

Assembly Bill No. 1093

Passed the Assembly May 7, 2015

Chief Clerk of the Assembly

Passed the Senate July 6, 2015

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2015, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Sections 1234.2, 1234.3, and 1234.4 of the Penal Code, relating to public safety, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1093, Eduardo Garcia. Public safety: supervised population workforce training: grant program.

Existing law establishes the California Workforce Investment Board (State WIB) to assist the Governor in the development, oversight, and improvement of the state workforce investment system and the alignment of the education and workforce systems, as specified. Existing law also establishes local workforce investment boards to assist in the planning, oversight, and evaluation of local workforce investment.

Existing law establishes the Supervised Population Workforce Training Grant Program to be administered by the State WIB. The program awards grants on a competitive basis to counties that propose a project that provides, at a minimum, an education and training assessment for persons who are on probation, mandatory supervision, or postrelease community supervision and are supervised by, or under the jurisdiction of, a county. Existing law establishes criteria for the grant program, including that the education and training needs of both individuals who have some postsecondary education, and those who require basic education and training, are addressed. Existing law requires each project proposed in the application for a grant to include a provision for an education and training assessment for each individual of the supervised population who participates in the project, and provides that a prior assessment of an individual may be used if, in the determination of the State WIB, its results are accurate. Existing law requires grant recipients to report to the State WIB, at least annually and upon completion of the grant period, regarding their use of the funds and workforce training program outcomes. Existing law requires, by January 1, 2018, the State WIB to submit a report to the Legislature using the reports from the grant recipients, and requires the report to contain specified information.

This bill would revise the criteria for the grant program by authorizing a grant applicant to address the education and training needs of individuals who have some postsecondary education, or individuals who require basic education and training, or individuals in both categories. The bill would authorize the State WIB to delegate the responsibility for determining the sufficiency of a prior assessment to one or more local workforce investment boards. The bill would also require the report to the Legislature to include a discussion of 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 whether the metrics used to evaluate the individual grants were sufficiently aligned with the objectives of the program. The bill would also include a statement of legislative findings and declarations.

This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) Whereas, on May 23, 2011, the United States Supreme Court ordered California to reduce its prison population to 137.5 percent of design capacity within two years from the date of its ruling.

(b) As of December 10, 2014, the prison population was at 140 percent of design capacity, exceeding the final February 2016 population cap by approximately 2,104 inmates.

(c) The 2011 Public Safety Realignment, addressing public safety and, in an effort to reduce California's prison population, shifted to counties the responsibility for monitoring, tracking, and incarcerating lower level offenders previously sent to state prison. By mid-2013, more than 100,000 offenders had been diverted to county supervision instead of going to state prisons.

(d) On November 4, 2014, the voters of California passed Proposition 47, which requires misdemeanor rather than felony sentencing for certain property and drug crimes and permits inmates previously sentenced for these reclassified crimes to petition for resentencing. As of December 4, 2014, 132 inmates had been resentenced and released from prison. Under this

proposition, it is estimated that the 2015–16 institution average daily population will be reduced by approximately 1,900 inmates as a result of resentencing and the reduction in new admissions.

(e) Research shows that formerly incarcerated individuals do better and remain out of prison longer when they have training and a job with advancement opportunities. Obtaining quality jobs, however, is not realistic for many incarcerated individuals without additional training education. Workforce training opportunities to men and women reentering our communities ensures that they gain training and education, job readiness skills, and job placement assistance required for securing necessary employment after being released from prison. This would lower repeat offenses, and ultimately, the number of people incarcerated, as a number of studies have proven that people are less likely to offend or recidivate if they are gainfully employed.

(f) Investing in services and supports for the reentry population is also consistent with statewide workforce goals. California's Strategic Workforce Development Plan 2013–2017 includes the goal of providing access to quality employment services for formally incarcerated individuals as an overarching priority for the State Workforce Investment Board.

SEC. 2. Section 1234.2 of the Penal Code is amended to read:

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

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

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

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

(2) Grants are awarded on a competitive basis.

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

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

(5) The education and training needs of one or both of the following are addressed:

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

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

SEC. 3. Section 1234.3 of the Penal Code is amended to read:

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

(b) Each county is eligible to apply, and a single application may include multiple counties applying jointly. Each application shall 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.

(c) At a minimum, each project proposed in the application shall include a provision for an education and training assessment for each individual of the supervised population who participates in the project. The assessment may be undertaken by the applicant or by another entity. A prior assessment of an individual may be used if, in the determination of the State WIB, its results are accurate. The State WIB may delegate the responsibility for determining the sufficiency of a prior assessment to one or more local workforce investment boards.

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

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

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

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

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

(f) An application shall meet the following requirements:

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

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

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

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

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

SEC. 4. Section 1234.4 of the Penal Code is amended to read:

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

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

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

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

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

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

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

(A) 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.

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

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

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

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

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

(G) Whether the program led to employment in occupations with a livable wage.

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

(c) (1) The requirement for submitting a report imposed under subdivision (b) is inoperative on January 1, 2021, pursuant to Section 10231.5 of the Government Code.

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

SEC. 5. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to provide cost savings to the state by making the grant program operate more efficiently as soon as possible, it is necessary that this act take effect immediately.

Approved _____, 2015

Governor