State of California
Office of Administrative Law

In re: **Department of Corrections and Rehabilitation**	**NOTICE OF APPROVAL OF REGULATORY ACTION**
Regulatory Action:	**Government Code Section 11349.3**
Title 15, California Code of Regulations	**OAL Matter Number: 2025-0505-04**
Amend sections: 3075.2	**OAL Matter Type: Regular (S)**

This action amends provisions governing the calculation of release allowances and the distribution of release allowances and trust account balances via check or debit card to eligible incarcerated persons. The proposed regulations also remove deductions from release allowances for clothing and transportation to align with Assembly Bill 157 (Ch. 994, Stats. 2024).

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 10/1/2025.

Date: June 17, 2025

Anna Lisa Thomas

Anna Thomas
Attorney

For: Kenneth J. Pogue
Director

Original: Jeffrey Macomber, Secretary
Copy: Dmitriy Kostyuk

Docusign Envelope ID: CB0DE494-9564-4449-B62E-024CA488...

STATE OF CALIFORNIA—OFFICE OF ADMINISTRATIVE LAW

NOTICE PUBLICATION/REGULATIONS SUBMISSION — REGULAR

STD. 400 (REV. 10/2019)

For use by Secretary of State only

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-2025-0110-03	2025-0505-04S	

For use by Office of Administrative Law (OAL) only

OFFICE OF ADMIN. LAW
2025 MAY 5 PM2:26

NOTICE | REGULATIONS

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

JUN 17 2025

1:30 PM

AGENCY WITH RULEMAKING AUTHORITY: California Department of Corrections and Rehabilitation

AGENCY FILE NUMBER (If any): 25-02

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE

3. NOTICE TYPE	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
☐ Notice re Proposed Regulatory Action ☐ Other			

OAL USE ONLY	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE
	☐ Approved as Submitted ☐ Approved as Modified ☐ Disapproved/ Withdrawn	2024, 04-Z	1/24/2025

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S): Release Allowance

1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S):

2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)

SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)

ADOPT: ~~3075.2~~

AMEND: 3075.2

REPEAL:

TITLE(S): 15

PER AGENCY REQUEST ALT 6/17/25

3. TYPE OF FILING

- ☒ Regular Rulemaking (Gov. Code §11346)
- ☐ Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.
- ☐ Emergency Readopt (Gov. Code, §11346.1(h))
- ☐ Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
- ☐ Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)
- ☐ File & Print
- ☐ Print Only
- ☐ Emergency (Gov. Code, §11346.1(b))
- ☐ Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)
- ☐ Other (Specify)

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

- ☒ Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))
- ☐ Effective on filing with Secretary of State
- ☐ §100 Changes Without Regulatory Effect
- ☐ Effective other (Specify)

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

- ☒ Department of Finance (Form STD. 399) (SAM §6660)
- ☐ Fair Political Practices Commission
- ☐ State Fire Marshal
- ☐ Other (Specify)

PER AGENCY REQUEST ALT 6/17/25

7. CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional)
Dmitriy Kostyuk	279-223-2313		Dmitriy.Kostyuk@cdcr.ca.gov

8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

DocuSigned by:

SIGNATURE OF AGENCY HEAD OR DESIGNEE: Jennifer Barretto
ADC5F583706FF4AF

DATE: 5/2/2025

TYPED NAME AND TITLE OF SIGNATORY: Jennifer Barretto, Undersecretary, Administration

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

JUN 17 2025

Office of Administrative Law

TEXT OF ADOPTED REGULATIONS

In the following text, ~~strikethrough~~ indicates deleted text and underline indicates added or amended text.

Title 15. Crime Prevention and Corrections

Division 3. Adult Institutions, Programs, and Parole

Chapter 1. Rules and Regulations of Adult Operations and Programs

Article 6.5. Intake, Release and Discharge of Incarcerated Persons

Section 3075.2. Releases.

Subsections 3075.2(a) through 3075.2(c)(2) are unchanged.

Subsection 3075.2(c)(3) is amended to read:

(3) At the time of release, the incarcerated person shall be presented a CDCR Form 102 (Rev. 08/24 ~~07/24~~), Release Statement, which is hereby incorporated by reference, to sign acknowledging receipt of any California identification card, medical card, debit card with terms and conditions, instructional flyer, cash, check(s), or transportation voucher, and clothing, or any combination thereof. Failure by the incarcerated person to sign the CDCR Form 102 shall not be justification for withholding either the incarcerated person's release allowance or any trust account funds, as described in subsections 3075.2(d) and 3075.2(d)(1).

