

AMENDED IN ASSEMBLY JUNE 10, 2025

AMENDED IN SENATE MARCH 24, 2025

**SENATE BILL**

**No. 551**

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**Introduced by Senator Cortese**  
**(Coauthors: Senators ~~Umberg~~ *Becker, Umberg, and Weber Pierson*)**

February 20, 2025

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An act to amend Sections 1170 and 5000 ~~of~~ *of, and to add Section 5000.5 to*, the Penal Code, relating to corrections and rehabilitation.

LEGISLATIVE COUNSEL'S DIGEST

SB 551, as amended, Cortese. Corrections and rehabilitation: state policy.

Under existing law, the Legislature finds and declares that the purpose of sentencing is public safety achieved through punishment, rehabilitation, and restorative justice, and that programs should be available for incarcerated persons, including educational, rehabilitative, and restorative justice programs that are designed to promote behavioral change and to prepare all incarcerated persons for successful reentry into the community. Existing law directs the Department of Corrections and Rehabilitation to maintain a mission statement consistent with these principles.

This bill would make legislative findings and declarations relating to corrections and rehabilitation, including, among others, that the Legislature recognizes that life in prison can never be the same as life in a free society, and that active steps should be taken to make conditions in prison as close to normal life as possible, aside from loss of liberty, to ensure that this normalization does not lead to inhumane prison conditions. The bill would direct the department to maintain a mission statement consistent with the principles of normalization and dynamic

~~security~~. security, and would require the department to facilitate access for community-based programs.

Existing law provides that the primary objective of adult incarceration is to facilitate the successful reintegration of the individuals in the department's care back to their communities equipped with the tools to be drug-free, healthy, and employable members of society by providing education, treatment, and rehabilitative and restorative justice programs in a safe and humane environment.

This bill would include that the primary objective of adult incarceration is to promote personal growth for all residents in the department's care. *The bill would also provide that the department should develop training for all correctional staff on the principles of normalization and dynamic security in order to meaningfully effectuate these principles.*

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 all of the
- 2 following:
- 3 (a) Incarceration has had negative physical and mental health
- 4 impacts on correctional officers, Department of Corrections and
- 5 Rehabilitation staff, and incarcerated individuals. Nationally, the
- 6 average life expectancy of a correctional officer is 59 years of age,
- 7 which is 16 years shorter than those who do not work in
- 8 corrections. Further, suicide rates for correctional officers are 39
- 9 percent higher than the national working age population. For
- 10 incarcerated people, each year spent in prison can take two years
- 11 off of an individual's life expectancy, and the rate of suicide is
- 12 ~~49.6~~ 31.2 deaths per 100,000 incarcerated persons.
- 13 (b) In 2023, Assembly Bill 1104 (Chapter 560, Statutes of 2023)
- 14 stated that the purpose of incarceration is to provide rehabilitative
- 15 services to incarcerated people so they can be successfully and
- 16 safely reintegrated into the community.
- 17 (c) The principle of dynamic security, which is the direct,
- 18 ongoing, and respectful communication between correctional staff
- 19 and incarcerated persons is a key component of the safest prisons.
- 20 (d) Dynamic security promotes a healthier environment for
- 21 correctional officers, staff, and individuals within a ~~correction~~

1 *correctional* facility by improving the relationship between  
2 incarcerated individuals and staff. Improved communication,  
3 mentorship, and normalization improves health outcomes for  
4 department staff and incarcerated individuals by reducing risks  
5 such as violent behavior, recidivism, and stress. Access to training  
6 for correctional staff to be respectful, fair, and flexible in the use  
7 of their authority, and opportunities to study law, ethics, human  
8 rights, and behavior change can assist in lowering the mortality  
9 rate of correctional officers. Officers who regularly socialize with  
10 incarcerated persons and participate in activities to promote open  
11 communication and foster relationships create a safer environment  
12 for both incarcerated persons and staff.

13 (e) The principle of normalization, which states that life inside  
14 prison should be as close to life outside of prison as much as  
15 possible, prepares incarcerated persons to be productive and  
16 contributing members of society upon their release. Incarcerated  
17 persons are encouraged to gain skills and provide for their own  
18 needs as much as possible to prepare them to be “good neighbors.”

