

---

# SENATE COMMITTEE ON PUBLIC SAFETY

Senator Aisha Wahab, Chair

2023 - 2024 Regular

---

**Bill No:** SB 828                      **Hearing Date:** April 25, 2023  
**Author:** Smallwood-Cuevas  
**Version:** March 22, 2023  
**Urgency:** No                                      **Fiscal:** Yes  
**Consultant:** SJ

**Subject:** *Corrections: vocational training*

## HISTORY

Source: Author

Prior Legislation: SB 866 (Comm. on Budget & Fiscal Rev.), Ch. 53, Stats. 2018

Support: Unknown

Opposition: None known

## PURPOSE

*The purpose of this bill is to require the California Department of Corrections and Rehabilitation (CDCR) to report to the Legislature the exploratory findings of the Pre-Release Construction Trades Certificate Program joint advisory committee, regarding the feasibility of awarding formal credit for apprenticeship hours to incarcerated individuals prior to their release.*

*Existing law* establishes the Pre-Release Construction Trades Certificate Program within CDCR to increase employment opportunities in the construction trades for incarcerated individuals upon release. (Pen. Code, § 2716.5, subd. (a).)

*Existing law* requires the department to establish a joint advisory committee for the purpose of implementation of the program. (Pen. Code, § 2716.5, subd. (b).)

*Existing law* requires the committee to be composed of representatives from building and construction trades employee organizations, the State Building and Construction Trades Council of California, joint apprenticeship training programs, the Prison Industry Authority, the Division of Apprenticeship Standards, the Labor and Workforce Development Agency, and any other representatives the department determines appropriate. (Pen. Code, § 2716.5, subd. (b).)

*Existing law* provides that the responsibilities of the committee include, but are not be limited to, the following:

- Develop guidelines for the participation of incarcerated individuals in preapprenticeship training programs, as described. Requires the guidelines to provide for the integration, for all inmate preapprenticeship training programs in the building and construction trades, of the multicraft core curriculum implemented by the State Department of Education for its

California Partnership Academies pilot project and by the California Workforce Development Board and local boards.

- Develop and implement a pre-release construction trades certification that validates that an incarcerated individual completed instruction, skills, and competencies required by and recognized by the participating building and construction trades.
- Ensure compliance with any applicable requirements and regulations of the Division of Apprenticeship Standards.
- Evaluate pre-release on-the-job training opportunities to compare and match competencies with those of registered apprentices in the building and construction trades.
- Explore the feasibility of the electronic tracking of each participating incarcerated individual's relevant activities to efficiently capture competencies related to the certification.
- Explore the pre-release awarding of formal credit for apprenticeship hours recognized by joint apprenticeship training programs and the Division of Apprenticeship Standards.
- Facilitate the admission of graduates of preapprenticeship programs, after release, into state-approved apprenticeship programs and for apprenticeship programs to evaluate such individuals for admission with advanced standing based on prior coursework and work experience.  
(Pen. Code, § 2716.5, subd. (b)(1)-(7).)

*This bill* requires CDCR to report to the Legislature the exploratory findings of the joint advisory committee, regarding the feasibility of awarding formal credit for apprenticeship hours to incarcerated individuals prior to their release, as described, on or before January 1, 2026.

*This bill* requires the report to be submitted in compliance with Section 9795 of the Government Code.

*This bill* provides that its provisions are repealed on January 1, 2030.

## COMMENTS

### 1. Need For This Bill

According to the author:

A key component of California's reentry programs for formerly incarcerated individuals is finding pathways into stable and long-term employment. One tried and proven method to improve employment outcomes for California's incarcerated population has been to provide educational opportunities within the prison system so that individuals reentering society have the tools to begin working in skilled and stable jobs as soon as they're released.

While there have been a number of successful vocational training programs operated in California's prison system, some approaches have not seen widespread adoption. One option that has yet to be fully explored is awarding apprenticeship credit to incarcerated individuals. SB 828 will require the Department of Corrections and Rehabilitation to report to the Legislature on their existing efforts to determine the feasibility of offering this additional level of job-readiness development. This will help us make the policy changes necessary to

provide those that have served their time with the best possible opportunity to successfully reenter society.

## **2. Pre-Release Construction Trades Certificate Program**

CDCR provides a variety of job training programs to prepare incarcerated individuals for employment opportunities following release. SB 866 (Comm. on Budget & Fiscal Review, Chapter 53, Statutes of 2018) established the Pre-Release Construction Trades Certification Program, a program within CDCR designed to increase employment opportunities in the construction trades for incarcerated individuals upon release. Penal Code section 2716.5 requires the department to establish a joint advisory committee, made up of relevant stakeholders, for the purpose of implementing the program. The joint advisory committee is tasked with developing guidelines for the participation of incarcerated individuals in pre-apprenticeship training programs, developing and implementing a pre-release construction trades certification, exploring the pre-release awarding of formal credit for apprenticeship hours, and facilitating the admission of graduates of pre-apprenticeship programs into state-approved apprenticeship programs, among other things. Penal Code section 2716.5 does not contain any provisions requiring the joint advisory committee to report or publish its findings. This bill requires CDCR to report to the Legislature the findings of the joint advisory committee regarding the feasibility of awarding formal credit for apprenticeship hours to incarcerated individuals prior to their release.

-- END --