

Date of Hearing: April 23, 2025

ASSEMBLY COMMITTEE ON APPROPRIATIONS

Buffy Wicks, Chair

AB 1011 (Hoover) – As Amended April 10, 2025

Policy Committee: Public Safety

Vote: 9 - 0

Urgency: No

State Mandated Local Program: Yes

Reimbursable: No

**SUMMARY:**

This bill makes a person convicted of a specified crime against a child ineligible to earn credits typically awarded to an incarcerated firefighter.

Specifically, this bill exempts an incarcerated person serving as a firefighter from earning specified credits if the incarcerated person was convicted of either of the following offenses:

- 1) Child endangerment, if a sentence enhancement for great bodily injury was imposed.
- 2) Assault causing the death of a child under eight years old.

**FISCAL EFFECT:**

Incarceration costs (General Fund) to CDCR, possibly in the low hundreds of thousands of dollars annually. The actual number of incarcerated people who would be affected by this bill is unknown but is likely low given the existing restrictions on conservation camp participation. The Legislative Analyst's Office estimates the average annual cost to incarcerate one person in state prison is \$133,000, though CDCR's per-person costs may be slightly lower in lower-security facilities like conservation camps. If two incarcerated firefighters must each spend an additional year incarcerated due to reduced credit earning under this bill, the cost to CDCR may be approximately \$200,000. Actual costs will depend on the number of incarcerated firefighters earning reduced credits under this bill, the length of their sentences, and the other credits that may apply to their sentences.

**COMMENTS:**

- 1) **Purpose.** This bill was prompted by a tragic case in Sacramento County in which one-year-old Ryla died as a result of injuries inflicted by a daycare worker. According to materials provided by the author and the bill's supporters, the daycare worker was convicted of felony child abuse, received a great bodily injury enhancement, and was sentenced to 10 years of incarceration. The daycare worker was ultimately assigned to a conservation camp and was released from custody after several years, due in part to credits she accrued while working as an incarcerated firefighter. The author of this bill seeks to limit credit-earning for incarcerated firefighters in similar circumstances.
- 2) **Background.** Under existing law, most incarcerated people serving as firefighters are eligible for credits that reduce the amount of time they are required to spend in custody. For example, an incarcerated person assigned to a conservation camp typically earns 2-for-1

credits, meaning the person receives credits worth two days off their sentence for every one day of the assignment. This bill makes an incarcerated person ineligible for 2-for-1 firefighter credits if the person was convicted of a specified offense against a child. In practice, this means such a person will earn credits at a lower rate and spend longer in custody.

As discussed in more detail in the analysis of this bill by the Assembly Committee on Public Safety, there are several factors that may limit implementation of this measure. First, a person convicted of assault causing the death of a child under eight years old is not eligible for assignment as an incarcerated firefighter under existing law. Second, the scope of CDCR's exclusive authority to award certain credits is currently being litigated. In 2016, voters passed Proposition 57, which, in pertinent part, amended the California Constitution to give CDCR authority to award credits for good behavior and approved rehabilitative and education achievements. Awarding credits to a person working as an incarcerated firefighter may fall within CDCR's constitutional authority under Proposition 57. Absent a constitutional amendment or guidance from the courts, it is not clear whether the Legislature has the authority to change CDCR's distribution of the credits affected by this bill.

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