
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Steven Bradford, Chair
2021 - 2022 Regular

Bill No: AB 2730 **Hearing Date:** June 28, 2022
Author: Villapudua
Version: May 19, 2022
Urgency: No **Fiscal:** Yes
Consultant: SJ

Subject: *Prisons: rehabilitation programs*

HISTORY

Source: Author

Prior Legislation: None

Support: California Catholic Conference; California Public Defenders Association; League of California Cities

Opposition: None known

Assembly Floor Vote: 76 - 0

PURPOSE

The purpose of this bill is to create the California Antirecidivism and Public Safety Act pilot program, subject to appropriation by the Legislature, for the purpose of providing opportunities for job training and work experience to individuals during incarceration to ensure their employment readiness.

Existing law charges the California Department of Corrections and Rehabilitation (CDCR) with administering the state prisons. (Pen. Code, §§ 5002, 5003.)

Existing law establishes the California Reentry and Enrichment (CARE) Grant program to provide grants to community based organizations that provide rehabilitative services to incarcerated individuals. (Pen. Code, § 5007.3.)

Existing law requires CDCR to 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. Requires these programs include, but not be limited to educational programs that include academic preparation in the areas of verbal communication skills, reading, writing, arithmetic, and the acquisition of high school diplomas and GEDs, and vocational preparation, including counseling and training in marketable skills, and job placement information. (Pen. Code, § 3430, subd. (g).)

Existing law requires CDCR to implement literacy programs, as specified, in every state prison. (Pen. Code, § 2053.1.)

Existing law provides the requirements for a career technical education programs within CDCR. (Pen. Code, § 2053.5.)

Existing law authorizes CDCR to enter into agreements with school districts and private schools to provide classes for incarcerated persons. (Pen. Code, § 2054, subd. (a).)

Existing law requires CDCR to determine and implement a system of incentives to increase participation by incarcerated persons in, and completion of, academic and vocational education. (Pen. Code, § 2054.2.)

Existing law requires CDCR to develop and implement a plan to obtain additional rehabilitation and treatment services for inmates and parolees. (Pen. Code, § 2062.)

This bill requires CDCR, subject to an appropriation by the Legislature, to establish and implement a pilot program under which the primary purpose is to provide opportunities for job training and work experience to individuals during their incarceration to ensure their readiness for employment upon release from prison.

This bill requires that an incarcerated individual meet the following criteria in order to be eligible to participate in the pilot program:

- Be eligible for release from state imprisonment to parole or post-release community supervision (PRCS) within two years on the basis of either the Earliest Possible Release Date or Minimum Eligible Parole Date computed as if the maximum amount of good time credit would be granted; and,
- Be selected to participate by the warden or the warden's designee.

This bill requires that program participants have access to evidence-based programs suitable for serving their rehabilitative, workforce training, and education needs, including, but not limited to, all of the following: mental and behavioral health assistance; guidance and support; counseling; group therapy; family reunification services; community resources; education and workforce programs, including adult basic education, General Education Development (GED) certification, high school diploma program, college and postsecondary education programs, career technical education, and vocational training programs; health care services; recovery groups; postrelease housing support services; services to prepare program participants for employment, including, but not limited to, communication skills, interviewing skills, financial literacy services, basic computer skills training, comprehensive and individualized education, career and skills-based assessments, career counseling, and job placement assistance; and substance use disorder treatment programs.

This bill requires program participants to participate in workplace training, on-the-job training, internships, apprenticeships, and work experiences in realistic work environments aimed at job placement opportunities upon release from incarceration.

This bill requires CDCR, in collaboration with the Governor's Office of Business and Economic Development (GO-Biz) and state and local workforce development boards, to identify public and private employers to participate in the program and provide on-the-job training and work experience opportunities to program participants.

This bill requires that program participants be housed in a community campus. Defines “community campus” to mean a public or private facility in the community in an environment away from the prison setting. Provides that all persons transferred to a community campus remain under the legal custody of CDCR. Requires CDCR use the least restrictive alternative to incarceration and restraint possible to achieve the objectives of this chapter consistent with public safety.

This bill provides that upon release to parole or PRCS, program participants may continue to participate in the program and receive services, and must be provided assistance in securing adequate housing arrangements, such as transitional or permanent housing, based on the individual needs of the program participant.

This bill provides that CDCR, in determining how to implement the pilot program, may enter into contracts with appropriate public or private agencies, including community-based organizations, to provide housing, training, and services, and for the supervision of individuals that are placed in the program.

This bill requires CDCR to establish reasonable rules and regulations concerning the operation of the pilot program.

This bill requires CDCR to select at least 50 individuals to participate in the pilot program.

This bill requires CDCR to submit a comprehensive report to the Legislature that evaluates the effectiveness of the pilot program on or before March 1, 2027. Requires that the report include all of the following:

- The total number of participants served by the program and their dates of participation.
- A list of public and private employers who participate in the program.
- A list of private and public agencies, including community-based organizations, that participate in the program.
- A summary of the impact of the services and programs on the participants.
- Whether participation in the program led to employment in occupations with a livable wage upon release from incarceration.

