

ORANGE COUNTY  
BOARD OF PAROLE COMMISSIONERS



MANUAL  
OF  
RULES AND REGULATIONS

2016

## INTRODUCTION

This Manual provides the Courts, Jail and Probation staff with the information necessary to implement the Legislature's intent to provide for early release of certain qualified inmates. County Parole is provided pursuant to Penal Code Sections 3074 – 3089. It includes changes through the 2006 portion of the 2005-2006 Regular Session of the California Legislature. This manual also includes an overview of the Parole process as adopted by the Board of Parole Commissioners.

Part I of this Manual is all new. It includes a step-by-step description of the Parole process beginning with the inmate's intake into the jail system, through the screening process and concluding with the completion of parole or revocation. Part I, is added for ease of understanding of how the overall process works and as an aide to the staff assisting the Parole Board. All of the steps outlined in Part I are in compliance with the Legal Sections of the Penal Code and with the Rules and Regulations of the Commission.

Part II is essentially unchanged from the last Manual revision in 1986. It contains verbatim quotes from the relevant Code Sections. These are included for ease of reference. Following each quotation "is a brief interpretation" by the Parole Board Commissioners of how that particular Code Section applies to the Commission's processes and/or procedures. However, while preparing this updated manual, it was discovered that Penal Code 3089 was inadvertently omitted from the old 1986 Edition. That code section is now included. The changes herein also reflect the unification of the Municipal and Superior Courts as well as certain Code Sections to reflect gender neutral reference.

Part III sets forth the Rules and Regulations for the operation of the Commission. These are unchanged from the 1986 Edition except for an up-dated reference to the appropriate delegated member of the Sheriff's Department.

The six appendices illustrate the documents related to the process described in Part I.

# TABLE OF CONTENTS

## INTRODUCTION

PART I – COUNTY PAROLE PROCESS	Page 3-7
--------------------------------	----------

PART II – LEGAL BASIS FOR COUNTY PAROLE	Page 8
---	--------

Sections 3074 - 3089 of the California Penal Code and accompanying Statements of the Orange County Parole Commission	Page 9 - 24
---	-------------

PART III – BOARD OF PAROLE COMMISSIONERS – RULES AND REGULATIONS	Page 25
---	---------

A. Membership	Page 26
---------------	---------

B. Meetings	Page 27
-------------	---------

C. Eligibility Requirements and Procedural Rules for Parole	
---	--

1. Eligibility Requirements for Application for Parole	Page 28
--	---------

2. Procedural Regulations for making Application	Page 29
--	---------

3. Parole Revocation – Loss of “Good Time”	Page 29
--	---------

4. Additional Policies and Procedures	Page 30
---------------------------------------	---------

## APPENDIX

1. County Parole Application (Form F057-1103.6)	Page 32
---	---------

2. Letter to Sentencing Judge (Form F057-1335AF)	Page 37
--	---------

3. Parole Officer’s Report	Page 40
----------------------------	---------

4. Typical Parole Packet and Distribution	Page 42
---	---------

5. Order of Parole (Form F057-1336AF)	Page 44
---------------------------------------	---------

6. Parole Revocation Order (Form F057-1337AF)	Page 47
---	---------

# PART I

## COUNTY PAROLE PROCESS

## **GENERAL -**

The County Parole Process is a collaborative effort of the Court, Sheriff, Community and the Probation Department. Each may have their own internal procedural documents governing the implementation of the previously cited Penal Code Sections. It is not the intent of this Manual to recite the details of those internal procedures. However, a brief overview is in order for an understanding of how the overall system works.

## **AUTHORITY -**

County Parole is provided pursuant to Penal Code Sections 3074- 3089. It provides for early re-integration into society under supervision and to provide educational, vocational, family and personal counseling necessary to assist parolees in the transition between incarceration and discharge. In the 1980's, the purpose of County Parole was expanded and used as a jail population relief valve for selected inmates who pose the least risk to the community.

## **PROCEDURE -**

The following is an overview of the Parole process:

1. During intake and orientation, the jail staff informs the inmate, among other things, of the possibility of County Parole.
2. In the event the inmate desires to make application for early release, a County Parole Application Packet is obtained from jail staff (See **Appendix 1**, County Parole Application).
3. The inmate completes the Application and submits it to the jail staff in the inmate's housing unit who in turn passes the Application to the Jail Records Division.
4. The Jail Records staff computes Sentence End date and attaches related Court Orders to the Application. The Application Packet is sent to Probation.
5. If the Application is mailed directly to Probation by the inmate, it will be returned with a cover letter of explanation that applications for County Parole must be submitted via jail staff.
6. Upon receipt by Probation from the Sheriff's Office, the Application is subjected to an initial screen to verify:
  - a. Evidence of jail staff processing, including Sentence End date.
  - b. Inmate-provided information as to stable living and employment arrangements within Orange County.
  - c. Inmate sentenced to more than 60 days and at least 1/2 of sentence will have been served at time of early release
7. If the Application Packet does not meet each of the above tests, it is returned to the inmate with a letter of explanation.

