

# CALIFORNIA HIGHWAY PATROL

## GENERAL ORDER 10.15

REVISED MARCH 2026

### DEPARTMENTAL RESPONSE TO PAROLE HEARINGS

1. PURPOSE. The purpose of this General Order is to establish response procedures for parole hearings. For parole hearings involving persons convicted of crimes against California Highway Patrol (CHP) officers, a response from the CHP is warranted.
  
2. GENERAL. Tragically, the sworn duty of a CHP officer too often exacts the ultimate sacrifice—the loss of the officer’s life. An officer’s death irreparably impacts their family, friends, and the Department. Therefore, participation in the parole hearing process involving the murder of a CHP officer is of the utmost importance.
  
3. POLICY. Upon notification of a pending parole hearing, the Commissioner will direct correspondence to the Board of Parole Hearings (BPH) through a Memorandum of Concern.
  
4. PROCEDURES. Section 3042 (a)(1) of the Penal Code (PC) requires BPH to notify the employing agency of a murdered peace officer of a pending parole hearing.
  - a. Headquarters Notification. Generally, BPH notification will be sent directly to headquarters. Upon notification, the Departmental Affairs Division, Employee Health and Wellness Section (EHWS), will facilitate the Department’s response and conduct the necessary follow-up. The EHWS will inform the appropriate Area command (i.e., the location where the crime occurred and/or the last assigned Area of the officer).
  
  - b. Area Notification.
    - (1) Occasionally, BPH or a family member will first notify the Area in which the crime occurred of a pending parole hearing. Areas not receiving notification from headquarters shall immediately forward a copy of the notice to EHWS.
  
    - (2) If notice is received verbally, the Area shall obtain all pertinent information and immediately relay the information to EHWS. The Area should attempt to determine the following information:

(a) The reporting party's information (name, address, telephone number, relationship to victim, circumstance of their notification/source of information, etc.).

(b) Name of the offender.

(c) The California Department of Corrections and Rehabilitation's inmate identification number (located on the official notice form directly under the subject's name), if the reporting party possesses the BPH's notice.

(d) Name of the victim.

(e) Date of the offense.

(f) Date of the scheduled parole hearing.

(g) Location of the parole hearing (name, address, and the telephone number of the prison facility).

c. Response.

(1) Memorandum to the Board of Parole Hearings. The Office of the Commissioner will respond to BPH expressing departmental concerns. The response will briefly describe the pertinent facts of the crime, emphasizing the impact the offense had on the victim's family, the Department, and the people of California. The EHWS will provide assistance as necessary. A copy of the Commissioner's memorandum will be provided to the respective Division/Area.

(2) Contact with Local Prosecutor. The prosecutor of the county where the inmate was committed is the sole representative of the people at the hearing. Thus, communication between the prosecutor and the Department is paramount.

(a) In addition to the headquarters' response, the Area commander or their designee shall contact the assigned prosecutor and personally convey the Department's concerns.

(b) If an officer was killed in an adjacent Area (other than their assigned Area), the commander of the Area where the crime occurred and the Area where the officer was last assigned shall coordinate contact with the prosecutor.

d. Participation.

(1) Attendance. Attendance at the parole hearing is strictly limited by

statute. Only the prosecutor, victim, next of kin, and a designated support person may attend the hearing. Thus, CHP members are not permitted to attend parole hearings unless requested by the family as a support person. Refer to Annex A, Statutory Authority, for a listing of applicable statutes.

(a) Should a family member request a CHP member attend as a support person, attending personnel are reminded that comments and/or active participation are strictly prohibited.

(b) The CHP members participating as support persons shall not wear the departmental uniform nor other indicia suggestive of departmental representation.

(2) Other Parole Hearings. Section 3043.5(b) PC permits interested persons to submit a written statement of views in support of, or opposition to, the granting of parole of “any prisoner in a state prison.” Occasionally, members of the Department who were victims, members of the public, and/or other law enforcement agencies may request the Department respond to a pending parole hearing not involving the murder of a CHP officer. Requests for departmental input on these parole hearings shall be immediately forwarded to EHWS for an evaluation of the appropriate departmental response.

(3) Nondepartmental Participation. Interested persons may submit a written statement of views in support of, or opposition to, the granting of parole of any inmate in a state prison.

(a) The CHP employees may provide written comments to BPH to the extent authorized by Section 3043.5(b) PC. Professionalism in all communications and/or contacts with all participants of the parole hearing process is expected.

(b) Those employees submitting comments shall **not** portray themselves as representing the Department. When an employee wishes to submit written comments to BPH regarding the parole of an individual, they should only use their name and generic rank with the option of including the occupation, Peace Officer. Examples would be Officer John Doe, or Captain Jane Doe, Peace Officer. Correspondence shall not include the terms California Highway Patrol or CHP.

e. Reporting and Follow-up.

(1) When incidents occur that will result in the prosecution of individuals for murder or attempted murder of departmental employees, commands shall notify EHWS. Notification shall include:

- (a) Initial incident details (i.e., date, parties involved, and charges filed).
- (b) Periodic updates on the status of the adjudication process.
- (c) Conviction and sentencing results.

(2) The EHWS will maintain a tracking log of active incarcerations for future parole hearings.

OFFICE OF THE COMMISSIONER

ANNEX A

OPI: 037

## ANNEX A

### STATUTORY AUTHORITY

- Section 3041.7 of the Penal Code: mandates the prosecutor of the county from which the inmate was committed is entitled to “represent the interests of the people” at a hearing involving an inmate sentenced to a life sentence. Moreover, the prosecutor “shall be the sole representative of the interests of the people.”
- Section 3042(a)(1) of the Penal Code: mandates that at least 30 days before a parole hearing for an inmate sentenced to life, the Board of Parole Hearings send written notice to the defense attorney, the district attorney of the county in which the offense was committed, the investigating law enforcement agency, “*and, if the inmate was convicted of the murder of a peace officer, the law enforcement agency that employed the peace officer at the time of the murder.*” Additionally, Section 3041.7 of the Penal Code mandates the Board of Parole Hearings notify the Attorney General.
- Section 3043(a)(1) of the Penal Code: mandates the Board of Parole Hearings, upon request, will provide notice of a parole hearing, at least 90 days before the hearing, to the crime victim or the victim’s next of kin if the victim has died.
- Section 3043(b)(1) of the Penal Code: states, “The victim, next of kin, members of the victim's family, and two representatives designated as provided in paragraph (2) of this subdivision have the right to appear, personally or by counsel, at the hearing and to adequately and reasonably express his, her, or their views concerning the inmate and the case, including, but not limited to the commitment crimes, determinate term commitment crimes for which the inmate has been paroled, any other felony crimes or crimes against the person for which the inmate has been convicted, the effect of the enumerated crimes on the victim and the family of the victim, the person responsible for these enumerated crimes, and the suitability of the inmate for parole.”
- Section 3043.1 of the Penal Code: authorizes the victim, their next of kin, or any immediate family member of the victim—who appears at the parole hearing—is entitled to have one person of their choosing attend the hearing “for support.” The support person “shall not participate in the hearing nor make comments while in attendance.”
- Section 3043.5(b) of the Penal Code: authorizes, “Any person interested in the grant or denial of parole...the right to submit a (written) statement of views in support of or in opposition to the granting of parole.” The board is required to review all such information “to ensure that the safety of the public has been adequately considered.”

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