

## AGENDA

**ASSEMBLY BUDGET SUBCOMMITTEE NO. 5  
PUBLIC SAFETY  
ASSEMBLYMEMBER NORA CAMPOS, CHAIR**

**MONDAY, MAY 9, 2016  
2:30 P.M. – CALIFORNIA STATE CAPITOL, ROOM 437**

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**VOTE ONLY ITEMS****(ALL VOTE ONLY ITEMS ARE SUBJECT TO FURTHER DISCUSSION WITHOUT NOTICE)****5225 CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION**

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**VOTE ONLY ISSUE 1: REAPPROPRIATION OF AB 900 GENERAL FUND**

**Request:** The California Department of Corrections and Rehabilitation is requesting authority to reappropriate \$80.5 million (General Fund) in unexpended funding intended for health care facility improvement projects and other critical infrastructure projects.

**Background:** Chapter 7, Statutes of 2007, (Assembly Bill 900) appropriated \$300,000,000 General Fund to complete the design and construction of projects at prisons statewide.

Based on trailer bill language approved in 2014, five new projects for the Health Care Facility Improvement Program were authorized from this funding source. Preliminary plans have been completed for these projects. However, working drawings are currently in progress and are anticipated to be completed in mid-2016. Additionally, the Calipatria State Prison-Potable Water Storage Reservoir project funded from this appropriation is currently in the working drawings phase with completion of this phase anticipated in mid-2016.

This reappropriation is necessary to ensure the balance of this appropriation remains available for completion of health care facility improvement projects necessary to comply with court requirements, as well as critical infrastructure projects necessary to maintain the safe and efficient operation of existing facilities.

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**Staff Recommendation: Approve as budgeted**

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**VOTE ONLY ISSUE 2: ENHANCED DRUG AND CONTRABAND INTERDICTION PILOT EXPANSION**

**Request:** The California Department of Corrections and Rehabilitation is requesting \$7.9 million (General Fund) to continue and expand the existing 11 institution Drug Interdiction pilot program.

**Background (Provided by LAO):** *Two-Year Pilot Program Initiated in 2014-15.* The Legislature provided CDCR with \$5.2 million (General Fund) in both 2014-15 and 2015-16 to implement a two-year pilot program intended to reduce the amount of drugs and contraband in state prisons. Of this amount, \$750,000 annually was used for random drug testing of 10 percent of inmates per month at all 34 state prisons and the California City prison, which are all operated by CDCR. (The LAO notes that CDCR redirected resources in 2013-14 to begin random drug testing 10 percent of the inmate population each month beginning January 2014. As such, the department had already established a baseline of drug usage prior to the start of the pilot.) The remaining amount was used to implement enhanced interdiction strategies at 11 institutions, with 8 prisons receiving a “moderate” level of interdiction and 3 prisons receiving an “intensive” level. According to CDCR, each of the moderate institutions received the following: (1) at least two (and in some cases three) canine drug detection teams; (2) two ion scanners to detect drugs possessed by inmates, staff, or visitors; (3) X-ray machines for scanning inmate mail, packages, and property as well as the property of staff and visitors entering the prison; and (4) one drug interdiction officer. In addition to the above resources, each of the intensive institutions received: (1) one additional canine team, (2) one additional ion scanner, (3) one full body scanner at each entrance and one full body X-ray scanner for inmates, and (4) video cameras to surveil inmate-visiting rooms. In 2015, the Legislature passed legislation requiring the department to evaluate the pilot drug testing and interdiction program within two years of its implementation.

**LAO Assessment:** *Interdiction Efforts Do Not Appear to Be Effective.* According to CDCR, the goals of its drug interdiction efforts are to (1) reduce inmate drug use and (2) increase institutional security in various ways, such as by reducing inmate violence and lockdowns associated with the prison drug trade. Although a comprehensive analysis of the pilot program is not yet available, preliminary data suggest the pilot has not achieved the desired outcomes. Specifically, the data suggests:

- **Drug Use Appears on the Rise.** As shown in Figure 9, data provided by CDCR indicate that the overall statewide percentage of positive and refused tests increased from 5.3 percent in the six months preceding the implementation of the interdiction strategies to 6.7 percent in the first six months of the pilot. (Refused tests are likely an indication that an inmate has been using drugs.) The largest increase occurred at the prisons, which received the most intensive interdiction. The percent of positive or refused tests also increased in the second six months of the pilot overall at prisons receiving moderate interdiction resources. While there was a decline at intensive prisons between the first and second six-month period of the pilot, the percent of positive or refused tests still remained above that of the six months preceding the pilot.