19 (f) Importing services into prisons from the community to  
20 provide medical, mental health, educational, skill building, and  
21 library access are imperative to rehabilitative and individual  
22 success.

23 (g) Creating opportunities for incarcerated persons to maintain  
24 their social roles such as father, mother, son, daughter, and friend  
25 through in-person and online visits as well as other channels of  
26 communication, provides space to practice healthy relationships  
27 and motivation for self-development.

28 (h) This comprehensive strategy aligns with the goal of creating  
29 individuals capable of positive contributions to their communities  
30 upon reintegration while simultaneously addressing crucial factors  
31 that impact staff well-being.

32 (i) It is essential to further amend the Penal Code to clarify that,  
33 when the sentence for a crime includes a term of incarceration, the  
34 resulting deprivation of liberty satisfies the punishment purposes  
35 of sentencing and that the additional purpose of incarceration is  
36 rehabilitation and successful reentry back into the community.

37 (j) According to the United States Bureau of Justice Statistics,  
38 95 percent of incarcerated people will be released from prison back  
39 into the community.

(k) Effective rehabilitation increases public safety and builds stronger communities. In order to achieve these goals, it is essential that incarcerated people are able to live with dignity, are treated humanely, are able to maintain and build strong family and community connections, and have access to varied, high-quality educational and rehabilitative programs.

*(l) The Department of Corrections and Rehabilitation is encouraged to allow all incarcerated persons the opportunity to enroll in programs that promote successful return to the community. The Legislature finds and declares that community-based organizations are an integral part of achieving the state's objective of ensuring that all people incarcerated in a state prison have access to rehabilitative programs.*

SEC. 2. Section 1170 of the Penal Code is amended to read:

1170. (a) (1) The Legislature finds and declares that the purpose of sentencing is public safety and to reduce recidivism achieved through punishment, rehabilitation, and restorative justice. ~~The Legislature recognizes that life in prison can never be the same as life in a free society. However, active steps should be taken to make conditions in prison as close to normal life as possible, aside from loss of liberty, and to ensure that this normalization does not lead to inhumane prison conditions.~~ When a sentence includes incarceration, the deprivation of liberty satisfies the punishment purpose of sentencing. ~~Therefore~~ *Therefore*, the ~~prison~~ *carceral* system should not, except as incidental to justifiable separation or the maintenance of discipline, aggravate the suffering inherent while experiencing imprisonment. The essential purpose of incarceration is rehabilitation and successful community reintegration achieved through education, treatment, and active participation in rehabilitative and restorative justice programs. This purpose is best served by terms that are proportionate to the seriousness of the offense with provision for uniformity in the sentences of people incarcerated for committing the same offense under similar circumstances. These purposes can be achieved only if the period of imprisonment is used to ensure, so far as possible, the promotion of personal growth for all residents and the reintegration of a person into society upon release so that they can lead a law-abiding and self-supporting life, reducing recidivism.

~~(2) The Legislature recognizes that the principle of dynamic security promotes a healthier environment for correctional officers;~~

1 staff, and individuals within a correction facility by improving the  
2 relationship between incarcerated individuals and staff. Improved  
3 communication, mentorship, and normalization improves health  
4 outcomes for department staff and incarcerated individuals by  
5 reducing risks such as violent behavior, recidivism, and stress. The  
6 Legislature also recognizes the principle of normalization, which  
7 states that life inside prison should be as close to life outside of  
8 prison as much as possible, and prepares incarcerated persons to  
9 be productive and contributing members of society upon their  
10 release.

11 (3)

12 (2) The Legislature further finds and declares that programs  
13 should be available for incarcerated persons, including, but not  
14 limited to, educational, rehabilitative, and restorative justice  
15 programs that are designed to promote behavioral change and to  
16 prepare all incarcerated persons for successful reentry into the  
17 community. The Legislature encourages the development of  
18 policies and programs designed to educate and rehabilitate all  
19 incarcerated persons. These programs, activities, and services  
20 should be delivered in line with the individual treatment needs of  
21 incarcerated persons. In implementing this section, the Department  
22 of Corrections and Rehabilitation is encouraged to allow all  
23 incarcerated persons the opportunity to enroll in programs that  
24 promote successful return to the community. The Legislature finds  
25 and declares that community-based organizations are an integral  
26 part of achieving the state's objective of ensuring that all people  
27 incarcerated in a state prison have access to rehabilitative programs.  
28 The Department of Corrections and Rehabilitation is directed to  
29 maintain a mission statement consistent with the principles of  
30 normalization and dynamic security, shall facilitate access for  
31 community-based programs, and should develop training for all  
32 correctional staff on the principles of normalization and dynamic  
33 security in order to meaningfully effectuate the principles set forth  
34 in this section.

