

AMENDED IN ASSEMBLY MAY 23, 2014

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CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2060

**Introduced by Assembly Member V. Manuel Pérez
(Coauthor: Assembly Member Skinner)**

February 20, 2014

An act to add and repeal Chapter 4 (commencing with Section 1234) of Title 8 of Part 2 of the Penal Code, relating to recidivism.

LEGISLATIVE COUNSEL’S DIGEST

AB 2060, as amended, V. Manuel Pérez. Supervised Population Workforce Training Grant Program.

Existing law defines probation to mean the suspension of the imposition or execution of a sentence of an individual convicted of a crime and the order of his or her conditional and revocable release in the community under the supervision of a probation officer. Existing law authorizes probation for some, but not all, felony convictions.

Existing law requires all eligible people released from prison on and after October 1, 2011, or, whose sentences have been deemed served, as provided, after serving a prison term for a felony, upon release from prison, and for a period not exceeding 3 years immediately following release, to be subject to postrelease community supervision provided

by a county agency designated by each county's board of supervisors that is consistent with evidence-based practices, including, but not limited to, supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under postrelease supervision. Existing law authorizes a court, when sentencing a person to county jail for a felony, to commit the person to county jail for either the full term in custody, as specified, or to suspend the execution of a concluding portion of the term selected at the court's discretion. Under existing law, this period of suspended execution is supervised by the county probation officer and is known as mandatory supervision.

Existing law creates the Recidivism Reduction Fund in the State Treasury, available upon appropriation by the Legislature, for, among other things, activities designed to reduce recidivism of the state's prison population.

This bill would, until January 1, 2021, establish the Supervised Population Workforce Training Grant Program to be administered, as provided, by the California Workforce Investment Board and funded, upon appropriation by the Legislature, using moneys from the Recidivism Reduction Fund. The bill, until January 1, 2021, among other things, would provide grant program eligibility criteria for counties. The bill, until January 1, 2021, would also provide that eligible uses for grant funds include, but are not limited to, vocational training, stipends for trainees, and apprenticeship opportunities for the supervised population, which would include individuals on probation, mandatory supervision, and postrelease community supervision. By January 1, 2018, the board would be required to submit a report to the Legislature containing specified information, including an evaluation of the effectiveness of the grant program. ~~The bill would state findings and declarations of the Legislature.~~

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 the~~
- 2 ~~following:~~
- 3 ~~(a) In order to meet the requirements of the federal court order~~
- 4 ~~in the matter sometimes referred to as Plata/Coleman v. Brown,~~
- 5 ~~(Case No. C01-1351) California is required to reduce the prison~~

1 inmate population to 147.5 percent of design capacity by February
2 2016.

3 (b) The court decision is the result of decades of litigation under
4 two separate cases, which were brought together due to the severity
5 of the impact of overcrowding on the inmate population.

6 (c) Over this time, the Legislature passed and the Governor
7 signed a range of legislation. Most significantly, Assembly Bill
8 109 (Chapter 15, Statutes of 2011), the 2011 Realignment
9 Legislation addressing public safety, was enacted, which shifted
10 to counties the responsibility for monitoring, tracking, and
11 incarcerating lower level offenders previously sent to state prison.
12 By mid-2013, more than 100,000 offenders had been diverted to
13 county supervision instead of going to state prison.

14 (d) Recognizing that the state would need to take additional
15 actions to meet the court order, the Legislature passed and the
16 Governor signed legislation, Senate Bill 105 (Chapter 310, Statutes
17 of 2013), which appropriated to the Department of Corrections
18 and Rehabilitation \$315 million in General Fund support in the
19 2013–14 fiscal year. These moneys were appropriated to be used
20 for contracts to secure additional prison bed space, and, if an
21 unexpended balance existed, the bill allowed for up to \$75 million
22 to be deposited in the Recidivism Reduction Fund. Program savings
23 of 50 percent are also required to be transferred to the Recidivism
24 Reduction Fund.

