

Assembly Bill No. 2061

Passed the Assembly May 19, 2016

Chief Clerk of the Assembly

Passed the Senate June 30, 2016

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2016, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

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, 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. 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.

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

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

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

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

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

SEC. 2. Section 1234 of the Penal Code is amended to read:

1234. For purposes of this chapter, the following terms have the following meanings:

(a) "California Workforce Development Board" means the California Workforce Development Board established pursuant to Article 1 (commencing with Section 14010) of Chapter 3 of Division 7 of the Unemployment Insurance Code.

(b) "Earn and learn" has the same meaning as in Section 14005 of the Unemployment Insurance Code.

(c) "Grant program" means the Supervised Population Workforce Training Grant Program.

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

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

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

(b) The grant program shall be developed and implemented in accordance with the criteria set forth in Section 1234.3. In

developing the program, the California Workforce Development Board shall consult with public and private stakeholders, including local workforce development boards, local governments, and nonprofit community-based organizations that serve the supervised population.

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

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

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

1234.2. The California Workforce Development Board 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. 5. 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 development 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 California Workforce Development Board, its results are accurate. The California Workforce Development Board may delegate the responsibility for determining the sufficiency of a prior assessment to one or more local workforce development boards.

(d) Eligible uses of grant funds include, but are not limited to, vocational training, stipends for trainees, and earn and learn 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 development 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.

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

(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 California Workforce Development Board in sufficient detail to allow the California Workforce Development Board to meet the reporting requirements in Section 1234.4.

SEC. 6. 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 California Workforce Development Board regarding their use of the funds and workforce training program outcomes.

(b) By January 1, 2018, the California Workforce Development Board 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 development boards 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 program provided training opportunities in areas related to work skills learned while incarcerated, including, but not limited to, while working with the Prison Industry Authority.

(I) 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.

Approved _____, 2016

Governor