

Assembly Bill No. 2263

CHAPTER 652

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

[Approved by Governor September 27, 2014. Filed with
Secretary of State September 27, 2014.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2263, Bradford. Veterans service 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 authorize a veterans service organization to volunteer to serve as a veterans service advocate at each facility that is under the jurisdiction of the Department of Corrections and Rehabilitation. The advocate would be authorized to develop a veterans economic recidivism prevention plan for each inmate who is a veteran. 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 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.

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

SECTION 1. It is the intent of the Legislature to help male and female inmates who have served in the military to access federal and state veterans' benefits earned from military service so that those inmates are better equipped to successfully reintegrate into the community, thereby reducing costs to the state.

SEC. 2. Section 2695.1 is added to the Penal Code, to read:

2695.1. At each facility that is under the jurisdiction of the Department of Corrections and Rehabilitation, a veterans service organization may volunteer to serve as a veterans service advocate.

SEC. 3. Section 2695.2 is added to the Penal Code, to read:

2695.2. (a) The advocate shall be authorized to develop a veterans economic recidivism prevention plan for each inmate who is a veteran during the 180-day period preceding the inmate's release date.

(b) The veterans economic recidivism prevention plan for each inmate who is a veteran shall include, but not be limited to, the following:

(1) Facilitating access of the inmate to county veterans service officers, California Department of Veterans Affairs and United States Department of Veterans Affairs officers and personnel, so that the inmate may pursue claims for federal veterans' benefits or any other privilege, preference, care, or compensation provided under federal or state law because of the inmate's service in the military.

(2) Developing a plan for how the inmate will access earned veterans' benefits that he or she may be eligible for upon the inmate's release.

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

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

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

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

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

(d) A copy of the veterans economic recidivism prevention plan shall be provided to the inmate prior to the inmate's release.

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

2695.3. The advocate shall coordinate with the United States Department of Veterans Affairs in order to provide each inmate who is a veteran with access to earned veterans' benefits.

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

2695.4. The advocate shall coordinate with the California Department of Veterans Affairs and the county veterans service officer in the county in which the facility is located for advice, assistance, and training, and to evaluate the effectiveness of the veterans economic recidivism prevention plan.

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

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

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

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