This bill requires the report to include a recommendation on whether the pilot program should be continued.

This bill provides that the pilot program sunsets on January 1, 2028.

COMMENTS

1. Need For This Bill

According to the author:

Assembly Bill 2730 seeks to increase public safety and help break the cycle of poverty by ensuring that individuals who are incarcerated have the tools they need to ensure they have a real opportunity at redemption and financial independence when they return home and not end up back behind bars again.

2. Existing CDCR Residential Rehabilitative Programs

CDCR's residential rehabilitative programs provide individuals the opportunity to serve a part of their sentence in community programs in lieu of confinement in state prison and connect participants to community rehabilitative services and programs focused on skills such as substance abuse treatment, education, housing, family reunification, vocational training and employment services. ([https://www.cdcr.ca.gov/rehabilitation/programs/.](https://www.cdcr.ca.gov/rehabilitation/programs/)) Some of these programs include:

Custody to Community Transitional Reentry Program (CCTRP)

CCTRP allows eligible females to serve the end of their sentence in community facilities in lieu of confinement in state prison. Participants are still considered incarcerated. These residential facilities are operated by community based organizations that provide a range of rehabilitative services to assist with substance use disorders, anger management, employment, education, housing, healthcare, family reunification, and social support allowing participants to demonstrate attitude and behavioral change to create opportunity for success and positive life choices. (<https://www.cdcr.ca.gov/adult-operations/fops/custody-to-community-transitional-reentry-program/>)

Community Prisoner Mother Program (CPMP)

CPMP is a community substance abuse treatment program where non-serious, nonviolent female offenders may serve a sentence up to six years. The CPMP has been in existence since 1985 and is mandated by Penal Code Section 3410. Women are placed in the program from any of the female institutions. The CPMP is a 24-bed facility, which is not the property of CDCR, and a private contractor provides program services at a Pomona facility. (<https://www.cdcr.ca.gov/adult-operations/fops/community-prisoner-mother-program/>)

Alternative Custody Program (ACP)

ACP is a voluntary program developed for eligible incarcerated individuals that allows them to serve up to the last 12 months of their sentence in the community in lieu of confinement in state prison. Eligible participants may be housed in a private residence, a transitional care facility or a residential drug or other treatment program. ACP participants remain under the jurisdiction of CDCR and are supervised by parole agents while in the community. One day of participation in ACP shall be in lieu of one day of incarceration in a state prison. Participants receive credits for time served they would have received while incarcerated in state prison. (<https://www.cdcr.ca.gov/adult-operations/fops/acp/>)

Male Community Reentry Program (MCRP)

MCRP is a voluntary program for eligible males who have two years or less of their prison sentence left to serve. This program allows eligible people committed to state prison to serve the end of their sentences in the community, in lieu of confinement in state prison. Individuals are eligible to participate up to two years before their earliest possible release date. ([https://www.cdcr.ca.gov/rehabilitation/mcrp/.](https://www.cdcr.ca.gov/rehabilitation/mcrp/))

3. Effect of This Bill

This bill creates, subject to an appropriation by the Legislature, a five-year pilot program to assist incarcerated persons nearing the end of their prison sentence with job readiness skills in a more “real world” setting. This bill requires CDCR to select at least 50 individuals to participate in the pilot program, and eligible participants include only those incarcerated persons who are eligible for release from state prison to parole or PRCS within two years and who are selected by the warden. Program participants would have access to evidence-based programs designed to meet their rehabilitative, workforce training, and education needs, including, mental and behavioral health assistance, counseling, family reunification services, education and workforce programs, health care services, recovery groups, post-release housing support services, career counseling, job placement assistance, and substance use disorder treatment programs, among others. This bill additionally requires program participants to participate in workplace training, on-the-job training, internships, apprenticeships, and work experiences in realistic work environments aimed at job placement opportunities upon release from incarceration.

Notably, this bill requires that program participants be housed in a “community campus,” defined as a “public or private facility in the community in an environment away from the prison setting.” Participants would remain under the legal custody of CDCR. This bill additionally provides that program participants may continue to participate in the program and receive services upon release to parole or PRCS, and must be provided assistance in securing adequate housing.

The Committee may wish to consider the following:

- How practical is it for CDCR to establish another off-site community-based residential program particularly given that this bill establishes a pilot program?
- Should Go-Biz be included in the list of entities that must collaborate with CDCR to identify employers to participate in the program?
- Given that CDCR does not supervise the PRCS population, should this group be included in the bill, at least with respect to the provision allowing them to continue to participate in the program upon release?

4. Amendment

The author intends to amend the bill to limit program eligibility to incarcerated persons who have a Level I or II custody level, require CDCR to include in the regulations that the department would be required to promulgate, specific provisions related to rule violations/failure to participate in the program, and include clarifying language stating that security and custody supervision in the community campus setting will be provided by CDCR correctional officers.

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