



Office of the District Attorney Stanislaus County

Birgit Fladager
District Attorney

Assistant District Attorney
Jeffrey M. Laugero

Chief Deputies
Marlisa Ferreira
Wendell Emerson
Michael D. Houston
Mark Zahner

Bureau of Investigation
Chief Terry L. Seese

PRESS RELEASE

For Immediate Release

Date: April 6, 2022
Re: Permanent Early Prison Release Rules
Please Help--Public Comment Period

For More Information Contact:

John Goold, Public Information Liaison
Phone: (209) 525-6909

Modesto, California - Stanislaus County District Attorney Birgit Fladager announced today that the California Department of Corrections and Rehabilitations (CDCR) is seeking to make permanent COVID-era regulations which will result in early releases of thousands of violent offenders and so-called “nonviolent second strikers.” CDCR must hold a public comment period before the regulations become permanent. CDCR must consider and address all comments made.

Under the proposed regulations, CDCR wants to reduce prison sentences already imposed by judges 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. A felon in possession of a firearm with a prior violent felony conviction will serve less than half his sentence.

CDCR has had these regulations in place for 10 months as “emergency” measures which allowed them to avoid public participation in this major policy change. In May of 2021, District Attorney Fladager along with 44 other elected District Attorneys filed a civil lawsuit against CDCR challenging the use of the emergency process for these early releases. Please see the press releases below 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](#)

[Court Reinstated TRO Preventing CDCR from Increasing Credits for Second-Strikers w/Serious, Violent Convictions – Sacramento County District Attorney's Office \(sacda.org\)](#)

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 or by mail to the California

Office: 832 12th Street, Suite 300 Modesto, CA 95354 Mailing: PO BOX 442 Modesto, CA 95353
Telephone: (209) 525-5550 Fax: (209) 558-4027 www.stanislaus-da.org



<https://www.facebook.com/StanislausDistrictAttorney/>

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/>

###

Office: 832 12th Street, Suite 300 Modesto, CA 95354 Mailing: PO BOX 442 Modesto, CA 95353

Telephone: (209) 525-5550 Fax: (209) 558-4027 www.stanislaus-da.org



<https://www.facebook.com/StanislausDistrictAttorney/>