[Subsection 3075.2(d) is amended to read:]

(d) Release Allowances.

(1) A release allowance is a sum of money intended for the rehabilitative purpose of assisting in an incarcerated or ~~/~~supervised person's reintegration into society, and shall only be provided to an ~~/~~ incarcerated or ~~/~~supervised person who is released from a CDCR Institution or ~~/~~Community Correctional Facility to the direct supervision of a parole agent in the community, is placed on non-revocable parole, is released to Post-release Community Supervision, is released to an alternative custody program pursuant to 15 CCR § 3078, et seq., is released upon completion of a term of imprisonment to local law enforcement as a result of a detainer or hold, is released to the custody and supervision of the Department of State Hospitals, is released to a detainer or hold pursuant to commitment proceedings as a sexually violent predator (Welfare and Institutions Code, Article 4, Section 6600), or is discharged from the jurisdiction of the CDCR. Except as stipulated below, incarcerated or ~~/~~supervised persons shall receive the release funds specified in Penal Code (PC) Section 2713.1, for six months or more served in a CDCR Institution~~/~~ or Community Correctional Facility. Incarcerated~~/~~ or supervised persons serving less than six months in a CDCR Institution~~/~~ or Community Correctional Facility shall be given a prorated daily rate for each day, or fraction of a day, in custody up to the amount specified in PC 2713.1 utilizing the formula:

(A) Release funds per the amount specified in PC 2713.1 divided by 182.5 days (six months) equals the daily rate rounded to two decimal places.

~~The cost of the following items shall be deducted from the incarcerated person's release allowance in connection with the incarcerated person's release:~~

~~Release apparel not previously purchased by the incarcerated person or incarcerated person's designee.~~

~~Any transportation costs paid by the state~~.

(B) If required, release ~~C~~clothing and ~~public~~ transportation from the institution or Community Correctional Facility to the nearest public transportation hub ~~if required,~~ shall not be denied ~~due to an insufficient release allowance~~.

(C) Cost of state-provided release clothing and transportation shall not be deducted from the release allowance.

(2) Supervised persons who willfully abscond shall forfeit any remaining release allowance otherwise due to them. Supervised persons placed in custody and released from county jail as a result of a parole violation are not eligible for CDCR release allowance.

[Existing subsection 3075.2(d)(1) is renumbered to subsection 3075.2(d)(3) and is left unchanged.]

[Existing subsection 3075.2(d)(2) is renumbered to subsection 3075.2(d)(4) and is left unchanged.]

[Existing subsection 3075.2(d)(3) is renumbered to subsection 3075.2(d)(5) is amended to read:]

(~~3~~5) If an incarcerated person is eligible for a release allowance ~~of $200,~~ pursuant to PC section 2713.1, the department shall give the incarcerated person ~~the~~ an option of receiving the release allowance ~~and any trust account balance~~ on a debit card or a check, except in the situations listed in subsection 3075.2(d)(5)(A), where a debit card is not a viable option. In situations where a debit card is a viable option, ~~T~~the incarcerated person ~~will~~ shall be notified of the option of debit card or check at least ten (10) business days before release. If it is not possible to notify the incarcerated person at least 10 business days before release due to a changed release date, the incarcerated person shall be notified as soon as the changed date is determined. The incarcerated person shall make the selection at the time of notification. If the incarcerated person does not select a disbursement option, the release allowance ~~and the trust account balance~~ shall be issued by check(s).

[Subsection 3075.2(d)(5)(A) is deleted:]

~~(A) If the total of an incarcerated person's release allowance and trust account is $1,000 or less, the total amount will be loaded on a debit card, or the total amount will be issued by check, depending on the selection made by the incarcerated person.~~

[Subsection 3075.2(d)(5)(B) is deleted:]

~~(B) If the total of an incarcerated person's release allowance and trust account exceeds $1,000, and the incarcerated person chose the debit card option, the release allowance will be disbursed by debit card. The incarcerated person's trust account balance will be disbursed by check.~~

[New subsection 3075.2(d)(5)(A) is adopted to read:]

(A) The following are circumstances where the debit card option is not viable and a check shall be required:

[New subsection 3075.2(d)(5)(A)1. is adopted to read:]

1. When an incarcerated person is being released to a community program or when an incarcerated person is being released to a detainer where the receiving facility or program does not accept debit cards for deposit into a trust account for use at that facility or program.

