

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 2414

Introduced by Assembly Member Solorio

February 24, 2012

An act to ~~amend Sections 597u and 597v of, and to repeal Section 597y of, the Penal Code, relating to animal euthanasia~~ *add and repeal Title 2.07 (commencing with Section 3475) of Part 3 of the Penal Code, relating to youthful offender reentry programs.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2414, as amended, Solorio. ~~Euthanasia: animals. Postdischarge Youthful Offender Community Reentry Grant Programs.~~

Existing law establishes various educational, vocational, reentry, and other programs for offenders in custody or released to parole or probation.

This bill would establish, until 2018, a youthful offender reentry competitive grant program consisting of grants administered by the California Emergency Management Agency to eligible community programs, as defined, to target offenders who will be 16 to 23 years of age upon discharge from local or Department of Corrections and Rehabilitation facilities, or probation or parole, as specified. The bill would make operation of the grant program contingent upon funds appropriated for that purpose. The bill would provide that participation by discharged offenders would be voluntary, and that priority would be given to youths who are gang affiliated, or who have a family member who is gang affiliated, as specified. The bill would set forth those elements which, at a minimum, would be required to be provided in an eligible community program by a grantee. The bill would require the

California Emergency Management Agency to maintain statistical information on the success of the program, including, but not limited to, the number of eligible youths served and the rate of return to custody for those eligible youths who enroll and participate in an eligible community program.

~~Existing law prohibits a person from killing any animal by using carbon monoxide gas or, except as specified, by intracardiac injection of a euthanasia agent on a conscious animal. With respect to the killing of any dog or cat, existing law prohibits a person from using a high-altitude decompression chamber or nitrogen gas. Existing law prohibits any person from killing a newborn dog or cat whose eyes have not yet opened by any method other than by the use of chloroform vapor or by inoculation of barbiturates. Existing law states that a violation of the above provisions is a misdemeanor.~~

~~This bill would make technical, nonsubstantive changes to these provisions:~~

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

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

1 SECTION 1. Title 2.07 (commencing with Section 3475) is
 2 added to Part 3 of the Penal Code, to read:

3
 4 TITLE 2.07. POSTDISCHARGE YOUTHFUL OFFENDER
 5 COMMUNITY REENTRY GRANT PROGRAMS

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 7 3475. (a) *The California Emergency Management Agency, to*
 8 *the extent that funds are appropriated for the purposes of this title,*
 9 *shall establish a Youthful Offender Reentry competitive grant*
 10 *program targeting offenders who will be between 16 and 23 years*
 11 *of age upon discharge from a local county juvenile facility or*
 12 *Department of Corrections and Rehabilitation facility, or from*
 13 *probation or parole. In addition to funds appropriated for the*
 14 *purposes of this title, the agency may accept private contributions*
 15 *to fund grants authorized by this title.*

16 (b) *Priority for grants shall be given to programs that have*
 17 *existed for at least one year prior to the effective date of this title*
 18 *and to those eligible community programs that have operated at*
 19 *any time in the three years prior to the effective date of this title.*

1 (c) Participation in the programs by youthful offenders is
2 voluntary. Participating offenders shall be enrolled by grantees
3 no later than 72 hours after discharge, subject to approval by the
4 grantee.

5 (d) Priority for enrollment shall be given to eligible youths who
6 the custodial entity determined to be gang affiliated, or who have
7 a family member who has been identified as gang affiliated.

8 3476. (a) For purposes of this section, an “eligible community
9 program” means, at a minimum, a program that provides all of
10 the following:

11 (1) Integrated education and job training ser the participants’
12 time spent in classroom-based instruction, counseling, and
13 leadership development instruction, and 50 percent of the
14 participants’ time spent in experiential job training.

15 (A) The education component described in paragraph (1) shall
16 include basic skills, instruction, secondary education services, and
17 other activities designed to lead to the attainment of a high school
18 diploma or its equivalent. The curriculum for this component shall
19 include math, language arts, vocational education, life skills
20 training, social studies related to the cultural and community
21 history of participants, and leadership skills.

