



Department of Corrections and Rehabilitation

**NOTICE OF CHANGE TO  
REGULATIONS**

**Section(s): 3000, 3075.1, 3075.2, 3075.3, 3521.1,  
3521.2, 3720, 3763, 3800, 3800.1, 3800.2, and  
3800.3**

**Number:**

**18-04**

**Publication Date:**

**February 23, 2018**

**Effective Date:**

**To Be Announced**

**INSTITUTION POSTING AND CERTIFICATION REQUIRED**

This Notice announces the proposed amendment to Section(s) 3000, 3075.1, 3075.2, 3075.3, 3521.1, 3521.2, 3720, 3763, 3800, 3800.1, 3800.2, and 3800.3 of the California Code of Regulations (CCR), Title 15, Crime Prevention and Corrections, to incorporate into the CCR, provisions concerning Assorted Parole Revisions.

**IMPLEMENTATION:** To be announced.

**PUBLIC COMMENT PERIOD**

Any person may submit written comments about the proposed regulations to the California Department of Corrections and Rehabilitation, Regulation and Policy Management Branch (RPMB), P.O. Box 942883, Sacramento, CA 94283-0001, or by e-mail to [RPMB@cdcr.ca.gov](mailto:RPMB@cdcr.ca.gov). All written comments must be received by the close of the public comment period **April 18, 2018**, at 5:00 p.m.

**PUBLIC HEARING INFORMATION**

A public hearing regarding these proposed regulations will be held **April 18, 2018, from 2:00 p.m. to 3:00 p.m. in the Kern/Colorado Room, located at 1515 S Street, Sacramento, CA 95811**. The purpose of the hearing is to receive oral comments about this action. It is not a forum to debate the proposed regulations. No decision regarding the permanent adoption of these regulations will be rendered at this hearing. Written comments submitted during the prescribed comment period are given the same significance and weight as oral comments presented at the hearing. This hearing site is accessible to the mobility impaired.

**POSTING**

This Notice shall be posted immediately upon receipt at locations accessible to inmates, parolees, and employees in each Department facility and field office not later than five calendar days after receipt. Also, facilities shall make this Notice available for review by inmates in segregated housing who do not have access to the posted copies, and shall distribute it to inmate law libraries and advisory councils. CDCR Form 621-A (Rev. 09/14), Certification of Posting, shall be returned to the RPMB electronically, by fax, or by mail. See Department Operations Manual, Sections 12010.12.1 and 12010.12.2 for posting and certification of posting procedures.

**CONTACT PERSON**

Inquiries regarding this Notice should be directed to Timothy M. Lockwood, Associate Director, RPMB, California Department of Corrections and Rehabilitation, P.O. Box 942883, Sacramento, CA 94283-0001, by telephone at (916) 445-2269 or e-mail [RPMB@cdcr.ca.gov](mailto:RPMB@cdcr.ca.gov). Inquiries regarding the subject matter of these regulations may be directed to Charles Bell, Division of Adult Parole Operations, at (916) 445-1040.

*Original signed by:*

RALPH M. DIAZ  
Undersecretary, Operations  
California Department of Corrections and Rehabilitation

Attachments

## NOTICE OF PROPOSED REGULATIONS

### California Code of Regulations Title 15, Crime Prevention and Corrections Department of Corrections and Rehabilitation

**NOTICE IS HEREBY GIVEN** that the Secretary of the California Department of Corrections and Rehabilitation (CDCR), pursuant to the authority granted by Government Code (GC) Section 12838.5 and Penal Code (PC) Section 5055, and the rulemaking authority granted by PC Sections 5058 and 5058.3, in order to implement, interpret, and make specific PC Section 5054, proposes to amend Sections 3000, 3075.1, 3075.2, 3075.3, 3521.1, 3521.2, 3720, and 3763 and to repeal Sections 3800, 3800.1, 3800.2, and 3800.3 of California Code of Regulations (CCR), Title 15, Division 3 concerning assorted parole revisions.

#### **PUBLIC HEARING:**

Date and Time: **April 18, 2018 - 2:00 p.m. to 3:00 p.m.**  
Place: Department of Corrections and Rehabilitation  
Kern/Colorado Room  
1515 S Street – North Building  
Sacramento, CA 95811  
Purpose: To receive comments about this action.

#### **PUBLIC COMMENT PERIOD:**

The public comment period will close on **April 18, 2018 at 5:00 p.m.** Any person may submit public comments in writing (by mail or by email) regarding the proposed changes. To be considered by the Department, comments must be submitted by mail to CDCR, Regulation and Policy Management Branch, P.O. Box 942883, Sacramento, CA 94283-0001, or by email at [RPMB@cdcr.ca.gov](mailto:RPMB@cdcr.ca.gov) before the close of the comment period.

#### **CONTACT PERSON:**

Please direct any inquiries regarding this action to:

**Timothy M. Lockwood, Associate Director  
Regulation and Policy Management Branch  
Department of Corrections and Rehabilitation  
P.O. Box 942883, Sacramento, CA 94283-0001  
Telephone (916) 445-2269**

In the event the contact person is unavailable, inquiries should be directed to the following back-up person:

**S. Pollock  
Regulation and Policy Management Branch  
Telephone (916) 445-2308**

Questions regarding the substance of the proposed regulatory action should be directed to:

**Charles Bell  
Division of Adult Parole Operations  
(916) 445-1040**

#### **AUTHORITY AND REFERENCE:**

PC Section 5000 provides that commencing on July 1, 2005, any reference to the Department of Corrections in this or any code refers to CDCR, Division of Adult Operations.

PC Section 5050 provides that commencing on July 1, 2005, any reference to the Director of Corrections in this or any other code refers to the Secretary of the CDCR. As of that date, the office of the Director of Corrections was abolished.

PC Section 5054 provides that commencing on July 1, 2005, the supervision, management, and control of the State prisons and the responsibility for the care, custody, treatment, training, discipline, and employment of persons confined therein are vested in the Secretary of CDCR.

PC Section 5058 authorizes the Director to prescribe and amend regulations for the administration of prisons.

PC Section 5058.3 provides that an Emergency adoption, amendment, or repeal of a regulation by the Director shall be conducted pursuant to Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.

### **INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW:**

Current regulations provide outdated information with regard to parolees on Non-Revocable Parole (NRP). As a result of the implementation of Post Release Community Supervision (PRCS) due to the 2011 Public Safety Realignment Act codified in PC Section 3000.08, parolees that were previously eligible for NRP pursuant to PC Section 3000.03, are now released to the counties, even though the authority for PC Section 3000.03 still exists at this time. Additionally, due to the passage of the 2014 Safe Neighborhoods and Schools Act codified in PC Section 1170.18, some offenders that petition the courts to have their crimes resentenced to misdemeanors, once resentenced, may then fall under both statutory authorities (PC Sections 1170.18 and 3000.03); therefore, to address these specific situations, DAPO created the submodel “Misdemeanor Monitored Parole – Non-Revocable (MMP-NR)” for those individuals that qualify under both PC authorities. MMP-NR parolees are assigned a parole agent, but will not have a hold placed against them, be returned to prison, or have any violations reported to the courts by CDCR. Revisions included in the proposed regulations account for these changes to NRP by removing references to NRP that are no longer applicable and updating language with regard to specific provisions or exclusions of NRP parolees.

Other revisions included in the proposed regulations update certain procedures, such as: the procedures for parolees who refuse to sign conditions of parole; the exclusionary and case-by-case criteria for placement into Parolee Service Centers or Residential Multi-Service Center Programs; and the release procedures for those parolees classified as “highest control” or “highest risk.” In addition, several definitions within Section 3000 are updated to remove outdated or obsolete definitions and add new language and definitions.

Lastly, current regulations include language for the Residential Aftercare Program, which the Department eliminated in 2009 due to budget cuts and the implementation of PRCS. Revisions in the proposed regulations will bring the regulations up-to-date by repealing Article 21, PC 3050 Residential Aftercare Program.

The broad objective of the proposed regulations is to update Title 15 regulations with current language and procedures.

This action provides the following:

- Updates and provides new definitions in Section 3000, Definitions.
- Deletes the CDC Form 174, Probation Officer’s Report, which is no longer used.
- Defines procedures, in accordance with PC Section 3060.7, for parolees designated as the “highest control” or “highest risk” classification to report to their assigned parole unit within two calendar days, with no exceptions for delays to be granted.
- Further clarifies and defines authorized delays in reporting for parolees *not* designated as the “highest control” or “highest risk” classification.
- Updates procedures for parolees who refuse to sign conditions of parole.
- Provides that, if applicable, in addition to the CDCR Form 1515, Notice and Conditions of Parole, the CDCR Form 1515-Addendum, Special Conditions of Parole, shall be effectively communicated to the parolee.
- Defines procedures for Interstate Cooperative Parolees who refuse to sign conditions of parole.
- Deletes the CDCR Form 1515-A, Notification of Non-Revocable Parole Requirements.

- Removes language which is no longer applicable regarding NRP.
- Updates the exclusionary and case-by-case criteria for placement into Parolee Service Center or Residential Mult-Service Center Programs.
- Repeals Article 21, PC 3050 Residential Aftercare Program.

**DOCUMENTS INCORPORATED BY REFERENCE**

Although the CDCR Form 1515-Addendum (Rev. 11/15), Special Conditions of Parole, was already incorporated by reference in recently revised Section 3620(a), that section inadvertently left out the language “incorporated by reference”; therefore, the language “incorporated by reference” is added to Section 3075.2(b)(2)(A). The CDCR Form 1515-Addendum has not been revised in this rulemaking and is included for reference purposes only. The CDC Form 174 (Rev. 03/87), Probation Officer’s Report, and the CDCR Form 1515-A, Notification of Non-Revocable Parole Requirements (01/10), are deleted in this rulemaking and are included for reference.

**BENEFITS ANTICIPATED BY THE PROPOSED REGULATIONS:**

The proposed regulations will benefit staff and parolees by providing a clear understanding of the various updated parole related processes, procedures, and programs, and by making specific the provisions of PC Section 3060.7 regarding persons classified as the highest control or risk classification reporting to their assigned parole unit within two calendar days from release, which will protect the safety and security of the general public.

**EVALUATION OF CONSISTENCY/COMPATIBILITY WITH EXISTING LAWS/REGULATIONS:**

The Department has determined that these proposed regulations are consistent and compatible with existing State laws and regulations. The Department reached this conclusion by researching existing statutes.

**LOCAL MANDATES:**

This action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement of costs or savings pursuant to Government Code Sections 17500-17630.

**FISCAL IMPACT STATEMENT:**

- **Cost to any local agency or school district that is required to be reimbursed pursuant to 17500 et seq.:** *none*
- **Cost or savings to any State agency:** *none*
- **Other nondiscretionary cost or savings imposed on local agencies:** *none*
- **Cost or savings in federal funding to the State:** *none*

**EFFECT ON HOUSING COSTS:**

The Department has made an initial determination that the proposed action will have no significant effect on housing costs.

**COST IMPACTS ON REPRESENTATIVE PRIVATE PERSONS OR BUSINESSES:**

The Department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

**SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT AFFECTING BUSINESSES:**

The Department has initially determined that the proposed regulations will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, because the proposed regulations make changes to parole procedures only and place no obligations or requirements on any business.

**EFFECT ON SMALL BUSINESSES:**

The Department has determined that the proposed regulations will not affect small businesses. It is determined that this action has no significant adverse economic impact on small business because they are not affected by procedures concerning parolees.

**RESULTS OF ECONOMIC IMPACT ASSESSMENT:**

The Department has determined that the proposed regulations will have no impact on the creation of new or the elimination of existing jobs or businesses within California, or affect the expansion of businesses currently doing business in California. The Department has determined that the proposed regulations will have no affect on worker safety (other than the safety of the general public, as stated above) or the State's environment because the proposed regulations relate strictly to California parolees. The proposed regulations will benefit the health and welfare of California residents by promoting safety within California communities.

**CONSIDERATION OF ALTERNATIVES:**

The Department must determine that no reasonable alternative considered by the Department, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which the action is proposed, would be as effective and less burdensome to affected private persons than the proposed action, or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law. Interested persons are accordingly invited to present statements or arguments with respect to any alternatives to the changes proposed at the scheduled hearing or during the written comment period.

**AVAILABILITY OF PROPOSED TEXT AND INITIAL STATEMENT OF REASONS:**

The Department will make available the text and the Initial Statement of Reasons (ISOR) of the proposed regulations. The rulemaking file for this regulatory action, which contains those items and all information on which the proposal is based, is available to the public upon request directed to the Department's contact person. The proposed text, ISOR, and Notice of Proposed Regulations will also be made available on the Department's website <http://www.cdcr.ca.gov>.

**AVAILABILITY OF CHANGES TO PROPOSED TEXT:**

After considering all timely and relevant comments received, the Department may adopt the proposed regulations substantially as described in this Notice. If the Department makes modifications which are sufficiently related to the originally proposed text, it will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Department adopts the regulations as revised. Requests for copies of any modified regulation text should be directed to the contact person indicated in this Notice. The Department will accept written comments on the modified regulations for 15 days after the date on which they are made available.

**AVAILABILITY OF THE FINAL STATEMENT OF REASONS:**

Following its preparation, a copy of the Final Statement of Reasons may be obtained from the Department's contact person.

## TEXT OF PROPOSED REGULATIONS

In the following text, ~~strikethrough~~ indicates deleted text; underline indicates added or amended text.

### 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 alphabetically merge the definitions below with those that exist in the regulations]

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Board of Parole Hearings (BPH or Bboard) means the sState agency which is responsible for the administration of conducting parole consideration hearings for those persons committed to the department under Penal Code section 1168 and those committed under Penal Code section 1170 who also meet the criteria found in Penal Code section 2962 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) sections 3000(b)(4) or 3000.1. In addition, the board conducts hearings pursuant to PC section 3550, Mentally Disordered Offender hearings, and Sexually Violent Predator screenings, among many other functions.

