

## Assembly Bill No. 2357

### CHAPTER 145

An act to amend, repeal, and add Section 2690 of the Penal Code, relating to inmates, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor July 17, 2012. Filed with  
Secretary of State July 17, 2012.]

#### LEGISLATIVE COUNSEL'S DIGEST

AB 2357, Galgiani. Inmates: temporary removal.

Existing law authorizes the Secretary of the Department of Corrections and Rehabilitation to temporarily remove any inmate from prison or any other institution for the detention of adults under the jurisdiction of the Department of Corrections and Rehabilitation, including, but not limited to, removal for the purpose of attending college classes. Existing law provides that, unless the inmate is removed for medical treatment, the removal shall not be for a period longer than 3 days. Existing law also authorizes the secretary to require the inmate to reimburse the state, in whole or in part, for expenses incurred by the state in connection with the temporary removal, other than for medical treatment.

This bill would, until January 1, 2013, additionally authorize the Secretary of the Department of Corrections and Rehabilitation to temporarily remove any inmate from prison or any other institution for the detention of adults under the jurisdiction of the department for the purpose of permitting the inmate to participate in or assist with the gathering of evidence relating to crimes, and would, until January 1, 2013, authorize the secretary to require, except when the removal is for medical treatment or to assist with the gathering of evidence relating to crimes, the inmate to reimburse the state for its reasonable expenses incurred in connection with the temporary removal. The bill would also make technical changes.

This bill would declare that it is to take effect immediately as an urgency statute.

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

SECTION 1. Section 2690 of the Penal Code is amended to read:

2690. (a) The Secretary of the Department of Corrections and Rehabilitation may authorize the temporary removal of any inmate from prison or any other institution for the detention of adults under the jurisdiction of the Department of Corrections and Rehabilitation, including, but not limited to, removal for the purpose of attending college classes or permitting the inmate to participate in or assist with the gathering of evidence

relating to crimes. The secretary may require that the temporary removal be under custody. Unless the inmate is removed for medical treatment, the removal shall not be for a period longer than three days. The secretary may require, except when the removal is for medical treatment or to assist with the gathering of evidence relating to crimes, the inmate to reimburse the state, in whole or in part, for the reasonable expenses incurred by the state in connection with the temporary removal.

(b) This section shall remain in effect only until January 1, 2013, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2013, deletes or extends that date.

SEC. 2. Section 2690 is added to the Penal Code, to read:

2690. (a) The Secretary of the Department of Corrections and Rehabilitation may authorize the temporary removal of any inmate from prison or any other institution for the detention of adults under the jurisdiction of the Department of Corrections and Rehabilitation, including removal for the purpose of attending college classes. The secretary may require that the temporary removal be under custody. Unless the inmate is removed for medical treatment, the removal shall not be for a period longer than three days. The secretary may require the inmate to reimburse the state, in whole or in part, for expenses incurred by the state in connection with the temporary removal other than for medical treatment.

(b) This section shall become operative on January 1, 2013.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to enable law enforcement agencies to obtain important evidence regarding serious crimes, including murder and kidnapping, from inmates as soon as possible, it is necessary that this act take effect immediately.