

Date of Hearing: March 10, 2026

Chief Counsel: Andrew Ironside

ASSEMBLY COMMITTEE ON PUBLIC SAFETY

Nick Schultz, Chair

AB 1737 (Lackey) – As Introduced February 5, 2026

SUMMARY: Increases the notice required by California Department of Corrections and Rehabilitation (CDCR) to a county probation department prior to the discharge of a person on postrelease community supervision (PRCS) from 30 days to no later than 90 days. Specifically, **this bill:**

- 1) Requires CDCR, no later than 90 days prior to the discharge date for a person subject to PRCS, to provide the county probation department written and verbal notification of the scheduled release date of the person and of all information that would otherwise be required for parolees, as specified.
- 2) Requires CDCR, if a discharge date is set or reset for fewer than 90 days after the date that the discharge date is set or reset, to provide the information described above to the county probation department no later than five business days after the date the discharge date is set or reset, but not later than 30 days before the discharge date of the person.
- 3) Requires CDCR to notify the county probation department of the name and contact information of the prerelease care manager, postrelease care manager, and enhanced care manager for the person being released to ensure California Advancing and Innovating Medi-Cal (CalAIM) processes are integrated with local reentry service delivery and court-ordered conditions.
- 4) Requires CDCR, if a county probation department identifies, prior to the release of a person, that the person's current county of residence may be different than the county of the person's last legal residence, to coordinate with the county probation department to determine the person's current county of residence and to develop coordinated plans for the release and transport of the released person to the person's current county of residence.
- 5) Adds the county chief probation officer of jurisdiction to the officials that CDCR must notify when a person who was serving a state prison term for a violent felony, child abuse, or specified sex offenses where the victim was a minor, as specified, is scheduled to be released on parole, released following a period of confinement following a parole revocation without a new commitment, or ordered immediately released by the court.
- 6) Authorizes CDCR to provide the county chief probation officer, rather than the chief of police of a city or the sheriff of a county, information available to the department, as specified, concerning persons then on parole who are or may be residing or temporarily domiciled in that city or county.

EXISTING LAW:

- 1) Provides that a person released from prison shall, upon release from prison and for a period up to three years immediately following release, be subject to PRCS by the county probation department in the county to which the person is released. (Pen. Code, § 3451, subd. (a).)
- 2) Provides that persons convicted of the following crimes are not eligible for PRCS:
 - a) A “serious” or “violent” felony, as defined;
 - b) A crime for which the person suffered an increased sentence for having two or more prior “serious” or “violent” felony convictions, as specified;
 - c) A crime for which the person is classified as a high-risk sex offender; or,
 - d) A crime for which the person is required, as a condition of parole, to undergo treatment by the State Department of State Hospitals (DSH), as specified. (Pen. Code, § 3451, subd. (b)(1)-(5).)
- 3) Requires PRCS to be implemented by the county probation department according to a postrelease strategy designated by each county’s board of supervisors. (Pen. Code, § 3451, subd. (c)(1).)
- 4) Requires CDCR to inform every prisoner released from state prison and subject to PRCS of PCRS requirements and their responsibility to report to the county probation department. (Pen. Code, § 3451, subd. (c)(2).)
- 5) Requires CDCR or the county probation department to also inform a person serving a term of parole or PRCS for a felony offense, as specified, of their responsibility to report to the county probation department. (Pen. Code, § 3451, subd. (c)(2).)
- 6) Requires CDCR, 30 days prior to the release of a person subject to PRCS, to notify the county of all information that would otherwise be required for parolees, as specified. (Pen. Code, § 3451, subd. (c)(2).)
- 7) Requires a person released to PRCS, regardless of any subsequent determination that the person should have been released to parole, as specified, to remain subject to PRCS after having served 60 days under PRCS. (Pen. Code, § 3451, subd. (c)(3).)
- 8) Requires CDCR to release the following information to local law enforcement agencies regarding a paroled person or a person placed on PRCS who is released in their jurisdiction:
 - a) Last, first, and middle names;
 - b) Birth date;
 - c) Sex, race, height, weight, and hair and eye color;
 - d) Date of parole or placement on PRCS and discharge;