- ***Institutional Security Improvements May Not Be Attributable to Interdiction Efforts.*** Data provided by CDCR indicate that the number of violent incidents in prison (such as assaults on staff and other inmates) declined by about 4 percent from 2013-14 to 2014-15 (the first year of the drug interdiction pilot). However, as shown in Figure 10, most of this decline occurred in prisons without enhanced interdiction. Prisons, which were part of the pilot, actually saw an increase in violence. In addition, data provided by CDCR indicate that lockdowns decreased overall from 2013-14 to 2014-15 but that the decline in prisons without enhanced interdiction (45 percent) was greater than the decline in prisons with enhanced interdiction (36 percent).
- ***Drug Testing Appears to Have Some Benefit.*** Data provided by CDCR suggest that random drug testing has increased the rate at which the department is identifying inmates who are using illegal drugs. This increased rate of identification should allow the department to better target inmates who are in need of substance abuse treatment. In addition, it is possible that the random drug testing is deterring some inmates from using drugs. However, further analysis is needed to determine whether this is the case.

**LAO Recommendation:** ***Approve Temporary Extension of Drug Testing.*** We recommend that the Legislature approve the portion of this request—\$750,000 from the General Fund—associated with continuing the random drug testing for one additional year. The drug-testing program appears to have increased the rate at which CDCR is identifying inmates who use illegal drugs. In addition, the collection of additional drug test results should help the department to assess whether the removal of drug interdiction resources, as we recommend below, affects the rate of drug use in prisons. Based on the result of the department’s final evaluation, the Legislature could determine whether to permanently extend the drug-testing program. Reject Remainder of Proposal to Extend Drug Interdiction Pilot Program.

***We recommend that the Legislature reject the remainder of the Governor’s proposal to extend and expand the drug interdiction pilot program.*** Extending the program now would be premature given that (1) preliminary data suggest that it is not achieving its intended outcomes and (2) CDCR has not yet fully evaluated its effectiveness. We also recommend that the Legislature direct the department to accelerate its timeline for evaluating the program so that it is completed in time to inform legislative deliberations on the 2017-18 budget, such as whether any of the interdiction strategies should be permanently adopted.

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**Staff Recommendation: Adopt the LAO recommendation to fund on-going drug testing (at \$750,000) and reject the remainder of the request to extend the pilot project for an additional year.**

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**5227 BOARD OF STATE AND COMMUNITY CORRECTIONS**

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**VOTE ONLY ISSUE 3: STRENGTHENING LAW ENFORCEMENT AND COMMUNITY RELATIONS GRANT PROGRAM**

**Request:** The Board of State and Community Corrections requests \$6 million in FY 2016-17 to continue the Strengthening Law Enforcement and Community Relations Grant Program.

**Background:** The Budget Act of 2015 allocated \$6 million to the BSCC to administer the Strengthening Law Enforcement and Community Relations Grant Program. The Budget Act provides, in pertinent part:

The Board of State and Community Corrections shall provide grants to local law enforcement for programs and initiatives intended to strengthen the relationship between law enforcement and the communities they serve, including, but not limited to, providing training for front-line peace officers on issues such as implicit bias; funding for research to examine how local policing services currently are being delivered; assessing the state of law enforcement-community relations; comparing the status quo with the best practices in the policing profession; and receiving recommendations for moving forward, including the identification of policing models and operational options to improve policing; problem-oriented policing initiatives such as Operation Ceasefire; restorative justice programs that address the needs of victims, offenders, and the community; behavioral health training and any one-time costs associated with implementing, expanding, and maintaining a program designed to capture peace officer interactions with individuals in the community.

**STAFF COMMENTS**

Staff notes that the funding allocated in the Budget Act of 2015 will not be distributed until the 2016-17 fiscal year (per the Board's testimony on 3/9/2016), staff suggests that allocating additional funding is premature.

Staff recommends the Subcommittee defer all additional funding for this program pending implementation and analysis of the program supported by the 2015 allocation.

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**Staff Recommendation: Reject Proposal**

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**DISCUSSION ITEMS****0250 JUDICIAL BRANCH**

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**DISCUSSION ISSUE 1: SARGENT SHRIVER CIVIL COUNSEL ACT**

The Judicial Council will open this issue by providing a brief overview of the Sargent Shriver Civil Counsel Act pilot program and the existing statutory sunset.

