GOVERNOR'S VETO
AB 788 (Quirk-Silva)
As Enrolled September 3, 2026
2/3 vote

SUMMARY

Creates the Division of Female Programs and Services within the California Department of Corrections and Rehabilitation (CDCR), which is solely responsible for female adult institutions and community facilities housing female offenders.

1) Updates start date for submission of a report to the Legislature on the implementation of the Female Offender Reform Master Plan to March 1, 2027.

2) Updates start date for submission of a staffing analysis of all current job classifications assigned to each prison that houses females to the Legislature to March 1, 2027.

3) Modifies the establishment of a Gender Responsive Services Commission (GRSC) to develop active partnerships and to support successful implementation of gender responsive practices and rehabilitation programs for incarcerated individuals within their custody or released to community supervision.

4) States that the GRSC shall be composed of 19 members, which shall be composed of the following:

    a) Two representatives of community-based organizations whose primary mission has been providing rehabilitative services to women who are incarcerated or on parole.

    b) One published expert researcher with a research focus on women in a correctional setting and rehabilitative programs.

    c) One published expert with a focus on community reentry.

    d) One expert in treatment of substance use disorders.

    e) One expert in women′s health care.

    f) One expert in trauma treatment.

    g) Two experts on implementation of gender responsive and trauma-informed policies.

    h) One expert in the implementation of the Prison Rape Elimination Act of 2003.

    i) Two legal advocates.

    j) Two legislative representatives with one representing the Assembly and the other representing the Senate.

    k) One union representative.

    l) Two formerly incarcerated women

m) Two incarceration reform advocates.

5) Provides that each member of the GRSC shall serve a two-year term. Applications shall be accepted by CDCR for the membership positions, except for the legislative and union representatives. Each legislative body shall determine a legislative representative, and the union representative shall be determined by the California Correctional Peace Officers′ Association. The GRSC shall develop formal recommendations and submit them to the Director for Female Programs and Services for implementation consideration. CDCR shall publish on its internet website the membership of the GRSC and minutes of the GRSC meetings.

6) Establishes that by June 1, 2027, and annually thereafter, CDCR shall provide a written report to the Legislature on appointments to the GRSC and CDCR′s response and progress toward implementing GRSC′s recommendations. The report shall be submitted, as specified.

Governor's Veto Message
"This bill creates the Division of Female Programs and Services (Division) within the California Department of Corrections and Rehabilitation (CDCR), which is solely responsible for female adult institutions and community facilities housing female offenders. The bill also makes changes to the Female Offender Reform Master Plan and creates an ombudsperson position solely assigned to adult female institutions.

"I appreciate the author's recognition that incarcerated women face significant unique experiences that demand a different approach to program and policy development. However, this measure would considerably expand the size of the CDCR administration in ways that will duplicate existing work and create organizational dysfunction.

"As the size of the state's incarcerated population has declined, my administration has closed institutions and worked to reduce the size of administration of the CDCR. In 2025, the CDCR realigned its leadership structure to consolidate supervision of institutions by region, grouping both women's institutions into one region with the same Associate Director. This is already proving to be a significant step forward in bringing additional attention and resources to women's institutions. In light of this, creating a new parallel Division within CDCR to administer only two institutions is not advised. Further, the organizational changes required by this bill would result in increased costs to CDCR that were not considered in the context of this year's budget.

"In partnership with the Legislature this year, my Administration has enacted a balanced budget that recognized the challenging fiscal landscape our state faces while maintaining our commitment to working families and our most vulnerable communities. With significant fiscal pressures and the federal government's hostile economic policies, it is vital that we remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure."

COMMENTS

As Passed by The Assembly, this bill: Created the Division of Female Programs and Services within the California Department of Corrections and Rehabilitation (CDCR), which is solely responsible for female adult institutions and community facilities housing female offenders.

Major Provisions

1) Established the Division of Female Programs and Services to be solely responsible for female adult facilities and community facilities housing female offenders.

2) Required the Director of the Division of Female Programs and Services to be appointed by the Governor, subject to Senate confirmation, and have a minimum of five years′ experience serving a female correctional population in a custody setting.

1) Stated the Director for Female Programs and Services shall have fiscal- and policy-level responsibility and decisionmaking authority, and shall utilize existing departmental functions for services to avoid duplication of functions and responsibilities.

2) Stated the Governor shall appoint three subordinate officers, instead of the four required under existing law, who would oversee an identified category of male adult institutions.

