

ASSEMBLY BILL

No. 2061

Introduced by Assembly Member Waldron

February 17, 2016

An act to amend Sections 1234, 1234.1, 1234.2, 1234.3, and 1234.4 of the Penal Code, relating to recidivism.

LEGISLATIVE COUNSEL'S DIGEST

AB 2061, as introduced, Waldron. Supervised Population Workforce Training Grant Program.

Existing law, until January 1, 2021, establishes the Supervised Population Workforce Training Grant Program to be administered, as provided, by the California Workforce Investment Board. Existing law establishes grant program eligibility criteria for counties and provides 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 include individuals on probation, mandatory supervision, and postrelease community supervision. Existing law requires the board to develop criteria for the selection of grant recipients, but requires the board to give preference to certain grant applications, including an application that proposes participation by one or more nonprofit community-based organizations that serve the supervised population. Existing law requires the board, by January 1, 2018, to submit a report to the Legislature containing specified information, including an evaluation of the effectiveness of the grant program.

This bill would also require the board to give preference to a grant application that proposes participation by one or more employers who have demonstrated interest in employing individuals in the supervised

population, including earn and learn opportunities. The bill would require the board to include in its report to the Legislature whether the program provided training opportunities in areas related to work skills learned while incarcerated. The bill would update references to the California Workforce Investment Board to reflect its new name, the California Workforce Development Board.

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 of the
2 following:

3 (a) In recent decades, the number of Americans who have had
4 contact with the criminal justice system has increased
5 exponentially. It is estimated that about one in three adults in the
6 U.S. has a criminal history record, which often consists of an arrest
7 that did not lead to conviction, a conviction for which the person
8 was not sentenced to a term of incarceration, or a conviction for
9 a nonviolent crime.

10 (b) On any given day, about 2.3 million people are incarcerated
11 in the U.S. and, each year, 700,000 people are released from prison
12 and almost 13 million people are admitted to and released from
13 local jails.

14 (c) California’s long-term economic growth is dependent on
15 identifying ways in which those who face barriers to employment,
16 such as being formerly incarcerated, can become contributing
17 members of society and achieve financial independence.

18 SEC. 2. Section 1234 of the Penal Code is amended to read:
19 1234. For purposes of this chapter, the following terms have
20 the following meanings:

21 (a) “California Workforce ~~Investment Development~~ Board” ~~or~~
22 “~~State WIB~~” means the California Workforce ~~Investment~~
23 *Development* Board established pursuant to Article 1 (commencing
24 with Section 14010) of Chapter 3 of Division 7 of the
25 Unemployment Insurance Code.

26 (b) “*Earn and learn*” has the same meaning as in Section 14005
27 of the Unemployment Insurance Code.

28 (b)

1 (c) “Grant program” means the Supervised Population
2 Workforce Training Grant Program.

3 (e)

4 (d) “Supervised population” means those persons who are on
5 probation, mandatory supervision, or postrelease community
6 supervision and are supervised by, or are under the jurisdiction of,
7 a county.

8 SEC. 3. Section 1234.1 of the Penal Code is amended to read:

9 1234.1. (a) This chapter establishes the Supervised Population
10 Workforce Training Grant Program to be administered by the
11 California Workforce ~~Investment~~ *Development* Board.

12 (b) The grant program shall be developed and implemented in
13 accordance with the criteria set forth in Section 1234.3. In
14 developing the program, the ~~State WIB~~ *California Workforce*
15 *Development Board* shall consult with public and private
16 stakeholders, including local workforce ~~investment~~ *development*
17 boards, local governments, and nonprofit community-based
18 organizations that serve the supervised population.

19 (c) The grant program shall be funded, upon appropriation by
20 the Legislature. Implementation of this program is contingent upon
21 the director of the ~~State WIB~~ *California Workforce Development*
22 *Board* notifying the Department of Finance that sufficient moneys
23 have been appropriated for this specific grant program.

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

26 SEC. 4. Section 1234.2 of the Penal Code is amended to read:

27 1234.2. The ~~State WIB~~ *California Workforce Development*
28 *Board* shall administer the grant program as follows:

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

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

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

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

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

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

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

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

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

12 SEC. 5. Section 1234.3 of the Penal Code is amended to read:

13 1234.3. (a) The grant program shall be competitively awarded
14 through at least two rounds of funding, with the first phase of
15 funding being awarded on or before May 1, 2015.

16 (b) Each county is eligible to apply, and a single application
17 may include multiple counties applying jointly. Each application
18 shall include a partnership agreement between the county or
19 counties and one or more local workforce ~~investment~~ *development*
20 boards that outline the actions each party agrees to undertake as
21 part of the project proposed in the application.

22 (c) At a minimum, each project proposed in the application shall
23 include a provision for an education and training assessment for
24 each individual of the supervised population who participates in
25 the project. The assessment may be undertaken by the applicant
26 or by another entity. A prior assessment of an individual may be
27 used if, in the determination of the ~~State WIB~~, *California*
28 *Workforce Development Board*, its results are accurate. The ~~State~~
29 ~~WIB~~ *California Workforce Development Board* may delegate the
30 responsibility for determining the sufficiency of a prior assessment
31 to one or more local workforce ~~investment~~ *development* boards.

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

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

38 (1) An application that proposes matching funds, including, but
39 not limited to, moneys committed by local workforce ~~investment~~

1 *development* boards, local governments, and private foundation
2 funds.

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

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

9 (4) *An application that proposes participation by one or more*
10 *employers who have demonstrated interest in employing individuals*
11 *in the supervised population, including earn and learn*
12 *opportunities.*

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

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

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

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

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

29 (g) As a condition of receiving funds, a grant recipient shall
30 agree to provide information to the ~~State WIB~~ *California*
31 *Workforce Development Board* in sufficient detail to allow the
32 ~~State WIB~~ *California Workforce Development Board* to meet the
33 reporting requirements in Section 1234.4.

34 SEC. 6. Section 1234.4 of the Penal Code is amended to read:

35 1234.4. (a) On at least an annual basis, and upon completion
36 of the grant period, grant recipients shall report to the ~~State WIB~~
37 *California Workforce Development Board* regarding their use of
38 the funds and workforce training program outcomes.

39 (b) By January 1, 2018, the ~~State WIB~~ *California Workforce*
40 *Development Board* shall submit a report to the Legislature using

1 the reports from the grant recipients. The report shall contain all
2 the following information:

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

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

7 (3) A recommendation on the long-term viability of local
8 workforce—investment board *development boards* and county
9 collaborations on workforce training programs for the supervised
10 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) The education and workforce readiness of the supervised
17 population at the time individual participants entered the program
18 and how this impacted the types of services needed and offered.

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

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

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

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

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

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

36 (H) *Whether the program provided training opportunities in*
37 *areas related to work skills learned while incarcerated, including,*
38 *but not limited to, while working with the Prison Industry Authority.*

39 (H)

1 *(I)* Whether the metrics used to evaluate the individual grants
2 were sufficiently aligned with the objectives of the program.

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

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

O