. Replace the term “dischargee” with “persons discharged from parole” for clarity.

Subsection 3605 (c)(1) and (c)(2) are amended because the term “loan” has been reclassified as “financial assistance”.

Subsection 3605 (d) is amended to replace the 60-day period for financial assistance to 90-day, to be in line with the latest casework policy. Replace the term “dischargee” with “persons discharged from parole” for clarity.

Subsection 3605 (e) is amended to replace the provisions for the repayment of reintegration assistance for offenders, with amended language which will provide accountability measures that encourage offenders to effectively manage their financial assistance granted them related to reentry services.

Subsection 3605 (f)(2)(D) is amended to establish the acronym for System Applications and Products (SAP) and to clarify that the SAP is part of CDCR’s Business Information System.

Subsection 3605 (f)(2)(E) is amended to include a non-substantial change which is to add the word “to” for clarity, which was inadvertently left out when originally noticed to the public.

Additional non-substantial grammatical changes were made throughout the text and a non-substantial change was made to the word “subsection” when referring to PC was changed to “section”.

The note section reference for sections 3605 and 3610 was corrected to include the correct reference to PC 3007.05.

The note section for sections 3000 and 3075.2 was updated to align with the text currently in the California Code of Regulations.

The note authority and reference citations for sections 3000 and 3520 is amended to include PC 3007.05 that was inadvertently left out during the initial notice to the public.

The reference to subsections within PC 3007.05 throughout the text was amended to reflect the correct subsections due to PC 3007.05 being amended by Senate Bill 629 on October 21, 2021.

The comment period on these changes shall close on May 17, 2022. Please submit comments to Regulation and Policy Management Branch, Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA, 94283-0001; or e-mail to [rpmb@cdcr.ca.gov](mailto:rpmb@cdcr.ca.gov) before the close of the comment period. Only those comments relating directly to the enclosed changes indicated by **bold double underline** and ~~**bold double strikethrough**~~ will be considered.



Ying Sun, Associate Director  
Regulation and Policy Management Branch  
Department of Corrections and Rehabilitation

Attachment(s)

## RENOUNCE TEXT OF PROPOSED REGULATIONS

In the following text, ~~bold double strikethrough~~ indicates deleted text and **bold double underline** indicates added or amended text from the text initially noticed to the public. The original single ~~strikethrough~~ and single underline from the initial Notice of Change to Regulations are retained, showing changes from the current text of the California Code of Regulations.

### California Code of Regulations, Title 15, Division 3, Adult Institutions, Programs, and Parole

#### Chapter 1. Rules and Regulations of Adult Operations and Programs.

##### Article 1. Behavior.

##### 3000. Definitions.

##### Section 3000 is amended to read:

Exonerated Person means a person who has a conviction reversed by the court due to innocence or insufficient evidence, or a person given a pardon by the Governor on the basis of being innocent and as defined in Penal Code (PC) ~~subsection 3007.05(ej)~~.

Note: Authority cited: Sections 243(f)(4), 2717.3, 3000.03, **3007.05**, 5058, 5058.3 and 1170.05, Penal Code; Section 10115.3(b), Public Contract Code; and Sections 4525(a), 4526 and 14837, Government Code. Reference: Sections 186.22, 243, 314, 530, 532, 600, 646.9, 653, 832.5, 1170.05, 1203.8, 1389, 2080, 2081.5, 2600, 2601, 2700, 2717.1, 2717.6, 2932.5, 3003.5(a), 3020, 3450, 3550, 4501.1, 4570, 4576, 5009, 5050, 5054, 5068, 7000 et seq., 11180 and 11191, Penal Code; Sections 1132.4, 1132.8 and 1203(b)(1), Labor Code; Sections 10106, 10108, 10108.5, 10115, 10115.1, 10115.2, 10115.3 and 10127, Public Contract Code; Section 999, Military and Veterans Code; Section 391, Code of Civil Procedure; Section 297.5, Family Code; Sections 8550, 8567, 12838 and 12838.7, Government Code; Governor's Prison Overcrowding State of Emergency Proclamation dated October 4, 2006; *In re Bittaker*, 55 Cal.App. 4th 1004, 64 Cal. Rptr. 2d 679; Section 11007, Health and Safety Code; *Madrid v. Cate* (USDC ND Cal. C90-3094 TEH); *Sassman v. Brown* (E.D. Cal. 2015) 99 F.Supp.3d 1223; *Mitchell v. Cate*, USDC ED 2:08-CV-01196-TLN-EFB; *In re Garcia* (2012) 202 Cal.App.4th 892; and *Quine v. Beard*, No. C 14-02726 JST.

##### Article 6.5. Intake, Release and Discharge of Inmates.

##### 3075.2. Releases.

Subsections 3075.2(a) through 3075.2(c)~~(32)~~ are unchanged.

Subsection 3075.2(c)(3) is amended to read:

(3) At the time of release, the inmate shall be presented a CDCR Form 102 ~~(Rev. 08/19)~~ **(Rev. 03/22)**, Release Statement, which is hereby incorporated by reference, to sign acknowledging receipt of any California identification card, medical card, ~~debit card release allowance~~, cash, check(s), transportation voucher, and clothing, or any combination thereof. Failure by the inmate to sign the CDCR Form 102 shall not be justification for withholding either the inmate's release allowance, ~~or any~~ trust account funds, **or exonerated person's payments, as described in subsections 3075.2(d) and 3075.2(d)(1)** ~~or any trust account funds, or exonerated person's payments as described in Subsection 3075.2(d) and 3075.2(d)(1).~~

**Subsection 3075.2(d) is amended to read:**

(d) Release Allowances. A release allowance is a sum of money intended for the rehabilitative purpose of assisting in an inmate's, parolee's, or ~~an~~ exonerated person's reintegration into society; and shall only be provided to an inmate ~~or~~ or parolee who is released from a CDCR institution ~~or~~ or Community Correctional Facility to the direct supervision of a parole agent in the community, is placed on non-revocable parole, is released to Post-Release Community Supervision, is released to an alternative custody program pursuant to 15 CCR ~~§~~ section 3078, et. seq., is released upon completion of a term of imprisonment to local law enforcement as a result of a detainer or hold, is released to the custody and supervision of the Department of State Hospitals, is released to a detainer or hold pursuant to commitment proceedings as a sexually violent predator (Welfare and Institutions Code, Article 4, Section 6600), ~~or~~ is discharged from the jurisdiction of the CDCR, or is exonerated. Except as stipulated below, inmates, parolees, and exonerated persons shall receive the release funds specified in ~~Penal Code (PC) §~~ section 2713.1 and, for exonerated persons only, PC section 3007.05(d), for six months or more served in a CDCR institution ~~or~~ or Community Correctional Facility.

