

HOUSE BILL REPORT

HB 2084

As Reported by House Committee On:
Community Safety, Justice, & Reentry
Appropriations

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: Representatives Fosse, Low, Berry, Leavitt, Simmons, Reed, Ormsby, Street, Bronoske, Ryu, Chapman, Wylie, Doglio, Cortes, Paul, Reeves and Davis.

Brief History:

Committee Activity:

Community Safety, Justice, & Reentry: 1/22/24, 1/29/24 [DPS];
Appropriations: 2/2/24, 2/5/24 [DP2S(w/o sub CSJR)].

Brief Summary of Second Substitute 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 (DOC) to collect data related to the employment outcomes of incarcerated persons who participate in construction-related training programs.
- Requires the oversight committee and the DOC to submit certain reports to the Legislature regarding the work of the oversight committee, and data, findings, and recommendations related to construction-related training programs for incarcerated persons.

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.

HOUSE COMMITTEE ON COMMUNITY SAFETY, JUSTICE, & REENTRY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Goodman, Chair; Simmons, Vice Chair; Mosbrucker, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Davis, Farivar, Fosse and Ramos.

Minority Report: Without recommendation. Signed by 1 member: Representative Graham.

Staff: Corey Patton (786-7388).

Background:

The Washington State Apprenticeship and Training Council, housed in the Department of Labor and Industries, is responsible for establishing standards for state registered apprenticeship programs and state recognized apprenticeship preparation programs.

Apprenticeship programs enable individuals to learn trades and occupations through on-the-job training and related supplemental instruction. Journey-level craft persons or trade professionals generally supervise on-the-job training, while employer-sponsored or union-sponsored schools, or community or technical colleges offer technical instruction. To qualify as a state registered apprenticeship program, the program must meet certain criteria for training and instruction hours. Most state registered apprenticeship programs take approximately two to five years to complete, and apprentices earn wages while learning their trade or occupation. Upon completing an apprenticeship program, apprentices receive completion certificates that allow them to be recognized nationwide as qualified journey-level workers in their trade or occupation.

Apprenticeship preparation programs are designed to help participants build their qualifications and competency before enrolling in an apprenticeship program. Such programs typically provide support services, career training, or access to mentors, and are sometimes developed to encourage or support an underrepresented population's interest in pursuing trades. Apprenticeship preparation programs vary in curriculum and duration, but most range from three to six months in length with either part-time or full-time requirements. To qualify as a state recognized apprenticeship preparation program, the program must maintain a formal articulation agreement with one or more state registered apprenticeship program sponsors. Articulation agreements are mutually agreed arrangements which define the commitment between the apprenticeship preparation program and the sponsoring apprenticeship program, and include provisions for preferred entry or advanced standing or credit.

Summary of Substitute Bill:

The Office of the Corrections Ombuds (OCO) must convene an oversight committee for the purposes of expanding access to construction-related training 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. The OCO may enter into contracts for services as necessary.

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

- the Department of Corrections (DOC), including staff involved with construction-related training programs and reentry planning, and community corrections officers;
- Correctional Industries;
- the Department of Labor and Industries' (L&I) Apprenticeship Division;
- 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;
- state registered apprenticeship programs in the construction trades, and providers of apprenticeship preparation programs;
- college corrections navigators and apprenticeship navigators;
- the Department of Children, Youth, and Families' Juvenile Rehabilitation Division and Community Services Office;
- the 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 construction-related training programs to meet state recognized apprenticeship preparation requirements, and transitioning the curriculum for construction-related apprenticeship preparation programs to cover multiple construction crafts;
- assess any unmet support needed by construction-related training programs for instruction;
- assess the viability or progress of implementing new state recognized apprenticeship preparation programs in correctional facilities;
- assess practices for conducting transitional planning and support for participants who complete construction-related training programs; and
- identify areas of concern and make recommendations for appropriate and necessary changes to policies and practices to the DOC, the 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 1 of every even-numbered year summarizing its work from the previous two-year period and providing any relevant findings and recommendations. The OCO must, on an ongoing basis, publish information on its websites designed to improve access to and outcomes of programs, based on input and guidance provided by the oversight committee.

