

AMENDED IN ASSEMBLY MARCH 20, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 2060**

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**Introduced by Assembly Member V. Manuel Pérez**

February 20, 2014

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An act to amend Section 15820.92 of the Government Code, relating to local criminal justice facilities; add Chapter 4 (commencing with Section 1234) to Title 8 of Part 2 of the Penal Code, relating to postrelease community supervision.

LEGISLATIVE COUNSEL'S DIGEST

AB 2060, as amended, V. Manuel Pérez. ~~County jails: construction funding.~~ *Postrelease Community Supervision Population Workforce Training Grant Program.*

*Existing law requires all eligible people released from prison on and after October 1, 2011, or, whose sentences have been deemed served, as provided, after serving a prison term for a felony, upon release from prison, and for a period not exceeding 3 years immediately following release, to be subject to community supervision provided by a county agency designated by each county's board of supervisors that is consistent with evidence-based practices, including, but not limited to, supervision policies, procedures, programs, and practices demonstrated by scientific research to reduce recidivism among individuals under postrelease supervision. Existing law creates the Recidivism Reduction Fund in the State Treasury, available upon appropriation by the Legislature, for, among other things, activities designed to reduce recidivism of the state's prison population.*

*This bill would establish the Postrelease Community Supervision Population Workforce Training Grant Program to be administered, as*

provided, by the California Workforce Investment Board and funded, upon appropriation by the Legislature, using moneys from the Recidivism Reduction Fund. The bill, among other things, would provide grant program eligibility criteria for counties. The bill would also provide that eligible uses for grant funds include, but are not limited to, vocational training, stipends for trainees, and apprenticeship opportunities for the postrelease community supervision population. By January 1, 2017, the board would be required to submit a report to the Legislature containing specified information, including an evaluation of the effectiveness of the grant program.

~~Existing law authorizes the Board of State and Community Corrections (BSCC), a participating county, and the State Public Works Board to acquire, design, and construct an adult local criminal justice facility approved by the BSCC or to acquire a site or sites owned by, or subject to a lease or option to purchase held by, a participating county, as provided. The BSCC, a participating county, and the board are required to enter into an agreement for each adult local criminal justice facility that provides, at a minimum, performance expectations of the parties related to the acquisition, design, and construction, including, without limitation, renovation of the adult local criminal justice facility; guidelines and criteria for use and application of the proceeds of revenue bonds, notes, or bond anticipation notes issued by the board to pay for the cost of the approved adult local criminal justice facility; and ongoing maintenance and staffing responsibilities for the term of the financing.~~

~~This bill would make technical, nonsubstantive changes to these provisions:~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.  
 State-mandated local program: no.

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

1     SECTION 1. Chapter 4 (commencing with Section 1234) is  
 2     added to Title 8 of Part 2 of the Penal Code, to read:

3  
 4             CHAPTER 4. POSTRELEASE COMMUNITY SUPERVISION  
 5             POPULATION WORKFORCE TRAINING GRANT PROGRAM

6  
 7     1234. For purposes of this chapter, the following terms have  
 8     the following meanings:

1 (a) “California Workforce Investment Board” or “State WIB”  
2 means the California Workforce Investment Board established  
3 pursuant to Article 1 (commencing with Section 14010) of Chapter  
4 3 of Division 7 of the Unemployment Insurance Code.

5 (b) “Grant program” means the Postrelease Community  
6 Supervision Population Workforce Training Grant Program.

7 (c) “Recidivism Reduction Fund” means the Recidivism  
8 Reduction Fund created pursuant to Section 1233.9.

9 1234.1. (a) This chapter establishes the Postrelease  
10 Community Supervision Population Workforce Training Grant  
11 Program to be administered by the California Workforce  
12 Investment Board.

13 (b) The grant program shall be competitive and open to all  
14 counties in accordance with the criteria set forth in Section 1234.3.

15 (c) The grant program shall be funded, upon appropriation of  
16 the Legislature, using moneys from the Recidivism Reduction Fund.

17 1234.2. The State WIB shall administer the grant program as  
18 follows:

19 (a) Develop criteria for the selection of grant recipients through  
20 a public process.

21 (b) Design the grant program application to ensure all of the  
22 following occurs:

23 (1) There is fairness and competitiveness for smaller counties.

24 (2) There is fair and equitable geographic distribution of grant  
25 funds.

26 (3) There is greater consideration given to counties that have  
27 demonstrated a collaborative working relationship with local  
28 workforce investment boards or that currently have in place a  
29 workforce training program for the postrelease community  
30 supervision population.

31 1234.3. (a) Each county is eligible to apply for the grant  
32 program funds.

33 (b) (1) Preference shall be given to counties with demonstrated  
34 matching funding.

35 (2) Matching funds may come from governmental or  
36 nongovernmental sources, including, but not limited to, local  
37 workforce investment boards, local governments, or private  
38 foundation funds.

