



Memorandum

California Arts Council

1300 I Street, Suite 930
Sacramento, CA 95814
916.322.6555 | www.arts.ca.gov

CDCR Regulations Covering Public Performances and California Arts Council Guidance

Public performances are a key part of any arts training, and are especially important for the Arts-in-Corrections program. The California Arts Council (Arts Council) and the California Department of Corrections and Rehabilitation (CDCR) encourage all arts service providers to coordinate public performances, if appropriate and possible, in conjunction with CDCR institution staff.

All Inmate Participants (the individuals who are learning and presenting their visual, literary or performing arts) must remember that their behavior and language reflect upon not only themselves, but the Arts-in-Corrections program as a whole. The Arts Council and CDCR expect a high level of professionalism, respect and appropriateness for the performances. Just like public speaking, public performance is a serious risk-taking endeavor, and requires focus, concentration, and planning.

The CDCR Code of Regulations prohibits disrespectful or provocative language. This includes language and gestures during public performances of the arts. Because of this requirement, **a clearly legible copy of speech, lyrics or other words to be performed (typed or clearly printed) must be required of all Inmate Participants in public performances.**

The pre-written pages cannot include substitute or abbreviated words or contractions that could be replacements for offensive language. These typed or printed scripts must be shared with institution staff and AIC providers (the professional artists conducting the Arts-in-Corrections instructions) with sufficient time before the performance so that the staff can adequately review the material.

Please do not change the pre-approved speech, lyrics, dialogue, music or other spoken words when performing. Such changes beyond a simple forgetting of words or lyrics may have consequences for the Arts-in-Corrections program, or the Participant as well. A significant deviation from the pre-designated text in an offensive or inciting manner (including inappropriate language) can jeopardize the AIC Inmate Participant's future participation in such programs, and potentially lead to disciplinary action by the institution. Gestures, symbols and other forms of unspoken communication can also fall under the disrespectful or provocative language prohibition, and the same potential penalties by CDCR apply.

For performances that require improvisation, the same rules apply regarding inappropriate, offensive or inciting language and gestures. The Arts Provider will guide the AIC Participants in the activity in such a way that can prevent or redirect such language.

Sometimes it can be unclear how much leeway and freedom AIC Inmate Participants can have in the AIC program without repercussions. The California Arts Council wants to be very clear upfront of the rules regarding these matters. If you have questions, side on the conservative side of language use and gestures, and use creativity to for personal expression without offensive words or inciting language.

The following page includes the text of the law governing these issues, which falls under the California Code of Regulations - *Title 15. Crime Prevention and Corrections.*

3004. Rights and Respect of Others.

(a) Inmates and parolees have the right to be treated respectfully, impartially, and fairly by all employees. Inmates and parolees have the responsibility to treat others in the same manner. Employees and inmates may use first names in conversation with each other when it is mutually acceptable to both parties.

(b) Inmates, parolees and employees will not openly display disrespect or contempt for others in any manner intended to or reasonably likely to disrupt orderly operations within the institutions or to incite or provoke violence.

(c) Inmates, parolees and employees will not subject other persons to any form of discrimination because of race, religion, nationality, sex, political belief, age, or physical or mental handicap.

3005. Conduct.

(a) Inmates and parolees shall obey all laws, regulations, and local procedures, and refrain from behavior which might lead to violence or disorder, or otherwise endangers facility, outside community or another person.

(b) Obeying Orders. Inmates and parolees must promptly and courteously obey written and verbal orders and instructions from department staff, and from employees of other agencies with authorized responsibility for the custody and supervision of inmates and parolees.

(c) Refusing to Accept Assigned Housing. Inmates shall not refuse to accept a housing assignment such as but not limited to, an integrated housing assignment or a double cell assignment, when case factors do not preclude such.

(d) Force or Violence.

(1) Inmates shall not willfully commit or assist another person in the commission of an assault or battery to any person or persons, nor attempt or threaten the use of force or violence upon another person.

(2) Inmates shall not, with the intent to cause a riot, willfully engage in conduct that urges a riot, or urges others to commit acts of force or violence at a time and place under circumstances that produce a clear and present and immediate danger of acts of force or violence or the burning or destroying of property.

(3) Inmates shall not participate in a riot, rout, or unlawful assembly.

Please sign below acknowledging that you understand the contents of this memo regarding pre-approved text and prohibition of offensive/inciting language during public performances and exhibitions of the Arts-in-Corrections program.

NAME

DATE

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____