[New subsection 3075.2(d)(5)(A)2. is adopted to read:]

2. When an incarcerated person has transferred out of an institution and is participating in a community program where the vendor or contracted facility will be providing a portion of the release allowance upon the incarcerated person's completion of the program.

[New subsection 3075.2(d)(5)(A)3. is adopted to read:]

3. When an incarcerated person is unable to make a choice due to a medical condition.

[New subsection 3075.2(d)(5)(A)4. is adopted to read:]

4. When an exonerated person has not made the choice of debit card or check prior to discharge.

[New subsection 3075.2(d)(5)(A)5. is adopted to read:]

5. When the debit card provider restricts or denies the issuance of a debit card to an incarcerated person.

[Subsection 3075.2(e) is renumbered to subsection 3075.2(f) and is left unchanged:]

(fe) Transportation Arrangements.

[Subsection 3075.2(e)(1) is renumbered to subsection 3075.2(f)(1) and is left unchanged:]

(1) An incarcerated person's transportation upon release shall be arranged by the facility, unless a private party has contacted the facility at least three days before the incarcerated person's scheduled release, has offered to provide transportation, and the facility has approved the arrangement.

[New subsection 3075.2(e) is adopted to read:]

(e) Trust Account Balance.

[New subsection 3075.2(e)(1) is adopted to read:]

(1) Trust account balances may be issued via debit card if an account balance is equal to or less than the debit card limit, regardless of the option selected for the release allowance.

[New subsection 3075.2(e)(1)(A) is adopted to read:]

(A) If an incarcerated person chooses the option of having the release allowance issued via debit card, per Section 3075.2(d)(5), and the total of the incarcerated person's trust account balance combined with the release allowance is within the debit card limit, the department may disburse the trust account balance and the release allowance on the same debit card.

[New subsection 3075.2(e)(1)(B) is adopted to read:]

(B) If the total of the trust account balance combined with the release allowance exceeds the debit card limit, the trust account balance shall be disbursed by check. A trust account balance shall be disbursed as a lump sum amount and cannot be split into two different types of disbursements.

[Subsection 3075.2(f) is renumbered to subsection 3075.2(g) and is amended to read:]

(gf) Exonerated Persons.

[Subsection 3075.2(f)(1) is renumbered to subsection 3075.2(g)(1) and is amended to read:]

(1) Release allowances and balance of trust account balances for exonerated persons being discharged from an institution shall be processed as described in section 3075.2(d)(5)(B) 3075.2(d)(5).

[Subsection 3075.2(f)(2) is renumbered to 3075.2(g)(2) and is left unchanged.]

(2) Release allowances and trust account balance for exonerated persons being discharged from a court, along with any other payments as specified in PC section 3007.05, shall be issued by check.

[Subsection 3075.2(f)(3) is renumbered to 3075.2(g)(3) and amended to read:]

(3) The CDCR Form 102 (Rev. 03/22 08/24), Release Statement, Section I, shall have the Exonerated checkbox marked.

NOTE: Authority cited: Sections 2713.1, 3000.03, 5058 and 5058.3, Penal Code. Reference: Sections 186.30, 290, 457.1, 1168, 1170, 1170.05, 2713.1, 2901, 2962, 3007.05, 3053.5, 3060.7, 3067, 3450, 3452, 3453, 3454, 5054, 11175, 11176 and 11180, Penal Code; Sections 2713.1, 6600, 6601 and 6604, Welfare and Institutions Code; 12 CFR 1005.10(e)(2), 31 CFR 1022.380; and *Sabatasso v. Superior Court* (2008) 167 Cal. App. 4th 791, 797.