- e) Registration status, if the inmate is required to register as a result of a controlled substance, sex, or arson offense'
 - f) California Criminal Information Number, FBI number, social security number, and driver's license number;
 - g) County of commitment;
 - h) A description of scars, marks, and tattoos on the inmate;
 - i) Offense or offenses for which the inmate was convicted that resulted in parole or PRCS in this instance;
 - j) Address, including all of the following information:
 - i) Street name and number. Post office box numbers are not acceptable for purposes of this subparagraph;
 - ii) City and ZIP Code; and,
 - iii) Date that the address provided pursuant to this subparagraph was proposed to be effective.
 - k) Contact officer and unit, including all of the following information:
 - i) Name and telephone number of each contact officer; and,
 - ii) Contact unit type of each contact officer such as units responsible for parole, registration, or county probation.
 - l) A digitized image of the photograph and at least a single digit fingerprint of the parolee; and,
 - m) A geographic coordinate for the inmate's residence location for use with a Geographical Information System (GIS) or comparable computer program. (Pen. Code, § 3003, subd. (e)(1)(A)-(M).)
- 9) Provides that the above information shall come from the statewide parolee database. (Pen. Code, § 3003, subd. (e)(3).)
- 10) Requires CDCR, unless the information is unavailable, to electronically transmit to the county agency the incarcerated person's tuberculosis status, specific medical, mental health, and outpatient clinic needs, and any medical concerns or disabilities for the county to consider as the offender transitions onto PRCS for the purpose of identifying the medical and mental health needs of the individual. (Pen. Code, § 3003, subd. (e)(2).)
- 11) Requires CDCR to provide within 10 days, upon request, to the chief of police of a city or the sheriff of a county information available to the department, including actual, glossy photographs, no smaller than 3¹/₈ x 3¹/₈ inches in size, and, in conjunction with the

Department of Justice, fingerprints, concerning persons then on parole who are or may be residing or temporarily domiciled in that city or county. (Pen. Code, § 3058.5.)

- 12) Requires CDCR, whenever any person confined to state prison is serving a term for the conviction of a violent felony, child abuse, or any sex offense identified in statute as being perpetrated against a minor victim, as specified, with respect to inmates sentenced pursuant to subdivision (b) of Section 1168 or pursuant to Section 1170, to notify the sheriff or chief of police, or both, and the district attorney, who has jurisdiction over the community in which the person was convicted and, in addition, the sheriff or chief of police, or both, and the district attorney, having jurisdiction over the community in which the person is scheduled to be released on parole or rereleased following a period of confinement pursuant to a parole revocation without a new commitment. (Pen. Code, §§ 3058.5, subd. (a); 3058.9, subd. (a).)
- 13) Requires CDCR, if the court orders the immediate release of an inmate, to notify the sheriff or chief of police, or both, and the district attorney, having jurisdiction over the community in which the person was convicted and, in addition, the sheriff or chief of police, or both, and the district attorney, having jurisdiction over the community in which the person is scheduled to be released on parole or released following a period of confinement pursuant to a parole revocation without a new commitment. (Pen. Code, §§ 3058.5, subd. (c); 3058.9, subd. (c).)

FISCAL EFFECT: Unknown

COMMENTS:

- 1) **Author's Statement:** According to the author, “Probation departments recognize the importance of early, timely, and robust reentry planning prior to release. This bill would codify the 90-day timeline for the sharing of information from CDCR to probation departments to ensure that county probation can plan, prepare and coordinate reentry services prior to release.”
- 2) **AB 1210 (Lackey), of the 2025-2026 Legislative Session:** This bill would increase the notice required by CDCR to a county probation department prior to the discharge of a person on PRCS from 30 days to no later than 90 days. It does not significantly differ from AB 1210 (Lackey), which the Legislature sent to the Governor’s desk last year. The Governor vetoed AB 1210, writing:

This bill requires the California Department of Corrections and Rehabilitation to notify a county probation department 90 days prior to the discharge of a person on post-release community supervision, instead of 30 days prior.

