

**AGENDA
ASSEMBLY BUDGET SUBCOMMITTEE NO. 4
STATE ADMINISTRATION**

ASSEMBLYMEMBER GEORGE NAKANO, CHAIR

**TUESDAY, APRIL 2, 2002
STATE CAPITOL, ROOM 447
1:30 P.M.**

CONSENT CALENDAR

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8840	COMMISSION ON UNIFORM STATE LAWS	
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8120	COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING	
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0690	OFFICE OF EMERGENCY SERVICES	
8830	CALIFORNIA LAW REVISION COMMISSION	

ITEMS TO BE HEARD

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ITEM # 5430 BOARD OF CORRECTIONS

ISSUE 1: CLEAR**BACKGROUND:**

Chapter 506 Statutes of 1997 funded the Community Law Enforcement and Recovery Demonstration Project (CLEAR). This project is a joint powers agreement between the Los Angeles County Sheriff's Department; the Los Angeles County District Attorney's Office; the Los Angeles County Probation Department; the Los Angeles Police Department; and the Los Angeles City Attorney's Office that provides a coordinated response to the criminal activities of street gangs in the city and county.

The Governor's Budget proposes funding for CLEAR in the amount of \$3 million.

COMMENTS:

The Lodestar Management Research firm performed the initial review of the CLEAR program and a follow up review in December 2001 (revised March 2002). In their review, they identified a significant decrease in reported gang crime in 5 of 6 primary CLEAR program sites. In the case of the 6th site, the Pacific area, significant law enforcement and community resources were in place prior to the beginning of CLEAR. With the implementation of the CLEAR program, resources in the Pacific target area were redirected toward a secondary target area which also experienced a reduction in reported gang crime. The analysis of the crime reporting data is significant at the .10 level. It is believed that the CLEAR program sites would have to continue generating data for approximately 2 additional years for the statistical significance to reach the well known .05 level. While one of the effects of the CLEAR program is to detect gang related crime, the actual effect of the program may have been to increase reporting for crime that would not have occurred in its absence. This may mask the true impact of CLEAR's efforts to reduce crime in the target areas.

ITEM # 5440 BOARD OF PRISON TERMS

ISSUE 1: FOREIGN PRISONER TREATY TRANSFER PROGRAM**BACKGROUND:**

The Board of Prison Terms has authority to transfer foreign born inmates in California correctional institutions to their native country. Currently the Board estimates that there are 27,000 foreign born inmates in the State. At an estimated average incarceration cost of \$26,690 (2002-03) per inmate annually, the State would incur yearly costs of \$720 million for this population.

BPT has reviewed 539 applications for transfer through December 1995 but it is uncertain how many additional applications have been processed since that time. It is estimated that over 1,000 outstanding applications are pending at the Board.

SB 1544 currently before the Senate Public Safety committee would direct the Board of Prison Terms to initiate the transfer of foreign born prisoners to the countries of Canada, Mexico or European countries that have a treaty with the United States government regarding the transfer of these prisoners. The transfer would be based upon acceptance by the foreign country and agreement that the prisoner's time incarcerated would be similar to that in California.

COMMENTS:

Should BPT process the transfer of 1,000 foreign born prisoners a year, the savings to the state could be approximately \$26 million. Since it may take 6 to 12 months to process the transfer, if the transfer program were accelerated in the budget year, the savings would be significantly less than the amount in 2002-03. If the Department were able to process a combination of existing and new applications beginning in the budget year, savings should be realized in the Department of Corrections budget.

ITEM # 8180 PAYMENT TO COUNTIES FOR COSTS OF HOMICIDE TRIALS

ISSUE 1: REIMBURSEMENT TO COUNTIES**BACKGROUND:**

Counties that incur extraordinary costs related to homicide trials may apply to the state for reimbursement. The amount of reimbursement is dependent upon a number of factors such as the population, assessed valuation in that county and the number of homicide trials held during the year.

COMMENTS:

The Governor's Budget proposes funding this program at \$7.5 million in the budget year, which is equal to the program's budget in the current year. The LAO indicates that expenditures to date total \$3.9 million; inclusive of reimbursement of cost not yet realized. A survey by the California Association of Counties estimates costs in the Current Year to be \$5.9 million.

The LAO recommends a reduction of \$3 million in this item.

ITEM # 5460 DEPARTMENT OF YOUTH AUTHORITY

ISSUE 1: REIMBURSEMENT FOR JUVENILE COMMITMENTS**BACKGROUND:**

Under current law counties are required to pay a portion of the cost to house juvenile offenders in the Department of Youth Authority (YA). The amount of payment is dependent upon the seriousness of the offender. Wards are categorized from level I (most severe) to Level VII (least severe). Under the provisions of Chapter 632, Statutes of 1998 (SB 2055, Costa), County's costs for a YA commitment range from \$2,600 per month for a level VII ward to \$150 per month for level I through Level IV wards. The costs for the commitment of a Level VII ward of \$2,600 per month was reflective of the full per capita institution cost to the state on January 1, 1997.

The intent of a sliding scale of payments by counties for ward commitments is to provide a fiscal incentive for counties to keep lower level offenders at the county level and not to penalize local governments for transferring the highest level offenders to the state.

COMMENTS:

The fees paid by the counties for juvenile commitments have not been adjusted since the enactment of SB 2055. According to the LAO, adjusting the per capita institution costs of \$2,600 per month for the impact of inflation would increase costs to \$3,040 per month. This is less than the actual costs of \$3,530 per month. An increase in the county payments to reflect the effects of inflation would maintain fiscal incentives at a similar level as when the SB 2055 was originally enacted.

LAO estimates the increase in the county payment schedule will reduce the department's costs by \$9 million.