

ASSEMBLY BILL

No. 1901

Introduced by Assembly Member Muratsuchi

February 19, 2014

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1901, as introduced, Muratsuchi. Postrelease community supervision: placement.

Existing law requires that all persons released from prison on and after October 1, 2011, after serving a prison term for a felony, be subject to postrelease community supervision provided by a county agency for a period of 3 years immediately following release, except for persons released after serving a term for a serious felony, a violent felony, an offense for which the person was sentenced pursuant to the Three Strikes law, a crime where the person is classified as a High Risk Sex Offender, or a crime where the person is required to undergo treatment by the State Department of State Hospitals because the person has a severe mental disorder.

This bill would make technical, nonsubstantive changes to these provisions.

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 3451 of the Penal Code is amended to
2 read:

1 3451. (a) Notwithstanding any other law and except for persons
2 serving a prison term for ~~any~~ a crime described in subdivision (b),
3 all persons released from prison on and after October 1, 2011, or,
4 whose sentence has been deemed served pursuant to Section 2900.5
5 after serving a prison term for a felony shall, upon release from
6 prison and for a period not exceeding three years immediately
7 following release, be subject to *postrelease* community supervision
8 provided by a county agency designated by each county's board
9 of supervisors ~~which~~ *that* is consistent with evidence-based
10 practices, including, but not limited to, supervision policies,
11 procedures, programs, and practices demonstrated by scientific
12 research to reduce recidivism among individuals under postrelease
13 supervision.

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

16 (1) A serious felony described in subdivision (c) of Section
17 1192.7.

18 (2) A violent felony described in subdivision (c) of Section
19 667.5.

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

23 (4) ~~Any~~ A crime for which the person is classified as a high risk
24 sex offender.

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

28 (c) (1) *Postrelease community* supervision under this title shall
29 be implemented by a county agency according to a postrelease
30 strategy designated by each county's board of supervisors.

31 (2) The Department of Corrections and Rehabilitation shall
32 inform every prisoner subject to the provisions of this title, upon
33 release from state prison, of the requirements of this title and of
34 his or her responsibility to report to the county agency responsible
35 for serving that inmate. The department shall also inform persons
36 serving a term of parole for a felony offense who are subject to
37 this section of the requirements of this title and of his or her
38 responsibility to report to the county agency responsible for serving
39 that parolee. Thirty days prior to the release of ~~any~~ a person subject
40 to *postrelease community* supervision by a county, the department

1 shall notify the county of all information that would otherwise be
2 required for parolees under subdivision (e) of Section 3003.
3 (d) ~~Any~~A person released to postrelease community supervision
4 pursuant to subdivision (a) shall, regardless of any subsequent
5 determination that the person should have been released to parole
6 pursuant to Section 3000.08, remain subject to subdivision (a) after
7 having served 60 days under supervision pursuant to subdivision
8 (a).

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