

**AGENDA****ASSEMBLY BUDGET SUBCOMMITTEE NO. 5****PUBLIC SAFETY****ASSEMBLYMEMBER SHIRLEY N. WEBER, PH.D., CHAIR****TUESDAY, MAY 23, 2017****3:00 P.M. – CALIFORNIA STATE CAPITOL, ROOM 437**

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**VOTE-ONLY CALENDAR****0250 JUDICIAL BRANCH**

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*The following Judicial Branch proposals were originally heard in this Subcommittee on April 17, 2017.*

**VOTE-ONLY ISSUE 1: eCOURT PROCUREMENT TO REPLACE SUSTAIN JUSTICE EDITION CASE MANAGEMENT SYSTEM**

The Judicial Council requests \$4.1 million General Fund in 2017-18 and \$896,000 General Fund in 2018-19 to update the Sustain Justice Edition Case Management System in the Superior Courts of California - Humboldt, Lake, Madera, Modoc, Plumas, Sierra, San Benito, Trinity and Tuolumne Courts. This request supports the transition to modern commercial off-the-shelf case management systems.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 2: LANGUAGE ACCESS PLAN AND SUPPORT FOR COURT INTERPRETERS**

The Governor's 2017-18 budget provides \$352,000 from the Improvement and Modernization Fund (IMF) and two positions on an ongoing basis for the video remote interpreting (VRI) spoken language pilot. Specifically, these resources would be used to support various activities related to the implementation and evaluation of the pilot, such as project management and the development of training materials. Upon completion of the pilot, the judicial branch indicates that these resources will be used to expand VRI to interested trial courts, monitor the implementation of VRI, manage statewide agreements for purchasing VRI equipment, and provide subject matter expertise.

In addition, the Governor's 2017-18 budget provides a \$490,000 one-time appropriation from the Court Interpreters' Fund to support various activities to benefit the court interpreters program. This funding will support six activities including: expanding the interpreter testing program to include American Sign Language, providing training to help individuals become certified court interpreters, and conducting outreach to recruit individuals to become certified court interpreters.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 3: STATEWIDE ELECTRONIC FILING IMPLEMENTATION**

The Judicial Council requests a General Fund loan of \$671,000 in 2017-18 and \$491,000 in 2018-19 to the Trial Court Trust Fund to support 3.0 positions to develop and maintain a standards-based statewide e-filing environment that will promote,

enable, and assist full court participation in e-filing. The loan will be repaid no later than June 30, 2021.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 4: DOCUMENT MANAGEMENT SYSTEM FOR THE APPELLATE COURTS**

The Judicial Council requests an augmentation of \$5.3 million Appellate Court Trust Fund for the purchase, deployment, and ongoing maintenance of a Document Management System (DMS) for the Appellate Courts. This request has been modified to reflect the following changes:

Fiscal Year	Original BCP	Final Deployment Plan
2017-18	\$1,338,428	\$1,266,719
2018-19	\$872,936	\$1,010,946
2019-20	\$973,200	\$1,003,717
2020-21	\$973,200	\$854,591
2021-22	\$832,800	\$854,591
2022-23 and ongoing	\$240,000	\$240,000
<b>Total</b>	<b>\$5,230,564</b>	<b>\$5,230,564</b>

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**Staff Recommendation: Approve modified funding to match final deployment plan.**

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*The following Judicial Branch proposals were originally heard in this Subcommittee on May 17, 2017.*

**VOTE-ONLY ISSUE 5: REPLACEMENT OF ORACLE FINANCE SYSTEM**

The Judicial Council requests an augmentation of \$5.3 million General Fund (\$2.0 million in 2017-18, \$1.8 million in 2018-19, and \$1.5 million in 2019-20 and ongoing) and 6.0 positions to support the transition to the FI\$Cal Program.

**LAO Recommendation.** The LAO recommends the Legislature reject the Governor's proposal for \$2.0 million General Fund—declining to \$1.8 million in 2018-19 and \$1.5 million annually beginning in 2019-20—and 6 positions to support Judicial Council's transition to FI\$Cal, and require Judicial Council to first complete the fit-gap analysis that it had initially planned on completing.

Although the proposal states that a gap analysis for the project was to be completed in June 2017, the judicial branch indicates that it will not be doing such an analysis. This analysis was to document any gaps between FI\$Cal and the existing financial system's functionality and how such gaps would be remediated, such as through new FI\$Cal programming and/or a change in Judicial Council processes. Because these changes can result in costs, they should be identified before beginning the transition to ensure that the scope and total cost of the project are calculated and documented appropriately. This is particularly important as the judicial branch is one of a few state

entities that has statutory authority to use a system other than FI\$Cal for their financial management. An adequate fit-gap analysis would ensure the judicial branch and the Legislature have the necessary information to determine whether transitioning to FI\$Cal is the most cost-effective solution to meet judicial branch financial needs or if another system (including its existing system) would be more appropriate. Accordingly, we recommend rejecting this proposal until after the completion of a fit-gap analysis.

**Staff Recommendation.** Staff recommends that the Subcommittee reject this proposal, and direct Judicial Council to report back to the Legislature the anticipated costs for completing the fit-gap analysis in order to ensure that FI\$Cal meets the needs of Judicial Council.

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**Staff Recommendation: Reject proposal.**

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**VOTE-ONLY ISSUE 6: STATE CONTROLLER'S OFFICE AUDIT BUDGET BILL LANGUAGE**

This request would add provisional language to Item 0250-101-0932, specifically related to the State Controller's Office audits of trial courts pursuant to subdivision (h) of Section 77206 of the Government Code. The provisional language would limit the amount the State Controller's Office can charge the selected trial courts (up to \$540,000) based on an agreed upon pricing structure: approximately \$70,000 each for a court from a county with a population of 200,000 or less; approximately \$90,000 each for a court from a county with a population greater than 200,000 and less than 750,000; and approximately \$110,000 each for a court from a county with a population greater than 750,000.

The language will also provide authority to the Judicial Council to make the payment to the State Controller's Office on behalf of the trial courts from the Trial Court Trust Fund. The audits will begin later than expected as both the State Controller's Office and Judicial Branch needed additional time to develop audit parameters. Similar language is already included in this item related to contract audits performed by the California State Auditor. Proposed provisional language:

*Provision X. Of the amount appropriated in this item, up to \$540,000 is available to reimburse the State Controller's Office for the costs of audits incurred by the State Controller's Office pursuant to subdivision (h) of Section 77206 of the Government Code.*

Government Code Section 77206 (h):

*“(h)(1) Commencing not earlier than July 1, 2011, and not later than December 15, 2012, the entity contracted with pursuant to subdivision (j) shall establish a pilot program to audit six trial courts. That entity shall select the trial courts using the following criteria:*

- (A) Two trial courts selected from counties with a population of 200,000 or less.
- (B) Two trial courts selected from counties with a population greater than 200,000 and less than 750,000.
- (C) Two trial courts selected from counties with a population of 750,000 or greater.

