

AMENDED IN SENATE APRIL 22, 2002

AMENDED IN SENATE APRIL 17, 2002

SENATE BILL

No. 2002

Introduced by Senator Vasconcellos

February 22, 2002

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~~ *department to prescribe and implement for each inmate a smart comprehensive rehabilitation program that addresses his or her deficient level of emotional, educational, and vocational 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~~ *our* 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~~ *has proven*
7 truly counter-productive to that goal.

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

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

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

22 ~~(d) We owe it to the people of California and their safety to far~~
23 ~~better attend to the constructive rehabilitation and healing of each~~
24 ~~of our prison inmates prior to their release from prison.~~

25 ~~SEC. 2. It is the intent of the Legislature in enacting this act~~
26 ~~to thoroughly, profoundly, and effectively upgrade our entire state~~



1 *corrections system so that it will live up to its name, and advance*
2 *and assure the public safety of all Californians by attending to*
3 *inmates in ways that hold the promise for empowering them to*
4 *cure, or at least curb, their dangerous ways upon their release from*
5 *prison.*

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

7 5067.5. The Director of Corrections shall for each person
8 incarcerated in state prison cause the following:

9 (a) Within 90 days of entry, the inmate shall be evaluated, ~~to the~~
10 ~~extent practicable~~, in an open, public, and comprehensive way
11 with respect to his or her educational and vocational level of
12 development and capacity.

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

16 ~~(c) Based on the evaluations conducted pursuant to~~
17 ~~subdivisions (a) and (b), the inmate shall be prescribed to a~~
18 ~~program that addresses his or her level of development so as to~~
19 ~~better equip him or her to lead a constructive life upon his or her~~
20 ~~release from prison.~~

21 *(c) Based on the evaluations conducted pursuant to*
22 *subdivisions (a) and (b), the Department of Corrections shall*
23 *prescribe and implement for each inmate a smart comprehensive*
24 *rehabilitation program that addresses his or her deficient level of*
25 *emotional, educational, and vocational development so as to*
26 *better equip him or her to lead a constructive life upon his or her*
27 *release from prison.*

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

32 (e) It is the intent of the Legislature that this program be
33 annually monitored and assessed by an independent agency, which
34 shall annually report to the Legislature and Governor with respect
35 to the following:

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

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

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



1 5029. The Department of Corrections shall make a parenting
2 education course available for every inmate incarcerated in the
3 state corrections system who is serving a sentence for a crime
4 involving his or her child or a child formerly under their care and
5 shall require these inmates to complete this course prior to being
6 eligible for parole.

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