NELP NATIONAL EMPLOYMENT LAW PROJECT

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Senator Jesse Arreguín
Chair, Senate Public Safety Committee
Legislative Office Building
1020 N Street, Room 545
Sacramento, CA 95814

Subject: AB 248 (Bryan) - SUPPORT

Dear Senator Arreguín,

The National Employment Law Project (NELP) writes in strong support of AB 248, which would promote dignity, fairness, and financial stability for incarcerated workers in California's counties. Current law (Penal Code § 4019.3) sets a maximum wage of $2.00 per eight-hour shift for incarcerated workers in the custody of county jails. AB 248 would repeal this maximum wage and would allow counties to set their own wages for incarcerated workers under their jurisdiction. This bill does not require counties to pay wages to incarcerated workers; it simply gives them the authority to do so.

NELP is a national, non-profit law and policy organization with an office in California. For more than 50 years, NELP has fought for the employment rights of working people across the country. We advocate at the federal, state, and local levels for policies to create good jobs, promote fair wages, and strengthen protections and support for workers in low-wage industries. NELP's areas of expertise include minimum wage and labor protections for incarcerated workers.

Incarcerated workers are workers and deserve to earn monetary wages. Currently, incarcerated workers in county jails do not earn monetary wages in over 90 percent of California's counties.[1] In most counties, incarcerated workers are provided with sentence credits or other informal "compensation" such as additional recreational time.

Paying fair wages to incarcerated workers has fiscal and non-fiscal benefits for the workers, their families, and society at large. First, paying incarcerated workers fair wages would allow them to potentially save money while incarcerated and help them to get back on their feet immediately post-release. This would have positive impacts on recidivism rates, and therefore reincarceration expenditures and crime costs for society at large. In addition, if incarcerated workers make monetary wages, they will be able to better support their family members, children, and other loved ones on the outside. Finally, paying fair wages to incarcerated workers can improve mental health outcomes, boost morale, and encourage personal agency.

[1] Data received by One Fair Wage through a Public Records Request sent to all 58 counties. Of the 48 county sheriffs' offices who provided records responsive to this request, 44 (92 percent) indicated that workers incarcerated in their county's jails are not paid monetary wages.

Again, while we feel it is important to pay fair wages to incarcerated workers for the reasons listed above, this bill does not require counties to pay fair wages to incarcerated workers, but simply gives them the opportunity to do so.

NELP is pleased to support AB 248 and respectfully requests your “Aye” vote.

Sincerely,

Yannet Lathrop
Senior Researcher and Policy Analyst
National Employment Law Project

CC:
Senator Kelly Seyarto (Vice-Chair)
Senator Anna Caballero
Senator Lena Gonzalez
Senator Sasha Renée Pérez
Senator Scott Wiener