

**State of California
Office of Administrative Law**

In re:
Department of Corrections and
Rehabilitation

Regulatory Action:

Title 15, California Code of Regulations

Adopt sections:

Amend sections: 3041.2

Repeal sections:

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2024-0304-02

OAL Matter Type: Regular (S)

This rulemaking action by the California Department of Corrections and Rehabilitation amends regulations to increase incarcerated person pay rates statewide for general pay schedules and creates a new conservation camp pay schedule.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 4/16/2024.

Date: April 16, 2024



Kevin D. Hull
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Jeffrey Macomber, Secretary
Copy: Dmitriy Kostyuk

REGULAR

For use by Secretary of State only

NOTICE PUBLICATION/REGULATIONS SUBMISSION

STD. 400 (REV. 10/2019)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-2023-0926-07	REGULATORY ACTION NUMBER 2024-0304-025	EMERGENCY NUMBER
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For use by Office of Administrative Law (OAL) only

OFFICE OF ADMIN. LAW
2024 MAR 4 PM 1:13

ENDORSED - FILED
in the office of the Secretary of State
of the State of California

APR 16 2024
1:46 PM

AGENCY WITH RULEMAKING AUTHORITY California Department of Corrections and Rehabilitation	AGENCY FILE NUMBER (if any) 23-30
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER 2023 40-2	PUBLICATION DATE 10/6/23

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Inmate Pay Rates, Schedules, and Exceptions	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.) TITLE(S) 15	ADOPT AMEND 3041.2 REPEAL

3. TYPE OF FILING <input checked="" type="checkbox"/> Regular Rulemaking (Gov. Code §11346) <input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4) <input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute. <input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h)) <input type="checkbox"/> File & Print <input type="checkbox"/> Other (Specify) _____	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100) <input type="checkbox"/> Print Only
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4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100) <input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a)) <input checked="" type="checkbox"/> Effective on filing with Secretary of State <input type="checkbox"/> \$100 Changes Without Regulatory Effect <input type="checkbox"/> Effective other (Specify) _____

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY <input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660) <input type="checkbox"/> Fair Political Practices Commission <input type="checkbox"/> State Fire Marshal <input type="checkbox"/> Other (Specify) _____

7. CONTACT PERSON Dmitriy Kostyuk	TELEPHONE NUMBER (916) 445-2276	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Dmitriy.Kostyuk@cdcr.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

DocuSigned by: SIGNATURE OF AGENCY HEAD OR DESIGNEE Tammy Foss	DATE 3/1/2024
TYPED NAME AND TITLE OF SIGNATORY Tammy Foss, Undersecretary, Operations	

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ENDORSED APPROVED

APR 16 2024

Office of Administrative Law

TEXT OF ADOPTED REGULATIONS

In the following text ~~strikethrough~~ indicates deleted text; underline indicates added or amended text.

California Code of Regulations, Title 15, Crime Prevention and Corrections

Division 3, Adult Institutions, Programs, and Parole

Chapter 1. Rules and Regulations of Adult Operations and Programs

Article 3. Work and Education

Section 3041.2. Inmate Pay Rates, Schedules, and Exceptions.

Section 3041.2(a) is unchanged.

Section 3041.2(a)(1) is amended to read:

(1) General Pay Schedule

<i>Skill Level</i>	<i>Minimum/Maximum Hourly</i>	<i>Minimum/Maximum Monthly</i>
Level 1		DOT Skill Level 9
Lead Person	\$0.32-\$0.37	\$48-\$56
Level 2		DOT Skill Levels 7-8
Special Skill	\$0.19-\$0.32	\$29-\$48
Level 3		DOT Skill Levels 5-6
Technician	\$0.15-\$0.24	\$23-\$36
Level 4		DOT Skill Levels 3-4
Semi-Skilled	\$0.11-\$0.18	\$17-\$27
Level 5		DOT Skill Levels 1-2
Laborer	\$0.08-\$0.13	\$12-\$20

<u>Pay Scale Levels</u>	<u>Minimum/Maximum Per Hour for Hours Worked</u>
<u>Level 1 (DOT 9)</u>	
<u>Lead Person</u>	<u>\$0.64-\$0.74</u>
<u>Level 2 (DOT 7-8)</u>	
<u>Special Skill</u>	<u>\$0.38-\$0.64</u>
<u>Level 3 (DOT 5-6)</u>	
<u>Technician</u>	<u>\$0.30-\$0.48</u>
<u>Level 4 (DOT 3-4)</u>	
<u>Semi-Skilled</u>	<u>\$0.22-\$0.36</u>
<u>Level 5 (DOT 1-2)</u>	
<u>Laborer</u>	<u>\$0.16-\$0.26</u>

[Subsection 3041.2(a)(2) is amended to read:]

(2) Conservation Camp Pay Schedule

<u>Grade Inmates (Firefighters)</u> <u>Grade</u>	<u>Max Daily Rate</u>
<u>Grade 1</u>	<u>\$10.24</u>
<u>Grade 2</u>	<u>\$7.80</u>
<u>Grade 3</u>	<u>\$6.68</u>
<u>Grade 4</u>	<u>\$5.80</u>

[The rest of subsection 3041.2 (a)(2) is renumbered to 3041.2 (a)(3) and amended to read.]

~~(3) Monthly Pay rates shall apply to full-time employment in the job classifications and shall be paid from the support budget or inmate welfare funds. Hourly rates shall apply to half-time and partial full-time paid employment.~~

[Subsection 3041.2 (b) is amended to read:]

(b) Exceptions to the above schedules may be made in extraordinary circumstances. A wage comparable to that paid to inmates in the Prison Industry Authority inmate pay program may be paid for special projects or assignments that require a high degree of skill or expertise. Other exceptions may also be made in order to fill positions when recruitment or retention of inmate workers is a problem. Any exceptions based upon this subsection shall require approval, review and justification on an annual basis by the institution head and Director of Division of Adult Institutions or designees.

[Subsection 3041.2 (c) is amended to read:]

(c) Pay increases shall not be automatic or based on the inmate's longevity in an assignment. Increases or reductions in the pay rate shall be based on available funding, the work/training supervisor's recommendation, and the inmate's work/training performance reports, subject to review and approval of the inmate assignment authority.