For the purpose of supporting the work of the oversight committee, the OCO may consider relevant aspects of its work and communications, including any personally identifiable information of incarcerated persons, to constitute an investigation, subject to certain confidentiality protections. Oversight committee members must maintain the confidentiality of any such records and information identified by the OCO.

The 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. The 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, the DOC must report any such data to the oversight committee and the OCO.

Beginning by December 1, 2026, the DOC must submit a report to the Legislature by December 1 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.

Substitute Bill Compared to Original Bill:

The substitute bill: (1) expands the membership of the oversight committee on construction-related training programs in state correctional facilities to include a representative from the Washington Statewide Reentry Council; and (2) fixes a typo in the underlying bill by replacing a reference to a "constructional facility" with "correctional facility."

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on January 29, 2024.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) Our system has inadequately prepared people for reentry when leaving prison. The primary goal of vocational education in prison is to help develop marketable skills upon release, but we keep encountering barriers to successful employment pathways that need to be addressed. Some correctional facilities have had difficulty building and maintaining pre-apprenticeship programs and collecting data on them. But when trying to identify the core problems with these programs, we overwhelmingly lack the data and information needed to figure out a proper solution. Despite there being many efforts to establish pre-apprenticeship programs, they are largely disconnected. Washington has an urgent need for construction workers to make infrastructural projects a success. There is no reason why someone should face barriers to accessing these trades and professions, especially for those seeking to rebuild their lives after incarceration.

We need to make sure that pre-apprenticeship opportunities include strategic and collaborative transition planning and are provided in a timely manner relative to an incarcerated person's reentry timeline. Any pre-apprenticeship programs intended to prepare individuals for registered apprenticeship programs should be state recognized so that qualified people can bypass the waiting list and enter the workforce quicker. This bill will help us understand the current state of training opportunities by establishing an oversight committee to collect data and develop recommendations for improving the quality and availability of construction-related trade programs at correctional facilities, ensuring successful transitions for incarcerated persons looking to reenter society with a career pathway. Importantly, the oversight committee will be inclusive of people with lived experience. Overall, this bill will help direct state resources to the most impactful options, reduce recidivism, and strengthen construction-related training programs by providing a framework for accountability and oversight.

(Opposed) None.

(Other) Although there is a great need to support these types of programs, this work might be better suited for the Washington Statewide Reentry Council than the Office of the Corrections Ombuds (OCO). The OCO serves a different mission that focuses on the conditions of confinement, which is also very important work. If this bill does have the OCO convene the oversight committee, additional funding should be provided for the OCO to hire more staff.

Persons Testifying: (In support) Representative Mary Fosse, prime sponsor; Hilary Young, Washington Statewide Reentry Council; Hanan Al-Zubaidy, Washington State Board for Community and Technical Colleges; Darrell Pryor; Ray Dumas, OPCMIA Local 528; Bruce Carley; Erin Frasier and Minna Long, Washington State Building and Construction Trades Council; Eric Sanchez, Ironworkers Local 86; and John Traynor, Washington State Labor Council, American Federation of Labor and Congress of Industrial Organizations.

(Other) Jim Chambers.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Community Safety, Justice, & Reentry. Signed by 30 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Berg, Callan, Chopp, Davis, Dye, Fitzgibbon, Harris, Lekanoff, Pollet, Riccelli, Rude, Ryu, Sandlin, Schmick, Senn, Simmons, Slatter, Springer, Stokesbary, Stonier, Tharinger and Wilcox.

Staff: Emily Stephens (786-7157).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Community Safety, Justice, & Reentry:

The second substitute bill adds a null and void clause, making the act null and void unless it is funded in the budget.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Second Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony:

(In support) This bill would break down barriers and identify needs for people leaving correctional facilities. Helping people find work immediately after release reduces recidivism. Efforts to help people in correctional facilities are disconnected. The bill would

increase collaboration and reduce duplication of efforts. The bill will increase reentry success.

(Opposed) None.

Persons Testifying: Heather Kurtenbach, Ironworkers Local 86; and Erin Frasier, Washington State Building and Construction Trades Council.

Persons Signed In To Testify But Not Testifying: None.