35 (4)

36 (3) In any case in which the sentence prescribed by statute for  
37 a person convicted of a public offense is a term of imprisonment  
38 in the state prison, or a term pursuant to subdivision (h), of any  
39 specification of three time periods, the court shall sentence the  
40 defendant to one of the terms of imprisonment specified unless

1 the convicted person is given any other disposition provided by  
2 law, including a fine, jail, probation, or the suspension of  
3 imposition or execution of sentence or is sentenced pursuant to  
4 subdivision (b) of Section 1168 because they had committed their  
5 crime prior to July 1, 1977. In sentencing the convicted person,  
6 the court shall apply the sentencing rules of the Judicial Council.  
7 The court, unless it determines that there are circumstances in  
8 mitigation of the sentence prescribed, shall also impose any other  
9 term that it is required by law to impose as an additional term.  
10 Nothing in this article shall affect any provision of law that imposes  
11 the death penalty, that authorizes or restricts the granting of  
12 probation or suspending the execution or imposition of sentence,  
13 or expressly provides for imprisonment in the state prison for life,  
14 except as provided in subdivision (d). In any case in which the  
15 amount of preimprisonment credit under Section 2900.5 or any  
16 other provision of law is equal to or exceeds any sentence imposed  
17 pursuant to this chapter, except for a remaining portion of  
18 mandatory supervision imposed pursuant to subparagraph (B) of  
19 paragraph (5) of subdivision (h), the entire sentence shall be  
20 deemed to have been served, except for the remaining period of  
21 mandatory supervision, and the defendant shall not be actually  
22 delivered to the custody of the secretary or the county correctional  
23 administrator. The court shall advise the defendant that they shall  
24 serve an applicable period of parole, postrelease community  
25 supervision, or mandatory supervision and order the defendant to  
26 report to the parole or probation office closest to the defendant's  
27 last legal residence, unless the in-custody credits equal the total  
28 sentence, including both confinement time and the period of parole,  
29 postrelease community supervision, or mandatory supervision.  
30 The sentence shall be deemed a separate prior prison term or a  
31 sentence of imprisonment in a county jail under subdivision (h)  
32 for purposes of Section 667.5, and a copy of the judgment and  
33 other necessary documentation shall be forwarded to the secretary.  
34 (b) (1) When a judgment of imprisonment is to be imposed and  
35 the statute specifies three possible terms, the court shall, in its  
36 sound discretion, order imposition of a sentence not to exceed the  
37 middle term, except as otherwise provided in paragraph (2).  
38 (2) The court may impose a sentence exceeding the middle term  
39 only when there are circumstances in aggravation of the crime that  
40 justify the imposition of a term of imprisonment exceeding the

1 middle term and the facts underlying those circumstances have  
2 been stipulated to by the defendant or have been found true beyond  
3 a reasonable doubt at trial by the jury or by the judge in a court  
4 trial. Except where evidence supporting an aggravating  
5 circumstance is admissible to prove or defend against the charged  
6 offense or enhancement at trial, or it is otherwise authorized by  
7 law, upon request of a defendant, trial on the circumstances in  
8 aggravation alleged in the indictment or information shall be  
9 bifurcated from the trial of charges and enhancements. The jury  
10 shall not be informed of the bifurcated allegations until there has  
11 been a conviction of a felony offense.

12 (3) Notwithstanding paragraphs (1) and (2), the court may  
13 consider the defendant's prior convictions in determining  
14 sentencing based on a certified record of conviction without  
15 submitting the prior convictions to a jury. This paragraph does not  
16 apply to enhancements imposed on prior convictions.

