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**AB-857 Vocational services: formerly incarcerated persons.** (2023-2024)

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**Assembly Bill No. 857**

**CHAPTER 167**

An act to add Section 3007.09 to the Penal Code, and to amend Section 19150 of the Welfare and Institutions Code, relating to vocational services.

[ Approved by Governor September 08, 2023. Filed with Secretary of State September 08, 2023. ]

**LEGISLATIVE COUNSEL'S DIGEST**

AB 857, Ortega. Vocational services: formerly incarcerated persons.

Existing law establishes the Department of Rehabilitation to provide specified services to eligible individuals with physical or mental disabilities. Existing law defines vocational rehabilitation services for these purposes.

Existing law establishes the Department of Corrections and Rehabilitation to operate the state prison and maintain custody and care of persons incarcerated in the state prison as punishment for a crime.

Existing law requires each inmate, upon release, to serve a period of parole. Existing law requires each inmate, upon release, to be paid an allowance by the department. Existing law also requires the department to ensure every eligible inmate released from prison receives a valid identification card issued by the Department of Motor Vehicles.

This bill would require the Department of Corrections and Rehabilitation to provide each inmate, upon release, informational materials about vocational rehabilitation services and independent living programs offered by the Department of Rehabilitation, as specified, and an enrollment form for vocational rehabilitation services. The bill would also expand the scope of vocational rehabilitation services offered by the Department of Rehabilitation to include service provided to former inmates with disabilities.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 3007.09 is added to the Penal Code, to read:

**3007.09.** The department shall, upon release, provide each inmate informational written materials, in a format prescribed by the department, regarding vocational rehabilitation services and independent living programs offered by the Department of Rehabilitation described in Division 10 (commencing with Section 19000) of the Welfare and Institutions Code, and an enrollment form for these vocational rehabilitation services. These documents shall be provided to any inmate being released, whether or not the department believes them to be eligible for these programs and services.

**SEC. 2.** Section 19150 of the Welfare and Institutions Code is amended to read:

**19150.** (a) The term "vocational rehabilitation services" means the following services and goods:

(1) An assessment for determining eligibility and vocational rehabilitation needs by qualified personnel, including if appropriate, an assessment by personnel skilled in rehabilitation technology or an assessment for supported employment as an employment outcome.

(2) Counseling, guidance, and work-related placement services for persons with disabilities, including job search assistance, placement assistance, job retention services, personal assistance services, followup services, and specific postemployment services necessary to assist those individuals in maintaining, regaining, or advancing in their employment, both competitive and supported.

(3) Training services for persons with disabilities, which shall include personal and vocational adjustment, books, and other training materials.

(4) Auxiliary aide services, such as reader services for individuals who are blind and interpreter services for individuals who are deaf.

(5) Job coaching services that may include any of the following:

(A) On-the-job skill training.

(B) Observation or supervision at the worksite.

(C) Consultation or training, or both, of coworkers and supervisors.

(D) Assistance in integrating into the work environment.

(E) Destination training.

(F) Assistance with public support agencies.

(G) Family and residential provider consultation.

(H) Any other on- or off-the-job support services needed to reinforce and stabilize job placement.

(6) Recruitment and training services for persons with disabilities to provide them with new employment opportunities in the fields of rehabilitation, health, welfare, public safety, and law enforcement, and other appropriate service employment.

(7) Physical and mental restoration services, including, but not limited to, the following:

(A) Corrective surgery or therapeutic treatment necessary to correct or substantially modify a physical or mental condition which is stable or slowly progressive and constitutes an impediment to employment, but is of such a nature that the correction or modification may reasonably be expected to eliminate or substantially reduce the impediment to employment within a reasonable length of time.

(B) Necessary hospitalization in connection with surgery or treatment.

(C) Prosthetic and orthotic devices.

(D) Eyeglasses and visual services as prescribed by a physician skilled in the diseases of the eye or by an optometrist.

(8) Maintenance, not exceeding the additional costs incurred while participating in rehabilitation.

(9) Occupational licenses, tools, equipment, and initial stocks and supplies.

(10) Rehabilitation technology services, which shall include rehabilitation engineering and assistive technology services and devices.

(11) On-the-job or other related personal assistance services provided to an individual with a disability who is receiving other vocational rehabilitation services.

(12) Transition services to students, pursuant to cooperative agreements established under Section 19013, that promote or facilitate the accomplishment of long-term rehabilitation goals and intermediate rehabilitation objectives.

(13) Referral and other services designed to assist individuals with disabilities in securing needed services from other agencies through agreements developed pursuant to Section 19013.

(14) The provision of other programs and services when provided for the benefit of groups of individuals, including, but not limited to, any of the following:

(A) In the case of any type of small business operated by individuals with significant disabilities, the operation of which can be improved by management services and supervision provided by the department, the provision of those services and supervision, alone or together with the acquisition by the department of vending stands and other equipment and initial stocks and supplies.

(B) The establishment, development, or improvement of community rehabilitation programs that promise to contribute substantially to the rehabilitation of a group of individuals but that are not related directly to the rehabilitation plan of any one individual with a disability, providing the program is used to provide services that promote integration and competitive employment, including supported employment.

(C) Technical assistance and support services to businesses that are not subject to Subchapter 1 (commencing with Section 12111) of Chapter 126 of Title 42 of the United States Code and that are seeking to employ individuals with disabilities.

(15) Transportation in connection with the rendering of any other vocational rehabilitation service.

(16) Any other goods and services necessary to render a person with disabilities employable.

(17) Services to the families of persons with disabilities when those services will contribute substantially to the rehabilitation of those individuals.

(18) Services to formerly incarcerated persons with disabilities, designed to promote rehabilitation and reduce the likelihood of recidivism.

(b) For the purposes of subdivision (a), full consideration of eligibility for any comparable service or benefit shall be utilized to the extent permitted by federal law.