

AMENDED IN ASSEMBLY APRIL 25, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1281

Introduced by Assembly Member Garrick

February 18, 2011

An act to amend Section 3043.25 of the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

AB 1281, as amended, Garrick. Parole hearings: audioconferencing.

Existing law requires the Board of Parole Hearings to give notice of a parole suitability hearing for a prisoner, upon request, to a victim or next of kin, if the victim has died. Under existing law, the victim, members of the victim's immediate family, representatives designated by the victim, and specified prosecutors have a right to appear at the hearing in person, and may appear at the hearing by means of videoconferencing, as defined, if videoconferencing is available at the hearing site.

This bill would provide that these individuals may also appear at any parole suitability hearing by means of audioconferencing, as defined, if audioconferencing is available at the hearing site. ~~The bill would further expand these rights to apply to all members of a victim's family.~~

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

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

1 SECTION 1. Section 3043.25 of the Penal Code is amended
2 to read:
3 3043.25. Any victim, next of kin, members of the victim's
4 ~~family, and immediate family,~~ or representatives designated for a
5 particular hearing by the victim or next of kin in writing prior to
6 the hearing who have the right to appear at a hearing to review
7 parole suitability or the setting of a parole date, either personally
8 as provided in Section 3043, or by a written, audiotaped, or
9 videotaped statement as provided in Section 3043.2, and any
10 prosecutor who has the right to appear pursuant to Section 3041.7,
11 shall also have the right to appear by means of videoconferencing
12 or audioconferencing, if videoconferencing or audioconferencing
13 is available at the hearing site. For the purposes of this section,
14 "videoconferencing" means the live transmission of audio and
15 video signals by any means from one physical location to another
16 and "audioconferencing" means the live transmission of audio
17 signals by any means from one physical location to another.

O