California Interstate Cooperative Parolee means a person on parole for a California sentence who is under parole supervision in a state other than California pursuant to the Uniform Act for Out-of-State Parole Supervision (Penal Code sections 11175-11179); and the Interstate Compact for Adult Offender Supervision (PC sections 11180-11181).

California Parole Apprehension Team (CPAT) means a Division of Adult Parole Operations (DAPO) team that is responsible for the apprehension of parolees who have absconded parole supervision or pose a threat to public safety.

California Parole Supervision Reintegration Model (CPSRM) means a supervision model that employs evidence-based practices that enhance public safety through long-term positive behavioral change.

CalParole means a centralized statewide parolee information data system that was deactivated December 7, 2015 and replaced by the Strategic Offender Management System.

~~Control Service means the middle supervision category of a person on parole.~~

Cooperative Parolee means a person under supervision according to the provisions of the Interstate Compact for Adult Offender Supervision.

Correctional Intelligence Task Force (CITF) means an intelligence unit that aids in the apprehension of parolees-at-large through increased investigation.

Course of ~~e~~Conduct means two or more acts over a period of time, however short, evidencing a continuity of purpose.

Custody of the department means the inmate is in the physical custody of the department. The inmate would be considered out of the custody of the department when; out-to-court and housed in a County or Federal facility, escaped and not returned to departmental custody, in a non-departmental mental health facility, and in a medical facility under non-departmental supervision.

Felony means a crime which is punishable with death or by imprisonment in the ~~s~~State prison, or notwithstanding any other provision of law, by imprisonment in a county jail under the provisions of subdivision (h) of PC section 1170. Every other crime or public offense is a misdemeanor except those offenses that are classified as infractions.

High Control means the highest ~~risk supervision~~ category of a person ~~released to on~~ parole. High Control is also the term used for all non-Global Positioning System parolee-at-large cases assigned to the CPAT and CITF.

Interstate Commission for Adult Offender Supervision (ICAOS) means the commission that is responsible for overseeing California's participation in the Interstate Compact for Adult Offender Supervision. The rules promulgated by the ICAOS have the force and effect of statutory law and are binding in all member states.

Interstate Compact for Adult Offender Supervision means a formal agreement between member states that seeks to promote public safety by systematically controlling the interstate movement of certain adult offenders. California's participation is authorized by PC section 11180.

~~Interstate Compact Unit means the Division of Adult Parole Operations DAPO unit which coordinates the functions of the ICAOS supervision of California cooperative parolee and the return of parolees-at-large from asylum states. The unit is responsible for Interstate and Western Interstate Corrections Compacts, federal contrast, federal concurrent, and consecutive prisoners and multi-jurisdiction parolees incarcerated in the prison of another jurisdiction.~~

Interstate Cooperative Parolee means a person convicted and sentenced to prison in a state other than California but under parole supervision in California according to provisions of the Interstate Compact for Adult Offender Supervision.

Laboratory means any toxicological or forensic laboratory which has been recognized by the sState, other certifying agency, or which is accepted by any local, county, or sState prosecuting authority to provide evidence as to the presence of controlled substances in human body fluids or confirm that a substance is or contains any controlled substance.

Non-Revocable Parole (NRP) is a form of unsupervised community release pursuant to the provisions of Penal Code section 3000.03, wherein the parolee is not subject to placement of a parole hold, revocation proceedings, or remedial sanctions. ~~; or referral to the Board of Parole Hearings for violation of any condition of parole.~~

~~Parole Hearings Division means the division of the department which is responsible for the department's administration of paroles for those persons committed to the department under Penal Code section 1170, except those who also meet the criteria of Penal Code section 2962.~~

Parolee-at-Large means an absconder from parole supervision, who is declared a fugitive by the parole releasing authority action ~~suspending parole.~~

Probation Officer's Report means a ~~CDC Form 174 (Rev. 3/87), Probation Officer's Report,~~ written report prepared by the probation officer in the county where the offense was committed, ~~containing the circumstances surrounding the crime, prior history, and record of the person.~~

Public Interest Case describes an inmate/parolee whose crime/criminal history, public recognition, family ties, career or behavior in custody has resulted in extensive media coverage beyond the closest large city and its surrounding areas.

Receiving State means the state which supervises a cooperative parolee ~~or a concurrent parolee~~ under the terms of the Interstate Compact for Adult Offender Supervision.

Sending State means the state that requests the transfer of a cooperative parolee, or that transfers supervision of a cooperative parolee, under the terms of the Interstate Compact for Adult Offender Supervision.

Sentence Data Sheet means an option under the Prison function tab within the Strategic Offender Management System that contains commitment and release status of an inmate.

Strike means any concerted act of more than 50 percent of the bargaining unit employees in a lawful refusal of such employees under applicable sState or federal law to perform work or services for an employer, other than work stoppages based on conflicting union jurisdictions or work stoppages unauthorized by the proper union governing body.

\*

**[Note Section is amended to read:]**

Note: Authority cited: Sections 243(f)(4), 2717.3, 3000.03, 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, 653m, 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, 4570, 4576, 5009, 5050, 5054, 5068, 7000 et seq. and 11191, Penal Code; Sections 1132.4, ~~and~~ 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; and 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* (U.S.D.C. N.D. 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; and *In re Garcia* (2012) 202 Cal.App.4th 892.

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

### **3075.1. Intake Processing.**

**[Sections 3075.1(a) through 3075.1(a)(2) are unchanged, but are shown for reference purposes]**

(a) A CDC Form 188-L (Rev. 3/89), Cumulative Case Summary, shall be prepared for each inmate committed to the department and shall include:

- (1) CDC Form 188, Legal Status Summary.
- (2) CDC Form 112 (Rev. 9/83), Chronological History.

**[Section 3075.1(a)(3) is amended to read:]**

(3) ~~CDC Form 174 (Rev. 3/87)~~, Probation Officer's Report (POR).

**[Sections 3075.1(a)(4) through 3075.1(j)(2) are unchanged]**

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 1203.01, 1203.03, 2930, 3002, 5054, and 5068, Penal Code.

### **3075.2. Releases.**

**[Section 3075.2(a) is amended to read:]**

(a) Day of release. ~~Inmates, except as otherwise provided by applicable law and regulations, shall be released on their scheduled release date. Inmates shall not be retained beyond their discharge date.~~

**[New Section 3075.2(a)(1) is adopted to read:]**

(1) Inmates, except as otherwise provided by applicable law and regulations, shall be released on their scheduled release date. Inmates shall not be retained beyond their discharge date.

**[Sections 3075.2(b) through 3075.2(b)(2) are unchanged, but are shown for reference purposes]**

(b) Release Instructions.

(1) Notification of registration requirements:

(A) An inmate required to register pursuant to Penal Code sections 290 or 457.1 or Health and Safety Code section 11590 shall be notified of the requirement before being released from custody.

(B) Such inmates shall complete a SS Form 8047, Notice of Registration Requirement, acknowledging notification of the requirement.

(2) Reporting instructions for inmates being released to parole, except for inmates released to non-revocable parole as provided in section 3505:

**[Section 3075.2(b)(2)(A) is amended to read:]**

(A) The CDCR Form 611 (Rev. 8/12), Release Program Study, which is incorporated by reference; the CDCR Form 1515 (Rev. 04/14), Notice and Conditions of Parole, which is incorporated by reference, and the CDCR Form 1515-Addendum (Rev. 11/15), Special Conditions of Parole, which is incorporated by reference, and reporting instructions, shall be explained to the inmate at least 45 days before their scheduled release to parole or, if less than 45 days remain as a result of a change in the inmate's legal status, as soon as possible.

**[Section 3075.2(b)(2)(B) is unchanged, but is shown for reference purposes]**

(B) The CDCR Form 611 shall specify a date, time, place and official to whom a newly released inmate shall report.

**[Section 3075.2(b)(2)(C) is amended to read:]**

~~(C) Authorized delay in reporting. Any delay in reporting shall be in writing. The assigned parole agent may authorize a delay in reporting of no more than seven days from the parolee's scheduled reporting date. A delay of more than seven days shall require the authorization of a unit supervisor or higher staff. Parolees designated as high control cases shall not be granted a delay in reporting to their assigned parole agent. Parolees designated as the highest control or highest risk classification shall report to their assigned parole unit on the first working day following release or within 2 calendar days from release, as instructed by a parole agent. Under no circumstances shall parolees designated as the highest control or highest risk classification be granted a delay in reporting to their assigned parole unit.~~

**[New Sections 3075.2(b)(2)(D) through 3075.2(b)(2)(D)1. are adopted to read:]**

(D) Authorized delay in reporting for cases not designated as the highest control or highest risk classification.

1. Any delay in reporting to an assigned parole unit upon release from incarceration shall be case conferenced with a unit supervisor for approval. Parolees released from incarceration shall report to their assigned parole unit and any delay in reporting shall only be approved in extenuating circumstances, on a case-by-case basis, when the circumstances surrounding the release prevents the parolee from reporting in a timely manner and are beyond their control (e.g., parolee cannot report to the assigned parole unit as instructed due to the distance between the release location and the assigned parole unit). The unit supervisor should only authorize the amount of time reasonably necessary to allow the parolee to report to the assigned parole unit. Under no circumstances shall the delay in reporting be authorized for more than seven calendar days from the parolee's scheduled reporting date.

**[Section 3075.2(b)(3) is unchanged, but is shown for references purposes]**

(3) Notice and conditions of parole requirements, except for inmates released to non-revocable parole.

**[Sections 3075.2(b)(3)(A) and 3075.2(b)(3)(B) are amended to read:]**

(A) The CDCR Form 1515 and if applicable the CDCR Form 1515-Addendum (Rev. 11/15), Special Conditions of Parole, shall be interpreted or otherwise effectively communicated to any all parolees who does not understand or read English.

(B) A unit supervisor or higher level staff may place an inmate or parolee refusing to sign the CDC Form 1515 into custody pending a revocation hearing. The parole agent shall request the parolee sign the CDCR Form 1515, and the CDCR Form 1515-Addendum after explaining the form(s) to the parolee. If the parolee refuses to sign the CDCR Form 1515 or CDCR Form 1515-Addendum, the parole agent shall attempt to resolve the issue. If the parolee continues to refuse to sign the CDCR Form 1515 or CDCR Form 1515-Addendum, the parole agent shall note the refusal in the signature block of the CDCR Form 1515 or CDCR Form 1515-Addendum and advise the parolee that the conditions of parole are imposed regardless of the signature.

**[Existing Section 3075.2(b)(3)(C) is relocated and renumbered as 3075.2(b)(3)(D)]**

**[New Section 3075.2(b)(3)(C) is adopted to read:]**

(C) If an interstate cooperative parolee, as defined in section 3000, refuses to sign conditions of parole, this shall be considered behavior requiring retaking and reported to the state from which the parolee has been sent, with a recommendation that the offender be returned to the sending state.

**[Existing Section 3075.2(b)(3)(C) is renumbered 3075.2(b)(3)(D), but is otherwise unchanged]**

(~~C~~D) Any special conditions of parole imposed by the department shall be related to the inmate's commitment offense or to conduct that may reasonably lead to future criminal behavior.

**[Existing Section 3075.2(b)(3)(D) is renumbered 3075.2(b)(3)(E), but is otherwise unchanged]**

(~~D~~E) When a department-imposed special condition no longer applies to a parolee, a unit supervisor or higher level staff may remove or modify any but the following department-imposed special conditions:

**[Existing Sections 3075.2(b)(3)(D)1.-2. are renumbered 3075.2(b)(3)(E)1.-2 but are otherwise unchanged]**

**[Existing Section 3075.2(b)(3)(E) is renumbered 3075.3(b)(3)(F), but is otherwise unchanged]**

(~~E~~F) Within five days after verbally requiring or prohibiting specific behavior of a parolee, staff shall give the parolee written confirmation of such instructions.

**[Section 3075.2(b)(4) is unchanged, but is shown for reference purposes.]**

(4) Notice of non-revocable parole requirements:

**[Section 3075.2(b)(4)(A) is amended to read:]**

(A) Inmates who are approved for non-revocable parole shall have a CDCR Form 1515 and if applicable a CDCR Form 1515-Addendum ~~CDCR Form 1515-A (01/10), Notification of Non-Revocable Parole Requirements, which is incorporated by reference,~~ effectively communicated to them at least 45 days prior to their scheduled release to parole, or as soon as possible if less than 45 days prior to release remain. The ~~CDCR Form 1515-A~~ CDCR Form 1515 and the CDCR Form 1515-Addendum shall document the offender's understanding of requirements including, but not limited to, the following:

**[Sections 3075.2(b)(4)(A)1. through 3075.2(b)(4)(A)4. are amended only to correct numbering format]**

(~~1.~~) Return to the county of last legal residence prior to incarceration pursuant to Penal Code 3003(a).

(~~2.~~) Obligation to register with local law enforcement as ordered by law.

(~~3.~~) Obligation to pay outstanding restitution balances while on non-revocable parole.

~~(4.) Search and seizure requirements pursuant to Penal Code section 3067.~~

**[Sections 3075.2(b)(4)(B) and 3075.2(b)(4)(C) are deleted]**

~~(B) Inmates and parolees who refuse to sign the CDCR Form 1515-A shall be denied non-revocable parole pursuant to the provisions of Penal Code section 3000.03.~~

~~(C) Parolees on non-revocable parole are not assigned to a parole agent and have no requirement to report to a parole office upon release.~~

**[Sections 3075.2(b)(5) through 3075.2(d)(5) are unchanged]**

**[Section 3075.2(d)(5)(A) is amended to read:]**

(A) Within the sState shall be given up to \$10 cash in addition to transportation expenses and, if necessary, clothing which shall not exceed \$20 in value.

**[Sections 3075.2(d)(5)(B) through 3075.2(e)(1) are unchanged]**

**[Section 3075.2(e)(2) is amended to read:]**

(2) Any transportation costs paid by the sState shall be deducted from the inmate's release allowance.

