

## **GOVERNOR'S 1998-99 BUDGET PROPOSAL FOR: CRIMINAL JUSTICE**

### **MAJOR PROPOSALS**

The major criminal justice budget proposals include:

- \$10.9 million for costs associated with contract negotiations between the Administration and the California Correctional Peace Officers Association (CCPOA), Bargaining Unit 6. This agreement must be ratified by the Legislature. Additionally, the Administration is proposing that the agreed upon concessions become effective in the current year. As such, \$4.5 million is proposed in fiscal year 1997-98, and will be requested via the annual Administration sponsored deficiency bill. Primary provisions of the aforementioned agreement include: pay differential to senior Correctional Officers (after 17 years in Unit 6), retention bonuses, education incentive pay, as well as funding for random drug testing and staff training;
- \$4.1 million to continue the Correctional Management Information System (CMIS) litigation. Most of the funding is proposed for private counsel. This funding is in addition to the \$1.5 million approved for private counsel in the 1997 Budget Act. The CMIS project, first funded in 1992, was a multi-year, five-phase project intended to provide prison record information, parolee tracking, medical/health records, and various administrative functions. Phase I was expected to be implemented by July 1997. However, California Department of Corrections (CDC) determined that the system design provided by the contractor was unacceptable and far exceeded the original \$63 million cost estimate. On February 21, 1997, CDC placed TRW, the vendor in default of its contract, and filed a claim for damages. The CMIS project was re-established as of March 1, 1997 to contract a with a new integration vendor;
- \$1.4 million to provide CDC with a 3.1 percent price increase or the estimated increase in price for goods and services received in the current fiscal year in accordance with the California Consumer Price Index;
- \$273,000 to implement and administer a Random Substance Abuse and Alcohol Testing Program for CDC managerial and supervisory employees in designated sensitive positions;
- \$94.8 million for 2,255 positions for custody and support staff related to the projected 9,193 increase in the inmate population;
- 1.5 million to enhance the existing staffing of the Office of Internal Affairs function as part of a comprehensive program to enhance internal oversight procedures within the Department;

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- \$9.1 million and 178 positions to contract for the first 5,000 beds of a total 15,000 Community Correctional Facility beds, beginning in June of 1999, from private vendors. The assumption is that these facilities will house parole violators and other lower level inmates. Approximately 2,000 of these beds will be available in 1998-99. The remaining beds will be activated in subsequent years to address the overall housing shortfall through 2002-03;
- \$1.1 million to staff the first facility completed for the purpose of implementing the Pregnant and Parenting Women's Alternative Sentencing Program. This is consistent with the augmentation made by the Legislature to the 1997 Budget Act; and
- \$3.3 million and 188 positions for the Health Care Services Division which is broken out as follows: (1) 113 positions and no dollars to make permanent these positions which were originally approved on a limited-term basis, (2) \$2.2 million and 51 positions to address projected workload due to an estimated change in the prevalence of severely mentally disordered inmates, as well as a projected change in the programmatic mix of inmates in the Enhanced Outpatient Program (EOP) and Correctional Clinical Case Management System, and (3) \$1.1 million and 24 custody positions to support the projected increase in the EOP population.

The primary cost driver in the area of criminal justice continues to be the increasing inmate population, inmate health care costs, the expansion and/or construction of prison facilities, and the corresponding staff needed to accommodate that growth. As such, the majority of the proposed expenditures within the criminal justice area reflect the Administration's continued reactive approach of incarcerating individuals, while providing minimal funds to provide proactive prevention programs to generate future savings or cost avoidances.

