

**Assembly Bill No. 1049**

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Passed the Assembly September 12, 2007

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*Chief Clerk of the Assembly*

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Passed the Senate September 11, 2007

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2007, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

CHAPTER \_\_\_\_\_

An act to add and repeal Section 3054.5 of the Penal Code, relating to parole.

LEGISLATIVE COUNSEL’S DIGEST

AB 1049, Solorio. Parole: reentry programs.

Existing law, until January 1, 2010, requires the Department of Corrections and Rehabilitation to establish a pilot program in East Palo Alto for parolees returning to East Palo Alto to conduct needs-based assessments of the individual parolees, partner with East Palo Alto police officers, and blend enforcement and programming services, as specified.

This bill would require the Department of Corrections and Rehabilitation to establish reentry programs for parolees between 16 and 23 years of age to assist in community reintegration upon discharge from detention, as specified. The reentry programs would include construction training, academic services, counseling, and tracking of graduates after completion of the program. The bill would require the department to maintain statistical information related to the reentry programs, as specified. The bill would also provide that these provisions would be repealed on January 1, 2011.

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

SECTION 1. Section 3054.5 is added to the Penal Code, to read:

3054.5. (a) This section shall be known as the “Rebuilding Communities and Rebuilding Lives Act of 2007.”

(1) The Department of Corrections and Rehabilitation, to the extent funds are appropriated for the purpose of this section, shall establish a reentry program specifically targeting offenders who will be between 16 and 23 years of age upon their release or discharge from a facility or program operated by the department or a county. The department, through the Division of Juvenile Programs, shall preenroll eligible youths into eligible community programs, as defined in this section. The department, through the

Division of Juvenile Programs, additionally shall work with counties to facilitate the preenrollment of eligible youth from county detention facilities into eligible community programs, as defined in this section. Priority shall be given to programs that have existed for at least one year prior to the effective date of this section and to those eligible community programs that have operated at any time in the previous three years.

(2) Beginning January 1, 2008, the department shall identify each youth that meets the eligibility requirements of this section and is scheduled to be released or discharged from a facility or program operated by the Division of Juvenile Facilities no later than December 31, 2008. No less than 45 days prior to the scheduled release date of an eligible youth, the department, in coordination with the Director of the Employment Development Department and the appropriate eligible community program, shall enroll a youth in any eligible program located in a city no more than 60 miles from his or her last known address, or intended release city. Participation of an eligible youth in any eligible community program shall commence no less than 72 hours upon release or discharge from a facility operated by the department. Enrollment and participation are subject to the approval of each program.

(b) For purposes of this section, an “eligible community program” means, at a minimum, a program that provides all of the following:

(1) Integrated education and job training services and activities on an equally divided basis, with 50 percent of participants’ time spent in classroom-based instruction, counseling, and leadership development instruction, and 50 percent of participants’ time spent in experiential job training.

(A) The education component described in this paragraph shall include basic skills instruction, secondary education services, and other activities designed to lead to the attainment of a high school diploma or its equivalent. The curriculum for this component shall include math, language arts, vocational education, life skills training, social studies related to the cultural and community history of the participants, and leadership skills.

(B) Bilingual services shall be available for individuals with limited English proficiency, and an English learning curriculum shall be provided where feasible and appropriate.

(C) A program shall have a goal of a minimum teacher-to-student ratio of one teacher for every 18 students.

(D) The job training component described in paragraph (1) shall involve work experience and skills training apprenticeships related to construction and rehabilitation activities described in paragraph (4).

(2) Assistance in attaining postsecondary education and in obtaining financial aid shall be made available to participants prior to graduation from the program.

(3) Counseling services designed to assist participants in positively participating in society, including all of the following, as necessary:

(A) Outreach, assessment, and orientation.

(B) Individual and peer counseling.

(C) Life skills training.

(D) Drug and alcohol abuse education and prevention.

(E) Referral to appropriate drug rehabilitation, medical, mental health, legal, housing, and other community services and resources. A program shall have a goal of a minimum counselor-to-participant ratio of one counselor for every 28 participants.

(4) Acquisition, rehabilitation, acquisition and rehabilitation, or construction of housing and related facilities to be used for the purpose of providing home ownership for disadvantaged persons, residential housing for homeless individuals and very low income families, or transitional housing for persons who are homeless, ill, deinstitutionalized, or who have disabilities or special needs.

(5) Leadership development training that provides participants with meaningful opportunities to develop leadership skills, including decisionmaking, problem solving, and negotiating. A program shall encourage participants to develop strong peer group ties that support their mutual pursuit of skills and values.

(c) Each eligible community program shall work cooperatively with local probation and parole offices to ensure appropriate oversight of any eligible youth who enrolls and participates in the program for the duration of the eligible youth's participation and term of probation or parole. Eligible community programs shall meet the requirements described in Article 4 (commencing with Section 9800) of Chapter 2 of Part 1 of Division 3 of the Unemployment Insurance Code.

(d) For purposes of this section, an “eligible youth” means a person between 16 and 23 years of age, who is economically disadvantaged, as defined in Section 12511 of Title 42 of the United States Code, and who is under the custody and control of the Department of Corrections and Rehabilitation or a county on or after January 1, 2008, and whose release or departure date is scheduled for any date prior to January 1, 2010.

(e) No more than 200 eligible youth shall be enrolled pursuant to this section. Priority of enrollment shall be given to eligible youth who the department has determined to be gang affiliated, or who have an immediate family member who has been identified as gang affiliated.

(f) The department shall allocate twenty thousand dollars (\$20,000) per year, or a fraction thereof, per enrolled youth, to each eligible community program that enrolls an eligible youth for each year of participation, or fraction thereof, to defray the costs of the services provided by the eligible community program. The department shall provide no less than 50 percent of each annual payment at the time of enrollment of the eligible youth, and any portion of an annual payment shall be made to the eligible community program upon completion of each year of participation. Each eligible community program shall return any fraction of payment to the department commensurate with the participant’s actual participation. Funding shall be used to supplement, rather than supplant, existing programs.

(g) The department shall maintain statistical information on the success of this program, including, but not limited to, the number of eligible youth served and the rate of return to prison for those eligible youth who enroll and participate in an eligible community program. This information shall be provided to the Legislature upon request.

(h) This section shall remain in effect only until January 1, 2011, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2011, deletes or extends that date.





Approved \_\_\_\_\_, 2007

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*Governor*