**[Note Section is amended to read:]**

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, 3053.5, 3060.7, 3067, 3450, 3452, 3453, 3454, 5054, 11175, 11176 and 11180, Penal Code; Section 11592, Health and Safety Code; and Sections 6601 and 6604, Welfare and Institutions Code.

**3075.3. Discharge Certificates.**

**[Sections 3075.3(a) and 3075.3(b) are unchanged, but are shown for reference purposes]**

(a) CDCR Form 163 (Rev. 10/06), Certificate of Discharge, which is incorporated by reference, shall be issued to each person who has completed their commitment to the department.

(b) Such certificate shall be issued to the inmate before release and mailed to parolees after their discharge date.

**[Section 3075.3(c) is deleted]**

~~(c) Parolees on non-revocable parole, as provided in section 3505, must submit a written request to the department upon or after their discharge date to receive a CDCR Form 163 (Rev. 10/06), Certificate of Discharge.~~

**[Existing Section 3075.3(d) is renumbered 3075.3(c)]**

~~(d)~~ Inmates who are discharged due to release to Postrelease Community Supervision shall not be issued discharge certificates.

Note: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 3000.03, 3450 and 5054, Penal Code.

**Sub-Chapter 6. Adult Parole**

**Article 2. Preventing Parolee Crime Program**

**3521.1. Parolee Service Center Program.**

**[Section 3521.1 is amended to read:]**

The Parolee Service Center (PSC) Program ~~assists parolees in becoming productive citizens through transitional housing, and connecting parolees to community resources and support services.~~ provides residential, employment, and support services to parolees to enable successful reintegration into the community.

**[Section 3521.1(a) is amended to read:]**

(a) PSC facilities are used for residential placement of both male and female eligible parolees, based upon assessed need, on a sanctioned and non-sanctioned basis, meaning, non-sanctioned that the placement was not the result of an adjudicated parole violation, and sanctioned placement PSC facilities may be used for residential placement of eligible parolees on a ~~sanctioned basis, meaning that the placement was the result of an adjudicated parole violation at the parole unit level, or as a result of an action and referral by the parole authority.~~ PSC facilities provide services to newly paroled inmates that do not have available resources, as well as homeless parolees and parolees seeking a positive change to their current situation. PSC facilities provide comprehensive residential programing and case management, including but not limited to, life skills training, anger and stress management, 52-week domestic violence class, family reintegration, health education classes, computer skills, job readiness and retention, and money management.

**[Section 3521.1(b) is unchanged, but is shown for reference purposes]**

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

**[Sections 3521.1(b)(1) and 3521.1(b)(2) are deleted]**

~~(1) Parolees who are required to register pursuant to PC section 290 (sex offenders) or PC section 457.1 (arson offenders).~~

~~(2) Parolees who are in custody pending local criminal charge(s) which could result in continued incarceration.~~

**[Existing Section 3521.1(b)(3) is renumbered 3521.1(b)(1), but is otherwise unchanged]**

~~(3) Parolees currently in need of detoxification.~~

**[Sections 3521.1(b)(4) through 3521.1(b)(7) are deleted]**

~~(4) Parolees with a felony hold.~~

~~(5) Parolees with pending felony criminal charges.~~

~~(6) Interstate parolees. "Interstate parolees" is defined to mean felons from other states who are in California being supervised under the provisions of the Interstate Compact for Adult Offender Supervision, as provided in PC section 11180.~~

~~(7) Inmates released to non-revocable parole as provided in section 3505.~~

**[Sections 3521.1(c) through 3521.1(c)(3) are unchanged, but are shown for reference purposes]**

(c) The following parolees will be considered on a case-by-case basis for participation in the PSC 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.

**[Section 3521.1(c)(4) is amended to read:]**

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

**[Section 3521.1(c)(5) is unchanged, but is shown for reference purposes]**

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

**[Section 3521.1(c)(6) is amended to read:]**

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

**[Existing Section 3521.1(c)(7) is deleted]**

~~(7) Validated prison gang members.~~

**[New Sections 3521.1(c)(7) through 3521.1(c)(14) are adopted to read:]**

(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.

**[Sections 3521.1(d) and 3521.1(e) are amended to read:]**

(d) The PSC Program has an initial placement of ~~90~~180-days, with the maximum stay not to exceed one year in accordance with subsection 3522(a)(1).

(e) Parolees ~~remain~~ shall be on active parole status while participating in the PSC Program.

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

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

**[Sections 3521.2(a) and 3521.2(b) are amended to read:]**

(a) The Residential Multi-Service Center (RMSC) Program's primary goal ~~is to reduce parolee failures and their subsequent return to prison by providing a variety of services to homeless parolees and those in at-risk living environments.~~ 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. ~~drug counseling, literacy training, job preparation/placement, anger management classes, as well as individual and group counseling.~~ The program offers a standard placement of up to six months of residence with participation in a 90-day aftercare program. Parolees may be allowed to stay in residence up to a maximum of one year, as provided in subsection 3522(a)(1).

**[Section 3521.2(c) is unchanged, but is shown for reference purposes]**

(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:

**[Sections 3521.2(c)(1) through 3521.2(c)(2) are deleted]**

~~(1) Parolees who are required to register pursuant to PC section 290 (sex offenders) or PC section 457.1 (arson offenders).~~

~~(2) Parolees who are in custody pending local criminal charge(s) which could result in continued incarceration.~~

**[Section 3521.2(c)(3) is renumbered 3521.2(c)(1), but is otherwise unchanged]**

~~(3)~~ Parolees currently in need of detoxification.

**[Sections 3521.2(c)(4) through 3521.2(c)(7) are deleted]**

~~(4) Parolees with a felony hold.~~

~~(5) Parolees with pending felony criminal charges.~~

~~(6) Interstate parolees as defined in subsection 3521.1(b)(6).~~

~~(7) Inmates released to non-revocable parole as provided in section 3505.~~

**[Sections 3521.2(d) through 3521.2(d)(5) are unchanged, but are shown for reference purposes]**

(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.

**[Section 3521.2(d)(6) is amended to read:]**

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

**[Existing Section 3521.2(d)(7) is deleted]**

~~(7) Validated prison gang members.~~

**[New Sections 3521.2(d)(7) through 3521.2(d)(14) are adopted to read:]**

(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.

**[Existing Section 3251.2(e) is renumbered 3521.2(f)]**

**[New Section 3521.2(e) is adopted to read:]**

(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 subsection 3522 (a)(1).

**[Existing Section 3521.2(e) is renumbered 3521.2(f) and is amended to read:]**

(e)f) Parolees shall be remain 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.

## **Article 15. Discharge**

### **3720. Discharge Reviews.**

**[Section 3720(a) is deleted]**

~~(a) Inmate/parolees who are released to non-revocable parole as provided in section 3505, are excluded from any of the provisions of this Article 15, Discharge.~~

**[Existing Section 3720(b) is renumbered 3720(a), but is otherwise unchanged]**

~~(b)~~ The following terms are defined for the purpose of this Article 15, Discharge:

**[Existing Section 3720(b)(1) is renumbered 3720(a)(1) and amended to read:]**

(1) Continuous Parole, pursuant to California Code of Regulations (CCR), Title 15, subsection 2535(b)(4), is parolees who have not had parole revoked or absconded from parole supervision since their initial release. If a revocation, or a revocation with credit for time served, or suspension with reinstatement of parole with time loss has occurred in the period, the parolee has not been on continuous parole.

**[Existing Section 3720(b)(2) is renumbered 3720(a)(2), but is otherwise unchanged]**

**[Existing Section 3720(c) is renumbered 3720(b), but is otherwise unchanged]**

~~(c)~~ Discharge review periods to be followed by the Division of Adult Parole Operations are as follows:

**[Existing Sections 3720(c)(1) through 3720(c)(3) are renumbered 3720(b)(1) through 3720(b)(3) but are otherwise unchanged]**

**[Existing Section 3720(c)(4) is renumbered 3720(b)(4) and amended to read:]**

(4) A parolee shall be immediately referred to the ~~Board of Parole Hearings~~ parole authority for discharge consideration if any of the following criteria exist:

**[Existing Sections 3720(c)(4)(A) through 3720(c)(4)(B) are renumbered 3720(b)(4)(A) through 3720(b)(4)(B), but are otherwise unchanged]**

NOTE: Authority cited: Section 5058, Penal Code. Reference: Sections 3000.03, 3000.1, 3001, 3052, 5054 and 5076.2, Penal Code.

## **Article 19. Parole Violations and Reports**

### **3763. Petition for Revocation.**

[Section 3763 through 3763(a)(5) are unchanged]

[Section 3763(a)(6) is amended to read]

(6) CDCR Form 1515-Addendum (Rev. 04/1311/15), Special Conditions of Parole, which is incorporated by reference

[Section 3763(b) is unchanged]

NOTE: Authority cited: Sections 5058 and 5058.3, Penal Code. Reference: Sections 1203.2, 3000.08(a), 3052, 3053, 3063, 5054 and 5076.2, Penal Code.

[Article 21 is repealed]

## **~~Article 21. PC 3050 Residential Aftercare Program~~**

[Section 3800 is repealed]

### **~~3800. General Policy.~~**

~~Pursuant to Penal Code (PC) section 3050, eligible felon inmates who have successfully completed an in-prison drug treatment program or other CDCR sanctioned substance abuse program, upon release from state prison, shall, whenever possible, be entered into a 150-day residential aftercare drug treatment program sanctioned by the California Department of Corrections and Rehabilitation (CDCR). This residential treatment program shall be known as the Treatment Incentive Program (TIP). As a condition of parole, if the parolee successfully completes 150 days of residential aftercare treatment, as determined by the CDCR and the aftercare provider, the parolee shall be discharged from parole supervision at that time.~~

~~Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3050 and 5054, Penal Code.~~

[Section 3800.1 is repealed]

### **~~3800.1. Treatment Incentive Program Eligibility Criteria.~~**

~~(a) To be eligible to participate in the Residential Aftercare Program, the felon inmate must:~~

~~(1) Volunteer to participate.~~

~~(2) Have successfully completed an in-prison Substance Abuse Program (SAP), as described in section 3040.1, or other CDCR sanctioned substance abuse program.~~

~~(3) Not meet any of the exclusionary criteria as provided for in section 3800.2.~~

~~(b) Successful completion of a SAP or other CDCR sanctioned substance abuse program will be determined by the Successful Completion Assessment Team (SCAT).~~

~~(1) The SCAT shall include:~~

~~(A) Correctional Counselor (CC) III~~

~~(B) SAP treatment staff.~~

~~(2) The SCAT shall determine successful completion of the SAP or other CDCR sanctioned substance abuse program based on the following criteria:~~

~~(A) Time in program.~~

~~(B) Participation in program.~~

~~(C) Performance in program.~~

~~(D) Accomplishment of treatment plan objectives.~~

~~Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3050 and 5054, Penal Code.~~

**[Section 3800.2 is repealed]**

**~~3800.2. Treatment Incentive Program Exclusionary Criteria.~~**

~~(a) An inmate is excluded from Treatment Incentive Program participation if any of the following conditions exist:~~

~~(1) The inmate is currently serving time as a parole violator who has been returned to custody.~~

~~(2) The inmate was convicted on or after January 1, 1997 of Corporal Injury pursuant to PC section 273.5; Violation of a Protective Order pursuant to PC section 273.6; or Stalking pursuant to PC section 646.9, where they are required to complete a 52-week batterer's program as outlined in PC Section 3053.2.~~

~~(3) The inmate is currently serving or has served a prior indeterminate sentence or a sentence for:~~

~~(A) A violent felony of any of the crimes listed as a violent felony in PC section 667.5(c).~~

~~(B) A serious felony of any of the crimes listed as a serious felony in PC sections 1192.7(c) and 1192.8.~~

~~(C) A crime that requires him or her to register as a sex offender pursuant to PC section 290.~~

~~(4) The inmate is eligible to participate in non-revocable parole status pursuant to Institution Classification action and as noted on CDC Form 128-B (Rev. 04/74), General Chrono.~~

~~(b) Inmates who volunteer to participate in the TIP but are denied entry may appeal the decision through the Department's inmate appeal process as outlined in sections 3084 through 3085.~~

~~Note: Authority cited: Section 5058, Penal Code. Reference: Sections 273.5, 273.6, 290, 646.9, 667.5(c), 667.59(c), 1192.7(c), 1192.8, 3050, 3053.2 and 5054, Penal Code.~~

### **[Section 3800.3 is repealed]**

#### **~~3800.3. 150 Day Residential Aftercare Program.~~**

~~(a) After successful completion of a CDCR sanctioned in-prison SAP or other CDCR sanctioned substance abuse program, and volunteering, upon release to parole, the parolee shall be placed in a CDCR sanctioned 150-day community based drug treatment program.~~

~~(b) Parolees who successfully complete the 150-day residential aftercare program shall be allowed to leave the program at 5 p.m. on their 150th day in the program, and discharged from parole.~~

~~(1) Successful completion will be determined by the Aftercare Successful Completion Assessment Team (ASCAT), whose team members shall include:~~

~~(A) The Office of Substance Abuse Treatment Services (OSATS) PA II,~~

~~(B) The Treatment Provider.~~

~~(C) The Substance Abuse Service Coordination Agencies (SASCA) or Female Offender Treatment and Employment Program (FOTEP) Advocate, Case Manager.~~

~~(D) The Parole Agent of Record (AOR), whenever possible.~~

~~(2) Between the parolee's 130th day and no later than the 135th day of the PC section 3050 150-day residential aftercare program, the ASCAT shall conduct a case review to evaluate for successful completion, using the same criteria as for program eligibility outlined in section 3800.1(b).~~

~~(3) Upon a determination of successful completion, a copy of the Certificate of Completion and a CDCR Form 1502 (Rev. 10/06), Activity Report, shall be faxed to the AOR by the OSATS PA II no later than the 137th day. The AOR shall complete the CDCR Form 1502 and any remaining documentation, recommend closing interest in the case pursuant to PC section 3050(b), and shall submit the case to the Unit Supervisor (US) for review.~~

~~(4) The field parole US shall review the CDCR Form 1502, and upon approval, note an effective discharge date of 150 days from the date the parolee entered the residential program pursuant to~~

~~PC section 3050(b). The CDCR Form 1502 and Certificate of Completion shall then be forwarded to Case Records.~~

~~(5) Upon receipt of the CDCR Form 1502, Division of Adult Parole Operations (DAPO) Case Records shall discharge the parolee from parole pursuant to PC section 3050(b).~~

~~(e) Parolees who fail to successfully complete the Treatment Incentive Program will remain under active parole supervision of DAPO.~~

~~(1) The US may restart the parolee in another CDCR sanctioned PC section 3050 150-day program.~~

~~(A) The AOR will contact SASCA for an alternate placement and recommend that the parolee restart the 150 days. If there is no bed or program available the parolee will not be afforded the option to restart and will forfeit the opportunity to discharge from parole pursuant to PC section 3050.~~

~~(B) If the parolee is restarted in the program a CDCR Form 1502 shall be submitted to the US recommending the effective start date and noting the new tentative discharge date 150 days after the restart date.~~

~~Note: Authority cited: Section 5058, Penal Code. Reference: Sections 3050 and 5054, Penal Code.~~

**-DELETE-**  
**PROBATION OFFICER'S REPORT**

To the Department of Corrections  
(Submitted in accordance with Section 1203c of the Penal Code)

NAME..... ALIAS.....