8. If the Application Packet does not meet each of the above tests, it is subjected to additional investigation to determine if:
  - a. The Court prohibited County Parole at time of Sentencing.
  - b. The conviction is the result of certain legally mandated sentencing.
  - c. The instant case is a result of a Probation/Parole violation.
  - d. The inmate has an extensive criminal history record.
  - e. The inmate has an extensive history of violent/serious offenses.
  - f. The inmate's record indicates any holds or warrants on other matters.
9. If any one of the above proves to be true, the Application is returned to the inmate with a letter of explanation.
10. At this point, the Probation Investigator contacts the individuals noted in the application to verify suitable residence in Orange County and to verify employment details.
11. If either the residence or employment checks fail to match the inmate's Application Data or Eligibility Requirements, it will be returned to the inmate with a letter of explanation.
12. The sentencing judge is contacted for an opinion in support or opposition to early release. The letter to the Court will include a Case Summary derived from the Police Report which describes the circumstances of the instant offense (See Appendix 2, Letter to Sentencing Judge, for the template used for this purpose).
13. A face-to-face interview with the inmate is conducted by the Probation Investigator to obtain a social history and the inmate's plans for the future in the event of an early release.
14. If the inmate has a prior probation history, the cognizant Probation Officer's opinion is sought as to suitability for early release.
15. A notice of a pending Parole hearing is sent to each Parole Board Member.
16. The Probation Investigator prepares a Parole Officer's Report .It will include, among other things, personal data about the inmate including social history as well as a summary of the circumstances of the instant offense. Also included is the Sentencing Judge's

opinion in support or opposition to early release. Finally, a recommendation is included for the Parole Board's consideration together with a set of Terms and Conditions for parole based on case work and community safety concerns. (See Appendix 3, Parole Officer's Report, for a detailed outline of the Parole Officer's Report).

17. A scheduled date and time are set for the Parole Hearing.
18. An advance copy of the Parole Packet is prepared and distributed to the Board Members (See Appendix 4, Typical Parole Packet and Distribution, for a list of a typical Parole Packet contents and distribution thereof).
19. The jail staff arranges for applicant's appearance at the scheduled hearing.
20. The Board of Parole Commissioners meets in the Main Jail Parole Hearing Room. After review and discussion of the Inmate's Parole Packet, the inmate is brought before the Board and interviewed.
21. The Board takes a decision for or against early release and so notifies inmate pursuant to the Board's Parole Order (See Appendix 5, Order of Parole, for the typical template used for the purposes of formalizing the Board's decision).
22. If granted early release, the Board's Parole order is forwarded to the cognizant Parole/Probation Officer. The Parolee/Probationer is given instructions and "Conditions of Parole". A notice to report for Supervision is signed by the Parolee/Probationer giving them directions to the Probation Office and the date/time to report to the Probation Officer.
23. Jail staff processes the Board's Parole Order for release from custody together with directions to report forthwith to the Probation Department.
24. Upon arrival at the appropriate Probation Office, the Parolee is taken into the system and assigned a Parole/Probation Officer.
25. The cognizant Parole/Probation Officer supervises the parolee in accordance with the Parole Order.
26. In the event parole expires successfully and there is still time remaining on the original Probation Grant, the Probation Terms and Conditions as ordered by the court shall prevail.
27. In the event of a Parole violation, a Modification Petition is prepared by the cognizant Parole/Probation Officer and submitted to the Board for a Revocation Hearing.

28. If the Board finds the parolee in violation, a Parole Revocation Order is issued (Reference Appendix 6, Parole Revocation Order) and the Parolee is returned to custody to serve out the remainder of his sentence with a loss of good time/work time credits.
29. The Probation Department maintains a Master Log of each Parole case.

**Precedence -**

Part II of this Manual recites the applicable Sections of the Penal Code. Part III includes the Rules and Regulations adopted by the Board of Parole Commissioners. In the event of a conflict between the process in this Part I and Parts II and III, Parts II and III govern.