While well-intentioned, the practical implications of this bill would result in significant, ongoing costs to the state with limited benefit to public safety. There are numerous factors that trigger recalculations of an incarcerated person's release date, such as changes in workgroup assignments, program credit earnings, credit losses or restorations, and modifications to sentencing terms or case credits. Any one of these factors could lead to changes to the incarcerated person's release date, thereby triggering multiple recurring notifications to a county prior to the individual's release. Additionally, the requirements

of this bill would result in significant impacts on the General Fund not included in the 2025 Budget Act.

In partnership with the Legislature this year, my Administration has enacted a balanced budget that recognizes the challenging fiscal landscape our state faces while maintaining our commitment to working families and our most vulnerable communities. With significant fiscal pressures and the federal government's hostile economic policies, it is vital that we remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

For these reasons, I cannot sign this bill.

This bill is substantially similar to the one the Governor vetoed last year.

- 3) **Postrelease Community Supervision:** AB 109 (Committee on Budget), Chapter 15, Statutes of 2011, enacted Criminal Justice Realignment which, among other things, limited which felons could be sent to state prison, required that more felons serve their sentences in county jails, and affected parole supervision after release from custody. The purposes of Criminal Justice Realignment include reducing recidivism by facilitating the reintegration of low-level offenders into society and managing incarcerated person more cost-effectively. (See Pen. Code, § 17.5, subd. (a)(5).)

Although not stated in the legislation, one of the main underlying reasons for realignment was concerns for prison overcrowding. In November 2006, plaintiffs in two class action lawsuits— *Plata v. Brown* (involving CDCR medical care) and *Coleman v. Brown* (involving CDCR mental health care)— filed motions for the courts to convene a three-judge panel pursuant to the federal Prison Litigation Reform Act. The plaintiffs argued that persistent overcrowding in the state's prison system was preventing CDCR from delivering constitutionally adequate health care to incarcerated persons. The three-judge panel declared that overcrowding in the state's prison system was the primary reason that CDCR was unable to provide incarcerated persons with constitutionally adequate health care. In January 2010, the three-judge panel issued its final ruling ordering the State of California to reduce its prison population by approximately 50,000 individuals in the next two years.

(*Coleman/Plata vs. Schwarzenegger* (2010) No. Civ S-90-0520 LKK JFM P/NO. C01-1351 THE.)

The United States Supreme Court upheld the decision of the three-judge panel, declaring that “without a reduction in overcrowding, there will be no efficacious remedy for the unconstitutional care of the sick and mentally ill” persons in California's prisons. (*Brown v. Plata* (2011) 131 S.Ct. 1910, 1939.) Without changes to how the prison population was managed, the court decisions could have led to arbitrary release of tens of thousands of people in prison.

Prior to realignment, individuals released from prison were placed on parole and supervised in the community by parole agents of CDCR. If it was alleged that a parolee had violated a condition of parole, they would have a revocation proceeding before the Board of Parole Hearings (BPH). If parole was revoked, the offender would be returned to state prison for violating parole.

Realignment shifted the supervision of some individuals released from prison from CDCR parole agents to local probation departments. Parole under the jurisdiction of CDCR for persons released from prison is limited to those defendants whose term was for a serious or violent felony; were serving a Three-Strikes sentence; are classified as high-risk sex offenders; who are required to undergo treatment as mentally disordered offenders; or who, while on parole, commit new offenses. (Pen. Code, §§ 3000.08, subds. (a) & (c), and 3451, subd. (b).) All other individuals released from prison are subject to up to three years of PRCS under local supervision. (Pen. Code, §§ 3000.08, subd. (b), and 3451, subd. (a).)

Additionally, realignment changed the process for revocation hearings. As of July 1, 2013, the trial courts assumed responsibility for holding all revocation hearings for those individuals who remain under the jurisdiction of CDCR. Moreover, intermediate sanctions, including flash incarceration, also became available for a person on supervision. (Pen. Code, § 3000.08, subd. (d).)