COUNTY..... COUNTY CLERK NUMBER.....

CONVICTED OFFENSE.....

Pursuant to Section 1203c of the Penal Code, as amended effective September 23, 1963, the Administrator of the Youth and Adult Corrections Agency has prescribed the form of the Probation Officer's report which shall accompany the commitment papers of persons committed to an institution under the jurisdiction of the Department of Corrections.

This sheet, with the identifying data as indicated above, may serve as a transmittal letter or a copy of the Probation Officer's report prepared either before or subsequent to sentence. Copies are available upon request to this department.

The information requested in paragraphs I, II, III, and IV below is prescribed as necessary for the proper evaluation of inmates. Most of this information is included in the usual Probation Officer's report. Therefore, to prevent the necessity of preparing a separate report on those cases committed to the custody of the Director of Corrections, the form prescribed shall consist of the report as prepared by the Probation Officer in the regular course of his investigation and as subject to the rules and policies of his department and the prerogatives of the respective courts. Important data not included in the Probation Officer's report may be added as an attachment to this sheet.

There are limited exceptions requiring only a report upon circumstances of the offense and/or the prior record and history of the defendant as prepared by the Probation Officer on request of the court and filed with the court before sentence. These include:

- a. Case ineligible for probation. (Sec. 1203c P.C.)
- b. Cases committed under non-criminal narcotic addict proceedings. (Sec. 6500 P.C.)

Other exceptions are:

- a. Cases or offenses by defendants who are already under commitment to the Director of Corrections, either in an institution or on parole or at large as an escapee. Such reports may be limited to circumstances of any new offense and available data of activities while at large, if an escapee.
- b. Those cases where time limitations and lack of resource material prohibit detailed reports. Such limitations should be indicated under the appropriate headings.

Factual information is a prime requirement. Succinct and selective reporting is preferred. Indicate the source of information and extent to which it is substantiated. Guidelines on the data to be included are given in paragraphs I, II, III, and IV.

**I. CIRCUMSTANCES OF OFFENSE:** Include a summary of the offense for each count for which convicted and sentenced. Include a description and the disposition of other counts charged but dismissed or otherwise disposed of.

**II. CRIMINAL HISTORY:** Show all prior offenses including those on CII and/or FBI transcripts. Supplement each item with information obtained by the Probation Officer regarding the nature and disposition of each of the various offenses. A lengthy record of offenses similar in pattern may be grouped and summarized.

**III. OTHER CONFINEMENT HISTORY:** Trace history of, and evaluate response to, confinement in mental hospitals, juvenile institutions, and other institutional experience.

**IV. CASE HISTORY INFORMATION:** Describe personal historical factors; name, age, occupation and addresses of parents and siblings; early family structure and nature of parental interaction and inter-family relation; residential pattern; childhood socio-economic circumstances; sexual development and adjustment; marital history and adjustment, both legalized and common-law; include attitude toward dependents, attitude of spouse, etc.; name and age of children; with whom residing, whether supported by ANC or otherwise; military service, including medical, social and emotional problems and related treatment.

Describe behavior problems and criminal history including institutionalization and probation. This need not duplicate notations made under Items II and III, but might include summary of juvenile delinquency; reactions to probation supervision; history of adjustment to placements; response and progress under mental hospitalization and release supervision; details regarding sexual and assaultive offenses; character references from relatives, friends and neighbors.

Describe current criminal involvement: details of offenses under Item I need not be repeated, but extent and nature of involvement might be verified and evaluated; factors underlying criminal behavior including defendant's attitude toward his behavior and impending confinement; his response to previous confinement experiences and Probation Officer's recommendations for institutional treatment with reasons in support of these recommendations.

Describe education and vocational history; include employment record with names and addresses of employers; the kind of business and duties of defendant; comments from former employers with emphasis on relationship to other employees and supervisors; skills demonstrated; pattern of attendance, etc. Such factors as last job held, best held and who he worked for the longest are significant. Special mention should be made of any employer willing to reemploy.

Describe psychological factors; give excerpts from diagnostic evaluations from mental hospitals, private or out-patient treatment of court-ordered examinations. Include name and location of hospital, date, name and title of psychiatrist or psychologist. Such excerpts are not indicated if complete report can be attached. Indicate defendant's interest in treatment and evaluation, if appropriate, of his probable response; indicate alcohol and narcotic involvement. Is he an occasional or heavy drinker? Did he use marijuana, heroin or other opiate? Was he addicted and rate of use?

ROLE REQUIREMENTS

**-DELETE-**

You meet the criteria set forth in Penal Code Section 3000.03 for non-revocable parole. You will be placed on unsupervised parole effective \_\_\_\_\_, 20\_\_\_\_. You may be discharged after one year on parole, consistent with Penal Code Section 3001.

**STATUTORY REQUIREMENTS:**

1. **RESIDENCE:** Penal Code Section 3003(a) requires that you return to the county where you last held legal residence prior to your incarceration. That county is \_\_\_\_\_.
2. **REPORTING:** You do not have a parole agent. You do not have a requirement to report to a parole office.
3. **REGISTRATION:** Your placement on non-revocable parole does not remove your obligation to register as otherwise ordered by law.
4. **RESTITUTION:** If you have an outstanding restitution balance, you have an obligation to pay your restitution while on parole. If you fail to pay your full restitution balance by your discharge date, the balance will be referred to the Franchise Tax Board for collection. Restitution balances and payment information can be obtained by contacting the Office of Victim and Survivor Rights and Services at 1-877-256-6877.
5. **SEARCH:** You, your residence, and any property under your control may be searched or seized by a parole agent or other peace officer any time of the day or night with or without a warrant and with or without cause, as set forth in Penal Code Section 3067.
6. **STATUTORY REQUIREMENTS:** If you have statutory requirements due to your commitment offense, they are noted on the attached BPH Form 135, Miscellaneous Decision.

If special and general conditions of parole have been previously imposed upon you, they are no longer in effect.

Upon your discharge date, you may obtain a Discharge Certificate by sending a written request to:

CDCR RECORDS  
P.O. Box 942883  
Sacramento, CA 94283

I have read or have had read to me and understand the above requirements. I understand refusal to sign this agreement will result in my being placed on supervised parole.

CDC NUMBER	PAROLEE NAME	PAROLEE SIGNATURE	DATE SIGNED

**TO BE COMPLETED BY STAFF:**

Does the inmate/parolee have a qualifying disability requiring effective communication?  YES  NO  
If yes, what type of accommodation/assistance was provided to achieve effective communication to the best of the inmate/parolee's ability? \_\_\_\_\_

STAFF NAME: (Print or Type)	STAFF SIGNATURE	DATE SIGNED

PAROLEE NAME: \_\_\_\_\_ CDC NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

You shall comply with all of the following special conditions while you are on parole. Any exceptions must be approved in writing by the Unit Supervisor.

**COURT IMPOSED**

	REASON	INITIALS
<input type="checkbox"/> 1. You shall abide by any court imposed Special Conditions of Parole.		

**SUBSTANCE ABUSE**

<input type="checkbox"/> 2. You shall submit to urinalysis testing when instructed to do so by a parole agent.		
<input type="checkbox"/> 3. You shall not consume, possess, or have access to any alcoholic beverages, liquors, or over-the-counter medication that contains alcohol; (e.g., Nyquil). You shall provide a urine or breath sample for the purpose of detecting the presence of alcohol.		
<input type="checkbox"/> 4. You shall not enter a business whose primary purpose is to sell or serve alcoholic beverages.		
<input type="checkbox"/> 5. You shall not use, possess, or distribute any narcotic or other controlled substance as defined by law or any paraphernalia related to such substances, without a valid prescription.		
<input type="checkbox"/> 6. You shall enroll in and successfully complete a substance abuse treatment program as directed by your parole agent or appropriate parole authority.		

**TREATMENT**

<input type="checkbox"/> 7. You shall attend Parole Outpatient Clinic for an initial evaluation and remain in the mental health treatment program as deemed necessary by a Parole Outpatient Clinic clinician.		
<input type="checkbox"/> 8. You shall participate in a mental health treatment program as directed by your parole agent.		
<input type="checkbox"/> 9. You shall submit to psychological or physiological assessments to assist in treatment planning and/or parole supervision.		
<input type="checkbox"/> 10. You shall report to, enroll in, and actively participate in a Division of Adult Parole Operations approved treatment program specific to sex offenders.		
<input type="checkbox"/> 11. You hereby agree to polygraph examinations while on parole supervision, with the questioning limited to questions about the success of the sex offender treatment program, the crime(s) for which you were convicted, and related criminal behavior, whether past or future.		
<input type="checkbox"/> 12. You agree to and will sign any necessary documents including a waiver of the psychotherapist-patient privilege to allow full communication between your sex offender management professional and your parole agent as required by Penal Code (PC) Section 3008 (d)(4) and PC Section 290.09.		
<input type="checkbox"/> 13. Upon reporting to sex offender treatment, you shall sign the forms presented by the treatment provider, including an information release form and a "Consent to Polygraph" form.		

**CONTACT WITH MINORS**

<input type="checkbox"/> 14. You shall not have contact with any minor male/female you know or reasonably should know is under the age of 18. "No contact" means no contact in any form, whether direct or indirect, personally, by telephone, in writing, electronic media, computer, or through another person, etc., excluding biological or adopted children.		
<input type="checkbox"/> 15. You shall not have any contact with any minor male/female you know or reasonably should know is between the ages of 13 and 18. "No contact" means no contact in any form, whether direct or indirect, personally, by telephone, in writing, electronic media, computer, or through another person, etc., excluding biological or adopted children.		
<input type="checkbox"/> 16. You shall not have contact with your biological or adopted children. "No contact" means no contact in any form, whether direct or indirect, personally, by telephone, in writing, through electronic media, e-mail, computer, or through another person, etc.		
<input type="checkbox"/> 17. You shall immediately inform your parole agent regarding any contact with a minor. This includes "accidental" or "incidental" contact.		
<input type="checkbox"/> 18. You shall not enter or loiter within 250 feet of the perimeter of places where children congregate; e.g., day care centers, schools, parks, playgrounds, video arcades, swimming pools, state fairgrounds, county fairgrounds, etc.		
<input type="checkbox"/> 19. You shall not enter any school building or school grounds (kindergarten and grades 1 to 12, inclusive) unless for lawful business and written permission, indicating the date and time, has been granted from the chief administrative official of the school.		
<input type="checkbox"/> 20. You shall not enter any park where children regularly gather without prior written approval from your parole agent. The written approval must be kept with you while you are in the park.		

PAROLEE NAME: \_\_\_\_\_ CDC NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

**RELATIONSHIPS**

		REASON	INITIALS
<input type="checkbox"/>	21. You shall not date, socialize, or form a romantic interest or sexual relationship with any person who has physical custody of a minor.		
<input type="checkbox"/>	22. You shall inform all persons with whom you have a significant relationship; e.g., employer, dating, or roommate, about your criminal history, and you will inform your parole agent about the relationship.		
<input type="checkbox"/>	23. You shall inform all persons with whom you have a sexual or romantic relationship, that you have been diagnosed as having a communicable disease.		

**VICTIM(S):** Provide the victim(s) full name(s). If unable to produce victim(s) name(s), supply the law enforcement agency case number(s) or DA case number and the conviction date(s). *Name(s) of Victim(s):* \_\_\_\_\_

<input type="checkbox"/>	24. You shall not enter the premises, unnecessarily travel past, or loiter near where your victim frequents, resides, is employed, or attends classes.		
<input type="checkbox"/>	25. You shall not contact or attempt to contact your crime victim(s) or their immediate families. "No contact" means no contact in any form, whether direct or indirect, personally, by telephone, in writing, electronic media, computer, or through another person, etc.		
<input type="checkbox"/>	26. You shall not threaten, stalk, abuse, harass, or commit further violent acts against the victim(s).		
<input type="checkbox"/>	27. You shall not have in your possession any of your victim's personal effects; e.g., pictures, letters, etc.		

**ASSOCIATION**

<input type="checkbox"/>	28. You shall not associate with any known sex offenders except as previously approved or instructed by your parole agent.		
<input type="checkbox"/>	29. You shall not have contact with co-defendants or other arrestees of your offenses. "No contact" means no contact in any form, whether direct or indirect, personally, by telephone, in writing, electronic media, computer, or through another person, etc.		