## PART II

### LEGAL BASIS FOR COUNTY PAROLE

**SECTION 3074** (Legislative findings and declaration: Successful reintegration of ex-felons into society)

**"The Legislature finds and declares that the period immediately following incarceration is critical to successful reintegration of the offender into society and to positive citizenship. It is in the interest of public safety for a county to provide for the supervision of parolees, and to provide educational, vocational, family and personal counseling necessary to assist parolees in the transition between imprisonment and discharge."**

*In accordance with this stated Legislative intent, the Parole Commission will direct a plan of supervision for the parolee, which is designed to respond to these goals. The parole report will follow the format as outlined in Appendix 3*

**SECTION 3075** (Board for each county: Membership; per diem and expenses: Term of office.)

**"There is in each county a Board of Parole Commissioners, consisting of the following:**

- 1. The Sheriff, or his/her designee, in a county with a department of corrections, the director of such department.**
- 2. The Probation Officer, or his/her designee.**
- 3. A member, not a public official, to be selected from the public by the presiding judge, of the Superior Court. The public member of the County Board of Parole Commissioners shall be entitled to this actual traveling and other necessary expenses incurred in the discharge of his/her duties. In addition, the public member, or his/her alternate, shall be entitled to per diem at such rate as may be provided by the Board of Supervisors. The public member, or his/her alternate, shall hold office for a term of one year and in no event for a period exceeding three consecutive years. The term shall commence on the date of appointment."**

*By order of the Orange County Board of Supervisors on February 20, 1962,  
(Resolution No. 62-244), payment to the public member is as follows:  
per diem of \$25.00 per meeting in addition to actual traveling and  
any necessary expenses incurred on the discharge of duties.*

**SECTION 3076** (Rules and Regulations)

- "(a) The board may make, establish and enforce rules and regulations adopted under this article.**
- (b) The board shall act at regularly called meetings at which two-thirds of the members are present, and shall make and establish rules and regulations in writing stating the reasons therefore under which any prisoner who is confined in or committed to any county jail, work furlough facility, industrial farm, or industrial road camp, or in any city jail, work furlough facility, industrial farm, or industrial road camp under a judgment of imprisonment or as a condition of probation for any criminal offense, unless the court at the time of committing has ordered that such prisoner confined as a condition of probation upon conviction of a felony not be granted parole, may be allowed to go upon parole outside of such jail, work furlough facility, industrial farm, or industrial road camp, but to remain, while on parole, in the legal custody and under the control of the board establishing the rules and the regulations for his parole, and subject at any time to be taken back within the enclosure of any such jail, work furlough facility, industrial farm, or industrial road camp.**
- (c) The board shall provide a complete copy of its written rules and regulations and reasons therefore and any amendments thereto to each of the judges of the Superior Court of the County.**

**The board shall provide to the persons in charge of the county's correctional facilities a copy of the sections of its written rules and regulations and any amendments thereto which govern eligibility for parole, and the name and telephone number of the person or agency to contact for additional information. Such rules and regulations governing eligibility either shall be conspicuously posted and maintained within each county correctional facility so that all prisoners have access to a copy, or shall be given to each prisoner."**

*In accordance with this requirement, the Parole Commission has delivered to the Presiding Judge sufficient copies of this manual for each Judge and Commissioner. Further, in compliance with the requirements of this Section, the Sheriff has posted in each sentence tank and all centrally located bulletin boards in each facility housing prisoners, the eligibility requirements and procedural rules for making application for parole. Further, applications for parole are available and will be given to any sentenced prisoner upon request. Refer to **Appendix 1**, County Parole Application.*

**SECTION 3077** (Jurisdiction to grant parole to prisoner sentenced in one county and incarcerated in another.)

**“Whenever a prisoner is sentenced in one county and incarcerated in another county, only the county in which he was sentenced shall have jurisdiction to grant parole.”**

*Accordingly, the Parole Commission will not consider any parole application from any inmate incarcerated in Orange County by order of a court outside this jurisdiction*

**SECTION 3078** (Noticing to sentencing judge of inmate's application for parole)

- "(a) The board shall notify the sentencing judge of an inmate's application for parole.**
- (b) The sentencing judge may make a recommendation regarding such application, and the board shall give careful consideration to such recommendation."**

*As part of the investigation of any parole application, the parole officer will in all cases direct a letter to the sentencing judge.*

*Refer to **Appendix 2** Letter to Sentencing Judge.*

*In all cases wherein the applicant for parole is serving a Conditional Sentence (Informal Probation) or is on Formal Probation, the sentencing judge is notified of the Parole Commission's determination of suitability for county parole. The sentencing judge must either support or oppose the Commission's recommendation to grant parole in these cases.*

**SECTION 3079** (Quorum required to act on application for parole: Personal appearance by applicant)

- “(a) No Application for parole shall be granted or denied except by a vote of the board at a meeting at which a quorum of its members is present. This paragraph shall not be applied to the denial of applicants who are ineligible by order of the Superior Court, or to the granting of parole in emergency situation**
- (b) An applicant shall be permitted to appear and speak on his behalf at the meeting at which his application is considered by the Board.”**