**PANELISTS**

- Judicial Council
- ACLU California, Legislative Director, Kevin G. Baker,
- Department of Finance
- Legislative Analyst's Office
- Public Comment

**BACKGROUND**

Since enactment of the Sargent Shriver Civil Counsel Act, (AB 590, 2009) the Judicial Council has chosen seven pilot projects to provide legal representation to a selected number of low-income Californians. The Legislature has funded these projects at \$9.5 million per year (starting in 2011). The pilots are administered by the Judicial Council.

These seven pilot projects, each in a different area of the state, target cases involving critical legal issues that affect basic human needs such as housing, custody, conservatorship, and guardianship. In these kinds of disputes, low-income litigants are, for the most part, unrepresented—and often unaware of the various options open to them. The pilots target cases in which one side is represented by a lawyer and the other is not.

Each project is a partnership of a lead legal services nonprofit corporation, the court, and other legal services providers in the community. The projects provide legal representation to low-income Californians at or below 200 percent of the federal poverty level. When selecting cases, the agencies consider the complexity of the case and whether the potential client has special challenges, such as limited English proficiency, illiteracy, or disabilities. They also review how serious the case is and whether the client has a good chance of prevailing. In addition, the agencies look at whether providing assistance might save money in the long run by reducing the costs of social services such as homeless and domestic violence shelters.

Since the need for services is expected to outpace available funding, it is not possible to provide all eligible low-income parties with attorneys. Thus, the court partners also receive funding to change procedures and practices to ensure those parties who still lack attorneys have meaningful access to the courts, have their cases heard on the merits, and do not unintentionally give up their rights. These court services include expanded mediation assistance, language interpreters, a probate facilitator, a housing inspector, special parenting workshops, and other creative methods to address these important and challenging cases.

The legal services agencies selected for the pilot projects screen litigants to identify eligible clients and contract with other legal services providers in the community to provide services. Staff attorneys were hired, but pro bono work by outside attorneys is also encouraged. The lead legal services agency are the main point of contact for referrals from the court and other agencies. Some projects also provide assistance from social workers to help address the issues that clients face.

As one of the first programs in the country to combine representation for low-income persons in these types of cases with court innovation, the Sargent Shriver Civil Counsel Act has attracted national attention. The lessons learned should be helpful to other courts working on innovations—and to everyone interested in the best ways of ensuring that all persons coming to court get an appropriate level of legal assistance in these critical cases.

Funding: Total available funding for all projects is \$9.5 million per year, funded by a special \$10 supplemental filing fee on certain post judgment motions. New projects may be added by competitive grants if funds become available as the result of the termination or nonrenewal of a project.

### **Program Locations**

Bar Association of San Francisco Voluntary Legal Services Program  
Superior Court of San Francisco County  
Child Custody Pilot Project

Greater Bakersfield Legal Assistance  
Superior Court of Kern County  
Housing Pilot Project

Legal Aid Society of San Diego  
Superior Court of San Diego County  
Housing Pilot Project  
Child Custody Pilot Project

Legal Aid Society of Santa Barbara County  
Superior Court of Santa Barbara County  
Housing Pilot Project  
Probate Guardianship Pilot Project

Legal Services of Northern California  
Superior Court of Sacramento County  
Superior Court of Yolo County  
Housing Pilot Project

Los Angeles Center for Law and Justice  
Superior Court of Los Angeles County  
Child Custody/Domestic Violence Project

Neighborhood Legal Services of Los Angeles County  
Superior Court of Los Angeles County  
Housing Pilot Project

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**Staff Recommendation: Adopt placeholder Trailer Bill Language to extend the program indefinitely.**

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**DISCUSSION ISSUE 2: STATE LEVEL EMERGENCY FUNDS**

The Judicial Council will open this issue by providing a brief overview of the Trailer Bill proposal.

**PANELISTS**

- Judicial Council
- Department of Finance
- Legislative Analyst's Office
- Public Comment

**BACKGROUND****LEGISLATIVE COUNSEL'S DIGEST**

Existing law requires the Judicial Council to adopt a budget and allocate funding for the trial courts. Existing law requires the Judicial Council to set aside 2% of specified funds appropriated in the annual Budget Act and requires the funds to remain in the Trial Court Trust Fund to be allocated by the Judicial Council to trial courts for unforeseen emergencies, unanticipated expenses, or unavoidable funding shortfalls.