**The remaining text in Subsection 3075.2(d) is renumbered to new Subsections 3075.2(d)(1) through 3075.2(d)(2) and are amended to read:**

(1) Inmates, parolees, and exonerated persons serving less than six months in a CDCR institution ~~or~~ or Community Correctional Facility shall be given a prorated daily rate for each day, or fraction of a day, in custody up to the amount specified in PC section 2713.1 utilizing the formula:

(A) Release funds per the amount specified in PC section 2713.1 divided by 182.5 days (six months) equals the daily rate rounded to two decimal places. Exonerated persons individuals will receive additional release funds pursuant to PC section 3007.05(d).

(B) The cost of the following items shall be deducted from the inmate's release allowance in connection with the inmate's release:

1. Release apparel not previously purchased by the inmate or inmate's designee.
2. Any transportation costs paid by the State.
3. Clothing and public transportation, if required, shall not be denied due to an insufficient release allowance.

(2) Parolees who willfully abscond shall forfeit any remaining release allowance otherwise due to them. Parolees placed in custody and released from county jail as a result of a parole violation are not eligible for CDCR release allowance.

**Existing Subsections 3075.2(d)(1) through 3075.2(d)(2) are renumbered 3075.2(d)(3) through 3075.2(d)(4) and are amended to read:**

(3) A release allowance shall not be provided to an inmate released to the custody of the federal government or another state unless the inmate is released from custody and available for parole supervision in California or a state under the Interstate Compact (Article 3 (commencing with section 11175) and Article 3.5 (commencing with Section 11180) of Chapter 2 of Title 1 of Part 4 of the Penal Code). Inmates released to the custody and supervision of the U.S. Immigration and Naturalization Service and are awaiting a deportation hearing date are not entitled to receive a release allowance.

(4) Inmates erroneously received into CDCR and ultimately transferred back to the county jail to serve county jail commitment pursuant to PC Section 1170(h), are not eligible to receive a release allowance.

Existing Subsections 3075.2(d)(3) is repealed.

~~(3) (5) The Department shall load the release funds to a debit card unless such loading is not possible due to network connectivity or the amount of the release funds are pursuant to PC section 3007.05, at which point the Department will issue a check disbursement. In instances where an inmate is eligible for release funds specified in PC section 2713.1, and when combined with the balance of the inmate's trust account the total is less than or equal to \$1,000, the release funds and inmate trust account balance will be loaded to the same debit card. In instances where the inmate's trust account balance added to the release funds specified in PC section 2713.1 exceeds \$1,000, the release funds will be disbursed by debit card, and the entire inmate trust account balance will be disbursed by check. Inmate trust account balances will not be split between a debit card and check. Release funds pursuant to PC section 3007.05 exceeds the capacity for debit cards. As such, all release funds, except those pursuant to PC section 2713.1, will be issued by check disbursement.~~

New Subsections 3075.2(d)(5) is adopted to read:

(5) If an inmate is eligible for release allowance of \$200, pursuant to PC 2713.1 section, the department shall give the inmate the option of receiving the release allowance and any inmate trust account balance on a debit card or a check. The inmate will be notified of the option of debit card or check at least ten (10) business days before release. If it is not possible to notify the inmate at least 10 business days before release due to a changed release date, the inmate shall be notified as soon as the changed date is determined. The inmate shall make the selection at the time of notification. If the inmate does not select a disbursement option, the release allowance and the inmate trust account balance shall be issued by check(s).

New Subsections 3075.2(d)(5)(A) is adopted to read:

(A) If the total of an inmate's release allowance and trust account is \$1,000 or less, the total amount will be loaded on a debit card, or the total amount will be issued by check, depending on the selection made by the inmate.

New Subsections 3075.2(d)(5)(B) is adopted to read:

(B) If the total of an inmate's release allowance and trust account exceeds \$1,000, and the inmate chose the debit card option, the release allowance will be disbursed by debit card. The inmate's trust account balance will be disbursed by check.

Existing Subsection 3075.2(d)(4) is renumbered 3075.2(d)(6) and is unchanged:

~~(4) (6) Division of Juvenile Justice (formerly the California Youth Authority) wards confined in Department facilities, and released:~~

Existing Subsections 3075.2(d)(4)(A) and 3075.2(d)(4)(B) are renumbered 3075.2(d)(6)(A) and 3075.2(d)(6)(B) and are unchanged.

Subsections 3075.2(e) through 3075.2(e)(1) are unchanged.

Existing Subsection 3075.2(f) is amended to read:

(f) Exonerated ~~Inmates~~ Persons

Existing Subsection 3075.2(f)(1) is Repealed.

~~(1) In addition to any other payment to which he or she is entitled to by law, each person who is exonerated shall be paid the sum specified in PC Section 3007.05(d).~~

New subsection 3075.2(f)(1) is adopted to read:

**(1) Release allowances and balance of trust account for exonerated persons being discharged from an institution shall be processed as described in section 3075.2(d)(5)(B).**

Existing subsection 3075.2(f)(2) is renumbered to 3075.2(f)(3) and is amended to read:

~~(2)(3)~~ The CDCR Form 102 ~~(Rev. 08/19)~~ (Rev.03/22), Release Statement, Section I, shall have the Exonerated checkbox marked.

