

Senate Bill No. 759

Passed the Senate August 11, 2016

Secretary of the Senate

Passed the Assembly August 4, 2016

Chief Clerk of the Assembly

This bill was received by the Governor this _____ day
of _____, 2016, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to repeal and add Section 2933.6 of the Penal Code, relating to prisoners.

LEGISLATIVE COUNSEL'S DIGEST

SB 759, Anderson. Prisoners: segregation housing.

Existing law establishes the Department of Corrections and Rehabilitation to oversee the state prison system. Existing law authorizes Security Housing Units for segregation of certain prisoners for disciplinary or security purposes, and because of gang membership or association. Existing law requires a prisoner of the Department of Corrections and Rehabilitation to be awarded credit reductions from his or her term of confinement of 6 months for every 6 months of continuous confinement, as specified. Existing law provides for up to 6 weeks of additional credit in a 12-month period for the successful completion of certain rehabilitative programs, for certain inmates, as specified. Existing law makes a person who is placed in a Security Housing Unit, Psychiatric Services Unit, Behavioral Management Unit, or an Administrative Segregation Unit for specified misconduct, or upon validation as a prison gang member or associate, ineligible to earn credits pursuant to these provisions.

This bill would repeal those provisions regarding ineligibility to earn credits and instead require the department, no later than July 1, 2017, to establish regulations to allow specified inmates placed in segregation housing to earn credits during the time he or she is in segregation housing.

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

SECTION 1. Section 2933.6 of the Penal Code is repealed.

SEC. 2. Section 2933.6 is added to the Penal Code, to read:

2933.6. The Department of Corrections and Rehabilitation shall, no later than July 1, 2017, establish regulations to allow specified inmates placed in segregation housing to earn credits pursuant to Section 2933 or 2933.05, or credits as otherwise specified in regulation, during the time he or she is in segregation

housing. The regulations may establish separate classifications of serious disciplinary infractions to determine the rate of restoration of credits, the time period required before forfeited credits or a portion thereof may be restored, and the percentage of forfeited credits that may be restored for those time periods, not to exceed those percentages authorized for general population inmates. The regulations shall provide for credit earning for inmates who successfully complete specific program performance objectives.

Approved _____, 2016

Governor