
THIRD READING

Bill No: AB 788
Author: Quirk-Silva (D)
Amended: 8/20/25 in Senate
Vote: 21

SENATE PUBLIC SAFETY COMMITTEE: 6-0, 7/8/25
AYES: Arreguín, Seyarto, Caballero, Gonzalez, Pérez, Wiener

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/13/26
AYES: Cervantes, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 77-1, 6/3/25 - See last page for vote

SUBJECT: Prisons: facilities for female offenders

SOURCE: Board of Equalization Vice Chair, Sally Lieber

DIGEST: This bill 1) establishes the Division of Female Programs and Services within the California Department of Corrections and Rehabilitation (CDCR); 2) makes changes to the Female Offender Reform Master Plan and associated training; and 3) creates an ombudsperson position solely assigned to adult female institutions.

Senate Floor Amendments of 8/20/26 require that the Gender Responsive Strategies Commission created by this bill consist of 19 members who serve two-year terms and specifies the commission's membership; require the commission to develop formal recommendations and submit them to the Director for Female Programs and Services; and change the deadlines for the required reports to 2027.

ANALYSIS:

Existing law:

- 1) Establishes the Division of Adult Institutions, the Division of Adult Parole Operations, and the Division of Rehabilitative Programs, all with Directors appointed by the Governor and confirmed by the Senate, under the Undersecretary for Operations within CDCR. (Government (Gov.) Code, § 12838.1, subds. (c)(1)-(2).)
- 2) Requires the Governor to appoint four subordinate officers, subject to Senate confirmation, to the Division of Adult Institutions, who oversee an identified category of adult institutions, one of which shall be female offender facilities. (Gov. Code, § 12838.1, subd. (d).)
- 3) Requires CDCR to create a Female Offender Reform Master Plan. Requires CDCR to create policies and operational practices designed to ensure a safe and productive institutional environment for female offenders. (Penal (Pen.) Code, § 3430, subds. (a) & (b).)
- 4) Requires CDCR to contract with nationally recognized gender responsive experts in prison operational practices staffing, classification, substance abuse, trauma treatment services, mental health services, transitional services, and community corrections to do both of the following:
 - a) Conduct a staffing analysis of all current job classifications assigned to each prison that houses only females.
 - b) Develop programs and training for department staff in correctional facilities. (Pen. Code, § 3430, subd. (c).)
- 5) Requires CDCR to create a gender responsive female classification system and a gender responsive staffing pattern for female institutions and community-based offender beds. (Pen. Code, § 3430, subds. (d) & (e).)
- 6) Requires CDCR to create a needs-based case and risk management tool designed specifically for female offenders, build and strengthen systems of family support and family involvement during the period of the female's incarceration, establish a family service coordinator at each prison that houses only females, and design and implement evidence-based, gender-specific rehabilitative programs, including wraparound educational, health care, mental

health, vocational, substance abuse and trauma treatment programs that are designed to reduce female offender recidivism. (Pen. Code, § 3430, subds. (f)-(i).)

- 7) Requires CDCR to expand the existing prison ombudsman program to ensure comprehensive deployment of ombudsmen throughout the state prison system with a specific focus on maximum-security institutions. (Pen. Code, § 5066.)

This bill:

- 1) Establishes the Division of Female Programs and Services within CDCR.
- 2) Provides, upon an appropriation, that the Director for Female Programs and Services is responsible solely for female adult institutions and community facilities housing female offenders. Requires the director to report to the undersecretary and to have a minimum of five years of experience serving a female correctional population in a custody setting. Requires this position to have policy- and fiscal-level responsibility and decision making authority and to utilize existing departmental functions for services to avoid duplication of functions and responsibilities.
- 3) Reorganizes gubernatorial appointees within CDCR so that three appointees oversee male adult institutions and one oversees female adult institutions. Specifies that these appointees are subject to Senate confirmation.
- 4) Requires that CDCR prepare and submit a report on the implementation of the Female Offender Reform Master Plan to the Legislature beginning March 1, 2027, and every three years thereafter.
- 5) Requires CDCR maintain the plan, including all subsequent updates and reports, in consultation with the Gender Responsive Strategies Commission and with nationally recognized experts in gender responsive prison operational practices, staffing, classification, substance abuse, trauma treatment services, mental health services, transitional services, community corrections, legal advocacy, and incarceration reform.
- 6) Requires CDCR to post the plan, any reports, and any updates to the plan to the department's website.