*The audits shall be performed in accordance with generally accepted government auditing standards and shall determine the trial court's compliance with governing statutes, rules, and regulations relating to the revenues, expenditures, and fund balances of all material and significant funds, including state General Fund funds, funds generated from fees or fines, federal funds, grants, and any other funds within the trial court's administration or control. The audits required by this section shall be in addition to any audit regularly conducted pursuant to any other provision of law."*

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**Staff Recommendation: Adopt provisional budget bill language.**

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**VOTE-ONLY ISSUE 7: NEW SACRAMENTO COUNTY COURTHOUSE REAPPROPRIATION**

The Judicial Council requests a reappropriation of the working drawings phase of the New Sacramento Criminal Courthouse. The 2014 Budget Act appropriated \$16.0 million from the Immediate and Critical Needs Account for the Working Drawings phase, which was reappropriated in the 2016 Budget Act. This project will provide a new 53-courtroom facility of approximately 540,000 building gross square feet in the City of Sacramento.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 8: TRANSFER OF SAN DIEGO COUNTY COURTHOUSE TRAILER BILL LANGUAGE**

The Judicial Council requests that trailer bill language be adopted to transfer title of the old San Diego County Courthouse and adjacent old County Jail to the County of San Diego. In exchange, the County of San Diego would release the Judicial Council of the obligation to demolish and remove those buildings following commencement of operation of the new San Diego Central Courthouse. This proposal also provides that the City of San Diego's previously-certified environmental impact report is adequate for the County's demolition and development projects.

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**Staff Recommendation: Reject proposal.**

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**0690 OFFICE OF EMERGENCY SERVICES**

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*The following Office of Emergency Services proposal was originally heard in this Subcommittee on March 13, 2017.*

**VOTE-ONLY ISSUE 9: PUBLIC ASSISTANCE PROGRAM WORKLOAD**

The Office of Emergency Services (OES) will open this issue with an overview and description of this proposal, which requests an increase of \$3.5 million ongoing General Fund state operations and reduction of \$3.5 million Federal Trust Fund authority to realign the funding with workload in the Public Assistance Program.

Staff Recommendation: Adopt placeholder Budget Bill Language as follows:

1. Of the amount appropriated in Schedule (1) of this item, \$9,800,000 shall only be available for the Recovery Public Assistance Program.
2. Funds appropriated in this item may be reduced by the Director of Finance, after giving notice to the Chairperson of the Joint Legislative Budget Committee, by the amount of federal funds made available for the purposes of this item in excess of the federal funds scheduled in Item 0690-001-0890.
3. The Office of Emergency Services, in consultation with the Department of Finance, shall provide a report to the Joint Legislative Budget Committee by January 10, 2018, with the following Public Assistance Recovery program information for the prior fiscal year. The report shall identify the amount of state expenditures by the department, identified by disaster, including the date of the disaster. For each disaster identified, the notification shall identify expenditures as state or federal funds and if the disaster is state-only or federal. If the disaster is federal and some or all of the costs were not reimbursable, the notification shall also identify the amount of costs that were not reimbursable and a description of why these costs were not reimbursable.

The report shall initially identify the total number of projects by disaster by state only and federal match, for the five prior fiscal years, with identification of projects opened and closed out during each fiscal year. In future years, Cal OES will provide same report for the prior fiscal year.

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**Staff Recommendation: Approve as budgeted with placeholder budget bill language.**

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*The following Office of Emergency Services proposals were originally heard in this Subcommittee on May 17, 2017.*

**VOTE-ONLY ISSUE 10: TEMPORARY WATER TANK PROGRAM**

The California Governor's Office of Emergency Services (Cal OES) requests \$6.5 million General Fund local assistance funding in State Fiscal Year SFY 2017-18. Cal OES will use these funds to continue the emergency water tank program for eligible local governments and non-profit organizations.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 11: NONPROFIT SECURITY GRANT PROGRAM**

The California Governor's Office of Emergency Services (Cal OES) requests \$500,000 Anti-Terrorism Fund local assistance authority in State Fiscal Year (SFY) 2017-18 to enhance the California State Nonprofit Security Grant Program (CSNSGP) which provides funding support for target hardening and other physical security enhancements to nonprofit organizations that are at high risk of a terrorist attack.

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**Staff Recommendation: Approve as budgeted.**

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**0820 DEPARTMENT OF JUSTICE**

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*The following Department of Justice proposals were originally heard in this Subcommittee on April 17, 2017.*

**VOTE-ONLY ISSUE 12: IMPLEMENTATION OF SB 880 AND AB 1135 (2016) REGISTRATION OF ASSAULT WEAPONS**

The Department of Justice requests \$2,588,000 and 27 positions in order to implement provisions of Senate Bill 880 (Hall, Chapter 48, Statutes of 2016) and Assembly Bill 1135 (Levine, Chapter 40, Statutes of 2016). The requested DROS funding will be loaned from the Firearms Safety and Enforcement Special Fund, and will be repaid no later than June 30, 2021.

**Staff Recommendation.** Approve the proposal, but extend the deadline for the registration of a semiautomatic firearm that does not have a fixed magazine by six months. In addition, add provisional language (below) allowing for the expenditure of the appropriation for SB 880 over a two-year period.

New Provisional Budget Bill Language for 0820-001-0460:

"Of the amount appropriated in this item, \$2,588,000 shall be available for encumbrance or expenditure until June 30, 2019, and shall be available for liquidation until June 30,



2021, to complete workload associated with Chapter 40, Statutes of 2016, and Chapter 48, Statutes of 2016.

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**Staff Recommendation: Approve Staff Recommendation.**

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**VOTE-ONLY ISSUE 13: LAW ENFORCEMENT CONTACT PROCESS TRAILER BILL LANGUAGE**

AB 1993 (Irwin, Chapter 514, Statutes of 2016), requires electronic communication service providers to maintain a specific process that would allow law enforcement to contact them. The bill also requires that providers report their specific process to DOJ by July 2017. Any subsequent changes to the process would also need to be reported to DOJ. DOJ, in turn, is required to consolidate all of this information and regularly provide this information to local law enforcement agencies.