New subsection 3075.2(f)(2) is adopted to read:

**(2) Release allowances and trust account balance for exonerated persons being discharged from a court, along with any other payments as specified in PC section 3007.05, shall be issued by check.**

Existing subsection 3075.2(f)(3) is repealed:

~~(3) Due to limits described in Section 3075.2(d)(3), the payment of the allowance to the exonerated individual will be by check.~~

Note: Authority cited: Sections 2713.1, 3000.03, 5058 and 5058.3, Penal Code. Reference: Sections 290, 457.1, 1168, 1170, 1170.05, 2713.1, 2901, 2962, 3007.05, 3053.5, 3060.7, 3067, 3450, 3452, 3453, 3454, 5054, 11175, 11176 and 11180, Penal Code; Sections 2713.1, 6600, 6601 and 6604, Welfare and Institutions Code; and Sabatasso v. Superior Court (2008) 167 Cal. App. 4th 791, 797. 12 Code of Federal Regulations, Section 1005.10(e)(2), 31 CFR 1022.380.

## **Subchapter 6. Adult Parole.**

### **Article 2. Preventing Parolee Crime Program.**

#### **3520. Preventing Parolee Crime Program.**

**Section 3520 is amended to read:**

The California Department of Corrections and Rehabilitation (CDCR) operates Preventing Parolee Crime Program operations within the ~~D~~department pursuant to Penal Code (PC) sections 3068 and 3007.05(eh). The program allows providers to provide parolees and exonerated persons with housing, sustenance, literacy training, drug treatment networks, job placement assistance, and other services as provided in this article. The purpose of the program is to prepare parolees and exonerated persons for a return to society by offering services that increase the likelihood of successful reentry into the community while on parole.

NOTE: Authority cited: Section 5058, Penal Code. Reference: Sections 3007.05, 3068 and 5054, Penal Code.

#### **3521.1. Parolee Service Center Program.**

**Section 3521.1 through subsections 3521.1(c)(5) are unchanged.**

**Subsection 3521.1(c)(6) is amended to read:**

(6) Security Threat Group ~~+~~ Gang members or associates.

**Subsections 3521.1(c)(7) through 3521.1(e) are unchanged.**

**New Subsection 3521.1(f) is adopted to read:**

(f) Exonerated persons shall also be eligible to receive PSC services as outlined in this section.

NOTE: Authority cited: Section 5058, Penal Code. Reference: Sections 3000.03, 3068 and 5054, Penal Code.

**Section 3521.2 Residential Multi-Service Center Program is repealed.**

**~~3521.2. Residential Multi-Service Center Program.~~**

~~(a) The Residential Multi-Service Center (RMSC) Program's primary goal is to assist "at-risk" parolees in becoming productive members of society through their reintegration into the community.~~

~~(b) The RMSC Program offers a variety of services to both male and female parolees, based upon assessed need, that include housing, literacy training, sustenance, life skills, anger management, substance use disorder treatment, relapse prevention, and job preparation and retention.~~

~~(c) All parolees are eligible for placement in the RMSC Program who voluntarily agree to participate in the program, except the following parolees who shall be excluded:~~

~~(1) Parolees currently in need of detoxification.~~

~~(d) The following parolees will be considered on a case-by-case basis for participation in the RMSC Program:~~

~~(1) Parolees who have a past or current violent felony conviction pursuant to PC section 667.5(c).~~

~~(2) Parolees who have a current felony conviction pursuant to PC section 1192.7(c) and/or 1192.8.~~

~~(3) Parolees with a misdemeanor hold.~~

~~(4) Parolees who are designated as a Public Interest Case.~~

~~(5) Parolees who have a restraining order/court order and/or victim notification in the county of the RMSC facility.~~

~~(6) Security Threat Group I members or associates.~~

~~(7) Parolees who are required to register pursuant to PC section 290 (sex offenders).~~

~~(8) Parolees who are in custody pending local criminal charge(s) which could result in continued incarceration.~~

~~(9) Parolees with a felony hold.~~

~~(10) Parolees with pending felony criminal charges.~~

~~(11) Parolees who are classified as Enhanced Outpatient Program.~~

~~(12) Parolees who are required to register pursuant to PC section 457.1 (arson offenders).~~

~~(13) Interstate cooperative parolees as defined in section 3000, Definitions.~~

~~(14) Inmates released to non-revocable parole as provided in section 3505.~~

~~(e) The RMSC Program offers an initial placement of up to six months of residence which includes participation in an aftercare program phase for up to 90 days. Parolees may be allowed to stay in residence up to a maximum of one year, as provided in section 3522(a)(1).~~

~~(f) Parolees shall be on active parole status while participating in the RMSC Program.~~

NOTE: Authority cited: ~~Section 5058, Penal Code. Reference: Sections 3000.03, 3068 and 5054, Penal Code.~~

### **3521.3. Day Reporting Center Program.**

**Section 3521.3 through subsection 3521.3(c) are unchanged**

**New subsection 3521.3(d) is adopted to read:**

(d) Exonerated persons shall also be eligible to receive DRC services as outlined in this section.

NOTE: Authority cited: Section 5058, Penal Code. Reference: Sections 3068 and 5054, Penal Code.

### **3521.5. Drug Treatment Network Program.**

**Subsection 3521.5 is amended to read:**

The Drug Treatment Network Program utilizes an education based program designed to provide substance abuse and relapse prevention instruction to parolees in need of substance abuse education. ~~The Drug Treatment Network Program utilizes, but is not limited to, the Substance Abuse Treatment and Recovery (STAR) Program.~~ All Parolees are eligible for placement in the Drug Treatment Network Program who voluntarily agree to participate in the program. Exonerated persons shall also be eligible to receive Drug Treatment Network Program services as outlined in this section.

NOTE: Authority cited: Section 5058, Penal Code. Reference: Sections ~~3007.05(e)~~, 3068 and 5054, Penal Code.

## **Subchapter 6. Adult Parole.**

### **Article 8. Financial Assistance.**

#### **3605. Financial Assistance.**

**Subsection 3605(a) is amended to read:**

(a) Financial assistance funds may be ~~granted loaned~~ to qualified parolees, ~~releasees or discharges~~, persons discharged from parole and exonerated persons, as described in (b), below.

