

List of California ballot propositions

From Wikipedia, the free encyclopedia

The following is a **list of California ballot propositions** broken down by decade. Propositions can be placed on the ballot either through the initiative process or by a vote of the state legislature. Propositions were added to the California constitution as part of the ethics reform instituted by Governor Hiram Johnson in the early 1910s.

Prior to the November 1982 general election, proposition numbers started with "1" for each election. After November 1982, subsequent propositions received higher and higher numbers until November 1998 when the count was reset. Starting with November 1998, the count is reset in 10-year cycles.

- List of California ballot propositions 1910–1919
- List of California ballot propositions 1920–1929
- List of California ballot propositions 1930–1939
- List of California ballot propositions 1940–1949
- List of California ballot propositions 1950–1959
- List of California ballot propositions 1960–1969
- List of California ballot propositions 1970–1979
- List of California ballot propositions 1980–1989
- List of California ballot propositions 1990–1999
- List of California ballot propositions 2000–2009
- List of California ballot propositions 2010–2019

Notable propositions

Some notable propositions which have received a great deal of attention include

- Proposition 13 (1978) on property tax; imposing 2/3rds requirement for budget vote, tax increases
- Proposition 6 (1978) on barring homosexuality in the public school system
- Proposition 65 (1986) on notification of hazardous materials
- Proposition 98 (1988) on school funding (requires minimum percentage of budget to be directed toward education with increases based on inflation)
- Proposition 187 (1994) on denying illegal immigrants eligibility to receive public services (immediate stay was imposed; still in effect)
- Proposition 209 (1996) on banning affirmative action in public sector (employment, education, etc)
- Proposition 215 (1996) on legalizing medical marijuana
- Proposition 22 (2000) on a statute banning same-sex marriage
- Proposition 8 (2008) on a constitutional amendment banning same-sex marriage in order to override the *In re Marriage* decision earlier that year that legalized same-sex marriage
- Proposition 14 (2010) established non-partisan blanket primaries in place of closed primaries
- Proposition 19 (2010) on the legalization of marijuana

See also

- Elections in California

California ballot proposition

From Wikipedia, the free encyclopedia

In California, a **ballot proposition** is a proposed law that is submitted to the electorate for approval in a direct vote (or plebiscite). It may take the form of a constitutional amendment or an ordinary statute. A ballot proposition may be proposed by the State Legislature or by a petition signed by members of the public under the initiative system. In California a vote on a measure referred to voters by the legislature is a mandatory referendum; a vote to veto a law that has already been adopted by the legislature is an optional referendum or "people's veto"; the process of proposing laws by petition is the initiative.

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 - 1.1 Mandatory referendum
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Overview

Referenda have been a part of the Constitution of California since 1849. The initiative and optional (or facultative) referendum were introduced in 1911, by a constitutional amendment called Proposition 7. There are three forms of direct democracy in California.

Mandatory referendum

The State Legislature may pass an act which is signed by the Governor of California, proposing a state constitutional amendment, which is then submitted to the voters as a referendum at the next statewide election. If more than 50% of the voters approve the referendum then the constitutional amendment is approved and goes into effect.

Optional referendum

Laws already adopted by the state legislature may be vetoed by means of a referendum. To qualify a referendum for inclusion on the ballot, a referendum petition must have been signed by at least five per cent of the number of voters in the previous gubernatorial election. This is also known as a "petition referendum" or "people's veto".

Initiative

A ballot proposition enacted by the initiative process may alter the state constitution, or amend the ordinary laws of the state, or do both. An initiative is brought about by writing a proposed law as a petition, and submitting the petition to the California Attorney General along with a submission fee (in 2004 this was \$200), and obtaining signatures on petitions from registered voters amounting to 8% (for a

constitutional amendment) or 5% (for a statute) of the number of people who voted in the most recent election for governor. The signed petitions are then sent to the Secretary of State of California for validation of signatures.

Due to duplicate signing or invalid signatures, usually at least 50% more than the legal minimum number of signatures are collected to compensate for possible invalidated signatures. If the number of validated signatures is more than the minimum number required, the proposed initiative measure is submitted to the voters, similar to a referendum as noted above. If the proposition is approved by more than 50% of all voters who vote, it becomes a part of the state constitution (if it is a proposed amendment) or the state's statutes (if it is a proposed statute) in the same manner and having the same legal effect as if it had been passed by the state legislature and signed by the governor.