39 (c) Eligible uses of grant funds include, but are not limited to,  
40 vocational training, stipends for trainees, and apprenticeship

1 *opportunities for the postrelease community supervision*  
2 *population.*

3 1234.4. (a) *Upon completion of the grant period, grant*  
4 *recipients shall report to the State WIB regarding their use of the*  
5 *funds and workforce training program outcomes.*

6 (b) *By January 1, 2017, the State WIB shall submit a report to*  
7 *the Legislature using the reports from the grant recipients. The*  
8 *report shall contain all the following information:*

9 (1) *The overall success of the grant program.*

10 (2) *An evaluation of the effectiveness of the grant program.*

11 (3) *A recommendation on the long-term viability of local*  
12 *workforce investment board and county collaborations on*  
13 *workforce training programs for the postrelease community*  
14 *supervision population.*

15 (4) *A recommendation on the long-term viability of county*  
16 *workforce training programs for the postrelease community*  
17 *supervision population.*

18 (c) (1) *The requirement for submitting a report imposed under*  
19 *subdivision (b) is inoperative on January 1, 2021, pursuant to*  
20 *Section 12031.5 of the Government Code.*

21 (2) *A report to be submitted pursuant to subdivision (b) shall*  
22 *be submitted in compliance with Section 9795 of the Government*  
23 *Code.*

24 ~~SECTION 1.—Section 15820.92 of the Government Code is~~  
25 ~~amended to read:~~

26 ~~15820.92.—For purposes of this chapter, “participating county”~~  
27 ~~means a county, or regional consortium of counties, within the~~  
28 ~~state that has been certified to the State Public Works Board (the~~  
29 ~~board) by the Board of State and Community Corrections (BSCC)~~  
30 ~~as having satisfied all of the requirements set forth in Section~~  
31 ~~15820.925 for financing an adult local criminal justice facility~~  
32 ~~pursuant to this chapter. For purposes of this chapter, an adult local~~  
33 ~~criminal justice facility may include any custodial housing, reentry~~  
34 ~~program, mental health, or treatment space necessary to manage~~  
35 ~~the adult offender population consistent with the legislative intent~~  
36 ~~described in Sections 17.5 and 3450 of the Penal Code under the~~  
37 ~~jurisdiction of the sheriff or county department of corrections, as~~  
38 ~~may be applicable, to be further defined by the BSCC in duly~~  
39 ~~adopted regulations.~~

1 ~~(a) The BSCC, a participating county, and the board are~~  
2 ~~authorized to acquire, design, and construct an adult local criminal~~  
3 ~~justice facility approved by the BSCC pursuant to Section~~  
4 ~~15820.925, or to acquire a site or sites owned by, or subject to a~~  
5 ~~lease or option to purchase held by, a participating county. For the~~  
6 ~~purposes of this chapter, acquisition shall include, but is not limited~~  
7 ~~to, acquisition of completed facilities through a build-to-suit~~  
8 ~~purchase. Facilities financed pursuant to this chapter may be~~  
9 ~~delivered through either a design-bid-build or a design-build~~  
10 ~~process. The ownership interest of a participating county in the~~  
11 ~~site or sites for an adult local criminal justice facility shall be~~  
12 ~~determined by the board to be adequate for purposes of its~~  
13 ~~financing in order to be eligible under this chapter.~~

14 ~~(b) Notwithstanding Section 14951, the participating county~~  
15 ~~may assign an inspector during the construction of the adult local~~  
16 ~~criminal justice facility.~~

17 ~~(c) The BSCC, a participating county, and the board shall enter~~  
18 ~~into an agreement for each adult local criminal justice facility that~~  
19 ~~provides, at a minimum, performance expectations of the parties~~  
20 ~~related to the acquisition, design, and construction, including,~~  
21 ~~without limitation, renovation of the adult local criminal justice~~  
22 ~~facility; guidelines and criteria for use and application of the~~  
23 ~~proceeds of revenue bonds, notes, or bond anticipation notes issued~~  
24 ~~by the board to pay for the cost of the approved adult local criminal~~  
25 ~~justice facility; and ongoing maintenance and staffing~~  
26 ~~responsibilities for the term of the financing.~~

27 ~~(d) The agreement shall include a provision that the participating~~  
28 ~~county agrees to indemnify, defend, and hold harmless the state~~  
29 ~~for any and all claims and losses arising out of the acquisition,~~  
30 ~~design, and construction of the adult local criminal justice facility.~~  
31 ~~The agreement may also contain additional terms and conditions~~  
32 ~~that facilitate the financing by the board.~~

33 ~~(e) The scope and cost of the adult local criminal justice facilities~~  
34 ~~shall be subject to approval and administrative oversight by the~~  
35 ~~board.~~

36 ~~(f) For purposes of compliance with the California~~  
37 ~~Environmental Quality Act (Division 13 (commencing with Section~~  
38 ~~21000) of the Public Resources Code), neither the board nor the~~  
39 ~~BSCC shall be deemed a lead or responsible agency and the~~  
40 ~~participating county shall be the lead agency.~~

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