
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Loni Hancock, Chair

2015 - 2016 Regular

Bill No: AB 1093 **Hearing Date:** June 16, 2015
Author: Eduardo Garcia
Version: February 27, 2015
Urgency: Yes **Fiscal:** Yes
Consultant: AA

Subject: *Public Safety: Supervised Population Workforce Training: Grant Program*

HISTORY

Source: California Workforce Association (co-source)
Communities United for Restorative Youth Justice (co-source)
PolicyLink (co-source)

Prior Legislation: AB 2060 (V.M. Perez), Chapter 383, Statutes of 2014

Support: California Edge Coalition; California Public Defenders Association; National Center for Youth Law; Office of the Riverside County Superintendent of Schools; REDF; Root & Rebound

Opposition: None Known

Assembly Floor Vote: 77 - 0

PURPOSE

The purpose of this bill is to make minor modifications to the criteria for the Supervised Population Workforce Training Grant Program administered by the Workforce Investment Board, as specified.

Current law states that California Workforce Investment Board (“WIB”) is the body responsible for assisting the Governor in the development, oversight, and continuous improvement of California’s workforce investment system and the alignment of the education and workforce investment systems to the needs of the 21st century economy and workforce. (Unemp. Ins. Code, § 14010.)

Current law establishes the Supervised Population Workforce Training Grant Program to be administered by the WIB. (Pen. Code, § 1234.1.)

Current law requires WIB to administer the grant program as follows:

- 1) Develop criteria for the selection of grant recipients through a public application process, including the rating and ranking of applications that meet threshold criteria; and
- 2) Design the grant program application process to ensure all of the following occurs:

- a) Outreach and technical assistance is made available to eligible counties;
- b) There is fairness and competitiveness for all counties, including for smaller and rural counties;
- c) It encourages applicants to develop evidence-based, best practices to serve the target population; and,
- d) It addresses the education and training needs of both individuals with some postsecondary education who can benefit from services that result in certifications, and placement on a middle skill career ladder, and individuals who require basic education and training to obtain entry level jobs. (Pen. Code § 1234.2.)

This bill would revise the criteria described above to allow applicants to address either the education and training needs of individuals with some postsecondary education, or individuals who require basic education and training to obtain entry level jobs, instead of requiring the applicants to serve both education needs.

Current law requires the grant program to be competitively awarded through at least two rounds of funding, as specified, and provides that each county is eligible to apply but that a single application may include multiple counties applying jointly. Requires each application to include a partnership agreement between the county, or counties, and one or more local workforce investment boards that outline the actions each party agrees to undertake as part of the project proposed in the application. (Pen. Code, § 1234.3.)

Current law requires, at a minimum, each project proposed in the application to include a provision for an education and training assessment for each individual of the supervised population who participates in the project. (Pen. Code, § 1234.3, subd. (c).)

This bill would authorize the WIB to delegate the responsibility for determining the sufficiency of a prior assessment to one or more local workforce investment boards.

Current law provides that eligible uses of grant funds include, but are not limited to, vocational training, stipends for trainees, and apprenticeship opportunities for the supervised population. Current law further states that supportive services and job readiness activities are to serve as bridge activities that lead to enrollment in long-term training programs. (Pen. Code, § 1234.3, subd. (d).)

Current law requires the WIB to report to the Legislature the outcomes from the grant program, as specified. (Pen. Code, § 1234.4.)

This bill would expand the content of the report to be given to the Legislature evaluating the Supervised Population Workforce Training Grant Program to include the following:

- 1) The education and workforce readiness of the supervised population at the time individual participants entered the program and how this impacted the types of services needed and offered; and

- 2) Whether the metrics used to evaluate the individual grants were sufficiently aligned with the objectives of the program.

This bill includes uncodified legislative findings and declarations concerning the importance of job training for formerly incarcerated persons, as specified.

RECEIVERSHIP/OVERCROWDING CRISIS AGGRAVATION

For the past eight years, this Committee has scrutinized legislation referred to its jurisdiction for any potential impact on prison overcrowding. Mindful of the United States Supreme Court ruling and federal court orders relating to the state's ability to provide a constitutional level of health care to its inmate population and the related issue of prison overcrowding, this Committee has applied its "ROCA" policy as a content-neutral, provisional measure necessary to ensure that the Legislature does not erode progress in reducing prison overcrowding.

On February 10, 2014, the federal court ordered California to reduce its in-state adult institution population to 137.5% of design capacity by February 28, 2016, as follows:

- 143% of design bed capacity by June 30, 2014;
- 141.5% of design bed capacity by February 28, 2015; and,
- 137.5% of design bed capacity by February 28, 2016.

In February of this year the administration reported that as "of February 11, 2015, 112,993 inmates were housed in the State's 34 adult institutions, which amounts to 136.6% of design bed capacity, and 8,828 inmates were housed in out-of-state facilities. This current population is now below the court-ordered reduction to 137.5% of design bed capacity."(Defendants' February 2015 Status Report In Response To February 10, 2014 Order, 2:90-cv-00520 KJM DAD PC, 3-Judge Court, *Coleman v. Brown, Plata v. Brown* (fn. omitted).

While significant gains have been made in reducing the prison population, the state now must stabilize these advances and demonstrate to the federal court that California has in place the "durable solution" to prison overcrowding "consistently demanded" by the court. (Opinion Re: Order Granting in Part and Denying in Part Defendants' Request For Extension of December 31, 2013 Deadline, NO. 2:90-cv-0520 LKK DAD (PC), 3-Judge Court, *Coleman v. Brown, Plata v. Brown* (2-10-14). The Committee's consideration of bills that may impact the prison population therefore will be informed by the following questions:

- Whether a proposal erodes a measure which has contributed to reducing the prison population;
- Whether a proposal addresses a major area of public safety or criminal activity for which there is no other reasonable, appropriate remedy;
- Whether a proposal addresses a crime which is directly dangerous to the physical safety of others for which there is no other reasonably appropriate sanction;
- Whether a proposal corrects a constitutional problem or legislative drafting error; and
- Whether a proposal proposes penalties which are proportionate, and cannot be achieved through any other reasonably appropriate remedy.

COMMENTS

1. Stated Need for This Bill

The author states:

With orders from the U.S. Supreme Court to reduce its prison population, the state needs smart, effective policies to help local jurisdictions achieve realignment goals and reduce recidivism. Workforce development for the re-entry population is a practical strategy for improving access to a stable job. It helps improve offender outcomes, reduce the likelihood of recidivism, and promote community safety and stability. AB 1093 makes key program changes to the 2014 bill [AB 2060 (V. Manuel Perez)].

2. Supervised Population Workforce Training Grant Program

The WIB is the body responsible for assisting the Governor in the development, oversight, and continuous improvement of California’s workforce investment system and the alignment of the education and workforce investment systems to the needs of the 21st century economy and workforce. The WIB administers the Supervised Population Workforce Training Grant Program, a program to award grant funding for vocational training and apprenticeship opportunities for offenders under county jurisdiction who are on probation, mandatory community supervision, or post-release community supervision. This bill makes various minor technical changes to the Supervised Population Workforce Training Grant Program in the WIB.

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