In order to pass, the "yes" votes on a proposition must exceed the "no" votes. Ballots which record neither a "yes" nor a "no" on the proposition are ignored in determining the outcome. In other words, the majority of voters required for passage refers to a majority of those voting on that proposition, rather than a majority of those voting in the election held at the same time or a majority of those who are registered to vote.

Originally, initiative and referendum petitions were given a number starting at one each year. This tended to be confusing as often famous initiatives such as Proposition 13 (of 1978) might be confused with another initiative in a later year if there were more than twelve proposals on the ballot in any given year. Starting in 1982, the proposition numbers were not re-used but would continue to increment until at least a decade had passed from when a particular one had appeared on the ballot, eventually resulting in proposition numbers exceeding 200. Starting with the 1998 ballot, the count has been reset back to one; it will now be reset every ten years.^[1]

See also

- List of California ballot propositions
- Elections in California

References

- [^] California Attorney General's Office (<http://www.sos.ca.gov/elections/ballot-measures/initiative-guide.htm>) Initiative Guide

Retrieved from "http://en.wikipedia.org/wiki/California_ballot_proposition"

History of Initiative and Referendum in California

From Ballotpedia

Californians adopted the initiative process on October 10, 1911, becoming the tenth state to adopt this form of direct democracy.^[1]

Three initiatives were on the California ballot the next year, in 1912, when measures 6, 7 and 8 -- to consolidate local governments, prohibit bookmaking, and set procedures for local taxation -- were all defeated.

Through January 2010, 338 initiatives have qualified for the statewide California ballot.^[2] Voters have approved 112, an approval rate of 33%. From 1911-January 2010, the California Constitution has been amended 46 times through the state's initiative process.^[3]

However, the history of initiative and referendum in California began long before this method of creating legislation was ratified on October 10, 1911.

The California Direct Legislation League

A Philadelphian who held doctorates in both medicine and philosophy, Dr. John Haynes moved west to Los Angeles in 1887, at the age of 34. He established a successful medical practice, counting many prominent Southern Californians among his patients, invested his profits skillfully in real estate, and eventually became a millionaire.^[4] ^[5]

In 1895, Haynes helped found the California branch of the Direct Legislation League, dedicated to winning the rights of initiative, referendum, and recall both statewide and in every local jurisdiction.^[6]

Local initiative & referendum

He won election in 1900 to a Los Angeles "board of freeholders" responsible for drafting a new charter for that city. Haynes used this strategic position to make sure that the board included initiative and referendum (I&R) in the new charter, only to see the entire charter thrown out by the courts on a

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technicality. A new board, without Haynes, was elected in 1902, but he continued to advocate I&R and brought Eltwed Pomeroy of New Jersey, president of the National Direct Legislation League, from the east coast specifically to address the board. After Pomeroy's speech, the board voted to include initiative, referendum, and recall in the new charter. Voters ratified the charter in 1903.

Statewide Initiative and Referendum

After accomplishing the placement of I&R in his local charter, Haynes turn his attention to gaining statewide I&R. The odds against him were daunting. The entire state government had for decades been under the control of the Southern Pacific Railroad. Bribery was the accepted method of doing business in the state capitol. Realizing the hopelessness of dealing with the current officeholders, Haynes and other reformers began a campaign to get rid of them and remake state government from top to bottom. In May 1907 they founded the *Lincoln-Roosevelt League of Republican Clubs*, and elected several of their candidates to the state legislature. Once elected, these legislators worked for a bill to require the nomination of party candidates through primary election rather than the backroom deals of state party conventions.

Taking back the legislature

The bill passed, and the League's 1910 gubernatorial candidate, Hiram Johnson, ran in the state's first primary election. Johnson won the primary and the general election and swept dozens of other reformers into the legislature on his political coattails.

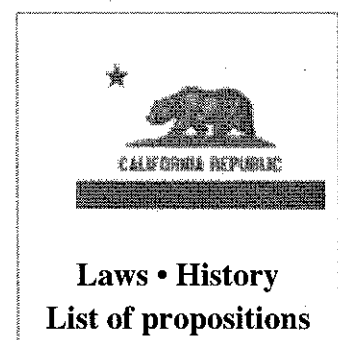
Johnson and the new Progressive majority in the legislature made the most sweeping governmental changes ever seen in the history of California. Among these were the introduction of initiative, referendum, and recall at both the state and local levels. Voters ratified these amendments in a special election on October 10, 1911.