This bill would instead require the Judicial Council to hold a reserve of \$10,000,000 in the Trial Court Trust Fund to be available to trial courts for emergencies. The bill would require any funding allocated to be replenished on an annual basis from the trial court base allocations. The bill would require the Judicial Council to establish a process for trial courts to apply for emergency funding.

***Complete language proposal can be found at:***

[http://www.dof.ca.gov/budgeting/trailer\\_bill\\_language/corrections\\_and\\_general\\_government/documents/206StateLevelEmergencyFunds\\_001.pdf](http://www.dof.ca.gov/budgeting/trailer_bill_language/corrections_and_general_government/documents/206StateLevelEmergencyFunds_001.pdf)

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**Staff Recommendation: Approve placeholder Trailer Bill Language**

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**0690 OFFICE OF EMERGENCY SERVICES**

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**DISCUSSION ISSUE 3: PUBLIC SAFETY COMMUNICATIONS OFFICE**

The Office of Emergency Services will open this issue by providing a brief overview of the Trailer Bill proposal.

**PANELISTS**

- Office of Emergency Services
- Department of Finance
- Legislative Analyst's Office
- Public Comment

**BACKGROUND**

The proposed trailer bill language establishes the new Public Safety communications Fund; specifies what monies may be included in the fund; and requires any balance, which exceeds 25 percent of the current fiscal year's budget for PSC, to be used to reduce billing service rates during the following fiscal year.

***Complete language proposal can be found at:***

[http://www.dof.ca.gov/budgeting/trailer\\_bill\\_language/corrections\\_and\\_general\\_government/documents/204PublicSafetyCommunications.pdf](http://www.dof.ca.gov/budgeting/trailer_bill_language/corrections_and_general_government/documents/204PublicSafetyCommunications.pdf)

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**Staff Recommendation: Approve placeholder Trailer Bill Language**

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**5225 CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION****DISCUSSION ISSUE 4: PUBLIC SAFETY COMMUNICATIONS OFFICE**

The California Department of Corrections and Rehabilitation will open this issue by providing a brief overview of the Trailer Bill proposal.

**PANELISTS**

- Office of Emergency Services
- Department of Finance
- Legislative Analyst's Office
- Public Comment

**BACKGROUND**

In April 2012, CDCR released its blueprint detailing the Administration's plan to reorganize various aspects of CDCR operations, facilities, and budgets in response to the effects of the 2011 realignment of adult offenders, as well as to meet federal court requirements. The blueprint was intended to build upon realignment, create a comprehensive plan for CDCR to significantly reduce the state's investment in prisons, satisfy the Supreme Court's ruling to reduce overcrowding in the prisons, and get the department out from under federal court oversight. In the blueprint's introduction, the Administration stated:

Given the ongoing budget problems facing California it has become increasingly important to reexamine the mission and priorities of the corrections system. With dedicated funding directed to county governments to manage lower level offenders, realignment allows the state to focus on managing the most serious and violent offenders. And it allows counties to focus on community-based programs that better promote rehabilitation. Not only is this good corrections policy, but it also allows the state to achieve significant budgetary savings from a department whose share of General Fund expenditures had grown from 3 to 11 percent over the last 30 years.

As a result of the declining populations, the state will be able to save nearly half a billion dollars by closing the California Rehabilitation Center - one of its oldest, most costly, and inefficient prisons to operate—and ending contracts for out-of-state prison facilities. The savings contemplated in this plan will be attained by safely reclassifying inmates, housing inmates in facilities that are commensurate with their custody level, and working to reduce recidivism. Capitalizing on the opportunities created by realignment will create a safer, more effective

correctional system, and allow the state to regain control of its prison system by satisfying federal court requirements.

Combining the actual budget savings with the avoided expenditures that would have been required without realignment, over a ten year span the state will have saved and avoided over \$30 billion in General Fund costs that may now be used to help balance the state budget or for other critical areas such as education and health care.

The Budget Act of 2012 and related trailer bills approved both funding augmentations and reductions associated with the blueprint and adopted necessary statutory changes. In addition, the Legislature made several changes to the blueprint to increase transparency and accountability, including creating a separate budget item for CDCR's rehabilitative programs and giving the Office of the Inspector General (OIG) oversight over the implementation of certain aspects of the blueprint.

