

## Assembly Bill No. 139

### CHAPTER 101

An act to amend Section 3058.8 of the Penal Code, relating to parole.

[Approved by Governor July 21, 1997. Filed with  
Secretary of State July 21, 1997.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 139, Poochigian. Inmate release: notification.

Under existing law, when notice is sent to local law enforcement authorities that a violent felon is scheduled to be released on parole, the paroling authority is also required to send a notice of the inmate's release to all persons who have requested that notice, including victims of, and certain witnesses to, the violent crime for which the inmate was incarcerated. Notice of the inmate's release to the community in which the person is scheduled to reside is also required to be given if the community is, among other things, within 25 miles of the actual residence of a witness, victim, or family member of a victim who has requested notification.

This bill would change that distance to within 100 miles of the actual residence of any of those persons.

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

SECTION 1. Section 3058.8 of the Penal Code is amended to read:

3058.8. (a) At the time a notification is sent pursuant to subdivision (a) of Section 3058.6, the Board of Prison Terms or the Department of Corrections, as the case may be, shall also send a notice to persons described in Section 679.03 who have requested a notice informing those persons of the fact that the person who committed the violent offense is scheduled to be released and specifying the proposed date of release. Notice of the community in which the person is scheduled to reside shall also be given if it is (1) in the county of residence of a witness, victim, or family member of a victim who has requested notification, or (2) within 100 miles of the actual residence of a witness, victim, or family member of a victim who has requested notification. If, after providing the witness, victim, or next of kin with the notice, there is any change in the release date or the community in which the person is to reside, the board or department shall provide the witness, victim, or next of kin with the revised information.

(b) In order to be entitled to receive the notice set forth in this section, the requesting party shall keep the department or board informed of his or her current mailing address.

(c) The board or department, when sending out notices regarding an offender's release on parole, shall use the information provided by the requesting party in the form completed pursuant to subdivision (b) of Section 679.03, unless that information is no longer current. If the information is no longer current, the department shall make a reasonable attempt to contact the person and to notify him or her of the impending release.

