

**ASSEMBLY BILL**

**No. 1490**

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**Introduced by Assembly Member Essayli**

February 21, 2025

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An act to amend Section 646.92 of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL’S DIGEST

AB 1490, as introduced, Essayli. Inmate release: notice to victims.

Existing law requires the Department of Corrections and Rehabilitation, county sheriff, or director of the local department of corrections to give notice not less than 15 days prior to the release from the state prison or a county jail of any person who is convicted of specified crimes, including a felony offense involving domestic violence, or of any change in the parole status or relevant change in the parole location of the convicted person or if the convicted person absconds from supervision while on parole, to any person the court identifies as a victim of the offense, a family member of the victim, or a witness to the offense.

This bill would require notice not less than 20 days prior to the release instead of 15 days.

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

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

1     SECTION 1. Section 646.92 of the Penal Code is amended to  
2     read:  
3     646.92. (a) (1) The Department of Corrections and  
4     Rehabilitation, county sheriff, or director of the local department

1 of corrections shall give notice not less than ~~15~~ 20 days prior to  
2 the release from the state prison or a county jail of any person who  
3 is convicted of violating Section 646.9 or convicted of a felony  
4 offense involving domestic violence, as defined in Section 6211  
5 of the Family Code, or any change in the parole status or relevant  
6 change in the parole location of the convicted person, or if the  
7 convicted person absconds from supervision while on parole, to  
8 any person the court identifies as a victim of the offense, a family  
9 member of the victim, or a witness to the offense by telephone,  
10 ~~electronic mail, mail,~~ or certified mail at ~~his or her~~ *the person's*  
11 last known address, upon request and using the method of  
12 communication selected by the requesting party, if that method is  
13 available. A victim, family member, or witness shall keep the  
14 department or county sheriff informed of ~~his or her~~ *their* current  
15 contact information to be entitled to receive notice. A victim may  
16 designate another person for the purpose of receiving notification.  
17 The department, county sheriff, or director of the local department  
18 of corrections, shall make reasonable attempts to locate a person  
19 who has requested notification but whose contact information is  
20 incorrect or not current. However, the duty to keep the department  
21 or county sheriff informed of current contact information shall  
22 remain with the victim.

23 (2) Following notification by the department pursuant to Section  
24 3058.61, in the event the victim had not originally requested  
25 notification under this section, the sheriff or the chief of police, as  
26 appropriate, shall make an attempt to advise the victim or, if the  
27 victim is a minor, the parent or guardian of the victim, of the  
28 victim's right to notification under this section.

29 (b) All information relating to any person who receives notice  
30 under this section shall remain confidential and shall not be made  
31 available to the person convicted of violating this section.

32 (c) For purposes of this section, "release" includes a release  
33 from the state prison or a county jail because time has been served,  
34 a release from the state prison or a county jail to parole or probation  
35 supervision, or an escape from an institution or reentry facility.

36 (d) The department or county sheriff shall give notice of an  
37 escape from an institution or reentry facility of any person  
38 convicted of violating Section 646.9 or convicted of a felony  
39 offense involving domestic violence, as defined in Section 6211

- 1 of the Family Code, to the notice recipients described in
- 2 subdivision (a).
- 3 (e) Substantial compliance satisfies the notification requirements
- 4 of subdivision (a).

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