The proposed language would make the Attorney General's duty described above effective only upon appropriation of sufficient funds by the Legislature to the Attorney General.

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**Staff Recommendation: Reject trailer bill language and provide \$500,000 General Fund for DOJ to fully implement AB 1993 (2016).**

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**VOTE-ONLY ISSUE 14: UNALLOCATED GENERAL FUND REDUCTION**

The Governor's 2017-18 budget includes a one-time unallocated \$5 million General Fund reduction to DOJ in order to achieve General Fund savings. The proposal would allow DOJ to decide how to accommodate the reduction.

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**Staff Recommendation: Approve as budgeted.**

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*The following Department of Justice proposals were originally heard in this Subcommittee on May 17, 2017.*

**VOTE-ONLY ISSUE 15: AGENCY COUNSEL TRAILER BILL LANGUAGE**

This trailer bill language would clarify existing law to ensure that the Attorney General maintains clear authority to act as legal counsel in judicial and administrative proceedings involving state agencies, as well as deliver approving legal opinions on bonds. The bill would also expressly authorize state agencies to employ in-house legal counsel for any other purpose, without seeking authorization from the Attorney General. The bill maintains the existing requirement that authorization from the Attorney General be obtained prior to employment of private, outside counsel.

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**Staff Recommendation: Adopt placeholder trailer bill language.**

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**VOTE-ONLY ISSUE 16: LEGAL RESOURCES FOR FEDERAL ACTIONS**

The California Department of Justice (DOJ) requests a two-year limited-term General Fund augmentation of \$6.5 million and an increase of thirty-one (31.0) positions in the Legal Services Division in order to help increase DOJ's capacity to address new unfunded workload stemming from overbroad Federal directives that threaten the constitutional rights of California's citizens.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 17: DNA IDENTIFICATION FUND REVENUE SHORTFALL**

In order to address significant DNA Identification Fund revenue decline and provide funding stability to the Bureau of Forensic Services' (BFS) statewide operations, the California Department of Justice (DOJ) requests to reallocate \$15 million in existing General Fund spending authority from the Division of Legal Services (\$5 million) and the Division of California Justice Information Services (\$10 million) to the Division of Law Enforcement.

Concurrently, the DOJ requests an augmentation of \$5 million in False Claims Act Fund in the Division of Legal Services in order to maintain ongoing federal grant match commitments, and an augmentation of \$10 million in Fingerprint Fees Account funding in the Division of California Justice Information Services to maintain existing background check program activities.

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**Staff Recommendation: Approve as budgeted.**

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**5225 CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION**

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*The following California Department of Corrections and Rehabilitation proposals were originally heard in this Subcommittee on March 6, 2017.*

**VOTE-ONLY ISSUE 18: VIDEO SURVEILLANCE PILOT PROGRAM**

The Governor's budget requests \$11,732,000 General Fund (\$10,516,000 one-time) beginning in 2017-18 to implement a comprehensive video surveillance pilot program at the Central California Women's Facility and High Desert State Prison. This request includes funding for four one-year limited-term positions.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 19: VARIATIONS TO STANDARDIZED STAFFING**

The Governor's budget includes \$5,874,000 (\$19,000 one-time) General Fund and 44.1 positions in 2017-18 to augment custody standardized staffing levels at three adult institutions.

**Staff Recommendation.** Although some resources are requested as part of activation of additional space, other staffing is requested based on the lack of ability for staff to control areas based on infrastructure issues. Standardized staffing was initially implemented in order to standardize the number of staff needed at a facility and keep staffing costs and adjustments down. However, since standardized staffing was implemented, nearly every year there are various adjustments to the formula. Generally these requests are for resources, which appear to stem from an oversight of necessary resources based on building design, and thus should be accounted for as part of the original methodology.

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**Staff Recommendation: Reject Proposal.**

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**VOTE-ONLY ISSUE 20: HEALTH CARE FACILITY IMPROVEMENT PLAN - CAL**

The California Department of Corrections and Rehabilitation requests \$16,079,000 General Fund to remedy physical plant deficiencies in the health care facilities at Calipatria State Prison in order to comply with court requirements (Plata, Coleman, and Perez).

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 21: POTABLE WATER RESERVOIR - CAL**

The California Department of Corrections and Rehabilitation requests \$6,939,000 General Fund to construct one new 1.25 million gallon (MG) potable water reservoir at Calipatria State Prison (CAL) and to repair and upgrade the existing 2.06 MG potable water reservoir.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 22: BRINE CONCENTRATOR SYSTEM REPLACEMENT - DVI**

The California Department of Corrections and Rehabilitation requests \$1,879,000 General Fund for the preliminary phase of the design and construction of a new Vibratory Shear Enhanced Process (VSEP) system to replace the existing brine concentrator system for Deuel Vocational Institution's (DVI) Reverse Osmosis Water Treatment Plant (ROWTP).

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 23: MENTAL HEALTH CRISIS BEDS UNITS – CIM AND RJD**

The California Department of Corrections and Rehabilitation requests \$3,661,000 General Fund for California Institution for Men and \$3,597,000 General Fund for Richard J. Donovan Correctional Facility in order to construct licensed 50-bed Mental Health Crisis Facilities at each institution.

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**Staff Recommendation: Approve proposal for RJD, and reject proposal for CIM.**

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**VOTE-ONLY ISSUE 24: MEDICATION DISTRIBUTION IMPROVEMENTS – CCI**

The California Department of Corrections and Rehabilitation requests \$2,569,000 General Fund for design and construction of two Medication Distribution Rooms (MDRs) at California Correctional Institution (CCI), one each in Facilities A and B, to provide the appropriate space with the proper infrastructure for secure medication distribution, infection control, environmental control and secure medication storage.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 25: ADVANCE PLANNING STATEWIDE**

The California Department of Corrections and Rehabilitation requests \$250,000 in order to perform advance planning functions and prepare budget packages for capital outlay projects to enable the Department to provide detailed information on scope and costs on requests for planned projects.

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**Staff Recommendation: Approve as budgeted.**

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*The following California Department of Corrections and Rehabilitation proposals were originally heard in this Subcommittee on April 3, 2017.*

**VOTE-ONLY ISSUE 26: SUICIDE WATCH CERTIFIED NURSING ASSISTANTS**

The California Department of Corrections and Rehabilitation will open this issue with a description of the proposed \$3.06 million General Fund and 184.5 positions in 2017-18 and \$3.02 million General Fund and 184.5 positions beginning in 2018-19 to address the increased Suicide Watch workload.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 27: CMF PSYCHIATRIC INPATIENT BEDS**

The California Department of Corrections and Rehabilitation will open this issue with a description of the proposed \$11.4 million from the General Fund and 90 positions to convert 74 existing outpatient mental health beds into ICF beds at CMF.