- 7) Requires CDCR to create programs that are designed to ensure a safe and productive institutional environment for female offenders.
- 8) Requires CDCR to prepare and submit to the Legislature an updated staffing analysis of all current job classifications assigned to each prison that houses women no later than March 1, 2027, and every three years thereafter.
- 9) Requires CDCR to include in its existing gender-responsive programs and training for staff in correctional facilities training at the academy. Requires 40 hours of initial training with a curriculum specifically focused on working with the population within female institutions and an 8-hour annual training thereafter for those working in a female prison.
- 10) Requires CDCR to perform a comprehensive review of office's policies and practices and other aspects of women-centered corrections developed to enhance safety and rehabilitative efforts. Provides that the review should engage collaboratively with internal experts, community-based organizations, medical and mental health experts, labor, incarceration reform advocates, and national consultants on best practices to improve all aspects of operational practice and treatment, with an emphasis on sexual safety and gender-responsive, trauma-informed principles.
- 11) Requires that the Division of Female Programs and Services do both of the following:
 - a) Manage and provide oversight of adult female programs, including prisons, conservation camps, and parole and community programs.
 - b) Develop gender-responsive, trauma-informed, culturally sensitive approaches to program and policy development that will improve recidivism outcomes for the adult incarcerated and paroled female offenders under the supervision of the department.
- 12) Requires that the Division of Female Programs and Services is headed by a person who has relevant professional experience in planning and implementing recidivism reduction programs and services that are gender responsive and trauma informed.
- 13) Requires CDCR to establish the Gender Responsive Strategies Commission to develop active partnerships, involving the community, treatment experts, and related agencies in its efforts toward gender-responsive practice.

- 14) Requires the commission to be composed of representatives of community-based organizations, expert researchers, policy experts, legislators, union representatives, formerly incarcerated women, legal advocates, and incarceration reform advocates.
- 15) Requires the commission to meet quarterly and publish minutes for each meeting on the department's internet website.
- 16) Requires the Undersecretary for Operations to appoint an ombudsperson solely assigned to adult female institutions.
- 17) Contains other technical and conforming changes.

Background

AB 76 (Lieber, Chapter 706, Statutes of 2007) codified CDCR's then-existing Female Offender Gender Reform Strategy. Penal Code section 3430 requires CDCR to create a Female Offender Reform Master Plan; create policies and operational practices that are designed to ensure a safe and productive environment for incarcerated women; conduct a staffing analysis of all current job classifications assigned to the women's prisons; develop programs and training for department staff in correctional facilities; create a gender-responsive female classification system; create a gender-responsive staffing pattern for women's prisons and community-based offender beds; create a needs-based case and risk management tool designed specifically for women; design and implement evidence-based gender-specific rehabilitative programs; build and strengthen systems of family support and family involvement; and establish a family service coordinator at each women's prison.

CDCR's reform and AB 76 were enacted and implemented during the height of the state's prison overcrowding crisis when the state housed over 173,000 individuals in its prisons, including over 11,000 women, violent incidents were common, and CDCR had not yet made substantial progress toward remedying the deficiencies of its mental health care system.

Since that time, women housed in CDCR facilities have continued to face unique challenges. For example, incarcerated women are more vulnerable to sexual assault than their male counterparts in a carceral setting, and are also more likely to have experienced childhood abuse as well as sexual violence prior to incarceration.