25 (e) Research shows that formerly incarcerated individuals do
26 better and remain out of prison longer when they have training
27 and a job with advancement opportunities. Obtaining quality jobs,
28 however, is not realistic for many incarcerated individuals without
29 additional training and education. This means that without
30 successful workforce development programs, the supervised
31 population is less likely to become contributors to our society and
32 more likely to recidivate.

33 (f) The California Workforce Investment Board and local
34 workforce investment boards can play an important role in
35 identifying high-demand industry sectors in the state, and within
36 regional economies. Further, these entities have the expertise to
37 identify local workforce needs and help individuals receive training
38 that will make them competitive within the local job market in
39 which they live.

1 ~~SEC. 2.~~

2 ~~SECTION 1.~~ Chapter 4 (commencing with Section 1234) is
3 added to Title 8 of Part 2 of the Penal Code, to read:

4
5 CHAPTER 4. SUPERVISED POPULATION WORKFORCE TRAINING
6 GRANT PROGRAM
7

8 1234. For purposes of this chapter, the following terms have
9 the following meanings:

10 (a) “California Workforce Investment Board” or “State WIB”
11 means the California Workforce Investment Board established
12 pursuant to Article 1 (commencing with Section 14010) of Chapter
13 3 of Division 7 of the Unemployment Insurance Code.

14 (b) “Grant program” means the Supervised Population
15 Workforce Training Grant Program.

16 (c) “Recidivism Reduction Fund” means the Recidivism
17 Reduction Fund created pursuant to Section 1233.9.

18 (d) “Supervised population” means those persons who are on
19 probation, mandatory supervision, or postrelease community
20 supervision and are supervised by, or are under the jurisdiction of,
21 a county.

22 1234.1. (a) This chapter establishes the Supervised Population
23 Workforce Training Grant Program to be administered by the
24 California Workforce Investment Board.

25 (b) The grant program shall be developed and implemented in
26 accordance with the criteria set forth in Section 1234.3. In
27 developing the program, the State WIB shall consult with public
28 and private stakeholders, including local workforce investment
29 boards, local governments, and nonprofit community-based
30 organizations that serve the supervised population.

31 (c) The grant program shall be funded, upon appropriation by
32 the Legislature, using moneys from the Recidivism Reduction
33 Fund. Implementation of this program is contingent upon the
34 director of the State WIB notifying the Department of Finance that
35 sufficient moneys have been ~~received~~ *appropriated for this specific*
36 *grant program*.

37 (d) The outcomes from the grant program shall be reported
38 pursuant to Section 1234.4.

39 1234.2. The State WIB shall administer the grant program as
40 follows:

1 (a) Develop criteria for the selection of grant recipients through
2 a public application process, including, but not limited to, the rating
3 and ranking of applications that meet the threshold criteria set forth
4 in this section.

5 (b) Design the grant program application process to ensure all
6 of the following occurs:

7 (1) Outreach and technical assistance is made available to
8 eligible applicants, especially to small population and rural
9 counties.

10 (2) Grants are awarded on a competitive basis.

11 (3) Small and rural counties are competitive in applying for
12 funds.

13 (4) Applicants are encouraged to develop evidence-based, best
14 practices for serving the workforce training and education needs
15 of the supervised population.

16 (5) The education and training needs of both of the following
17 are addressed:

18 (A) Individuals with some postsecondary education who can
19 enter into programs and benefit from services that result in
20 certifications, and placement on a middle skill career ladder.

21 (B) Individuals who require basic education as well as training
22 in order to obtain entry level jobs where there are opportunities
23 for career advancement.

24 1234.3. (a) The grant program shall be competitively awarded
25 through at least two rounds of funding, with the first phase of
26 funding being awarded on or before May 1, 2015.

27 (b) Each county is eligible to apply, and a single application
28 may include multiple counties applying jointly. Each application
29 shall include a partnership agreement between the county or
30 counties and one or more local workforce investment boards that
31 outline the actions each party agrees to undertake as part of the
32 project proposed in the application.