STATE OF CALIFORNIA

RELEASE STATEMENT

CDCR 102 (Rev. 08/24)

ADOPT

Reset Form | Print Form

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CDCR NUMBER:	INCARCERATED PERSON'S IDENTIFICATION (ID) NUMBER:	DATE OF BIRTH:	RELEASING INSTITUTION:	RELEASE STATEMENT NUMBER:
INCARCERATION DATE:	RELEASE DATE:	AUTHORIZED STATE ALLOWANCE: $	RELEASED PERSON'S NAME: LAST, FIRST	
PAROLE FIELD UNIT:	DESTINATION AND FORWARDING ADDRESS:			

I. RELEASE TYPE (Check One): (see below for acronyms)

- ☐ ACP - ALTERNATIVE CUSTODY PROGRAM
- ☐ Medical Parole
- ☐ Release to HOLD
- ☐ FCRP/MCRP
- ☐ Parole
- ☐ Release to U.S. ICE
- ☐ Discharge
- ☐ PRCS
- ☐ CPMP
- ☐ Exonerated
- ☐ DSH - Department of State Hospital
- ☐ Other (Specify)_____

II. INCARCERATED PERSON DISBURSEMENT SELECTION FOR RELEASE ALLOWANCE (IF APPLICABLE)

☐ Debit Card ☐ Check ☐ No selection made. Check(s) to be issued. ☐ Not Applicable. Check(s) by default ☐ No Release Allowance Due

III. APPROVED

WARDEN'S REPRESENTATIVE – PRINT NAME:	WARDEN'S REPRESENTATIVE – SIGNATURE:	DATE:

IV. CLOTHING/TRANSPORTATION AUTHORIZATION (CHECK ALL THAT APPLY):

- ☐ Top - Shirt/Blouse/Sweatshirt $_____
- ☐ Outerwear - Jacket/Coat/Sweater $_____
- ☐ Undergarments $_____
- ☐ Bottom - Pants/Sweatpants $_____
- ☐ Footwear - Boots/Shoes/Sandals $_____
- ☐ Transportation Voucher # _____

Total Clothing Cost: $_____

Transportation Voucher Cost: $_____

V. IDENTIFICATION CARDS

CALIFORNIA (CA) ID NUMBER:	MEDICAL CARD NUMBER:

VI. RESOURCES AND DISTRIBUTION

		Debit Card Amount	Check Amount
A. Personal Resources	a. Trust Account:	$	$
	b. Bonds and Securities		
	Total Personal Resources: (a+b)	**$**	**$**
B. Exonerated Allowance	**Total Exonerated Allowance:**		**$**
C. State Release Allowance			
	a. Total State Allowance	$	$
	b. Less Advance to Temporary Release Allowance	$	$
	c. Miscellaneous Deduction	$	$
	Total State Allowance: (a-b-c)	**$**	**$**

D. Total Resources and Distribution:

- ☐ State Check: Check # _____ **$** _____
- ☐ Debit Card: RPID # _____ **$** _____
- Debit Card Activation Date: _____
- ☐ Cash (ACP/FCRP/MCRP) $ _____
- ☐ Cash Institution $ _____

NOTE TO RELEASEE: To avoid being charged the debit card contractor or third-party fees, remove all funds from debit card within 30 days of activation date above. Refer to the cardholder agreement for additional information.	**Total Issued: (Debit Card+Check+Cash)**	$

VII. SIGNATURES AND ACKNOWLEDGEMENTS

I hereby acknowledge receipt of one or more of the following: CA ID Card, medical card, clothing, debit card with terms and conditions, instructional flyer, check(s), cash, or transportation voucher, as indicated above.

RELEASED PERSON SIGNATURE:	DATE:
WITNESS – PRINT NAME:	DATE:
WITNESS - SIGNATURE:	

ACRONYM	**TITLE**
FCRP/MCRP	Female Community Reentry Program/Male Community Reentry Program
U.S. ICE	United States Immigration and Customs Enforcement
PRCS	Post-Release Community Supervision
CPMP	Community Participant Mother Program
RPID	Retail Product ID

DISTRIBUTION **Original:** State Controller **Copies:** Accounting, Trust, Central File, DAPO, Clothing, Releasee

REPEAL

STATE OF CALIFORNIA
RELEASE STATEMENT
CDCR 102 (Rev. 07/24)

Reset Form | Print Form

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CDCR NUMBER:	PID NUMBER:	DATE OF BIRTH:	RELEASING INSTITUTION:	RELEASE STATEMENT NUMBER:
INCARCERATION DATE:	RELEASE DATE:	AUTHORIZED STATE ALLOWANCE: $	RELEASED PERSON'S NAME:	
PAROLE FIELD UNIT:		DESTINATION AND FORWARDING ADDRESS:		

