SUMMARY:
In November 2016, California voters overwhelmingly approved Proposition 57, which required the California Department of Corrections and Rehabilitation (CDCR) to expand opportunities for incarcerated people to reduce their sentence by earning credits for good behavior, participation in self-help groups, and completion of educational and rehabilitative programs.

However, inconsistent access to rehabilitative programming and inequalities in credit-earning rates have limited the reach of Proposition 57.

AB 292 seeks to expand upon the success of Proposition 57 by preventing disruptions to programming and credit-earning and by providing the same credit-earning and incentives to people who participate in in-prison rehabilitative programs as those who participate in Fire Camp.

PROBLEM:
Proposition 57 incentivizes people in prison to take responsibility for their own rehabilitation and promotes public safety by encouraging people to pursue educational, vocational, and self-improvement programs. Participation in these programs makes for a safer environment for staff and people in prison, and reduces recidivism by promoting successful rehabilitation and reentry into the community.

However, administrative barriers often make it difficult for people in prison to take advantage of programming and credit-earning opportunities. During normal operations, transfers to a new facility can be extremely disruptive to programming. Often, individuals are unable to complete a program they have spent months in, and they can be required to wait months, or even years, before a slot becomes available at the new facility. Lockdowns also cause significant disruptions to programming; for example, during the lockdown caused by the COVID-19 pandemic, all programming was suspended and most credit earning was halted.

Further, there is a significant inequity in the designated value of different rehabilitative programs. Specifically, participation in Fire Camp increases credit-earning potential from 15% to 50%, higher than any other credit-earning threshold. However, not all individuals are able-bodied, physically fit, or young enough to participate in Fire Camp. This prevents these individuals from accessing the same credit-earning potential for participating in equally important rehabilitative programming.

SOLUTION:
AB 292 will limit disruptions to rehabilitative programming as much as possible by requiring that programming continue during lockdowns, and will direct CDCR to develop and implement programming that is not solely based on in-person methods.

AB 292 will also delay non-adverse, non-disciplinary transfers until the individual has completed their current programming. In cases where transfers are not preventable, CDCR will be required to seek volunteers, and to ensure that people have access to programming in the new facility.

Finally, AB 292 will address the unequal access to the higher credit-earning rate associated with Fire Camp participation by requiring CDCR to offer the same increased credit-earning potential for in-prison programming.

This provides equal protection, equal justice, and equal opportunity to access the full benefits of programming for persons who are disabled, older, or otherwise unsuited to Fire Camp duty.

SUPPORT:
Ella Baker Center for Human Rights (co-sponsor)
Initiate Justice (co-sponsor)
Re:Store Justice (co-sponsor)
Transformative in-Prison Workgroup (co-sponsor)

FOR MORE INFORMATION:
Sean Porter
Office of Assemblymember Mark Stone
Sean.Porter@asm.ca.gov