**Staff Recommendation: Approve as budgeted.**

*The following California Department of Corrections and Rehabilitation proposal was originally heard in this Subcommittee on April 24, 2017.*

**VOTE-ONLY ISSUE 28: SB 81 TRAILER BILL LANGUAGE – REDUCTION IN LEASE REVENUE BOND AUTHORITY**

The Administration requests trailer bill language to eliminate excess funding authority (in the amount of \$5,898,455) available from the SB 81 County Youthful Offenders Facilities Financing Program.

On August 23, 2016, Tulare County relinquished their award totaling \$3 million. The county-owned proposed project site is encumbered by existing financing that is incompatible with the Public Works Board's lease-revenue financing program. The county decided that it was in their best interest to keep the property encumbered by the existing financing. The only other county eligible to receive the relinquished award was Riverside County, which had received a partial award. BSCC increased Riverside's award by \$1,601,545 to make their award complete.

This trailer bill is needed to readjust the authority to reflect the actual awards made to counties. This would reduce a total of \$5,898,455 and result in an appropriation of \$294,101,545.

**Staff Recommendation: Adopt placeholder trailer bill language.**

*The following California Department of Corrections and Rehabilitation proposals were originally heard in this Subcommittee on May 17, 2017.*

**VOTE-ONLY ISSUE 29: ADULT AND JUVENILE POPULATION ESTIMATES**

Includes total funding of \$11.4 billion (\$11.1 billion General Fund and \$308 million other funds) for the operation of the Department of Corrections and Rehabilitation in 2017-18.

**Adult Population Adjustment**

The May Revision requests a net decrease of \$21,226,000 and 8.8 positions, which is comprised of a reduction of \$21,293,000 General Fund and an increase of \$67,000

Inmate Welfare Fund. The May Revision also:

- Projects the average daily adult population to be 129,275 in the current year and 127,693 in the budget year, an increase of 260 in 2016-17 and a decrease of 466 inmates in 2017-18.
- Projects the average daily parolee population to be 44,445 in the current year and 47,274 in the budget year, an increase of 759 in 2016-17 and 2,513 parolees in 2017-18.
- Decreases the population cost estimate by \$29.4 million General Fund in 2016-17 and \$21.3 million General Fund in 2017-18.

### **Juvenile Population Adjustment**

The May Revision requests that item 5225-001-0001 be decreased by \$3.5 million and 24.3 positions, reimbursements be decreased by \$90,000, and item 5225-011-0001 be increased by \$287,000 and 3.7 positions, to reflect revised juvenile population projections. The May Revision also reflects:

- A decrease to the juvenile population of 22 wards in the current year and 43 wards in the budget year, resulting in a decrease of \$813,000 General Fund in 2016-17 and \$3.3 million General Fund in 2017-18.
- A revised average daily population projection for wards of 683 in the current year and 736 in the budget year.

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**Staff Recommendation: Approve as budgeted.**

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### **VOTE-ONLY ISSUE 30: PROPOSED HOUSING UNIT CONVERSIONS**

The Governor's budget proposes to reduce General Fund support for CDCR by \$42.4 million in 2016-17 and by \$8.3 million in 2017-18 to account for net savings from the conversion of various housing units. According to the Administration, a significant driver of conversions proposed in 2016-17 and 2017-18 is the implementation of the 2016 Ashker v. Brown settlement, which made the criteria for housing inmates in security housing units more stringent.

For example, at Pelican Bay State Prison in Crescent City, the Administration proposes to convert 576 deactivated security housing unit beds to 720 level II beds. Because security housing units require more custody staff than most other units, these conversions would result in net savings.

The California Department of Corrections and Rehabilitation requests a reduction of \$6.604 million General Fund and 49.9 positions in 2016-17 and \$11.4 million General Fund and 86.8 positions in 2017-18.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 31: PHYSICIAN RETENTION STRATEGIES**

California Correctional Health Care Services requests \$7.0 million General Fund and 44 positions in fiscal year 2017-18 and \$13.9 million General Fund and 44 positions beginning in 2018-19 to implement physician retention strategies. The strategies include implementing a more robust Telemedicine program and establishing Regional Support Teams to relieve workload that is driven by lack of staffing.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 32: DRUG AND CONTRABAND INTERDICTION PROGRAM – CANINE TEAMS**

The California Department of Corrections and Rehabilitation requests \$6.7 million General Fund and 43 positions in 2017-18 and \$5.9 million General Fund and 43 positions beginning in 2018-19 to expand the Drug and Contraband Interdiction Program canine teams statewide.

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**Staff Recommendation: Approve as budgeted.**

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**VOTE-ONLY ISSUE 33: ROOF REPLACEMENTS**

The California Department of Corrections and Rehabilitation requests \$34.9 million General Fund in 2017-18 for roof replacements at the California Correctional Institution, Pleasant Valley State Prison, and Salinas Valley State Prison.

**Staff Recommendation.** Approve proposal as budgeted with placeholder trailer bill language to require the Department to continue to provide budget change proposal requests in order to secure funding for roof replacement projects. This will provide the Legislature with the ability to decide which facilities to invest in, while potentially deferring projects on facilities that it may wish to see closed in future years.

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**Staff Recommendation: Approve as budgeted and adopt placeholder trailer bill language.**

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**VOTE-ONLY ISSUE 34: CASE MANAGEMENT REENTRY PROGRAM SERVICES**

The California Department of Corrections and Rehabilitation (CDCR), Division of Adult Parole Operations (DAPO) requests \$2.8 million General Fund and 21.0 Permanent Full-Time (PFT) positions in fiscal year 2017-18 and ongoing for the continued operation of the Case Management (CM) Reentry Program as this pilot program and associated positions will expire on June 30, 2017.

**Staff Recommendation.** Approve the proposal for requested resources on a limited term four-year basis in order to have time to review the recidivism study, which will be ready October of 2020.

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**Staff Recommendation: Approve funding on limited-term basis.**

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**ISSUE 35: PROPOSITION 57 IMPLEMENTATION**

**MAY REVISION PROPOSAL**

The California Department of Corrections and Rehabilitation requests additional \$1 million General Fund and 13 positions in 2017-18 and \$2.2 million General Fund and 13.4 positions in 2018-19 to implement Proposition 57, the Public Safety and Rehabilitation Act of 2016. The 2017-18 Governor's Budget proposes \$5.7 million General Fund and 16.5 positions in 2017-18 and \$5.9 million General Fund and 37.3 positions in 2018-19 for these activities. This request aligns the funding with the refined Proposition 57 implementation plan.