17 (4) At least four days prior to the time set for imposition of  
18 judgment, either party or the victim, or the family of the victim if  
19 the victim is deceased, may submit a statement in aggravation or  
20 mitigation to dispute facts in the record or the probation officer's  
21 report or to present additional facts. The court may consider the  
22 record in the case, the probation officer's report, other reports,  
23 including reports received pursuant to Section 1203.03, and  
24 statements in aggravation or mitigation submitted by the  
25 prosecution, the defendant, or the victim, or the family of the victim  
26 if the victim is deceased, and any further evidence introduced at  
27 the sentencing hearing.

28 (5) The court shall set forth on the record the facts and reasons  
29 for choosing the sentence imposed. The court may not impose an  
30 upper term by using the fact of any enhancement upon which  
31 sentence is imposed under any provision of law. A term of  
32 imprisonment shall not be specified if imposition of sentence is  
33 suspended.

34 (6) Notwithstanding paragraph (1), and unless the court finds  
35 that the aggravating circumstances outweigh the mitigating  
36 circumstances that imposition of the lower term would be contrary  
37 to the interests of justice, the court shall order imposition of the  
38 lower term if any of the following was a contributing factor in the  
39 commission of the offense:

1 (A) The person has experienced psychological, physical, or  
2 childhood trauma, including, but not limited to, abuse, neglect,  
3 exploitation, or sexual violence.

4 (B) The person is a youth or was a youth as defined under  
5 subdivision (b) of Section 1016.7 at the time of the commission  
6 of the offense.

7 (C) Prior to the instant offense, or at the time of the commission  
8 of the offense, the person is or was a victim of intimate partner  
9 violence or human trafficking.

10 (7) Paragraph (6) does not preclude the court from imposing  
11 the lower term even if there is no evidence of those circumstances  
12 listed in paragraph (6) present.

13 (c) The court shall state the reasons for its sentence choice on  
14 the record at the time of sentencing. The court shall also inform  
15 the defendant that as part of the sentence after expiration of the  
16 term they may be on parole for a period as provided in Section  
17 3000 or 3000.08 or postrelease community supervision for a period  
18 as provided in Section 3451.

19 (d) (1) (A) When a defendant who was under 18 years of age  
20 at the time of the commission of the offense for which the  
21 defendant was sentenced to imprisonment for life without the  
22 possibility of parole has been incarcerated for at least 15 years,  
23 the defendant may submit to the sentencing court a petition for  
24 recall and resentencing.

25 (B) Notwithstanding subparagraph (A), this paragraph shall not  
26 apply to defendants sentenced to life without parole for an offense  
27 where it was pled and proved that the defendant tortured, as  
28 described in Section 206, their victim or the victim was a public  
29 safety official, including any law enforcement personnel mentioned  
30 in Chapter 4.5 (commencing with Section 830) of Title 3, or any  
31 firefighter as described in Section 245.1, as well as any other officer  
32 in any segment of law enforcement who is employed by the federal  
33 government, the state, or any of its political subdivisions.

34 (2) The defendant shall file the original petition with the  
35 sentencing court. A copy of the petition shall be served on the  
36 agency that prosecuted the case. The petition shall include the  
37 defendant's statement that the defendant was under 18 years of  
38 age at the time of the crime and was sentenced to life in prison  
39 without the possibility of parole, the defendant's statement



1 describing their remorse and work towards rehabilitation, and the  
2 defendant's statement that one of the following is true:

3 (A) The defendant was convicted pursuant to felony murder or  
4 aiding and abetting murder provisions of law.

5 (B) The defendant does not have juvenile felony adjudications  
6 for assault or other felony crimes with a significant potential for  
7 personal harm to victims prior to the offense for which the sentence  
8 is being considered for recall.

9 (C) The defendant committed the offense with at least one adult  
10 codefendant.

11 (D) The defendant has performed acts that tend to indicate  
12 rehabilitation or the potential for rehabilitation, including, but not  
13 limited to, availing themselves of rehabilitative, educational, or  
14 vocational programs, if those programs have been available at their  
15 classification level and facility, using self-study for  
16 self-improvement, or showing evidence of remorse.

17 (3) If any of the information required in paragraph (2) is missing  
18 from the petition, or if proof of service on the prosecuting agency  
19 is not provided, the court shall return the petition to the defendant  
20 and advise the defendant that the matter cannot be considered  
21 without the missing information.

22 (4) A reply to the petition, if any, shall be filed with the court  
23 within 60 days of the date on which the prosecuting agency was  
24 served with the petition unless a continuance is granted for good  
25 cause.