In addition to an expectation of General Fund savings, the Legislature, in approving the blueprint and public safety realignment one year earlier, expressed concerns during budget hearings that the Administration had not provided a comprehensive plan designed to reduce the number of people either coming to prison for the first time or returning to prison. The Legislature and the federal court both signaled clearly to the Administration that the state could not grow its way out of this problem by simply increasing prison capacity. Furthermore, through budget hearings and discussions with the Administration the Legislature was reassured that if it approved the construction of infill facilities and allowed for in-state contracted prisons, once the new facilities were open, the state would not have added any new capacity, CDCR would close California Rehabilitation Center (CRC), and out-of-state inmates would return to in-state prisons.

### **CDCR's Original Blueprint and the Updated Blueprint**

On January 20, 2016, the Administration released An Update to the Future of California Corrections to document why certain commitments made in the original blueprint did not materialize, and to establish new long-term priorities for CDCR. Below are key provisions that differ between the original and revised blueprint:

**Original Blueprint:** Higher Prison Population Estimates Than Projected in 2012. The original blueprint assumed that the prison population would continue on a downward trend. The blueprint projected a total population of 133,746 inmates as of June 2012. By the end of 2014-15 that population was projected to be 123,149. Of the 123,149 inmates, 117,565 were projected to be housed in adult institutions, with the remainder housed in fire camps or contract facilities; this would result in the state being at 142.3 percent of prison capacity.

**Updated Blueprint:** One of the most significant revisions to the original blueprint is the population estimate. The updated plan notes that the original blueprint significantly underestimated the inmate population. The original blueprint assumed an inmate population of approximately 124,000 as of June 30, 2017. The revised estimates suggest that the population will bottom out at 128,000 in

June 2016, and will begin to rise, reaching 131,000 inmates by June 30, 2020. The report notes that it is this increased population that drives their request to maintain a higher capacity than assumed in the original blueprint as discussed in more detail below.

**Original Blueprint: \$3 billion in Savings Did Not Materialize.** The Administration asserted that the blueprint would reduce state spending on adult prison and parole operations by \$1 billion in 2012-13, as a result of 2011 realignment. The plan estimated that these savings would grow to over \$1.5 billion by 2015-16, and assumed an ongoing annual savings of over \$3 billion. Over ten years, the blueprint projected a state General Fund savings of approximately \$30 billion.

**Updated Blueprint.** Rather than achieving the ongoing annual savings of over \$3 billion per year over CDCR's pre-realignment budget envisioned in the original blueprint, the CDCR budget has consistently grown since the time of its adoption. The proposed 2016-17 budget for CDCR is approximately \$10.3 billion. In addition, the estimated realignment revenue for local community corrections (which would otherwise come to the state General Fund) is \$1.3 billion. This totals \$11.6 billion in spending on California's incarcerated felons. Prior to realignment, in 2010-11, the state spent approximately \$9.7 billion on incarcerated felons housed in state institutions and camps.

The revised plan details several areas where costs have risen in excess the assumptions made in the original blueprint. Specifically, increased employee compensation and retirement costs are estimated to consume about \$835 million in 2016-17. In addition, costs for the Correctional Health Care Facility (CHCF) have increased by approximately \$289 million. Along with those increases, the CDCR budget now contains \$430 million in lease-revenue bond payments per year (an increase of \$170 million over the 2012 Budget Act) related to the cost of constructing CHCF, Health Care Facility Improvement Projects, infill capacity, and construction grants provided for local jails. Finally, the report notes that 11,396 inmates remain in leased or contracted facilities that cost the state \$385 million per year.

**Original Blueprint: No Elimination of Contracted Prison Beds.** The department began sending inmates out-of-state when overcrowding was at its worst in 2007. At the time of the blueprint, there were more than 9,500 inmates housed outside of California. The blueprint projected that by 2014-15 there would be 1,864 inmates remaining in out-of-state contract beds and committed to ending all out-of-state contracts by 2015-16. Returning out-of-state inmates to in-state facilities was expected to save the state \$318 million annually. In addition, the blueprint assumed that as of June 30, 2016, there would only be 1,825 inmates in in-state contract beds.

**Updated Blueprint.** The Administration proposes maintaining 4,900 inmates in out-of-state facilities in Arizona and Mississippi for the foreseeable future. As noted above, the Administration thinks that the higher than originally projected inmate population will require them to continue to need out-of-state capacity. However, the Administration also requires legislative approval to continue the

use of out-of-state beds because the statutory language authorizing contract beds is scheduled to sunset.

