

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY APRIL 22, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2263**

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**Introduced by Assembly Member Bradford**

February 21, 2014

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An act to add Sections 2695.1, 2695.2, 2695.3, ~~and 2695.4~~ 2695.4, *and* 2695.5 to the Penal Code, relating to veterans.

LEGISLATIVE COUNSEL'S DIGEST

AB 2263, as amended, Bradford. Veterans service ~~ombudsman~~: *advocate*: correctional facilities.

Existing law establishes the Department of Veterans Affairs, which is responsible for administering various programs and services for the benefit of veterans, and the Department of Corrections and Rehabilitation to oversee the state prison system. Existing law also authorizes each county board of supervisors to appoint a county veterans service officer to perform specified veterans-related services, including assisting veterans in pursuing claims for federal or state veterans' benefits. Under existing law, the Department of Corrections and Rehabilitation is required to develop guidance policies relative to the release of veterans who are inmates with the intent to assist veterans who are inmates in pursuing claims for federal veterans' benefits, or in establishing rights to any other privilege, preference, care, or compensation provided under federal or state law because of honorable service in the military. In developing those policies, the Department of Corrections and Rehabilitation is authorized to coordinate with the

Department of Veterans Affairs and the county veterans service officer or veterans service organizations.

This bill would ~~require a staff member to authorize a veterans service organization to volunteer to~~ serve as a veterans service ~~ombudsman~~ *advocate* at each facility that is under the jurisdiction of the Department of Corrections and Rehabilitation. The ~~veterans service ombudsman~~ *advocate* would be responsible for ~~assisting inmates who are veterans in pursuing claims for veterans' benefits, as specified; developing a veterans economic recidivism prevention plan. The bill would require, in order to assist with the development and execution of that plan, the Department of Corrections and Rehabilitation to, among other things, provide the advocate with access, subject to restrictions, to inmates who are veterans and to existing resources, as specified, that would assist the advocate in implementing the veterans economic recidivism prevention plan.~~ The bill would require the ~~veterans service ombudsman~~ *advocate* to coordinate with the United States Department of Veterans Affairs, the Department of Veterans Affairs, and county veterans service officers, as specified. *The bill would define "advocate" and "veteran" for these purposes, and would include a related statement of legislative intent.*

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. It is the intent of the Legislature to help inmates
- 2 who have served in the military to access federal and state veterans'
- 3 benefits earned from military service so that those inmates are
- 4 better equipped to successfully reintegrate into the community,
- 5 thereby reducing costs to the state.
- 6 SEC. 2. Section 2695.1 is added to the Penal Code, to read:
- 7 2695.1. At each facility that is under the jurisdiction of the
- 8 Department of Corrections and Rehabilitation, ~~there shall be a staff~~
- 9 ~~member who shall~~ *a veterans service organization may volunteer*
- 10 *to serve as a veterans service-ombudsman advocate.*
- 11 SEC. 3. Section 2695.2 is added to the Penal Code, to read:
- 12 2695.2. (a) ~~The ombudsman described in Section 2695.1~~
- 13 *advocate shall be responsible for assisting inmates who are*
- 14 *veterans, including, but not limited to, facilitating access of inmates*
- 15 *who are veterans to county veterans service officers, United States*

1 ~~Department of Veterans Affairs and California Department of~~  
2 ~~Veterans Affairs officers and personnel, and facilitating access to~~  
3 ~~the inmates who are veterans by those officers and personnel, so~~  
4 ~~that the inmates who are veterans may pursue claims for federal~~  
5 ~~veterans' benefits or any other privilege, preference, care, or~~  
6 ~~compensation provided under federal or state law because of~~  
7 ~~service in the military.~~ *developing a veterans economic recidivism*  
8 *prevention plan within 180 days prior to an inmate's release date.*

9 *(b) The veterans economic recidivism prevention plan shall*  
10 *include, but not be limited to, the following:*

11 *(1) Facilitating access of each inmate who is a veteran to county*  
12 *veterans service officers, California Department of Veterans Affairs*  
13 *and United States Department of Veterans Affairs officers and*  
14 *personnel, so that the inmate may pursue claims for federal*  
15 *veterans' benefits or any other privilege, preference, care, or*  
16 *compensation provided under federal or state law because of the*  
17 *inmate's service in the military.*

18 *(2) Developing a plan for how an inmate who is a veteran will*  
19 *access earned veterans' benefits that he or she may be eligible for*  
20 *upon the inmate's release.*

21 *(c) In order to assist with the development and execution of the*  
22 *veterans economic recidivism prevention plan, the Department of*  
23 *Corrections and Rehabilitation shall do both of the following:*

24 *(1) (A) Facilitate access by the advocate to each inmate who*  
25 *is a veteran.*

26 *(B) Access by the advocate is subject to those department*  
27 *screening and clearance guidelines and training requirements that*  
28 *are imposed on other visitors and volunteers.*

29 *(C) Access by the advocate shall be allowed to the extent it does*  
30 *not pose a threat to the security or safety of the facility, or to*  
31 *inmates and staff.*

32 *(2) Provide the advocate with access to existing resources,*  
33 *including, but not limited to, computer and Internet access, that*  
34 *would assist the advocate in implementing the veterans economic*  
35 *recidivism prevention plan, to the extent it does not pose a threat*  
36 *to the security or safety of the facility, or to inmates and staff.*

37 SEC. 4. Section 2695.3 is added to the Penal Code, to read:

38 2695.3. ~~The ombudsman described in Section 2695.1~~ *advocate*  
39 *shall coordinate with the United States Department of Veterans*

1 Affairs in order to provide ~~inmates who are veterans~~ *each inmate*  
2 *who is a veteran* with access to earned veterans' benefits.

3 SEC. 5. Section 2695.4 is added to the Penal Code, to read:

4 2695.4. ~~The ombudsman described in Section 2695.1~~ *advocate*  
5 shall coordinate with the California Department of Veterans Affairs  
6 and the county veterans service officer in the county in which the  
7 facility is located for advice, assistance, and training, and to  
8 evaluate the effectiveness of the ~~program~~ *veterans economic*  
9 *recidivism prevention plan*.

10 SEC. 6. Section 2695.5 is added to the Penal Code, to read:

11 2695.5. *For purposes of this article, the following definitions*  
12 *shall apply:*

13 (a) *“Advocate” means a veterans service organization that is*  
14 *federally certified and has volunteered to serve as a veterans*  
15 *service advocate pursuant to this title.*

16 (b) *“Veteran” means a person who has been discharged from*  
17 *the United States Army, United States Navy, United States Air*  
18 *Force, United States Marine Corps, United States Coast Guard,*  
19 *the Merchant Marine, or the American Red Cross.*