Overview of State of California and Federal Community Supervision Guidelines

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<tr>
<th>PROGRAM</th>
<th>SENTENCING</th>
<th>INCARCERATION</th>
<th>PRE-RELEASE PLANNING</th>
<th>COMMUNITY SUPERVISION</th>
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<tr>
<td>Federal</td>
<td>Federal sentencing guidelines are determined by the United States Sentencing Commission&lt;sup&gt;1&lt;/sup&gt;</td>
<td>• Federal prison</td>
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<td>• Federal probation</td>
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<td></td>
<td>Federal parole</td>
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<td>eliminated in 1984</td>
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<tr>
<td>State</td>
<td>• <strong>Determinate sentence</strong>: finite period of time set by the court; person released at the end of the sentence</td>
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<td></td>
<td>• <strong>Indeterminate sentence</strong>, i.e., life with the possibility of parole: released only after Board of Parole Hearings (BPH) determines they are suitable for parole</td>
<td>• State prison</td>
<td>At least 180 days before planned release, correctional counselor should screen the case to determine if the person is eligible for parole or PRCS&lt;sup&gt;2&lt;/sup&gt;</td>
<td>• State parole (CDCR) (see State Community Supervision Chart which follows)</td>
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<td>• Local jail – PC 1170(h)(5) – for non serious, non violent, non sexual offenses, people may serve prison time in county jail</td>
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<td>• Post Release Community Supervision (county probation)</td>
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<td>In some cases, no community supervision after local prison terms – “straight time”&lt;sup&gt;3&lt;/sup&gt;</td>
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<sup>1</sup> https://www.ussc.gov/
<sup>2</sup> CDCR Rehabilitation: Explanation of Pre-Release Parole Preparation Process
### State of California—Overview of Types of Community Supervision

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<tr>
<th>PROGRAM</th>
<th>DESCRIPTION</th>
<th>ELIGIBILITY</th>
<th>CONDITIONS&lt;sup&gt;4&lt;/sup&gt;/REQUIREMENTS</th>
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| **State Parole**      | • Parole is a condition of release for individuals who have been sentenced to state prison terms  
                        • 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:  
                          o Re-entry supervision;  
                          o Case management;  
                          o Electronically enhanced supervision;  
                          o Subsistence and personal care services | • Convicted of a serious or violent felony<sup>5</sup>  
                        • Given an indeterminate life-term, including people convicted under the “third strike” law<sup>6</sup>  
                        • Person classified by CDCR as a “high-risk sex offender” due to their conviction  
                        • 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>  
                        • Person was paroled from state prison before 10/1/11 | • Residential Placement<sup>8</sup>: Generally a prisoner must return to the county that was their last legal resident before they were incarcerated  
                        • Subject to Search<sup>9</sup> |

<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
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| Pre-Release Community Programs for People on State Parole  | **Male Community Reentry Program (MCRP)**                                   | • Supervision in the community in lieu of incarceration for up to last 2 years of sentence  
• Can participate for up to 2 years, but not less than 60 days, from earliest possible release date  
• Provides community-based rehabilitative services including family reunification, education, employment, health care services, recovery groups and housing | • Last legal residence must be in a county with an MCRP program  
• Certain convictions are ineligible, including people on the 290 registry, people with an arson arrest or conviction, and people with in-custody misconduct | • Mandatory electronic monitoring |
| Supervised by CDCR                                        |                                                                             |                                                                            |                                                                                        |
| Custody to Community Transitional Reentry Program (CCTRIP) | **Release to community for the last 45 days to 32 months of sentence**      | • Females                                                                  | • Required to reside at the CCTRP program  
• CDCR has final decision about program placement and may remove participants from the program at any time |
|                                                           | **Services include substance use disorder recovery, employment, education, housing, family reunification, and social support** | • Sentenced to State Prison  
• Includes serious or violent convictions or nonserious convictions |                                                                                        |