I. RELEASE TYPE (Check One): (see page 2 for acronyms)

☐ ACP ☐ CCTRP/MCRP ☐ Discharge ☐ Exonerated
☐ Medical Parole ☐ Parole ☐ PRCS ☐ Release to DSH
☐ Release to HOLD ☐ Release to U.S. ICE ☐ WFP ☐ Other (Specify): _____

II. INCARCERATED PERSON DISBURSEMENT SELECTION – Option of receiving the release allowance and any trust account balance (Check One):

☐ Debit Card ☐ State Check ☐ Incarcerated person did not select disbursement option. Check(s) to be issued.

III. APPROVED

WARDEN'S REPRESENTATIVE – Print Name:	**WARDEN'S REPRESENTATIVE** – Signature:	DATE:

IV. CLOTHING AUTHORIZATION (CHECK ALL THAT APPLY):

☐ Top - Shirt/Blouse/Sweatshirt ☐ Bottom - Pants/Sweatpants ☐ Undergarments
☐ Outerwear - Jacket/Coat/Sweater ☐ Footwear - Boots/Shoes/Sandals **Clothing Cost:** $ _____

V. IDENTIFICATION CARDS

CALIFORNIA (CA) ID NUMBER:	MEDICAL CARD NUMBER:

VI. RESOURCES AND DISTRIBUTION:

		Amount:
A. Personal Resources	a. Debit Card RPID Number: _____	$
	b. Trust Check Number: _____	$
	c. Bonds and Securities: ☐	$
	Total Personal Resources: (a+b+c)	**$**
B. Exonerated Allowance	a. State Check # _____ **Total Exonerated Allowance:**	**$**
C. State Release Allowance	a. Total State Allowance	$
	b. Less Clothing (From Section IV)	$
	c. Less Transportation Charges (Voucher # _____)	$
	d. Less Advance to Temporary Release	$
	Net State Allowance: (a to d)	**$**

State Allowance Disbursed By:
(CHECK ONE)

☐ Debit Card: RPID # _____ ☐ State Check: Check # _____ ☐ Cash (ACP/CCTRP/MCRP) or Contingency

Debit Card Activation Date: _____

NOTE TO RELEASED PERSON:: To avoid being charged the debit card contractor or third party fees, remove all funds from debit card within 30 days of activation date above. Refer to the cardholder agreement for additional information.	**Total loaded to debit card:**	**$**

VII. SIGNATURES AND ACKNOWLEDGEMENTS

I hereby acknowledge receipt of one or more of the following: CA ID Card, medical card, clothing, debit card with terms and conditions, instructional flyer, check(s), cash, or transportation voucher, as indicated above.	**RELEASED PERSON SIGNATURE:**	DATE:
	WITNESS - Print Name:	DATE:
	WITNESS - Signature:	

DISTRIBUTION **Original:** State Controller **Copies:** Accounting, Trust, Central File, DAPO, Clothing, Released Person

ACRONYM	TITLE
ACP	Alternative Custody Program
CCTRP/MCRP	Custody to Community Transitional Reentry Program/Male Community Reentry Program
DSH	Department of State Hospitals
PID	Prisoner Identification Number
PRCS	Post-Release Community Supervision
U.S. ICE	United States Immigration and Customs Enforcement
WFP	Women and Family Program

REPEAL

STATE OF CALIFORNIA
RELEASE STATEMENT
CDCR 102 (Rev. 03/22)

Reset Form | Print Form

DEPARTMENT OF CORRECTIONS AND REHABILITATION

CDCR NUMBER:	PID NUMBER:	DATE OF BIRTH:	RELEASING INSTITUTION:	RELEASE STATEMENT NUMBER:
INCARCERATION DATE:	RELEASE DATE:	AUTHORIZED STATE ALLOWANCE: $	RELEASEE'S NAME:	
PAROLE FIELD UNIT:		DESTINATION AND FORWARDING ADDRESS:		

I. RELEASE TYPE (Check One): (see page 2 for acronyms)

☐ ACP ☐ CCTRP/MCRP ☐ Discharge ☐ Exonerated
☐ Medical Parole ☐ Parole ☐ PRCS ☐ Release to DSH
☐ Release to HOLD ☐ Release to U.S. ICE ☐ WFP ☐ Other (Specify): _____

II. INMATE DISBURSEMENT SELECTION – Option of receiving the release allowance and any trust account balance (Check One):

☐ Debit Card ☐ State Check ☐ Inmate did not select disbursement option. Check(s) to be issued.