1911 to Present

Free Speech

Reformers in Los Angeles won voter approval, in December 1911, of a unique local initiative to create a municipally owned, yet editorially independent, newspaper to compete with the anti-labor, anti-reform Los Angeles Times and provide unbiased news and an equal forum for all political views. Each political party was given a column in every weekly edition.

This bold experiment in free speech attracted the state's top newspaper talent and got off to a highly successful start. After less than a year, however, it failed because of the harassment of vendors and an advertiser boycott organized by the Los Angeles reformers' arch-enemy, Harrison Gray Otis, owner of the Times.



Anti-initiative forces

The first significant statewide initiative in California abolished the poll tax in 1914, and a construction bond initiative for the University of California also won voter approval that year. Immediately thereafter, anti-initiative forces launched their first counterattack, in the form of a constitutional amendment passed by the legislature to make it more difficult to pass initiative bond proposals. Haynes mobilized his pro-initiative forces and defeated the amendment at the polls in 1915.

Anti-initiative forces tried again in 1920; this time using the initiative process themselves to propose a measure that would have made it virtually impossible to put any tax-related initiatives on future ballots. Haynes mobilized his forces again and defeated the measure at the polls; and he won a third, similar contest in 1922. After this he changed the name of his California Direct Legislation League to "The League to Protect the Initiative," and for the rest of his life kept close watch over the legislature to make sure that it enacted no laws to restrict I&R procedures. Haynes died on October 30, 1937, at the age of 84.

Law enforcement initiatives

On the ballot in 1934 were four successful constitutional initiatives to revamp the state's law enforcement and criminal justice systems. All four were sponsored by Alameda County District Attorney Earl Warren, who went on to become the state's attorney general in 1938, its governor in 1942, and the Chief Justice of the U.S. Supreme Court in 1953. The principal changes involved procedures for judicial selection and retention, and increasing the woefully inadequate powers and jurisdiction of the office of attorney general. Warren's foresight in revamping the justice system before running for attorney general accounted in no small measure for his effectiveness once elected, which in turn made possible his rise to higher office.

Signature requirements

California signature requirements

Each decade for the first half of this century, the number of signatures required to put a statewide initiative on the ballot roughly doubled. It was set at 8 percent of the number of votes cast in the previous gubernatorial election. In 1911 this was 30,481 signatures; in 1930, it was 91,529; in 1939, it was 212,117. The rapid change was due to California's explosive population growth and the increasing participation of women as voters. As petition requirements increased, the number of initiatives qualifying for the ballot decreased, particularly in the 1940s, 1950s, and 1960s.

High stakes spending

One of the highest stakes initiative campaigns, in terms of campaign spending was the 1956 struggle over changes in the state regulation and taxation of oil and gas production. The initiative was sponsored by one group of oil companies that sought to make their business more profitable, and opposed by another group of oil firms that preferred the existing system. Campaign funds spent by both sides totaled over \$5 million. The 1956 initiative lost: California voters, inundated with conflicting claims about a complex measure, took the cautious route and voted "no."

Almost as expensive was the gargantuan 1958 labor-capital conflict over a "Right to Work" (open shop) initiative sponsored by employers. This battle ended in a double defeat for employers: not only did voters decisively reject the initiative, but the opposition campaign mobilized Democrats and union members to vote in droves, resulting in the election of Governor Edmund G. Brown, Sr., the first Democrat to occupy that office in 16 years.

In the 1960s, California liberals soured on the initiative process as a result of two measures passed by voters in 1964. The first repealed the Rumford Fair Housing Act, which the legislature had passed, and Governor Brown had signed, in 1963. The second banned cable television. That measure was sponsored by theater owners who, fearing competition, advertised the initiative as guaranteeing "free television" and eliminating the specter of "pay television." Both 1964 initiatives were later overturned by the courts as unconstitutional.

