



## Overview of State of California and Federal Community Supervision Guidelines


PROGRAM	SENTENCING	INCARCERATION	PRE-RELEASE PLANNING	COMMUNITY SUPERVISION
<b>Federal</b> 	Federal sentencing guidelines are determined by the United States Sentencing Commission <sup>1</sup>	<ul style="list-style-type: none"> <li>• <b>Federal prison</b></li> </ul>		<ul style="list-style-type: none"> <li>• <b>Federal probation</b></li> </ul> <p><i>Federal parole eliminated in 1984</i></p>
<b>State</b> 	<ul style="list-style-type: none"> <li>• <b>Determinate sentence:</b> finite period of time set by the court; person released at the end of the sentence</li> <li>• <b>Indeterminate sentence</b>, i.e., life with the possibility of parole: released only after Board of Parole Hearings (BPH) determines they are suitable for parole</li> </ul>	<ul style="list-style-type: none"> <li>• <b>State prison</b></li> <li>• <b>Local jail</b> – PC 1170(h)(5) – for non serious, non violent, non sexual offenses, people may serve prison time in county jail</li> </ul>	At least 180 days before planned release, correctional counselor should screen the case to determine if the person is eligible for parole or PRCS <sup>2</sup>	<ul style="list-style-type: none"> <li>• <b>State parole (CDCR)</b> (see <i>State Community Supervision Chart which follows</i>)</li> <li>• <b>Post Release Community Supervision</b> (county probation)</li> </ul> <p>In some cases, no community supervision after local prison terms – “straight time”<sup>3</sup></p>

<sup>1</sup> <https://www.ussc.gov/>

<sup>2</sup> [CDCR Rehabilitation: Explanation of Pre-Release Parole Preparation Process](#)

<sup>3</sup> [https://www.cpoc.org/sites/main/files/file-attachments/issuebrief2\\_0.pdf?1502315933](https://www.cpoc.org/sites/main/files/file-attachments/issuebrief2_0.pdf?1502315933)

## State of California—Overview of Types of Community Supervision

PROGRAM	DESCRIPTION	ELIGIBILITY	CONDITIONS <sup>4</sup> / REQUIREMENTS
<p><b>State Parole</b></p>  <p><i>Supervised by California Departments of Corrections and Rehabilitation (CDCR)</i></p>	<ul style="list-style-type: none"> <li>• Parole is a condition of release for individuals who have been sentenced to state prison terms</li> <li>• The specific conditions of parole and the level of intensity is determined on a case-by-case basis, but in general consists of some combination of:               <ul style="list-style-type: none"> <li>○ Re-entry supervision;</li> <li>○ Case management;</li> <li>○ Electronically enhanced supervision;</li> <li>○ Subsistence and personal care services</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Convicted of a serious or violent felony<sup>5</sup></li> <li>• Given an indeterminate life-term, including people convicted under the “third strike” law<sup>6</sup></li> <li>• Person classified by CDCR as a “high-risk sex offender” due to their conviction</li> <li>• Any crime for which the person is required, as a condition of parole, to undergo treatment by the State Department of State Hospitals (DSH) as a “mentally disordered offender”<sup>7</sup></li> <li>• Person was paroled from state prison before 10/1/11</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Residential Placement</u><sup>8</sup>: Generally a prisoner must return to the county that was their last legal resident before they were incarcerated</li> <li>• <u>Subject to Search</u><sup>9</sup></li> </ul>

<sup>4</sup> To be eligible for any type of parole, the individual must agree to adhere to the [Conditions of Parole](#), which are the general written rules any and all individuals on parole must follow, any additional and special conditions of parole are listed in this column.


<sup>5</sup> As described in Cal. Pen. Code § 1192.7(c) and § 667.5(c)

<sup>6</sup> sentenced pursuant to Cal. Pen. Code § 667(e)(2) or § 1170.12(c)(2)

<sup>7</sup> pursuant to Cal. Pen. Code § 2962


<sup>8</sup> As described in Cal. Pen. Code §3003(a)