**TRAVEL**

<input type="checkbox"/>	30. You shall not travel more than _____ miles from your residence of record.		
<input type="checkbox"/>	31. You shall maintain and have in your possession a travel log, which shall include date and time of departure, destination, time of arrival, mileage, route taken, with whom, and include daily starting and ending mileage.		
<input type="checkbox"/>	32. You shall not hitchhike or pick up hitchhikers.		
<input type="checkbox"/>	33. You shall not enter or loiter within 100 yards of areas of sexual or pornographic activity; e.g., adult bookstores, massage parlors, nude or topless bars, sex shops, etc.		
<input type="checkbox"/>	34. You shall notify your parole agent in advance of operating any motor vehicle, providing the make, model, year, color, and license number.		

**EMPLOYMENT**

<input type="checkbox"/>	35. Employment shall be pre-approved by your parole agent.		
<input type="checkbox"/>	36. You shall not obtain employment that allows you to enter a residence where a stranger resides.		
<input type="checkbox"/>	37. Volunteer work shall be pre-approved by your parole agent.		

**RESIDENCE**

<input type="checkbox"/>	38. You shall not reside in a residence with any person also required to register pursuant to PC Section 290, unless he or she is legally related to you by blood, marriage, or adoption. This does not include treatment programs and/or board and care facilities with the appropriate use permit.		
<input type="checkbox"/>	39. You shall not reside within one-half mile of any public or private school (kindergarten and grades 1 to 12, inclusive) pursuant to PC Section 3003(g).		
<input type="checkbox"/>	40. You shall not reside within _____ feet of any public or private school (kindergarten and grades 1 to 12, inclusive).		
<input type="checkbox"/>	41. You shall not reside within _____ feet of any parks where children regularly congregate.		
<input type="checkbox"/>	42. You shall not reside in the county of _____.		
<input type="checkbox"/>	43. You shall be in your approved residence from _____ p.m. to _____ a.m.		
<input type="checkbox"/>	44. You shall not establish a residence that has not been pre-approved by your parole agent.		
<input type="checkbox"/>	45. You shall not reside within 35 miles of your victim.		

PAROLEE NAME: \_\_\_\_\_ CDC NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

**POSSESSIONS**

		REASON	INITIALS
<input type="checkbox"/>	46. You shall not possess, or have access to any sexually oriented or sexually stimulating objects and/or devices.		
<input type="checkbox"/>	47. You shall not view, possess, or have access to any pornographic material; e.g., movies, photographs, drawings, literature, etc.		
<input type="checkbox"/>	48. You shall not view, possess, or have access to any material; e.g., periodicals, newspapers, magazines, catalogs depicting adults or children in undergarments, nude, partially nude, etc.		
<input type="checkbox"/>	49. You shall not possess or have access to sexually oriented devices, handcuffs, handcuff keys, restraint equipment, or any other items that could be used for bondage, restraint, control, or confinement.		
<input type="checkbox"/>	50. You shall not possess or have access to children's clothing, toys, games, or other similar material related to children's interests.		
<input type="checkbox"/>	51. You shall not possess any household pets or animals including animals not traditionally considered household pets; e.g., snakes, lizards, gerbils, farm animals, etc.		
<input type="checkbox"/>	52. You shall not use or possess law enforcement identification, insignia, badges, uniforms, or other items identified with law enforcement.		
<input type="checkbox"/>	53. You shall not use, possess, or have access to surveillance equipment.		
<input type="checkbox"/>	54. You shall not use, possess, or have access to police radio scanners, or other telecommunications device(s) which monitor police radio transmission.		
<input type="checkbox"/>	55. You shall not wear, possess, purchase, or have access to costumes, masks, or other identity-concealing items.		
<input type="checkbox"/>	56. You shall not use or have access to a post office box, safe deposit box, storage facility, or locker.		
<input type="checkbox"/>	57. You shall not possess or have access to checks, money orders, or credit cards.		
<input type="checkbox"/>	58. You shall not possess or have access to latex, surgical, or any other type of gloves.		

**GANG**

<input type="checkbox"/>	59. You shall not contact or associate with any person you know or reasonably should know to be a member or associate of a prison gang, disruptive group, or street gang.		
<input type="checkbox"/>	60. You shall not violate any gang abatement injunction, ordinance, or court order.		
<input type="checkbox"/>	61. You shall not wear or carry on your person any clothing or apparel with gang colors, signs, symbols, or paraphernalia you know or reasonably should know to be associated with gang affiliation and/or activity.		
<input type="checkbox"/>	62. You shall not possess items such as photographs, written material, publications, jewelry, or any other items depicting or describing activity you know or reasonably should know are associated with gang activity.		
<input type="checkbox"/>	63. You shall not be within 100 yards of: _____, a known place of gang activity, loitering (delaying, lingering, or idling about), or congregating.		

**FAMILY VIOLENCE**

<input type="checkbox"/>	64. You shall enroll in and successfully complete a certified Batterer's Program. Enrollment shall occur within 30 days from the date of release.		
<input type="checkbox"/>	65. You shall enroll in and successfully complete a certified Parenting Program. Enrollment shall occur within 30 days from the date of release.		
<input type="checkbox"/>	66. You shall enroll in and successfully complete an Anger Management Program. Enrollment shall occur within 30 days from the date of release or 30 days from the signature of these conditions, whichever occurs last.		
<input type="checkbox"/>	67. You shall not come within 100 yards of the victim, the victim's residence, or the victim's workplace.		

**GLOBAL POSITIONING SYSTEM (GPS)**

<input type="checkbox"/>	68. You shall participate in continuous electronic monitoring; e.g., GPS technology. I understand and acknowledge the GPS device continuously records my location and provides data to the Division of Adult Parole Operations. I understand and acknowledge the data is retained indefinitely and may be shared with other law enforcement agencies.		
<input type="checkbox"/>	69. You may be charged criminally with grand theft, petty theft, or vandalism and be fined for the cost of the equipment's replacement in the event it is not returned, is purposely discarded, stolen, and/or damaged.		
<input type="checkbox"/>	70. You are approved for a GPS modification. You shall maintain the GPS device on your person or ambulatory device 24 hours a day, 7 days a week, except when showering or sleeping. When showering or sleeping, you must keep the device within reach of your person.		
<input type="checkbox"/>	71. You shall observe a _____ a.m./p.m. to _____ a.m./p.m. curfew and remain within your approved residence.		
<input type="checkbox"/>	72. You shall charge the GPS device at least two times per day (every 12 hours). Charge the device at _____ a.m. for at least 1 full hour. Charge the device at _____ p.m. for at least 1 full hour.		

PAROLEE NAME: \_\_\_\_\_ CDC NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

**GLOBAL POSITIONING SYSTEM (GPS) (CONTINUED)**

		REASON	INITIALS
<input type="checkbox"/>	73. You shall charge the GPS device at least two times per day (every 12 hours) for at least 1 full hour for each charging time.		
<input type="checkbox"/>	74. You shall not tamper with the device or cover the device with any material that you know or reasonably should know will interfere with the GPS signal.		
<input type="checkbox"/>	75. You shall contact your parole agent immediately if and when the device vibrates and/or makes an audible tone or beep.		
<input type="checkbox"/>	76. You shall not expose the device to extreme temperatures or place it under water; e.g., pool, hot tub, bath, etc.		

**PC SECTION 290 TRANSIENT**

<input type="checkbox"/>	77. If you are transient, you shall register as a transient and comply with all transient registration requirements pursuant to PC Section 290.011.		
<input type="checkbox"/>	78. If you are transient, you shall contact your parole agent by telephone between the hours of _____ a.m. and _____ p.m. on (circle all that apply): M / T / W / TH / F / S / SU.		
<input type="checkbox"/>	79. If you are transient, you shall report to the following destination: _____ on (circle all that apply): M / T / W / TH / F / S / SU.		

**COMPUTER USE AND ELECTRONIC MEDIA**

<input type="checkbox"/>	80. You shall not have access to or use a personal computer and peripheral devices; e.g., printer, scanner, camera, storage devices, etc.		
<input type="checkbox"/>	81. You shall not use or possess cameras, cell phones that include a camera, video cameras, or photography equipment of any kind.		
<input type="checkbox"/>	82. You shall not use or possess a cell phone of any kind.		
<input type="checkbox"/>	83. You shall agree to install, or allow to be installed at your own expense, equipment and/or software to monitor or limit computer use.		
<input type="checkbox"/>	84. You shall not use or access social media sites, social networking sites, peer-to-peer networks, or computer or cellular instant messaging systems; e.g., Facebook, Instagram, Twitter, Snapchat, Lync, Gmail, Yahoo, KIK Messenger, Tumblr, etc. This would include any site which allows the user to have the ability to navigate the internet undetected.		
<input type="checkbox"/>	85. You shall not use the computer for any purpose which might further sexual activity; e.g., possession of sexually explicit material in any form; sexually related "chat" or e-mail exchange; visiting or joining "chat rooms" which contain sexually explicit conversations; visiting/viewing sexually explicit material on web sites; downloading text or video files, digital images in any format, text files, or multi-media material that is sexual in nature; or visiting and/or subscribing to user groups, newsgroups, or list servers which contain sexual content.		
<input type="checkbox"/>	86. You shall not use the computer for any purpose which might further sexual activity involving minor children, (e.g., possession of sexually explicit material in any form, sexually related "chat" or e-mail exchange, visiting or joining "chat rooms" which contain sexually explicit conversations, visiting/viewing sexually explicit material on web sites, downloading text or video files, digital images in any format, text files, or multi-media material that is sexual in nature, or visiting and/or subscribing to user groups, newsgroups, or list servers which contain sexual content).		
<input type="checkbox"/>	87. You shall not possess or view certain materials related to, or part of, the grooming cycle for your crime, (e.g., images of your victim, stories or images related to your crime or similar crimes), images which depict individuals similar to your victims, (e.g., stories written about, or for individuals similar to your victim); or materials focused on the culture of your victim, (e.g., children's shows or web sites).		
<input type="checkbox"/>	88. You shall not use any method to hide or prevent unauthorized users from viewing specific data or files, (e.g., encryption, cryptography, steganography, compression, or password protected files). Login and password information shall be provided to your parole agent upon request.		
<input type="checkbox"/>	89. You shall not alter or destroy records of computer use; e.g., delete or remove browser history data, possess software or items designed to boot into the computer memory, alter or "wipe" computer media, defeat forensic software, block monitoring software, restore a computer to a previous state, or reinstall operating systems, etc.		
<input type="checkbox"/>	90. You shall consent to announced or unannounced examination and/or search of electronic devices to which you have access for the limited purpose of detecting content prohibited by your parole conditions or by court order; e.g., hard disks, DVDs, CDs, zip disks, floppy disks, thumb drives, and/or any other storage media whether installed within a device or removable and separate from the actual computer device.		
<input type="checkbox"/>	91. You shall not view, possess, or have access to sexually explicit programming through televisions or any type of monitor.		
<input type="checkbox"/>	92. You shall not view, possess, or have access to electronic media that depicts sexually explicit content.		

PAROLEE NAME: \_\_\_\_\_ CDC NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

OTHER		REASON	INITIAL
<input type="checkbox"/>	93. You shall not place or answer any type of personal advertisement seeking or soliciting a relationship with a stranger.		
<input type="checkbox"/>	94. You shall not use or access any telephone numbers designed for sexual arousal or stimulation.		
<input type="checkbox"/>	95. You shall not use any fictitious names or change your name in an attempt to conceal your true identity or establish another identity.		
<input type="checkbox"/>	96. If you spend the night away from your residence of record, you shall notify your parole agent in advance. You shall provide all contact information, including the address and the telephone number.		
<input type="checkbox"/>	97. You shall not loiter (delay, linger, or idle about) or be in the vicinity of: _____		
<input type="checkbox"/>	98. Unless you are a resident, you shall not enter or remain on the grounds of a day care or residential facility where elders or dependent adults are regularly present or living (PC Section 653c).		
<input type="checkbox"/>	99. You shall not use any public shower facility; join any health club, physical fitness training facility, or sports club.		
<input type="checkbox"/>	100. You shall wear clothing so as not to expose your genitals, breasts, or buttocks.		
<input type="checkbox"/>	101. You shall contact your parole agent within 24 hours of any type of law enforcement contact; e.g., traffic stop, identification check, suspect, witness, etc.		
<input type="checkbox"/>	102. You shall have your updated PC-Section 290 registration verification with you at all times. You must present it during any contact or interaction with any law enforcement officer.		
<input type="checkbox"/>	103. You shall observe a _____ a.m./p.m. to _____ a.m./p.m. curfew on Halloween, and remain within your approved residence.		
<input type="checkbox"/>	104. You shall/shall not:		
<input type="checkbox"/>	105. You shall/shall not:		
<input type="checkbox"/>	106. Other information:		
<input type="checkbox"/>	107. Other information:		
<input type="checkbox"/>	108. Other information:		

PAROLEE NAME: \_\_\_\_\_ CDC NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

**REASONS FOR SPECIAL CONDITIONS OF PAROLE**

Special conditions can be imposed if there is a nexus or the conditions reasonably related to the subject's commitment offense, criminal conduct, and/or future criminality. A special condition that bars lawful activity is valid only if the prohibited conduct either:

1. Has a relationship to the crime of which the offender was convicted.
2. Is reasonably related to deter future criminality.

Conditions may regulate conduct that is not in itself criminal, but rather reasonably related to future criminality by regulating or prohibiting non-criminal conduct.