26 (5) If the court finds by a preponderance of the evidence that  
27 one or more of the statements specified in subparagraphs (A) to  
28 (D), inclusive, of paragraph (2) is true, the court shall recall the  
29 sentence and commitment previously ordered and hold a hearing  
30 to resentence the defendant in the same manner as if the defendant  
31 had not previously been sentenced, provided that the new sentence,  
32 if any, is not greater than the initial sentence. Victims, or victim  
33 family members if the victim is deceased, shall retain the rights to  
34 participate in the hearing.

35 (6) The factors that the court may consider when determining  
36 whether to resentence the defendant to a term of imprisonment  
37 with the possibility of parole include, but are not limited to, the  
38 following:

39 (A) The defendant was convicted pursuant to felony murder or  
40 aiding and abetting murder provisions of law.

1 (B) The defendant does not have juvenile felony adjudications  
2 for assault or other felony crimes with a significant potential for  
3 personal harm to victims prior to the offense for which the  
4 defendant was sentenced to life without the possibility of parole.

5 (C) The defendant committed the offense with at least one adult  
6 codefendant.

7 (D) Prior to the offense for which the defendant was sentenced  
8 to life without the possibility of parole, the defendant had  
9 insufficient adult support or supervision and had suffered from  
10 psychological or physical trauma or significant stress.

11 (E) The defendant suffers from cognitive limitations due to  
12 mental illness, developmental disabilities, or other factors that did  
13 not constitute a defense but influenced the defendant's involvement  
14 in the offense.

15 (F) The defendant has performed acts that tend to indicate  
16 rehabilitation or the potential for rehabilitation, including, but not  
17 limited to, availing themselves of rehabilitative, educational, or  
18 vocational programs, if those programs have been available at their  
19 classification level and facility, using self-study for  
20 self-improvement, or showing evidence of remorse.

21 (G) The defendant has maintained family ties or connections  
22 with others through letter writing, calls, or visits or has eliminated  
23 contact with individuals outside of prison who are currently  
24 involved with crime.

25 (H) The defendant has had no disciplinary actions for violent  
26 activities in the last five years in which the defendant was  
27 determined to be the aggressor.

28 (7) The court shall have the discretion to resentence the  
29 defendant in the same manner as if the defendant had not  
30 previously been sentenced, provided that the new sentence, if any,  
31 is not greater than the initial sentence. The discretion of the court  
32 shall be exercised in consideration of the criteria in paragraph (6).  
33 Victims, or victim family members if the victim is deceased, shall  
34 be notified of the resentencing hearing and shall retain their rights  
35 to participate in the hearing.

36 (8) Notwithstanding paragraph (7), the court may also resentence  
37 the defendant to a term that is less than the initial sentence if any  
38 of the following were a contributing factor in the commission of  
39 the alleged offense:

1 (A) The person has experienced psychological, physical, or  
2 childhood trauma, including, but not limited to, abuse, neglect,  
3 exploitation, or sexual violence.

4 (B) The person is a youth or was a youth as defined under  
5 subdivision (b) of Section 1016.7 at the time of the commission  
6 of the offense.

7 (C) Prior to the instant offense, or at the time of the commission  
8 of the offense, the person is or was a victim of intimate partner  
9 violence or human trafficking.

10 (9) Paragraph (8) does not prohibit the court from resentencing  
11 the defendant to a term that is less than the initial sentence, even  
12 if none of the circumstances listed in paragraph (8) are present.

13 (10) If the sentence is not recalled or the defendant is  
14 resentenced to imprisonment for life without the possibility of  
15 parole, the defendant may submit another petition for recall and  
16 resentencing to the sentencing court when the defendant has been  
17 committed to the custody of the department for at least 20 years.  
18 If the sentence is not recalled or the defendant is resentenced to  
19 imprisonment for life without the possibility of parole under that  
20 petition, the defendant may file another petition after having served  
21 24 years. The final petition may be submitted, and the response to  
22 that petition shall be determined, during the 25th year of the  
23 defendant's sentence.

24 (11) In addition to the criteria in paragraph (6), the court may  
25 consider any other criteria that the court deems relevant to its  
26 decision, so long as the court identifies them on the record,  
27 provides a statement of reasons for adopting them, and states why  
28 the defendant does or does not satisfy the criteria.

