

AGENDA**ASSEMBLY BUDGET SUBCOMMITTEE NO. 5 PUBLIC SAFETY****ASSEMBLYMEMBER REGINALD B. JONES-SAWYER SR., CHAIR****THURSDAY, MAY 21, 2015
1:00 P.M. - STATE CAPITOL ROOM 444**

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VOTE ONLY ISSUES**0250 JUDICIAL BRANCH****ISSUE 1: DEPENDENCY COUNSEL**

The Judicial Council currently allocates \$103.7 million annually for dependency council. With court-appointed counsel providing representation to approximately 142,500 parents and children, the current level of funding is sufficient to provide representation at a rate of one attorney for approximately 250 clients.

STAFF RECOMMENDATION

- 1) Increase dependency counsel funding by \$33.1 million (General Fund).
- 2) Shift all dependency counsel funding (\$136.8 million GF) to a newly created budget item.
- 3) Adopt placeholder trailer bill language establishing maximum client caseloads of 1 attorney to 188 clients for those attorneys who use social workers as support, and 1 attorney to 77 clients, for those who do not.

5225 CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION**ISSUE 2: RECIDIVISM REDUCTION FUND UPDATE**

The Recidivism Reduction Fund (RRF), established by AB 105 (Steinberg and Huff), Chapter 310, Statutes of 2013, results from savings associated with an extension from the federal court allowing the state, until February 2016, to reduce its prison population to 137.5 percent of capacity. The Governor's budget assumes that \$16 million of the \$42 million provided to CDCR in the Budget Act of 2014 will be unspent due to delayed implementation of various recidivism reduction efforts. In addition, it assumes an additional \$12.2 million in revenue above the original projections. The budget reflects total revenue of \$28.2 million General Fund in the Recidivism Reduction Fund. The budget proposes using the funds toward recidivism reduction efforts, as follows:

- \$12.6 million for community reentry facilities.
- \$15.6 million to offset the General Fund cost of expanding substance use treatment at non-reentry hub institutions.

The 2014 budget act authorized \$91 million RRF and \$4.2 million Inmate Welfare Fund (IWF) to reduce recidivism and improve rehabilitation programming.

As noted above, \$42 million in RRF and the \$4.2 million IWF was provided to CDCR:

- Community reentry programs targeting mentally ill offenders who are within six to twelve months of release - \$20 million.
- California Leadership Academy strategic planning - \$865,000.
- Expansion of substance abuse treatment programs and peer counseling certification training - \$11.8 million.
- Cognitive behavioral treatment at in-state contracted facilities - \$3.8 million.
- Evaluation of the Integrated Services for Mentally Ill Parolees program - \$500,000.
- Intensive case management for high risk parolees - \$2.5 million.
- Expansion of the Cal-ID project which ensures that adults leaving prison have proper identification - \$2.2 million.
- Innovative programming grants for underserved prisons - \$2.5 million.
- Increased funding for community college courses in prison - \$2 million.

STAFF RECOMMENDATION

- 1) Reject the proposal to use \$18.9 million in RRF funding for costs associated with expanding substance abuse treatment to all 35 state prisons.
- 2) Approve the reappropriation of unspent funding for community reentry facilities.
- 3) Approve the following:
 - I. \$3 million RRF to CDCR to award additional in-prison innovative program grants.
 - II. \$2 million the Board of State and Community Corrections and placeholder trailer bill language to create a Law Enforcement Assisted Diversion (LEAD) pilot program to address low-level drug and prostitution crimes. The pilot will be designed to divert low-level drug offenders and prostitution offenders into community-based treatment and support services – including housing, healthcare, job training, treatment and mental health support – instead of processing them through traditional criminal justice system avenues.
 - III. \$1.3 million RRF and budget bill language for the Judicial Council to award additional collaborative courts grants.
 - IV. \$300,000 RRF to CDCR for an independent evaluation of appropriateness and effectiveness of CDCR's career technical education (CTE) programs and budget bill language requiring the report to be provided to both budget committees and both public safety policy committees by April 1, 2016.
 - V. \$3 million RRF to the Board of State and Community Corrections for the Mentally Ill Offender Crime Reduction (MIOCR) grant program.
 - VI. \$8 million RRF for additional community recidivism reduction grants.
 - VII. \$1.5 million RRF for the Supervised Population Workforce Training Grant Program.