REASON CODES	DESCRIPTION
1	Subject has a history, supported by an arrest, conviction, or documented admission or pattern of illegal or illicit drug use.
2	Subject has a history, supported by an arrest, conviction, or documented admission or pattern of alcohol use and/or abuse, where continued use could result in criminal or harmful activity.
3	Based on factors and circumstances directly related to the subject's commitment offense(s), the imposition of this condition will assist in the goal of preventing the subject from committing subsequent criminal offenses under Federal, State, or local law. These factors include:
4	Based on the nature of the commitment offense(s), a nexus exists between the behavior displayed during the course of committing his or her prior crime(s) and the behavior that is being restricted by imposing this condition. The nature of the commitment offense is described as:
5	Based on previous offense(s) as noted in the subject's criminal history, the restrictions imposed by this condition will assist in the goal of preventing the subject from committing subsequent criminal offenses under Federal, State, or local law. Previous offenses include:
6	Based on previous offense(s) as noted in the subject's probation or parole violation history, the restrictions imposed will assist in the goal of preventing the subject from committing subsequent criminal offenses under Federal, State, or local law, or additional violation of his or her conditional release. Previous violations include:
7	Subject has a documented history of psychiatric/psychological illness and/or related symptoms.
8	Parole Outpatient Clinic referral as required per PC Section 3002 and/or Division of Adult Parole Operations policy.
9	Based on behavior displayed by offenders convicted of similar crimes, or displaying similar criminal behavior, imposition of this condition may regulate conduct that is not in itself criminal, but rather reasonably related to future criminality.
10	Based on current Federal, State, or local laws, or regulations cited in the California Code of Regulations, Title 15, as described below, this condition is imposed to ensure compliance with the following laws or regulations:

PAROLEE NAME: \_\_\_\_\_ CDC NUMBER: \_\_\_\_\_ DATE: \_\_\_\_\_

REASON CODES	DESCRIPTION (cont.)
11	Based on your lawful requirement to register as a sex offender pursuant to PC Section 290, you are subject to sex offender treatment programs pursuant to PC Section 3008(b).
12	GPS/Electronic Monitoring is authorized for use on subject by PC Sections 3010, 3010.1, 3010.5, 3010.7.
13	Other good cause determined by parole agent as the specific condition controls those behaviors associated with subject's sexual deviancy and sex offender profile behavioral characteristics.
14	Subject is a validated gang member.
15	Subject has a documented history of gang involvement/activity/association.
16	Subject has a current or prior conviction of PC Sections 182.5 and 186.22.
17	Parole authority imposed special conditions:
18	Parolee volunteered to participate in the 150-day aftercare program. This special condition is to be placed on all Treatment Incentive Program participants.
19	Based on prior history of victimizing biological or adopted children and/or evidence of risk to family members.

PAROLEE'S NAME (LAST, FIRST, M.I.)	PAROLEE'S SIGNATURE	CDC NUMBER	DATE SIGNED

PAROLE AGENT'S NAME	PAROLE AGENT'S SIGNATURE	BADGE NO.	DATE SIGNED

UNIT SUPERVISOR'S NAME	UNIT SUPERVISOR'S SIGNATURE	BADGE NO.	DATE SIGNED

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## **INITIAL STATEMENT OF REASONS:**

The California Department of Corrections and Rehabilitation (CDCR) propose to amend the following Sections of the California Code of Regulations (CCR), Title 15, Division 3:

- Chapter 1, Article 1, Section 3000
- Chapter 1, Article 6.5, Sections 3075.1, 3075.2 and 3075.3
- Sub-Chapter 6, Article 2, Sections 3521.1 and 3521.2
- Sub-Chapter 6, Article 15, Section 3720
- Sub-Chapter 6, Article 19, Section 3763
- Sub-Chapter 6, Article 21, Sections 3800, 3800.1, 3800.2, and 3800.3 (repeal of entire Article).

Revisions include several amendments to definitions within Section 3000 that are outdated or obsolete, and also add new definitions. They delete the CDC Form 174, Probation Officer's Report due to it being a county form which is initiated at the county level. The county form will now be utilized rather than the outdated CDC form which is no longer utilized. The revisions update procedures for parolees who refuse to sign conditions of parole, and update the exclusionary and case-by-case criteria for placement into Parolee Service Centers or Residential Multi-Service Center Programs. Language is also added to further define release procedures in accordance with the California Penal Code (PC) 3060.7(a)(1) and (a)(2). Parolees released and classified as highest control or highest risk are required to report to their assigned parole unit within two calendar days (first working day following release) or as instructed by their parole agent, and shall not be granted a delay in reporting.

Other amendments to these regulations include revisions to some references to Non-Revocable Parole (NRP) as a result of the following: 1) the implementation of Post Release Community Supervision (PRCS) due to the 2011 Public Safety Realignment Act codified in PC 3000.08, and 2) the creation of the new Misdemeanor Monitored Parole (MMP) and Misdemeanor Monitored Parole – Non Revocable (MMP-NR) parole supervision models due to the passage of the 2014 Safe Neighborhoods and Schools Act codified in PC 1170.18.

NRP is a form of unsupervised community release pursuant to the provisions of PC Section 3000.03, wherein the parolee is not subject to placement of a parole hold, revocation proceedings, or remedial sanctions. On October 11, 2009, PC Section 3000.03 was enacted pursuant to Section 48 of Senate Bill X3 18 authorizing the placement of parolees into NRP effective January 25, 2010. To be eligible for NRP, the offenders must have met the following criteria:

- (a) The person was not required to register as a sex offender pursuant to Chapter 5.5 (commencing with Section 290) of Title 9 of Part 1.
- (b) The person was not committed to prison for a serious felony as defined in Sections 1192.7 and 1192.8, or a violent felony, as defined in Section 667.5, and does not have a prior conviction for a serious felony, as defined in Section 1192.7 and 1192.8, or a violent felony, as defined in Section 667.5.
- (c) The person was not committed to prison for a sexually violent offense as defined in subdivision (b) of Section 6600 of the Welfare and Institutions Code and does not have a prior conviction for a sexually violent offense as defined in subdivision (b) of Section 6600 of the Welfare and Institutions Code.
- (d) The person was not found guilty of a serious disciplinary offense, as defined in regulation by the Department, during his or her current term of imprisonment.
- (e) The person was not a validated prison gang member or associate, as defined in regulation by the Department.

- (f) The person did not refuse to sign any written notification of parole requirements or conditions, including, but not limited to, the written notification of requirements pursuant to Section 3067.
- (g) The person was evaluated by the Department using a validated risk assessment tool and was not determined to pose a high risk to reoffend.

Although NRP is not utilized by the Department at this time due to the implementation of PRCS, the statutory authority for NRP under PC 3000.03 still exists.

Effective October 1, 2011, due to the enactment of the Public Safety Realignment Act (AB-109), codified in PC Section 3000.08, offenders who were eligible for release pursuant to NRP were now eligible for release pursuant to Post Release Community Supervision (PRCS), and are now released to the jurisdiction of each individual county. Offenders eligible for PRCS include non-violent, non-serious commitment offenses (irrespective of priors), and some sex offenders. As a result of the implementation of PRCS, offenders meeting the supervision criteria of NRP exclusively are no longer released to the Division of Adult Parole Operations (DAPO) for parole supervision, as these offenders now meet the criteria for release and supervision pursuant to PRCS.

On November 4, 2014, due to the enactment of the Safe Neighborhoods and Schools Act, PC 1170.18 was enacted allowing offenders convicted of specific drug or property related felonies to petition the court to resentence specified felonies to misdemeanors. As part of the resentencing, the court can order specific offenders to serve a one year parole term. This resulted in DAPO's creation of the Misdemeanor Monitored Parole (MMP) supervision model for these specific offenders.

As a result of the new law that led to DAPO's creation of MMP, DAPO began to supervise some parolees within the MMP supervision model that would have previously qualified for NRP. In February of 2016, a Los Angeles County Superior Court judge questioned the MMP supervision of certain parolees due to their eligibility for NRP placement. As a result of the judge's questioning and because of the dual statutory authority (PC 1170.18 and PC 3000.03) that may now apply to some parolees because of their resentencing, DAPO created a new sub-model of the MMP supervision model to include a supervision category/model for those parolees who, due to resentencing under PC 1170.18, are now also eligible for Non-Revocable Parole (PC 3000.03). This new supervision model is called Misdemeanor Monitored Parole – Non Revocable (MMP-NR). A person meeting *only* PC 1170.18 criteria shall be supervised by DAPO for a one-year period, and a person meeting PC 1170.18 criteria that *also* meets PC 3000.03 criteria (although they will now be assigned to a parole agent) shall not have a hold placed against them, be returned to prison, or have any violations reported to the courts by CDCR.

DAPO is revising specific CCR sections to delete references to NRP that are no longer applicable, and to update sections regarding specific provisions or exclusions of NRP parolees. The CDCR Form 1515-A, Notification of Non-Revocable Parole Requirements is being deleted, as DAPO now utilizes the CDCR Form 1515, Notice and Conditions of Parole, and if needed, the CDCR Form 1515-Addendum, Special Conditions of Parole, for all parolees under DAPO supervision. The CDCR Form 1515-Addendum is only given to a parolee as an addition to the CDCR Form 1515 when there is a need to address special conditions of parole that are specific to the individual parolee. A special condition of parole can be imposed if it is reasonably related to the parolee's commitment offense. For example, a parolee convicted of domestic violence will have a special condition of "no contact" with the victim and will be required to participate in domestic violence counseling. A parolee convicted of drunk driving will have a special condition of "no alcohol use." Special conditions of parole are tailored to the parolee to prevent criminal conduct and/or future criminality.

Lastly, revisions to the proposed regulations remove the Residential Aftercare Program, which was passed by the Legislature in 2006 and was established in PC Section 2933.4 (later amended to PC Section 3050). This program allowed inmates who met eligibility criteria to parole directly to a substance abuse treatment program, and discharge from parole after 150 days in a residential drug aftercare program. The program was eliminated in 2009 due to budget cuts and the implementation of the 2011 Public Safety Realignment Act that created PRCS. As a result of the implementation of PRCS, CDCR no longer has jurisdiction over any inmate who is eligible for PC 3050 programs. Therefore Article 21, PC 3050 Residential Aftercare Program is repealed.

### **Consideration of Alternatives:**

The Department must determine that no reasonable alternative considered, or that has otherwise been identified and brought to the attention of the Department, would be more effective in carrying out the purpose for which this action is proposed, 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 Department that would alter the Department's initial determination.

### **Economic Impact Assessment:**

The Department believes there will not be any significant economic impact with these proposed regulations. The Department believes this because the changes for the Department's Assorted Parole Revisions regulations only affect California parolees.

In accordance with Government Code Section 11346.3(b), CDCR has made the following assessments regarding the proposed regulations:

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

The Department 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 only affect California parolees.

#### **Creation of New or the Elimination of Existing Businesses Within the State of California**

The Department has determined that the proposed regulations will not have an impact on the creation of new or elimination of existing businesses within California as the proposed regulations only affect California parolees.

#### **Expansion of Businesses Currently Doing Business in the State of California**

The Department has determined that the proposed regulations will not have an impact on the expansion of businesses currently doing business in California as the proposed regulations only affect California parolees.

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

The Department has made an initial determination that this action will not have a significant adverse economic impact on business in the state of California because those businesses are not affected by requirements for California parolees.

### **Benefits of the Regulations**

The proposed regulations will benefit staff and parolees by providing a clear understanding of the various updated parole related processes, procedures, and programs; and by making specific the provisions of PC 3060.7 regarding persons classified as the highest control or risk classification reporting to their assigned parole unit within two calendar days from release, which will protect the safety and security of the general public.

The proposed regulations will not affect worker safety or the State's environment.

### **Materials Relied Upon:**

The 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 Section 11346.2(b)(1):**

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

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

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

**Section 3000 is amended** to redefine the duties of the “Board of Parole Hearings (BPH).” The duties of BPH have been reduced since the implementation of the Realignment Act of 2011 which re-directed many inmates to the jurisdiction of the counties.

**Section 3000 is amended** to revise the term “Cooperative Parolee” to “California Interstate Cooperative Parolee.” This revision is necessary to distinguish an offender convicted in California but under physical supervision in another state pursuant to the Uniform Act for Out-of-State Parole Supervision (Penal Code Sections 11175-11179) and the Interstate Compact for Adult Offender Supervision (Penal Code Sections 11180-11181).

**Section 3000 is amended** to add the definition for “California Parole Apprehension Team (CPAT).” The addition of this definition provides a clear understanding regarding the role and responsibility of the CPAT.

**Section 3000 is amended** to add the definition for “California Parole Supervision Reintegration Model (CPSRM).” CPSRM is a supervision model that employs evidence-based practices that enhance public safety through long-term positive behavioral change. This addition is necessary to identify the supervision model used by the Department to supervise the general parole population.

**Section 3000 is amended** to redefine “CalParole.” Effective December 7, 2015, CalParole was deactivated and replaced with the Strategic Offender Management System (SOMS), which is defined elsewhere in Section 3000. Although CalParole has been deactivated, the data contained within CalParole will continue to be accessible for historical data purposes.

**Section 3000 is amended** to remove the definition of “Control Service.” This supervision category is no longer used and has been superseded by the California Parole Supervision Reintegration Model.

**Section 3000 is amended** to add a new definition of “Cooperative Parolee.” This language is necessary to reference all offenders under the supervision of the Interstate Compact for Adult Offender Supervision, and provide a more uniform and accurate definition that will apply to both a California parolee and a parolee from another state. The revision also provides consistency when using this term throughout the Department.

**Section 3000 is amended** to add the definition of the “Correctional Intelligence Task Force (CITF).” The addition of this definition provides a clear understanding of the purpose and function of the CITF.

**Section 3000 is amended** to capitalize the letter “c” in the word “Conduct,” for the definition of “Course of Conduct,” for correct capitalization.

**Section 3000 is amended** to make minor punctuation changes under the term “Custody of the department” by adding in hyphens for the words “out-to-court,” for consistency purposes and correct punctuation.

**Section 3000 is amended** to revise the definition of “Felony” to more closely align with the Penal Code definition (PC Section 1170) and to capitalize the letter “s” in the word “State” for correct capitalization/punctuation.