[Subsections 3041.2 (d) through 3041.2 (f) remain unchanged.]

Note: Authority cited: Section 5058, Penal Code. Reference: Sections 2700-2079, 2811, and 5054, Penal Code.

FINAL STATEMENT OF REASONS

The Initial Statement of Reasons (ISOR) is incorporated by reference.

UPDATES TO THE INITIAL STATEMENT OF REASONS:

On October 6, 2023, the California Department of Corrections and Rehabilitation (CDCR or the department) published the Notice of Change to Regulations for Inmate Pay Rates Schedules and Exceptions, which began the public comment period. The department's Notice of Change to Regulations #23-11 was mailed the same day to individuals who had requested to be on the department's mailing list for regulation changes, was posted on the department's website, and copies were posted in CDCR institutions. Twenty-one written public comments were received during the public comment period. The comments are summarized and responded to below under the heading *Summaries and Responses to Written Public Comments Received During the Initial Comment Period*. A public hearing was held on November 22, 2023. Fifteen comments were received during the public hearing. The comments are summarized and responded to below under the heading *Summaries and Responses to Public Hearing Comments*.

After the public comment period closed the reference citation in section 3041.2 was amended to repeal Penal Code (PC) 2079, due to it being repealed in 2005 and PC 2811 replaced with 2700 because it is no longer applicable to CDCR but California Prison Industry Authority.

DETERMINATIONS, ASSESSMENTS, MANDATES, AND FISCAL IMPACT:

The department has determined that no alternative considered would be more effective in carrying out the purpose for which this regulation is proposed, or would be as effective and less burdensome to affected private persons, or would be more cost effective to affected private persons and equally effective in implementing the statutory policy or other provision of law than the action proposed. No such alternatives were proposed or brought to the department's attention during the adoption of this rulemaking action.

The department has made an initial determination that the action will not have a significant adverse economic impact on business. Additionally, there has been no testimony or other evidence provided that would alter the department's initial determination.

The department has determined that this action imposes no mandates on local agencies or school districts, or a mandate which requires reimbursement pursuant to Part 7 (Section 17561) of Division 4 of the Government Code (GC).

The department has determined that no reasonable alternatives to the regulation have been identified or brought to the attention of the department that would lessen any adverse impact on affected private persons or small businesses than the action planned.

The department, in proposing the adoption of these regulations, has not identified nor has it relied upon any technical, theoretical, or empirical study, report, or similar document.

The department has relied upon the results of the Economic Impact Assessment, which can be found in the Notice of Proposed Regulations and is available for review as part of the rulemaking file.

SUMMARIES AND RESPONSES TO WRITTEN PUBLIC COMMENTS RECEIVED DURING THE INITIAL COMMENT PERIOD:

Commenter #1

Comment 1A: Commenter on behalf of the Anti Recidivism Coalition (ARC), advocates and sponsors legislation which raises wages for incarcerated workers. Commenter states CDCR should revise the proposed regulations to reflect a living wage for incarcerated people. A higher wage is needed to meet basic needs of incarcerated workers which includes paying for canteen items and restitution.

Response 1A: CDCR recognizes the commenter's concerns, however the pay scale increase and new pay scale for Conservation Camps was implemented to incentivize inmates' participation in work assignments and to reduce job vacancy rates. Increasing their pay also allows them more buying power for canteen items and increases their restitution payments. Inmates do not require a "living wage," because the department incurs all of the costs associated with their dietary, clothing, medical, housing, and rehabilitative needs.

Comment 1B: Low wages contribute to economic hardships for incarcerated people and their families who support them. With increased wages, incarcerated workers can afford daily items, drastically increase the amount of money paid towards restitution fees and reduce the cost burden on families.

Response 1B: See response to Comment 1A.

Commenter #2

Comment 2A: Commenter on behalf of Ella Baker Center for Human Rights, urges CDCR to consider revising these proposed regulations to ensure that 1) all currently incarcerated individuals with full-time employment maintain their full-time status, 2) the increased minimum pay rate is more reflective of inflation and the needs of incarcerated persons and their loved ones, and 3) CDCR acknowledges the importance of financial security in creating a California Model that actually enhances public safety and promotes the successful reintegration of those in the department's care back into society.

Response 2A: In addressing the commenter's first concern for inmates to maintain their current full-time status, the department is not conducting a wholesale reduction of paid worker position hours. CDCR is exploring the introduction of some flexibility in this area to accommodate institution budget requirements as well as the possibility of increasing inmates' flexibility to participate in rehabilitative program assignments.

Regarding the commenter's second concern pertaining to pay scales, see response to Comment 1A.

Regarding the commenter's third concern pertaining to the California Model and successful reintegration, paid work assignments provide the incarcerated population with an incentive to participate in programming, perform at satisfactory levels, be responsible

for specific job duties, be held accountable to a supervisor and accountable to the institutional society by completing relied-upon obligations. The self-worth gained by inmate employment is essential to the rehabilitative goals of the department. The monetary compensation is intended to incentivize work for their benefit. All of these concepts are in line with the California Model in promoting normalization and successful reintegration into society.

Comment 2B: Proposed changes to the pay schedule are misleading in that they do not reflect the reality that net pay for most incarcerated individuals will remain the same or even decrease as their hours are cut in half.

Response 2B: The department is not conducting a wholesale reduction of paid worker position hours. CDCR is exploring the introduction of some flexibility in this area to accommodate institution budget requirements as well as the possibility of increasing inmates' flexibility to participate in rehabilitative program assignments.

Comment 2C: The suggested wage increases fail to account for inflation and are insufficient to meet the needs of those currently incarcerated. EBC's co-sponsored legislation, SB 474 (Becker 2023), The BASICs Act, limits the markup on items sold in California state prisons' canteens to 35% above the price paid to the vendor until 2028. Despite the strides in access to necessities created by SB 474, still earning cents per hour as dictated by the proposed regulation changes is not enough to allow incarcerated people to comfortably afford essential food supplies and hygiene products to meet their basic needs. Commenter provides data for living expenses for California residents and compares to incarcerated individuals' pay stating, the \$0.16/hour minimum wage provided for in the revised regulations is inadequate to support an individual - let alone the expenses of loved ones that many incarcerated folks attempt to contribute to on the outside. When incarcerated people are unable to support themselves and their dependents on the nearly non-existent wages allowed by existing pay rates, those costs of living get shifted to family members, outside community, and, ultimately, the state as many of those providing financial support to folks inside prisons require public assistance to survive. Wages so far below the poverty line do nothing to support victims' well-being, rehabilitation of those incarcerated, or public safety. Real change exists in wage increases that fully account for not only inflation, but also the exorbitant cost associated with purchases of necessities within prison walls.