III. APPROVED

WARDEN'S REPRESENTATIVE – Print Name:	**WARDEN'S REPRESENTATIVE** – Signature:	DATE:

IV. CLOTHING AUTHORIZATION (CHECK ALL THAT APPLY):

☐ Top - Shirt/Blouse/Sweatshirt ☐ Bottom - Pants/Sweatpants ☐ Undergarments
☐ Outerwear - Jacket/Coat/Sweater ☐ Footwear - Boots/Shoes/Sandals **Clothing Cost:** $ _____

V. IDENTIFICATION CARDS

CALIFORNIA (CA) ID NUMBER:	MEDICAL CARD NUMBER:

VI. RESOURCES AND DISTRIBUTION:

		Amount:
A. Personal Resources	a. Debit Card RPID Number: _____	$
	b. Trust Check Number: _____	$
	c. Bonds and Securities: ☐	$
	Total Personal Resources: (a+b+c)	**$**
B. Exonerated Allowance	a. State Check # _____ **Total Exonerated Allowance:**	**$**
C. State Release Allowance	a. Total State Allowance	$
	b. Less Clothing (From Section IV)	$
	c. Less Transportation Charges (Voucher # _____)	$
	d. Less Advance to Temporary Release	$
	Net State Allowance: (a to d)	**$**

State Allowance Disbursed By:
(CHECK ONE)

☐ Debit Card: RPID # _____ ☐ State Check: Check # _____ ☐ Cash (ACP/CCTRP/MCRP or Contingency)

Debit Card Activation Date: _____

NOTE TO RELEASEE: To avoid being charged the debit card contractor or third party fees, remove all funds from debit card within 30 days of activation date above. Refer to the cardholder agreement for additional information.	**Total loaded to debit card:**	**$**

VII. SIGNATURES AND ACKNOWLEDGEMENTS

I hereby acknowledge receipt of one or more of the following: CA ID Card, medical card, clothing, debit card with terms and conditions, instructional flyer, check(s), cash, or transportation voucher, as indicated above.	**RELEASEE SIGNATURE:**	DATE:
	WITNESS - Print Name:	DATE:
	WITNESS - Signature:	

DISTRIBUTION **Original:** State Controller **Copies:** Accounting, Trust, Central File, DAPO, Clothing, Releasee

ACRONYM	TITLE
ACP	Alternative Custody Program
CCTRP/MCRP	Custody to Community Transitional Reentry Program/Male Community Reentry Program
DSH	Department of State Hospitals
PID	Prisoner Identification Number
PRCS	Post-Release Community Supervision
U.S. ICE	United States Immigration and Customs Enforcement
WFP	Women and Family Program

FINAL STATEMENT OF REASONS

The Initial Statement of Reasons (ISOR) is incorporated by reference.

UPDATES TO THE INITIAL STATEMENT OF REASONS:

On January 24, 2025, the California Department of Corrections and Rehabilitation (CDCR or the department) published the Notice of Change to Regulations for Release Allowance, which began the public comment period. The department's Notice of Change to Regulations #25-02 was mailed the same day to individuals who had requested to be on the department's mailing list for regulation changes, was posted on the department's website, and copies were posted in CDCR institutions. One written public comment was received during the public comment period. The comment is responded to below under the heading *Summaries and Responses to Written Public Comments Received During the Initial Comment Period*. A public hearing was held on March 13, 2025. The department received no comments during the public hearing.

After the public comment period closed the department made clerical changes to the text to update punctuation and make non-substantive changes. Additionally, the note section was updated to show removal of references that are no longer relevant. Strikethrough was added to section 2713.1 of the Welfare and Institutions Code as well as 31 CFR 1022.380.

The department inadvertently left out the explanation regarding the changes to section one and acronym key in CDCR Form 102 Release Statement (Rev.08/24) that was noticed. The purpose for removing the "Women and Family Program" was because the program is now referenced as the "Community Participant Mother Program" and the "Community Transitional Reentry Program" was renamed to "Female Community Reentry Program".