**Section 3000 is amended** to update the definition for “High Control” to reflect current DAPO policy. High Control is no longer used as a supervision category by the Department. High Control is now used to identify the highest risk category of those offenders released onto parole. Additionally, High Control is the term used to identify non-Global Positioning System parolee-at-large cases assigned to CPAT and CITF.

**Section 3000 is amended** to add the definition of “Interstate Commission for Adult Offender Supervision” to provide an understanding of what this Commission does and its purpose.

**Section 3000 is amended** to add the definition for “Interstate Compact for Adult Offender Supervision.” The addition of this definition is helpful to understand the definition for the Interstate Commission for Adult Offender Supervision (ICAOS), as well as any other related parole language which references the “Interstate Compact for Adult Offender Supervision.”

**Section 3000 is amended** to revise the definition of “Interstate Unit,” and add the word “Compact” to the title. The unit will now be titled as “Interstate Compact Unit” to more accurately identify the function of the unit. The word “Compact” is added to the name to be more consistent with the definition for the Interstate Commission of Adult Offender Supervision, which has regulatory authority over states that participate in the Interstate Compact for Adult Offender Supervision.

**Section 3000 is amended** to add the definition of “Interstate Cooperative Parolee.” This addition is necessary to distinguish those cooperative parolees under the Interstate Compact for Adult Offender Supervision that are offenders convicted in another state but under physical supervision in California.

**Section 3000 is amended** to capitalize the letter “s” in the word “State,” for the definition of “Laboratory,” for correct capitalization.

**Section 3000 is amended** to redefine the definition of Non Revocable Parole (NRP). Language which previously referenced the Board of Parole Hearings (BPH) is removed due to BPH's redefined authority.

**Section 3000 is amended** to delete the definition of "Parole Hearings Division." This division no longer exists, and the described duties are now inclusive of BPH. The regulations for the Parole Hearings Division, Title 15, Division 3, Chapter 1, Subchapter 7 were repealed by the Department in 2003 (Register 2003, No. 28).

**Section 3000 is amended** to redefine the definition of a "Parolee-at-Large." The new definition identifies the paroling authority as the entity that authorizes the suspension of parole.

**Section 3000 is amended** to remove the CDC Form 174 (Rev. 3/87), Probation Officer's Report, from the definition of "Probation Officer's Report." The CDC Form 174 is no longer used, but rather the county form "Probation Officer's Report" is used. Additionally, the definition was amended to maintain consistency with the California Penal Code definition of a Probation Officer's Report (PC 1203(b)(1)).

**Section 3000 is amended** to revise the definition of "Public Interest Case." The amended definition now includes the word parolee. The revision is necessary to provide consistency in the Department when identifying an offender whose case is of significant interest to the public.

**Section 3000 is amended** to redefine the definition of "Receiving State." The amended definition identifies that the state providing supervision of a parolee under the terms of the Interstate Compact for Adult Offender Supervision is known as the receiving state.

**Section 3000 is amended** to add the definition of "Sending State." The new definition identifies that a state that requests or transfers the supervision of a parolee under the terms of the Interstate Compact for Adult Offender Supervision is known as the sending state.

**Section 3000 is amended** to add the definition of "Sentence Data Sheet." The addition of this definition is necessary to identify the document that now contains commitment and release information.

**Section 3000 is amended** to capitalize the letter "s" in the word "State," for the definition of "Strike," for correct capitalization.

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

### **Section 3075.1. Intake Processing.**

**Section 3075.1(a)(3) is amended** to remove the language "CDC Form 174 (Rev. 3/87)." The CDC form is no longer used, but rather the county's "Probation Officer's Report" is utilized.

### **Section 3075.2. Releases**

**Section 3075.2(a) is amended** to move a portion of the language in this section to new Section 3075.2(a)(1) for better format consistency within the section.

**New Section 3075.2(a)(1) is adopted** to include the language relocated from Section 3075.2(a), for format consistency within the section.

**Section 3075.2(b)(2)(A) is amended** to add the CDCR Form 1515-Addendum, Special Conditions of Parole as one of the documents in addition to the CDCR Form 611, Release Program Study, and the CDCR Form 1515, Notice and Conditions of Parole, that shall be explained to the inmate prior to his or her scheduled release. All offenders supervised under DAPO supervision will have a CDCR Form 1515 completed. However, some offenders may also have a CDCR 1515-Addendum completed if there is a need to address a special condition of parole. Requiring staff to explain the CDCR Form 1515-Addendum, if imposed, serves as a notice to the inmate, and provides for uniform procedural application by staff. The Department created the CDCR Form 1515-Addendum to list the many special conditions of parole that a parolee may be required to comply with while under parole supervision. Currently, the CDCR Form 1515-Addendum, if imposed, is explained to inmates prior to release. This practice is being incorporated into regulations to reflect the Department's current procedures. The CDCR Form 1515-Addendum (Rev. 11/15) was recently adopted in Section 3620(a), therefore it has already been incorporated by reference into CCR, Title 15, Division 3; however, Section 3620(a) inadvertently left out the language "incorporated by reference," therefore, the language "incorporated by reference" is added to Section 3075.2(b)(2)(A), which also provides a better chronological reference for this language. The CDCR Form 1515-Addendum is not being revised in this rulemaking. However, for reference purposes, and completeness with the rulemaking file, a copy of this form is being made available with these proposed regulations.

**Section 3075.2(b)(2)(C) is amended** to relocate and revise existing text regarding a general authorized delay in reporting to Section 3075.2(b)(2)(D)1., and add new language which specifies the reporting instructions for parolees released from CDCR and classified as highest control or highest risk. New language aligns with PC 3060.7(a)(1) and (a)(2). Language is re-organized to prioritize the more crucial reporting instructions for parolees first.

**New Section 3075.2(b)(2)(D) is adopted** to provide a heading to describe the subsequent section's contents, which relocates, in part, language from Section 3075.2(b)(2)(C). Text is relocated to prioritize the reporting instructions for parolees, listing the more crucial reporting instructions for parolees first.

**New Section 3075.2(b)(2)(D)1. is adopted** to describe the process of approving a delay in reporting for cases that are not designated the highest control and highest risk classifications. This language in part relocates text from Section 3075.2(b)(2)(C), and is necessary to provide clarity and understanding regarding the rules for any authorized delay in reporting requirements. Text is relocated to prioritize the reporting instructions for parolees, listing the more crucial reporting instructions for parolees first.

**Section 3075.2(b)(3)(A) is amended** to add an "R" after the acronym "CDC" for updating and correction purposes to this section regarding the CDCR Form 1515, Notice and Conditions of Parole. The Department changed its name from "California Department of Corrections" to "California Department of Corrections and Rehabilitation" in 2005. Additionally, the CDCR Form 1515-Addendum, Special Conditions of Parole, is added to the documents that must be interpreted or otherwise communicated to any parolee. The word "effectively" is added to emphasize that communication must be effectively communicated, which complies with reasonable accommodation requirements as described in the "Effective Communication" definition in Section 3000. By requiring the forms to be interpreted/communicated to all parolees, rather than just those who do not understand or read English, this provides that all parolees will have a better understanding of their parole requirements. The CDCR Form 1515 is not being revised in this rulemaking.

**Section 3075.2(b)(3)(B) is amended** to revise the language regarding the consequences if a parolee refuses to sign conditions of parole. Parolees can no longer be returned to custody for refusing to sign conditions of parole or special conditions of parole. New language provides instructions to parole agents

on the procedure to be used when a parolee refuses to sign conditions of parole or special conditions of parole. This helps parolees understand the procedures. The requirements for parolees signing their conditions of parole changed in 2012 due to a change in PC 3067, which previously required an offender to agree in writing with a search and seizure condition of parole upon release to parole supervision. Offenders are now to be given notice of conditions of parole upon release to parole supervision. As offenders are no longer required to sign, there is no violation for not signing the conditions of parole. However, the Department will document that the parolee received the conditions of parole and, if applicable, the special conditions of parole.

**New Section 3075.2(b)(3)(C) is adopted** to provide that if an interstate cooperative parolee refuses to sign conditions of parole, it shall be considered “behavior requiring retaking” (a request for revocation of supervision) and reported to the state from which the parolee has been sent, with a recommendation that the offender be returned to the sending state. This language comports with the Interstate Commission for Adult Offender Supervision changes that became effective June 1, 2017, in which it was determined that significant violations are now considered “behavior requiring retaking.” This language provides instructions to Department staff for uniform handling of cooperative parolees who refuse to sign conditions of parole. This language is necessary as cooperative parolees must agree upon transfer to comply with the conditions of parole and rules of the receiving state. The agreement is acknowledged when the offender signs the application for interstate transfer and again when the offender arrives and signs the actual conditions of parole in the receiving state. If a cooperative parolee violates any condition of parole, the sending state requires proof from the receiving state that the cooperative parolee was made aware of the receiving state’s conditions of parole. The signed conditions of parole serve as proof to the sending state that the cooperative parolee is aware of his or her conditions of parole in the receiving state. Refusal to sign the conditions of parole is considered behavior requiring retaking and is an indication that he or she is not willing to comply with the conditions of parole being imposed in the receiving state. Supervision through The Interstate Compact for Adult Offender Supervision is voluntary and not mandatory, unlike a person on parole in California for a California sentence, whose conditions of parole are imposed with or without a signature.

**Existing Section 3075.2(b)(3)(C) is renumbered 3075.2(b)(3)(D), but is otherwise unchanged.**

**Existing Section 3075.2(b)(3)(D) is renumbered 3075.2(b)(3)(E), but is otherwise unchanged.**

**Existing Section 3075.2(b)(3)(E) is renumbered 3075.2(b)(3)(F), but is otherwise unchanged.**

**Section 3075.2(b)(4)(A) is amended** to delete the CDCR Form 1515-A (01/10), Notification of Non-Revocable Parole Requirements and add the CDCR Form 1515, Notice and Conditions of Parole, and, if applicable, the CDCR Form 1515-Addendum, Special Conditions of Parole, as the documents that must be effectively communicated to the NRP parolee prior to release. Previously NRP offenders did not have to report to a parole agent and upon release from prison signed a CDCR Form 1515-A. The CDCR Form 1515-A is being deleted and is no longer necessary as all offenders under parole supervision are now required to report to parole. Due to the passage of the 2011 Public Safety Realignment Act certain offenders, such as those that previously qualified for NRP, are now released to county supervision. The CDCR Form 1515 and the CDCR Form 1515-Addendum now encompass all offenders under parole supervision.

**Sections 3075.2(b)(4)(A)1. through 3075.2(b)(4)(A)4. are amended** to correct format numbering only. Parentheses around the last number were removed and replaced with a period for correct number formatting.

**Section 3075.2(b)(4)(B) is deleted** as parolees are no longer in violation for refusing to sign conditions of parole. This applies to NRP parolees as well. Additionally, the CDCR Form 1515-A, Notice and Conditions of Non-Revocable Parole, is being deleted, as the form has been replaced with the CDCR Form 1515, and, if applicable, the CDCR Form 1515-Addendum. Any refusal is noted on the CDCR Form 1515 or CDCR Form 1515 – Addendum and then imposed without signature. This changed in 2012 due to a change in PC 3067 which previously required an offender to agree in writing with a search and seizure condition of parole upon release to parole supervision. Offenders are now no longer required to agree in writing. Offenders are now to be given notice of conditions of parole upon release to parole supervision.

**Section 3075.2(b)(4)(C) is deleted** for two reasons: 1) Any parolees that were previously eligible for NRP are now being supervised by the county as a result of PRCS. 2) Any parolees that may meet NRP criteria under the Misdemeanor Monitored Parole – Non Revocable (MMP – NR) authority are now assigned a parole agent and are required to report to their assigned parole office upon release. However, because they meet the PC 3000.03 criteria, they will not have a hold placed on them, be returned to prison, or have a violation reported to the courts. Instead because they initially fell within the authority of PC 1170.18, they are required to serve a one year parole term unless they are released from parole by the court.

**Section 3075.2(d)(5)(A) is amended** to capitalize the word “State,” for correct capitalization.

**Section 3075.2(e)(2) is amended** to capitalize the word “State,” for correct capitalization.

### **Section 3057.3. Discharge Certificates.**

**Section 3075.3(c) is deleted.** Parolees that meet NRP criteria are no longer required to submit a written request to the Department for a Certificate of Discharge. They will receive a Certificate of Discharge upon discharge from parole as these parolees are now under supervision pursuant to PC 1170.18 and PC 3000.03 and their location is known to the parole agent. Previously NRP offenders did not have to report to a parole agent and their address was unknown to CDCR.

**Section 3075.3(d) is renumbered 3075.3(c), but is otherwise unchanged.**

## **Sub-Chapter 6. Adult Parole**

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

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

**Section 3521.1 is amended** to clarify the definition of the Parolee Service Center (PSC). The new definition provides a more precise explanation of the services provided, and updates the purpose of the program.

**Section 3521.1(a) is amended** to update and clarify the functions of the PSC. The description and functions of the PSC now include examples of the type of programming offered for parolees and specify that they are available to both male and female parolees based upon assessed need.

**Sections 3521.1(b)(1) and 3521.1(b)(2) are deleted.** Sex offender parolees, arson offender parolees, and parolees who are in custody pending local criminal charges are no longer excluded from participation in the PSC. These offenders were previously excluded as the prior negotiated contracts between CDCR and

the PSC providers made these offenders ineligible for services. These offenders are now eligible for the PSC on a case-by-case basis as the current contracts between CDCR and the PSC providers do not automatically exclude them. However, these offenders will be evaluated for program suitability on a case-by-case basis. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the PSC facility. Case factors include an evaluation of the parolee's criminal history, Security Threat Group (STG) status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Section 3521.1(b)(3) is renumbered 3521.1(b)(1), but is otherwise unchanged.**

**Sections 3521.1(b)(4) through 3521.1(b)(7) are deleted.** Parolees with a felony hold, parolees pending criminal charges, interstate parolees, and parolees that meet NRP criteria are no longer excluded from participation in the PSC. Parolees with felony holds, parolees with pending felony criminal charges, and interstate parolees, were previously excluded as the prior negotiated contracts between CDCR and the PSC providers made these offenders ineligible for services from a PSC provider. The current negotiated contracts between CDCR and the PSC providers no longer list these offenders as ineligible for services but rather list that these offenders can be considered for services on a case-by-case basis. NRP offenders were previously excluded from PSC services as they were not required to report to parole nor assigned a parole agent. These offenders are now eligible to receive services as they are now required to report to parole and assigned a parole agent. Both of these groups of offenders will now be evaluated for program suitability on a case-by-case basis. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the PSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Section 3521.1(c)(4) is amended** to replace language that referred to "high notoriety" to "Public Interest Case." This provides for more appropriate language and consistency of the term as used with the RMSC Program.

