

AMENDED IN ASSEMBLY JANUARY 25, 2010

AMENDED IN ASSEMBLY JANUARY 4, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1239

Introduced by Assembly Member Solorio

February 27, 2009

An act to add Section ~~2054.3~~ 2062.5 to the Penal Code, relating to prisoners.

LEGISLATIVE COUNSEL'S DIGEST

AB 1239, as amended, Solorio. Prisoners: prison education programs.

Existing law establishes various prison education programs. *Existing law requires the Department of Corrections and Rehabilitation to determine and implement a system of incentives to increase inmate participation in, and completion of, academic and vocational education, as specified. Existing law requires the department to develop and implement a plan to obtain additional rehabilitation and treatment services for prison inmates and parolees.*

This bill would require that the Department of Corrections and Rehabilitation implement any funding adjustments to inmate academic and vocational education programs consistent with specified requirements, including, among others, that the department shall prioritize the preservation of programs that are effective at reducing recidivism and that the department shall seek to place inmates and parolees into programs for which they are best suited, as specified. The bill would require the department to annually report to the Joint Legislative Budget Committee specified information regarding inmate

participation in, and completion of, academic and vocational education programs.

This bill would require that funding for those programs be based not on the total prison population, but on the number of prisoners requiring those programs, as determined by assessments, 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 2062.5 is added to the Penal Code, to
2 read:

3 2062.5. (a) The Department of Corrections and Rehabilitation
4 shall implement any funding adjustments to inmate academic and
5 vocational education programs consistent with all of the following:

6 (1) The department shall prioritize the preservation of programs
7 that are effective at reducing recidivism based on evidence in
8 studies of the programs operated by the department or in the
9 national literature.

10 (2) The department shall seek to achieve savings through more
11 efficient operations in the delivery of these programs and shall
12 take into account cost avoidance for the state.

13 (3) The department shall seek to place inmates and parolees
14 into programs for which they are best suited by prioritizing the
15 placement of offenders who are assessed as higher risk to reoffend,
16 demonstrate a significant need for the services provided by a
17 particular program, and who have a sufficient amount of time left
18 to serve in prison to reasonably complete the program or, at a
19 minimum, make a reasonable amount of progress so that it is
20 possible that the program will have an impact on their likelihood
21 of recidivating.

22 (4) The department shall seek to prioritize the elimination of
23 vacant positions over laying off existing staff.

24 (5) The department shall seek to use available resources to
25 maximize the number of inmates and parolees who have access to
26 and complete programs.

27 (6) The department shall seek to maximize the use of federal or
28 other funds to maintain or enhance inmate and parolee programs.

29 (b) No later than September 1st of each year, the department
30 shall report to the Joint Legislative Budget Committee a detailed

1 *plan as to how it is meeting the provisions of Sections 2054.2 and*
2 *2062 to increase participation and completion rates for academic*
3 *and vocational education programs, as determined by the*
4 *assessments performed pursuant to Section 3020. This report shall*
5 *include, but not be limited to, information on the success of*
6 *participants at achieving a literacy level as specified in Section*
7 *2053.1, a high school diploma or equivalent, or a particular job*
8 *skill.*

9 ~~SECTION 1. Section 2054.3 is added to the Penal Code, to~~
10 ~~read:~~

11 ~~2054.3. In order to increase participation and completion rates~~
12 ~~for academic and vocational education programs, funding for those~~
13 ~~programs shall not be based upon the total prison population, but~~
14 ~~upon the number of prisoners requiring those programs, as~~
15 ~~determined by the assessments performed pursuant to Section~~
16 ~~3020.~~

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