Paid circulators

The California initiative process gave rise to a new breed of campaign professional: the paid petition circulator. With signature requirements doubling nearly every decade, citizen groups were unable to rely solely on volunteer effort. As early as World War I, Joseph Robinson was offering his organizing services to initiative proponents. His firm, which paid its employees a fee for each signature brought in, had a virtual monopoly on the petition business from 1920 to 1948 - a period during which, Robinson estimated, his firm was involved in 98 percent of the successful statewide initiative petition drives. Robinson stayed in business into the late 1960s, when he offered his services to Ed and Joyce Koupal, but by then he had competitors.

Prop 13

One of California's most famous initiatives was Prop 13. "On June 6th, 1978, nearly two-thirds of California's voters passed Proposition 13, reducing the state's property tax by about 57%. Prior to Proposition 13 property taxes were out of control. People were losing their homes because they could not pay their property taxes. Yet, government did nothing to help them. In the finest tradition of the Boston Tea Party, California taxpayers stood up and said no more to excessive taxes. The Proposition 13 Revolution swept the country and made headlines around the world. It began a change of thinking about the tax burden taxpayers had to bear. Proposition 13 also started a revolution in the people turning to the initiative process to gain a greater control over their lives." The above account, provided by the Jarvis Taxpayers Association (<http://www.hjta.org/Howard>), points out correctly that the modern day movement to utilize the initiative process was brought about by the passage of Prop 13.

In the last decade, Californians lead the nation in numerous reform efforts utilizing the initiative process including term limits, ending bilingual education, adopting animal protection laws, ending racial preferences, and adopting one of the most comprehensive drug reform measures in the country. This has lead to elected officials across the country vilifying the initiative process and have used the rhetoric "we don't want to be like California" as their rallying cry in opposing the initiative process. They are concerned that the reforms adopted in California would come to their states - even though these are the reforms wanted by the people. However, Californians still overwhelmingly support the initiative process and have no desire for it to be abolished.

"Ballot-box budgeting"

In 2009, California's tax revenues declined. This led to a multi-billion budget gap. Several politicians and pundits blamed the problem on California's initiatives. California State Senate President Pro Tem Darrell Steinberg denounced ballot-box budgeting. Gov. Arnold Schwarzenegger said, "All of those propositions tell us how we must spend our money...This is no way, of course, to run a state."^[7]

John G. Matsusaka, president of the Initiative & Referendum Institute, conducted a study in 2003 which "found that no more than a third of California's appropriations that year were locked in by voter initiatives so stringent that legislators couldn't override them. Most of the appropriations—about \$30 billion in 2003—were for Proposition 98, which passed in 1988 and mandates funding for K-12 education."^[7]

Leaving Prop 98 to one side, "only about 2% or 3% of California's budget is frozen as a result of ballot initiatives."^[7]

The California Legislative Analyst's Office also looked at the restrictions imposed on the state's budget by various factors and concluded, "Despite these restrictions, the legislature maintains considerable control over the state budget—particularly over the longer term."^[7]

External links

- History of California initiatives (http://www.sos.ca.gov/elections/init_history.pdf) (PDF) A 2002 report from the California Secretary of State
- California election results (http://www.sos.ca.gov/elections/elections_elections.htm)
- California ballot measures database (http://holmes.uchastings.edu/library/Research%20Databases/CA%20Ballot%20Measures/ca_ballot_measures_main.htm#ballotprops)
- *Democracy By Initiative* (<http://72.37.185.217/images/publications/DemocracybyInitiative.pdf>)
- The Speaker's Commission on the California Initiative Process (<http://www.cainitiative.org/pdf/initiativereportfinal07feb2002.pdf>) 2000.

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1. ↑ *Initiative Guide*, California Secretary of State (http://www.sos.ca.gov/elections/initiative_guide.htm)
2. ↑ ^{2.0} ^{2.1} *Yuba.Net*, "99 Years of California Initiatives", January 28, 2010 (<http://yubanet.com/california/99-Years-of-California-Initiatives-One-Day-Left-to-Qualify-for-June-8-Ballot.php>)
3. ↑ *International Herald Tribune*, "Facts about California's initiative process", October 29, 2008 (<http://www.iht.com/articles/ap/2008/10/29/america/Flawed-Initiatives-Glance.php>)
4. ↑ *Dr. John Randolph Haynes* (http://westadamsheritage.org/index.php?option=com_content&task=view&id=90&Itemid=56), the West Adams Heritage Association, retrieved February 15, 2008
5. ↑ *American Reformers: Progressives in Word and Deed* (<http://books.google.com/books?id=i4e49Jg5HboC&pg=PA181&lpg=PA181&dq=dr+john+haynes+direct+democracy&source=we>)
6. ↑ *Early Years of California Progressivism; 1900-1910* (<http://www.learncalifornia.org/doc.asp?id=1609>)