Realignment also changed where an offender is incarcerated for violating parole or PRCS. Most individuals can no longer be returned to state prison for violating a term of supervision; offenders serve the revocation term in county jail. (Pen. Code, §§ 3056, subd. (a), and 3458.) There is an 180-day limit to incarceration. (Pen. Code, §§ 3056, subd. (a), and 3455, subd. (c).) The only offenders who are eligible for return to prison for violating parole are life-term parolees paroled pursuant to Penal Code section 3000.1 (e.g., murderers, specific life term sex offenses).

- 4) **Effect of the Bill:** Under existing law, a person released from prison is subject to PRCS by the county probation department in the county to which the person is released for a period of up to three years, unless that person has been convicted of specified offenses. (Pen. Code, § 3451, subds. (a) & (b).) Existing law requires CDCR to notify the county probation department of specified information 30 days prior to the person's discharge date, including among other things, their name, birth date, criminal history identification numbers, physical description, photograph, the offenses for which the inmate was convicted that resulted in PRCS, their address and geographic coordinates for that address. (Pen. Code, §§ 3451, subd. (c)(2); 3003, subd. (e)(1)(A)-(M).)

This bill would increase the notice required by CDCR to a county probation department prior to the discharge of a person on PRCS from 30 days to no later than 90 days. It would also require CDCR to provide specified information on a person set for discharge on PRCS to a county probation department no later than 90 days prior to the discharge. If a discharge date is set or reset for fewer than 90 days after the date that the discharge date is set or reset, CDCR would have to provide the information no later than five business days after the date the discharge date is set or reset, and no later than 30 days before the person's discharge date. Additionally, it would require CDCR to notify the county probation department of the name and contact information of the prerelease care manager, postrelease care manager, and enhanced care manager for the person being released to ensure CalAIM processes are integrated with local reentry service delivery and court-ordered conditions.

- 5) **Placement Following Release Generally:** This bill would also require CDCR, if a county probation department identifies prior to the person's release that their current county of residence may be different than their last legal residence, to coordinate with the county probation department to determine the person's current county of residence and to develop

coordinated plans for the release and transport of the released person to the person's current county of residence.

Current law generally requires that a person who is released on parole or PRCS be returned to the county that was the last legal residence of the person prior to the person's incarceration. (Pen. Code, § 3003, subd. (a).) Individuals committed to prison for which sex offender registration is required are to be returned to the city of last legal residence or a close geographic location in which they have family, social, or economic ties and access to reentry services unless a return to that location would violate another law or pose a risk to the victim. (*Ibid.*)

CDCR regulations specify that the county of last legal residence is the county or city of residence where the person resided prior to incarceration for the most current commitment offense. (Cal. Code of Regs., tit 15, § 3741.) If a person has multiple commitment offenses, the most current of the offenses is used to determine the county or city of last legal residence. (*Ibid.*) Offenses that occur in custody, defined as being confined in state prison, county jail, or a DSH facility for treatment are not to be considered in determining the county or city of last legal residence. (*Ibid.*; Pen. Code, § 3003, subd. (a).)

Division of Adult Parole Operations (DAPO) determines the county or city of last legal residence using the current Probation Officer's Report, sentencing transcript for the current commitment, arrest report for the current commitment offense, and the abstract of judgment with the recorded county of commitment for the current commitment offense. (Cal. Code of Regs., tit. 15, § 3742.) If all the documents list the person as either transient or homeless, or fail to list a complete address, the person will be paroled to the county of commitment. (*Ibid.*)

- 6) **Placement in a County other than the County of Last Legal Residence:** Current law provides that an incarcerated person may be returned to another county or city if that would be in the best interests of the public. (Pen. Code, § 3003, subd. (b).) The paroling authority, either BPH or CDCR, must consider the following factors, giving the greatest weight to the protection of the victim and the safety of the community: the need to protect the life or safety of a victim, the parolee, a witness, or any other person; public concern that would reduce the chance that the person's parole would be successfully completed; the verified existence of a work offer, or an educational or vocational training program; the existence of family in another county with whom the incarcerated person has maintained strong ties and whose support would increase the chance that the person's parole would be successfully completed; and the lack of necessary outpatient treatment programs for parolees receiving treatment as a mentally disordered offender. (*Ibid.*)