**Subsection 3605(b) is unchanged.**

**Subsection 3605(c) is unchanged but shown for reference:**

(c) If assistance is deemed necessary and not available from other sources, the parole agent shall obtain both of the following:

**Subsection 3605(c)(1) is amended to read:**

(1) The unit supervisor's approval ~~and signature on a CDCR Form 1509 (Rev. 06/09), Financial Aid Request, which is incorporated by reference, is required before processing for~~ any financial assistance loan, program reward, or incentive.

**Subsection 3605(c)(2) is amended to read:**

(2) The signature of the requestor on CDCR Form 910G (Rev. ~~44/96~~ 03/11), Request for Bank Draft Stock Register, which is incorporated by reference, before releasing the financial assistance loan funds.

**Existing Subsection 3605(d) is renumbered to 3605(e) and new Subsection 3605(d) is adopted to read:**

(d) The Department will not provide financial assistance beyond a 60-90-day period except in extenuating circumstances as determined by the unit supervisor (e.g., a verified debilitating medical condition that prevents employment or assistance from other sources; verified imminent receipt of Veterans Affairs benefits; or verified imminent receipt of Supplemental Social Security Income).

**New Subsections 3605(e) through 3605(f)(3) are adopted to read:**

~~(d)(e) The parolee/releasee or dischargee shall repay any such loans as soon as their employment and personal circumstances permit. A parolee or persons discharged from parole shall provide receipts of expenditures as specified in the financial assistance request for further assistance beyond 90 days. every repayment made on a loan shall be provided to the individual.~~

(f) Exonerated persons.

(1) The Department shall assist a person who is exonerated in accordance with PC subsection 3007.05(ch).

(2) The Department shall reimburse reasonable housing costs pursuant to PC subsection 3007.05(dj)(2).

(A) Reasonable housing costs do not include mortgage insurance, property taxes, or hazard insurance.

(B) Upon request for housing assistance, the exonerated person is provided an Exonerated Person Housing Allowance form to complete and submit to CDCR via the United States Postal Service to CDCR Division of Adult Parole Operations Reentry Coordination Program, 1515 S Street, Suite 212N, Sacramento, CA 95811. The form gathers the following information:

1. Name, prior CDCR number, and date of exoneration.

2. Mailing address and phone number.

3. Housing address.

4. Housing type:

a. Hotel or Motel. Provide the name of the hotel or motel and the monthly rate paid, including all taxes.

b. Rental Unit. Provide the rental unit type (e.g., apartment, house, room, etc.) and the monthly rent paid.

c. Mortgage. Only provide the mortgage principal and interest, do not include taxes or insurance.

5. Indicate the housing size by specifying the total number of residents, the total number of dependents, and the number of bedrooms.

6. Indicate whether the reimbursement is for Initial, Ongoing, or Final housing payment, "Initial" is for the first time requesting reimbursement at the indicated address. For "Ongoing" reimbursements, the exonerated person must submit this information monthly by the 10th to ensure payment by the 1st of the month. Indicate "Final" for the last reimbursement requested for the indicated address.

7. Identify whether the payment is for a full or partial month. Indicate which month for a full month payment. Indicate the start and end date and the number of days for the partial month payment.

8. Certify with a signature that the information provided is correct and with the understanding that a claim not containing proper supporting documentation will be returned unpaid. The required supporting documents include a receipt, mortgage statement, cancelled check, rental agreement, or payment coupon.

(C) A unit supervisor or assistant unit supervisor is assigned to review the submitted request, along with the supporting documents. The reviewer will authorize the disbursement if the request is a reasonable housing cost pursuant to PC ~~sub~~section 3007.05(d)(2).

1. The reviewer shall note on the Exonerated Person Housing Allowance request form the amount requested, the allowable maximum for the housing type, and the amount approved.

2. The reviewer shall print their name, title, and phone number, then sign and date the form.

(D) CDCR staff shall process the Exonerated Person Housing Allowance request form and shall note the vendor and **the System Applications and Products (SAP)** document number on the form as well as date it. **The SAP is a component of CDCR's Business Information System (BIS) and tracks all procurement transactions for the department.**

(E) The ~~D~~epartment shall contact the exonerated person, as arranged by that individual, to process the release of the mandated funds, as prescribed by PC section 3007.05. These funds shall be forwarded to the parole office closest to the person's residence and signed over to the individual pursuant to section 3075.2.

(3) Services required will be provided by but not limited to parole services as outlined in sections 3520, 3521, 3521.1, 3521.3, 3521.5, and 3610.

NOTE: Authority cited: Section 5058, Penal Code. Reference: Sections 3007.05, 5054 and 5060, Penal Code.

## **Subchapter 6. Adult Parole.**

**The title of Article 9 is amended to read:**

### **Article 9. ~~Parole Outpatient Clinic~~ Behavioral Health Reintegration.**

**The title of Section 3610 is amended to read:**

#### **3610. ~~Parole Outpatient Clinic~~ Behavioral Health Reintegration Services.**

**Subsections 3610(a) through 3610(f)(1) are amended to read:**

(a) ~~Parole outpatient clinics (POC)~~ Behavioral Health Reintegration (BHR) have ~~has~~ been established to provide mental health assessments and outpatient mental health treatment, if needed, to parolees and exonerated persons.

(b) At any time during the period of parole, the parole agent ~~of record~~ may refer a parolee to a ~~POC~~ BHR for a screening evaluation to determine the need for a full mental health assessment. An exonerated person may also be referred to BHR if needed.

(c) ~~POC~~ BHR clinical staff shall provide a mental health assessment for each referred parolee to determine if there is a need for transitional or sustained therapeutic intervention on an outpatient basis. If therapy is deemed necessary, the parolee shall be assigned to attend a ~~POC~~ BHR for mental health treatment. Treatment services may be supplemented by interagency agreements or contracts with other state and county agencies. All records of mental health diagnosis, evaluation, and treatment shall be considered confidential in accordance with subsection ~~3361(e)~~ 3999.330(e).

(d) The parole agent of record shall impose a special condition of parole on all parolees assigned by clinical staff to participate in a POC BHR ~~on all parolees assigned by clinical staff to attend POC~~ for treatment.

