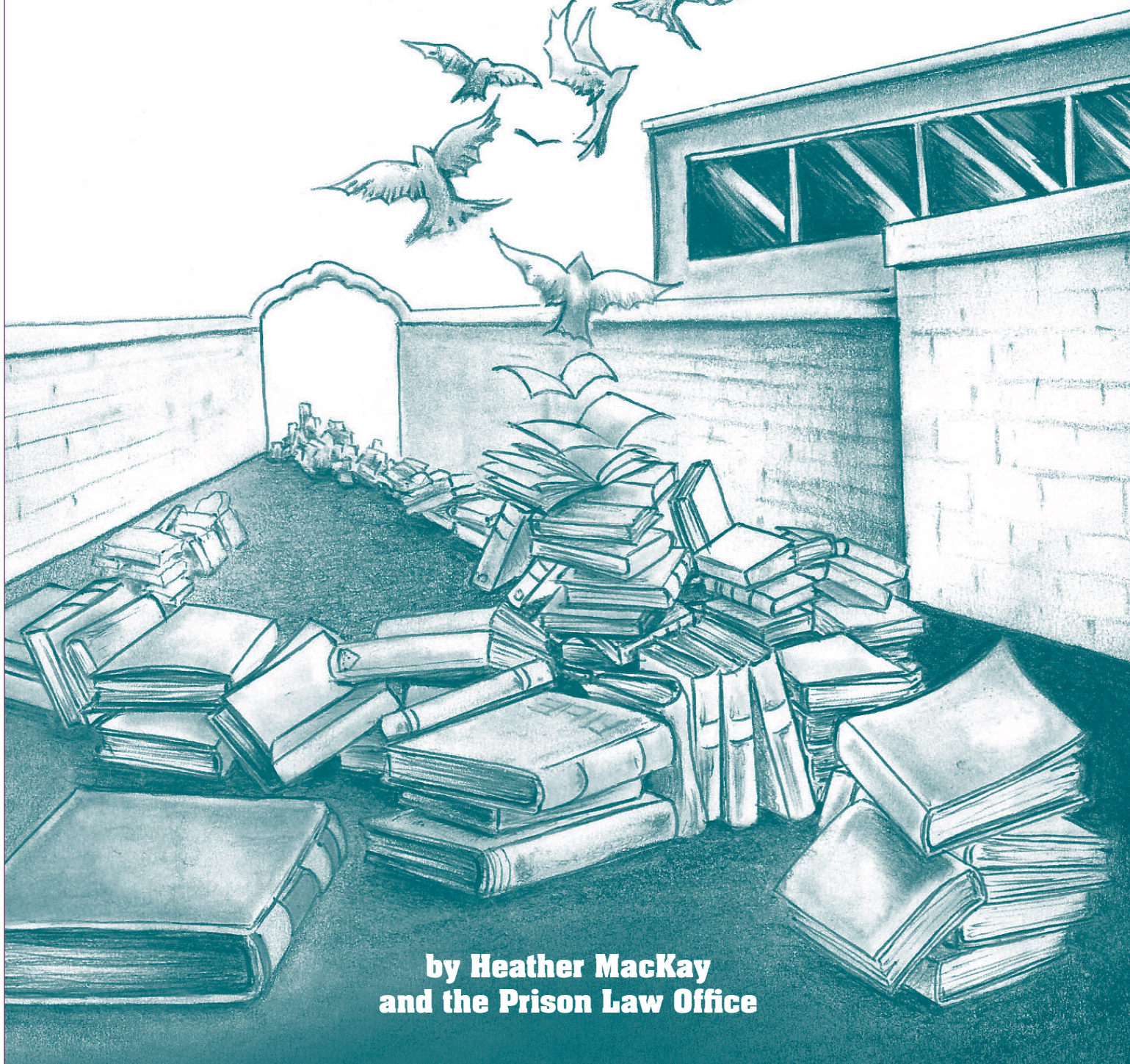


# **The California Prison and Parole Law Handbook**



**by Heather MacKay  
and the Prison Law Office**

# THE CALIFORNIA PRISON & PAROLE LAW HANDBOOK

BY HEATHER MACKAY  
&  
THE PRISON LAW OFFICE

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The Prison Law Office is a non-profit public interest law firm that strives to protect the rights and improve the living conditions of people in state prisons, juvenile facilities, jails and immigration detention in California and elsewhere. The Prison Law Office represents individuals, engages in class actions and other impact litigation, educates the public about prison conditions, and provides technical assistance to attorneys throughout the country.

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## **YOUR RESPONSIBILITY WHEN USING THIS HANDBOOK**

When we wrote *The California Prison and Parole Law Handbook*, we did our best to provide useful and accurate information because we know that people in prison and on parole often have difficulty obtaining legal information and we cannot provide specific advice to everyone who requests it. However, the laws are complex change frequently, and can be subject to differing interpretations. Although we hope to publish periodic supplements updating the materials in the Handbook, we do not always have the resources to make changes to this material every time the law changes. If you use the Handbook, it is your responsibility to make sure that the law has not changed and is applicable to your situation. Most of the materials you need should be available in a prison law library or in a public county law library.

## PREFACE: USING THIS HANDBOOK

*The California Prison and Parole Law Handbook* is designed to provide people in prison and on parole in the custody of the California Department of Corrections and Rehabilitation (CDCR), and their attorneys and advocates, with a summary of relevant laws, practical guidance on prison policies and legal procedures, and useful forms and sample pleadings. The *Handbook* is up-to-date on legal and policy developments through approximately early summer 2018; where possible, we've slipped in a few more recent developments that are particularly important. Users of the *Handbook* should take heed that interpretation of the law is a tricky business and that laws and policies will continue to change. If you use the information in the *Handbook*, it is your responsibility to make sure that the law has not changed and that the provisions cited are applicable to your situation.

The *Handbook* contains 19 chapters which cover broad topics. Anyone with limited legal knowledge may want to start by reading Chapter 19, which gives an overview of the structure of the legal system and discusses basic legal research and writing skills.

There are several ways to locate information in the *Handbook*. The Table of Contents at the front of the book lists the chapter and section titles. In addition, each Chapter starts with a list of the topics covered therein. There is an Index at the end of the book with an alphabetical listing of the subjects covered by the book. Just before the Index is a Table of Authorities that lists all of the cases, statutes, regulations, and other authorities cited in the *Handbook*. Finally, the text includes cross-references to other sections of the *Handbook* that discuss related topics.

The Appendices to the *Handbook* contain samples of many CDCR forms and legal forms, as well as information and resource lists. Among the most useful of the Appendices is a list of acronyms used in the CDCR (Appendix P-1).

\* \* \*

The CDCR has extensive regulations and operational procedures. The CDCR's regulations for adult facilities are published in Title 15 of the California Code of Regulations starting at § 3000. Board of Parole Hearings regulations are published in Title 15 of the Code of Regulations starting at § 2000. The CDCR also has a Department Operations Manual, known as the "DOM," which provides more specific procedures for carrying out the policies set forth in the regulations. However, some sections of the DOM are outdated and no longer in accord with state statutes or CDCR regulations; these DOM sections are not enforceable.

Both Title 15 and the DOM should be available in every prison law library, as should other CDCR policy memos, remedial plans, and documents affecting people's rights. In addition, Title 15, the DOM, and many other information and policy documents are available on the CDCR website at [www.cdcr.ca.gov](http://www.cdcr.ca.gov). The CDCR website also has information about recently adopted and proposed changes to the regulations and DOM.

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