The Legislature and the Governor have enacted more than 1,000 laws to increase the length of stay of felons over the past decade. These, coupled with the voter approved "Three Strikes" initiative enacted in 1994, have all contributed to the increase in the prison population. Supporters of the "Three Strikes" law point to the recent decrease in crime in California as proof that this law is working. However, detractors point out that crime has decreased nationwide, including in states that do not have a "Three Strikes" law, and attribute the decline in crime to, among other factors, (1) the huge, postwar baby boom generation's passage from its crime-prone years into middle age, (2) increased funding for local law enforcement practices such as community-orientated policing programs, (3) federal law changes like the 1994 crime bill and federal funding for new juvenile crime prevention programs, and (4) the overall state of the economy.

However, researchers indicate that this phenomenon is likely to be short-lived because the size of the crime-prone group is about to increase again by an estimated 29 percent by 2004. Consequently, supporters of the "Three Strikes" law could become complacent believing that longer prison sentences will continue to reduce crime, rather

than focusing on how to prevent this future wave of youths from becoming "Three Strikers."

In a recently released in-depth study completed by the Little Hoover Commission, entitled "*Beyond Bars: Correctional Reforms to Lower Prison Costs and Reduced Crime*", it states that:

In the course of its review, the Little Hoover Commission was presented with compelling evidence that prison overcrowding is not just the product of tougher sentences enacted in recent years. Overcrowding is compounded by inappropriate sanctions for low-level property criminals and a policy of incarceration instead of treatment for drug users, who because of repeated failures end up in state prisons. In addition, two out of three paroled felons in California – far more than in most other states – fail to successfully reintegrate into society. Consequently, they are returned to prison, too often having committed another crime.

This is supported by the Department of Corrections' (CDC) *Preventing Parole Failure* report submitted to the Legislature in April of 1997, which indicated that approximately: (1) 85 percent of parolees were chronic substance abusers, (2) 80 percent of parolees were unemployed, and (3) 50 percent read at or below the sixth grade level.

In summary, the Little Hoover Commission study indicated that California's corrections system faces many dilemmas, including: lack of prison facilities, the possibility of courts intervening and releasing inmates due to the increasing inmate population, and California inmates being warehoused without preparing parolees for their transition into society. The study recommends that California's correctional policies be reformed in three ways: (1) the development of a master plan to continuously coordinate the efforts of county and state law enforcement, judicial and correctional agencies; (2) the implementation of work, education and treatment programs that have proven to reduce crimes at both the community and state level; and (3) expanding the correctional system using both, public and private prison facilities, thereby, creating healthy competition with one goal being reduced inmate recidivism.

Ironically, many of the recommendations provided by the Little Hoover Commission study (expanded Drug Courts, community-based punishment options, drug treatment) were actually adopted by last year's Budget Conference Committee, but had to be eliminated and/or significantly modified due to the Governor's decision to repay PERS in one lump sum.

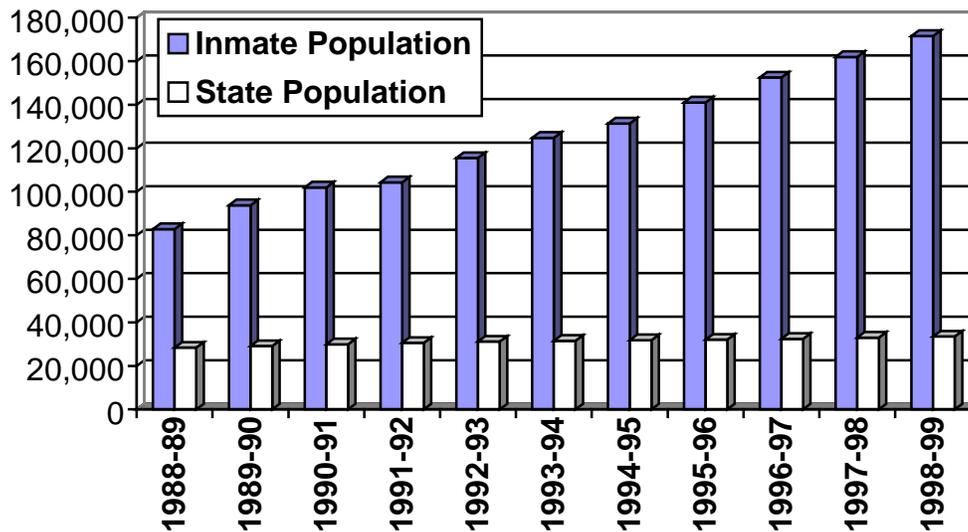
In 1988-89, the Department of Corrections' budget was approximately \$1.8 billion to operate 17 correctional institutions that housed 82,872 inmates. For the ten year period from 1988-89 to 1998-99, the inmate population is projected to increase by 125 percent to 161,912, while Corrections' support budget is projected to increase by 127.8 percent to \$4.1 billion during this same period to operate 33 correctional institutions (of which