2720 CALIFORNIA HIGHWAY PATROL

ISSUE 3: DISTRACTED DRIVER PROGRAM

The Assembly is proposing to:

- 1) Allocate \$500,000 from the Motor Vehicle Account for CHP and direct CHP to study and plan for the implementation of a program to educate teen drivers on the dangers of distracted driving.
- 2) Adopt the following provisional language:

\$500,000 is hereby appropriated to the California Highway Patrol from the Motor Vehicle Account to study and begin planning for a program to educate provisional (teen drivers) on the dangers of distracted driving. The Department may utilize outside consultants as needed.

STAFF RECOMMENDATION

Approve Proposal

ISSUE 4: CALIFORNIA HIGHWAY PATROL BODY CAMERAS

The Assembly is proposing to:

- 1) Augment the California Highway Patrol's expenditure authority by \$2 million (Motor Vehicle Account) to support a body camera pilot program for the CHP.
- 2) Adopt budget bill language specifying that any unused portion of the augmentation revert to the Motor Vehicle Account if not encumbered during the 2015-16 fiscal year.

STAFF RECOMMENDATION

Approve Proposal

5227 BOARD OF STATE AND COMMUNITY CORRECTIONS**ISSUE 5: CALIFORNIA GANG REDUCTION AND INTERVENTION PROGRAM (CALGRIP)**

The Assembly is proposing to:

Augment the Board of State and Community Corrections' budget in support of the California Gang Reduction and Intervention Program (CalGRIP). Specifically, this proposal would augment the current \$9.2 million CalGRIP program by \$5 million (General Fund).

On January 1, 2014, the BSCC began to distribute the current round of funding to the 20 cities whose proposals were deemed most likely to produce positive results. Pursuant to Budget Bill Item 5227-101-0214 (SB 92, Chapter 36, Statutes of 2011), the CalGRIP Program appropriates \$9.2 million each year from the State Restitution fund with the following six provisions:

1. (a) \$1 million grant annually to the City of Los Angeles; (b) \$8.2 million competitive grants to all other cities
2. All grantees must provide a dollar for dollar match
3. The BSCC must submit a report and evaluation to the Legislature no later than April 2014
4. The grants shall be competitive to cities; no grant shall exceed \$500,000; at least two grants shall be awarded to cities with populations of less than 200,000; preference shall be given to regional approaches
5. Grants require collaboration with local Juvenile Justice Coordinating Councils, and each grantee must establish an Advisory Council with specified representation to help prioritize the use of the funds
6. A minimum of 20 percent of the funds received by grantees shall be distributed to community-based organizations.

The Subcommittee would like to highlight and reiterate the importance of the 2014 legislation signed by Governor Brown [AB 1920 (Campos) Chapter 601, Statutes of 2014]. This measure specified that BSCC must include training and employment opportunities within the services to be delivered through regional partnerships and grant funds, and includes at-risk youth in the target population that would receive those services.

STAFF RECOMMENDATION

Approve Proposal

ISSUE 6: PUBLIC SAFETY INFRASTRUCTURE FUNDING

The Assembly is proposing to:

Augment the Board of State and Community Corrections' budget by \$7.9 million in support of Local Public Safety Infrastructure needs. Specifically, this funding is intended to support the following Local Public Safety Infrastructure projects:

Avenal, CA

The Avenal Police Department would use the funds to expand into the north hall area of the police facility. This expansion would involve the remodel of the permanent Emergency Operations Center, a larger conference and briefing/training room, additional evidence storage (Recommended by POST), video surveillance, an emergency generator to power the entire police facility, enlarge the secure parking area and Wi-Fi to the entire police facility. It is estimated that the cost of the expansion would be \$400,000.

Corcoran, CA

The City of Corcoran Police Department is proposing a new 9,900 square foot police station. The current state of the police building is beyond improvement. This new building will fill a much needed public safety void that the southern part of Kings County currently experiences. This public safety infrastructure project will include an Emergency Operations Center, "sally port" ingress and egress, a holding facility and much needed facility improvements. This project will provide passive survivability while incorporating the latest in LEED form and function. The estimated project costs are \$6 million.

Lemoore, CA

The Lemoore Police Department is proposing the construction of a dispatch center to add to their existing facility. Currently, the City contracts with the City of Hanford for police and fire dispatch services. The project will contain three phases: predesign, design and construction. The dispatch facility will house four fully operational dispatch console locations with future expansion capabilities. The estimated project costs are \$1.5 million.

STAFF RECOMMENDATION

Approve Proposal

**ISSUE 7: CLARIFICATION OF TERMS AND CONDITIONS OF PROBATION FOR OFFENDERS WHO
ABSCOND DURING THEIR PERIOD OF PROBATION (PEOPLE V. LEIVA) TRAILER BILL LANGUAGE**

The issue before the Subcommittee is proposed Trailer Bill Language to Clarify Terms and Conditions of Probation for Offenders who Abscond During their period of Probation (People v. Leiva) Trailer Bill Language.