<sup>9</sup> As described in Cal. Pen. Code §3067

PROGRAM		DESCRIPTION	ELIGIBILITY	CONDITIONS <sup>4/</sup> REQUIREMENTS
<p><b>Pre-Release Community Programs for People on State Parole</b></p>  <p><i>Supervised by CDCR</i></p>	<a href="#">Male Community Reentry Program (MCRP)</a>	<ul style="list-style-type: none"> <li>• Supervision in the community in lieu of incarceration for up to last 2 years of sentence</li> <li>• Can participate for up to 2 years, but not less than 60 days, from earliest possible release date</li> <li>• Provides community-based rehabilitative services including family reunification, education, employment, health care services, recovery groups and housing</li> </ul>	<ul style="list-style-type: none"> <li>• Last legal residence must be in a county with an MCRP program</li> <li>• Certain convictions are ineligible, including people on the 290 registry, people with an arson arrest or conviction, and people with in-custody misconduct</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory electronic monitoring</li> </ul>
	<a href="#">Custody to Community Transitional Reentry Program (CCTRP)</a>	<ul style="list-style-type: none"> <li>• Release to community for the last 45 days to 32 months of sentence</li> <li>• Services include substance use disorder recovery, employment, education, housing, family reunification, and social support</li> </ul>	<ul style="list-style-type: none"> <li>• Females</li> <li>• Sentenced to State Prison</li> <li>• Includes serious or violent convictions or nonserious convictions</li> </ul>	<ul style="list-style-type: none"> <li>• Required to reside at the CCTRP program</li> <li>• CDCR has final decision about program placement and may remove participants from the program at any time</li> </ul>

PROGRAM	DESCRIPTION	ELIGIBILITY	CONDITIONS <sup>4/</sup> REQUIREMENTS
<a href="#">Alternative Custody Program (ACP)</a>	<ul style="list-style-type: none"> <li>• Supervision in the community in lieu of the final 12 months of a carceral sentence— participation in the program counts as credit for time served</li> <li>• Housing options include a private residence, transitional care facility, or a residential treatment program</li> </ul>	<ul style="list-style-type: none"> <li>• Consideration process includes: <ul style="list-style-type: none"> <li>○ Preliminary assessment of proposed residence or program;</li> <li>○ Community resources available;</li> <li>○ Individualized Treatment and Rehabilitation Plan;</li> <li>○ Institutional Classification Committee</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Participants remain under jurisdiction of CDCR</li> <li>• Electronic monitoring</li> <li>• Supervision by parole agents</li> <li>• Additional conditions set by Case Manager but often include: <ul style="list-style-type: none"> <li>○ Maintain employment, education or outpatient treatment;</li> <li>○ Self-help classes;</li> <li>○ Groups</li> </ul> </li> </ul>

PROGRAM	DESCRIPTION	ELIGIBILITY	CONDITIONS <sup>4/</sup> REQUIREMENTS
<a href="#">Community Prisoner Mother Program (CPMP)</a>	<ul style="list-style-type: none"> <li>• Supervised community housing with services Capacity for 24 mothers and up to 40 children</li> <li>• Primary purpose is to reunite mothers to their children and re-integrate them back into society through:               <ul style="list-style-type: none"> <li>○ Programs and support services to assist in developing skills necessary to become a functioning, self-sufficient family;</li> <li>○ Individual Treatment Plans for both mother and child</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Pregnant and parenting women and their children (up to 6 years of age)</li> </ul>	

PROGRAM		DESCRIPTION	ELIGIBILITY	CONDITIONS <sup>4/</sup> REQUIREMENTS
<p><b>Post-Release Programs for People on State Parole<sup>10</sup></b></p>  <p><i>Supervised by CDCR</i></p>	<p><a href="#">Female Offender Treatment and Employment Program (FOTEP)</a></p>	<ul style="list-style-type: none"> <li>• Provides gender-responsive reentry support to women reentering the community from incarceration, including: <ul style="list-style-type: none"> <li>○ Intensive substance use disorder programs;</li> <li>○ Family reunification;</li> <li>○ Vocational training;</li> <li>○ Employment services</li> </ul> </li> <li>• Parenting participants can live with their children for up to 15 months</li> </ul>	<ul style="list-style-type: none"> <li>• Females with or without children</li> <li>• Referral by person being paroled's agent of record</li> <li>• The person being paroled should have an identified Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) need</li> <li>• The person being paroled does not need to have completed an In-Prison Substance Abuse Treatment Program</li> </ul>	
	<p><a href="#">Parolee Service Center</a> through CDCR, Division of Adult Parole Operations (DAPO)</p>	<ul style="list-style-type: none"> <li>• The 180 day program</li> <li>• PSC is available on a case by case basis to people with different eligibility criteria, including arson convictions</li> </ul>	<ul style="list-style-type: none"> <li>• Anyone under supervision of DAPO including: <ul style="list-style-type: none"> <li>○ People required to register for 290 convictions;</li> <li>○ People sentenced to life terms;</li> <li>○ People convicted of serious and violent crimes</li> </ul> </li> </ul>	


<sup>10</sup> <https://www.cdcr.ca.gov/rehabilitation/programs/after-prison-programs/>