**BACKGROUND**

The original Proposition 57 estimate did not include certain credits, nor did it take into account the expedited timeline for the emergency regulations.

**Projected Outcomes (PY)**

Workload Measure	CY	BY	BY+1	BY+2	BY+3	BY+4
Division of Adult Institutions		13.0	13.0	13.0	13.0	13.0
Board of Parole Hearings		4.2	4.2	4.2	4.2	4.2
Division of Adult Paroles Operations		12.3	33.5	33.5	33.5	33.5
<b>Total</b>		<b>29.5</b>	<b>50.7</b>	<b>50.7</b>	<b>50.7</b>	<b>50.7</b>

**Projected Outcomes (Dollars)**

Workload Measure	CY	BY	BY+1	BY+2	BY+3	BY+4
Division of Adult Institutions		\$4,384,000	\$2,825,000	\$1,070,000	\$1,070,000	\$1,070,000
Board of Parole Hearings		\$510,000	\$503,000	\$503,000	\$503,000	\$503,000
Division of Adult Paroles Operations		\$1,804,000	\$4,811,000	\$4,747,000	\$4,747,000	\$4,747,000



Total		\$6,698,000	\$8,139,000	\$6,320,000	\$6,320,000	\$6,320,000
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**Staff Recommendation: Approve January proposal and May Revision update.**

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## **5227 BOARD OF STATE AND COMMUNITY CORRECTIONS**

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*The following Board of State and Community Corrections proposal was originally heard in this Subcommittee on April 24, 2017.*

### **VOTE-ONLY ISSUE 36: CHIEF PROBATION OFFICER TRAILER BILL LANGUAGE**

The proposed trailer bill language renames the probation officer the chief probation officer and specifies the duties of the chief probation officer. The language would also require that the chief probation officer not be placed under the authority of a separate county agency to perform these duties.

**Staff Recommendation:** Approve as draft, placeholder language and direct the Department of Finance, the Legislative Analyst's Office and staff to modify the language to address the concerns of juvenile justice advocates and to clarify that nothing in the language is intended to reduce county board of supervisors' authority over the probation department or to reduce the ability of probation departments to collaborate with other county partners.

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**Staff Recommendation: Approve staff recommendation and draft placeholder language.**

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*The following Board of State and Community Corrections proposal was originally heard in this Subcommittee on May 17, 2017.*

### **VOTE-ONLY ISSUE 37: POST RELEASE COMMUNITY SUPERVISION PROPOSITION 57 IMPACTS**

The Board of State and Community Corrections requests that item 5227-106-0001 be increased by \$4,428,000 to provide county probation departments funding to supervise the temporary increase in the average daily population of offenders on Post Release Community Supervision as a result of the revised implementation date of the Public Safety and Rehabilitation Act of 2016 (Proposition 57).

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**Staff Recommendation: Approve as budgeted.**

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## **8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING**

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*The following Commission on Peace Officer Standards and Training proposal was originally heard in this Subcommittee on March 13, 2017.*

**VOTE-ONLY ISSUE 38: LAW ENFORCEMENT DRIVING SIMULATORS REPLACEMENT PROJECT**

The Commission on Peace Officer Standards and Training (POST) requests limited term funding of \$1.8 million Motor Vehicle Account (MVA) to replace 16 driving simulators (8 annually) and continue to maintain the remaining simulators that are out of warranty. During this time, POST will develop an ongoing replacement schedule and plan for the driving simulators.

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**Staff Recommendation: Reject proposal.**

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*The following Commission on Peace Officer Standards and Training proposal was originally heard in this Subcommittee on April 24, 2017.*

**VOTE-ONLY ISSUE 39: TECHNICAL ADJUSTMENT TO STATE PENALTY FUND**

The Commission on Peace Officer Standards and Training requests a realignment of \$4 million State Penalty Funds, beginning in 2017-18, from contracts to training reimbursements for local law enforcement agencies. Provisional budget bill language is also requested in order to earmark funds for training provided by the Museum of Tolerance, which was inadvertently omitted in the 2017-18 Governor's Budget.

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**Staff Recommendation: Approve as budgeted and adopt provisional budget bill language.**

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**8940 CALIFORNIA MILITARY DEPARTMENT**

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*The following California Military Department proposal was originally heard in this Subcommittee on April 3, 2017.*

**VOTE-ONLY ISSUE 40: ADVANCE PLANS AND STUDIES**

The California Military Department (CMD) seeks \$300,000 (\$150,000 General Fund and \$150,000 federal matching funds) for Architect-Engineering (A-E) services to conduct design studies and programming charrettes for future capital projects. These A-E services will allow the CMD to develop conceptual designs and validated costs estimates for future capital projects.

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**Staff Recommendation: Adopt provisional trailer bill language.**

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*The following California Military Department proposal was originally heard in this Subcommittee on May 17, 2017.*

**VOTE-ONLY ISSUE 41: SHORT-TERM CASH FLOW LOAN**

The California Military Department (CMD) requests provisional language to specify that the cash flow provided to CMD in fiscal year 2016-17 shall be repaid upon order of the Director of Finance. It is also requested that Provision 4 of Item 8940-001-0001 be amended to provide that any loan provided to the Military Department pursuant to the provisions of Item 8940-001-0001 shall be repaid upon order of the Director of Finance.

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**Staff Recommendation: Adopt provisional budget bill language.**

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**VARIOUS DEPARTMENTS**

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**VOTE-ONLY ISSUE 42: INVESTMENT PROPOSALS**

The Subcommittee is in receipt of various proposals for investments in local and statewide public safety and has chosen to approve the following requests:

**CALIFORNIA GANG REDUCTION,  
INTERVENTION AND PREVENTION  
(CALGRIP) PROGRAM**

The Assembly proposes \$2 million General Fund to backfill the loss of State Penalty Funding. Additional action will be taken on this item in the "Items to Be Heard – Issue 2: State Penalty Fund" section of this agenda. The CalGRIP program is one of California's only sources of state-level funding for locally driven violence prevention strategies to support the safety and well-being of our youth and their communities.