Response 2C: CDCR acknowledges the commenter's concerns pertaining to canteen spending limits; however, regulations pertaining to canteen spending limits were not amended in this rulemaking and are outside of the scope of this proposed regulatory action. Should the commenter wish to pursue such changes, GC Sections 11340.6 and 11340.7 embody the Administrative Law governing the process for petitioning to adopt, repeal, or amend current regulations.

Regarding the commenter's second concern pertaining to pay scales, see response to Comment 1A.

Regarding the commenter's third concern pertaining to supporting themselves, their families and successful reintegration, the department incurs all of the costs associated with the inmate population's, clothing, medical, housing, and rehabilitative needs. Paid work assignments provide the population with an incentive to participate in programming, perform at satisfactory levels, be responsible for specific job duties, be held accountable to a supervisor and be accountable to the institutional society by completing relied-upon obligations. The self-worth gained by inmate employment is essential to the rehabilitative goals of the department. The monetary compensation is intended to incentivize work for the aforementioned benefits to the inmate population and their successful reintegration into society.

Comment 2D: Minimal raises to pay rates being reliant on "available funding" despite the millions being poured into prison infrastructure highlights the hypocrisy of the "California Model" in its inability to support efforts that truly increase rehabilitation and reduce recidivism. Setting wages this low directly contradicts CDCR's claims to support rehabilitation as it sets up those preparing for release for failure upon reentry into society because the cost of living in California is so high. Providing incarcerated persons a living wage reduces their chances of encountering poverty and recidivism. CDCR's Joint venture program is evidence with participants having a 6% recidivism rate compared to the overall 60%. The current pay increase does not align with the California Model because the pay increase does not "bring life in prison as close to possible to life outside of prison."

Response 2D: Although the commenter's characterization of the hypocrisy of the California Model and intimation of a corollary between the department's Joint Venture program and recidivism rates does address an aspect or aspects of the proposed regulatory action, and must be summarized pursuant to GC Subsection 11346.9(a)(3), it is either insufficiently related to the specific action or actions proposed, or too generalized or personalized to the extent that no meaningful response can be formulated by the department in refutation of or accommodation to the comment.

Paid work assignments provide the population with an incentive to participate in programming, perform at satisfactory levels, be responsible for specific job duties, be held accountable to a supervisor and be accountable to the institutional society by completing relied-upon obligations. The self-worth gained by inmate employment is essential to the rehabilitative goals of the department. The monetary compensation is intended to incentivize work for the aforementioned benefits to the inmate population. All of these things are in line with the California Model as well as promoting inmates' successful reintegration into society.

Comment 2E: CDCR has the authority to raise wages to \$7.75, half of the current state minimum wage and we request that they do so to honor the dignity, humanity, and true efforts towards rehabilitation exhibited by those who are held in their care. Commenter cites Department Operations Manual (DOM) section 51120.1, California PC section 2700 and Labor Code (LC) section 1182 to support their statement.

Response 2E: CDCR declines the commenter's request to further raise inmate wages, noting this regulatory amendment doubled the previous pay scale, and elevated inmate pay to a level deemed fiscally responsible based on inflation and the state's budget for the department.

While the commenter references citations to DOM, PC and LC which encompass most of the statutes and policies pertaining to the administration of inmate labor, an aspect or aspects of the proposed regulatory action and must be summarized pursuant to GC subsection 11346.9(a)(3), they are either insufficiently related to the specific action or actions proposed, or too generalized or personalized to the extent that no meaningful response can be formulated by the department in refutation of or accommodation to the comment.

Commenter #3

Comment 3: Why can't inmates get paid at least the minimum wage or possibly \$20 an hour and have taxes and medical expenses etc... taken out, if being part of a functioning normal society is the true goal of CDCR.

Response 3: CDCR declines the commenter's request to further raise inmate wages, noting this regulatory amendment doubled the previous inmate pay scale, and elevated inmate pay to a level deemed fiscally responsible based on inflation and the state's budget for the department. The department incurs all the costs associated with the inmate population's, clothing, medical, housing, and rehabilitative needs. Paid work assignments provide the population with an incentive to participate in programming, perform at satisfactory levels, be responsible for specific job duties, be held accountable to a supervisor and be accountable to the institutional society by completing relied-upon obligations. The self-worth gained by inmate employment is essential to the rehabilitative goals of the department. The monetary compensation is intended to incentivize work for the aforementioned benefits to the inmate population and their successful reintegration into society.

Commenter #4

Comment 4A: Commenter supports that there is a need to increase wages for incarcerated workers, but the proposed pay schedules do not adequately meet this need. Commenter generally summarized the pay scales. Commenter includes a "Frequently Asked Questions" website screenshot from the department's website to support his comments.

Response 4A: See response to Comment 1A.

The web page content in question has been removed. Specifically, the department is not conducting a wholesale reduction of paid worker position hours. CDCR is exploring the introduction of some flexibility in this area to accommodate institution budget requirements as well as the possibility of increasing inmates' flexibility to participate in rehabilitative program assignments.

Comment 4B: Commenter cites the statement in the ISOR which states “CDCR has no reasonable alternatives to alter the department’s initial determination,” but the commenter can think of at least 1,476 alternatives that would better achieve CDCR’s stated goal. An example stated was, “for every cent between the proposed highest wage of seventy-four cents an hour and the general minimum wage. For the lowest pay rate, there exist at least 1,534 alternatives; again, each alternative corresponds to a rate increase of a penny, starting from the proposed level up to the statewide minimum wage of \$15.50 an hour. Each of those alternatives would, incrementally, achieve the goals more effectively.” Alternatives exist for Conservation Camp pay scale as well and other alternatives should be considered to raise the minimum wage to \$15.50 which will help inmates save more money for release as well as pay restitution obligations.

Response 4B: See response to Comment 1A.

