
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Steven Bradford, Chair
2021 - 2022 Regular

Bill No: AB 579 **Hearing Date:** July 13, 2021
Author: Flora
Version: March 25, 2021
Urgency: No **Fiscal:** Yes
Consultant: SJ

Subject: *Fire prevention: purchases of personal protective equipment: Department of Forestry and Fire Protection*

HISTORY

Source: California Professional Firefighters Association

Prior Legislation: None

Support: Unknown

Opposition: None known

Assembly Floor Vote: 77 - 0

PURPOSE

The purpose of this bill is to permit the Department of Forestry and Fire Protection (CAL FIRE) to purchase personal protective equipment from the Prison Industry Authority (CALPIA) or private entities, based on the department's needs and assessment of quality and value.

Existing law establishes CAL FIRE within the California Natural Resources Agency. Provides that CAL FIRE is responsible for, among other things, fire protection and prevention, as provided. (Pub. Resources Code, § 700 et seq.)

Existing law establishes CALPIA within the California Department of Corrections and Rehabilitation (CDCR). Authorizes CALPIA to operate industrial, agricultural, and service enterprises employing CDCR inmates to provide products and services needed by the state or other public entity or public use, as specified. (Pen. Code, § 2800 et seq.)

Existing law provides that one of the purposes of CALPIA is to create and maintain working conditions within the enterprises as much like those which prevail in private industry as possible, to assure inmates employed by CALPIA have the opportunity to work productively, to earn funds, and to acquire or improve effective work habits and occupational skills. (Pen. Code, § 2801.)

Existing law requires that all things authorized to be produced by CALPIA must be purchased by the state at the prices fixed by CALPIA. (Pen. Code, § 2807.)

This bill authorizes CAL FIRE to purchase personal protective equipment from CALPIA or private entities, based on the department's needs and assessment of quality and value.

COMMENTS

1. Need for This Bill

According to the author:

Currently, firefighters are dissatisfied with their current personal protective equipment (PPE) purchased from the prison authorities and would like to be able to make the purchase from private vendors who will provide a better product.

...

AB 579 authorizes the California Department of Forestry and Fire Protection (CAL FIRE) to PPE from either the Prison Industry Authority (PIA) or from private vendors so long as the equipment meets the necessary needs and quality standards.

2. Background

CALPIA is a self-supporting state entity that provides jobs to nearly 7,000 incarcerated individuals within CDCR institutions. (<https://www.calpia.ca.gov/about/>) CALPIA manages over 100 manufacturing, service, and consumable operations in all of the state's prisons, and all of CALPIA's goods and services are sold to government agencies. In addition to work assignments, CALPIA offers certifications and apprenticeships to incarcerated individuals. Incarcerated individuals can earn up to 12 weeks of Milestone Completion Credits for every Correctional Industry and Career Technical Education (CTE) job assignment. CALPIA reports that during the 2019-2020 fiscal year, there were 2,510 incarcerated individuals registered into the state apprenticeship program with 1,035 incarcerated individuals completing an apprenticeship program.

This bill was introduced due to concerns regarding the quality of PPE produced by CALPIA as well as issues related to CALPIA fulfilling orders within a timeframe requested by CAL FIRE. According to CALPIA, it has maintained a relationship with CAL FIRE for at least 34 years. Although state agencies are required by law to purchase products and services from CALPIA, agencies may seek a waiver to buy from other vendors. CALPIA contends that if it cannot fulfill an order, then it will grant an agency or department's waiver request. CALPIA reports that it has granted all 48 PPE waiver requests sought by CAL FIRE since June 2020. CALPIA additionally states that any quality control issues regarding the firefighting garments its factories produce have been resolved.

It is unclear what impact this bill would have on programming and credit earning opportunities for incarcerated individuals. CAL PIA anticipates that this bill would directly impact 211 incarcerated individuals.

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