**Supervised by CDCR**
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| Alternative Custody Program (ACP) | • 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  
  • Housing options include a private residence, transitional care facility, or a residential treatment program | • Consideration process includes:  
  o Preliminary assessment of proposed residence or program;  
  o Community resources available;  
  o Individualized Treatment and Rehabilitation Plan;  
  o Institutional Classification Committee | • Participants remain under jurisdiction of CDCR  
• Electronic monitoring  
• Supervision by parole agents  
• Additional conditions set by Case Manager but often include:  
  o Maintain employment, education or outpatient treatment;  
  o Self-help classes;  
  o Groups |
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| Community Prisoner Mother Program (CPMP)     | • Supervised community housing with services Capacity for 24 mothers and up to 40 children  
• Primary purpose is to reunite mothers to their children and re-integrate them back into society through:  
  o Programs and support services to assist in developing skills necessary to become a functioning, self-sufficient family;  
  o Individual Treatment Plans for both mother and child | • Pregnant and parenting women and their children (up to 6 years of age)                                                                                                                                         |                                                |
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| Post-Release Programs for People on State Parole<sup>10</sup> | Provides gender-responsive reentry support to women reentering the community from incarceration, including:  
- Intensive substance use disorder programs;  
- Family reunification;  
- Vocational training;  
- Employment services  
Parenting participants can live with their children for up to 15 months | Females with or without children  
- Referral by person being paroled's agent of record  
- The person being paroled should have an identified Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) need  
- The person being paroled does not need to have completed an In-Prison Substance Abuse Treatment Program |  |
| Parolee Service Center through CDCR, Division of Adult Parole Operations (DAPO) | The 180 day program  
PSC is available on a case by case basis to people with different eligibility criteria, including arson convictions | Anyone under supervision of DAPO including:  
- People required to register for 290 convictions;  
- People sentenced to life terms;  
- People convicted of serious and violent crimes |  |

<sup>10</sup> [https://www.cdc.ca.gov/rehabilitation/programs/after-prison-programs/](https://www.cdc.ca.gov/rehabilitation/programs/after-prison-programs/)
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<td><strong>Specialized Treatment for Optimized Programming (STOP)</strong></td>
<td>• Supportive reentry services</td>
<td>• Priority for people who are in the first year of parole and who are considered to be at high or moderate risks of reoffending</td>
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| **Long Term Offender Reentry Recovery Program (LTORR)** | • 180 day program with the possibility of an additional 185 days, based on assessed need  
• Residential program that offers housing, meals, support services and resources, programming and supervision including assistance with employment, job search and placement, stress management  
• Located in six California counties | • All parolees subject to the jurisdiction of DAPO are eligible, including:  
  o Participants on active parole who have a need for transitional housing and/or reintegration services (case-by-case based on DAPO referral);  
  o People required to register for 290 convictions;  
• First priority is given to people sentenced to life terms | |
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| **Transitional Housing Program**             | • 180 day program with the possibility of an additional 185 days, based on assessed need  
• Residential program focused on people who have served long prison sentences  
• Note: located in Los Angeles County | • Life Term Offenders who have been granted release from prison will be given first priority.  
• Other participant populations include but are not limited to:  
  o Participants on active parole who have a need for transitional housing and/or reintegration services (case-by-case based on DAPO referral);  
  o People required to register for 290 convictions;  
  o People convicted of serious and violent offenses |                                                                 |
| **Caltrans Parolee Work Crew Program**       | • Transitional employment through litter abatement programs  
• Job referral and retention services may continue for up to 12 months  
• Note: six locations statewide | • Individuals must pass job readiness assessment  
• Completed Individual Treatment Plan | Work four days per week on the work crew and focus on employment and job placement services on the fifth day |
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| Community Based Coalition (CBC) and Day Reporting Centers (DRC) | • 180 day programs designed to address the assessed needs of people being paroled  
• Drop-in centers  
• Reentry services provided in a non-residential setting.  
• Limited transitional housing available.  
• Programs throughout the state | • Available to anyone under DAPO supervision | |
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| **Post-Release Community Supervision (PRCS)**<sup>12</sup> | • County probation  
• May last 6 months to 3 years  
• A person may be released after 6 consecutive months without violations  
• Early PRCS discharge is discretionary  
• Most people leave PRCS within 30 days after serving 1 continuous year without violations | • People eligible for PRCS (the 3 “nons”), transitioning from prison to community | • CDCR automated Notice and Conditions of Parole (<a href="https://www.cdcr.ca.gov/law-enforcement-resources/prcs-refresher-training/">sample here</a>)  
• 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  
• CDCR notifies counties at least 30 days prior to release |

<sup>11</sup> To be eligible for any type of parole, the individual must agree to adhere to the <a href="https://www.cdcr.ca.gov/law-enforcement-resources/prcs-refresher-training/">Conditions of Parole</a>, 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> <a href="https://www.cdcr.ca.gov/law-enforcement-resources/prcs-refresher-training/">https://www.cdcr.ca.gov/law-enforcement-resources/prcs-refresher-training/</a>
| CDCR has an agreement with counties to send pre-release packets no later than 165 days prior to release |
| Counties receive verbal notification if the release date is 60 days or less |