Comment 4C: Commenter states that the regulations do have economic impact on businesses because if inmates did not perform portions of some of the productive work, then it would be completed by other CDCR staff or contracted out. Underpaid incarcerated workers “outbid” these competitors, thus affecting them and the economy. What the effect of prison labor at subminimum wage levels is on the general economy may be difficult to determine; that there is no effect whatsoever is totally implausible.

Response 4C: In the commenter’s statements pertaining to their disagreement with the financial impact statements in NCR 23-11, a scenario is projected in which businesses would be “outbid” as a result of this change. As increasing or reducing the amount of labor performed by inmates is not part of this regulatory amendment, CDCR disagrees with the commenter’s assertion of a projected impact.

As contingent scenarios for the performance of work based on the use or lack of available labor are not outlined within NCR 23-11, these comments fall outside of the scope of this regulation change.

Comment 4D: The commenter states the department appears undecided as to the proposed regulations’ effects on welfare because the statement on the ISOR and Notice are different. In the ISOR the department states “may benefit” the notices states “no impact”. This inconsistency is a symptom of the basic policy tension at the heart of these regulations.

Response 4D: CDCR recognizes the commenter’s statement pertaining to the notice wherein the language “no impact” and “may benefit” is alternately used. To clarify and address the commenter’s concern, the department has determined that the proposed regulation will not have a negative effect on worker safety or the state’s environment; however speculates the regulations may benefit the welfare of California residents by helping to make CDCR institutions safer for inmates, staff, and visitors. Additionally, safer institutions may provide an environment more conducive to rehabilitation, thereby reducing recidivism.

Comment 4E: Commenter references the ISOR section which states the department has determined the proposed regulations are not inconsistent or incompatible with existing regulations. Commenter further makes reference to Government Code (GC) section 11346.5(a)(3)(A) which requires existing laws related to the proposed action to be summarized.

Commenter states CDCR fails to mention statewide minimum wage law which they claim applies to CDCR, further citing LC 1182.12 and PC 5054 last amended in 2005, making the argument that the Secretary is the employer within the purview of legislative awareness when in 2016, the Legislature amended Labor Code §1182.12. They make the argument CDCR is not therefore excluded, and therefore LC 1182.12 trumps the PC, arguing the last statute to be updated is controlling.

Response 4E: The notice complies with the requirements of the Administrative Procedure Act, specifically those in Government Code section 11346.5 subsections (a)(3)(D), (a)(3)(A), and (a)(4), as statewide minimum wage law does not apply to inmates in paid assignments within CDCR. Inmate pay rates are covered in PC sections 2700 and 2811. PC section 2700 provides inmates are paid similarly to those in PIA jobs, and section 2811 provides compensation shall not exceed one-half the minimum wage provided in section 1182 of the Labor Code. Accordingly, inmates can be paid no more than half the general minimum wage fixed by the Labor Commissioner. According to Labor Code section 1171, the chapter containing section 1182.12 (cited by commenter) applies to those employed in any occupation, trade, or industry. Inmates are not employed by CDCR for purposes of wage laws, as the paid assignments are part of their rehabilitation. Also, pursuant to the Code of Civil Procedure section 1859, rules of statutory interpretation hold that a specific statute trumps a general statute, as the Legislature intends to create an exception to general statutes when it enacts a specific statute. Here, PC sections 2700 and 2811 are specific statutes that affect wages paid only to inmates in rehabilitative assignments. Those statutes create an exception to the applicability of Labor Code section 1182.12 when it comes to inmates' wages. As the Legislature by those two specific statutes chose to exclude CDCR inmate wages from the provision of Labor Code section 1182.12 and is deemed to have known those specific statutes existed in 2005, the Legislature was not required to create an additional exception in Labor Code section 1182.12 for CDCR when it updated the minimum wage laws in 2016. Accordingly, Labor Code section 1182.12 does not apply to inmates in paid assignments within CDCR.

Comment 4F: NCR 23-11 does not mention that many work assignments will be cut from full-time to half-time which is stated on the department's webpage, which undercuts the expected efficacy of the proposed change in regulations. This will undercut the expected efficacy of the proposed change in regulations. Increasing the pay but cutting back hours will result in an unchanged net income and will not result in increasing buying power and making restitution payments which is stated in the ISOR. There is also no proof that this pay increase will incentivize inmates to work as the ISOR states. Commenter provides a screen shot of the webpage to support their comment.

Response 4F: CDCR recognizes the commenter’s concern and notes the web page content in question has been removed. The department is not conducting a wholesale reduction of paid worker position hours. CDCR is exploring the introduction of some flexibility in this area to accommodate institution budget requirements as well as the possibility of increasing inmates’ flexibility to participate in rehabilitative program assignments. Regarding the commenter’s statement questioning whether increasing pay increases participation, the department maintains its assertion.

Comment 4G: The department states that self-worth is essential for rehabilitation, yet the proposed regulations do not explain how better self-worth will be promoted by the proposed regulations.

Response 4G: CDCR disagrees and notes the citation within the Initial Statement of Reasons specifically states, “the self-worth gained by inmate employment is essential to the rehabilitative goals of the department.”

Commenter #5

Comment 5: Commenter is a founder of the Anti-Recidivism Coalition (ARC), who strongly believes that we should pay our incarcerated firefighters a much higher wage. Unlike other jobs within prison facilities, these men and women risk their lives daily to save Californian's lives, homes and communities. They should be getting paid \$5-\$15 an hour, not per day. Commenter states Los Angeles County and others pay minimum wages in their probation facilities.

Response 5: See response to Comment 1A.

Commenters #6 through 12 are duplicative (7 duplicates)

Comment 6-12: Writing on behalf of the Anti-Recidivism Coalition. I am asking CDCR to revise the proposed regulations NCR 23-11 to reflect a living wage for incarcerated people. ARC has advocated and sponsored the legislation, including SCR 69 (Bradford) in 2019, SB 1371 (Bradford) in 2022, and AB 1516 (Kalra) in 2023, all to raise wages so incarcerated workers can receive a fair wage. While the proposed regulation will raise wages and help in the short term, a higher wage is needed for incarcerated workers to meet their basic needs.

