

AMENDED IN ASSEMBLY JUNE 30, 2005

AMENDED IN SENATE APRIL 6, 2005

**SENATE BILL**

**No. 618**

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**Introduced by Senator Speier**

February 22, 2005

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An act to add Section 1203.8 to the Penal Code, relating to sentencing.

LEGISLATIVE COUNSEL'S DIGEST

SB 618, as amended, Speier. Sentencing: programs.

Under existing law, the Legislature finds and declares that programs should be available for inmates, including educational programs that are designed to prepare nonviolent felony offenders for successful reintegration into the community. Under existing law, the Legislature encourages the development of policies and programs designed to educate and rehabilitate nonviolent felony offenders.

This bill would authorize a county to develop a multiagency plan to prepare and enhance nonviolent felony offenders' successful reentry into the community, and would require that plan be developed by, and have the concurrence of, the presiding judge, the chief probation officer, the district attorney, the local custodial agency, and the public defender, or their designees, for submission to the board of supervisors for its approval. The bill would further authorize the Department of Corrections to enter into an agreement with that county to implement the above provisions and to provide funding for the purpose of the probation department carrying out its assessments, and would make specified findings and declarations in that regard.

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. (a) The Legislature finds and declares that the  
2 successful reintegration of parolees into society depends upon the  
3 offender's proper assessment of risks and needs prior to entry  
4 into the prison system and appropriate direction of offenders into  
5 facilities and programs that are available to address risks or  
6 needs.

7 (b) The Legislature recognizes that the transfer of the  
8 assessment function from the Department of Corrections to the  
9 community in which an offender committed his or her crime and  
10 to which the offender will likely be paroled may represent an  
11 effective and efficient means to perform an assessment.

12 (c) The Legislature encourages the participation of the  
13 Department of Corrections and interested counties to develop and  
14 implement plans to transfer assessment functions to local  
15 probation departments and courts, with the goal of improving  
16 public safety in the community and to better enable parolees to  
17 become contributing members of society.

18 SEC. 2. Section 1203.8 is added to the Penal Code, to read:

19 1203.8. (a) A county may develop a multiagency plan to  
20 prepare and enhance nonviolent felony offenders' successful  
21 reentry into the community. The plan shall be developed by, and  
22 have the concurrence of, the presiding judge, the chief probation  
23 officer, the district attorney, the local custodial agency, and the  
24 public defender, or their designees, and shall be submitted to the  
25 board of supervisors for its approval. The plan shall provide that  
26 when a report prepared pursuant to Section 1203.10 recommends  
27 a state prison commitment, the report shall also include, but not  
28 be limited to, the ~~offenders'~~ <sup>offender's</sup> treatment, literacy, and  
29 vocational needs. Any sentence imposed pursuant to this section  
30 shall include a recommendation for completion while in state  
31 prison, all relevant programs to ~~satisfy~~ <sup>address</sup> those needs  
32 identified in the assessment.

33 (b) The Department of Corrections is authorized to enter into  
34 an agreement with a county or counties to implement subdivision  
35 (a) and to provide funding for the purpose of the probation  
36 department carrying out the assessment. The Department of

- 1 Corrections, to the extent feasible, shall provide to the offender
- 2 all programs pursuant to the court's recommendation.

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