(e) A parolee ~~upon whom~~ mandated by a special condition of parole to attend a ~~POC BHR~~ BHR is imposed and who is absent without being excused by their parole agent of record or the ~~POC BHR~~ BHR clinician, or whose stated reasons for absence are later determined by the parole agent of record to be false, shall be considered in violation of their parole conditions.

(f) Mandatory referral to a ~~POC BHR~~ BHR for a mental health assessment shall be made by the parole agent of record for the following:

(1) Inmates who are in a mental health treatment program at the time of the prerelease case referral as described in section 3502, ~~To provide continuity of care, a POC shall be referred to BHR referral appointment shall occur as soon as possible but not more than 30 days after release to parole.~~

**Subsections 3610(f)(2) through 3610(g) are unchanged**

**Subsection 3610(h) is amended to read:**

(h) When the ~~Dd~~ department's jurisdiction of a parolee/~~releasee~~ is expiring and continued treatment or services are required, the parole agent of record, in concert with ~~POC BHR~~ BHR staff, shall assist the parolee/~~releasee~~ in obtaining the services from a community mental health agency. If the services of the agencies cannot be obtained, the parolee/~~releasee~~ may continue to receive parole outpatient clinic services until community services can be arranged or the services are no longer required.

NOTE: Authority cited: Section 5058, Penal Code. Reference: Sections 290, 667.5(c), 2974, ~~3007.05(e)~~, and 5054, Penal Code.

## INITIAL STATEMENT OF REASONS-ADDENDUM

The California Department of Corrections and Rehabilitation (CDCR or ~~D~~department) proposes to amend the California Code of Regulations (CCR), Title 15, Division 3, Chapter 1, Article 1, section 3000; Definitions, Article 6.5, section 3075.2; Releases, subchapter 6, Article 2, Preventing Parolee Crime Program, sections 3520 through 3521.5; Article 8, section 3605, Financial Assistance, and Article 9, section 3610, Parole Outpatient Clinic Services.

In 2015, Assembly Bill (AB) 672 was passed, amending Penal Code (PC) section 3007.05. The amendments made exonerated individual persons eligible to receive extensive assistance when being released from CDCR custody. PC subsection 3007.05(~~en~~) specifically outlines the State's obligation to provide transitional needs to an exonerated individual persons, such as any transitional needs like housing assistance or placement, job training, and mental health services for the period of no less than six months and no more than one year from the date of release. Furthermore, this section also describes who is eligible to receive these services and defines the meaning of "exonerated" person. CCR, Title 15, Division 3, Chapter 1, Article 6.5, section 3075.2, Releases is updated to define the extent of services that will be given to exonerated persons.

The assistance for exonerated persons that came from AB 672 also includes any release funds afforded to any individual paroled from a CDCR facility. Pursuant to CCR, Chapter 1, Article 6.5, section 3075.2, Releases, a release allowance is a sum of money intended for the rehabilitative purpose of assisting in an inmate or parolee's reintegration into society. In 2018, Senate Bill (SB) 1050 further amended PC section 3007.05, entitling exonerated individual persons to receive a sum of \$1,000 upon release from funds made available upon appropriation by the Legislature, in addition to any other payment to which the exonerated individual is entitled to by law.

The passage of AB 701 in October 2019 entitles an exonerated inmate person to receive a sum of \$5,000 upon release for housing, including, but not limited to, hotel costs, mortgage expenses, a down payment, security deposit, or any payment necessary to secure and maintain rental housing or other housing accommodations. The exonerated person shall also be entitled to receive direct payment or reimbursement for reasonable housing costs for a period of not less than one year and not more than four years following release from custody.

In 2013, SB 1021 required any ~~releases~~ releasee under parole supervision to be discharged from parole on July 1, 2013, and returned to the court that suspended execution of the person's sentence. The term "releasee" was adopted because the individuals were not classified as inmates or parolees, but were released to continue their prison term under the supervision of a parole agent assigned to the California Civil Addict Program (CAP). Subsequently, the CAP was phased out and became inoperative, effective April 1, 2014, to come into compliance with SB 1021. Since the CAP no longer exists, the term "releasee" is now obsolete and is removed from regulations.

**In May 2021, the department identified a compliance issue with the current process of issuing inmates a debit card as the only method to receive the release allowance, as that is inconsistent with 12 CFR section 1005.10(e)(2). The Consumer Financial Protection Bureau (CFPB) determined the release allowance is a government benefit; therefore, it is subject to this regulation. CFPB informed the department that if inmates were provided with an alternative means for the distribution of the release allowance the department would comply with federal regulations.**

**These proposed regulations will allow the inmate population and exonerated persons**

**to choose the method by which they will receive their release allowance, by debit card or check. Providing this choice will bring the department into compliance with federal regulations while minimizing the effect on operations within the department, preserving many of the safeguards and efficiencies achieved since the October 2014 inception of the debit card program.**

CDCR's Parole Outpatient Clinic was recently renamed to more appropriately describe CDCR's collaboration with all California county mental health and drug alcohol entities merging as one behavioral health department.

Language pertaining to CDCR's Residential Multi-Service Center Program is being repealed as the services provided therein are now encompassed in CDCR's Division of Rehabilitative Programs.

#### **CONSIDERATION OF ALTERNATIVES:**

The **Dd**epartment must determine that no other reasonable alternatives were considered, or have otherwise been identified and brought to the attention of the **Dd**epartment, which would be more effective in carrying out the purpose for this proposed action, or would be as effective and less burdensome to affected private persons than the action proposed, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

Currently, no reasonable alternatives have been brought to the attention of the **Dd**epartment that would alter the **Dd**epartment's initial determination.

#### **ECONOMIC IMPACT ASSESSMENT:**

In accordance with Government Code section 11346.3(b), the **Dd**epartment has made the following assessments regarding the proposed regulations:

##### **Significant Adverse Economic Impact on Business**

The **Dd**epartment has made an initial determination that the proposed regulatory action will not have a significant adverse economic impact on business. Additionally, there have been no facts, evidence, documents, testimony, or other evidence provided that would alter the **Dd**epartment's initial determination. The proposed regulations do not have a direct impact on California businesses as the proposed regulations affect the internal management of CDCR only.