I know firsthand how low wages make it difficult to afford canteen items, pay off restitution, and support yourself while incarcerated. Low wages contribute to economic hardships for incarcerated people and their families who support them. With increased wages, incarcerated workers can afford daily items, drastically increase the amount of money paid towards restitution fees and reduce the cost burden on families.

Response 6-12: See response to Comment 1A.

Commenter #13

Comment 13A: Commenter is writing on behalf of One Fair Wage and provides some background information about One Fair Wage and what they do. One Fair wage is in support of the direction being taken by the CDCR to promote successful community reintegration and enhance public safety, however, NCR 23-11 does neither of these things because it is woefully inadequate and does not meet the needs of incarcerated workers. The change is inadequate because the lowest living wage required in California is at least \$23.74 per hour for basic living cost. One of the biggest driving factors for incarceration is poverty. Therefore, the best way to support CDCR's vision is to ensure incarcerated workers receive a living wage.

Response 13A: See response to Comment 1A.

Comment 13B: The minimum increase proposed via NCR 23-11 fails to provide the needed wages to support successful community reintegration. It also fails to support the families of incarcerated individuals. For these reasons, NCR 23-11 highlights a gap in the legal understanding of the broader impact of incarceration on families, shedding light on the need for more comprehensive legislation that considers the socioeconomic challenges faced by both those behind bars and their supportive networks.

Response 13B: See response to Comment 1A.

Commenter #14

Comment 14A: Commenter is a PhD candidate researching Latino experiences of policing and incarceration within California's central valley area. Commenter is in opposition with the proposed regulations because the amount of pay increase does not meet the objectives CDCR has set forth, nor the needs of the incarcerated worker and their families. Due to incarcerated people being unable to support themselves or their families the financial burden falls on the incarcerated persons family which results in families unable to meet their basic needs. Wage increases for the incarcerated population should be centered around the fact that the financial burden associated with incarceration falls most heavily on women and children of color from low-income communities.

Response 14A: See response to Comment 1A.

Comment 14B: CDCR acknowledges that the current wages do not incentivize inmates, on what basis is CDCR suggesting that a mere \$0.08-\$0.37 cent increase would accomplish these goals that they are trying to achieve.

Response 14B: See response to Comment 1A.

Comment 14C: Commenter cites Department Operations Manual (Section 51120.1), following this provision, as of January 1, 2024, CDCR has the authority to raise wages to \$8.00 per hour. An \$8.00 per hour wage for incarcerated workers, while ensuring that work assignments are not reduced and are kept at-or-near full time status would benefit the families of the incarcerated who also face the financial hardships, and bolster rehabilitation and reduce recidivism rates as evidence by CDCR's Joint Venture Program.

Response 14C: CDCR declines the commenter’s request to further raise inmate wages, noting this regulatory amendment doubled the previous pay scale, and elevated inmate pay to a level deemed fiscally responsible based on inflation and the state’s budget for the department.

The department is not conducting a wholesale reduction of paid worker position hours. CDCR is exploring the introduction of some flexibility in this area to accommodate institution budget requirements as well as the possibility of increasing inmates’ flexibility to participate in rehabilitative program assignments.

See response to Comment 1A.

Commenter #15

Comment 15: Commenter is a system impacted family member with 3 incarcerated family members. “The proposed wage increase is not nearly enough to make an impact on those inside or enough to lessen the burden for their family members who help them regularly to obtain a standard way of life. Giving them an increase but decreasing their hours will take them back to where they already are. This is absurd and will not help those that are striving to program and take advantage of rehabilitation that is available which includes supporting themselves.”

Response 15A: See response to Comment 1A and 2B.

The department is not conducting a wholesale reduction of paid worker position hours. CDCR is exploring the introduction of some flexibility in this area to accommodate institution budget requirements as well as the possibility of increasing inmates’ flexibility to participate in rehabilitative program assignments. As stated in the ISOR, paid work assignments provide the population with an incentive to participate in programming, perform at satisfactory levels, be responsible for specific job duties, be held accountable to a supervisor and be accountable to the institutional society by completing relied-upon obligations.

Commenter #16

Comment 16A: Commenter on behalf of the Prison Law Office. The proposed pay increase is still not enough, inmates will still struggle to purchase canteen items, additionally the department stated incarcerated workers would be getting their hours of work cut in half. Therefore, their pay is not changing, and the incarcerated workforce being placed into an inferior privilege group. We urge the department to (1) modify this Notice to adopt regulations that pay incarcerated workers no less than California’s minimum wage, as well as eliminate existing regulatory bars on pay increases, (2) maintain full-time workers at their full-time status if desired by the workers, and (3) ensure, via modification to the rules, that any workers switched from full-time to half-time status maintain their Privilege Group A status. Commenter provides supporting documentation (Exhibit A and B) to support most parts of their comment.

Response 16A: See response to Comment 15A.

Exhibits A and B are emails that contain information that was not included as part of the rulemaking action. Therefore, the department is dismissing the exhibits that were included as part of the comment.

Comment 16B: CDCR does not state in the ISOR how an increase in pay rate of 16 to 74 cents per hour is considered. More than half of the workforce would only receive 8 to 13 cents raise. The notice does not explain how this change fulfills CDCR “responsibility... to ensure its inmate population is treated with dignity.” The proposed minimum wage of \$0.16/hour is one-hundredth of the current minimum wage and does not align with the California Model. The proposed wage increase aligns with slave wages from the 18th and 19th century not the California Model, minimum wage in prison should align with the California minimum wage to align with the California Model.

Response 16B: Regarding commenter’s concern pertaining to how the department arrived at the increased pay scale, within the Initial Statement of Reasons, CDCR notes increasing the pay scale took into account the skill levels required for the specific jobs, the Bureau of Labor Statistics Consumer Price Index inflation calculator, past increases in pay that were made in recognition of the national average of inmates in state institutions, and inflation rates.

Regarding the commenter’s statements pertaining to slave wages, the department increased the inmate pay scales to allow them to have more buying power for canteen items and increase their restitution payments. Inmates do not require a living wage, because the department incurs all costs associated with their dietary, clothing, medical, housing, and rehabilitative needs.

Regarding the commenter’s concern pertaining to the California Model, paid work assignments provide the population with an incentive to participate in programming, perform at satisfactory levels, be responsible for specific job duties, be held accountable to a supervisor and accountable to the institutional society by completing relied-upon obligations. The self-worth gained by inmate employment is essential to the rehabilitative goals of the department. The monetary compensation is intended to incentivize work for the aforementioned benefits to the inmate population. All of these things are in line with the California Model as well as promoting their successful reintegration into society.