7. [↑] ^{7.0} ^{7.1} ^{7.2} ^{7.3} *Wall Street Journal*, "Don't Blame Voters for California's Budget Woes", October 3, 2009 (<http://online.wsj.com/article/SB10001424052970204518504574417350428944122.html>)

Acknowledgments

This article is significantly based on an article^[1] published by the Initiative & Referendum Institute, and is used with their permission. Their article, in turn, relies on research in David Schmidt's book, *Citizen Lawmakers: The Ballot Initiative Revolution*.^[2]

Retrieved from

"http://ballotpedia.org/wiki/index.php/History_of_Initiative_and_Referendum_in_California"

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California Proposition 139, Prison Inmate Labor Initiative (1990)

From Ballotpedia

(Redirected from California Proposition 139 (1990))

California Proposition 139, also known as the **Prison Inmate Labor Initiative of 1990**, was on the November 6, 1990 ballot in California as a initiated constitutional amendment, where it was approved.

- Yes: 3,867,147 (54.05%)
- No: 3,288,144 (45.95%)

Proposition 139 amended the California Constitution to allow state and local inmates to perform work for private organizations.

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- 1 Constitutional changes
- 2 Ballot summary
- 3 Fiscal impact
- 4 External links

Constitutional changes

The parts of the California Constitution affected by Proposition 139 were:

- The existing Section 5 of Article XIV was repealed and replaced with a new Section 5.

Ballot summary

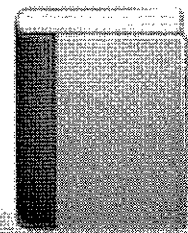
The official ballot summary for Proposition 139 said:

- Amends state Constitution to permit state prison and county jail officials to contract with public entities, businesses and others, for inmate labor.
- Limits inmate labor during strike or lockout situations.
- Adds statutes requiring state prison director to establish joint venture programs for employment of inmates.
- Requires inmate wages be comparable to non-inmate wages for similar work.
- Makes inmate wages subject to deductions for: taxes, room and board, lawful restitution fines or victim compensation, and family support.
- Allows inmate's employer ten percent of wage tax credit against defined state taxes.

Fiscal impact

The fiscal estimate provided by the California Legislative Analyst's Office said:

California Constitution



Articles

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 XIII • XIII A • XIII B
 XIII C • XIII D • XIV
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 XIX A • XIX B • XIX C
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- This measure would likely result in net savings to the state because of wage deductions to offset cost of incarceration, reduction in amount of time spent in prison due to participation in joint venture program, and decreased state and local costs due to additional family support payments reducing public assistance costs.
- These savings would be partially offset by costs due to revenue loss resulting from employer tax credits and possible additional administrative costs to operate program.
- The magnitude of savings is impossible to quantify.
- The measure's impact on local governments is impossible to estimate because the contents of local ordinances implementing contracts for use of jail labor are unknown.
- Unknown indirect fiscal effects may occur to the extent this measure affects the number of jobs available in the private sector.

External links

- Hastings California I&R database (<http://holmes.uchastings.edu/cgi-bin/starfinder/0?path=calprop.txt&id=webber&pass=webber&OK=OK>)
- Los Angeles Law Library, 1990 ballot propositions (<http://www.lalawlibrary.org/research/ballots/1990/1990.aspx>)
- November 1990 election results (http://www.sos.ca.gov/elections/sov/90_gen_sov.pdf) (pages 9-10)



This California-related article is a stub. You can help people learn about California politics by expanding it ([http://ballotpedia.org/wiki/index.php?title=California_Proposition_139,_Prison_Inmate_Labor_Initiative_\(1990\)&action=edit](http://ballotpedia.org/wiki/index.php?title=California_Proposition_139,_Prison_Inmate_Labor_Initiative_(1990)&action=edit)).