*All meetings of the Parole Commission will be held at a location which will permit the applicant's appearance at the hearing.*

**SECTION 3080**

(Re-arrest of prisoner leaving County without permission)

**"If any paroled prisoner leaves the County in which he is imprisoned without permission from the board granting his parole, he shall be arrested as an escaped prisoner and held as such."**

*Each person paroled will receive a parole order which indicates that a violation of this or any other condition of parole will subject the parolee to re-arrest, re-confinement, and loss of "good time".*



**SECTION 3081**

(Terms of release on parole)

- “(a) Each county board may retake and imprison any prisoner upon parole granted under the provisions of this article.**
- (b) Each county board may release any prisoner on parole for a term not to exceed two years upon conditions and under such rules and regulations as may seem fit and proper for his or her rehabilitation, and should the prisoner so paroled violate any of the conditions of his or her parole or any order of the parole commission, be returned to the jail from which he was paroled and be confined therein for the unserved portion of his or her sentence.**
- (c) The written order of each county board shall be a sufficient warrant for all officers named therein to authorize them, or any of them, to return to actual custody any conditionally released or paroled prisoner. All chiefs of police, marshals or cities, sheriffs, constables, and all other police and peace officers of this state shall execute any such order in like manner as ordinary criminal process.**
- (d) In computing the unserved sentence of a person returned to jail because of the revocation of his parole, no credit shall be granted for the time between his or her release from jail on parole and his or her return to jail because of the revocation of his or her parole.”**

*Parole Revocation Orders will be issued via Form No.F057- 1337AF.  
(See Appendix 6, Parole Revocation Order)*

**SECTION 3082** - (Release of alien prisoners for return to native land: Payment of expenses.)

**"Each county board may make and establish written rules and regulations for the unconditional release of and may unconditionally release any prisoner who is an alien and who voluntarily consents to return or to be returned to his native land and who is actually returns or is returned thereto. The necessary expenses of the transportation of such alien prisoner and officers or attendants in charge of such prisoner, may be paid by the county, upon order of the board of supervisors authorizing or ratifying the return of the prisoner at the expense of the County."**

*Immigration and Customs Enforcement (ICE)  
has liaison officers assigned to the Orange County Jail who  
facilitate and process matters dealing with inmate aliens. It is the  
policy of the Board to refer any matters relating to inmate aliens  
to Federal Immigration Authorities.*

**SECTION 3083** - (Temporary commissioners or deputies)

**"Whenever the board designates deputies to serve as temporary commissioners in considering applications for parole of prisoners, such temporary commissioners or deputies may also exercise all the powers granted by this article relative to the unconditional release of alien prisoners."**

*In accordance with this code section, both the Chief Probation Officer and the Orange County Sheriff have so designated Deputies. The primary designee of the Chief Probation Officer is the Director of the Adult Court Services Division and the primary designee of the Sheriff is the Facility Commander- Main Jail.*

**SECTION 3084** - (Release of county or city jail inmate for return to state institution.)

**"Each county board may release to the State Department of Corrections for return to a state prison or correctional institution any county or city jail inmate who is a state parole violator, when notified by the Board of Prison Terms."**

*This section will be implemented as outlined under "Eligibility Requirements and Procedural Rules" section of this manual (page 28).*

**SECTION 3085**

(Deputies)

**"The members of the board may for the purposes of considering applications for parole of prisoners from city or county jails , or industrial farms, or work furlough facilities, or industrial road camps, designate deputies of their respective offices to serve for them as temporary commissioners when they are unable to serve."**

*In accordance with this code section both the Chief Probation Officer and the Orange County Sheriff have so designated deputies. The primary designee of the Chief Probation Officer is the Director of the Adult Court Services Division and the primary designee of the Sheriff is the Facility Commander- Main Jail.*

**SECTION 3086**

(Prohibition against requiring admission of guilt when setting terms or discharge dates.

**“Each county board shall not require, when setting terms or discharge dates, an admission of guilt to any crime for which an inmate was committed.”**

*The Parole Commission will observe this mandate in all proceedings.*

*Although an admission of guilt will not be required, the Parole Commission may set special conditions of parole related to the offense(s) for which the inmate was convicted and committed. For example, a parole condition for an inmate convicted of an offense involving forgery or non-sufficient fund check writing may be required to have no checking account while on parole.*

**SECTION 3087**

(Supervision of parolee required.)

