

AMENDED IN SENATE MAY 7, 2013

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 494

Introduced by Assembly Member V. Manuel Pérez

February 20, 2013

An act to amend Section 2053.1 of the Penal Code, relating to prisoners.

LEGISLATIVE COUNSEL'S DIGEST

AB 494, as amended, V. Manuel Pérez. Prisoners: literacy and education.

Existing law requires the Secretary of the Department of Corrections and Rehabilitation to implement in every state prison literacy programs that are designed to ensure that, upon parole, inmates are able to achieve a 9th grade reading level. Existing law further requires the department to prepare an implementation plan for the literacy programs and to request sufficient funds to make the programs available to a certain percentage of inmates by specified dates.

This bill would instead require the department to implement literacy programs that are designed to ensure that upon parole inmates are able to achieve the goals contained in a specified plan released by the department. This bill would require the department to prepare an implementation plan and request sufficient funds ~~that, among other things, requires the department to~~ *to, among other things*, offer academic programming throughout an inmate's incarceration that focuses on increasing the reading ability of an inmate to at least a 9th grade level and ~~to, for an inmate reading at a 9th grade level or higher, focus on~~

helping the inmate obtain a general education development certificate, *or its equivalent*, or high school diploma ~~for inmates reading at a 9th grade level or higher~~. This bill would also make technical, nonsubstantive changes to these provisions.

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. The Legislature finds and declares the following:
2 (a) In 2012, the Department of Corrections and Rehabilitation
3 released its plan, “The Future of California Corrections: A
4 Blueprint to Save Billions of Dollars, End Federal Oversight, and
5 Improve the Prison System.”
6 (b) The plan states that its mission is to improve access to
7 rehabilitation programs, which includes access to academic
8 programs, including literacy programs. The goal, according to the
9 plan, is to place 70 percent of the department’s target population
10 in programs consistent with the academic and rehabilitative needs
11 of the prison population. The plan states that increasing access to
12 rehabilitative programs will reduce recidivism by better preparing
13 inmates to be productive members of society. In doing so, the plan
14 will help lower the long-term prison population and save the state
15 money.
16 (c) Senate Bill 949 of the 1989–90 Regular Session (Chapter
17 989 of the Statutes of 1989), regarding literacy standards in the
18 state prison system, is in conflict with the plan that is now in place
19 by the department. It is the intent of the Legislature to bring the
20 statute in line with the department’s new policy.
21 SEC. 2. Section 2053.1 of the Penal Code is amended to read:
22 2053.1. (a) The Secretary of the Department of Corrections
23 and Rehabilitation shall implement in every state prison literacy
24 programs that are designed to ensure that upon parole inmates are
25 able to achieve the goals contained in the department’s plan
26 entitled, “The Future of California Corrections: A Blueprint to
27 Save Billions of Dollars, End Federal Oversight, and Improve the
28 Prison System.” The department shall prepare an implementation
29 plan for this program, and shall request the necessary funds to
30 implement this program as follows:

1 (1) The department shall offer academic programming
2 throughout an inmate's incarceration that shall focus on increasing
3 the reading ability of an inmate to at least a 9th grade level.

4 (2) For ~~inmates~~ *an inmate* reading at a 9th grade level or higher,
5 the department shall focus on helping the inmate obtain a general
6 education development certificate *or its equivalent* or high school
7 diploma.

8 (3) The department shall offer college programs through
9 voluntary education programs *or equivalent programs*.

10 (4) While the department shall offer education to target
11 populations, priority shall be given to those with a criminogenic
12 need for education, *those who have a need based on their*
13 *educational achievement level, or other factors as determined by*
14 *the department*.

15 (b) In complying with the requirements of this section, the
16 department shall give strong consideration to computer-assisted
17 training and other innovations that have proven to be effective in
18 reducing illiteracy among disadvantaged adults.