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Joint Venture Program (Adult) Free Venture Program (Youth)

The Joint Venture Program (JVP) is a rehabilitation endeavor providing opportunities for inmates to gain valuable work experience and job-skills training, in addition to providing valuable benefits to business owners. The Free Venture Programs (FVP) operates much in the same way the JVP does, except that it is located within California Juvenile Institutions Both are agreements/contracts between the state of California, the California Department of Corrections and Rehabilitation (CDCR) and private industry business owners.

Joint/Free Venture Program Summary

The Joint Venture Program (JVP) was established in 1990 upon the passage of Proposition 139, the Prison Inmate Labor Initiative, as a rehabilitative endeavor providing opportunities for inmates to gain valuable work experience and job skills training.

The Free Venture Program was established on August 1st, 1985 by the California Department of the Youth Authority. It was the first youth correctional agency in the United States to be issued a Certification for Interstate Commerce from the U.S. Department of Justice.

Both program mandates allow for the establishment of private business operations within California State Prisons and Youth Correctional Facilities utilizing inmate/ward labor. Under program guidelines, Inmates/wards are paid a comparable wage that is subject to deductions for:

- | | |
|-------------------------------------------|----------------------------|
| Federal, State, and local taxes | • Family support |
| Room and board | • Mandatory Inmate savings |
| Restitution fines or victims compensation | |

Program Requirements

The Prison Industry enhancement Certification Program (PIECP) was created by Congress in 1979 to encourage local government to establish private sector work opportunities for inmates, enabling the acquisition of marketable skills to increase the potential for meaningful employment upon release.

the Federal authority, the Bureau of Justice Assistance, grants certification to each jurisdiction upon demonstrating satisfactory fulfillment of mandatory criteria to include:

Authority to involve the private sector in the production and sale of inmate-made goods on the open market.

Payment of comparable wages at a rate not less than minimum wage or wages paid for work of a similar nature in the locality in which the work is being performed

Assurance of non-inmate worker displacement

Benefits comparable to those made available to federal, State, or similarly situated private sector employees, such as workers' compensation and in some cases, Social Security.

Allowable deductions limited to taxes, room and board, family support, and victims' compensation. All deductions will total no more than eighty percent of gross wages.

Voluntary inmate participation

Consultation with organized labor

Consultation with private industry

Compliance with National Environmental Policy Act (NEPA)

State Mandates Include:

California Constitution, Article 14, Section 5

Penal Code Sections 2717.1-2717.9 and Penal Code Section 3003 (d)

California Code of Regulations, Title 15, Div 3.1

Department Operations Manual sections 53140.1-53140.20

Joint/Free Venture Program Summary

The Joint Venture Program (JVP) is a rehabilitation endeavor providing opportunities for Inmates to gain valuable work experience and job-skills training. Established in 1990 upon the passage of Proposition 139, the Prison Inmate Labor Initiative, program mandates allow for the establishment of private business operations within California State Prisons utilizing Inmate labor.

This unique relationship is a cooperative effort of private industry and the State benefiting businesses, victims, and the State while preparing inmates for successful reintegration into the community. Under program guidelines, inmates are paid comparable wage that is subject to deductions for: Federal, State, and local taxes; room and board; restitution fines or victims compensation; family support; and mandatory inmate savings.

Joint/Free Venture Program Goals

The goal of the JVP & FVP is to identify, develop, and implement joint venture businesses to create a cooperative rehabilitation effort between the State and inmate participants by enhancing job skills while reducing incarceration costs, recidivism, and prison violence.

State Benefits	Inmate Benefits	Employer Benefits
Compensation for incarceration costs	Paid comparable wages	Tax credits
Restitution to Victims	Work training experience	Reduces long-term lease
Creates tax revenue	Marketable Trades	Reduced workers compensation rates
Reduces Inmate Idleness	Mandatory savings accessible upon parole	No benefit expenses
Reduces programming costs		Motivated labor pool

Reduces recidivism

For more information on this program, please contact Scott Perkins at 916-358-1621 or email JVP@pia.ca.gov.

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Free Venture Program (Youth)**

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- Payment of comparable wages at a rate not less than minimum wage or wages paid for work of a similar nature in the locality in which the work is being performed
- Assurance of non-inmate worker displacement
- Benefits comparable to those made available to federal, State, or similarly situated private sector employees, such as workers' compensation and in some cases, Social Security.

Allowable deductions limited to taxes, room and board, family support, and victims' compensation. All deductions will total no more than eighty percent of gross wages.

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Reduces recidivism

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