**"No prisoner shall be paroled without supervision."**

*All inmates granted parole will be referred to the County Probation Department for Supervision by a Deputy Probation Officer designated as a Deputy Parole Officer for this purpose.*

**SECTION 3088**

(Supervision by parole officer)

**“A prisoner who is released on parole pursuant to this article shall be supervised by a parole officer of the county board of parole commissioners.”**

*All inmates granted parole will be referred to the County Probation Department for Supervision by a Deputy Probation Officer designated as a Deputy Parole Officer for this purpose.*



**SECTION 3089**

(Peace Officer Status)

**“(a) A county parole officer who is not a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, is a public officer who works at the direction of the County Board of Parole Commissioners, as provided for in Section 3075, and is responsible for supervising prisoners released on parole by the board. (b) A county parole officer who is a public officer, as defined in subdivision (a), shall have no right to carry or possess firearms in the performance of his or her prescribed duties. (c) A county parole officer, as defined in subdivision (a), shall comply with the standards for selection and training established by the Board of Corrections pursuant to Section 6035.”**

*The Deputy Probation Officer acting as the designated Deputy Parole Officer has peace officer status pursuant to PC 830.5.*

## PART III

# BOARD OF PAROLE COMMISSIONERS RULES AND REGULATION

## **A. MEMBERSHIP**

As provided by law, the Parole Commission consists of the Sheriff, the Chief Probation Officer, and the Superior Court appointee.

The Probation Officer and/or his/her assistants perform such duties and exercise such powers with reference to the processing of parole applications and the supervision and assistance of parolees as shall be fixed from time to time by the Board.

## **B. MEETINGS**

Meetings of the Commission shall be held at such times and places as the Commission shall determine.

Attendance at any meeting of at least two members of the Commission, or properly accredited deputies, as provided in Section 3076 of the Penal Code of the State of California, shall be necessary to constitute a quorum for the transaction of any business or the exercise of any powers by the Board

## **C. ELIGIBILITY REQUIREMENTS AND PROCEDURAL RULES OF THE ORANGE COUNTY BOARD OF PAROLE COMMISSIONERS**

### **1) Eligibility Requirements for Application for Parole**

The general policies of the Commission concerning parole procedures are as follows:

- a. Any inmate may make an application for parole if his present sentence meets all of the following requirements:

1. At least one-half of the present sentence has been served or will have been served at the time of the parole hearing. In the event of consecutive sentences, at least one-half of the total sentence time must have been served.

Since the Court has considered issues related to the defendant's offense and background, it is the Parole Commission's intent to ensure that inmates have received sufficient consequences to reflect the intent of the Court in ordering the original sentence. Further, the Commission intends to ensure that an applicant has sufficient time remaining on the court-ordered sentence in order to motivate compliance with parole conditions.

2. Inmate has been sentenced to serve more than sixty days in Orange County Jail, and has a minimum of 30 days remaining to be served at the time of the Parole Hearing.

As noted in subsection (1), an inmate is required to serve at least half of his court-ordered sentence in custody prior to release under parole supervision. An inmate receiving a 60-day sentence, therefore, would be eligible for parole release consideration with 30 days remaining on the sentence. Through the establishment of this rule, it is the commission's intent to ensure that there is sufficient time allotted for the completion of the parole report and sufficient time remaining on the inmate's sentence to motivate compliance with parole conditions.

- b. No inmate who has been returned from jail for violation of County jail parole is eligible to reapply.

It is the Commission's intent that the parolees serving the remainder of their sentence as a result of having violated County jail parole shall serve this time as punishment and shall not be considered for release under another grant of County jail parole during this time.

- c. Parole will not be considered for an inmate serving a sentence with a statutory minimum requirement until said required time has been served.

For these offenses, State Law has the governing authority. The Parole Commission will not take contradictory administrative action.

- d. Parole will not be considered if in the screening process, the applicant does not meet the 8 Eligibility Requirements as outlined in the County Parole Application (See **Appendix 1**, County Parole Application).
- e. If an application is rejected by the assigned Parole Investigator, the application will be returned to the applicant together with a letter to explain why the application will not be considered for County Parole.

2) Procedural Regulations for Making Application

- a. The application for parole must be completed in full and be accompanied by any information which will substantiate the inmate's reasons for requesting parole.

Through establishment of this procedure, it is the Commission's intent to enable the parole officer to receive sufficient information to enable him to complete a comprehensive and timely report to the Commission so that the Commission may consider all information relative to the issue of parole. (Refer to **Appendix 1**, County Parole Application)

- b. Except in emergency or unusual situations, at least three weeks are necessary to allow sufficient time for the assigned parole investigator to complete the required parole report and set the parole hearing date
- c. Other parties are not permitted at board meetings unless authorized by the board of Parole Commissioners.

