
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Nancy Skinner, Chair
2019 - 2020 Regular

Bill No: AB 1668 **Hearing Date:** July 9, 2019
Author: Carrillo
Version: April 25, 2019
Urgency: No **Fiscal:** Yes
Consultant: SJ

Subject: *California Conservation Corps: Education and Employment Reentry Program*

HISTORY

Source: California Professional Firefighters Association
Prior Legislation: SB 840 (Com. on Budget & Fiscal Rev.), Ch. 29, Stats. 2018
Support: Smart Justice
Opposition: None known
Assembly Floor Vote: 78 - 0

PURPOSE

The purpose of this bill is to establish the Education and Employment Reentry Program within the California Conservation Corps and authorize the director to enroll formerly incarcerated individuals, as specified.

Existing law establishes the California Conservation Corps (CCC) in the Natural Resources Agency and requires the CCC to implement and administer the conservation corps program. (Pub. Resources Code, § 14001.)

Existing law requires the Governor to appoint a director to act as the administrative officer of the CCC. (Pub. Resources Code, § 14301.)

Existing law directs CCC program activities, including the management of environmentally important lands and water, public works projects, facilitating public use of resources, assistance in emergency operations, assistance in fire prevention and suppression, energy conservation, and environmental restoration. (Pub. Resources Code, § 14300.)

Existing law provides that corps members serve for one year with the possibility of an extension. (Pub. Resources Code, § 14302.)

Existing law authorizes the director of the CCC to select applicants who are on probation, post release community supervision, or mandatory supervision. Provides that the director of the CCC determines within the director's discretion whether to accept such applicants. (Pub. Resources Code, § 14306.5.)

Existing law authorizes the director to recruit and enroll corps members and special corps members to contribute to the objectives of the program, including the Energy Corps, the Backcountry Trails Program, the Veterans Corps Fishery Program, the Watershed Stewards Program, and the Forestry Corps Program. (Pub. Resources Code, § 14306, subd. (a).)

Existing law authorizes the director to adopt criteria for selecting applicants for enrollment in the corps program, including criteria for individuals convicted of a crime described in the California Uniform Controlled Substance Act. Requires the director to take into account, when adopting this criteria, the health, safety, and welfare of the public and the corps, program participants, and staff. (Pub. Resources Code, § 14306, subd. (b).)

Existing law requires the CCC, in conjunction with the Employment Development Department (EDD), to place an emphasis on developing and executing plans to assist corps members in obtaining employment following their participation in the CCC. (Pub. Resources Code, § 14302.)

Existing law specifies the following as Forestry Corps Program objectives:

- Develop and implement forest health projects;
- Establish forestry corps crews;
- Provide assistance to corps members to obtain forestry and forest technician degrees and certificates;
- Train corps members to operate forestry equipment; and
- Create pathways from the corps to degree programs and jobs and authorizes the director of the CCC to pursue partnerships with community colleges, trade associations, forest and timber industries, vocational education institutions, and apprenticeship programs to accomplish program goals. (Pub. Resources Code, § 14411.)

Existing law requires the CCC to submit an annual report to the Legislature of specified education and employment outcomes of corps members following their participation in the CCC. (Pub. Resources Code, § 14424.)

Existing law authorizes, in certain circumstances, a school district or county office of education that operates a conservation corps to select applicants who are on probation, post release community supervision, or mandatory supervision. (Pub. Resources Code, § 17003.)

Existing law establishes the Department of Forestry and Fire Protection (CalFire) to oversee and administer programs related to forest health and fire prevention and response. (Pub. Resources Code, § 701.)

Existing law establishes the California Conservation Camp program to be operated by the California Department of Corrections and Rehabilitation (CDCR) in conjunction with CalFire to provide for training and use of inmates assigned to the camps to perform public conservation projects including, but not limited to, forest fire prevention and control, forest and watershed management, recreation, fish and game management, soil conservation, and forest and watershed revegetation. (Pub. Resources Code, § 4951.)

This bill includes several codified Legislative findings and declarations.

This bill requires the director of the CCC to establish, on or before July 1, 2020, the Education and Employment Reentry Program within the corps. Authorizes the director to enroll in the program formerly incarcerated individuals who successfully served on a California Conservation Camp program crew and were recommended for participation as a program member by the Director of Cal Fire and the Secretary of CDCR.

This bill specifies that the term “program” as used in this bill refers to the Education and Employment Reentry Program.

This bill requires that formerly incarcerated individuals recommended for the program are selected for participation as a program member on the basis of motivation, hard work, personal development, and public service, and without regard to their prior employment or educational background.

This bill provides that program enrollment be for a period of up to five years.

This bill requires the director, in conjunction with the EDD, to prioritize developing and executing plans to assist program members in obtaining continued employment following participation in the program.

This bill requires program members to be compensated for their work at a living wage as determined by the director.

This bill requires that participants in the program generally be engaged in any of the following activities:

- Natural resources or land management projects.
- Fuels reduction and vegetation management projects.
- Proactively restoring forest health to reduce greenhouse gases.
- Conserving, maintaining, improving, and developing natural resources in both urban and rural areas.
- Assisting in fire prevention and assisting in disaster operations.
- Protecting source watersheds from which the state’s water supply originates.
- Promoting the long-term storage of carbon in forest trees and soils.
- Minimizing the loss of forest carbon from large, intense wildfires.
- Assisting departments within the Natural Resources Agency in developing, rehabilitating, and restoring parklands, recreational facilities, and historical resources.