**Section 3521.1(c)(6) is amended** to change the language "Street gang members" to "Security Threat Group I members or associates." Language is revised to update with the current language being used by the Department and defined in Section 3000, and provide consistency throughout these regulations.

**Existing Section 3521.1(c)(7) is deleted.** Validated prison gang members are now identified under the new term "Security Threat Group members." In 2012, the term STG replaced the terms: prison gang, disruptive group, and/or street gang, within CDCR.

**New Section 3521.1(c)(7) is adopted** to add sex offender parolees to those that can be considered on a case-by-case basis for placement into a PSC. These offenders were previously excluded as the prior negotiated contracts between CDCR and the PSC providers made these offenders ineligible for services from a PSC provider. These offenders are now eligible for PSC service on a case-by-case basis as the contracts between CDCR and the PSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability on a case-by-case basis. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the PSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Section 3521.1(c)(8) is adopted** to add "Parolees who are in custody pending local criminal charge(s) which could result in continued incarceration" to those that can be considered on a case-by-case basis for

placement into a PSC. These offenders were previously excluded as the prior negotiated contracts between CDCR and the PSC providers made these offenders ineligible for services from a PSC provider. These offenders are now eligible for PSC service on a case-by-case basis as the contracts between CDCR and the PSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability on a case-by-case basis. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the PSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Section 3521.1(c)(9) is adopted** to add "Parolees with a felony hold" to those that can be considered on a case-by-case basis for placement into a PSC. These offenders were previously excluded as the prior negotiated contracts between CDCR and the PSC providers made these offenders ineligible for services from a PSC provider. These offenders are now eligible for PSC service on a case-by-case basis as the contracts between CDCR and the PSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the PSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Section 3521.1(c)(10) is adopted** to add "Parolees with pending felony criminal charges" to those that can be considered on a case-by-case basis for placement into a PSC. These offenders were previously excluded as the prior negotiated contracts between CDCR and the PSC providers made these offenders ineligible for services from a PSC provider. These offenders are now eligible for PSC service on a case-by-case basis as the contracts between CDCR and the PSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the PSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Section 3521.1(c)(11) is adopted** to add "Parolees who are classified as Enhanced Outpatient Program" to those that can be considered on a case-by-case basis for placement into a PSC. These offenders were previously excluded as the prior negotiated contracts between CDCR and the PSC providers made these offenders ineligible for services from a PSC provider. These offenders are now eligible for PSC service on a case-by-case basis as the contracts between CDCR and the PSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the PSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Section 3521.1(c)(12) is adopted** to add arson offender parolees to those that can be considered on a case-by-case basis for placement into a PSC. These offenders were previously excluded as the prior negotiated contracts between CDCR and the PSC providers made these offenders ineligible for services from a PSC provider. These offenders are now eligible for PSC service on a case-by-case basis as the contracts between CDCR and the PSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the PSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Section 3521.1(c)(13) is adopted** to add interstate cooperative parolees to those that can be considered on a case-by-case basis for placement into a PSC. These offenders were previously excluded as the prior negotiated contracts between CDCR and the PSC providers made these offenders ineligible for services from a PSC provider. These offenders are now eligible for PSC service on a case-by-case basis as the contracts between CDCR and the PSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the PSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Section 3521.1(c)(14) is adopted** to add NRP parolees to those that can be considered on a case-by-case basis for placement into a PSC. These offenders were previously excluded from PSC services as they were not required to report to parole nor assigned a parole agent. These offenders are now eligible to receive services as they are now required to report to parole and are assigned a parole agent. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the PSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Section 3521.1(d) is amended** to change the initial placement of parolees into a PSC from 90 days to 180 days. The contracts between CDCR and the PSC providers now allow for an offender to be initially assessed and placed for up to 180 days.

**Section 3521.1(e) is amended** to clarify that parolees participating in the PSC Program must be on active parole.

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

**Section 3521.2(a) is amended** to update language by redefining the primary goal of the Residential Multi-Service Center (RMSC) Program.

**Section 3521.2(b) is amended** to update language regarding the RMSC Program, providing specificity and clarity, and to include additional services such as: sustenance, life skills, and substance use disorder treatment that are now offered at the RMSC Program. Additionally, language regarding program placement is relocated to Section 3521.2(e) for format consistency.

**Existing Section 3521.2(c)(1) is deleted** to remove sex offender and arson parolees from automatically being excluded from the RMSC Program. These offenders were previously excluded as the prior negotiated contracts between CDCR and the RMSC providers made these offenders ineligible for services from a RMSC provider. These offenders are now eligible for RMSC service on a case-by-case basis as the contracts between CDCR and the RMSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the RMSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Existing Section 3521.2(c)(2) is deleted** to remove "Parolees who are in custody pending local criminal charge(s) which could result in continued incarceration" from those that are to be excluded from

participation in the RMSC Program. These offenders were previously excluded as the prior negotiated contracts between CDCR and the RMSC providers made these offenders ineligible for services from a RMSC provider. These offenders are now eligible for RMSC service on a case-by-case basis as the contracts between CDCR and the RMSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the RMSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Existing Section 3521.2(c)(3) is renumbered 3521.2(c)(1), but is otherwise unchanged.**

**Existing Sections 3521.2(c)(4) through 3521.2(c)(7) are deleted.** Parolees with a felony hold, parolees with pending felony criminal charges, interstate parolees, and NRP parolees are no longer exclusionary criteria for placement into the RMSC Program. Parolees with felony holds, parolees with pending felony criminal charges, and interstate parolees, were previously excluded as the prior negotiated contracts between CDCR and the RMSC providers made these offenders ineligible for services from a RMSC provider. The current negotiated contracts between CDCR and the RMSC providers no longer list these offenders as ineligible for services but rather list that these offenders can be considered for services on a case-by-case basis. NRP offenders were previously excluded from RMSC services as they were not required to report to parole nor assigned a parole agent. These offenders are now eligible to receive services as they are now required to report to parole and assigned a parole agent. Both of these groups of offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the RMSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Section 3521.2(d)(6) is amended** to replace "Street gang members" with "Security Threat Group I members or associates." Language was revised to update with the current language being used and provide consistency throughout these regulations. Security Threat Group I is defined in Section 3000.

**Existing Section 3521.2(d)(7) is deleted.** Validated prison gang members are now identified as STG members. In 2012, the term STG replaced the terms prison gang, disruptive group, and/or street gang within the CDCR. STG is defined in Section 3000.

**New Section 3521.2(d)(7) is adopted** to add "sex offender parolees" as those that can be considered for placement into the RMSC Program on a case-by-case basis. These offenders were previously excluded as the prior negotiated contracts between CDCR and the RMSC providers made these offenders ineligible for services from a RMSC provider. These offenders are now eligible for RMSC service on a case-by-case basis as the contracts between CDCR and the RMSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the RMSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**New Section 3521.2(d)(8) is adopted** to add "parolees who are in custody pending local criminal charge(s) which could result in continued incarceration" for placement into the RMSC Program on a case-by-case basis. These offenders were previously excluded as the prior negotiated contracts

between CDCR and the RMSC providers made these offenders ineligible for services from a RMSC provider. These offenders are now eligible for RMSC service on a case-by-case basis as the contracts between CDCR and the RMSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the RMSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**New Section 3521.2(d)(9) is adopted** to add “parolees with a felony hold” for placement into the RMSC Program on a case-by-case basis. These offenders were previously excluded as the prior negotiated contracts between CDCR and the RMSC providers made these offenders ineligible for services from a RMSC provider. These offenders are now eligible for RMSC service on a case-by-case basis as the contracts between CDCR and the RMSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the RMSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**New Section 3521.2(d)(10) is adopted** to add “parolees with pending felony criminal charges” for placement into the RMSC Program on a case-by-case basis. These offenders were previously excluded as the prior negotiated contracts between CDCR and the RMSC providers made these offenders ineligible for services from a RMSC provider. These offenders are now eligible for RMSC service on a case-by-case basis as the contracts between CDCR and the RMSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the RMSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**New Section 3521.2(d)(11) is adopted** to add “parolees classified as Enhanced Outpatient Program” for placement into the RMSC Program on a case-by-case basis. An Enhanced Outpatient Program parolee is a person that has been assessed by mental health treatment providers and requires an increased level of mental health services including medication management, and group/individual therapy. These offenders were previously excluded as the prior negotiated contracts between CDCR and the RMSC providers made these offenders ineligible for services from a RMSC provider. These offenders are now eligible for RMSC service on a case-by-case basis as the contracts between CDCR and the RMSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the RMSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**New Section 3521.2(d)(12) is adopted** to add “arson offender parolees” as those that can be considered for placement into the RMSC Program on a case-by-case basis. These offenders were previously excluded as the prior negotiated contracts between CDCR and the RMSC providers made these offenders ineligible for services from a RMSC provider. These offenders are now eligible for RMSC service on a case-by-case basis as the contracts between CDCR and the RMSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program

suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the RMSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**New Section 3521.2(d)(13) is adopted** to add "interstate cooperative parolees" for placement into the RMSC Program on a case-by-case basis. These offenders were previously excluded as the prior negotiated contracts between CDCR and the RMSC providers made these offenders ineligible for services from a RMSC provider. These offenders are now eligible for RMSC service on a case-by-case basis as the contracts between CDCR and the RMSC providers do not automatically exclude these offenders. However, these offenders will now be evaluated for program suitability. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the RMSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**New Section 3521.2(d)(14) is adopted** to add NRP parolees to those that can be considered on a case-by-case basis for placement into the RMSC Program. These offenders were previously excluded from RMSC services as they were not required to report to parole nor assigned a parole agent. These offenders are now eligible to receive services as they are now required to report to parole and assigned a parole agent. However, these offenders will be evaluated for program suitability on a case-by-case basis. Program suitability is determined based on the offender's case factors, the offender's needs, services provided at the program, and the location of the RMSC facility. Case factors include an evaluation of the parolee's criminal history, STG status, propensity for violence and/or escape, programming needs, work skills, and medical and psychiatric needs.

**Existing Section 3251.2(e) is renumbered and relocated to 3521.2(f).**

**New Section 3521.2(e) is adopted** to clarify how long a parolee is allowed to stay at a RMSC Program and to specify that the RMSC Program includes participation in an aftercare program phase for up to 90 days.

**Section 3521.2(f) (previously 3521.2(e)) is amended** to clarify that parolees participating in the RMSC Program must be on active parole.

## **Article 15. Discharge**

### **Section 3720. Discharge Reviews.**

**Section 3720(a) is deleted.** An offender that meets the criteria of non-revocable parole, PC 3000.03, is no longer released to parole for supervision unless also meeting the criteria outlined in PC 1170.18. Parolees that meet the requirement set forth under PC 1170.18 and the supervision criteria set forth under PC 3000.03 are eligible for discharge after serving one year of parole pursuant to PC 1170.18(d). As a result, this language is removed to avoid potential misinterpretation of requirements regarding parole discharge.

**Section 3720(b) is renumbered 3720(a), but is otherwise unchanged.**

**Existing Section 3720(b)(1) is renumbered 3720(a)(1) and amended** to make minor grammatical corrections for clarity purposes.

**Existing Section 3720(b)(2) is renumbered 3720(a)(2), but is otherwise unchanged.**

**Existing Section 3720(c) is renumbered 3720(b), but is otherwise unchanged.**

**Existing Sections 3720(c)(1) through 3720(c)(3) are renumbered 3720(b)(1) through 3720(b)(3), but are otherwise unchanged.**

**Existing Section 3720(c)(4) is renumbered 3720(b)(4) and amended** to replace the language “Board of Parole Hearing” with “parole authority.” Parolees deported or under the supervision of another prison system may be referred for discharge to another parole authority instead of BPH. These revisions provide consistency with changes made as a result of the Realignment Act of 2011 which re-directed many inmates on parole to the jurisdiction of the counties.

**Existing Sections 3720(c)(4)(A) through 3720(c)(4)(B) are renumbered 3720(b)(4)(A) through 3720(b)(4)(B), but are otherwise unchanged.**

## **Article 19. Parole Violations and Reports**

### **Section 3763. Petition for Revocation.**

**Section 3763(a)(6) is amended** to add the word “Form” in front of “CDCR” for correction and consistency purposes, and also to provide a new revision date for the CDCR Form 1515-Addendum. As stated above for Section 3075.2(b)(3)(A), the CDCR Form 1515-Addendum (Rev. 11/15) was recently adopted in Section 3620(a). Therefore it has already been incorporated by reference into CCR Title 15, Division 3. The CDCR Form 1515-Addendum is not being revised in this rulemaking. However for completeness with the rulemaking file, a copy of this form is being made available with these proposed regulations.

**Article 21, titled “PC 3050 Residential Aftercare Program,” and its included Sections 3800, 3800.1, 3800.2, and 3800.3 is repealed in its entirety.** The Treatment Incentive Program was eliminated in 2009 due to budget cuts. Additionally, due to the implementation of Post Release Community Supervision (PRCS), those inmates that previously qualified for the Residential Aftercare Program are now consigned to county supervision under the criteria of PRCS.