There was a typographical error in the item number from the 2024 Budget Act which was referenced in the ISOR, the correct number 5225-015-0001.

DETERMINATIONS, ASSESSMENTS, MANDATES, AND FISCAL IMPACT:

The department has determined that no alternative considered would be more effective in carrying out the purpose for which this regulation is proposed or would be as effective and less burdensome to affected private persons or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the action proposed. No such alternatives were proposed or brought to the department's attention during the adoption of this rulemaking action. The department is obligated to comply with Assembly Bill 157 which added item 5225-015-0001 to Section 2.00 of the Budget Act of 2024. The funds appropriated in this item shall be available for CDCR to provide release clothing and transportation for incarcerated individuals upon release, if the incarcerated person does not have clothing or transportation otherwise available. For reasons further explained in CDCR's responses to comments in the section below, CDCR determined that the proposed regulation was the most effective means of disbursing release allowances and trust account balances, while being compliant with 12 CFR Section 1005.10(e)(2).

The department has made an initial determination that the action will not have a significant adverse economic impact on business. Additionally, there has been no testimony or other evidence provided that would alter the department's initial determination.

The department's explanation for the significant adverse economic impact on business was inadvertently left out from Initial Statement of Reasons (ISOR), however it was stated in the notice document. The department is clarifying that it has made an initial determination that the proposed regulations will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states, because the proposed regulations place no obligations or requirements on any business.

The department has determined that this action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to Part 7 (Section 17561) of Division 4 of the Government Code (GC).

The department has determined that no reasonable alternatives to the regulation have been identified or brought to the attention of the department that would lessen any adverse impact on affected private persons or small businesses than the action planned.

The department, in proposing the adoption of these regulations, has not identified nor has it relied upon any technical, theoretical, or empirical study, report, or similar document.

The department has relied upon the results of the Economic Impact Assessment, which can be found in the Notice of Proposed Regulations and is available for review as part of the rulemaking file.

NOTE REGARDING CDCR FORMS INCORPORATED BY REFERENCE (CCR, TITLE 1, SECTION 20):

This note explains the department's justification for incorporating forms by reference. The department uses over 1,500 forms, most of which are regulatory. It would be unduly cumbersome, expensive and impractical to print all of these forms in the CCR text, therefore the department has always incorporated forms by reference, except in specific circumstances which do not apply in the case of these regulations.

The adopted, amended, and/or repealed forms included in this rulemaking action were made available to the public for review and were included in the notice of rulemaking sent to all parties who have requested notification.

SUMMARIES AND RESPONSES TO WRITTEN PUBLIC COMMENTS RECEIVED DURING THE INITIAL COMMENT PERIOD:

Commenter #1

Comment 1A: Commenter is an internal CDCR staff member. The complications allowing incarcerated persons to obtain a check rather than a debit card are far more difficult than being projected. The funds might be more readily accessible, but unless the incarcerated/paroled individual has an identification card to cash the check at a check cashing facility or deposit into a bank, they will run into greater difficulties.

Response 1A: Current regulation requires the choice of debit card or check be given to all incarcerated persons getting ready for release. This resulted from the previous regulation update, completed in December 2022, to bring the department into compliance with the federal financial regulations. Per federal financial regulations, release allowances cannot be provided on a debit card unless the recipient makes that choice. This proposed regulation includes verbiage to correct issues that arose from the 2022 update. Moving forward, types of releasees who were given a check by default before the previous update (where the debit card was not feasible), will now once again get a check by default. This will reduce additional steps required in situations where a debit card was selected by the incarcerated person and later was found to not be feasible. Additionally, incarcerated persons can participate in the CAL-ID Program, allowing them to obtain a State Identification Card if they are within 120-210 days of release.

Comment 1B: If an incarcerated person chooses their release allowance to be on a check, then any trust funds remaining in their trust account must also be obtained on a separate check, for they are controlled by separate revolving funds. The incarcerated person will now have 2 checks in their possession upon their release. A debit card cannot be activated for trust funds only.

Response 1B: The proposed regulations will change this process. The current requirement of loading trust funds on a debit card only when release allowances are due would now change. The new process will allow trust funds to be issued on a debit card, as long as the balance does not exceed the debit card limit, even if the incarcerated person chooses the check option for their release allowance.

