AGENDA

ASSEMBLY BUDGET SUBCOMMITTEE NO. 5 ON PUBLIC SAFETY

ASSEMBLYMEMBER GILBERT CEDILLO, CHAIR

WEDNESDAY, MARCH 7, 2012 4:00 P.M. - STATE CAPITOL ROOM 127

CONSENT	CALENDAR			
ITEM	DESCRIPTION			
0552	OFFICE OF THE INSPECTOR GENERAL			
ISSUE 1	WORKFORCE CAP PLAN			
2720	CALIFORNIA HIGHWAY PATROL			
ISSUE 1	RENT AUGMENTATION			
ISSUE 2	INFORMATION TECHNOLOGY AUGMENTATION			
ISSUE 3	WORKFORCE CAP PLAN			
8940	CALIFORNIA MILITARY DEPARTMENT			
ISSUE 1	REDUCE DEPARTMENTAL REIMBURSEMENT AUTHORITY			
ISSUE 2	144 [™] California Air National Guard Firefighters			

ITEMS TO	BE HEARD			
ITEM	DESCRIPTION			
8940	CALIFORNIA MILITARY DEPARTMENT			
ISSUE 1	STARBASE PROGRAM EXPANSION			
ISSUE 2	STATE ACTIVE DUTY EMPLOYEE COMPENSATION			
0552	OFFICE OF THE INSPECTOR GENERAL			
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ISSUE 2	MARCH 15, 2012 CALIFORNIA REHABILITATION OVERSIGHT BOARD (C-ROB) REPORT ON REHABILITATIVE PROGRAMMING PROVIDED TO INMATES AND PAROLEES BY THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION	6		

ITEMS TO BE HEARD

8940 CALIFORNIA MILITARY DEPARTMENT

The Military Department is responsible for the command, leadership and management of the California Army and Air National Guard and five other related programs. The purpose of the California National Guard is to provide military service supporting this state and the nation. The three missions of the California National Guard are to provide: 1) mission ready forces to the federal government as directed by the President; 2) emergency public safety support to civil authorities as directed by the Governor; and, 3) support to the community as approved by proper authority. The Military Department is organized in accordance with federal Departments of the Army and Air Force staffing patterns.

The Governor's Budget proposes \$130.8 million (\$43.6 million General Fund) and 797.7 positions. This reflects a decrease of \$9.6 million and 12.5 positions as compared to the 2011-12 budget (including a \$627,000 General Fund increase).

Fund Source	2010-11	2011-12	2012-13	BY to CY	%
(000s)	Actual	Projected	Proposed	Change	Change
General Fund	\$43,938	\$42,991	\$43,618	\$627	1%
Other Funds	78,152	97,332	87,155	(10,177)	(10)
Total Expenditure	\$122,090	\$140,323	\$130,773	\$(9,550)	(7)%
Positions	743.4	785.2	797.7	12.5	2

In addition to the funding that flows through the State Treasury, the Military Department also receives Federal Funding directly from the Department of Defense. The following table details the flow of this funding and the positions supported by this funding source.

Military Other Federal Funds						
		Positions			Expenditures	
	Actual Positions 2010-11	Estimated Positions 2011-12	Proposed Positions 2012-13	Actual Expenditures 2010-11*	Estimated Expenditures 2011-12*	Proposed Expenditures 2012-13*
10 Army National Guard	2,384.0	2,384.0	2,384.0	\$607,612	\$465,853	\$475,903
20 Air National Guard	1,536.0	1,536.0	1,536.0	291,931	291,931	298,062
30 Office of the Adjutant General	189.0	189.0	189.0	12,100	12,700	12,700
Total Other Federal Funds 1	4,109.0	4,109.0	4,109.0	\$911,643	\$770,484	\$786,665

¹ These federal funds are displayed for informational purposes but are not included in the program or statewide totals because the funds are not deposited in the State Treasury.

ISSUE 1: STARBASE Program Expansion

The issue before the subcommittee is the expansion of the STARBASE Program to include new sites at the Joint Forces Training Base in Los Alamitos, the Fresno Air National Guard Base, and the Defense Language Institute in Monterey.

BACKGROUND

The Governor's Budget includes 10.0 new positions to support the establishment of three new Science and Technology Academics Reinforcing Basic Aviation and Space Exploration (STARBASE) program facilities. The Department of Defense has awarded California \$1 million on an ongoing basis to support this effort. The Military Department has identified sufficient existing federal fund authority to absorb the proposed increase.

