
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguín, Chair
2025 - 2026 Regular

Bill No: AB 788 **Hearing Date:** July 8, 2025
Author: Quirk-Silva
Version: May 23, 2025
Urgency: No **Fiscal:** Yes
Consultant: SJ

Subject: *Prisons: facilities for female offenders*

HISTORY

Source: Board of Equalization Vice Chair, Sally Lieber

Prior Legislation: AB 2577 (Bauer-Kahan), Ch. 722, Stats. of 2024
AB 1810 (Bryan), Ch. 939, Stats. of 2024
AB 2717 (Waldron), vetoed in 2022
AB 1225 (Waldron), held in Assembly Appropriations, 2021
AB 732 (Bonta), Ch. 321, Stats. of 2020
AB 2507 (Jones-Sawyer), Ch. 944, Stats. of 2018
SB 960 (Leyva), Ch. 782, Stats. of 2018
AB 2530 (Atkins), Ch. 726, Stats. 2012
AB 568 (Skinner), vetoed in 2011
AB 76 (Lieber), Ch. 706, Stats. of 2007
AB 550 (Goldberg), Ch. 303, Stats. of 2005
AB 478 (Lieber), Ch. 608, Stats. 2005

Support: A New Way of Life Reentry Project; California Public Defenders Association

Opposition: None known

Assembly Floor Vote: 77 - 1

PURPOSE

This bill establishes the Division of Female Programs and Services within the California Department of Corrections and Rehabilitation (CDCR); makes changes to the Female Offender Reform Master Plan and associated training; and creates an ombudsperson position solely assigned to adult female institutions.

Existing law establishes the Division of Adult Institutions, the Division of Adult Parole Operations, and the Division of Rehabilitative Programs, all with Directors appointed by the Governor and confirmed by the Senate, under the Undersecretary for Operations within CDCR. (Gov. Code, § 12838.1, subds. (c)(1)-(2).)

Existing law requires the Governor to appoint four subordinate officers, subject to Senate confirmation, to the Division of Adult Institutions, who oversee an identified category of adult institutions, one of which shall be female offender facilities. (Gov. Code, § 12838.1, subd. (d).)

Existing law requires CDCR to create a Female Offender Reform Master Plan. Requires CDCR to create policies and operational practices designed to ensure a safe and productive institutional environment for female offenders. (Pen. Code, § 3430, subds. (a) & (b).)

Existing law requires CDCR to contract with nationally recognized gender responsive experts in prison operational practices staffing, classification, substance abuse, trauma treatment services, mental health services, transitional services, and community corrections to do both of the following:

- Conduct a staffing analysis of all current job classifications assigned to each prison that houses only females.
- Develop programs and training for department staff in correctional facilities. (Pen. Code, § 3430, subd. (c).)

Existing law requires CDCR to create a gender responsive female classification system and a gender responsive staffing pattern for female institutions and community-based offender beds. (Pen. Code, § 3430, subds. (d) & (e).)

Existing law requires CDCR to create a needs-based case and risk management tool designed specifically for female offenders, build and strengthen systems of family support and family involvement during the period of the female's incarceration, establish a family service coordinator at each prison that houses only females, and design and implement evidence-based, gender-specific rehabilitative programs, including wraparound educational, health care, mental health, vocational, substance abuse and trauma treatment programs that are designed to reduce female offender recidivism. (Pen. Code, § 3430, subds. (f)-(i).)

Existing law requires CDCR to expand the existing prison ombudsman program to ensure comprehensive deployment of ombudsmen throughout the state prison system with a specific focus on maximum-security institutions. (Pen. Code, § 5066.)

This bill establishes the Division of Female Programs and Services within CDCR.

This bill provides that the Director for Female Programs and Services is responsible solely for female adult institutions and community facilities housing female offenders. Requires the director to report to the undersecretary and to have a minimum of five years of experience serving a female correctional population in a custody setting. Requires this position to have policy- and fiscal-level responsibility and decision making authority and to utilize existing departmental functions for services to avoid duplication of functions and responsibilities.

