AGENDA

INFORMATIONAL HEARING

ASSEMBLY BUDGET SUBCOMMITTEE NO. 5 ON PUBLIC SAFETY

ASSEMBLYMEMBER CRISTINA GARCIA, CHAIR

MONDAY, APRIL 19, 2021
10:00 A.M. – STATE CAPITOL, ROOM 437

Due to the ongoing COVID-19 safety considerations, including guidance on physical distancing, seating for this hearing will be very limited for the press and for the public. All are encouraged to watch the hearing from its live stream on the Assembly's website at https://assembly.ca.gov/todayevents.

We encourage the public to provide written testimony before the hearing. Please send your written testimony to: BudgetSub5@asm.ca.gov. Please note that any written testimony submitted to the committee is considered public comment and may be read into the record or reprinted.

A moderated telephone line will be available to assist with public participation. The public may provide comment by calling the following toll-free number: ***877-692-8957,*** *access code:* ***131 54 37.***

OVERSIGHT OF STATE FUNDING TO THE CALIFORNIA DISTRICT ATTORNEYS ASSOCIATION AND UPDATE ON RECIDIVISM REDUCTION STRATEGIES

I. OPENING REMARKS AND INTRODUCTION.

Assemblymember Cristina Garcia, Chair

II. PANEL 1: OVERVIEW OF STATE FUNDING TO THE CALIFORNIA DISTRICT ATTORNEYS ASSOCIATION AND AUDIT FINDINGS.

PANELISTS

- Anita Lee, Legislative Analyst's Office
- Ken Spence, Senior Policy Advisor, NextGen California
- Ashley Werner, Directing Attorney, Leadership Counsel

*****The California District Attorneys Association was invited to participate in today's hearing but they declined due to the opening of an investigation on the audit by the Department of Justice.

BACKGROUND

Earlier this year, an audit of the California District Attorneys Association (CDAA) showed that funding earmarked for specific activities such as environmental and worker safety litigation were used for other purposes, such as lobbying and training. The Legislative Analyst's Office has provided a handout on the findings of the audit conducted by the accounting firm Hemming Morse. The Attorney General's office has notified CDAA that they will be conducting an investigation related to the audit.

Subsequent to the release of the audit, the Subcommittee has received a letter from the following organizations addressed to the Legislature to "investigate, hold accountable, and provide oversight of the California District Attorneys Association for their egregious misuse of state funds earmarked for the enforcement of California's environmental laws":

Californians Against Waste
California Coastkeeper Alliance
California League of Conservation Voters
Clean Water Action
Coalition for Clean Air
Community Water Center
Environmental Working Group
Leadership Counsel
NextGen California
Sierra Club California

The letter further states, "As representatives of organizations dedicated to the protection of our environment, we are devastated by the dereliction of CDAA's public duties. We call on our government to not only demand redress for what is, for all intents and purposes, a theft of funds from the people of California, but to take all necessary steps to terminate the partnership between CDAA, the California Environmental protection Agency0Cal, and the Legislature." The letter seeks: (1) timely repayment of all misused funding; (2) an investigation of the CDAA by the Attorney General and oversight hearings, state audit, and a report from the Legislative Analyst's Office; (3) amendments to Title 13 of the California Penal Code and allow the California Environmental Protection Agency to grant funds to other organizations for environmental training and enforcement efforts; and, (4) CalEPA to terminate and decline the renewal of any grants provided to CDAA for environmental training and enforcement efforts and the responsibility of dispersing funding to be removed from CDAA.

III. PANEL 2: UPDATES ON RECIDIVISM REDUCTION STRATEGIES IN VARIOUS COUNTIES.

PANELISTS

- Caitlin O'Neil, Legislative Analyst's Office
- Diana Becton, District Attorney, Contra Costa County
- Tori Verber Salazar, District Attorney, San Joaquin County
- Judge Peter Espinoza, Director, Los Angeles County Office of Diversion and Reentry
- Vanessa Martin, Director of Reentry Services, Los Angeles County Office of Diversion and Reentry

BACKGROUND

The Legislative Analyst Office has provided a handout that highlights recent budget allocations and policies that have supported various priorities of the Legislature.

Contra Costa County District Attorney's Office. The mission of the office is to seek justice and enhance public safety for all of their residents by fairly, ethically, aggressively and efficiently prosecuting those who violate the law, and by working to prevent crime. Among the units of this office, there is a Conviction Integrity Unit that investigates wrongful claims of innocence as well as a Law and Motion Unit that works in collaboration with law students.

San Joaquin County District Attorney's Office (SJQDA). The office's mission statement states: "The mission of the SJQDA is our community: We are dedicated to upholding a healthy, fair and just society. We are committed to leading San Joaquin County by education, prevention, investigation, prosecution and rehabilitation, as provided by law, with justice for all." Among the office's initiatives include a collaborative Youth Leadership Academy for high school students to develop personal and professional leadership development skills.

Los Angeles County Office of Diversion and Reentry (ODR). The ODR was created in 2015 with a mission to develop and implement county wide criminal justice diversion for individuals with mental and/or substance use disorders, to provide reentry support services based on individual's needs and to reduce youth involvement in the justice system. Using a harm reduction and public health approach, ODR has launched a number of programs including ODR Housing which provides permanent supportive housing, intensive case management, and formal probation for qualifying participants, including those with severe mental health illness that qualify for pre-trial diversion and pregnant woman who can be diverted from the jails. In addition ODR manages a number of diversion and reentry efforts, including the INVEST program which is a collaboration among Probation, Workforce Development Aging and Community Services, and ODR to provide individuals on adult felony

probation with a path to living wage employment through individualized support services and training. At full capacity, 600 clients are expected to be supported through INVEST annually.

A pre-pandemic quarterly report from January-March 2019 showed that between October 2016 and March 2019, 1,728 homeless clients have been served through ODR housing and 1,238 clients have been moved from jail to community based treatment as part of the Misdemeanor Incompetent to Stand Trial-Community Based Restoration program to support the restoration of their competency. Since December 2018 through March 2019, a total of 73 pregnant women have been diverted from LA county jails. In addition, the ODR operates a number of other programs, initiatives and collaborations, including the county's first Community Reentry Center which provides employment and training, assistance with navigating housing resources, legal services, and assessment and linkage to mental health and substance use disorder services.

IV. PUBLIC COMMENT.