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three facilities house female inmates), 38 camps, and 56 community correctional facilities. This constitutes a 94 percent increase in the number of correctional institutions since 1988-89. Assuming current statutes, the inmate population is projected to increase to 213,420 by 2003, a 158 percent jump from 1988-89, a 15-year period.

The growth in the inmate population continues to contrast sharply with State population growth, which is projected to increase by approximately 18.1 percent from 1988-89 to 1998-99. Chart 1 illustrates the growth in the inmate population as compared to the State's population growth over the same time period.

Chart 1  
**Inmate Population vs. State Population**



As reflected on Table 1, proposed support operation expenditures for the Criminal Justice Programs are primarily for Corrections.

Table 1

<b>Major Criminal Justice Programs Total Proposed Expenditures</b> (Dollars in million)				
<b>DEPARTMENT</b>	<b>Estimated 1997-98</b>	<b>Estimated 1998-99</b>	<b>Difference</b>	<b>Percent Change</b>
Department of Corrections	\$3,981.8	\$4,123.4	\$141.6	3.6
Department of Justice	490.7	467.9	-22.8	-4.6
Department of Youth Authority	412.0	394.0	-18.0	-4.4
Office of Criminal Justice	189.9	176.7	-13.2	-6.9
Board of Corrections	50.2	80.5	30.3	60.0
Commission of Peace Officer Standards and Training	41.4	47.8	6.4	15.5
Youth and Adult Correctional Agency	1.6	2.6	1.0	62.5
Board of Prison Terms	13.0	13.4	0.4	3.1
Youthful Offender Parole Board	3.3	3.3	0.0	0.0
<b>TOTALS</b>	<b>\$4,355.1</b>	<b>\$4,657.8</b>	<b>\$302.7</b>	<b>2.4</b>

The preceding table may be deceptive because it reflects total funds, including hundreds of millions of dollars in federal grants that expire in the current year. Consequently, when a comparison is made using solely State General Funds, the growth in the departments is much more evident (See Table 2).

Table 2

<b>Major Criminal Justice Programs Proposed General Fund Expenditures</b> (Dollars in million)				
<b>DEPARTMENT</b>	<b>Estimated 1997-98</b>	<b>Estimated 1998-99</b>	<b>Difference</b>	<b>Percent Change</b>
Department of Corrections	\$3,649.2	\$3,942.7	\$293.5	8.0
Department of Justice	255.9	251.3	-4.6	-1.8
Department of Youth Authority	331.7	326.3	-5.4	-1.6
Office of Criminal Justice Planning	36.0	36.6	0.6	1.2
Board of Corrections	23.3	34.1	10.7	46.0
Commission of Peace Officer Standards and Training	41.4	47.8	6.4	15.5
Youth and Adult Correctional Agency	1.3	2.3	1.0	76.9
Board of Prison Terms	13.0	13.4	0.4	3.1
Youthful Offender Parole Board	3.3	3.3	0.0	0.0
<b>TOTALS</b>	<b>\$5,183.9</b>	<b>\$5,309.6</b>	<b>\$125.7</b>	<b>7.0</b>

**DEPARTMENT OF CORRECTIONS**

The Department of Corrections (CDC) provides safe detention facilities for convicted felons, and also provides for the supervision of these felons after their release on parole. This includes providing the necessary support services to inmates such as feeding, clothing, academic and vocational training, and health care. This is accomplished through the four divisions at CDC: Institutions (\$3,093.8 million), Community Correctional Program – Paroles (\$ 449.7 million), Health Care Services (\$475.3 million), and Central Administration (\$138.4 million).