This bill reorganizes gubernatorial appointees within CDCR so that three appointees oversee male adult institutions and one oversees female adult institutions. Specifies that these appointees are subject to Senate confirmation.

This bill requires that CDCR prepare and submit a report on the implementation of the Female Offender Reform Master Plan to the Legislature beginning March 1, 2026, and every three years thereafter.

This bill requires CDCR maintain the plan, including all subsequent updates and reports, in consultation with the Gender Responsive Strategies Commission and with nationally recognized experts in gender responsive prison operational practices, staffing, classification, substance abuse, trauma treatment services, mental health services, transitional services, community corrections, legal advocacy, and incarceration reform.

This bill requires CDCR to post the plan, any reports, and any updates to the plan to the department's website.

This bill requires CDCR to create programs that are designed to ensure a safe and productive institutional environment for female offenders.

This bill requires CDCR to prepare and submit to the Legislature an updated staffing analysis of all current job classifications assigned to each prison that houses women no later than March 1, 2026, and every three years thereafter.

This bill requires CDCR to include in its existing gender-responsive programs and training for staff in correctional facilities training at the academy. Requires 40 hours of initial training with a curriculum specifically focused on working with the population within female institutions and an 8-hour annual training thereafter for those working in a female prison.

This bill requires CDCR to perform a comprehensive review of office's policies and practices and other aspects of women-centered corrections developed to enhance safety and rehabilitative efforts. Provides that the review should engage collaboratively with internal experts, community-based organizations, medical and mental health experts, labor, incarceration reform advocates, and national consultants on best practices to improve all aspects of operational practice and treatment, with an emphasis on sexual safety and gender-responsive, trauma-informed principles.

This bill requires that the Division of Female Programs and Services do both of the following:

- Manage and provide oversight of adult female programs, including prisons, conservation camps, and parole and community programs.
- Develop gender-responsive, trauma-informed, culturally sensitive approaches to program and policy development that will improve recidivism outcomes for the adult incarcerated and paroled female offenders under the supervision of the department.

This bill requires that the Division of Female Programs and Services is headed by a person who has relevant professional experience in planning and implementing recidivism reduction programs and services that are gender responsive and trauma informed.

This bill requires CDCR to establish the Gender Responsive Strategies Commission to develop active partnerships, involving the community, treatment experts, and related agencies in its efforts toward gender-responsive practice.

This bill requires the commission to be composed of representatives of community-based organizations, expert researchers, policy experts, legislators, union representatives, formerly incarcerated women, legal advocates, and incarceration reform advocates.

This bill requires the commission to meet quarterly and publish minutes for each meeting on the department's internet website.

This bill requires the Undersecretary for Operations to appoint an ombudsperson solely assigned to adult female institutions.

This bill contains other technical and conforming changes.

COMMENTS

1. Need For This Bill

According to the author:

California's prison system still fails to address the unique needs of incarcerated women. Women in our prisons face violence, trauma, and neglect, and too often they are forgotten. This bill, AB 788, is a declaration that incarcerated women will no longer be overlooked. It requires that the California Department of Corrections takes action to ensure safer conditions, better policies, and stronger leadership. This is about accountability, respect, and changing the future for women who deserve a second chance.

2. Female Offender Reform Master Plan

AB 76 (Lieber), Chapter 706, Statutes of 2007, codified CDCR's then-existing Female Offender Gender Reform Strategy. Penal Code section 3430 requires CDCR to create a Female Offender Reform Master Plan; create policies and operational practices that are designed to ensure a safe and productive environment for incarcerated women; conduct a staffing analysis of all current job classifications assigned to the women's prisons; develop programs and training for department staff in correctional facilities; create a gender-responsive female classification system; create a gender-responsive staffing pattern for women's prisons and community-based offender beds; create a needs-based case and risk management tool designed specifically for women; design and implement evidence-based gender-specific rehabilitative programs; build and strengthen systems of family support and family involvement; and establish a family service coordinator at each women's prison.