STAFF RECOMMENDATION

Approve Proposal

ISSUE 8: CITY LAW ENFORCEMENT GRANTS

The Governor's budget includes a request for \$40 million General Fund to continue the three-year City Law Enforcement Grants program for a fourth year.

As part of the 2012–13 budget, the Governor proposed, and the Legislature approved, a three-year grant program (from 2012-13 through 2014-15) to provide state General Fund support to city law enforcement, primarily police. At the time the funding was proposed, the Administration indicated that the intent was to partially offset budget reductions city law enforcement departments were facing due to the recession.

The funds were initially approved at \$24 million each year, and then were increased to \$27.5 million in 2013-14, and again to \$40 million in 2014-15. The Legislature approved the increased 2014-15 grant amount based on the understanding with the Administration that 2014-15 would be the final year for this grant program.

LAO COMMENTS

Proposal Lacks Sufficient Justification. The Governor's proposal to provide \$40 million to extend the police grants for an additional year lacks justification for the following reasons:

- **Need To Address Recession–Era Cuts Unclear.** The Legislature authorized a three-year program as a stopgap measure to help city law enforcement address budget cuts resulting from the recession. However, the recession ended five years ago and, in that time, local revenues appear to have recovered to pre-recession levels. It is unclear how many additional years past the end of the recession the Governor thinks such funding is appropriate.
- **Funds Unlikely to Make Significant Impact.** The funding proposed is only a small fraction of total city police budgets and is unlikely to have a significant effect on the level of service provided by city law enforcement.

LAO RECOMMENDATION

In view of the above, the LAO recommends that the Legislature reject the Governor's proposal to provide \$40 million in city law enforcement grants in 2015-16.

STAFF RECOMMENDATION

Reject the Governor's proposal to continue the \$40 million City Law Enforcement Grants. Instead, approve the following General Fund expenditures in support of front line law enforcement:

- Provide \$5 million to create a grant program for local law enforcement agencies looking to implement or expand existing body camera programs.
- Provide \$15 million in grants for City Law Enforcement agencies who agree to provide data on the number of:
 - Use of force incidents resulting in hospitalization.
 - Use of force incidents resulting in death.

0690 OFFICE OF EMERGENCY SERVICES**ISSUE 9: YOUTH EMERGENCY TELEPHONE REFERRAL NETWORK**

The Assembly is proposing to:

Augment the Office of Emergency Services budget by \$200,000 (General Fund) in support of the Youth Emergency Telephone Referral Network.

Specifically, this funding is being made available to support adding texting as a platform to provide crisis intervention counseling, support materials to raise awareness about the new service and support 2 additional paid crisis line staff as the majority of the time volunteers staff the line.

The Youth Emergency Telephone Referral Network, now called the California Youth Crisis Line (CYCL), is the only 24-hour statewide, toll-free comprehensive source for referrals, information and crisis counseling for youth, parents, law enforcement, and community members concerned about the youth of California. The Crisis Line has been in operation since 1986. Professionally-trained staff and volunteer counselors respond to 20,000 calls annually with crisis intervention counseling and resource referrals to service providers in the caller's local community. The Crisis Line has access to more than **5,500 free or low-cost resources for youth and families** across California. The CYCL is expected to receive \$150,000 in federal Victim of Crime Act Funds and \$114,000 from the General Fund in 2015-16, for a total of \$264,000. In 2002, the CYCL received over \$338,000 in state funding.

STAFF RECOMMENDATION

Approve Proposal

ISSUE 10: NONPROFIT SECURITY GRANT PROGRAM

The Assembly is proposing to:

Augment the Office of Emergency Services budget by \$200,000 (General Fund) in support of the Nonprofit Security Grant Program.

Since 2008, California has received \$2 million per year from the Department of Homeland Security, which the Office of Emergency Services distributes to nonprofit organizations who are at high risk of terrorist attack, for the purpose of security improvements and readiness the these organizations' facilities. Program Grants are capped at \$75,000 (typically, 30-40 grantees are identified each year).

STAFF RECOMMENDATION

Approve Proposal

ISSUE 11: REGIONAL RAILROAD ACCIDENT PREPAREDNESS AND IMMEDIATE RESPONSE - TRAILER BILL LANGUAGE

The issue before the Subcommittee is the Administration's proposed Trailer Bill Language on Regional Railroad Accident Preparedness and Immediate Response.

