

SENATE BILL REPORT

2SHB 2084

As of February 23, 2024

Title: An act relating to establishing an oversight committee to improve construction-related training and pathways to state registered apprenticeships in state correctional facilities.

Brief Description: Establishing an oversight committee to improve construction-related training and pathways to state registered apprenticeships in state correctional facilities.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Fosse, Low, Berry, Leavitt, Simmons, Reed, Ormsby, Street, Bronoske, Ryu, Chapman, Wylie, Doglio, Cortes, Paul, Reeves and Davis).

Brief History: Passed House: 2/12/24, 97-0.

Committee Activity: Human Services: 2/19/24, 2/20/24 [DP-WM].

Ways & Means: 2/23/24.

Brief Summary of Bill

- Requires the Office of the Corrections Ombuds to convene an oversight committee on construction-related training programs in state correctional facilities and pathways to state registered apprenticeship programs for incarcerated persons.
- Requires the Department of Corrections to collect data on employment outcomes of incarcerated persons who participate in construction-related training programs.

SENATE COMMITTEE ON HUMAN SERVICES

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Boehnke, Ranking Member; Frame, Nguyen, Warnick and Wilson, J..

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: Kelsey-anne Fung (786-7479)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Sarian Scott (786-7729)

Background: Office of the Corrections Ombuds. The Office of the Corrections Ombuds (OCO) was created in 2018 as an independent and impartial office in the Governor's Office to:

- provide information to incarcerated individuals and their families;
- promote public awareness and understanding of the rights and responsibilities of incarcerated individuals;
- identify system issues and responses for the Governor and the Legislature; and
- ensure compliance with relevant statutes, rules, and policies pertaining to corrections facilities, services, and treatment of incarcerated individuals under the jurisdiction of the Department of Corrections (DOC).

The OCO's statutory duties and responsibilities include, among other duties:

- maintaining a statewide toll-free confidential hotline for receiving complaints and inquiries;
- providing information and technical assistance to incarcerated individuals and stakeholders;
- receiving, investigating, and resolving complaints;
- monitoring compliance with applicable laws, rules, regulations, and policies related to the health, safety, welfare, and rehabilitation of incarcerated individuals;
- monitoring and providing legislative and policy developments affecting correctional facilities;
- submitting an annual report by November 1st of each year to the Governor, the Legislature, and the Statewide Family Council; and
- submitting an annual report to the Legislature on the status of the implementation of unexpected fatality review recommendations.

Apprenticeships. The Washington State Apprenticeship and Training Council (WSATC), which is part of the Department of Labor and Industries (L&I), is responsible for establishing standards, approving state registered apprenticeships programs and state recognized apprenticeship preparation programs, and issuing completion certificates.

State registered apprenticeships provide training and education to apprentices through a combination of on-the-job training and related supplemental classroom instruction, under the supervision of a journey-level craft person or trade professional. Employer-sponsored or union-sponsored schools or community or technical colleges offer the technical instruction. Registered apprenticeship programs must have a minimum of 2000 hours of on-the-job training and at least 144 hours of classroom instruction per year to supplement on-the-job work experience. Most registered apprenticeship programs take around two to five years to

complete and apprentices earn wages while learning their trade or occupation. Upon completing a registered apprenticeship program, apprentices receive a professional credential that is recognized nationwide.

State recognized apprenticeship preparation programs are education and training programs designed to prepare individuals for entry into an apprenticeship program. Preparation programs must meet minimum standards to receive recognition from WSATC, including a minimum of 80 hours of curriculum and maintaining a formal articulation agreement with a state registered apprenticeship program.

Postsecondary Education Programs in State Correctional Facilities. In addition to adult basic education programs, state correctional facilities offer pre-college preparation courses, trade pre-apprenticeship programs, vocational certificates, and two-year associate degrees and four-year bachelor degrees.

Currently, DOC offers the following state recognized pre-apprenticeship programs:

- carpentry certificate at Airway Heights Corrections Center (AHCC);
- aerospace joint apprenticeship committee at AHCC, Washington Corrections Center for Women (WCCW), and Mission Creek Corrections Center for Women (MCCCW);
- trades related apprenticeship coaching at WCCW and MCCCW;
- construction trades apprenticeship program at Cedar Creek Corrections Center, Clallam Bay Corrections Center, Monroe Correctional Complex, Stafford Creek Corrections Center, Washington Corrections Center, Washington State Penitentiary; and
- automotive repair technology certificate at Coyote Ridge Corrections Center.

Summary of Bill: Subject to appropriations, OCO must convene an oversight committee to expand access to construction-related training programs in state correctional facilities and strengthen pathways for incarcerated persons to advance from those programs to state registered apprenticeship programs upon reentering the community. OCO may enter into contracts for services as necessary.

OCO must appoint the members of the oversight committee, including two persons with lived experience, and representatives of the following:

- DOC, including staff involved with construction-related training programs and reentry planning, and community corrections officers;
- Correctional Industries;
- the Apprenticeship Division of L&I;
- the Washington State Board for Community and Technical Colleges (SBCTC), including representatives from the Basic Education Division and student support programs;
- the Washington State Building and Construction Trades Council;
- registered apprenticeship programs in the construction trades, and providers of apprenticeship preparation programs;

- college corrections navigators and apprenticeship navigators;
- the Juvenile Rehabilitation Division and Community Services Office of the Department of Children, Youth, and Families;
- OCO;
- the Washington Statewide Reentry Council; and
- other agencies, boards, or entities that the OCO has identified with a significant interest in the work of the oversight committee.