22 (B) Bilingual services shall be available for individuals with
23 limited English proficiency and an English learning curriculum
24 shall be provided where feasible and appropriate.

25 (C) A program shall have a goal of a minimum
26 teacher-to-student ratio of one teacher for every 18 students.

27 (D) The job training component described in paragraph (1)
28 shall involve work experience and skills training apprenticeships
29 related to construction and rehabilitation activities as described
30 in paragraph (4).

31 (2) Assistance in attaining postsecondary education and in
32 obtaining financial aid shall be made available to participants
33 prior to graduation from the program.

34 (3) Counseling services designed to assist participants in
35 positively participating in society, including all of the following,
36 as necessary:

37 (A) Outreach, assessment, and orientation.

38 (B) Individual and peer counseling.

39 (C) Life skills training.

40 (D) Drug and alcohol abuse education and prevention.

1 (E) Referral to appropriate drug rehabilitation, medical, mental
2 health, legal, housing, and other community services and resources.
3 A program shall have a goal of a minimum ratio of one counselor
4 for every 28 participants.

5 (4) Acquisition, rehabilitation, or construction of housing, and
6 related facilities to be used for the purpose of providing home
7 ownership for disadvantaged persons, residential housing for
8 homeless individuals and very low income families, or transitional
9 housing for persons who are homeless, ill, deinstitutionalized, or
10 who have disabilities or special needs.

11 (5) Leadership development training that provides participants
12 with meaningful opportunities to develop leadership skills,
13 including decisionmaking, problem solving, and negotiating. A
14 program shall encourage participants to develop strong peer group
15 ties that support their mutual pursuit of skills and values.

16 (b) The California Emergency Management Agency shall
17 maintain statistical information on the success of this program,
18 including, but not limited to, the number of eligible youths served
19 and the rate of return to custody for those eligible youths who
20 enroll and participate in an eligible community program. This
21 information shall be provided to the Legislature upon request.

22 3477. This title shall remain in effect only until January 1,
23 2018, and as of that date is repealed, unless a later enacted statute,
24 that is enacted before January 1, 2018, deletes or extends that
25 date.

26 SECTION 1. ~~Section 597u of the Penal Code is amended to~~
27 ~~read:~~

28 597u. (a) ~~No person, peace officer, officer of a humane society,~~
29 ~~or officer of a pound or animal regulation department of a public~~
30 ~~agency shall kill any animal by using any of the following methods:~~

31 ~~(1) Carbon monoxide gas.~~

32 ~~(2) Intracardiac injection of a euthanasia agent on a conscious~~
33 ~~animal, unless the animal is heavily sedated or anesthetized in a~~
34 ~~humane manner, or comatose, or unless, in light of all the relevant~~
35 ~~circumstances, the procedure is justifiable.~~

36 ~~(b) With respect to the killing of any dog or cat, no person,~~
37 ~~peace officer, officer of a humane society, or officer of a pound~~
38 ~~or animal regulation department of a public agency shall use any~~
39 ~~of the methods specified in subdivision (a) or any of the following~~
40 ~~methods:~~

1 ~~(1) High-altitude decompression chamber.~~

2 ~~(2) Nitrogen gas.~~

3 ~~(e) A violation of this section is a misdemeanor.~~

4 ~~SEC. 2. Section 597v of the Penal Code is amended to read:~~

5 ~~597v. (a) No person, peace officer, officer of a humane society,~~
6 ~~or officer of a pound or animal regulation department of a public~~
7 ~~agency shall kill any newborn dog or cat whose eyes have not yet~~
8 ~~opened by any other method than by the use of chloroform vapor~~
9 ~~or by inoculation of barbiturates.~~

10 ~~(b) A violation of this section is a misdemeanor.~~

11 ~~SEC. 3. Section 597y of the Penal Code is repealed.~~

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