STAFF COMMENTS

Since the Subcommittee's May 13, 2015 discussion on this issue, the Governor's Administration has updated the proposal to address many of the issues and concerns brought forward by stakeholders and Subcommittee members. Nonetheless, some stakeholders and Subcommittee members believe there is room for additional compromise and cooperation on this proposal.

STAFF RECOMMENDATION

In light of California's pressing need to fill existing gaps in the state's ability to expeditiously respond to this type of incident, and acknowledging the Governor's Administration's work to address stakeholder concerns, staff recommends this proposal be approved, as a placeholder, to allow additional time for negotiation and compromise.

ISSUE 12: SOUTHERN REGION EMERGENCY OPERATIONS CENTER

The Office of Emergency Services is proposing \$613,000 from the General Fund for 2015-16 to fund the acquisition and preliminary planning phase for a new OES Southern Regional Emergency Operations Center (SREOC) to be built on leased land in Los Alamitos. The proposed building would bring OES' SREOC into compliance with the most basic requirements of the Essential Services Act for Seismic Safety.

The proposed facility would house emergency operations staff and would serve as the center for response activities in the event of an emergency. The total project, which would be completed in 2019, is estimated to cost \$24.6 million. The project is currently proposed to be entirely funded from the General Fund.

STAFF RECOMMENDATION

Adopt proposal with modified provisional language as follows:

"The funds appropriated for the preliminary plans phase of the project authorized in Schedule (3) shall be available for encumbrance after the Office of Emergency Services has acquired the necessary long-term, real estate rights through a lease that is compatible with lease-revenue bond financing, as determined by the Department of Finance. This provision shall not be construed as a commitment by the Legislature to appropriate lease revenue bond financing for future phases of this project."

8940 CALIFORNIA MILITARY DEPARTMENT

ISSUE 13: WORK FOR WARRIORS

The Assembly is proposing to:

Augment the California Military Department's budget by \$700,000 (Workforce Innovation and Opportunity Act) in support of the Work for Warriors program.

Work for Warriors (WFW) is a State and Federally funded Free Direct Placement Program within California. The intent of the employment initiative branded "Work for Warriors" is aimed at reducing the unemployment rate among Service Members in the Guard and Reserve by directly placing them into gainful full time employment. WFW is open to all currently serving Guard and Reserve personnel, Post 9/11 Veterans, as well as Spouses and Gold Star Families.

STAFF RECOMMENDATION

Approve proposal

ISSUE 14: PROVISIONAL LOAN LANGUAGE

The Military Department is requesting provisional budget bill language that will authorize the Director of Finance to loan up to \$30 million from the General Fund to the California Military Department for cash flow purposes.

Due to changes in the federal government's accounting system, advance payments are no longer an option for operating costs, which include salaries and services provided by vendors to the California National Guard and Air National Guard. Historically, the Military Department has been able to mitigate cash flow issues, which arise during the second half of the fiscal year, by receiving federal reimbursements.

The Department of Finance, in coordination with the Military Department, has proposed including provisional language that would: 1) Meet the cash flow needs resulting from the delay in receiving reimbursements. 2) Be considered short-term and shall be repaid by the Military Department by October 31 in the fiscal year following that in which the loan was authorized. 3) Interest charges may be waived. 4) May only be approved in writing and submitted to the Joint Legislative Budget Committee for notification 30 days prior to the effective date of the approval.

STAFF COMMENTS

Similar provisional language has been provided to several other state agencies. Staff does not have any concerns or issues with the proposed language.

STAFF RECOMMENDATION

Approve proposal

ISSUE 15: INCREASED FEDERAL TRUST FUND AUTHORITY

On May 6th and May 8th, the Joint Legislative Budget Committee (JLBC) received two notifications requesting increases in the California Military Department's federal trust fund authority for the current fiscal year.

Budget Control Section 28.00 is the legal authority utilized to address unanticipated, mid-fiscal year, increases and decreases in federal expenditure authority.

The JLBC has notified the Department of Finance that the May 6 Budget Control Section 28.00 notifications should be considered as part of 2015-16 Budget process.

The notifications totaled \$9.85 million in increased federal trust fund authority. \$3.0 million for maintenance and construction activities at Joint Forces Training Base, Los Alamitos, the San Bernardino Readiness Center, and the Ontario Armory.

The remaining \$6.85 million would be utilized to renovate buildings at the Sunburst Youth Challenge Academy, establish a third Youth Challenge program in Stockton, recruit, mentor and support minority mentors, and vocational education training programs.

STAFF RECOMMENDATION

Approve an increase in Military Department's federal trust fund authority by \$9.85 million and authorize the reappropriation of GF match from the 2014-15 fiscal year.