**Institutions:** The revised inmate population is projected to increase from 161,912 on June 30, 1998 to 171,610 on June 30, 1999 an increase of 9,698 inmates, or 5.9 percent higher than the revised 1997-98 inmate population estimate. The State's parolee population is projected to increase from 106,503 on June 30, 1998 to 111,426 on June 30, 1999 an increase of 4,923 parolees, or 4.6 percent higher than the revised 1997-98 parolee estimate.

**Paroles:** The projected increase in inmates and parolees generates a corresponding \$196.3 million increase, or 5.1 percent, higher than revised 1997-98 expenditures for total support costs of \$4 billion in 1998-99. The General Fund component of this amount is \$3.9 billion, a \$261.7 million increase, or 7.2 percent, higher than revised 1997-98 expenditures.

Parole revocations have fluctuated over the past decade, and are often dictated by politics rather than policy. After high profile cases where a parolee commits a heinous crime, parolee violations always appear to increase. To compound this, CDC indicates that two out three of the State's parolees fail parole and return to prison within two years. This statistic reinforces the need to provide basic services to inmates in order to allow them to reintegrate into the community and become a productive member of society. Alternatives the Legislature may wish to consider for discussion include providing more intensive aftercare parolee services like employment or drug rehabilitation support services.

**Health Care Services:** Federal court lawsuits contending that Corrections has allowed "cruel and unusual punishment" due to "deliberate indifference to medical needs" of inmates prompted major operational changes in the health care (both medical and mental) and overall treatment of inmates. In response to these lawsuits, Corrections established the Health Care Services Program to ensure that the appropriate level of care is provided to inmates. These services are generally provided by four licensed hospitals and a skilled nursing facility for female inmates operated by CDC, and a hospice care wing at the California Medical Facility at Vacaville and an HIV unit at the California Institute for Men at Chino. The Health Care Services Program's budget is projected to be \$475.3 million in 1998-99.

The Three-Strikes law is also expected to increase the median age of the inmate population as felons are given longer prison sentences. Older inmates tend, on the average, to require more frequent and more costly medical treatment than their younger counterparts. Consequently, the "graying" of the Corrections inmate population, as it has been called, will be a new significant cost-driver in the immediate future.

**Central Administration:** Central Administration consists of the Office of the Director, several executive units, and five line divisions, and provides executive and administrative services to the other three divisions. Besides providing policy direction, this unit also provides most other administrative functions such as accounting, personnel and auditing.

**Capital Outlay:** Although California has engaged in the nation's largest prison construction program for the past 15 years, and additional capacity for nearly 114,000 inmates has been added, CDC projects that it will run out of available prison capacity by February 2000. By June 2003, the department estimates that it will need to deal with more than 213,000 felons. To address this projected shortfall in bed capacity, the Administration is proposing, as part of the Infrastructure Initiative, a plan to construct additional celled capacity to meet anticipated housing needs.

It takes three years before a new prison can be built and accommodate inmates. Therefore, if we accept the status quo and continue to warehouse inmates without providing skills to transition back into society, the capacity problem facing the State in the year 2000 will be reaching a critical point. To meet the projected inmate housing needs, the Governor is proposing special legislation during the 1998 Session.