29 (12) This subdivision shall have retroactive application.

30 (13) Nothing in this paragraph is intended to diminish or  
31 abrogate any rights or remedies otherwise available to the  
32 defendant.

33 (e) Notwithstanding subdivision (a), the court may recall and  
34 resentence an incarcerated person pursuant to the compassionate  
35 release program set forth in Section 1172.2.

36 (f) Notwithstanding any other provision of this section, for  
37 purposes of paragraph (3) of subdivision (h), an allegation that a  
38 defendant is eligible for state prison due to a prior or current  
39 conviction, sentence enhancement, or because the defendant is

1 required to register as a sex offender shall not be subject to  
2 dismissal pursuant to Section 1385.

3 (g) A sentence to the state prison for a determinate term for  
4 which only one term is specified is a sentence to state prison under  
5 this section.

6 (h) (1) Except as provided in paragraph (3), a felony punishable  
7 pursuant to this subdivision where the term is not specified in the  
8 underlying offense shall be punishable by a term of imprisonment  
9 in a county jail for 16 months, or two or three years.

10 (2) Except as provided in paragraph (3), a felony punishable  
11 pursuant to this subdivision shall be punishable by imprisonment  
12 in a county jail for the term described in the underlying offense.

13 (3) Notwithstanding paragraphs (1) and (2), where the defendant  
14 (A) has a prior or current felony conviction for a serious felony  
15 described in subdivision (c) of Section 1192.7 or a prior or current  
16 conviction for a violent felony described in subdivision (c) of  
17 Section 667.5, (B) has a prior felony conviction in another  
18 jurisdiction for an offense that has all the elements of a serious  
19 felony described in subdivision (c) of Section 1192.7 or a violent  
20 felony described in subdivision (c) of Section 667.5, (C) is required  
21 to register as a sex offender pursuant to Chapter 5.5 (commencing  
22 with Section 290) of Title 9 of Part 1, or (D) is convicted of a crime  
23 and as part of the sentence an enhancement pursuant to Section  
24 186.11 is imposed, an executed sentence for a felony punishable  
25 pursuant to this subdivision shall be served in the state prison.

26 (4) Nothing in this subdivision shall be construed to prevent  
27 other dispositions authorized by law, including pretrial diversion,  
28 deferred entry of judgment, or an order granting probation pursuant  
29 to Section 1203.1.

30 (5) (A) Unless the court finds, in the interest of justice, that it  
31 is not appropriate in a particular case, the court, when imposing a  
32 sentence pursuant to paragraph (1) or (2), shall suspend execution  
33 of a concluding portion of the term for a period selected at the  
34 court's discretion.

35 (B) The portion of a defendant's sentenced term that is  
36 suspended pursuant to this paragraph shall be known as mandatory  
37 supervision, and, unless otherwise ordered by the court, shall  
38 commence upon release from physical custody or an alternative  
39 custody program, whichever is later. During the period of  
40 mandatory supervision, the defendant shall be supervised by the

1 county probation officer in accordance with the terms, conditions,  
2 and procedures generally applicable to persons placed on probation  
3 for the remaining unserved portion of the sentence imposed by the  
4 court. The period of supervision shall be mandatory and may not  
5 be earlier terminated, except by court order. Any proceeding to  
6 revoke or modify mandatory supervision under this subparagraph  
7 shall be conducted pursuant to either subdivisions (a) and (b) of  
8 Section 1203.2 or Section 1203.3. During the period when the  
9 defendant is under that supervision, unless in actual custody related  
10 to the sentence imposed by the court, the defendant shall be entitled  
11 to only actual time credit against the term of imprisonment imposed  
12 by the court. Any time period that is suspended because a person  
13 has absconded shall not be credited toward the period of  
14 supervision. A defendant who is subject to search or seizure as  
15 part of the terms and conditions of mandatory supervision, is  
16 subject to search or seizure only by a probation officer or other  
17 peace officer.

18 (6) When the court is imposing a judgment pursuant to this  
19 subdivision concurrent or consecutive to a judgment or judgments  
20 previously imposed pursuant to this subdivision in another county  
21 or counties, the court rendering the second or other subsequent  
22 judgment shall determine the county or counties of incarceration  
23 and supervision of the defendant.