Information submitted by interested parties shall be included in the investigation report. Interested parties requesting special permission to appear in person before the Board will be required to submit their request in writing to the assigned parole investigator. The investigator will apprise Board members of this request and subsequently advise the petitioner of the Board's decision in the matter.

- d. Upon being granted parole, an inmate will receive a Parole Order, which he will obey on parole (See **Appendix 5**, Order of Parole).

Section 3081(b) CPC: authorizes the Board to establish the local rules and regulations as may seem fit and proper for rehabilitation of the parolee. Further, it is the intention of the Parole Commission that the conditions of the parole order will be formulated according to the individual needs of each parolee

The same standards that are applied by the Probation Department to the supervision of formal probationers will apply to the supervision of parolees. If a parolee fails to comply with the conditions of parole, the deputy parole officer will initiate revocation proceedings pursuant to Section 3081 CPC (**Appendix 6**, Parole Revocation Order).

3) Parole Revocation – Loss of "Good Time"

In the event a paroled prisoner violates any of the terms and conditions of parole, he/she will be returned to custody and a parole revocation hearing will be scheduled.

If the Commission finds the parolee in violation and revokes parole, any reduction in sentence for good conduct, as provided for by Section 4019 of the Penal Code, is forfeited.

4) Additional Policies and Procedures

- a. In addition to these general policies and procedures, the Commission, upon its own motion, may parole any prisoner within its jurisdiction at any time if it satisfactorily appears that unusual or emergency conditions or circumstances exist which warrant special consideration by the Commission. The Commission will not take these actions when the defendant is in jail on a conditional sentence, or as a condition of probation. These individuals shall be referred to the Court for consideration of sentence modification.
- b. The Commission may grant or recommend a parole to become effective at some later date or upon the happening for some future contingency.
- c. No prisoner shall be released on parole unless and until he/she shall have signed an agreement accepting the terms and conditions of his/her parole and promising to abide thereby. Refer to **Appendix 5**, Order of Parole).
- d. In accordance with Section 3084 of the Penal Code, the Parole Board may release to the State Department of Corrections for return to a state prison any county or city jail inmate who is a state parole violator when notified by the Board of Prison terms. This is a "paper" parole and does not necessitate a Parole Board hearing. If the defendant is incarcerated on a conditional sentence, or as a condition of probation, he may not be so paroled and a modification of the Court Order is necessary for release to the Department of Corrections.
- e. Should inmate be granted parole, he may be under supervision of the Parole Officer for a period not to exceed two years.

## APPENDICES



## APPENDIX 1

### COUNTY PAROLE APPLICATION



## Orange County Probation Department

### COUNTY PAROLE APPLICATION

The following information is provided to assist you in your application for County Parole. Please review the eligibility requirements carefully and if you believe you meet all the criteria, fill out the application completely and return it to the Deputy in your housing module. The Deputy will forward the completed application to the Jail Records division, where the required commitment papers will be attached. Your application will then be directed to the Probation Department for initial screening. Be advised that if you meet the initial requirements, your Sentencing Judge will be contacted for his comments, prior to the scheduling of a Parole Hearing. At the Parole Hearing, you will have the opportunity to explain to the commission why you should be released from custody earlier than your sentence expiration date. Parole Hearings are held on the second Wednesday of the month or as ordered by the Parole Board. Your application must be received at least three weeks prior to the hearing to allow for screening. In calculating your parole eligibility date no credit is given for good time/work time. Only actual days in custody are counted. If you are granted parole you will be actively supervised and given specific conditions of parole. If you violate these conditions, you do not have a right to a violation hearing. You will be returned to custody and will lose any good time/work time credits earned.

#### Eligibility Requirements

- Inmate has been sentenced to serve more than 60 days in the Orange County Jail, and has a minimum of 30 days remaining at the time of the Parole Hearing.
- At least one-half of the present sentence has been served or will have been served at the time of the Parole Hearing. In the event of consecutive sentences, at least one-half of the total time must have been served.
- There must be a minimum of 30 days between the date of the Parole Hearing and the Sentence Expiration date.
- The inmate must reside in Orange County and have a stable residence.
- Inmates serving legally-mandated sentences must serve the minimum required time.
- Inmates are not eligible for parole if their commitment is the result of a violation of formal probation or a violation of County Parole.
- Inmates are not eligible for early release if there are any active holds or warrants on any criminal cases.