3) Required CDCR to prepare the and submit a report to the Legislature on the implementation of the Female Offender Reform Master Plan, including updated statistics contained in the plan, by March 1, 2026, and every three years thereafter.

4) Required CDCR to maintain the plan, including all subsequent updates and reports, in consultation with the Gender Responsive Strategies Commission (GRSC) 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.

5) Required CDCR to post the Female Offender Reform Master Plan (FORMP) and any updates to the plan to the department′s website.

6) Mandated creation of policies, programs, and operational practices designed to ensure a safe and productive institutional environment for female offenders.

7) Stated that CDCR is required to provide a staffing analysis to the Legislature, by March 1, 2026, and every three years thereafter.

8) Provided that the development of programs and training for department staff in correctional facilities shall include training at the academy and, for those working in a female prison, 40 hours of initial training with a curriculum specifically focused on working with the population within female institutions and an eight hour annual training thereafter.

9) Required performing a comprehensive review of policies and practices and other aspects of women-centered corrections to enhance safety and rehabilitative efforts with an emphasis on sexual safety and gender-responsive, trauma-informed principles.

10) Established that the Division of Female Programs and Services shall manage and provide oversight of adult female programs, including prisons, conservation camps, and parole and community programs, and 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.

11) Required the Division of Female Programs and Services to be led by a person who has relevant professional experience in planning and implementing recidivism reduction

programs and services that are gender-responsive and trauma-informed, including at least five years′ experience serving the female correctional population.

12) Stated that CDCR shall establish the GRSC to develop active partnerships, involving the community, treatment experts, and related agencies in its efforts toward gender-responsive practice, and that GRSC shall be composed of representatives of community-based organizations, research and policy experts, legislators, union representatives, formerly incarcerated women, legal advocates, and incarceration reform advocates.

13) Provided that the GRSC to meet quarterly and publish minutes for each meeting on the department′s internet website.

14) Required CDCR′s Undersecretary for Operations to appoint an ombudsperson solely assigned to adult female institutions.

According to the Author
″California′s prison system still fails to address the unique needs of incarcerated women. Women in our prisons face violence, trauma, and neglect, and too often they are forgotten. This bill, AB 788, is a declaration that incarcerated women will no longer be overlooked. It requires that the California Department of Corrections takes action to ensure safer conditions, better policies, and stronger leadership. This is about accountability, respect, and changing the future for women who deserve a second chance.″

Arguments in Support
According to the California Public Defenders Association (CPDA), ″The number of women serving time in a prison or jail has increased over the past several decades. The incarceration of women involves significant unique challenges and many of their needs are ignored. Research shows that most system-involved women have been victims of some form of abuse or trauma and are at high risk of further victimization within the carceral setting. Many suffer from mental health and substance use disorders. More than half of women in prisons are parents to minor children and more than twice as likely to have been the primary caretaker prior to incarceration. The challenges women face upon reentry include, but are not limited to, parenting issues, health struggles, and financial difficulties, all of which can negatively impact their success after release.

″AB 788 would seek to address this issue by calling for more direct oversight of the care and services provided to women, ensuring experienced professionals are in positions to have positive impacts on the system of incarcerating women. It would also call for accountability in the form of a report to the Legislature on the implementation of a plan that calls for a more gender responsive approach to overseeing prisons and jails, including trauma-informed, culturally sensitive approaches to program and policy development. By focusing specifically on the unique challenges, the reforms can be informed and aimed at the specific difficulties presented. Many of these women are serving time for drug offenses. They will return home at some point and resume their responsibility for raising children and contributing to society. The more support they receive while incarcerated, the better chance of success they will have.″

Arguments in Opposition
None submitted.

FISCAL COMMENTS

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.″

VOTES

ASM PUBLIC SAFETY: 9-0-0
YES: Schultz, Alanis, Mark González, Haney, Harabedian, Lackey, Nguyen, Ramos, Sharp-Collins

ASM APPROPRIATIONS: 11-0-4
YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Hart, Pacheco, Pellerin, Solache
ABS, ABST OR NV: Sanchez, Dixon, Ta, Tangipa

ASSEMBLY FLOOR: 77-1-1
YES: 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
NO: DeMaio

ABS, ABST OR NV: Tangipa

SENATE FLOOR: 40-0-0
YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, Limón, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Reyes, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener

ASSEMBLY FLOOR: 78-0-1
YES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-N
ABS, ABST OR NV: Krell

UPDATED

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