In addition to out-of-state contracts, CDCR has increased utilization of in-state contract beds above the levels contained in the original blueprint. As noted above, there were approximately 5,600 inmates in in-state contract beds, including California City, as of January 20, 2016. The budget also contains trailer bill language extending the sunset date for in-state contract facilities and the lease of California City, all of which are due to expire on December 31, 2016. The draft trailer bill language proposes extending the sunset for all contract and lease facilities until December 31, 2020.

**Original Blueprint:** Makes Minimal Progress on Rehabilitation. The blueprint required the department to improve access to rehabilitative programs and place at least 70 percent of the department's target population (approximately 36 percent of the total prison population) in programs consistent with academic and rehabilitative needs. The blueprint further set June 30, 2015, as the completion date for reaching that goal.

Toward that end, the blueprint required the establishment of reentry hubs at certain prisons to provide intensive services to inmates as they get closer to being released. It also required the creation of enhanced programming yards, which are designed to incentivize positive behavior. For parolees, the blueprint increased the use of community-based programs to serve, within their first year of release, approximately 70 percent of parolees who need substance-abuse treatment, employment services, or education.

**Updated Blueprint.** In the revised blueprint, the Administration notes that it fell short of reaching its target and has only reached 60 percent of the target population. Further, the department continues to count an inmate who shows up for only one day for a program toward meeting the goal of reaching their target. The Office of the Inspector General has consistently recommended that CDCR only count a person as having met the requirement when the person completes a program. Given CDCR's counting method, it is unclear how many people receive rehabilitative programming, either in the larger population or within their much smaller target population. The revised blueprint notes that CDCR is working with the Inspector General to revise their counting methodology and they acknowledge that the new methodology would take the department farther away from the original goal.

**Original Blueprint:** Successfully Increased In-State Prison Capacity. As noted above, the original blueprint required the return of all inmates who were being housed outside of California. In order to accommodate the return of those inmates and the closure of the California Rehabilitation Center (discussed below), the blueprint outlined a plan for increasing in-state prison beds through the modification of existing facilities and the construction of three new infill-projects.

The blueprint called for the construction of additional low-security prison housing at three existing prisons. The proposed projects would have capacity for 3,445 inmates under the 145 percent population cap proposed by the blueprint (design capacity of 2,376 beds) and would include space to permit the operation of inmate programs such as mental health treatment and academic programs. In addition, the blueprint called for the renovation of the DeWitt Nelson Youth Correctional Facility to house adult offenders. The facility would serve as an annex to the California Health Care Facility (CHCF) that was under construction in Stockton. Under the proposed 145 percent population cap, the DeWitt facility would have capacity for 1,643 lower-security inmates (design capacity of 1,133 beds). Finally, the blueprint proposed converting the Valley State Prison for Women into a men's facility and the conversion of treatment facilities at Folsom Women's Facility into dormitory housing.

**Updated Blueprint.** The department has fully activated the DeWitt Annex at CHCF, with a design capacity of 1,133 beds. In addition, they anticipate the activation of the infill projects at Mule Creek State Prison and RJ Donovan State Prison later this spring. Those infill projects will add an additional 2,376 beds to the prison system. Combined, these projects approved through the blueprint, increase the state's prison capacity by over 4,807 inmates (under the current population cap of 137.5 percent).

The updated report, however, rather than reducing contract capacity or closing CRC (as discussed below) finds that CDCR has an on-going need for additional capacity. Specifically, the original blueprint assumed that the bed capacity at the end of 2015-16 and ongoing would be approximately 124,438 beds. In the updated plan, the Administration assumes there will be an on-going need for 133,054 beds, which is an increase of 8,616 beds.

**Original Blueprint: Will Not Close the California Rehabilitation Center (CRC) in the Foreseeable Future.** The blueprint assumed that one prison, CRC (Norco), would be closed in 2015-16. This planned closure was due to the fact that CRC is in need of significant maintenance and repair. In addition, the Administration proposed that the savings achieved from closing CRC would offset the costs of operating the new infill beds (mentioned above). This goal was revised by SB 105 which suspended this requirement pending a review by the Department of Finance and CDCR that will determine whether the facility can be closed.