**APPLICATION FOR PAROLE  
TO THE  
BOARD OF PAROLE COMMISSIONERS  
OF ORANGE COUNTY, CALIFORNIA**

**For Use of Jail Staff**

Application Received \_\_\_\_\_ (date)  
Forwarded to Central \_\_\_\_\_ (date)  
Records  
Applic. & Photocopy of \_\_\_\_\_ (date)  
Commitment Order to  
Probation Department

PLACE OF CONFINEMENT:  
(Check One)

Main Jail \_\_\_\_\_  
Theo Lacy Facility \_\_\_\_\_  
James Musick Facility \_\_\_\_\_  
Other (Name) \_\_\_\_\_

Name: \_\_\_\_\_ Booking No. \_\_\_\_\_

Birth Date: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Sex: \_\_\_\_\_ Race: \_\_\_\_\_ Social Security No.: \_\_\_\_\_

List other names you use or have used: \_\_\_\_\_

Present crime or crimes (which resulted in current sentence): \_\_\_\_\_

If released, do you have employment? \_\_\_\_\_ Salary: \_\_\_\_\_

Name and Address of Employer: \_\_\_\_\_

Phone No.: \_\_\_\_\_

Type of work you will be doing: \_\_\_\_\_

If released, with whom will you reside? \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_ Phone No.: \_\_\_\_\_

Have you received any "write-ups" or disciplinary actions against you during your present jail sentence?

\_\_\_\_\_ Yes \_\_\_\_\_ No

If yes, tell what happened: \_\_\_\_\_

Do you have a prior criminal record in California? \_\_\_\_\_ Yes \_\_\_\_\_ No

If Yes: Type of Crime \_\_\_\_\_ City \_\_\_\_\_ Date \_\_\_\_\_

Do you have a prior criminal record in another state? \_\_\_\_\_ Yes \_\_\_\_\_ No

If Yes: Type of Crime \_\_\_\_\_ City \_\_\_\_\_ Date \_\_\_\_\_

List your parents, sisters and brothers:

Name	Relationship	City, State

List your present and/or former husbands/wives:

Name	Relationship	City, State

List your present and/or former husbands/wives:

Name	Age	Relationship	City, State

Reasons for Requesting Parole: Outline your plans if granted parole. Give any information which you feel will help the Parole Commission in considering your request for parole.

Handwritten notes on lined paper.

Handwritten notes on lined paper.

I certify that all of the information given on this application is true to the best of my knowledge.

Signature of applicant: \_\_\_\_\_ Date: \_\_\_\_\_

## APPENDIX 2

### LETTER TO SENTENCING JUDGE



**STEVEN J. SENTMAN**  
CHIEF PROBATION OFFICER

TELEPHONE: (714) 569-2000

1055 N. MAIN STREET, 5<sup>TH</sup> FLOOR  
SANTA ANA, CA 92701

MAILING ADDRESS:  
P.O. BOX 10260  
SANTA ANA, CA 92711-0260

## Letter to Sentencing Judge

### Adult Court Services

To: *(Applicable Resident Probation Officer)*

From: *(Probation Officer Writing Report)*

Date: \_\_\_\_\_

Defendant's Name:

Case Number(s):

Sentencing Date:

Parole Eligibility Date:

Sentence Expiration Date:

\_\_\_\_\_  
This defendant has applied for County Jail Parole.

Please ask Judge to review the case summary and provide his input regarding the defendant's request for early release on this program. Please have him check his decision below.

### Case Summary

*(Insert Details from "Green" Initial Assessment)*

Jail records indicate the defendant has not been involved in any incidents while incarcerated.

Support: \_\_\_\_\_

Oppose: \_\_\_\_\_

Signature: \_\_\_\_\_ (JUDGE) \_\_\_\_\_ Date: \_\_\_\_\_



## APPENDIX 3

### PAROLE OFFICER'S REPORT

## **PAROLE OFFICER'S REPORT**

### **FACE SHEET**

Pertinent identification, employment and family information is to be included on the face sheet similar

### **ORIGINAL OFFENSE**

The inmate's legal status, including offense, sentence, date of hearing, sentencing court and case number is to be combined with a brief description of the offense. Damages, Restitution and other factors that may have a bearing on the inmate's suitability for parole are to be included.

### **INMATE'S STATEMENT**

Summarize the inmate's reasons for requesting parole. Include plans for employment, living arrangements (address, phone number, names of co-habitants) and willingness to comply with Terms of Parole.

### **VERIFICATION**

Verify inmate's reported employment and living arrangements, including names, addresses, and phone numbers if available.

### **COMMENTS OF SENTENCING JUDGE**

The judge is sent a letter requesting his comments regarding the granting of parole.

### **ADJUSTMENT IN COUNTY JAIL**

Comment, as appropriate, on the presence or absence of disciplinary actions involving the inmate while in custody.

### **INTERESTED PARTIES**

Brief comments from a parent, spouse, therapist or Welfare Agency may be included.

### **PRIOR RECORD**

Summarize, in narrative form, CII, DMV, Sheriff's and adult/juvenile records.