PROGRAM		DESCRIPTION	ELIGIBILITY	CONDITIONS <sup>4</sup> / REQUIREMENTS
	<a href="#">Specialized Treatment for Optimized Programming (STOP)</a>	<ul style="list-style-type: none"> <li>• Supportive reentry services</li> </ul>	<ul style="list-style-type: none"> <li>• Priority for people who are in the first year of parole and who are considered to be at high or moderate risks of reoffending</li> </ul>	
	<a href="#">Long Term Offender Reentry Recovery Program (LTOOR)</a>	<ul style="list-style-type: none"> <li>• 180 day program with the possibility of an additional 185 days, based on assessed need</li> <li>• Residential program that offers housing, meals, support services and resources, programming and supervision including assistance with employment, job search and placement, stress management</li> <li>• Located in six California counties</li> </ul>	<ul style="list-style-type: none"> <li>• All parolees subject to the jurisdiction of DAPO are eligible, including: <ul style="list-style-type: none"> <li>○ Participants on active parole who have a need for transitional housing and/or reintegration services (case-by-case based on DAPO referral);</li> <li>○ People required to register for 290 convictions;</li> </ul> </li> <li>• First priority is given to people sentenced to life terms</li> </ul>	

PROGRAM	DESCRIPTION	ELIGIBILITY	CONDITIONS <sup>4</sup> / REQUIREMENTS
<a href="#">Transitional Housing Program</a>	<ul style="list-style-type: none"> <li>• 180 day program with the possibility of an additional 185 days, based on assessed need</li> <li>• Residential program focused on people who have served long prison sentences</li> <li>• Note: located in Los Angeles County</li> </ul>	<ul style="list-style-type: none"> <li>• Life Term Offenders who have been granted release from prison will be given first priority.</li> <li>• Other participant populations include but are not limited to: <ul style="list-style-type: none"> <li>○ Participants on active parole who have a need for transitional housing and/or reintegration services (case-by-case based on DAPO referral);</li> <li>○ People required to register for 290 convictions;</li> <li>○ People convicted of serious and violent offenses</li> </ul> </li> </ul>	
<a href="#">Caltrans Parolee Work Crew Program</a>	<ul style="list-style-type: none"> <li>• Transitional employment through litter abatement programs</li> <li>• Job referral and retention services may continue for up to 12 months</li> <li>• Note: six locations statewide</li> </ul>	<ul style="list-style-type: none"> <li>• Individuals must pass job readiness assessment</li> <li>• Completed Individual Treatment Plan</li> </ul>	<p>Work four days per week on the work crew and focus on employment and job placement services on the fifth day</p>



PROGRAM		DESCRIPTION	ELIGIBILITY	CONDITIONS <sup>4</sup> / REQUIREMENTS
	<a href="#">Community Based Coalition (CBC) and Day Reporting Centers (DRC)</a>	<ul style="list-style-type: none"> <li>• 180 day programs designed to address the assessed needs of people being paroled</li> <li>• Drop-in centers</li> <li>• Reentry services provided in a non-residential setting.</li> <li>• Limited transitional housing available.</li> <li>• Programs throughout the state</li> </ul>	<ul style="list-style-type: none"> <li>• Available to anyone under DAPO supervision</li> </ul>	

PROGRAM	DESCRIPTION	ELIGIBILITY	CONDITIONS <sup>11</sup> / REQUIREMENTS
<p><b>Post-Release Community Supervision (PRCS)<sup>12</sup></b></p>  <p><i>Supervised by County</i></p>	<ul style="list-style-type: none"> <li>• County probation</li> <li>• May last 6 months to 3 years</li> <li>• A person may be released after 6 consecutive months without violations</li> <li>• Early PRCS discharge is discretionary</li> <li>• Most people leave PRCS within 30 days after serving 1 continuous year without violations</li> </ul>	<ul style="list-style-type: none"> <li>• People eligible for PRCS (the 3 “nons”), transitioning from prison to community</li> </ul>	<ul style="list-style-type: none"> <li>• CDCR automated Notice and Conditions of Parole (<a href="#">sample here</a>)</li> <li>• CDCR Form 611, Release Program Study (RPS) process involves Parole Service Associate/Correctional Counselors, Case Records staff, PRCS County Probation staff, Mental Health, Accounting, and Institutional PRCS County Liaisons. It is used to determine if a person should be referred to state parole or PRCS</li> <li>• CDCR notifies counties at least 30 days prior to release</li> </ul>

<sup>11</sup> To be eligible for any type of parole, the individual must agree to adhere to the [Conditions of Parole](#), which are the general written rules any and all individuals on parole must follow, any additional and special conditions of parole are listed in this column.

<sup>12</sup> <https://www.cdcr.ca.gov/law-enforcement-resources/prcs-refresher-training/>

			<ul style="list-style-type: none"><li>• CDCR has an agreement with counties to send pre-release packets no later than 165 days prior to release</li><li>• Counties receive verbal notification if the release date is 60 days or less</li></ul>
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