

41 Elected District Attorneys Challenge Early Release of 76,000 State Prison Inmates

Plumas County District Attorney David Hollister has joined Sacramento DA Anne Marie Schubert and 39 other elected DA's across California in challenging the early release of more than 76,000 state prison inmates. The petition, filed with the Secretary of the Department of Corrections and Rehabilitation (CDCR), requests the repeal of temporary emergency orders awarding additional custody credits.

The regulations were passed under a claim of an emergency and first made public on Friday April 30, 2021, at 3:00 p.m. These regulations would result in the early release of some of California's most violent criminals.

In adopting these regulations, and claiming an emergency, the CDCR Secretary stated these regulations were necessary to comply with "the direction outlined in the Governor's Budget Summary" presented a year ago on May 14, 2020. By invoking an emergency, the traditional regulatory scheme and transparent public comment period was bypassed.

The administrative law petition is often the first step in seeking a formal court order declaring the regulations unlawful. If the emergency regulations are nullified by a court, CDCR would be forced to pass the regulations in the traditional manner, requiring the State's Office of Administrative Law to provide greater transparency and public input.

District Attorney Schubert stated, "Allowing the early release of the most dangerous criminals, shortening sentences as much as 50%, impacts crime victims and creates a serious public safety risk. This petition asks CDCR to repeal these regulations, begin the process anew, and allow for transparency and public input. Victims, their families, and all Californians deserve a fair and honest debate about the wisdom of such drastic regulations."

[View Letter to Secretary of the Department of Corrections and Rehabilitation](#)