

Introduced by Senator Speier

February 23, 2006

An act to add and repeal Section 2933.4 of the Penal Code, relating to prisoners.

LEGISLATIVE COUNSEL'S DIGEST

SB 1453, as introduced, Speier. Reduction of prison term: participation in inprison drug treatment program.

Existing law authorizes the Department of Corrections and Rehabilitation to reduce the prison term of specified inmates for good behavior and participation, as specified.

This bill would provide that any inmate under the custody of the department shall earn a 2-day reduction in his or her term for every day completed in an inprison drug treatment program, provided specified conditions are met. The bill would require the department to report annually for 5 years to the Joint Legislative Budget Committee and the State Auditor on the status of all parolees subject to these provisions; if the recidivism rate for parolees is greater than 50% at the end of the 5-year reporting period, the provisions would be repealed.

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 2933.4 is added to the Penal Code, to
- 2 read:
- 3 2933.4. (a) Notwithstanding any other provision of law, any
- 4 inmate under the custody of the Department of Corrections and
- 5 Rehabilitation shall earn a two-day reduction in his or her term

1 for every day completed in an inprison drug treatment program,
2 provided all of the following occur:

3 (1) The inmate has been specifically identified as a person
4 who, upon completing an inprison drug treatment program and
5 upon release from state prison, shall be entered into a mandatory
6 aftercare drug treatment program sanctioned by the department.

7 (2) The inmate successfully completes the inprison drug
8 treatment program.

9 (3) Prior to the release of the inmate from prison on parole, a
10 residential treatment bed in an aftercare program sanctioned by
11 the department is known to be available to the inmate for the first
12 150 days of the inmate's parole.

13 (b) As a condition of parole, the inmate shall successfully
14 complete 150 days of aftercare treatment; if the person fails to
15 complete the designated time of treatment, the person shall be
16 immediately returned to prison to serve out the term that was
17 reduced by his or her participation in an inprison drug treatment
18 program, in addition to any applicable penalties associated with a
19 parole violation.

20 (c) (1) Commencing with 2007, the department shall report
21 annually for five years, by December 31 of each year, to the Joint
22 Legislative Budget Committee and the State Auditor on the status
23 of all parolees subject to this section.

24 (2) If the recidivism rate for parolees subject to this section is
25 greater than 50 percent at the end of the five-year reporting
26 period, this section shall become inoperative on December 31,
27 2013, and, as of January 1, 2014, is repealed, unless a later
28 enacted statute, that becomes operative on or before January 1,
29 2014, deletes or extends the dates on which it becomes
30 inoperative and is repealed.