

AMENDED IN SENATE APRIL 17, 2002

**SENATE BILL**

**No. 2002**

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**Introduced by Senator Vasconcellos**

February 22, 2002

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An act to add Sections 5067.5 and 5029 to the Penal Code, relating to prisoners.

LEGISLATIVE COUNSEL'S DIGEST

SB 2002, as amended, Vasconcellos. Prisoners.

Existing law requires the Director of Corrections to cause each person newly committed to state prison to be examined and studied, as specified, *for the purpose of, among other things, to aid in the person's rehabilitation.*

This bill would require the director to cause each person incarcerated in state prison within 90 days of entry, to be evaluated, as specified, with respect to his or her educational and vocational level of development and capacity and with respect to his or her emotional level of development and ability to lead a constructive life. Based on the evaluations conducted, the bill would require that the inmate be prescribed to a program that addresses his or her level of development so as to better equip him or her to lead a constructive life upon his or her release from prison.

The bill would also require the Department of Corrections to make a parenting education course available for every inmate incarcerated in the state corrections system who is serving a sentence for a crime involving his or her child or a child formerly under their care and would require the department to make these inmates complete this course prior to being eligible for parole.

*The bill would state legislative findings and declarations regarding the failure of the correctional system to provide adequate rehabilitation of prisoners and to reduce the recidivism rate in California, and would state legislative intent to reform the correctional system to better provide prisoner rehabilitation.*

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*  
2 *following:*

3 (a) *The primary purpose of the entire system of law*  
4 *enforcement and corrections is to promote the public safety of all*  
5 *Californians.*

6 (b) *The way our current system is now operating is truly*  
7 *counter-productive to that goal.*

8 (c) *Our rates of recidivism are awfully high, more than one in*  
9 *every two inmates paroled returned to prison, when compared to*  
10 *those of other comparable industrial states and other industrial*  
11 *western nations.*

12 (d) *There is a compelling need to far better attend to the healing*  
13 *of our inmates for their release from prison and for the purpose of*  
14 *advancing and assuring the public safety of all Californians.*

15 SEC. 2. *It is the intent of the Legislature in enacting these*  
16 *provisions to reform our correctional system to live up to its name,*  
17 *to advance and assure the public safety of all Californians by*  
18 *attending to inmates in ways that hold the most promise for*  
19 *empowering them to cure, or at least curb, their dangerous ways*  
20 *upon their release from prison.*

21 SEC. 3. Section 5067.5 is added to the Penal Code, to read:

22 5067.5. The Director of Corrections shall for each person  
23 incarcerated in state prison cause the following:

24 (a) Within 90 days of entry, the inmate shall be evaluated, to the  
25 extent practicable, in an open, public, and comprehensive way  
26 with respect to his or her educational and vocational level of  
27 development and capacity.

28 (b) Within 90 days of entry, the inmate shall be evaluated  
29 comprehensively with respect to his or her emotional level of  
30 development and ability to lead a constructive life.



1 (c) Based on the evaluations conducted pursuant to  
2 subdivisions (a) and (b), the inmate shall be prescribed to a  
3 program that addresses his or her level of development so as to  
4 better equip him or her to lead a constructive life upon his or her  
5 release from prison.

6 (d) It is the intent of the Legislature that this program be  
7 sufficiently funded and fully implemented so that each inmate is  
8 enabled to prepare himself or herself to reenter the community and  
9 live constructively and safely.

10 (e) It is the intent of the Legislature that this program be  
11 annually monitored and assessed by an independent agency, which  
12 shall annually report to the Legislature and Governor with respect  
13 to the following:

14 (1) How well the program is being operated to live up to its  
15 purpose, goals, and mandates.

16 (2) How the program could and should be improved.

17 ~~SEC. 2.—~~

18 *SEC. 4.* Section 5029 is added to the Penal Code, to read:

19 5029. The Department of Corrections shall make a parenting  
20 education course available for every inmate incarcerated in the  
21 state corrections system who is serving a sentence for a crime  
22 involving his or her child or a child formerly under their care and  
23 shall require these inmates to complete this course prior to being  
24 eligible for parole.

