

Date of Hearing: April 23, 2024

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

AB 2818 (Mathis) – As Amended April 16, 2024

**SUBJECT:** County jail: available social services

**SUMMARY:** Requires, commencing January 1, 2026, each county jail, at a minimum, to provide each incarcerated person with the contact information on a physical sheet of paper or other physical document upon release from custody, or provided electronically by email or text message if the individual provides the necessary information to complete the electronic notifications for all of the following:

- 1) The local social services agency;
- 2) The local county child support agency;
- 3) A local alcohol or drug abuse resource;
- 4) Local homeless shelters; and,
- 5) Local mental health resources for counseling or therapy.

**EXISTING LAW:**

- 1) States legislative intent that aid shall be administered and services provided promptly and humanely, with due regard for the preservation of family life, and without discrimination on account of ancestry, marital status, political affiliation, or any characteristic listed or defined in Government Code Section 11135. That aid shall be so administered and services so provided, to the extent not in conflict with federal law, as to encourage self-respect, self-reliance, and the desire to be a good citizen, useful to society. (Welfare Institutions Code [WIC] § 10000)
- 2) Establishes that counties are responsible to provide:
  - a) On behalf of the general public, and within the limits of public resources, reasonable support and maintenance for needy and dependent families and persons;
  - b) Timely and appropriate services to assist individuals develop or use whatever capacity they can maintain or achieve for self-care or self-support; and,
  - c) Protective services to handicapped or deprived persons subject to social or legal disability, and to children and others subject to exploitation jeopardizing their present or future health, opportunity for normal development, or capacity for independence. (WIC § 10001)
- 3) Requires the California Department of Social Services (CDSS) to issue an all-county letter containing recommendations and suggested methods for county human services agencies to partner with the California Department of Corrections and Rehabilitation (CDCR) and county

jails to enroll otherwise eligible applicants for the CalFresh program to ensure that an applicant's benefits may begin as soon as possible upon reentry of the applicant into the community from the state prison or a county jail. (WIC § 18901.35 (a)(1))

- 4) Requires the all-county letter referenced in 3) above to include, but not be limited to, all of the following:
  - a) Information on the benefits of enrolling formerly incarcerated individuals into the CalFresh program;
  - b) Information on acceptable forms of identification necessary to complete an application for CalFresh benefits, including information on how to verify an applicant's eligibility for expedited service;
  - c) Information on how to connect individuals released from the state prison with employment or employment opportunities, including how counties may work with CDCR to connect individuals to employment opportunities related to any experience, training, and education that the individual has obtained, including experience, training, and education obtained while in state prison; and,
  - d) Encourages counties to require county eligibility workers to regularly enter any state prison or county jail within the county to conduct interviews and assist individuals that are within 45 days of release from state prison or county jail with completing applications for CalFresh benefits. Requires this assistance to be for the purpose of establishing eligibility for CalFresh benefits prior to release from the institution. (WIC § 18901.35 (a)(2)(A-D))
- 5) Allows the sheriff to temporarily release a person incarcerated in county jail to prepare for their return to the community for a period of not more than three days. (Penal Code [PEN] § 4018.6.)
- 6) Provides that the sheriff may discharge any incarcerated person from the county jail on the last day the person may be confined, as the sheriff shall consider to be in the best interests of the person. (PEN § 4024(a))
- 7) Allows the sheriff to offer a voluntary program to a person incarcerated in county jail upon completion of their sentence that would allow them to stay in custody for up to 16 additional hours so that they can be discharged to a treatment center or during daytime hours. (PEN § 4024 (b) (1))
- 8) Allows the sheriff or other official in charge of county correctional facilities to provide for the vocational training and rehabilitation of incarcerated persons confined in the county jail. (PEN § 4018.5.)

**FISCAL EFFECT:** Unknown, this bill has not been analyzed by a fiscal committee.

**COMMENTS:**

**Background:** County social service agencies are responsible for the delivery of many of California's safety net programs including the California Work Opportunity and Responsibility to Kids (CalWORKs), CalFresh, and Medi-Cal. Navigation of applying for programs can be challenging to manage and know the correct contacts for needed services. The state continues to make efforts to ease enrollment barriers including online portals such as BenefitsCal, which can be used to apply for and manage benefits. One important program to highlight is the welfare-to-work program, which is designed to assist individuals receiving CalWORKs cash aid in achieving self-sufficiency and includes job training programs and certificate and credential programs.

Those being released from incarceration, similar to the general population, also struggle with finding out about the different types of social services that could be available to them and could benefit from basic information such as contact information for local resources. Coordination of services is needed for all populations, including formerly incarcerated.

In a 2012 policy brief written by the National Institute of Corrections (NIC) and the Urban Institute in presenting the Transition from Jail to Community (TJC) initiative's approach to case planning and community handoff, NIC and the Urban Institute explained why "it is imperative that jurisdictions use an effective case management process that includes a strong community handoff component, particularly at the moment of release, and that ensures continuity of care between in-jail and community-based programs and services."