33 (c) At a minimum, each project proposed in the application shall
34 include a provision for an education and training assessment for
35 each individual of the supervised population who participates in
36 the project. The assessment may be undertaken by the applicant
37 or by another entity. A prior assessment of an individual may be
38 used if, in the determination of the State WIB, its results are
39 accurate.

1 (d) Eligible uses of grant funds include, but are not limited to,
2 vocational training, stipends for trainees, and apprenticeship
3 opportunities for the supervised population. Supportive services
4 and job readiness activities shall serve as bridge activities that lead
5 to enrollment in long-term training programs.

6 (e) Preference shall be awarded to applications for the following:

7 (1) An application that proposes matching funds, including, but
8 not limited to, moneys committed by local workforce investment
9 boards, local governments, and private foundation funds.

10 (2) An application submitted by a county that currently
11 administers or participates in a workforce training program for the
12 supervised population.

13 (3) An application that proposes participation by one or more
14 nonprofit community-based organizations that serve the supervised
15 population.

16 (f) An application shall meet the following requirements:

17 (1) Set a specific purpose for the use of the grant funds, as well
18 as provide the baseline criteria and metrics by which the overall
19 success of the grant project can be evaluated.

20 (2) Define the specific subset of the supervised population,
21 among the eligible supervised population that the grant money
22 will serve.

23 (3) Define the industry sector or sectors in which the targeted
24 supervised population will be trained, including the current and
25 projected workforce within the region for those jobs, the range of
26 wage rates, and the training and education requirements within
27 those industry sectors.

28 (4) Define the general methodology and training methods
29 proposed to be used and explain the manner in which the progress
30 of the targeted supervised population will be monitored during the
31 grant period.

32 (g) As a condition of receiving funds, a grant recipient shall
33 agree to provide information to the State WIB in sufficient detail
34 to allow the State WIB to meet the reporting requirements in
35 Section 1234.4.

36 1234.4. (a) On at least an annual basis, and upon completion
37 of the grant period, grant recipients shall report to the State WIB
38 regarding their use of the funds and workforce training program
39 outcomes.

1 (b) By January 1, 2018, the State WIB shall submit a report to
2 the Legislature using the reports from the grant recipients. The
3 report shall contain all the following information:

4 (1) The overall success of the grant program, based on the goals
5 and metrics set in the awarded grants.

6 (2) An evaluation of the effectiveness of the grant program
7 based on the goals and metrics set in the awarded grants.

8 (3) A recommendation on the long-term viability of local
9 workforce investment board and county collaborations on
10 workforce training programs for the supervised population.

11 (4) A recommendation on the long-term viability of county
12 workforce training programs for the supervised population.

13 (5) In considering the overall success and effectiveness of the
14 grant program, the report shall include a discussion of all of the
15 following:

16 (A) Whether the programs aligned with the workforce needs of
17 high-demand sectors of the state and regional economies.

18 (B) Whether there was an active job market for the skills being
19 developed where the member of the supervised population was
20 likely to be released.

21 (C) Whether the program increased the number of members of
22 the supervised population that obtained a marketable and industry
23 or apprenticeship board-recognized certification, credential, or
24 degree.

25 (D) Whether the program increased the numbers of the
26 supervised population that successfully complete a job readiness
27 basic skill bridge program and enroll in a long-term training
28 program.

29 (E) Whether there were formal or informal networks in the field
30 that support finding employment upon release from custody.

31 (F) Whether the program led to employment in occupations
32 with a livable wage.

33 (c) (1) The requirement for submitting a report imposed under
34 subdivision (b) is inoperative on January 1, 2021, pursuant to
35 Section 12031.5 of the Government Code.

36 (2) A report to be submitted pursuant to subdivision (b) shall
37 be submitted in compliance with Section 9795 of the Government
38 Code.

39 1234.5. This chapter shall remain in effect only until January
40 1, 2021, and as of that date is repealed, unless a later enacted

- 1 statute, that is enacted before January 1, 2021, deletes or extends
- 2 that date.

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