(Wolff et al., *Patterns of Victimization Among Male and Female Inmates: Evidence of an Enduring Legacy*, Violence and Victims (Aug. 2009) available at <<https://pmc.ncbi.nlm.nih.gov/articles/PMC3793850/> .) Women are also more likely to be the parent of a minor child. (Leah Wang, *Both sides of the bars: How mass incarceration punishes families* (Aug. 2022) available at <https://www.prisonpolicy.org/blog/2022/08/11/parental_incarceration/ .) And, a 2017 State Auditor report additionally found that women made up a disproportionate percentage of suicides that occurred in the state's prisons. (California State Auditor, *California Department of Corrections and Rehabilitation: It Must Increase Its Efforts to Prevent and Respond to Inmate Suicides*, Report 2016-131 (Aug. 2017), p. 1 available at <<https://information.auditor.ca.gov/pdfs/reports/2016-131.pdf> .)

The proponents of this bill seek to build on existing law designed to increase safety and improve conditions of confinement for women incarcerated in the state's prisons. To do so, this bill makes a number changes. First, this bill revises the mandates on CDCR related to the Female Offender Reform Master Plan. Specifically, this bill requires the training that is mandated under current law to include training at the correctional officer academy and 40 hours of initial training with a curriculum specifically focused on working with the population housed in female institutions along with subsequent annual training for those working in a women's prison. This bill requires CDCR to perform a comprehensive review of policies and practices as they pertain to women-centered corrections developed to enhance safety and rehabilitative efforts. This bill also requires CDCR to submit regular reports on the implementation of the Female Offender Reform Master Plan.

This bill additionally creates an ombudsperson who is solely assigned to adult female institutions. Finally, this bill establishes the Division of Female Programs and Services which is responsible solely for female adult institutions and community facilities housing female offenders, includes minimum qualifications for the Director of the Division, and requires CDCR to establish the Gender Responsive Strategies Commission composed of a variety of stakeholders to work on gender-responsive practices.

FISCAL EFFECT: Appropriation: No Fiscal Com.:Yes Local:No

According to the Senate Appropriations Committee:

CDCR anticipates this bill would result in ongoing General Fund costs in the range of \$5-8 million, as well as one-time costs of \$5-7 million. AB 788 would require

CDCR to create a new Director for Female Programs and Services, as well as a separate associate director for women's institutions. The bill articulates that this director shall utilize existing department functions to avoid duplication. While the department would seek to reduce as much duplication as possible, for example by using existing business services, the creation of a new director with policy- and fiscal-decision making responsibility would require significant staff to support that responsibility.

In addition, the bill requires the new Division of Female Programs and Services to have management and oversight of the women on state parole. Currently, Division of Parole Operations (DAPO) parole agents typically manage mixed-gender caseloads, with approximately 94 percent of supervised persons identified as male and 6 percent identified as female. If mixed gender caseloads are divided moving forward, such changes would likely reduce operational efficiency, increase costs for supervision of women on parole, and result in cost pressures in the millions of dollars for DAPO. The bill also expands academy training for staff working in women's facilities. The language currently is not precise about whether staff currently assigned to the women's institutions would be required to receive the 40 hours of training. Assuming current staff are required to receive the training, CDCR would anticipate one-time costs of approximately \$5-7 million. Ongoing, the department anticipates training costs of hundreds of thousands of dollars to \$1 million.

Finally, CDCR also anticipates significant costs, potentially in the hundreds of thousands of dollars, associated with establishing and administering the Gender Responsive Strategies Commission, which is required to meet quarterly; updating and maintaining the Female Offender Reform Master Plan by March 1, 2026, and triennially thereafter; and performing a comprehensive review of policies, practices, and other aspects of women-centered corrections mandates.

SUPPORT: (Verified 8/20/26)

Board of Equalization Vice Chair, Sally Lieber (source)
A New Way of Life Reentry Project
California Legislative Women's Caucus
California Public Defenders Association

OPPOSITION: (Verified 8/20/26)

None received

ASSEMBLY FLOOR: 77-1, 6/3/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NOES: DeMaio

NO VOTE RECORDED: Tangipa

Prepared by: Stephani Jordan/ Public Safety / (916) 651-4118
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