The 2015-16 budget included statutory language requiring the Administration provide an updated comprehensive plan for the state prison system, including a permanent solution for the decaying infrastructure of the California Rehabilitation Center. In addition, state law provides legislative findings and declarations that, given the reduction in the prison population, the Legislature believes that further investment in building additional prisons is unnecessary at this time and that the California Rehabilitation Center can be closed without jeopardizing the court-ordered population cap.

**Updated Blueprint.** The new blueprint is intended to fulfill the requirement in the 2015-16 budget that the Administration provide the Legislature with an updated comprehensive plan for the prison system. However, in the revised blueprint, the

Administration maintains that they are unable to close CRC in the near future, but states that it remains committed to its closure at an unspecified future date. The proposed budget also includes \$6 million in General Fund for critical repairs to the facility. In addition, the report states that the Administration will work with the Federal Healthcare Receiver to determine other physical plant improvements needed to improve health care access at the facility.

**Original Blueprint: Achieved Standardized Staffing Levels.** Realignment's downsizing left the department with uneven, ratio-driven staffing levels throughout the system. The blueprint proposed adopting a standardized staffing model for each prison based on factors such as the prison's population, physical design, and missions. For the most part, prison staffing levels would remain fixed unless there were significant enough changes in the inmate population to justify opening or closing new housing units. In contrast, historically prison staffing levels were adjusted to reflect changes in the inmate population regardless of the magnitude of those changes.

**Updated Blueprint.** The report notes that the department has fully adopted a standardized staffing model and no longer uses a staffing model based upon the size of the prison population. The 2016-17 budget includes resources for 23,151 correctional officers to provide security at all state-run institutions and camps. This is an increase of 1,099 over the number of correctional officer positions at the time of the original blueprint. A portion of this increase is due to the activation of California City, the California Healthcare Correctional Facility (CHCF) and the infill projects at RJ Donovan and Mule Creek. However, it is also important to note that in April 2012, when the blueprint was released, the prison population was close to 138,000 inmates. At its peak population of approximately 170,000 inmates, CDCR was budgeted for approximately 24,332 correctional officers.

**Future Vision.** CDCR's updated plan includes a section on the department's future vision. That section primarily discusses CDCR's current investments in rehabilitation programming, safety, and security. For example, the plan discusses the type of education provided to inmates, including career technical education and community college. In addition, the plan discusses the creation of reentry hubs, the provision of substance abuse treatment, innovative programming grants, arts-in-corrections, the Cal-ID project, and many other efforts that have been introduced and promoted by the Legislature. In terms of safety and security, the plan mentions the department's drug and contraband interdiction pilot and the cell phone signal blocking technology that has been implemented at 18 prisons over the last few years.

In terms of future planning, the report contains the following major new initiatives or expansions of existing efforts:

- A commitment to evaluating all levels of rehabilitation programming, including inmate education.
- A budget request for \$15.2 million General Fund to continue the expansion of substance use disorder treatment at all state institutions.



- A budget request for \$57.1 million General Fund to continue and expand community reentry facilities. The department currently has 220 beds and plans to expand to 680 beds during 2016-17. \$25 million of the funding is designated as incentive payments for local communities that allow long-term conditional use permits for community reentry facilities.
- The establishment of a pilot program for in-prison sex offender treatment for 80 inmates at the Substance Abuse Treatment Facility in Corcoran.
- A budget request to increase funding dedicated toward services directed at long-term offenders, including residential and support services for offenders who are being released after long sentences, specialized programming for long-term offenders, and the expansion of the offender mentor certification program to provide training for inmates to become mentors for drug and alcohol counseling. In addition, the department plans to create a pre-employment transitions program and a community transitional housing program dedicated to long-term offenders.
- To enhance safety, CDCR plans to begin installing video surveillance systems at Mule Creek State Prison and RJ Donovan Correctional Facility In order to evaluate the benefits of using video technology to improve safety and security in the prisons.

***Complete language proposal can be found at:***

[http://www.dof.ca.gov/budgeting/trailer\\_bill\\_language/corrections\\_and\\_general\\_government/documents/210AnUpdatetotheFutureofCaliforniaCorrections\\_000.pdf](http://www.dof.ca.gov/budgeting/trailer_bill_language/corrections_and_general_government/documents/210AnUpdatetotheFutureofCaliforniaCorrections_000.pdf)

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**Staff Recommendation: Approve placeholder Trailer Bill Language**

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