



JUDICIAL COUNCIL OF CALIFORNIA

GOVERNMENTAL AFFAIRS

770 L Street, Suite 1240 • Sacramento, California 95814-3368

Telephone 916-323-3121 • Fax 916-323-4347 • TDD 415-865-4272

TANI G. CANTIL-SAKAUYE
Chief Justice of California
Chair of the Judicial Council

MARTIN HOSHINO
Administrative Director

CORY T. JASPERSON
Director, Governmental Affairs

April 7, 2015

Hon. Loni Hancock, Chair
Senate Public Safety Committee
State Capitol, Room 2082
Sacramento, California 95814

Subject: SB 517 (Monning), as introduced – Support/Sponsor
Hearing: Senate Public Safety Committee – April 14, 2015

Dear Senator Hancock:

The Judicial Council is pleased to support and sponsor SB 517, which provides courts with discretion to order the release of supervised persons from custody, unless otherwise serving a period of flash incarceration, regardless of whether a petition has been filed or a parole hold has been issued.

Although courts are generally authorized to determine the custody status of supervised persons during court revocation proceedings, courts have no express statutory authority to order the release of persons supervised on post-release community supervision or parole if detained by the supervising agency, particularly if detained on a parole hold.

By authorizing courts to determine the custody status of all supervised persons, with the exception of those serving a period of flash incarceration, SB 517 enhances judicial discretion and eliminates uncertainties about court authority to lift parole holds and order the release of supervised persons, particularly in the absence of warrants and the filing of petitions to revoke

Hon. Loni Hancock

April 7, 2015

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supervision. To enhance public safety, this proposal would also empower courts to fashion any terms and conditions of release deemed appropriate.

For these reasons, the Judicial Council is sponsoring and supporting SB 517.

Sincerely,

A handwritten signature in blue ink that reads "Sharon Reilly". The signature is fluid and cursive, with the first name "Sharon" and the last name "Reilly" clearly distinguishable.

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Members, Senate Public Safety Committee
Hon. William Monning, Member of the Senate
Mr. Jerome McGuire, Counsel, Senate Public Safety Committee
Mr. Eric Csizmar, Consultant, Senate Republican Office of Policy
Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor



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June 10, 2015

Hon. Bill Quirk, Chair
Assembly Public Safety Committee
State Capitol, Room 2163
Sacramento, California 95814

Subject: SB 517 (Monning), as introduced – Support/Sponsor
Hearing: Assembly Public Safety Committee – June 16, 2015

Dear Assembly Member Quirk:

The Judicial Council is pleased to support and sponsor SB 517, which provides courts with discretion to order the release of supervised persons from custody, unless otherwise serving a period of flash incarceration, regardless of whether a petition has been filed or a parole hold has been issued.

Although courts are generally authorized to determine the custody status of supervised persons during court revocation proceedings, courts have no express statutory authority to order the release of persons supervised on post-release community supervision or parole if detained by the supervising agency, particularly if detained on a parole hold.

By authorizing courts to determine the custody status of all supervised persons, with the exception of those serving a period of flash incarceration, SB 517 enhances judicial discretion and eliminates uncertainties about court authority to lift parole holds and order the release of supervised persons, particularly in the absence of warrants and the filing of petitions to revoke

Hon. Bill Quirk


June 10, 2015

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supervision. To enhance public safety, this proposal would also empower courts to fashion any terms and conditions of release deemed appropriate.

For these reasons, the Judicial Council is sponsoring and supporting SB 517.

Sincerely,

A handwritten signature in black ink that reads "Sharon Reilly". The signature is written in a cursive, flowing style.

Sharon Reilly
Senior Attorney

SR/yc-s

cc: Members, Assembly Public Safety Committee
Hon. William Monning, Member of the Senate
Mr. Gregory Pagan, Chief Counsel, Assembly Public Safety Committee
Mr. Gary Olson, Consultant, Assembly Republican Office of Policy
Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor
Mr. Martin Hoshino, Administrative Director, Judicial Council of California



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CORY T. JASPERSON
Director, Governmental Affairs

July 1, 2015

Hon. Edmund G. Brown, Jr.
Governor of California
State Capitol, First Floor
Sacramento, California 95814

Subject: SB 517 (Monning) – Request for Signature

Dear Governor Brown:

The Judicial Council is pleased to support and sponsor SB 517, which provides courts with discretion to order the release of supervised persons from custody, unless otherwise serving a period of flash incarceration, regardless of whether a petition has been filed or a parole hold has been issued. Although courts are generally authorized to determine the custody status of supervised persons during court revocation proceedings, courts have no express statutory authority to order the release of persons supervised on post-release community supervision or parole if detained by the supervising agency, particularly if detained on a parole hold.

By authorizing courts to determine the custody status of all supervised persons, with the exception of those serving a period of flash incarceration, SB 517 enhances judicial discretion and eliminates uncertainties about court authority to lift parole holds and order the release of supervised persons, particularly in the absence of warrants and the filing of petitions to revoke supervision. To enhance public safety, this proposal would also empower courts to fashion any terms and conditions of release deemed appropriate.

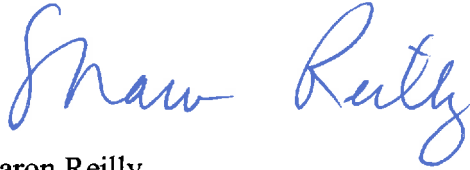
For these reasons, the Judicial Council respectfully requests your signature on SB 517.

Hon. Edmund G. Brown, Jr.

July 1, 2015

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Sincerely,

A handwritten signature in blue ink, appearing to read "Sharon Reilly". The signature is fluid and cursive, with the first name "Sharon" and last name "Reilly" clearly distinguishable.

Sharon Reilly
Senior Attorney

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cc: Hon. William Monning, Member of the Senate

Ms. June Clark, Deputy Legislative Affairs Secretary, Office of the Governor

Mr. Martin Hoshino, Administrative Director, Judicial Council of California