The STARBASE Academy was established in 1993 with the goal of adding value to communities through a focus on science, technology, engineering, math, team building, goal setting, and personal growth. California's existing STARBASE academy is located in Sacramento and serves more than 3,000 students annually from nine surrounding school districts. Over 44,000 students and 1345 teachers have participated in the program to date. This proposal would serve 9,000 additional students per year.

The Administration is proposing to house the three proposed programs at the Joint Forces Training Base in Los Alamitos, the Fresno Air National Guard Base, and the Defense Language Institute in Monterey. If California elects not to go forward with the establishment of the new STARBASE programs, the \$1 million federal allotment will be forfeited.

PANEL

- Department of Finance
- California Military Department

 Please be prepared to address the following in your testimony:
 - Overview of the STARBASE program
- Legislative Analyst's Office

Staff Recommendation: Adopt the Governor's proposal

ISSUE 2: State Active Duty Employee Compensation

The issue before the subcommittee is a \$1.1 million (\$495,000 General Fund) augmentation to support state active duty personnel cost increases.

BACKGROUND

The California Military Department provides military support to the State of California. In accordance with Sections 320 and 321 of the Military and Veterans Code, pay for State Active Duty employees is based upon the federal military pay scales granted by Congress. Additional compensation adjustments are also mandated due to Congressionally-approved increases in the allowance for housing and subsistence. Compensation is based on each military member's pay grade, duty location and years of military service.

PANEL

- Department of Finance
- California Military Department

 Please be prepared to address the following in your testimony:
 - The differences between State Active Duty and State Civil Service (ie. pay, benefits, duties)
 - Comparison of total costs for a specific filled State Active Duty position and an equivalent filled State Civil Service position (broken out by salary/benefits/OE&E)
 - Process for converting State Active Duty positions to State Civil Service positions
 - Steps being taken to convert State Active Duty positions to State Civil Service positions
 - Data on State Active Duty to State Civil Service conversions within the past twelve months
- Legislative Analyst's Office

Staff Recommendation: Hold Open

0552 OFFICE OF THE INSPECTOR GENERAL

The Office of the Inspector General (OIG) oversees the state's correctional system through contemporaneous monitoring and special reviews of the policies, practices, and procedures of the California Department of Corrections and Rehabilitation. Although the duties required of the OIG's Office are complex, its mission is clear: to protect public safety by safeguarding the integrity of California's correctional system.

The OIG is responsible for contemporaneous oversight of the California Department of Corrections and Rehabilitation's internal affairs investigations and employee disciplinary process, as well as contemporaneous oversight monitoring of all deadly force incidents, certain custodial death incidents, and other significant critical incidents. In addition, the OIG is statutorily responsible for conducting use of force monitoring, policy and performance reviews, the vetting of wardens and superintendents, sexual abuse in detention reviews, retaliation complaint reviews, independent intake (complaint) processing, and medical inspections. As required by statute, the OIG's monitoring and oversight activities are reported publicly several times per year.

The Governor's Budget proposes \$14.6 million General Fund and 86.4 positions. This reflects a decrease of \$2.1 million General Fund and 13.6 positions as compared to the 2011 Budget Act.

Fund Source (000s)	2010-11 Actual	2011-12 Projected	2012-13 Proposed	BY to CY Change	% Change
General Fund	\$18,346	\$16,732	\$14,589	\$(2,143)	(13)%
Other Funds	0	0	0	0	0
Total Expenditure	\$18,346	\$16,732	\$14,589	\$(2,143)	(13)%
Positions	125.3	100.0	86.4	(13.6)	(14)

ISSUE 1: Reorganization of the Office of the Inspector General

The issue before the subcommittee is the reorganization of the Office of the Inspector General.

BACKGROUND

A series of budget actions in 2011 reduced the Office of the Inspector General's (OIG) operating budget from \$26,145,000 in fiscal year (FY) 2010-11 down to \$16,732,000 in FY 2011-12 and \$14,589,000 in FY 2012-13 and ongoing. This is a total reduction of \$11,556,000, or 44 percent. Simultaneously, the Administration and the Legislature were revisiting the mission of the OIG and deliberating on ways to improve its efficiencies and operations.

The culmination of these efforts resulted in legislation that codified the OIG's medical inspection program; requires the OIG to conduct policy and performance reviews of the CDCR (at the request of the Governor, the Senate Rules Committee, or the Speaker of the Assembly);

removed the peace officer status of OIG employees; removed the mandate that the OIG conduct audits and investigations of the CDCR; and removed the requirement that the OIG conduct quadrennial facility operation reviews and one-year warden follow-up audits. Additionally, 2011 Budget Act Control Sections 3.91(a) and 3.91(b) specified that agencies were to meet predetermined budget reduction targets through reorganizations, consolidations, eliminations, and by improving operational efficiencies.

