

Assembly Bill No. 1281

Passed the Assembly May 5, 2011

Chief Clerk of the Assembly

Passed the Senate June 27, 2011

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2011, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1281, 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 people of the State of California do enact as follows:

SECTION 1. Section 3043.25 of the Penal Code is amended to read:

3043.25. Any victim, next of kin, members of the victim's immediate family, or representatives designated for a particular hearing by the victim or next of kin in writing prior to the hearing who have the right to appear at a hearing to review parole suitability or the setting of a parole date, either personally as provided in Section 3043, or by a written, audiotaped, or videotaped statement as provided in Section 3043.2, and any prosecutor who has the right to appear pursuant to Section 3041.7, shall also have the right to appear by means of videoconferencing or audioconferencing, if videoconferencing or audioconferencing is available at the hearing site. For the purposes of this section, "videoconferencing" means the live transmission of audio and video signals by any means from one physical location to another and "audioconferencing" means the live transmission of audio signals by any means from one physical location to another.

Approved _____, 2011

Governor