CDCR's reform and AB 76 were enacted and implemented during the height of the state's prison overcrowding crisis when the state housed over 173,000 individuals in its prisons, including over 11,000 women, violent incidents were common, and CDCR had not yet made substantial progress toward remedying the deficiencies of its mental health care system.

Since that time, women housed in CDCR facilities have continued to face unique challenges. For example, incarcerated women are more vulnerable to sexual assault than their male counterparts in a carceral setting, and are also more likely to have experienced childhood abuse as well as sexual violence prior to incarceration. (Wolff et al., *Patterns of Victimization Among Male and Female Inmates: Evidence of an Enduring Legacy*, Violence and Victims (Aug. 2009) available at <<https://pmc.ncbi.nlm.nih.gov/articles/PMC3793850/>>.) Women are also more likely to be the parent of a minor child. (Leah Wang, *Both sides of the bars: How mass incarceration punishes families* (Aug. 2022) available at

<https://www.prisonpolicy.org/blog/2022/08/11/parental_incarceration/>.) And, a 2017 State Auditor report additionally found that women made up a disproportionate percentage of suicides that occurred in the state's prisons. (California State Auditor, *California Department of Corrections and Rehabilitation: It Must Increase Its Efforts to Prevent and Respond to Inmate Suicides*, Report 2016-131 (Aug. 2017), p. 1 available at <<https://information.auditor.ca.gov/pdfs/reports/2016-131.pdf>>.)

The proponents of this bill seek to build on existing law designed to increase safety and improve conditions of confinement for women incarcerated in the state's prisons. To do so, this bill makes a number changes. First, this bill revises the mandates on CDCR related to the Female Offender Reform Master Plan. Specifically, this bill requires the training that is mandated under current law to include training at the correctional officer academy and 40 hours of initial training with a curriculum specifically focused on working with the population housed in female institutions along with subsequent annual training for those working in a women's prison. This bill requires CDCR to perform a comprehensive review of policies and practices as they pertain to women-centered corrections developed to enhance safety and rehabilitative efforts. This bill also requires CDCR to submit regular reports on the implementation of the Female Offender Reform Master Plan.

This bill additionally creates an ombudsperson who is solely assigned to adult female institutions. Finally, this bill establishes the Division of Female Programs and Services which is responsible solely for female adult institutions and community facilities housing female offenders, includes minimum qualifications for the Director of the Division, and requires CDCR to establish the Gender Responsive Strategies Commission composed of a variety of stakeholders to work on gender-responsive practices.

3. Argument in Support

The California Public Defenders Association writes:

The number of women serving time in a prison or jail has increased over the past several decades. The incarceration of women involves significant unique challenges and many of their needs are ignored. Research shows that most system-involved women have been victims of some form of abuse or trauma and are at high risk of further victimization within the carceral setting. Many suffer from mental health and substance use disorders. More than half of women in prisons are parents to minor children and more than twice as likely to have been the primary caretaker prior to incarceration. The challenges women face upon reentry include, but are not limited to, parenting issues, health struggles, and financial difficulties, all of which can negatively impact their success after release.

AB 788 would seek to address this issue by calling for more direct oversight of the care and services provided to women, ensuring experienced professionals are in positions to have positive impacts on the system of incarcerating women. It would also call for accountability in the form of a report to the Legislature on the implementation of a plan that calls for a more gender responsive approach to overseeing prisons and jails, including trauma-informed, culturally sensitive approaches to program and policy development. By focusing specifically on the unique challenges, the reforms can be informed and aimed at the specific

difficulties presented. Many of these women are serving time for drug offenses. They will return home at some point and resume their responsibility for raising children and contributing to society. The more support they receive while incarcerated, the better chance of success they will have.

-- END --