Comment 16C: Incarcerated workers will still be earning the same wages as before the increase in pay because their hours worked will be cut by half which the proposed regulations fail to mention. The announcement from CDCR purports to speak on behalf of the interests of incarcerated people, who will now have time both to work and to attend rehabilitative programs. But incarcerated people themselves, per the announcement, will not have a say in whether they will earn wages for four or eight hours per day. Instead, it is “CDCR’s decision”—not a decision of incarcerated workers—to move these 15,000 workers from full-time to half-time. This announcement not only ignores the individualized needs of workers, but it appears to contradict the statutory requirement that a prison’s

classification committee, when assigning an incarcerated person to work, “take into account the... inmate’s expressed desires and needs.” Cal. Code Regs. tit. 15, § 3040(c)(1). We urge the department to maintain each full-time worker at full-time status if desired by the worker.

Response 16C: See response to Comment 4F.

Comment 16D: Without correction, the proposed rule change will actually make life worse for a substantial portion of the incarcerated workforce by forcing them into an inferior privilege group.

Response 16D: The department is not conducting a wholesale reduction of paid worker position hours. CDCR is exploring the introduction of some flexibility in this area to accommodate institution budget requirements as well as the possibility of increasing inmates’ flexibility to participate in rehabilitative program assignments.

Regarding the commenter’s statement about forcing inmates into an inferior privilege group, the regulations affecting privilege groups were not changed as part of this rulemaking and are therefore outside of the scope of this regulatory change. Additionally, there is nothing within this rulemaking that automatically reassigns inmates into a lower privilege group. Consistent with sections 3044 and 3375, there are numerous factors that may affect an inmate’s privilege group, and all program assignments shall be reviewed by the institution classification committee.

Commenter #17

Comment 17: Commenter is in opposition of low wages for inmates and states inmates should be paid minimum wage not doing so would be considered slave labor. Sub-minimum wage rates incentivize incarceration, dehumanize prisoners, and reveal a deep cruelty about our society.

Response 17: See response to Comment 1A

While the commenter’s statements pertaining to slave wages are associated with an aspect or aspects of the proposed regulatory action and must be summarized pursuant to GC Subsection 11346.9(a)(3), they are either insufficiently related to the specific action or actions proposed, or too generalized or personalized to the extent that no meaningful response can be formulated by the department in refutation of or accommodation to the comment.

Commenter #18 is a duplicate of commenter #4.

Commenter #19

Comment 19: Commenter is an inmate who provides background information of his incarceration, positive programming, past clerk position experience and current experience with obtaining a new clerk position, since he is in a new facility now.

Commenter is in support of these regulations because they provide positive incentives and encourage inmates to continue working and positively program.

Response 19: CDCR acknowledges the commenter's statement and appreciates their support of this regulatory amendment.

Commenter #20

Comment 20A: Commenter is an inmate from San Quentin who works in plant operations, and states the assignment lieutenant is reducing their pay to be in line with the new pay scale, which from his understanding, is because it is to support services positions, which he wants clarified.

Response 20A: CDCR acknowledges the commenter's concerns regarding their current work assignment and adjusted pay rate, and recommends directing any concerns about the realignment of their current work assignment with their institution's Assignment Lieutenant.

Comment 20B: Commenter cites subsection 3041.2(B) from the proposed regulations being amended to specify "Schedules", plural tense and wants to know whether plant operations scale is to remain the same (\$.75 - \$1.00). Commenter gives some background information of his education and skills he has developed to be a part of the work group.

Response 20B: Subsection 3041.2(b) was amended to pluralize the word "Schedules" in recognizing the introduction of a second pay scale for Conservation Camp workers. All other inmate worker pay falls under the general pay scale. Having said that, subsection 3041.2(b) also notes there are positions paid above the general pay schedule in extraordinary circumstances. The wage is comparable to that paid to inmates in the Prison Industry Authority. These exceptions may be paid for special projects or assignments that require a high degree of skill or expertise.

Commenter #21

Comment 21A: Commenter is an inmate from Centinela State Prison who is commenting on behalf of himself and 129 other inmates who signed the comment, as well as others who could not sign. Commenter is stating that the proposed regulations will not achieve what the ISOR states which is the following, reflect inflation, more buying power, normalize daily living, pay restitution, and save money for release, because although the wages are increasing, the hours will be cut by half when these regulations go in effect which the regulations fail to mention.

Response 21A: See response to Comment 4F.

Comment 21B: Commenter references first paragraph of the "Specific Benefits Anticipated by The Proposed Regulations" of the NCR and states the following: "The population is forced to accept and retain any job assignment, or we will receive a write up (RVR 115) regardless of pay. There are no incentives to work because hours will be cut

resulting in same pay as before. Currently there are no vacancies, and all jobs are full, there is even a waiting list.”

Response 21B: The department recognizes the commenter’s statements, however the department asserts its reasoning for increasing the pay scale, and introducing a new Conservation Camp pay scale serves to incentivize the population to accept and retain jobs during their incarceration, allowing them more buying power in efforts to normalize their daily living and pay toward any restitution.

Regarding the commenter’s concerns pertaining to reduced work hours, see response to Comment 4F.

Regarding the statements pertaining to having no job vacancies and the existence of waiting lists at Centinela State Prison, CDCR acknowledges the commenter’s concern; however, asserts its position there are numerous vacant positions within the department, and continues to seek to incentivize participation in work assignments.

Comment 21C: Commenter references the second paragraph of the “Specific Benefits Anticipated by The Proposed Regulations” of the NCR and states the following. There is no dignity and fairness if pay increases, but hours get cut.

Response 21C: See response to Comment 4F.

Comment 21D: Commenter references to different parts of the ISOR and states that everything that is stated in the ISOR is not accurate, if inmate work hours will be cut.

Response 21D: See response to Comment 4F

Comment 21E: Commenter references the General Pay Scale from subsection 3041.2(a)(1) of the text, and states that there are no inmates in his current yard or any yard that he has been on, who has the pay of \$.25 - \$.37 with DOR skill level 7-9. The pay scale is not true and the commenter being a lead person within the job does not receive what the pay scale states.

