

AMENDED IN ASSEMBLY MAY 26, 2005

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 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.

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

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

1 SECTION 1. Section 2053 of the Penal Code is amended to
2 read:

3 2053. (a) The Legislature finds and declares that there is a
4 correlation between prisoners who are functionally literate and
5 those who successfully reintegrate into society upon release. It is
6 therefore the intent of the Legislature, in enacting “The Prisoner
7 Literacy Act,” to raise the percentage of prisoners who are
8 functionally literate, in order to provide for a corresponding
9 reduction in the recidivism rate.

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

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

20 SEC. 2. Section 2053.1 of the Penal Code is amended to read:

21 2053.1. The Director of the Department of Corrections shall
22 implement in every state prison statewide educational literacy
23 programs that are designed to ensure that upon parole inmates are
24 able to achieve a ninth-grade reading level. The department shall
25 prepare an implementation plan for this program, and shall
26 request the necessary funds to implement this program as
27 follows:

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

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

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

36 (c) The statewide educational program of the department shall
37 include, but shall not be limited to, all of the following ~~course~~
38 *courses* of instruction:

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

3 (2) Vocational preparation including vocational counseling,
4 training in marketable skills, and job placement assistance.

5 (3) Life survival skills, including preparation in the areas of
6 consumer economics, family life, and personal and social
7 adjustment.

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

23 ~~(d) All of the aforementioned courses of instruction shall be~~
24 ~~offered at each institution within the jurisdiction of the~~
25 ~~department.~~

26 SEC. 3. Section 2053.4 of the Penal Code is amended to read:

27 2053.4. (a) The Director of Corrections and Rehabilitation
28 shall appoint a Superintendent of Correctional Education, who
29 shall oversee and administer all prison education programs. The
30 Superintendent of Correctional Education shall set both
31 short-term and long-term goals for inmate literacy and testing,
32 and shall establish the priorities for prison education programs.

33 (b) The Superintendent of Correctional Education shall report
34 directly to the department's authority on educational programs
35 within the Department of Corrections.

36 (c) The superintendent shall be the authority over the hiring of
37 correctional education personnel, and in conjunction with the
38 department's authority on educational programs, shall have
39 oversight over the education budget within the Department of

- 1 Corrections. Furthermore, the superintendent shall have control
- 2 over all education entities within the Department of Corrections.

O