### **BACKGROUND OF INMATE**

Focus on inmate's recent background with relevant education, employment, family, personal and health history included.

### **EVALUATION**

The inmate's suitability for release on parole should be addressed along with a plan of supervision, which, pursuant to Penal Code Section 3074, outlines the parolee's need for educational, vocational, family and personal counseling.

### **RECOMMENDATION**

The period of parole supervision ranges from six months to two years, depending on program needs outlined in the evaluation. Specific conditions of parole are to be included based on case work and community safety concerns.

## APPENDIX 4

### TYPICAL PAROLE PACKET AND DISTRIBUTION

### **TYPICAL PACKET CONTENTS FOR PAROLE BOARD MEETING**

1. Board of Parole Hearing Face Sheet and Parole Officer's Report
2. Inmates Application for Parole
3. Eight (8) Screening Rules
4. Sentencing Judge's Opinion
5. Police Report
6. Order of Parole

### **DISTRIBUTION OF PAROLE PACKET**

- Sheriff's Department Member
- Probation Department Member
- Citizen Member
- Parolee's A-File
- Parole File

## APPENDIX 5

### ORDER OF PAROLE

BOOKING #:  
Orange County Men's Central Jail

**BOARD OF PAROLE COMMISSIONERS  
COUNTY OF ORANGE, STATE OF CALIFORNIA**

**ORDER OF PAROLE**

In matter of the parole of:  
A# \_\_\_\_\_

Hearing Date \_\_\_\_\_

Defendant having been convicted of a violation of: \_\_\_\_\_ and having been sentenced by Judge \_\_\_\_\_ of Orange County Superior Court ~ ☐ Justice Center on \_\_\_\_\_ to serve \_\_\_\_\_ days in Orange County Jail; said defendant has applied for County Parole.

- ☐ Parole is granted effective \_\_\_\_ / \_\_\_\_ / \_\_\_\_ and ends \_\_\_\_ / \_\_\_\_ / \_\_\_\_ under the terms and conditions as indicated below.
- ☐ Parole is denied.
- ☐ This matter is continued for further consideration by the Parole Commission on \_\_\_\_ / \_\_\_\_ / \_\_\_\_.

---

**CONDITIONS OF PAROLE**

Initial

\_\_\_\_\_ Obey all Terms and Conditions of probation as ordered in Court Case # \_\_\_\_\_  
to wit: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ In addition to the above, obey the following terms of Parole:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

White Copy – Parole Board; Pink Copy – Probation; Yellow Copy – Parolee; Goldenrod – Sheriff's Department

## **REPORTING INSTRUCTIONS**

Report to: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
(Date)

A violation of any of these terms and conditions of Parole will subject the parolee to rearrest and reconfinement in the Orange County Jail, to serve the remainder of the sentence, including forfeiture of any reduction of sentence for good conduct/work time pursuant to Section 4019 of the Penal Code.

\_\_\_\_\_  
, Parolee

---

---

## **BOARD OF PAROLE COMMISSIONERS**

\_\_\_\_\_  
, Dir. OCPD

\_\_\_\_\_  
, OCSD

\_\_\_\_\_  
, Public Member

White Copy – Parole Board; Pink Copy – Probation; Yellow Copy – Parolee; Goldenrod – Sheriff's Department

## APPENDIX 6

### PAROLE REVOCATION ORDER



**BOARD OF PAROLE COMMISSIONERS  
COUNTY OF ORANGE, STATE OF CALIFORNIA**

**PAROLE REVOCATION ORDER**

In the matter of the parole of: \_\_\_\_\_ A- \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Defendant having been released on parole on \_\_\_\_\_; under the terms and conditions of the Order of Parole dated \_\_\_\_\_; said defendant has violated the terms and conditions as follows:

- 
- ☐ Therefore, it is hereby ordered that the said parole is this date revoked.
  - ☐ It is further ordered that the reduction of sentence for good conduct as provided for by Section 4019 of the Penal Code of the State of California heretofore earned or that hereafter may be earned, if forfeited.
  - ☐ It is further ordered, pursuant to Section 3081 of the Penal Code of the State of California, that any sheriff, constable, marshal, police officer of the State of California, is forthwith to take the above-named defendant into custody in order that he may be returned to the Orange County Jail at Santa Ana, Orange County, California, to serve the remaining portion of his original sentence.

**BOARD OF PAROLE COMMISSIONERS**

\_\_\_\_\_

\_\_\_\_\_, Director OCPD

\_\_\_\_\_, OCSD

\_\_\_\_\_, Public Member

White Copy – Parole Board; Pink Copy – Probation; Yellow Copy – Parolee; Goldenrod – Sheriff's Department