*Current State-Level Practices.* According to CDCR, the Division of Adult Parole Operations (DAPO) helps by doing the following:

- If the individual is eligible and wishes to participate in the Transitional Case Management Program, DAPO will provide Medi-Cal, Social Security Administration, and Veterans Administration benefit application assistance.
- DAPO will provide the individual with an individualized reentry case plan that contains additional resource linkage and referrals for local programs and services (i.e., substance use disorder treatment, county services such as Cal Fresh/general assistance, clothing, employment resources, tattoo removal, etc.).

The University of California, San Diego contracts with CDCR's DAPO to provide Transitional Case Management Program services to all eligible individuals incarcerated within CDCR who are to be released from prison and wish to participate. Transitional Case Management Program benefit workers are located at all CDCR adult institutions and travel to all CDCR Conservation (Fire) Camps, Modified Community Correctional Facilities, and State Hospitals. Transitional Case Management Program services start within 120 days of an individual's release from prison and can include screenings for Medi-Cal, Social Security Disability Insurance, and veterans administration benefits. Post-release services are up to 60 days post release, and include providing assistance with Medi-Cal applications, a resource guide based on the person's needs to community services such as county welfare office information.

This type of programming does not currently exist at the county level. This bill aims to target lower-level offenders at county jails to prevent further incarceration including within CDCR's institutions.

*Recidivism in California.* Over the last two decades, California has begun shifting toward rehabilitation for individuals who were previously incarcerated instead of viewing incarceration purely as punishment. In 2004, CDCR shifted from strictly “corrections” to “corrections and rehabilitation” by expanding programmatic offerings in an attempt to reduce recidivism and even changing its name. According to CDCR’s website, “It is top priority is to provide rehabilitative programming and skills to incarcerated individuals in an effort to reduce their likelihood of reoffending by the time they return to their homes and communities.” CDCR has three types of rehabilitative programs: in-prison, pre-release community programs, and after-prison programs. After-prison programs consist of residential or outpatient/drop-off programs. Both work at treatment for employment placement, cognitive behavioral interventions, and education. Residential programs are more comprehensive and provide substance use disorder treatment and life skills.

An example of a pre-release community program is the Male Community Reentry Program (MCRP) which is a voluntary program for eligible males who have two years or less of their prison sentence left to serve. This allows eligible people committed to state prison to serve the end of their sentences in the community, in lieu of confinement in state prison. MCRP is designed to provide a range of community-based, rehabilitative services that assist with substance use disorder, mental health care, medical care, employment, education, housing, family reunification, and social support. MCRP assists participants to successfully reenter the community from prison and contributes to reduced recidivism by using community-based rehabilitative services. Rehabilitative services may include guidance and support, family reunification, community resources, education, employment, health care services, recovery groups, and housing. According to a Stanford University study conducted on the effects of the MCRP on recidivism in the State of California, “Offenders who participated in the program for at least seven months, the MCRP decreased the likelihood of rearrest (1-year post-release) by eight percentage points. For offenders who participated in the program for at least nine months, the program decreased the likelihood of rearrest (1-year post-release) by 13 percentage points and reconviction by 11 percentage points.”

**Author’s Statement:** According to the Author, “It is time for California to seriously address the issue of crime, and the reasons our citizens are committing crimes. We must take this step forward together to support Californians struggling to stay out of the justice system in finding a better a life.”

**Equity Implications:** It is very well documented that prisons and jails at all levels disproportionately house people of color. Structural policies have disadvantaged communities of color since the inception of this country which has played a large part in the demographics of California’s prisons. “Youth of color are more likely to experience unstable family systems, exposure to family and/or community violence, elevated rates of unemployment, and more school dropout.” (Ashley Nellis, *The Color of Justice: Racial and Ethnic Disparity In State Prisons*, 2022).

Providing basic resources and lifelines to those exiting jail will help those who have landed in these systems as a result of poverty or mental health. This bill could serve as a further stepping stone in coordinating services at a county level in a similar fashion that California attempts to do at a state level.

**Double referral:** This bill was previously heard in the Assembly Public Safety Committee, on April 2, 2024, and was approved on consent with a vote of 8-0.

**RELATED AND PRIOR LEGISLATION:**

*SB 1254 (Becker) of the current legislative session*, would require CDSS to partner with CDCR and county jails to enroll applicants in the CalFresh program so that their benefits may begin before their reentry into the community from the state prison or county jail. *SB 1254 is pending in the Senate Committee on Public Safety and set for a hearing on April 23, 2024.*

*AB 857 (Ortega), Chapter 857, Statutes of 2023*, required CDCR to provide each incarcerated person, upon release, informational materials about vocational rehabilitation services and independent living programs offered by the Department of Rehabilitation.

*AB 3073 (Wicks), Chapter 225, Statutes of 2020*, required CDSS to issue an all-county letter with methods for county human services agencies to partner with CDCR and county jails to enroll incarcerated persons in the CalFresh program.

*AB 683 (E. Garcia), Chapter 45, Statutes of 2017*, authorized specified counties to implement pilot programs to provide reentry services for individuals scheduled to be released from county jail.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Association of Alcohol and Drug Program Executives, INC.  
Child Support Directors Association of California  
Defy Ventures  
Smart Justice California, a Project of Tides Advocacy  
Transformative Programming Works (TPW)

**Opposition**

None on file.

**Analysis Prepared by:** Alexandria Smith / HUM. S. / (916) 319-2089