Response 21E: CDCR recognizes the commenter’s statements pertaining to their current pay scale, current work assignment, and work history; along with their assertion of not receiving pay commensurate with the regulatory pay scale. CDCR recommends the commenter contact their institution’s Assignment Lieutenant in addressing any discrepancies or remittance they believe is due.

Comment 21F: Commenter references subsection 3041.2(c) of the proposed text and states increase in pay should be based on longevity and supervisor report. “Our I.W.F is always full funds, and the prison is given a specific amount specifically to pay inmate workers their wages.”

Response 21F: CDCR recognizes the commenter’s proposal and declines to restructure the pay scales according to longevity and the supervisor’s report in favor of the pay scales identified within the existing language of this rulemaking.

Comment 21G: Commenter references ISOR paragraph that speaks to Conservation Camp Program, and states that the fire camp is full, and if the pay isn't the issue, it's the criteria that makes a person eligible. It doesn't make sense how fire camps can make up to \$10/hour, but the rest of the prison population can only earn up to \$1/hour when some jobs are more physical work and sophisticated.

Response 21G: CDCR recognizes the commenter's concern and asserts the need to incentivize participation in the Conservation (Fire) Camp Program. CDCR, in cooperation with the California Department of Forestry and Fire Protection and the Los Angeles County Fire Department, jointly operates 35 conservation camps, commonly known as fire camps, located in 25 counties across California.

The primary mission of the Fire Camp Program is to support state, local and federal government agencies as they respond to emergencies including fires, floods, and other natural disasters. Additionally, hand crews respond to rescue efforts in local parks or flood suppression. These positions are vital to the health and safety of California residents, and represent a great service to the public. The department asserts the newly introduced pay scale rates are reflective of this valuable service.

Comment 21H: Commenter references "Creation of New Jobs or Elimination of Existing Jobs Within the State of California" and states the inmates have already been informed that all inmates with non-paying jobs will be losing them, that CDCR Centinela eliminated approximately 35% of jobs without pay to implement this.

Response 21H: See response to Comment 4F.

Comment 21I: CDCR is justifying cutting work hours by half to give inmates an opportunity to participate in programming groups, but only two programming groups are at approximately 3-3:30pm and have a max capacity of 20 people, the rest of the groups are after 5pm when inmates are back from work therefore the work doesn't conflict. Additionally, the implementation of Assembly Bill 292 should have resolved the issues of work assignment conflicting with programs by receiving a "Priority Ducat" to be excused from work assignment for programming groups, but the prison is not honoring this law.

Response 21I: See response 4F.

Regarding the commenter's statements pertaining to the scheduling of voluntary self-help programming, the institutions offer programs based on the availability of volunteers' and community-based organization's service provide availability to host these programs.

Regarding the commenter's statement pertaining to Assembly Bill (AB) 292, this bill requires the department to conduct rehabilitative programming in a manner that meets specified requirements, such as prioritizing a person who has transferred between facilities to resume rehabilitative programming, if the transfer was for non-adverse reasons, minimizing program wait times, and offering a variety of program opportunities to inmates regardless of security level or sentence length. There is nothing expressly

written within AB 292 requiring the institution to release individuals from their work assignments to participate in voluntary self-help programming.

SUMMARIES AND RESPONSES TO PUBLIC HEARING COMMENTS:

Speaker #1: Speaker is a member of the Anti-Recidivism Coalition, thanks CDCR for the proposed wage increases, but is requesting CDCR to consider revising the proposed regulations to a sustainable living wage, because the current wage increase is not enough. Fire camp workers currently don't make enough money for basic necessities, hygiene, and support for their families. After speaking with ten current fire camp workers, they confirmed that this increase was still not enough. Speaker has personal experience with his father working in a fire camp and being unable to provide for his family.

Response to Speaker #1: See response to Comment 1A.

Speaker #2: Speaker is a member of the Anti-Recidivism Coalition Hope and Redemption Team. Requesting NCR 23-11 be revised to incorporate a sustainable living wage because the increase is not enough to survive in prison and support a family. Formerly incarcerated and worked while incarcerated, struggled to provide for his family, and afford basic hygiene product and canteen.

Response to Speaker #2: See response to Comment 1A.

Speaker #3: Speaker is a member of the Anti-Recidivism Coalition and a returning juvenile lifer. Speaker wanted to thank CDCR for the proposed regulations to increase wages because it gives a sense of dignity and self-appreciation when men and women receive wage increases for their work which helps with recidivism.

Response to Speaker #3: CDCR acknowledges the speaker's statement and appreciates their support of this regulatory amendment.

Speaker #4: Speaker is a life coach with the Anti Recidivism Coalition who spent 15 of his 32 years as an incarcerated worker who wanted to thank CDCR for the proposed wage increase. A fair wage will help returning citizens meet their basic reentry needs, while a fair wage in prison will help meet the incarcerated workers' basic needs while building their autonomy independence.

Response to Speaker #4: CDCR acknowledges the speaker's statement and appreciates their support of this regulatory amendment.

Speaker #5: Speaker is a member of the Anti Recidivism Coalition who was incarcerated for 29 years, thanking CDCR for the proposed regulations. After restitution was taken from pay there was very little left to spend on basic needs and hygiene. This proposed regulation is needed for the inmates of CDCR.

Response to Speaker #5: CDCR acknowledges the speaker's statement and appreciates their support of this regulatory amendment.

Speaker #6: Speaker is formerly incarcerated and is a member of the Anti Recidivism Coalition. Speaker is thankful for the proposed regulations but is requesting CDCR revise the regulations to incorporate a living wage because although the wages are going up, the cost of everything else within the prison is as well.

Response to Speaker #6: CDCR acknowledges the speaker's statement and appreciates their support of this regulatory amendment. Regarding speaker's comments pertaining to revising the regulations, see response to Comment 1A.

Speaker #7: Speaker is a formerly incarcerated, Director with the Anti Recidivism Coalition, thankful for the proposed regulations but is requesting CDCR revise the regulations to incorporate a living wage because from personal experience serving in prison it was difficult to pay restitution and other financial obligations like supporting a family. Upon release inmates still owe restitution plus the high cost of living in California makes it even more difficult for those released from prison. A living wage can help inmates with their financial obligations, and lower recidivism.