24 (7) The sentencing changes made by the act that added this  
25 subdivision shall be applied prospectively to any person sentenced  
26 on or after October 1, 2011.

27 (8) The sentencing changes made to paragraph (5) by the act  
28 that added this paragraph shall become effective and operative on  
29 January 1, 2015, and shall be applied prospectively to any person  
30 sentenced on or after January 1, 2015.

31 (9) Notwithstanding the separate punishment for any  
32 enhancement, any enhancement shall be punishable in a county  
33 jail or state prison as required by the underlying offense and not  
34 as would be required by the enhancement. The intent of the  
35 Legislature in enacting this paragraph is to abrogate the holding  
36 in *People v. Vega* (2014) 222 Cal.App.4th 1374, that if an  
37 enhancement specifies service of sentence in state prison, the entire  
38 sentence is served in state prison, even if the punishment for the  
39 underlying offense is a term of imprisonment in the county jail.

40 SEC. 3. Section 5000 of the Penal Code is amended to read:

1     5000. (a) Any reference to the Department of Corrections in  
2 this or any other code refers to the Department of Corrections and  
3 Rehabilitation, Division of Adult Operations.

4     (b) The primary objective of adult incarceration in the  
5 Department of Corrections and Rehabilitation shall be to ~~promote~~  
6 ~~personal growth for all residents and~~ facilitate the successful  
7 reintegration of the individuals in the department's care back to  
8 their communities equipped with the tools to be drug-free, healthy,  
9 and employable members of society by providing education,  
10 treatment, and rehabilitative and restorative justice programs, all  
11 in a safe and humane ~~environment~~, *environment to promote*  
12 *personal growth for all residents*, as set forth in the findings and  
13 declarations set forth in ~~Section 1170~~. *Sections 1170 and 5000.5.*  
14 *In implementing this objective, the Department of Corrections and*  
15 *Rehabilitation is encouraged to allow all incarcerated persons*  
16 *the opportunity to enroll in programs that promote successful*  
17 *return to the community.*

18     SEC. 4. Section 5000.5 is added to the Penal Code, to read:

19     5000.5. (a) *The Legislature hereby finds and declares that the*  
20 *purpose of incarceration is rehabilitation accomplished only if*  
21 *the period of imprisonment is used to maximize personal growth*  
22 *for all residents and facilitate their reintegration into society upon*  
23 *release, enabling them to lead law-abiding and self-sufficient lives,*  
24 *reducing recidivism. The Legislature finds and declares that*  
25 *community-based organizations are an integral part of achieving*  
26 *the state's objective of ensuring that all people incarcerated in a*  
27 *state prison have access to rehabilitative programs.*

28     (b) *The Legislature recognizes that life in prison can never be*  
29 *the same as life in a free society. However, active steps should be*  
30 *taken to make conditions in prison as close to normal life as*  
31 *possible, aside from loss of liberty, and to ensure that this*  
32 *normalization does not lead to inhumane prison conditions.*

33     (c) *It is the intent of the Legislature that the Department of*  
34 *Corrections and Rehabilitation integrate, to the extent possible,*  
35 *the principles of normalization and dynamic security to establish*  
36 *safer conditions for incarcerated persons and correctional staff.*  
37 *The Legislature recognizes that the principle of dynamic security*  
38 *promotes a healthier environment for correctional officers, staff,*  
39 *and individuals within a correctional facility by improving the*  
40 *relationship between incarcerated individuals and staff. Improved*

1 *communication, mentorship, and normalization improve health*  
2 *outcomes for department staff and incarcerated individuals by*  
3 *reducing risks such as violent behavior, recidivism, and stress.*  
4 *The Legislature also recognizes the principle of normalization,*  
5 *which states that life inside prison should be as close to life outside*  
6 *of prison as possible, and should prepare incarcerated persons to*  
7 *be productive and contributing members of society upon their*  
8 *release.*

9 *(d) The Department of Corrections and Rehabilitation is directed*  
10 *to maintain a mission statement consistent with the principles of*  
11 *normalization and dynamic security, shall facilitate access for*  
12 *community-based programs, and should develop training for all*  
13 *correctional staff on the principles of normalization and dynamic*  
14 *security in order to meaningfully effectuate the principles set forth*  
15 *in this section.*