This bill requires that the program accomplish all of the following objectives:

- Develop, partner with, and create opportunities for the forestry corps program objectives.
- Collaborate with the EDD to provide access to workforce services.
- Collaborate with nongovernmental organizations dedicated to providing access to counseling, mentorship, supportive housing, health care, and educational opportunities.

This bill provides that a program member enrolled pursuant to this bill be included as a corpsmember for purposes of the existing reporting requirements.

COMMENTS

1. Need For This Bill

According to the author:

Thousands of inmates joined hand crews, being paid only \$2 a day or \$1 an hour when assisting firefighting crews in managing fires that raged throughout the state of California during the course of 2018. Through their work on hand crews, prisoners provided critical and cost-effective defense against natural disasters and embraced the opportunity to protect local communities.

Post-release, individuals who actively worked to cut fire lines to quell some of the deadliest and most destructive fires in our state's history are faced with the daunting task of finding employment and are overwhelmingly met by lack of opportunity to utilize the skills they have gained through their service on inmate hand crews.

AB 1668 would provide formerly incarcerated individuals with the opportunity to apply to the Education and Employment Reentry Program. AB 1668 will, in addition to job opportunities, help build new, applicable skills and a healthy work ethic, while also helping to build character, self-esteem, self-discipline, and a sense of civic responsibility.

2. California Conservation Corps

The CCC, established in 1976, is the oldest and largest state conservation corps program in the country. The CCC provides California residents who are between 18 and 25 years old with a year of paid service to the state. Approximately 3,000 corps members enroll each year, with nine months being the average length of stay. During their year of service, members work on environmental projects and respond to natural and man-made disasters. Corps members learn a variety of skills including forestry management, energy auditing and installation, emergency services management, and firefighting, and have the opportunity to complete their high school diplomas. The CCC operates more than two dozen residential and non-residential locations throughout the state. (<<https://ccc.ca.gov/who-we-are/about/>> [as of Jul. 2, 2019].)

3. Conservation Camp Program

CDCR, in cooperation with Cal Fire and the Los Angeles County Fire Department, jointly operates 44 conservation camps, commonly referred to as fire camps, located in 27 counties. The primary mission of the Conservation Camp Program is to support state, local and federal government agencies as they respond to emergencies such as fires, floods, and other natural or manmade disasters. All camps are minimum-security facilities and staffed with correctional staff. CDCR reports that approximately 3,700 inmates work at fire camps, and approximately 2,600 inmates are fire-line qualified. Inmate receive the same entry-level training as Cal Fire's seasonal firefighters as well as ongoing training from Cal Fire throughout their time in the program. An inmate must volunteer for the fire camp program, and some convictions automatically make an inmate ineligible for fire camp assignment, including sex offenses, arson, and escape with force

or violence. In addition to fighting fires, inmate firefighters perform conservation and community service projects, including clearing brush and fallen trees to reduce the chance of fire, maintaining parks, sand bagging, flood protection and reforestation. (<<https://www.cdcr.ca.gov/conservation-camps/>> [as of Jul. 2, 2019].)

4. Ventura Training Center

In an effort to expand employment opportunities to former inmates who served in a fire camp, the Ventura Training Center (VTC) was established at the Ventura Conservation Camp. VTC provides 80 parolees annually with “an enhanced firefighter training and certification program” to assist in creating a pathway for these individuals to compete for entry-level firefighting jobs. (<<https://www.cdcr.ca.gov/conservation-camps/camps/ventura/>> [as of Jul. 2, 2019].) The trainees are former offenders who have recently been part of a trained firefighting workforce housed in the fire camps or CDCR institution firehouses.

The CCC is the employer of record and provides base wages and benefits consistent with other corps members. Cal Fire is responsible for the administration of the facility, fire training, and certification. CDCR and Cal Fire jointly select participants for the program, and Cal Fire recommends individuals that are housed at fire camps while incarcerated. (Office of the Governor, *2018-19 State Budget*, <<http://www.ebudget.ca.gov/2018-19/pdf/Enacted/BudgetSummary/PublicSafety.pdf>> [as of Jul. 2, 2019].)

5. Related Legislation

AB 278 (McCarty) would amend existing law to permit the selection of an applicant for enrollment into the CCC who is on parole. The purpose of the bill is to provide additional training and employment opportunities for parolees. AB 278 was scheduled to be heard in the Senate Natural Resources Committee on June 11, 2019 but was pulled from the hearing at the request of the author.

6. Effect of This Legislation

This bill would establish a new program, the Education and Employment Reentry Program, within the CCC. The parameters of this program differ significantly from the existing CCC program. First, CCC corps members are currently required to be between 18 and 25 years old. This bill creates a program within the CCC and authorizes the director of the CCC to enroll former participants of the Conservation Camp Program who are on average much older than CCC corps members. Specifically, the average age of a Conservation Camp Program participant is 35. Second, the current CCC program provides that the length of service is for one year, with the opportunity to extend the length of service for an additional two years. This bill provides that program enrollment be for a period of up to five years. Third, CCC members are paid a stipend, not a salary or hourly wage. This bill requires program members to be compensated for their work at a living wage as determined by the director.

This bill raises a number of questions:

Is the CCC the appropriate department to house this program?

If the program is housed within the CCC, should the bill be amended so that the eligibility criteria, length of service, and wages conform to the existing CCC program?
Should the bill be amended to clarify that the Education and Employment Reentry Program does not replace the VTC? Arguably, components of the Education and Employment Reentry Program are duplicative of the existing VTC program. If this bill is intended to be an alternative program—rather than a replacement program—there may need to be clarifying language explicitly stating so.

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