



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-2023 Jails: discharge plans. (2021-2022)

SHARE THIS:  

Date Published: 09/16/2022 02:00 PM

Assembly Bill No. 2023

CHAPTER 327

An act to add Section 4024.5 to the Penal Code, relating to jails.

[Approved by Governor September 15, 2022. Filed with Secretary of State September 15, 2022.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2023, Bennett. Jails: discharge plans.

Existing law authorizes a county sheriff to discharge a person from a county jail at any time on the last day that the person may be confined that the sheriff considers to be in the best interests of that person. Existing law additionally authorizes a sheriff to offer a voluntary program to a person, upon completion of a sentence served or a release ordered by the court to be effected the same day, that would allow the person to stay in jail for up to 16 additional hours or until normal business hours, whichever is shorter, in order to offer the person the ability to be discharged to a treatment center or during daytime hours, as specified. Existing law authorizes the person to revoke consent and be discharged as soon as possible and practicable. Existing law requires a sheriff offering this program to, whenever possible, allow the person to make a telephone call to arrange for transportation or to notify a bail agent, as specified.

This bill would require a sheriff to make the release standards, release processes, and release schedules of a county jail available to incarcerated persons, as specified. The bill would also grant a person incarcerated in, or recently released from, a county jail up to 3 free telephone calls from a telephone in the county jail to plan for a safe and successful release. By requiring a higher level of service from county sheriffs, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 4024.5 is added to the Penal Code, to read:

4024.5. (a) The rights established in this section apply to any person being released from a county jail, including, but not limited to, a person who has completed a sentence served, has been ordered by the court to be released, has been released on the person's own recognizance, has been released because the charges have been dismissed by the court, is acquitted by a jury, is

cited and released on a misdemeanor charge, has posted bail, has complied with pretrial release conditions, or has had the charges dropped by the prosecutor.

(b) (1) The sheriff shall make the release standards, release processes, and release schedules of the county jail available to a person following the determination to release that person.

(2) The release standards shall include the list of rights enumerated in this section and the timeframe for the expedient release of a person following the determination to release that person.

(c) A person incarcerated in, or recently released from, a county jail shall have access to up to three free telephone calls from a telephone in the county jail to plan for a safe and successful release.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.