

## **CHANGES WITHOUT REGULATORY EFFECT**

*Concerning Use of the Terms “Offender,” “Inmate,” “Parolee”  
and “under the jurisdiction of CDCR”*

### **STATEMENT OF REASON**

Description of Regulatory Change and Explanatory Statement:

Pursuant to 1 CCR § 100 (a), CALPIA is submitting changes without regulatory effect to be published in the California Code of Regulations without complying with the rulemaking procedure specified in Article 5 of the APA because the changes do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any California Code of Regulations provision.

Pursuant to Title 1, CCR, section 100(a)(4), the California Prison Industry Board (PIB) proposes to make non-substantive changes to Section 8000, Title 15, changing the terms and phrases “inmate,” “offender,” and “under the jurisdiction of CDCR” to one reference of “incarcerated individuals” and changing the word “parolee” to “paroled individual.”

Changing the terms and phrases “inmate,” “offender”, and “under the jurisdiction of CDCR” to one reference of “incarcerated individuals” and changing the word “parolee” to “paroled individual” does not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any CCR provision because this change does not alter the text of the meaning of a regulation. These changes do not materially alter any requirement, right, responsibility, condition, prescription, or other regulatory element of any CCR provision pursuant to Section 100 because these changes are usage revision and do not change the actual meaning of the terms and phrases throughout CALPIA’s regulations.

Today, there are approximately 2 million people incarcerated in the United States’ jail and prison system. Incarcerated people are referred to in an array of dehumanizing labels, such as “inmates,” “criminals,” “prisoners,” “convicts,” “delinquents,” “felons,” and “offenders.” Even after people complete their sentence of incarceration and return to the community, oftentimes these labels follow. Terms such as: “ex-inmates,” “ex-prisoners,” “ex-convicts,” “ex-felons,” and “ex-offenders” are used to categorize and stigmatize people affected by the criminal justice system. Dehumanizing labels stereotype and marginalize people rather than support them while they rebuild their lives. Individuals with justice system involvement are not defined by their conviction history. The words we use to reference them should reflect their full identities and acknowledge their capacity to change and grow. See *“Words Matter: a call for humanizing and respectful language to describe people who experience incarceration”*, November 2018 BMC International Health and Human Rights 18(1), DOI: 10.1186/s12914-018-0180-4, Transformation Justice Center.

Language used to describe individuals and prison populations, either respectful or stigmatizing, matters and shapes people's views and understanding of past and present events, as well as future possibilities. Ellis E. Words Matter: Another Look at the Question of Language. Brooklyn: Center for New Leadership on Urban Solution; 2013. <https://ezwaters.wordpress.com/2017/12/17/words-matter-another-look-at-the-question-of-language-by-eddieellis-president-center-for-nuleadership-on-urban-solutions/>.

In addition, language we use to conceptualize and talk about incarcerated people and their characteristics reflects personal views and understanding, or, too often, biases (conscious or unconscious) and lack of understanding. By promoting a consistent use of the phrase "incarcerated individual" eliminates the express of negative biases and promote individual recognition and value that supports rehabilitation.

These changes will make no substantive change to CALPIA's regulations or operations and have the possibility of benefits to incarcerated individuals.