##### **Creation of New or Elimination of Existing Jobs within the State of California**

The **Dd**epartment has determined that the proposed regulations will not have an impact on the creation of new or elimination of existing jobs within California as the proposed regulations affect the internal management of CDCR only.

##### **Creation of New, Expansion or the Elimination of Existing Businesses Currently Doing Business within the State of California**

The **Dd**epartment has determined that the proposed regulations will not have an impact on the creation of new or the elimination of existing businesses within California, or affect the expansion of businesses currently doing business in California as the proposed regulations affect the internal management of CDCR only.

#### **BENEFITS OF THE REGULATIONS:**

The **Dd**epartment proposes these regulations with the goal of assisting exonerated **inmates persons** after their release from prison with financial and housing aid as well as any

rehabilitative programming as needed. This aid will provide continued support for the exonerated persons as they reintegrate into the community, which promotes public safety. The proposed regulations bring the ~~Dd~~ department in line with the legislative bills described above.

The proposed regulations have no effect on the health of California residents, worker safety, or the State's environment.

### **MATERIALS RELIED UPON:**

The ~~Dd~~ department, in proposing amendments to these regulations, has not identified nor has it relied upon any technical, theoretical, or empirical study, report, or similar document.

### **SPECIFIC PURPOSE AND RATIONALE FOR EACH SECTION, PER GOVERNMENT CODE 11346.2(B)(1):**

#### **Chapter 1. Rules and Regulations of Adult Operations and Programs**

#### **Article 1. Behavior.**

#### **3000. Definitions.**

**Section 3000** is amended to provide a definition for Exonerated Person and to describe its statutory origin in PC subsection 3007.05(ej). At the end of section 3000 in the note, authority, and reference citations, PC subsection 3007.05 is added as a cited authority.

#### **Article 6.5. Intake, Release and Discharge of Inmates.**

#### **3075.2. Releases.**

**Subsections 3075.2(a) through 3075.2(c)(3)(2) are unchanged.**

**Existing Subsection 3075.2(c)(3) is amended to provide clarity to changes in release allowances as described in subsections 3075.2(d) and 3075.2(d)(1), as well as to update CDCR Form 102 to include the most current CDCR Form 102 (REV. 03/22).**

**Existing subsection 3075.2(d) is separated to a more organized structure (for ease of reading and reference) by splitting the one long and cumbersome section into six sections numbered 3075.2(d), 3075.2(d)(1), 3075.2(d)(1)(A), 3075.2(d)(1)(B), 3075.2(d)(1)(B)1, and 3075.2(d)(1)(B)2, and are amended to include exonerated persons in the scope of individuals who receive release allowances. This is necessary to comply with PC section 3007.05, which outlines the State's obligation to an exonerated individual such as any transitional needs like housing assistance or placement, job training, and mental health services for the period of no less than six months and no more than one year from the date of release.**

**Existing Subsections 3075.2(d)(1) through 3075.2(d)(2) are renumbered to 3075.2(d)(3) and 3075.2(d)(4) and are unchanged.**

~~**Existing subsection 3075.2(d)(3) is renumbered to 3075.2(d)(5) and is amended to specify the disbursement method for exonerated persons upon release. This is necessary to make it clear to the staff who process the release funds that exonerated persons, because of the larger amount of funds such persons are eligible to receive, shall be provided a check in lieu of a debit card. Additionally, amendments to this subsection make minor punctuation changes to be more grammatically correct and remove unessential content such as the decimal point and zeroes after the dollar amount.**~~

Existing subsection 3075.2(d)(3) is repealed. This language is outdated as a result of 12 Code of Federal Regulations (CFR) section 1005.10(e)(2), which states, “No financial institution or other person may require a consumer to establish an account for receipt of electronic fund transfers with a particular institution as a condition of employment or receipt of a government benefit.”

New subsection 3075.2(d)(5) is adopted to establish language that will allow inmates who are eligible for release allowance pursuant to Penal Code (PC) section 2713.1 in the amount of \$200, a choice in how the release allowance is disbursed. PC section 2713.1, states in part, “each inmate upon their release shall be paid the sum of two hundred dollars (\$200).” This added language will bring the department in compliance with 12 Code of Federal Regulations (CFR), section 1005.10(e)(2), providing the inmate with a choice on how the release allowance will be disbursed to them, by a debit card or check. Language is added to provide the notification to the inmates at least 10 business days prior to their release regarding their disbursement choices. Additionally, the inmate shall make their disbursement selection at the time of notification. If the inmate does not select a disbursement option their release allowance balance and trust account balance shall be issued by check. Language is also added if it is not possible to notify the inmate at least 10 business days prior to release due to a changed release date, the inmate shall be notified as soon as the changed date is determined. Language regarding the combined total of the release allowance and the balance of the inmate’s trust fund has been deleted and moved to new subsections 3075.2(d)(5)(A) and 3075.2(d)(5)(B) for clarity.

New subsection 3075.2(d)(5)(A) is adopted to establish language and specify that when the inmate is eligible for a release allowance of \$200, and the trust account balance is \$800 or less the total amount can be disbursed by debit card, if the inmate chooses the debit card option.

New subsection 3075.2(d)(5)(B) is adopted to establish language that if the inmate chooses the debit card option, and the combined total of the \$200 release allowance and balance of their trust account is greater than \$1,000, the release allowance will be issued by debit card and the trust balance will be issued by check.

Existing subsections 3075.2(d)(4) through 3075.2(d)(4)(B) are renumbered to 3075.2(d)(6) through 3075.2(d)(6)(B) and are unchanged.

Subsections 3075.2(e) through 3075.2(e)(1) are unchanged.

Existing subsection 3075.2(f) is amended to replace the term “inmates” with the term “persons” to be consistent with the current language in PC section 3007.05 regarding exonerated persons.

