

# Public Comment Period on CDCR's Attempt at Permanent Early Prison Release Regulations



## Sacramento County District Attorney's Office

*Semper Justitia*

Sacramento District Attorney Anne Marie Schubert announced today that the California Department of Corrections and Rehabilitations (CDCR) is seeking to enact permanent regulations which would result in the early release of thousands of violent offenders and “nonviolent second strikers.” CDCR is required to hold a public comment period before the regulations become permanent. They are also required to consider and address all comments made.

Under the proposed regulations, CDCR seeks to reduce sentences already imposed by increasing credits awarded on those sentences. Violent offenders could have their conduct credit rate increased from 20% to 33%. Nonviolent second strikers could see an increase from 50% to 66%. For example, on a 10-year sentence an individual could be released after having served 3 years and 4 months.

CDCR has had these regulations in place for 10 months as “emergency” measures which avoided meaningful public participation in this significant policy change. These regulations also include increased credits for individuals in fire camps. In May of 2021, District Attorney Schubert along with 44 other elected District Attorneys filed a civil lawsuit against CDCR challenging the use of the emergency process for these early releases. The lawsuit did not challenge additional conduct credits for individuals in fire camps. Please see the press releases which detail the lawsuit and include examples of

individuals released after serving only a fraction of their sentence including those who have reoffended.

#### [44 Elected District Attorneys File Suit Challenging the Early Release of 76,000 State Prison Inmates](#)

#### [DA Anne Marie Schubert Exposes Violent Early Prison Release REOFFENDERS](#)

#### [DA Anne Marie Schubert Exposes Early Releases of Dangerous Inmates](#)

The public comment period ends on April 13, 2022. Any person may submit written comments about the proposed regulations by e-mail to [RPMB@cdcr.ca.gov](mailto:RPMB@cdcr.ca.gov) or by mail to the California Department of Corrections and Rehabilitation (CDCR), Regulation and Policy Management Branch (RPMB), P.O. Box 942883, Sacramento, CA 94283-0001. Written comments must be received or postmarked no later than April 13, 2022. All written comments must include the rule number, NCR 22-03, OAL Notice File No. Z2022-0215-10

There will also be a teleconference hearing in which individuals may make comments. CDCR has not selected a date for that hearing but they will post those details on their website, <https://www.cdcr.ca.gov/regulations/category/notice-of-teleconference-hearing/>

We will notify the public when CDCR sets the hearing date.