Response to Speaker #7: CDCR acknowledges the speaker's statement and appreciates their support of this regulatory amendment. Regarding speaker's comments pertaining to revising the regulations, see response to Comment 1A.

Speaker #8: Speaker is formerly incarcerated, and is a member of Anti Recidivism Coalition, speaker thanks CDCR for recognizing the need to raise inmate wages. After serving 22 years in prison speaker still owed restitution making it difficult to reintegrate back into society. This is something that has been a long time coming and people deserve to live with dignity and be able to be self-sufficient in prison.

Response to Speaker #8: CDCR acknowledges the speaker's statement and appreciates their support of this regulatory amendment.

Speaker #9: Speaker is formerly incarcerated, and is a member of Anti Recidivism Coalition, and Advocates with the Leadership Committee participating in Center for Employment Opportunities. The costs of necessity items within the prison are increasing, for example, soups, in addition to restitution, takes away 50% making it difficult to get by with bare necessities within the prison. Speaker brought up other options for inmate pay that include real pay checks, and charge inmates for benefits like healthcare. Another solution is the state matching what the inmate is paying in restitution.

Response to Speaker #9: See response to Comment 1A.

As it pertains to the speaker's suggestion the department match funds for the restitution, the California PC section 1202.4 prescribes the intent of the Legislature that a victim of crime who incurs an economic loss as a result of the commission of a crime shall receive restitution directly from a defendant convicted of that crime. As such, the department declines the speaker's proposal.

Speaker #10: Speaker is a formerly incarcerated member of the Anti Recidivism Coalition who is a volunteer for the organization. Speaker expresses how he is passionate of the subject matter of these proposed regulations. Speaker explains that the current pay wages are inhumane because with the current salaries, after restitution taken out an inmate cannot afford a Top Ramen after an entire day of work. There have also been pay cuts in 2018 making it more difficult to survive with bare necessities. Without support from outside family, it is very difficult to afford basic food and hygiene needs, because CDCR provides very little. CDCR is exploiting inmates because they are paying them cents on the dollars and everyone must work, you cannot reject work even if it pays \$.04/hour or you get punished. Speaker thanks CDCR for working on programs to help inmates rehabilitate that they have been developing for the past five years.

Response to Speaker #10: CDCR acknowledges the speaker's statement and appreciates their support of this regulatory amendment.

Regarding speaker's comments pertaining to revising the regulations and the department exploiting inmates, see response to Comment 1A.

Speaker #11: Speaker is the Chief Strategy Officer for the Anti Recidivism Coalition, thanks CDCR for raising and scaling back hours to focus on rehabilitation. Wants to echo the previous comments and add "that had the Anti Recidivism Coalition really hope that we can partner with CDCR with the administration and come up with a long-term comprehensive plan on how we can get to a livable wage." An inmate working full time only makes \$24 - \$112 a month, which is not enough for someone to support themselves inside. The same inmates face is also not taken into consideration, when they have to call home to ask for help burdening their family. Therefore, we really want to work toward a living wage for people incarcerated.

Response to Speaker #11: CDCR acknowledges the speaker's statement and appreciates their support of this regulatory amendment. Regarding speaker's comments pertaining to revising the regulations, see response to Comment 1A.

Speaker #12: Speaker has family formerly incarcerated and is a member of the Anti Recidivism Coalition requesting CDCR to consider raising the wages. Speaker was directly impacted by having a partner incarcerated who worked and was unable to provide basic hygiene needs for himself inside while incarcerated because of low-paying jobs. This resulted in her having to work more hours to provide for herself and her incarcerated partner, which took time away she could be spending with her daughter, which impacted their family. We need to consider the families of the incarcerated people who are struggling to get by and the impact it has on their kids.

Response to Speaker #12: CDCR acknowledges the speaker's statement and appreciates their support of this regulatory amendment. Regarding speaker's comments pertaining to revising the regulations, see response to Comment 1A.

Speaker #13:

A) Speaker provides background information of a healing program the speaker started called “Recovery” providing legal services for prisoners with children and fighting for rights of those incarcerated and formerly incarcerated, including fighting for fair wages for inmates and all Californians. Paying pennies on the dollar is slave labor and does not promote rehabilitation, because most of the people incarcerated are on survival mode from poverty or had trauma which led them to the decision they made, therefore paying them dollars instead of cents will help with rehabilitation.

Response to Speaker #13A: See response to Comment 1A.

B) Opposes the proposed regulations because it does nothing to address the problem, suggesting going back to the tables with different organizers and organizations to figure out an effective budget that would pay incarcerated people a fair wage, which would also help with paying restitution.

Response to Speaker #13B: See response to Comment 1A.

Speaker #14:

A) Speaker represents the community healers which is a brand-new non-profit organization, summarizes previous comments she agrees with. States' wages are currently unfair and brings up an example of fire camps making \$1 an hour and missing out on different opportunities as well as possibly getting COVID while working.

Response to Speaker #14A: See response to Comments 1A and 21G.

B) When people come out of prison, they have nothing to their name, no family, and only six months in reentry housing is not enough for them to properly get settled due to having a felony background. Inmates should be able to make enough money while incarcerated to be able to support their families outside and have a retirement plan. This can help with lowering recidivism because most of the people incarcerated are hard workers but are put in difficult circumstances.

Response to Speaker #14B: See response to Comment 1A.

While the commenter’s statements may address an aspect or aspects of the proposed regulatory action and must be summarized pursuant to GC Subsection 11346.9(a)(3), they are either insufficiently related to the specific action or actions proposed, or too generalized or personalized to the extent that no meaningful response can be formulated by the department in refutation of or accommodation to the comment.

Speaker #15

Speaker is a community member who helps with immigration issues. In support of the previous speakers. States the proposed regulations do nothing for restitution, the

inmates, or family of the inmates. This is an example of mismanaged budget and not considering different approaches.

Response to Speaker #15: See response to Comment 1A.

While the commenter's statements may address an aspect or aspects of the proposed regulatory action and must be summarized pursuant to GC Subsection 11346.9(a)(3), they are either insufficiently related to the specific action or actions proposed, or too generalized or personalized to the extent that no meaningful response can be formulated by the department in refutation of or accommodation to the comment.