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April 7, 2022
For Immediate Release

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DA Alerts San Diegans of CDCR's Plan to Make Early Prison Release Regulations Permanent

Calls on Crime Victims and Community to Provide CDCR with Public Comment

San Diego County District Attorney Summer Stephan is alerting crime victims, survivors and the San Diego County community at large 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 what CDCR characterizes as “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. DA Stephan is calling on San Diegans to provide their comments by the deadline provided by CDCR with the comment period ending on April 13, 2022.

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%. “Non-violent 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 three years and four months if the proposed regulations are adopted. Note that offenses characterized by CDCR as non-violent include offenders who were convicted of human trafficking and domestic violence, and those who have dangerous criminal histories of armed robbery and attempted murder.

“Releasing inmates early who have committed atrocious crimes after only serving a fraction of their sentence threatens the safety of our communities and is a slap in the face to crime victims who are still suffering,” DA Stephan said. “Extending additional credits to inmates with serious and violent criminal histories is not in the interest of justice or the public’s safety. When a judge who hears the evidence and considers the impact on victims hands down a sentence, that sentence should stand and not be altered after the fact except by credits currently provided for under the law.”

CDCR has had these regulations in place for 10 months as “emergency” measures which avoided meaningful public participation in this significant policy change. In May of 2021, District Attorney Stephan along with 44 other elected District Attorneys, [filed a civil lawsuit](#) against CDCR challenging the use of the emergency process for certain categories of early releases.

The public comment period ends on April 13, 2022.

Any person may submit written comments about the proposed regulations by e-mail to RPMB@cdr.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](#) during which the public may make comments on April 14, 2022. The teleconference will be opened to the public beginning at 10:00 a.m. If a member of the public would like to participate by teleconference:

- Call 1-877-411-9748 (TTY/TDD: Dial 711).
- When prompted, enter participant code 6032676.

According to CDCR, the purpose of the hearing is to receive comments about these proposed regulations. It is not a forum to debate the proposed regulations. No decision regarding the permanent adoption of these regulations will be rendered at the hearing.

Under the law, CDCR may impose reasonable limitations on oral presentations. Therefore, to ensure everyone who wishes to make a comment has time to do so, comments will be limited to three minutes.

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About the San Diego County District Attorney's Office

The San Diego County DA's Office prosecutes all felony crimes in the county and misdemeanor crimes committed outside the City of San Diego. The office files about 40,000 criminal cases a year and balances prosecution with numerous crime prevention programs. District Attorney Summer Stephan leads the office of more than 1,000 dedicated employees who pursue fair and equal justice, and support victims daily across San Diego County.

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