Comment 1C: If the incarcerated individual is discharged and has no address to release to, the release allowance cannot be put onto a check without an address. This address also cannot be a residential address, per the directions from the Accounting Services Branch-Bakersfield office.

Response 1C: The comment is insufficiently related to the specific action proposed. The current process for handling the situation mentioned in the comment is not affected by the proposed regulations. Therefore, the comment is irrelevant pursuant to Government Code, Section 11346.9(a)(3).

Comment 1D: A debit card is a much faster more economical means of accessing their release funds as more and more businesses move towards a digital currency than paper currency and prison institutions do not have to use 2 separate types of check stock for one individual.

Response 1D: Pursuant to the federal financial regulations, release allowances cannot be issued on a debit card, unless the recipient chooses it. The proposed regulation adds flexibility to provide trust funds on a debit card, even if a choice of check is made for the release allowances.

Comment 1E: Separation of Duties and Internal Control come highly into play at that point. Releasing institutions must have sufficient staff to create the trust funds check, sign the trust funds, print both trust fund and release allowance checks all without crossing duties or completing more than one task at one time. Reference the State Administrative Manual (SAM), Section 7280. All funds (trust and release allowance) can be loaded onto one debit card with minimal staff involvement, thus, limiting the possibility of violating SAM 7280.

Response 1E: The proposed regulation will assist in this matter. Since release allowances cannot be issued on a debit card until the recipient chooses the option, we have no control over that. The proposed regulation will allow trust funds to be provided on a debit card, even if the release allowance is issued on a check, as long as the trust account balance is within the debit card limit. This will reduce the number of trust fund checks that need to be issued.

Comment 1F: In Susanville, CA, which is 81 miles west of Reno, NV, incarcerated/paroled individuals are transported to the Amtrak bus station in Reno, NV, on their release date, to purchase a bus ticket, should they not plan for a friend/family member to pick them up on the day of their release. This is cost effective due to the distance of the institution from Sacramento, CA and the inclement winter weather. Driving an incarcerated/paroled individual to a check cashing facility, in another state, prior to transporting them to the Amtrak bus station to purchase a bus ticket, could create an unsafe environment for the custody staff, other incarcerated/paroled individuals, and/or the public. The transportation vehicle, at times, transports more than one incarcerated/paroled individual to the Amtrak bus station on a release day, and those incarcerated/paroled individuals may have debit cards.

Response 1F: The proposed regulation will assist in this matter, in most instances. The proposed regulation will allow the issuance of trust funds, in most cases, on a debit card even if the incarcerated person selects the check option for their release allowance. For incarcerated persons that receive checks for their release allowances, this change will ensure that there are funds also available on a debit card to purchase bus ticket, etc. until they can get to a check cashing place. This will not resolve all the issues, since factors such as trust account balance and the Office of Foreign Assets Control list, may prevent availability of funds on a debit card, but it will reduce the number of instances.

Comment 1G: The Amtrak bus station does not allow the incarcerated/paroled persons to purchase a bus ticket with a third-party check. The proposed regulations will have an effect on the Amtrak business who cannot make a sale. The incarcerated/paroled individuals can purchase their bus tickets, at the terminal, using their debit cards, because it is a working Mastercard. The proposed regulations create a cost to the institution for the unexpected overtime, should there be a delay in an incarcerated/paroled individual not being able to purchase a bus ticket.

Response 1G: The proposed regulation will provide resolution to some of the concerns mentioned. Current regulations only allow a debit card to be issued if the incarcerated

person makes a choice. Proposed regulation will provide flexibility to provide the trust funds on a debit card, even if an incarcerated person selects the check option for their release allowance. This will increase the number of debit cards currently being issued, which will reduce the number of instances where a formerly incarcerated person does not have a method of payment to purchase a bus ticket, etc.

Comment 1H: The fastest way for an incarcerated individual to readily access their trust account information would be to open the option on the Viapath tablets to view their trust account statements up to 5 days prior to their release date. JPay debit cards can only be activated 5 days prior to an incarcerated persons release date per federal regulations.

Response 1H: The comment is either insufficiently related to the specific action proposed or to the procedures followed by the department in proposing or adopting these regulations, or generalized or personalized to the extent that no meaningful response can be formulated by the department in refutation or accommodation of the comment, therefore the comment is irrelevant pursuant to Government Code, Section 11346.9(a)(3).