Existing subsection 3075.2(f)(1) is repealed and the language has been revised and incorporated in new subsections 3075.2(f)(1) and 3075.2(f)(2) to clarify the process regarding release allowances distribution for exonerated persons.

New subsection 3075.2(f)(1) is adopted to establish that an exonerated person being discharged from an institution shall be provided the same choice regarding their

**disbursement of release allowances, trust fund balance, and any other payments as described in PC section 3007.05 as pursuant to newly adopted subsection 3075.2(d)(5)(B).**

**Existing subsection 3075.2(f)(2) has been renumbered to 3075.2(f)(3) and is amended to update CDCR Form 102 to include the most current CDCR Form 102 (REV. 03/22)**

**New subsection 3075.2(f)(2) is adopted to establish language for an exonerated person being discharged from a court and specifies that their release allowances, trust account balance, and any other payments as specified in PC section 3007.05 shall be issued by check.**

**Subsection 3075.2(f)(3) has been deleted as the language is incorporated into new subsection 3075.2(f)(2) and to provide more clarity.**

## **Subchapter 6. Adult Parole.**

### **Article 2. Preventing Parolee Crime Program.**

#### **3520. Preventing Parolee Crime Program.**

**Section 3520 is amended** to comply with PC section 3007.05 regarding the services and assistance provided to exonerated persons, such as job and housing assistance and drug treatment.

#### **3521.1. Parolee Service Center Program.**

**Section 3521.1 through Subsection 3521.1(c)(5) are unchanged.**

**Subsection 3521.1(c)(6) is amended** to update the term used for gang member designation. In 2014, CDCR revised CCR, Title 15 Regulations to coincide with federal correctional system standards and amended the Department's gang management policy to identify individuals involved in gangs as Security Threat Group (STG) members, with the need to separate these individuals from the general population. In addition, the 2014 revisions established a process for certifying a gang member's risk level by the Department based on the type and frequency of the individual's involvement in gang behavior. However, the California Penal Code, the legal authority that governs CDCR's parole supervision procedures, only refers to the term "Gang" and not "STG." This revision brings section 3521.1(c)(6) into compliance with current law.

**Subsections 3521.1(c)(7) through 3521.1(e) are unchanged.**

**Subsection 3521.1(f) is amended** to comply with PC section 3007.05 regarding the services and assistance provided to exonerated persons. PC subsection 3007.05(eh)(1) states CDCR shall provide transitional services to exonerated persons after release from an institution. The Parolee Service Center Program provides those services with residential, employment, and other services to aid in the individual with reintegrating into the community.

#### **3521.2. Residential Multi-Service Center Program.**

**Subsection 3521.2 is deleted** as the Department no longer contracts with the Residential Multi-Service Center Program. This section is repealed in its entirety.

#### **3521.3. Day Reporting Center Program.**

**Subsections 3521.3 through 3521.3(c) are unchanged.**

**Subsection 3521.3(d) is amended** to comply with PC section 3007.05 regarding the services and assistance provided to exonerated persons. PC subsection 3007.05(eh)(1) states CDCR

shall provide transitional services to exonerated persons after release from an institution. The Day Reporting Center program provides a portion of these services by providing a drug and alcohol-free living environment. Even though PC subsection 3007.05(~~di~~)(2) entitles exonerated persons a payment in the sum of \$5,000 upon release to aid with housing, the Day Reporting Center program is also available to those persons in the event housing options are available to them are not conducive to reintegrating into the community.

### **3521.5. Drug Treatment Network Program.**

**Subsection 3521.5 is amended** to comply with PC section 3007.05 regarding the services and assistance provided to exonerated persons. PC subsection 3007.05(~~ch~~)(1) ~~states, "CDCR shall provide transitional services to exonerated persons after release from an institution."~~ **Requires CDCR to provide transitional services to exonerated persons after release from an institution including housing assistance, job training, and mental health services, as applicable.** The Drug Treatment Network program provides substance use abuse treatment and rehabilitation for those in need of such services. This section is also amended to remove the reference made to the "Substance Abuse Treatment and Recovery" (STAR) Program. The ~~D~~department no longer contracts with the STAR program to provide services through the Drug Treatment Network. PC subsection 3007.05(~~ch~~) has been added as an authority cited to the Note section.

## **Subchapter 6. Adult Parole.**

### **Article 8. Financial Assistance.**

#### **3605. Financial Assistance.**

**Subsection 3605(a) is amended** to come into compliance with SB 1021, which eliminated the CAP and any reference made thereof, as well as the term "release". Additionally, the language regarding "exonerated persons" is added to come into compliance with PC section 3007.05, which specifies that exonerated persons are entitled to release funds as well as compensation for housing costs. PC section 3007.05 is added as an authority cited in the Note section of this subsection. **In addition, the term "loaned" in this section is being replaced with "granted" to indicate that this reentry service is no longer considered a loan and is re-classified as financial assistance. The term "dischargee" has been replaced with "persons discharged from parole" for clarity.**

**Subsections 3605(b) through 3605(c) are unchanged.**

**Subsection 3605(c)(1) is amended** to incorporate by reference CDCR Form 1509 (Rev. 06/09), Financial Aid Request, into regulations. DAPO field staff use the financial aid request form to process the request for assistance. The form incorporates the parolee's CDCR record identification (e.g., CDCR number, name, supervision category, and assigned agent of record and parole unit) and specific case factors such as the parolee's participation in mental health services, being a high-risk sex offender, or is an administrative placement. The form also requires that the amount and purpose of the financial assistance request be identified. The form is submitted for approval to the parole unit supervisor who is authorized by DAPO to direct and track disbursements of state funds or resources, such as food, clothing, and transportation vouchers. **In addition, the term "loan" in this section is being re-classified as financial assistance.**

**Subsection 3605(c)(2) is amended** to update the number, name, and revision date of the form used for requesting bank drafts. The form was revised in 2011. The CDCR Form 910 Request for Bank Draft Stock is a departmental accounting and acquisition tool used to acquire resources, up to a specified amount, that are needed by parole field offices. The contents of the form itself are not being amended in this rulemaking action. **In addition, the term "loan" in this section is being re-classified as financial assistance.**

