

Assembly Bill No. 561

Passed the Assembly September 1, 2005

Chief Clerk of the Assembly

Passed the Senate August 30, 2005

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2005, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

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

LEGISLATIVE COUNSEL'S DIGEST

AB 561, 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, concerning education programs for adults, as specified.

This bill would also update all references to the Department of Corrections to the Department of Corrections and Rehabilitation.

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

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

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

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

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

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

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

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

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

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

(c) Educational programs shall be offered at each institution within the jurisdiction of the department, and shall include, but shall not be limited to, all of the following courses of instruction:

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

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

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

(4) The educational programs may also include, but not be limited to, the following components: identification and assessment; placement and intervention; orientation; postrelease; goal-oriented progress reports; outcome measures; family involvement; vocational certification; advisory committees

utilizing academicians from universities; sensitivity to racial, ethnic and cultural balances; conflict resolution; peer counseling; drug and alcohol education; anger management skills; mental, emotional, physical health skills, and violence prevention skills; victim awareness; employment skills; parenting skills; critical thinking; organizational skills; study habit skills; nutrition; dress code; housing skills; resumé writing; computer literacy; telephone etiquette; and personal hygiene.

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

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

(b) The Superintendent of Correctional Education shall report directly to the department's authority on educational programs within the Department of Corrections and Rehabilitation, Adult Programs.

(c) The superintendent shall be the authority over the hiring of correctional education personnel within the Department of Corrections and Rehabilitation, Adult Programs, and in conjunction with the department's authority on educational programs, shall have oversight over the education budget within the Department of Corrections and Rehabilitation, Adult Programs. Furthermore, the superintendent shall have control over all education entities within the Department of Corrections and Rehabilitation, Adult Programs.

Approved _____, 2005

Governor