

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

Assemblymember Rudy Bermudez, Chair

**WEDNESDAY, APRIL 23, 2003
STATE CAPITOL, ROOM 437
1:30 P.M.**

ITEMS TO BE HEARD

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ITEM # 5240 DEPARTMENT OF CORRECTIONS

The Department of Corrections (CDC) currently operates 33 correctional facilities with another, Delano II, under construction. The Governor's Budget estimates the Department will have 152,000 inmates in its correctional facilities and 128,000 parolees. The proposed budget for 2003-04 is \$5.3 billion, which represents a \$40 million increase over the current year. The California Correctional Peace Officers Association has proposed a number of possible cost savings options.

ISSUE 1: SAN QUENTIN PRISON - HOUSING FOR CONDEMNED INMATES

The original death row was established in 1932 at the California State Prison, San Quentin, and was designed for a population of 68 inmates. At that time, the average time from commitment to execution was approximately one year. The current condemned population numbers just over 600 inmates and has expanded over three housing units. The housing facilities for these prisoners are not of current design and do not meet the minimum standards for high-level (level IV) prisoners (electrified fencing). The existing housing uses multiple tiers of up to five tiers. Because the current death row does not comply with facilities access under the Americans with Disabilities Act, it is not clear whether the existing housing would be able to accommodate a severely disabled inmate. While this may have been a minor issue when the time from commitment to execution was rather short, the current population includes inmates that have been on Condemned Row for over 20 years, and therefore faces an increase in an aging population that will require accommodations.

The Department proposes the construction of a new housing project for condemned inmates on the San Quentin site. The cost of this project is estimated at \$220 million, to be funded through bonds. CDC estimates that a July 2003 approval of this project would result in completed construction by summer 2007. This project would have the capacity of 1,000 inmates between two units in a secure location. The units would use the 180-degree design, which is standard for level IV housing. The Department estimates the number of inmates committed to condemned status will increase by an average of 29 per year. At that rate, the new housing is expected to reach capacity within 15 years. The proposed design would allow for the construction at a later date of a third unit to house up to 500 condemned inmates.

The Legislative Analyst's Office has expressed the following concerns regarding this project:

- The new housing unit would be filled in a relatively short period of time, and the Department does not have a concrete plan to house more than 1,000 condemned inmates.
- Costs per cell are substantially higher than those for the Delano II prison currently under construction.
- Additional details need to be developed to determine more accurate costs for the project.
- The Legislature needs to decide whether the condemned inmates should remain at San Quentin, or whether the Department should explore relocating its population to another institution.

A number of existing correctional facilities house high-level (level IV) prisoners. The Penal Code provides for alternate condemned housing at California State Prison, Sacramento (CSPS). Currently, the law limits the number of condemned inmates at Sacramento to 15. Transfer to Sacramento from San Quentin occurs only after the inmate commits additional infractions.

Since the location of execution and the location of condemned housing is specified in statute, additional legislation would likely be required to move the housing of these prisoners.

The Department has reviewed the possibility of moving condemned housing of inmates at San Quentin to the CSPA. This facility has a design capacity of 1,536 level IV inmates (could be increased to an overcrowded capacity of 3,100 inmates) which is configured into three 512-cell facilities. Each facility has eight 64-bed housing units, which are further divided into three two-story pods of 20, 20 and 24 cells. The cells are configured in the 180-degree design, similar to that proposed for the new condemned housing unit at San Quentin. CDC has determined that existing facilities at CSPA could be modified to become the new location for condemned housing and executions at a cost of \$35 million. The Department, however, has concerns that such a move would increase the statewide shortage of space for maximum-security inmates, which is estimated by the Department to exceed 5,000 beds.

A departmental review of a transfer of condemned housing to other maximum security institutions such as California State Prison, Corcoran or Pelican Bay State Prison has raised issues of accessibility by defense counsel and Attorney General staff, since they are located in relatively remote areas and do not have the regional transportation infrastructure that exists at San Quentin and Sacramento.

ISSUE 2: CDC ISSUES

The subcommittee may want to ask the Department to respond to the following proposals:

1. Deferral of departmental headquarters building to consolidate current office space. (Future cost deferral.)
2. Savings of \$1.2 million from the elimination of 26 positions at the three regional administrator offices. This would include a restoration to the 1999-00 staffing levels and would include the elimination of three correctional administrators, four correctional captains and three facilities captains.
3. Savings of \$467,000 from the elimination of six positions related to the reviews of employee workers' compensation claims.
4. Savings of \$3.8 million from the elimination of 51 positions from the Office of Investigative Services. CCPOA has expressed concerns that the quality of investigations has deteriorated since their consolidation at headquarters.
5. Savings of \$2.311 million from the elimination of 32 positions associated with the existing 7k training program. Under previous bargaining agreements, correctional officers were provided four hours of training every 28 days. Attendance required additional work time that was compensated under the contract. Under the new bargaining agreement, the Department will continue to provide 7k training to correctional officers. It is not clear what resources the Department will use to continue to develop this training.
6. Savings of \$16.1 million from the elimination of 152 facilities captains at 32 institutions. These positions are generally used as a manager for a program unit, which may include one or more inmate living groups. Within a single institution, there may be more one or more program units headed by a facilities captain.

7. Savings of \$4.3 million from the elimination of 40 facilities captains at headquarters. These positions are generally used as a principal management assistant to a headquarters administrator in areas such as inmate appeals, institution program development and evaluation.
8. Savings of \$7.8 million from the elimination of 72 custody captains at 32 institutions. This is part of an overall strategy to eliminate the captain classification and provide salary compaction relief between supervisors and managers.
9. Savings of \$1.7 million from the exemption of correctional officers from jury duty under provisions similar to that of AB 513 (Matthews).
10. Savings of \$13.5 million from the hiring of 800 additional correctional officers made possible by the reduction in the length of the correctional academy from 16 weeks to 12 weeks.

ITEM # 5460 DEPARTMENT OF YOUTH AUTHORITY

The Department of Youth Authority's mission is to protect the public from criminal activity by providing education, treatment and training services for youthful offenders committed by the courts, assisting local justice agencies with their efforts to control crime and delinquency and encouraging the development of state and local program to prevent crime and delinquency.

The Governor' Budget proposes a budget of \$414 million. This represents a decrease of \$12.2 million or 2.9 percent from the estimated budget in the current year.

ISSUE 1: CYA POSITION REDUCTIONS

The subcommittee may want the Department to comment on the following proposal:

Savings of \$234,000 from the elimination of Assistant Superintendent at the Northern California Youth Correctional Center and the Southern Youth Correctional Reception Center.