

AMENDED IN ASSEMBLY APRIL 1, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1210

Introduced by Assembly Member Lackey

February 21, 2025

An act to amend Section 3451 of the Penal Code, relating to postrelease community supervision.

LEGISLATIVE COUNSEL’S DIGEST

AB 1210, as amended, Lackey. Postrelease community supervision.

Existing law subjects a person to no more than 3 years of postrelease community supervision after release from prison or after the person’s term of imprisonment has been deemed to have been served, except as specified. Existing law requires the Department of Corrections and Rehabilitation to, among other things, inform each prisoner subject to postrelease community supervision of their responsibility to report to the county probation department. Existing law requires the department, 30 days before release, to notify the county of all information that would otherwise be required for parolees, as specified.

This bill would require the department to ~~notify the county of all information~~ *provide the county probation department written and verbal notification of the scheduled release date of the person and the information described above* no less than ~~30~~ *165* days before ~~release~~. *the person’s release, and if the discharge date is set or reset for 165 or fewer days into the future, would require the department to provide notification within 5 business days, but no later than 30 days before the discharge date of the person. The bill would require the department to notify the county probation department of the county in which a person is being released of the name and contact information of the*

prerelease care manager; postrelease care manager; and enhanced care manager for the person being released to ensure California Advancing and Innovating Medi-Cal (CalAIM) processes are integrated with local reentry service delivery and court-ordered conditions. The bill would require, if a county probation department identifies, prior to the release of a person, that the person's current county of residence may be different than the county of the person's last legal residence, the department to coordinate with the probation department to determine the person's current county of residence and to develop coordinated plans for the release and transport of the released person to the person's current county of residence. By increasing duties on county probation departments, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~no~~-yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3451 of the Penal Code is amended to
2 read:
3 3451. (a) Notwithstanding any other law and except for a
4 person serving a prison term for a crime described in subdivision
5 (b), a person released from prison on and after October 1, 2011,
6 or whose sentence has been deemed served pursuant to Section
7 2900.5 after serving a prison term for a felony shall, upon release
8 from prison and for a period not exceeding three years immediately
9 following release, be subject to community supervision provided
10 by the probation department of the county to which the person is
11 being released, which is consistent with evidence-based practices,
12 including, but not limited to, supervision policies, procedures,
13 programs, and practices demonstrated by scientific research to
14 reduce recidivism among individuals under postrelease supervision.

(b) This section shall not apply to a person released from prison after having served a prison term for any of the following:

(1) A serious felony described in subdivision (c) of Section 1192.7.

(2) A violent felony described in subdivision (c) of Section 667.5.

(3) A crime for which the person was sentenced pursuant to paragraph (2) of subdivision (e) of Section 667 or paragraph (2) of subdivision (c) of Section 1170.12.

(4) A crime for which the person is classified as a high-risk sex offender.

(5) A crime for which the person is required, as a condition of parole, to undergo treatment by the State Department of State Hospitals pursuant to Section 2962.

(c) (1) Postrelease supervision under this title shall be implemented by the county probation department according to a postrelease strategy designated by each county's board of supervisors.

(2) The Department of Corrections and Rehabilitation shall inform every prisoner subject to the provisions of this title, upon release from state prison, of the requirements of this title and of their responsibility to report to the county probation department. The department or probation department shall also inform a person serving a term of parole or postrelease community supervision for a felony offense who is subject to this section of the requirements of this title and of their responsibility to report to the county probation department. ~~No less than 30 days prior to the release of a person subject to postrelease supervision by a county, the department shall notify the county of~~

(3) (A) *No later than 165 days prior to the discharge date for a person subject to postrelease community supervision, the department shall provide the county probation department written and verbal notification of the scheduled release date of the person and of all information that would otherwise be required for parolees under subdivision (e) of Section 3003.*

(B) *If a discharge date is set or reset for fewer than 165 days after the date that the discharge date is set or reset, the department shall provide the information described in subparagraph (A) to the county probation department no later than five business days*

1 *after the date the discharge date is set or reset, but not later than*
2 *30 days before the discharge date of the person.*

3 *(4) The department shall notify the county probation department*
4 *of the name and contact information of the prerelease care*
5 *manager, postrelease care manager, and enhanced care manager*
6 *for the person being released to ensure California Advancing and*
7 *Innovating Medi-Cal (CalAIM) processes are integrated with local*
8 *reentry service delivery and court-ordered conditions.*

9 *(5) If a county probation department identifies, prior to the*
10 *release of a person, that the person's current county of residence*
11 *may be different than the county of the person's last legal*
12 *residence, the Department of Corrections and Rehabilitation shall*
13 *coordinate with the county probation department to determine the*
14 *person's current county of residence and to develop coordinated*
15 *plans for the release and transport of the released person to the*
16 *person's current county of residence.*

17 *(d) A person released to postrelease community supervision*
18 *pursuant to subdivision (a) shall, regardless of a subsequent*
19 *determination that the person should have been released to parole*
20 *pursuant to Section 3000.08, remain subject to subdivision (a) after*
21 *having served 60 days under supervision pursuant to subdivision*
22 *(a).*

23 *SEC. 2. If the Commission on State Mandates determines that*
24 *this act contains costs mandated by the state, reimbursement to*
25 *local agencies and school districts for those costs shall be made*
26 *pursuant to Part 7 (commencing with Section 17500) of Division*
27 *4 of Title 2 of the Government Code.*