**New Subsection 3605(d) is adopted** to clarify that the **D**department will not provide assistance for more than ~~90 60~~ days ~~per each approved loan~~. This language is necessary to show that a financial ~~assistance loan~~ is not meant to be used as long-term means of support. Additionally this language is needed to show that the **D**department may provide assistance beyond ~~90 60~~ days only in extenuating circumstances as determined by the unit supervisor, along with some accountability measures outlined in Subsection 3605(e). In the State of California, government assistance, such as Cash Aid or Cal Fresh, is approved within 30 days; and medical programs are approved within 45 days from submission of an application. The **D**department has determined ~~90 60~~ days is sufficient to ensure the parolee is financially stable while waiting on approval for government assistance, financial aid, or other financial resources. The **D**department may make exceptions to assist beyond ~~90 60~~ days when the parolee is experiencing extenuating circumstances. The **D**department has determined financial assistance beyond ~~90 60~~ days may be provided if the parolee is unable to work or obtain assistance from other sources due to a verified medical condition. This measure is considered an extenuating circumstance, as the **D**department must ensure that the parolee has the ability to address their criminogenic needs while they are under parole supervision. The **D**department recognizes that financial support from the federal government has many variables and often takes longer than ~~90 60~~ days to obtain approval. Parolees who are approved for Veterans Affairs benefits or Supplemental Social Security Income, and are awaiting their imminent receipt of benefits, may be provided financial assistance beyond ~~90 60~~ days. This measure is considered an extenuating circumstance, as these parolees have the ability to reimburse the **D**department for financial assistance provided beyond ~~90 60~~ days.

**Existing Subsection 3605(d) is renumbered to 3605(e), and is amended** to come into compliance with SB 1021, which eliminated the CAP and therefore the need of the term "releasee" In addition, provisions for the repayment of reintegration assistance for parolee, releasee or dischargée is removed. Instead, the amended language provides an accountability measure, which encourages parolees or persons discharged from parole to effectively manage their financial assistance, granted them related to reentry services.

**New Subsection 3605(f) is adopted** to include the section labelled "Exonerated persons". This language is necessary to show that exonerated individuals fall under a special financial assistance in accordance with PC section 3007.05.

**New Subsection 3605(f)(1) is adopted** to incorporate the requirements created by PC section 3007.05 related to financial assistance for exonerated persons.

**New Subsection 3605(f)(2) is adopted** to incorporate the requirements created by PC section 3007.05 related to financial assistance for exonerated persons and housing costs.

**New Subsection 3605(f)(2)(A) is adopted** to make specific what CDCR does not consider reasonable housing costs. PC subsection 3007.05(~~di~~)(3) defines what is covered under the term "reasonable housing costs". CDCR is governed by the standards set by State law as it relates to the term "reasonable housing costs". Consequently, mortgage insurance, property taxes, or hazard insurance are not considered reasonable housing costs as those costs are not necessary to secure and maintain rental or other housing accommodations.

**New Subsections 3605(f)(2)(B) through 3605(f)(2)(E) are adopted** to outline the procedures for a wrongly convicted individual to submit the Exonerated Person Housing Allowance form to the **D**department when requesting payments or reimbursements for housing costs after their release from prison. The exonerated person will be required to provide the housing location, housing type, and the number of residents in the home on the form, which shall be mailed to CDCR as directed. It is necessary to collect this information to keep accurate records of the request for funds, which is needed to assess fair market values,

along with the appropriate funding levels and housing size according to federal standards. The form also instructs the exonerated person to provide verification to support their housing costs request in the form of receipts. The submission of original housing costs documentation is required for accuracy and accountability purposes. This will help guard against insufficient funding of housing costs for exonerated persons. For approved requests, CDCR will use the web-based housing cost matrix maintained by the U.S. Department of Housing and Urban Development to confirm the allowable maximum funding for housing types. The amount approved will also be based on verification and limits established in PC section 3007.05(~~ej~~)(3). For example, if renting a shared space, reimbursement will be based on the individual's share of the rent based on the housing type and address. For a mortgage, only funding for the principal and interest will be approved, while funding for taxes and insurance are not included in the housing allowance. The approved funds will be disbursed to the exonerated person by mail. All the contacts and assistance provided to the exonerated person, along with all the information related to housing costs and supporting documents submitted to CDCR, will be tracked and maintained in the CDCR Automated Reentry Management System (ARMS) database.

**New Subsection 3605(f)(3) is adopted** to specify the sections that are in compliance with PC section 3007.05 and to reference additional programs and services available as outlined in the CCR, Title 15.

## **Subchapter 6. Adult Parole.**

### **Article 9. Behavioral Health Reintegration Services.**

**Article 9, Parole Outpatient Clinic, is amended** to reflect the change in title to Behavioral Health Reintegration Services.

#### **3610. Parole Outpatient Clinic.**

**Section 3610 title is amended** to reflect the change to Behavioral Health Reintegration Services.

**Subsections 3610(a) through 3610(f)(1) are amended** to reflect the change in the name of the Parole Outpatient Clinic to the Behavioral Health Reintegration (BHR) program. This name change is more appropriate to CDCR's collaboration with all California county mental health and drug alcohol entities merging as one behavioral health department. This name change will ensure cohesiveness between State and County services. Additionally, the name change aligns with CDCR's mission to provide mental health and psychosocial support services for parolees who reintegrate into the community. This section is also updated to comply with PC section 3007.05 regarding the services and assistance provided to exonerated persons. PC subsection 3007.05(~~eh~~)(1) states CDCR shall provide transitional services to exonerated persons after release from an institution. PC section 3007.05 is added as an authority cited in the Note section of this subsection. Note: The remaining text in Title 15 relative to this name change in Article 9 is being amended in an on-going, intersecting regulation project. The reference to Title 15, subsection 3361(c) is updated since that section has been relocated to 3999.330(e).

**Subsections 3610(f)(2) through 3610(g) are unchanged.**

**Subsection 3610(h) is amended** to come into compliance with SB 1021, which eliminated the CAP and therefore the need of the term "release."