Assemblymember Reginald Jones-Sawyer initially presented this proposal to the Assembly on May 8<sup>th</sup>. According to the Assemblyman, through local funding matches, CalGRIP will have leveraged over \$55 million dollars in investments in 19 cities across the state from 2015-2017, providing important support for these cities' innovative initiatives to provide expanded opportunities and safer streets to their most vulnerable residents. CalGRIP awards grants directly to cities that are well-positioned to identify and fund effective community-based organizations and approaches to violence prevention. The program is also the only state grant focused on systematically reducing the incidence and impact of group retaliatory violence, which is a significant factor, which drives shootings and homicide in particular in California's cities.

Additionally, other states, including Connecticut, Massachusetts, and New York have provided much stronger and more targeted state funding for violence prevention programs in their communities than California and have also reduced their rates of violent crime more than California has. Investing in programs proven to reduce rates of

violent crime in heavily impacted communities is an issue of both public safety and equity, and this program has proven effective with both of these issues.

#### **LONE POLICE DEPARTMENT**

The Assembly proposes \$100,000 General Fund to the lone Police Department in order to fund one peace officer for one calendar year, for costs incurred to the department by Mule Creek State Prison.

Mule Creek State Prison is located within the city limits of lone, a rural town in the heart of Amador County with a population of 6,983. The correctional facility infill project brings a total inmate population of approximately 3,530 inmates. With the addition of the infill project, the employment population has swelled to nearly 1700 employees. The lone Police Department has seen an increase in crime, related to calls for service, traffic violations, parking lot crimes, and inmate escapes. The lone Police Department has not received any reimbursements for the costs related to the impact of this growth.

#### **CAREER TECHNICAL EDUCATION**

The Subcommittee proposes \$3 million to expand the CTE programs at the three high schools through further CTE program development and equipment purchases and an additional \$7 million to ensure that CTE Participants and CDCR have the necessary resources and equipment to effectively implement the CTE programs.

California's juvenile court school system and adult correctional system must do more to ensure that court-involved youth and justice involved adults have access to programs and services that give them the opportunity to seek post-release options. Educational options offered to youth and adults in the justice system must be aligned with their aspirations. Career Technical Education (CTE) provides students of all ages with the academic and technical skills, knowledge and training necessary to succeed in future careers and to become lifelong learners. CTE prepares these learners for the world of work by introducing them to workplace competencies, and makes academic content accessible to students by providing it in a hands-on context. In fact, the high school graduation rate for CTE concentrators is about 90% – 15 percentage points higher than the national average.

Currently the Division of Juvenile Justice (DJJ) operates three high schools and one fire camp for justice involved youth and offers a total of nine different CTE programs for youth. CTE programs are offered at the three high school sites. Each high school offers a small variety of CTE programs. However, CTE programs offered at each high school varies due to lack of program resources, supplies, and materials.

For adults, the California Department of Corrections and Rehabilitation (CDCR) currently operates CTE programs at 35 facilities across the state. There are 19 core CTE programs offered across six broad industry sectors, which are designed to provide entry-level training and skills and are intended to be aligned to industry-recognized certifications. A study conducted in 2016 on CTE in CDCR institutions found that instructional resource inefficiencies caused program delivery issues. Many instructors

echoed that missing or unsuitable materials hindered the delivery of a full program experience. The study goes on to state, "While there was general agreement that the recent centralization of the 'canteen list' procurement system for ordering supplies has been an improvement, there was also an undercurrent of dissatisfaction with the new system and an acknowledgment that it still needs refinement, streamlining, and more responsiveness. Notable complaints include infrequent deliveries, delayed and/or missing materials from shipments, wrong or inappropriate materials and/or parts, and receiving expensive vocational training units that are not fully functional.' The efficacy and efficiency of programs depend on the reliability of materials that are integral to completing performance components of courses. CDCR stated that currently the CTE program does not have a budget allocation for resources and materials. Every year CDCR must wait to start their programs after receiving funding from savings from other CDCR programs. CDCR reported that they need approximately \$5 million - \$7 million to purchase supplies, materials, and conduct equipment regrowth.

<b>SUPERVISED POPULATION WORKFORCE TRAINING GRANT</b>
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The Subcommittee proposes \$5 million General Fund to support the Supervised Population Workforce Training grant program administered by the California Workforce Investment Board. The grant program is competitive and offers greater consideration for Counties that provide matching funds. By using state funds this project can also be a vehicle for attracting federal funds such as CalFresh Employment and training dollars, so that matching funds are not entirely local in origin and truly maximize our state's investment.

Assemblymember Eduardo Garcia's letter to the Subcommittee states that, "research has shown that not having a job is a leading factor in recidivism. By providing people with a job and a pathway to build the skills needed to succeed we can reduce the persistently high rates of recidivism that have plagued California's prisons and jails. Despite the clear need for employment it has been challenging to secure public resources dedicated to employment specifically for people under supervision. Often, formerly incarcerated people are asked to navigate the mainstream workforce development system, which was never designed for such a population. This program is truly unique in that it inverts this approach. Rather than trying to fit formerly incarcerated people into the workforce system this program places the population at the center, challenging us to develop services that are relevant to their unique needs and challenges."

*The following proposals on Dependency Counsel, Court Reporters, and Equal Access Fund were originally presented by Assemblyman Stone in this Subcommittee on April 17, 2017.*

<b>DEPENDENCY COUNSEL</b>
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The Subcommittee proposes \$22 million General Fund to provide an increase to the dependency counsel. An increase of \$22 million for court-appointed dependency counsel for neglected children and their parents is necessary to reduce caseloads from

the current average ratio of unacceptably high 225 clients per attorney to a still very large load of 188 clients per attorney. According to the Judicial Council, which also makes this funding request a high priority, a \$22 million augmentation increases the courts' ability to process cases more timely, promote fully informed judicial decisions, speed family reunification and permanent placement, and limit families' reentry into dependency. This modest funding increase will ultimately result in savings for both the trial courts and county child welfare agencies.

#### **COURT REPORTERS IN FAMILY LAW PROCEEDINGS**

The Subcommittee proposes \$15 million General Fund to provide court reporters in family law matters. Lack of court-provided reporting services can substantially frustrate the goals of California's system of justice. Without a transcript of court proceedings, litigants are: (1) unable to appeal decisions; (2) unable to draft orders effectively; and (3) unable to accurately recount what actually happened during proceedings. Additionally, the Commission on Judicial Performance has stated that lack of court reporters seriously hampers its efforts to investigate and prove judicial misconduct.