Subsequent to these actions, the OIG abolished its bureaus and restructured its operations into three regions (northern, central, and southern) to reduce travel and overtime costs and improve efficiencies. This regional approach also allows staff to respond more quickly to issues arising at California's prisons, youth facilities, and parole regions, which are located throughout California from the Oregon border, down to the Mexican border.

Deputy Inspectors General are being cross trained in the eight primary disciplines that our statutory mandates require; including use of force monitoring, policy and performance reviews, warden and superintendent vetting, retaliation complaint reviews, Sexual Abuse in Detention Elimination Act (SADEA) reviews, independent intake (complaint) processing, medical inspections, and critical incident monitoring. Additionally, the OIG is in the process of consolidating its building leases, has reduced its cell phone and equipment inventory, reduced its vehicle fleet, reduced its temp-help usage, and will be abolishing vacant positions. Even with these mitigating actions, the OIG continues to identify a necessity to lay-off staff.

STAFF COMMENT / QUESTIONS

- 1) Please provide a brief summary of the duties the OIG will begin or continue to perform under the proposed reorganization.
- 2) How is the staffing reduction being carried out?
- 3) What transitional services are being offered to persons who may be displaced during the reorganization?

PANEL

- Department of Finance
- The Office of the Inspector General
- Legislative Analyst's Office

Staff Recommendation: Adopt the Governor's proposal

ISSUE 2: March 15, 2012 California Rehabilitation Oversight Board (C-ROB) Report

The issue before the subcommittee is the C-ROB report on rehabilitative programming provided to inmates and parolees by the California Department of Corrections and Rehabilitation.

BACKGROUND

The California Rehabilitation Oversight Board (C-ROB) was established by the Public Safety and Offender Rehabilitation Services Act of 2007, pursuant to Assembly Bill 900 (Solorio) Chapter 7, Statutes of 2007. C-ROB is a multidisciplinary public board with members from various state and local entities. Pursuant to Penal Code section 6141, C-ROB is mandated to examine and report on March 15 and September 15 to the Governor and the Legislature on rehabilitative programming provided by the department to the inmates and parolees under its supervision. The biannual C-ROB reports must minimally include findings on the effectiveness of treatment efforts, the rehabilitations needs of offenders, gaps in rehabilitation services, and levels of offender participation and success. The board is also required to make recommendations to the Governor and Legislature with respect to modification, additions, and eliminations of rehabilitation and treatment programs by the department and, in doing its work, use the findings and recommendations published by the Expert Panel on Adult Offender and Recidivism Reduction Programs.

STAFF COMMENT / QUESTIONS

Prison and parole rehabilitation programs were also analyzed in the LAO's February 23, 2012 report, The 2012–13 Budget: Refocusing CDCR After the 2011 Realignment. In this report, the LAO identified the lack of information on how the CDCR plans to match rehabilitation programs to the population remaining after realignment as an issue deserving of further examination.

LAO RECOMMENDATION

Withhold Funding Until More Information Is Provided. We recommend that the Legislature not approve the Governor's proposed restoration of the current-year, one-time reduction of \$101 million to rehabilitation programs until the department has presented a plan for how it will use the funding proposed by the Governor to modify its programs to account for the impacts of realignment and conform to principles of effective programming. It is our understanding that the department is currently developing a plan to modify its programs that will be completed this spring. We recommend that the Legislature direct CDCR to present its plan during budget subcommittee hearings this spring. In developing the plan, the department should (1) provide projections of the programming needs and risks of inmates and parolees following realignment, (2) identify steps it is taking to modify the type and amount of programs it will offer to address the needs of the remaining inmate and parole population, and (3) specify how it will address areas where it is not adhering to the principles of effective programming as well as it could be (such as assigning inmates to programs based on risk and need and regularly evaluating programs). If satisfied with the department's plan, the Legislature could approve funding in an amount and allocation consistent with the plan. In future years, the Legislature can monitor CDCR's implementation of its plan and hold the department accountable for any failures to make substantial improvements.

PANEL

- Department of Finance
- California Department of Corrections and Rehabilitation
- Office of the Inspector General Please be prepared to address the following in your testimony:
 - The March 15, 2012 C-ROB report
- Legislative Analyst's Office Please be prepared to address the following in your testimony:
 - The LAO's February 23, 2012 report on Prison and Parole Rehabilitation Programs.

Staff Recommendation: Withhold action on the restoration of \$101 million in rehabilitation program funding pending Legislative review of the Administration's post-realignment rehabilitation program plan.