



Memorandum

California Arts Council

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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.*