#### **EQUAL ACCESS FUND**

The Subcommittee proposes \$10 million General Fund in order to provide additional funding for the courts and local legal aid organizations. The Equal Access Fund, a partnership between the courts and legal aid, offers funding to local legal aid organizations to provide direct legal services to low-income Californians in civil matters. Studies have shown that for every one dollar spent on legal aid, there is a return of six dollars to the State.

#### **CALGANG DATABASE**

The Subcommittee proposes \$10 million for the Department of Justice to administer the CalGang Database. This includes one-time automation costs to the DOJ for CalGang system enhancements; ongoing DOJ workload increase to collect and post data submitted by shared gang database users; ongoing DOJ workload to promulgate regulations governing the use, operation, and oversight of any shared gang database, as well as establish and oversee activities of the technical advisory committee.

AB 2298 (Weber) was chaptered in 2016 that began to address several concerns with the California shared Gang Database known as CalGang. In August of 2016, the California State Auditor released findings of the first ever investigation into the workings and impact of CalGang and the other shared gang databases that feed into it across the state. The audit revealed many concerns, including that: 1) CalGang's oversight structure is inadequate and does not ensure that user agencies collect and maintain criminal intelligence in a manner that preserves individuals' privacy rights; 2) The governing entities act without statutory authority, transparency, or public input; 3) There is "little evidence" that the governing entities have ensured user agencies to comply with federal regulations regarding databases; 4) Only 0.2 percent of CalGang's statewide

individual records are reviewed each year; 5) The investigators could not substantiate the validity of numerous CalGang entries; 6) Gang databases were “tracking people who do not appear to justifiably belong in the system;” 7) User agencies that responded to the auditor’s statewide survey admitted that they use CalGang for employment or military-related screenings which is prohibited; 8) User agencies have not ensured that CalGang records are added, removed, and shared in ways that maintain system accuracy and safeguard individuals’ rights; 9) The programming underlying CalGang did not purge all records within the required five-year time frame — some records were not scheduled to be purged for more than 100 years; and 10) Despite the enactment of SB 458 in 2013, many youth and their parents were not properly notified of their designation prior to adding them to CalGang nor afforded the right to contest gang designations. The State Auditor amongst many recommendations called for the legislature to give oversight to the Department of Justice (DOJ).

#### **INTERNET CRIMES AGAINST CHILDREN**

The Subcommittee proposes \$1 million to continue funding proposed for a cut as part of the State Penalty Fund for the Internet Crimes Against Children task forces by appropriating \$1 million. The funds for this program are split five ways between Internet Crimes Against Children (ICAC) task forces. These task forces span from Sacramento to San Diego and incorporate hundreds of local law enforcement agencies with the goal of protecting children from sexual abuse and exploitation. The funding supports positions, technology and training. This proposal was originally presented to the Subcommittee by Assemblyman Cooper on May 8<sup>th</sup>.

#### **HOMELESS YOUTH HOUSING**

The Subcommittee proposes \$10 million General Fund for the Office of Emergency Services, with the Department of Housing and Community Development, to provide grants to up to 10 local jurisdictions to provide services to homeless youth. The original request was presented to the Subcommittee on May 8<sup>th</sup> by Assemblymember Todd Gloria. Assemblymember Gloria notes that there are 11,223 homeless youth in California and that this subpopulation has grown 7 percent since 2015.

This funding would create a new program that would integrate with mainstream housing programs, provide youth with a continuum of housing options, provide evidence-based supportive services, satisfy the "housing first" approach to homelessness, integrate with existing public benefit programs, and allow for accountability and local control. This funding would be available for transitional and permanent housing programs.

#### **NONPROFIT SECURITY GRANT PROGRAM**

The Subcommittee proposes \$1.5 million General Fund to expand the Nonprofit Security Grant Program in the California Office of Emergency Services (OES). This agenda also includes a May Revision proposal, which would provide \$500,000 from the

Anti-Terrorism Fund to the Nonprofit Security Grant Program. Funding in the amount of \$2 million was approved for this same purpose in the 2015-16 budget, but those funds have been depleted.

#### **HUMAN TRAFFICKING**

The Subcommittee proposes \$10 million General Fund ongoing for organizations that provide comprehensive services to victims of trafficking. This funding would go to organizations providing comprehensive direct services to victims of trafficking. This funding would be housed in the Human Trafficking Victim Assistance Fund, which is administered by the Office of Emergency Services.

#### **VETERANS TREATMENT COURTS**

The Subcommittee proposes \$100,000 General Fund one-time as matching funds to \$100,000 in private funding for an independent evaluation of the effectiveness of veterans treatment courts. California law authorizes counties to establish collaborative justice courts, including drug and mental health courts. These collaborative or “problem-solving” justice courts address the cases of nonviolent offenders by combining judicial monitoring with intensive treatment services over approximately 18 months.

During the last decade, this emerging recognition of the particular challenges and opportunities for dealing with nonviolent veteran offenders led to creation of the veterans treatment court (VTC), a hybrid drug and mental health court that uses the drug court model. The VTC offers veterans of the United States Armed Forces a comprehensive, treatment-based alternative to incarceration for non-violent criminal offenses.



## ITEMS TO BE HEARD

### 0250 JUDICIAL BRANCH

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#### ISSUE 1: REMOVAL OF DRIVER'S LICENSE SUSPENSION FOR FAILURE TO PAY

##### GOVERNOR'S PROPOSAL

Under existing law, courts can suspend or place a hold on an individual's driver's license for failing to pay court-ordered fines and fees or failing to appear in court. The Governor proposes to eliminate the ability to use driver's license holds and suspensions as a sanction for an individual's failure to pay their court-ordered fines and fees.

##### BACKGROUND

If an individual does not pay a court-ordered fine or fee on time, the debt becomes delinquent. Under state law, after a minimum of a 20-day notification of delinquency, collection programs can utilize sanctions against an individual who either fails to pay their fines and fees (FTP) or fails to appear in court without good cause (FTA). Typically, collection programs progressively add sanctions to gradually increase pressure on debtors to make payment. While the same sanctions are available to all collection programs, each program can vary in how it uses these sanctions and when it leverages these sanctions.

