

AMENDED IN ASSEMBLY APRIL 1, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 494**

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**Introduced by Assembly Member V. Manuel Pérez**

February 20, 2013

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An act to amend Section 2053.1 ~~of, and to add Section 2053.2 to, of~~ the Penal Code, relating to prisoners.

LEGISLATIVE COUNSEL'S DIGEST

AB 494, as amended, V. Manuel Pérez. Prisoners: literacy and education.

Existing law requires the Secretary of the Department of Corrections and Rehabilitation to implement in every state prison literacy programs that are designed to ensure that, upon parole, inmates are able to achieve a 9th grade reading level. Existing law further requires the department to prepare an implementation plan for the literacy programs and to request sufficient funds to make the programs available to a certain percentage of inmates by specified dates.

This bill would *instead* require the department to ~~request sufficient funding to make the literacy programs available to 75% of inmates by January 1, 2016~~ *implement literacy programs that are designed to ensure that upon parole inmates are able to achieve the goals contained in a specified plan released by the department. This bill would require the department to prepare an implementation plan and request sufficient funds that, among other things, requires the department to offer academic programming throughout an inmate's incarceration that focuses on increasing the reading ability of an inmate to at least a 9th grade level and to focus on helping the inmate obtain a general education development certificate or high school diploma for inmates*

~~reading at a 9th grade level or higher. The bill would also require the Secretary of the Department of Corrections and Rehabilitation to implement in every state prison educational programs designed to ensure that, upon parole, inmates are able to acquire a high school diploma, or its equivalent. The department would also be required to prepare an implementation plan for the educational programs and to request sufficient funds to make the programs available to a certain percentage of inmates by specified dates. This bill would also make a technical, nonsubstantive change~~ *changes* to these provisions.

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 following:*

2     *(a) In 2012, the Department of Corrections and Rehabilitation*  
 3 *released its plan, “The Future of California Corrections: A*  
 4 *Blueprint to Save Billions of Dollars, End Federal Oversight, and*  
 5 *Improve the Prison System.”*

6     *(b) The plan states that its mission is to improve access to*  
 7 *rehabilitation programs, which includes access to academic*  
 8 *programs, including literacy programs. The goal, according to*  
 9 *the plan, is to place 70 percent of the department’s target*  
 10 *population in programs consistent with the academic and*  
 11 *rehabilitative needs of the prison population. The plan states that*  
 12 *increasing access to rehabilitative programs will reduce recidivism*  
 13 *by better preparing inmates to be productive members of society.*  
 14 *In doing so, the plan will help lower the long-term prison*  
 15 *population and save the state money.*

16     *(c) Senate Bill 949 of the 1989–90 Regular Session (Chapter*  
 17 *989 of the Statutes of 1989), regarding literacy standards in the*  
 18 *state prison system, is in conflict with the plan that is now in place*  
 19 *by the department. It is the intent of the Legislature to bring the*  
 20 *statute in line with the department’s new policy.*

21     **SECTION 1.**

22     **SEC. 2.** Section 2053.1 of the Penal Code is amended to read:

23     2053.1. (a) The Secretary of the Department of Corrections  
 24 and Rehabilitation shall implement in every state prison literacy  
 25 programs that are designed to ensure that upon parole inmates are  
 26 able to achieve a ~~ninth-grade reading level.~~ *the goals contained in*

1 the department's plan entitled, "The Future of California  
2 Corrections: A Blueprint to Save Billions of Dollars, End Federal  
3 Oversight, and Improve the Prison System." The department shall  
4 prepare an implementation plan for this program, and shall request  
5 the necessary funds to implement this program as follows:

6 ~~(1) To make the program available to at least 25 percent of  
7 eligible inmates in the state prison system by July 1, 1991.~~

8 ~~(2) To make the program available to at least 60 percent of  
9 eligible inmates in the state prison system by January 1, 1996.~~

10 ~~(3) To make the program available to at least 75 percent of  
11 eligible inmates in the state prison system by January 1, 2016.~~

12 *(1) The department shall offer academic programming  
13 throughout an inmate's incarceration that shall focus on increasing  
14 the reading ability of an inmate to at least a 9th grade level.*

15 *(2) For inmates reading at a 9th grade level or higher, the  
16 department shall focus on helping the inmate obtain a general  
17 education development certificate or high school diploma.*

18 *(3) The department shall offer college programs through  
19 voluntary education programs.*

20 *(4) While the department shall offer education to target  
21 populations, priority shall be given to those with a criminogenic  
22 need for education.*

23 (b) In complying with the requirements of this section, the  
24 department shall give strong consideration to computer-assisted  
25 training and other innovations ~~which~~ *that* have proven to be  
26 effective in reducing illiteracy ~~of among~~ disadvantaged adults.

27 ~~SEC. 2.~~ Section 2053.2 is added to the Penal Code, to read:

28 ~~2053.2. (a) The Secretary of the Department of Corrections  
29 and Rehabilitation shall implement in every state prison educational  
30 programs that are designed to ensure that upon parole inmates are  
31 able to acquire a high school diploma or its equivalent. The  
32 department shall prepare an implementation plan for this program,  
33 and shall request the necessary funds to implement this program  
34 as follows:~~

35 ~~(1) To make the program available to at least 25 percent of  
36 eligible inmates in the state prison system by July 1, 2016.~~

37 ~~(2) To make the program available to at least 60 percent of  
38 eligible inmates in the state prison system by January 1, 2019.~~

39 ~~(3) To make the program available to at least 75 percent of  
40 eligible inmates in the state prison system by January 1, 2022.~~

- 1     ~~(b) In complying with the requirements of this section, the~~
- 2     ~~department shall give strong consideration to computer-assisted~~
- 3     ~~training and other innovations which have proven to be effective~~
- 4     ~~in teaching and educating disadvantaged adults.~~

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