

AMENDED IN ASSEMBLY APRIL 25, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2061**

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**Introduced by Assembly Member Waldron**  
*(Principal coauthors: Assembly Members Brown, Eduardo Garcia,  
and Kim)*

February 17, 2016

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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 amended, 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: *population*. 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 Development Board” means the  
22 California Workforce Development Board established pursuant to  
23 Article 1 (commencing with Section 14010) of Chapter 3 of  
24 Division 7 of the Unemployment Insurance Code.

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

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

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

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

8 1234.1. (a) This chapter establishes the Supervised Population  
9 Workforce Training Grant Program to be administered by the  
10 California Workforce Development Board.

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

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

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

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

26 1234.2. The California Workforce Development Board shall  
27 administer the grant program as follows:

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

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

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

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

38 (3) Small and rural counties are competitive in applying for  
39 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 development boards that  
20 outline the actions each party agrees to undertake as part of the  
21 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 California Workforce  
28 Development Board, its results are accurate. The California  
29 Workforce Development Board may delegate the responsibility  
30 for determining the sufficiency of a prior assessment to one or  
31 more local workforce development boards.

32 (d) Eligible uses of grant funds include, but are not limited to,  
33 vocational training, stipends for trainees, and earn and learn  
34 opportunities for the supervised population. Supportive services  
35 and job readiness activities shall serve as bridge activities that lead  
36 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 development  
40 boards, local governments, and private foundation funds.

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

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

7 (4) An application that proposes participation by one or more  
8 employers who have demonstrated interest in employing  
9 individuals in the supervised population, ~~including~~ *including, but*  
10 *not limited to, earn and learn opportunities. opportunities and intent*  
11 *to hire letters for successfully completing the program.*

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

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

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

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

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

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

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

34 1234.4. (a) On at least an annual basis, and upon completion  
35 of the grant period, grant recipients shall report to the California  
36 Workforce Development Board regarding their use of the funds  
37 and workforce training program outcomes.

38 (b) By January 1, 2018, the California Workforce Development  
39 Board shall submit a report to the Legislature using the reports

1 from the grant recipients. The report shall contain all the following  
2 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 development boards and county collaborations on  
9 workforce training programs for the supervised population.

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

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

15 (A) The education and workforce readiness of the supervised  
16 population at the time individual participants entered the program  
17 and how this impacted the types of services needed and offered.

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

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

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

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

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

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

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

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

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

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

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