

AMENDED IN ASSEMBLY APRIL 21, 2005

CALIFORNIA LEGISLATURE—2005—06 REGULAR SESSION

ASSEMBLY BILL

No. 561

Introduced by Assembly Member Montanez

February 16, 2005

An act to amend ~~Section~~ *Sections 2053, 2053.1, and 2053.4* of the Penal Code, relating to prisons.

LEGISLATIVE COUNSEL'S DIGEST

AB 561, as amended, Montanez. Prison education.

Existing law requires the Department of Corrections to implement statewide literacy programs in every prison. The Director of Corrections is required to appoint a Superintendent of Correctional Education to administer the prison educational programs.

This bill would require the department to perform initial and subsequently annual educational assessments on each inmate, as specified. This bill would specify the courses of instruction to be included in the statewide educational programs.

This bill would also direct that the Superintendent of Correctional Education report directly to the educational authority within the department as restructured, and that the superintendent shall have authority over the education budget, the hiring of education personnel, and other education entities within the department, as specified.

~~Existing law provides that the Superintendent of Correctional Education shall administer prison education programs.~~

~~This bill would make a technical, nonsubstantive change to that provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

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

1 ~~SECTION 1. Section 2053.4 of the Penal Code is amended to~~
 2 ~~read:~~

3 ~~SECTION 1. Section 2053 of the Penal Code is amended to~~
 4 ~~read:~~

5 2053. (a) The Legislature finds and declares that there is a
 6 correlation between prisoners who are functionally literate and
 7 those who successfully reintegrate into society upon release. It is
 8 therefore the intent of the Legislature, in enacting “The Prisoner
 9 Literacy Act,” to raise the percentage of prisoners who are
 10 functionally literate, in order to provide for a corresponding
 11 reduction in the recidivism rate.

12 (b) The Department of Corrections shall determine the reading
 13 level of each prisoner upon commitment.

14 (c) *The department shall assess the educational needs of each*
 15 *inmate upon commitment and at least annually thereafter until*
 16 *released on parole. The initial assessment shall include a*
 17 *projection of the academic and vocational needs of the inmate*
 18 *and shall be used both in making a determination as to the*
 19 *appropriate educational program for the inmate and as a*
 20 *measure of progress in subsequent assessments of the*
 21 *educational development of the inmate.*

22 ~~SEC. 2. Section 2053.1 of the Penal Code is amended to~~
 23 ~~read:~~

24 2053.1. The Director of the Department of Corrections shall
 25 implement in every state prison *statewide educational* literacy
 26 programs that are designed to ensure that upon parole inmates are
 27 able to achieve a ninth-grade reading level. The department shall
 28 prepare an implementation plan for this program, and shall
 29 request the necessary funds to implement this program as
 30 follows:

31 (a) To make the program available to at least 25 percent of
 32 eligible inmates in the state prison system by July 1, 1991.

33 (b) To make the program available to at least 60 percent of
 34 eligible inmates in the state prison system by January 1, 1996.

35 In complying with the requirements of this section, the
 36 department shall give strong consideration to computer assisted
 37 training and other innovations which have proven to be effective
 38 in reducing illiteracy of disadvantaged adults.

1 (c) *The statewide educational program of the department shall*
2 *include, but shall not be limited to, all of the following course of*
3 *instruction:*

4 (1) *Academic preparation in the areas of verbal*
5 *communication skills, reading, writing, and arithmetic.*

6 (2) *Vocational preparation including vocational counseling,*
7 *training in marketable skills, and job placement assistance.*

8 (3) *Life survival skills, including preparation in the areas of*
9 *consumer economics, family life, and personal and social*
10 *adjustment.*

11 (4) *The educational programs may also include, but not be*
12 *limited to, the following components: identification and*
13 *assessment; placement and intervention; orientation;*
14 *postrelease; goal oriented progress reports; outcome measures;*
15 *parental and family involvement; vocational certification;*
16 *advisory committees utilizing academicians from universities;*
17 *health and safety procedures; sensitivity to racial, ethnic and*
18 *cultural balances; dispute resolution; peer counseling; drug and*
19 *alcohol therapy; anger management skills; prevention and*
20 *relapse; mental, emotional, spiritual, and physical health skills,*
21 *violence prevention skills; victim awareness; victim recovery;*
22 *employment skills; parenting skills, critical thinking;*
23 *organizational skills; study habit skills; nutrition; dress code;*
24 *housing skills; resume writing; computer literacy; telephone*
25 *etiquette personal hygiene and crisis intervention.*

26 (d) *All of the aforementioned courses of instruction shall be*
27 *offered at each institution within the jurisdiction of the*
28 *department.*

29 SEC. 3. *Section 2053.4 of the Penal Code is amended to*
30 *read:*

31 2053.4. (a) *The Director of Corrections and Rehabilitation*
32 *shall appoint a Superintendent of Correctional Education, who*
33 *shall oversee and administer all prison education programs. The*
34 *Superintendent of Correctional Education shall set both*
35 *short-term and long-term goals for inmate literacy and testing,*
36 *and shall establish the priorities for prison education programs.*

37 (b) *The Superintendent of Correctional Education shall report*
38 *directly to the department's authority on educational programs*
39 *within the Department of Corrections.*

1 (c) *The superintendent shall be the authority over the hiring of*
2 *correctional education personnel, and in conjunction with the*
3 *department's authority on educational programs, shall have*
4 *oversight over the education budget within the Department of*
5 *Corrections. Furthermore, the superintendent shall have control*
6 *over all education entities within the Department of Corrections.*
7 ~~2053.4. The Director of Corrections shall appoint a~~
8 ~~Superintendent of Correctional Education, who shall oversee and~~
9 ~~administer all prison education programs. The superintendent~~
10 ~~shall set both short-term and long-term goals for inmate literacy~~
11 ~~and testing, and shall establish priorities for prison education~~
12 ~~programs.~~