The oversight committee must:

- develop, maintain, and publish an inventory of all construction-related training programs in correctional facilities;
- collect, maintain, and publish information and data on construction-related training programs for the previous four calendar years;
- assess the viability or progress of transitioning current training programs to meet state recognized apprenticeship preparation requirements, transitioning the curriculum to cover multiple construction crafts, and implementing new state recognized apprenticeship preparation programs;
- assess any unmet instruction support needs and practices for conducting transitional planning and support for program completers; and
- identify areas of concern and make recommendations for changes to policies and practices to DOC, SBCTC, L&I, state registered apprenticeship programs, and other appropriate entities.

By October 1, 2025, the oversight committee must submit a report to the Legislature with initial findings and recommendations for expanding access to construction-related state recognized apprenticeship preparation programs in state correctional facilities, and strengthening pathways for incarcerated persons to advance from those programs to state registered apprenticeship programs upon reentering the community.

Beginning by October 1, 2026, the oversight committee must submit a report to the Legislature by October 1st of every even-numbered year summarizing its work from the previous two-year period and providing any relevant findings and recommendations. OCO must publish information on its website designed to improve access to and outcomes of programs, based on input and guidance provided by the oversight committee.

To support the work of the oversight committee, OCO may consider relevant aspects of its work and communications, including any personally identifiable information of incarcerated persons, to constitute an investigation, subject to confidentiality protections under current law. Oversight committee members must maintain the confidentiality of any such records and information identified by OCO. This does not prohibit the oversight committee from publishing aggregate data or other information collected, provided that such data or information does not contain personally identifiable information.

DOC must collect data on the employment outcomes of incarcerated persons reentering the

community after having participated in a construction-related training program in a correctional facility, including whether those persons participated in and completed any state registered apprenticeship programs. DOC, in consultation with the oversight committee and relevant state agencies, must make efforts to track and collect data on employment outcomes for at least three years following a person's release from a state correctional facility. Upon request, DOC must report any such data to the oversight committee and OCO.

Beginning by December 1, 2026, DOC must submit a report to the Legislature by December 1st of every even-numbered year with the following information from the previous two-year period:

- the status of implementing any changes recommended by the oversight committee;
- the reasoning for not implementing any changes recommended by the oversight committee;
- a summary of funding expended on construction-related training programs identified by the oversight committee; and
- a summary of any additional funding needed to support such programs.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (Human Services): PRO: Finding stable employment after release is a key factor in reducing recidivism. Construction-related trade apprenticeships are really good opportunities for people with justice-involved backgrounds and provide living wages right away. This is not just a job, but it is a pathway to a career and trade with pride, purpose, and a tangible benefit to contribute to society. Some facilities have had challenges with maintaining or building out apprenticeship preparation programs, or gathering the data to show the pathway leads to careers. The oversight committee in the bill would be able to support those programs and provide collective recommendations, and with collaborating reentry planning, ensure opportunities are strategically timed for entry into an apprenticeship program upon the person's release.

The current apprenticeship preparation programs are disconnected with partners, and this bill will create a facilitated space to work together, reduce duplication, and identify opportunities. Apprenticeship preparation programs provide participants with direct pathways to state-registered apprenticeships after incarceration. This bill will increase equitable access, increase partnerships involved in release planning, identify crucial transition gaps, allow new and existing training programs to become state-recognized preparation programs, and allow trades to connect with incarcerated people sooner. There

have been success stories of participants in the apprenticeship preparation programs becoming apprentices on the outside, paying off legal debt and supporting their families, and becoming journeymen and mentors to others. Successful completers of the preparation programs are able to bypass the waiting list to enter the apprenticeship program with the base knowledge in the trade. When pathways are run by different groups and partners, there needs to be barrier mitigation and one entity to facilitate, manage, and provide oversight.

OTHER: OCO should not be convener of the oversight committee. OCO should remain focused on the welfare of incarcerated individuals and keeping incarcerated individuals safe and healthy in correctional facilities. This bill picks winners and losers by focusing on construction-related trades only. There is a lot of funding for reentry and there is no need to create overlapping systems. Other agencies could perform the data collection part of the bill.

Persons Testifying (Human Services): PRO: Representative Mary Fosse, Prime Sponsor; Hilary Young, WA Statewide Reentry Council and Pioneer Human Services; Erin Frasier, Washington State Building & Construction Trades Council; Minna Long, Washington State Building & Construction Trades Council; Ray Dumas, Cement Masons & Plasterers Local 528; Will Durden, State Board for Community and Technical Colleges.

OTHER: Jim Chambers.

Persons Signed In To Testify But Not Testifying (Human Services): No one.

Staff Summary of Public Testimony (Ways & Means): PRO: We worked with several of the partners referenced in the bill to develop this bill, which focuses on construction training for correctional industries. This bill helps ensure resources for construction training programs are used effectively and are not duplicative. We need this bill to assure a collective and systemic impact. This bill created a facilitated space for us to work together. It will reduce duplication and ensure investments are effective. We have apprenticeship preparation programs and construction training that are under correctional industries and some that are offered by the state board of community and technical colleges. We have other construction trainings that are not state recognized. Make sure they are all actually giving pathways to state registered apprenticeships. The scope of the bill focuses within correctional facilities.

Persons Testifying (Ways & Means): PRO: Erin Frasier, Washington State Building & Construction Trades Council.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.