##### STAFF COMMENTS

Staff recommends adopting placeholder trailer bill language consistent with the Administration's trailer bill language with additional language to require Judicial Council to collect and reporting the following data:

- Capture delinquent and non-delinquent debt
- Number of people making payments by month by collection type
- Collection methods that courts currently utilize
- FTA/FTP impact issued by county by year

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**Staff Recommendation: Adopt placeholder trailer bill language.**

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**0690 OFFICE OF EMERGENCY SERVICES****ISSUE 2: STATE PENALTY FUND PROPOSAL****GOVERNOR'S PROPOSAL**

The Governor's Budget proposes to eliminate funding for the Motorcyclist Safety Program, Local Public Prosecutors and Public Defenders Training Program, Internet Crimes Against Children Task Forces, and the California Gang Reduction, Intervention, and Prevention Programs (CalGRIP) from the State Penalty Fund. Registration revenues are sufficient to continue the Motorcyclist Safety Program, federal funding will continue 35 percent of the funding for the Local Public Prosecutors and Public Defenders Training Program, and local and federal contributions would continue for the Internet Crimes Against Children Task Forces. However, this proposal would eliminate all funding for the grants associated with CalGRIP.

**BACKGROUND**

Currently, fine and fee revenue deposited into the SPF is allocated to nine different state special funds, which then support various state and local programs (such as local law enforcement). The amount of revenue deposited into the SPF peaked in 2008-09 at about \$170 million and has steadily declined since. In the 2016-17 Budget, the Legislature appropriated on a one-time basis General Fund monies to specific programs supported by SPF revenue to essentially backfill the projected decline in fine and fee revenue. Total revenue deposited into the SPF in 2017-18 is expected to be about \$94 million, a decline of about 45 percent since 2008-09.

For 2016-17, the Administration estimates that a total of \$97 million from the SPF will be spent on specific programs. It is also estimated that \$209 million from other fund sources (such as other state funds and federal funds) will be spent on these programs, for a total of \$306 million in current-year expenditures (as shown in Figure 8). We note that the amount of other funds includes \$19.6 million from the General Fund that was provided in 2016-17 on a one-time basis to backfill a projected reduction in SPF revenues, \$16.5 million to the Commission on Peace Officer Standards and Training (POST) and \$3.1 million to the Standards and Training for Corrections Program. Similarly, the 2016-17 Budget also provided \$4.2 million from the Restitution Fund on a one-time basis to backfill SPF support for various victim programs administered by the Office of Emergency Service (OES).

A total of \$94 million is estimated to be deposited into the SPF in 2017-18. Of this amount, the Administration estimates that \$90.4 million will be available to support various programs. (After accounting for a few other relatively minor expenditures, the SPF is expected to retain a fund balance at the end of 2017-18 of \$1.6 million.) When combined with an estimated \$174 million in funding from other sources, we estimate that total expenditures on SPF-supported programs will be almost \$265 million in the budget year under the state's current distribution system for SPF revenues. This is a

decline of about \$41 million (or 13 percent) from the estimated 2016-17 level. While part of this reduction reflects a decline in revenues to SPF, a majority of it is due to the expiration of the above one-time backfills that were provided in the current year.

The Governor proposes an alternative 2017-18 expenditure plan for programs supported by the SPF that reflects both the projected reduction in SPF revenues and the expiration of the various one-time offsets that were provided in the current year. However, the Governor proposes to allocate SPF revenues in a manner different than required under current law, which, results in different levels of reductions for certain programs. Specifically, the Governor proposes to eliminate existing statutory provisions that require the transfer of specified amounts of SPF revenue to the nine other state funds. Instead, the Governor's budget proposes to appropriate specific dollar amounts from the SPF directly to certain programs based on the administration's priorities.

<b>STAFF RECOMMENDATION</b>
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The Assembly plan is reflected below beside the current and Governor's plan.

		Current	Assembly	Governor
0200	Fish & Game Preservation Fund	450	450	450
0268	Peace Officer Standards and Training Program	55,452	43,496	46,496
0170	Standards and Training for Corrections Program	21,086	14,209	17,209
0311	Traumatic Brain Injury Program	998	800	800
0178	Driver Training Program	1,583	1,038	1,038
0425	Victim / Witness Assistance Programs	18,718	11,553	12,053
0214	California Witness Relocation and Protection Program	5,217	3,277	3,277
0214	Restitution Fund	15,114	8,082	9,082
0214	Internet Crimes Against Children Task Forces	1,008		-
0214	California Gang Reduction, Intervention, and Prevention Program	9,519	7,500	-
0241	Local Public Prosecutors and Public Defenders Training Program	881		-
0840	Motorcyclist Safety Program	250		-

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**Staff Recommendation: Approve Assembly revisions to State Penalty Fund.**

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**5225 CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION**


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<b>ISSUE 3: TRANSFER OF INTERMEDIATE AND ACUTE LEVELS OF CARE FROM DSH TO CDCR AND CCHCS AND MAY REVISION TECHNICAL ADJUSTMENT</b>
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<b>GOVERNOR'S PROPOSAL</b>
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The California Department of Corrections and Rehabilitation (CDCR), California Correctional Health Care Services (CCHCS), and Department of State Hospitals (DSH) request the transfer of \$250,407,000 General Fund (GF) and 1,977.6 positions from DSH to CDCR and CCHCS effective July 1, 2017 and ongoing. This transfer represents the mutual agreement of the agencies to transfer responsibility for psychiatric inpatient care of CDCR inmates from DSH to CDCR and CCHCS at three CDCR institutions, along with the associated resources.

Specifically, this request would transfer responsibility for the following psychiatric inpatient programs:

Institution	Intermediate Care Facility (ICF) Beds (Low Custody)	ICF Beds (High Custody)	Acute Psychiatric Program (APP) Beds	Total Beds
California Health Care Facility	0	360	154	514
California Medical Facility	84	94	218	396
Salinas Valley State Prison	0	246	0	246
<b>Total</b>	<b>84</b>	<b>700</b>	<b>372</b>	<b>1,156</b>

The proposed transfer of the DSH inpatient programs is proposed to occur on July 1, 2017. At that time, CDCR and CCHCS will take operational control over the existing DSH programs at the three institutions. Initially CDCR intends to implement, operate and staff these programs exactly as they are operated and staffed by DSH. In the long term, if CDCR decides to make changes, it will take time to implement changes in staffing structure as CDCR and CCHCS will need to work closely with the California Department of Human Resources and the affected employees, as well as employee bargaining units on any staffing changes to reduce the overall impact. The goal is to implement changes while considering the overall continuum of care and ensuring no disruption in care for the seriously mentally ill patients served by these programs.

**STAFF COMMENTS**

Reject the transfer and adopt placeholder trailer bill language which directs CDCR and DSH to work with stakeholders on a plan to transfer acute levels of care from DSH to CDCR. This action conforms to the action taken in Assembly Budget Subcommittee #1 on Health and Human Services.

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**Staff Recommendation: Reject the proposal and adopt placeholder trailer bill language.**

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