

Assembly Bill No. 324

CHAPTER 292

An act relating to inmates.

[Approved by Governor September 22, 2005. Filed with
Secretary of State September 22, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

AB 324, Mountjoy. Correctional facilities: faith- and morals-based programs.

Existing law generally regulates the confinement and treatment of inmates in correctional facilities. Existing law provides that it is the intention of the Legislature that all prisoners confined in local detention facilities and state prisons be afforded reasonable opportunities to exercise religious freedom.

This bill would make specified findings and declarations regarding the benefits of faith- and morals-based programs in jails and state prisons, and would encourage local entities and the Department of Corrections to allow certain faith- or morals-based programs, educational and rehabilitation programs, and other secular volunteer programs in their correctional facilities.

The people of the State of California do enact as follows:

SECTION 1. (a) The Legislature finds and declares that some inmates in jails and other local detention facilities benefit from participation in faith- and morals-based programs, as well as education and rehabilitation programs and other secular volunteer programs.

(b) Chaplains, faith- and morals-based groups, and other spiritual advisers can play an important role in causing inmates to reevaluate their lives, develop empathy for their victims, and abandon antisocial attitudes and criminal lifestyles.

(c) Access to clergy members and spiritual advisers is an important element in permitting inmates to change their lives for the better.

(d) Faith- and morals-based programs, including the participation of volunteer religious organizations, are an important component of an overall strategy, along with volunteer secular programs, to reduce inmate recidivism through improved treatment programs.

(e) Education and rehabilitation programs as well as other secular volunteer programs equip the inmates with the tools necessary to function as they move back into our communities. If they can read and write and overcome drug and alcohol dependency, their chances of reentering our correctional institutions are greatly reduced.

(f) To the extent that the expanded use of faith- and morals-based programs reduce inmate recidivism and violations of detention facility rules, they will greatly reduce property loss, harm to victims, and costs associated with incarceration and other aspects of the criminal justice system.

(g) Inmates who wish to turn their lives around through participation in faith- and morals-based programs should be given reasonable opportunities to do so.

(h) Inmates should have access to a number of programs which may include faith- and morals-based programs; secular programs should always be available in addition to any alternative programs. No inmate should be forced to participate in faith- and morals-based programs, and no inmate should be denied privileges, programs, or benefits generally available to all inmates because he or she did not participate in faith- and morals-based programs.

(i) Cities, counties, and other local entities that operate detention facilities are encouraged to allow faith- and morals-based programs, educational and rehabilitation programs, and other secular volunteer programs that will benefit both the prisoners and our communities upon the inmates' releases in those facilities consistent with the safety and security of the facilities and other legitimate penological interests, and, as provided in Section 4027 of the Penal Code, should provide inmates with reasonable access to clergy members and spiritual advisers, volunteer religious organizations, faith- and morals-based programs, and other secular volunteer programs that also provide beneficial services.

SEC. 2. (a) The Legislature finds and declares that some prisoners benefit from participation in faith- and morals-based programs, as well as education and rehabilitation programs and other secular volunteer programs.

(b) Chaplains, faith- and morals-based groups, and other spiritual advisers can play an important role in causing prisoners to reevaluate their lives, develop empathy for their victims, and abandon antisocial attitudes and criminal lifestyles.

(c) Access to clergy members and spiritual advisers is an important element in permitting inmates to change their lives for the better.

(d) Faith- and morals-based programs, including the participation of volunteer religious organizations, are an important component of an overall strategy, along with volunteer secular programs, to reduce inmate recidivism through improved treatment programs.

(e) Education and rehabilitation programs as well as other secular volunteer programs equip the inmates with the tools necessary to function as they move back into our communities. If they can read and write and overcome drug and alcohol dependency, their chances of reentering our correctional institutions are greatly reduced.

(f) To the extent that the expanded use of faith- and morals-based programs reduce inmate recidivism and violations of prison rules, they will greatly reduce prison costs, property loss, and harm to victims.

(g) Prison inmates who wish to turn their lives around through participation in faith- and morals-based programs should be given reasonable opportunities to do so.

(h) Inmates should have access to a number of programs which may include faith- and morals-based programs; secular programs should always be available in addition to any alternative programs. No inmate should be forced to participate in faith- and morals-based programs, and no inmate should be denied privileges, programs, or benefits generally available to all inmates because he or she did not participate in faith- and morals-based programs.

(i) The Department of Corrections is encouraged to allow faith- and morals-based programs, educational and rehabilitation programs, and other secular volunteer programs that will benefit both the prisoners and our communities upon the inmates' releases in the California prison system consistent with the safety and security of each correctional institution and other legitimate penological interests, and, as provided in Section 5009 of the Penal Code, should provide inmates with reasonable access to clergy members and spiritual advisers, volunteer religious organizations, faith- and morals-based programs and other secular volunteer programs that also provide beneficial services.