If the person is serving a term for a violent felony, the reasons for the paroling authority's decision to return the person to another county or city must be included in the notice to the sheriff or chief of police, or both, who has jurisdiction over the community in which the person was convicted as well as the sheriff or chief of police, or both, who has jurisdiction over the community in which the person is going to be released. (*Ibid.*; Pen. Code, § 3058.6.) CDCR regulations specify that a person may be returned, or while in the community, a person may be transferred, from the person's county or city of last legal residence to a county or city other than the county or city of last legal residence to serve parole if it is in the best interest of the public, and DAPO determines placement in a county or city other than the county or city of last legal residence is appropriate based on specified criteria that match the

factors listed above that the paroling authority must consider. (Cal. Code of Regs., tit. 15, §§ 3743, 3744.) However, regulations additionally specify that DAPO must consider the availability for direct placement into a CDCR-funded community-based residential treatment program which is to be approved for transfer provided there are no victim or witness residence restrictions as recorded in the offender's special conditions of parole. (Cal. Code of Regs., tit. 15, § 3744.)

- 7) **Argument in Support:** According to the *Riverside Sheriffs' Association*, "AB 1737 will enhance public safety by updating State information sharing timelines and processes to better support locally led reentry for individuals leaving state prison to county jurisdiction on Post Release Community Supervision (PRCS). Specifically, the bill will require the California Department of Corrections and Rehabilitation (CDCR) to provide county probation departments information on a person that will be released to Post-Release Community Supervision (PRCS) no less than 90 days prior to release.

"AB 109 (Committee on Budget, 2011, ch. 15) shifted post-release supervision from the state to county probation departments, creating PRCS. Effective reentry planning relies on timely information from CDCR, but current law only requires data 30 days before release, despite informal agreements for earlier sharing. The lack of a codified timeline, integration with CalAIM/ECM health plans, and coordinated release processes can lead to individuals being sent to counties without adequate support networks, hindering access to housing, healthcare, and rehabilitative services, and increasing the risk of recidivism.

"AB 1737 ensures that individuals leaving state prison receive timely and coordinated support, which is critical for a successful reentry. By giving probation departments 90 days to plan, they can arrange housing, healthcare, employment support, and social services in advance, reducing the risk that individuals end up in counties without resources or their support networks. Overall, it creates a more structured, fair, and effective transition from prison back into the community."

8) **Prior Legislation:**

- a) AB 1210 (Lackey), of the 2025-2026 Legislative Session, was substantially similar to this bill. AB 1210 was vetoed by the Governor.
- b) SB 990 (Hueso), Chapter 826 Statutes of Statutes of 2022, required a person being released from state prison on parole to be released, transferred, or permitted to travel to a county where they have an educational, vocational, outpatient treatment, or housing opportunity, as specified, unless there is evidence that the person would present a threat to public safety; and authorized and strongly encouraged probation to extend these provisions to persons released from state prison on post release community supervision (PRCS)
- c) AB 1783 (Gallagher), of the 2017-2018 Legislative Session, as introduced, would have required the Board of State and Community Corrections (BSCC) to collect and analyze data regarding recidivism rates of all persons who receive a felony sentence punishable by imprisonment in a county or who are placed on PRCS, as specified. AB 1783 was amended into an unrelated subject matter.

- d) AB 109 (Committee on Budget), Chapter 15, Statutes of 2011, enacted Criminal Justice Realignment which, among other things, limited which felons could be sent to state prison, required that more felons serve their sentences in county jails, and created PRCS.

REGISTERED SUPPORT / OPPOSITION:

Support

Chief Probation Officers' of California (CPOC)
Riverside Sheriffs' Association

Opposition

None submitted

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