The Administration's proposal includes the design and construction of four prison projects and the construction of ten new Administration Segregation buildings. The proposal also includes the planning and design for one additional prison with construction funding to be authorized in a subsequent year. The cost of the program is estimated to be about \$1.3 billion, which will be funded from \$1.024 billion in bond authority, and \$250 million from future grants received pursuant to the Federal Violent Crime Control and Law Enforcement Act of 1994. Assuming existing prison construction schedules, the first new prison could be completed approximately three years after authorization. The Administration also assumes that sufficient federal funding will be received in the next three years to finance approximately 90 percent of the planning and construction of one of the new prisons and related administrative costs.

Capital Outlay costs are projected to be \$104.5 million in 1998-99, or \$54.6 million less than the revised 1997-98, which equates to a 34.3 percent decrease in construction costs. The General Fund component of this amount is \$40.7 million, a \$31.8 million increase, or 357.6 percent higher than revised 1997-98 expenditures of \$8.9 million.

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The Governor's budget proposes \$40.7 million from the General Fund for: working drawings and construction for mental health care facilities; preliminary plans and working drawings for Phase II of the Correctional Treatment Centers project at various sites; a new security perimeter fence at Patton State Hospital by San Bernardino; study for the next phase of electric fence projects; replacement of substandard locking devices at the California Institution for Men at Chino; and preliminary plans for an effluent disposal pipeline at Sierra Conservation Center.

**OTHER KEY ISSUES**

The Federal Crime Bill authorizes approximately \$3.6 billion under the State Criminal Alien Assistance Program (SCAAP) to reimburse states for the costs of incarcerating illegal immigrant felons who are in the United States illegally for the period from 1995-2000. The Governor's budget assumes recovery of approximately \$287 million in 1998-99 in federal funds for immigrant incarceration and parole costs (including wards from the Youth Authority). To the extent federal funds are not received, the General Fund will replace the anticipated federal funds, thus, diverting these funds from other programs like welfare or education.

**OFFICE OF CRIMINAL JUSTICE PLANNING**

The Office of Criminal Justice Planning (OCJP) provides financial and technical assistance to state and local criminal justice and victim service agencies and community-based organizations. The Governor's budget proposes \$176.7 million, a \$13.2 million increase, or 6.9 percent less than revised 1997-98 expenditures to support OCJP functions. However, funding decreases are primarily due to the expiration of one-time federal fund grants. This is illustrated by the amount of General Fund expended by OCJP which increases by \$0.6 million, or 1.2 percent higher, in 1998-99 over proposed current year expenditures. Following are some of the major proposals for OCJP:

- \$9.8 million in federal funds which represent a one-year increase to the Victims of Crime Act (VOCA);
- \$1.4 million in federal funds to increase the base amount of the Domestic Violence Program;
- \$248,000 to support the Multi-Agency Gang Enforcement Consortium (MAGEC), an anti-gang task force that will operate in Fresno County. It is assumed that the MAGEC will leverage the participation of 30 local, state, and federal law
- \$175,000 to have the conduct a study of California's probation system and develop recommendations to improve the effectiveness of the existing local probation system; and

- \$473,000 in federal funds to establish a mentoring element within the Gang Violence Suppression Program. These funds will be used to recruit, train, and support mentors sponsored by community-based organizations in areas with a significant population of youth with a potential for gang activities.

## **BOARD OF CORRECTIONS**

The Board of Corrections (BOC) establishes standards for the construction and operation of local jails and juvenile detention facilities, compliance inspections, and employment standards and training for local corrections and probation personnel.

The Governor's budget proposes \$6.1 million for BOC's state operation costs in 1998-99, \$1.7 million or 22 percent lower than revised 1997-98 expenditures. This is deceiving because most of the decrease is due to one-time federal funds expiring. Because the Board of Corrections continually allocates various federal grant awards to public, private, or private/nonprofit participants in the local corrections community, comparison of this component of the Board of Corrections' budget does not provide an accurate picture of departmental local assistance expenditures. Following are some of the major proposals for BOC:

- \$12 million (15 percent) from the State's federal Violent Offender Incarceration and Truth in Sentencing grant to build and/or expand local adult and juvenile detention facilities;
- \$14 million, in addition to the \$1.2 million provided by AB 853 (Hertzberg) Chapter 506, Statutes of 1997 to the City of Los Angeles (Police Department, City Attorney, County Sheriff, County District Attorney, Probation Department, and the Gang Intervention Coordinator) per the Community Law Enforcement and Recovery (CLEAR) demonstration project. The CLEAR project is a multi-agency gang intervention program where the agencies work together to provide a flexible and coordinated response to crime perpetrated by criminal street gangs; and
- \$2 million for the Board to allocate to counties on a competitive basis, to any county that establishes an "At-Risk" Youth Early Intervention Program consistent with SB 1050 (Alpert) Chapter 909, Statutes of 1997. This program is designed to assess and serve families with children (at least 10 years of age) with chronic behavioral problems and to impose conditions of supervision upon those minors.

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

The Commission on Peace Officer Standards and Training establishes minimum selection and training standards, provides support to improve management practices, and provides financial assistance to local agencies for law enforcement officers training.

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The Governor's budget proposes \$47.8 million, a \$6.4 million increase, or 15.5 percent higher than the revised 1997-98 expenditures to support this commission. Major proposals for the Commission on Peace Officer Standards and Training includes:

- The redirection of penalty assessments to the Peace Officers' Training Fund to cover the costs of back-filling local law officers when they are attending training. It is anticipated that this redirection will increase revenues/reimbursements by \$12 million; and
- The Budget continues, for the third year, to include \$2 million to train law enforcement officers on cultural diversity and tolerance issues at the Simon Wiesenthal Center, Museum of Tolerance in Los Angeles. This is projected to provide training to approximately 7,000 local law enforcement officers throughout the State. Although a step in the right direction, the question remains as to whether this meets the true need.

## **YOUTH AND ADULT CORRECTIONAL AGENCY**

The Secretary for the Youth and Adult Correctional provides day-to-day policy direction and administrative guidance to the departments that deliver youth and adult detention services which includes: Department of Corrections, Board of Prison Terms, Department of the Youth Authority, Youthful Offender Parole Board, and the Board of Corrections. The Secretary also provides oversight for the Prison Industry Authority, Narcotic Addict Evaluation Authority, the Office of the Inspector General, and the Commission on Correctional Peace Officers' Standards and Training. The Governor's budget proposes a total of \$ 2.6 million for the Youth and Adult Correctional Agency (YACA) a \$1 million increase over revised 1997-98 budgeted levels.

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#### **MAJOR PROPOSALS FOR YACA INCLUDE:**

- \$775,000 and six positions to expand the Office of Inspector General which is responsible for reviewing departmental policy and procedures for conducting investigations and audits of investigatory practices and other audits and investigations of the departments within the Agency; and
- \$461,000 and three positions to staff the Commission on Correctional Peace Officer Standards and Training to develop, approve, and monitor the selection and training of state correctional officers.

## **DEPARTMENT OF JUSTICE**

The Governor's budget proposes a total of \$468.2 million for the Department of Justice (DOJ), a \$22.6 million decrease, or 4.6 lower than revised 1997-98 budgeted amount. This is deceptive because the revised 1997-98 level is \$60.8 million, or 14 percent higher than the amount approved by 1997 Budget Act. The difference between these two amounts is attributable to separate pieces of legislation, enacted subsequent to the 1997 Budget Act for DOJ, which had their own appropriation. The following major budget adjustments are proposed for the 1998-99 fiscal year:

- \$13.9 million (\$8.1 million General Fund) and 121.4 positions associated with the State's litigation efforts in a multi-state lawsuit against the tobacco industry (\$11.3 million is proposed in the current year). Of the amount proposed for the budget year, \$5 million is to contract out for legal expertise. The State's complaint contains four causes of action: (1) the recovery of tobacco-related Medi-Cal expenditures; (2) violations of California's anti-trust statutes; (3) violations of California's false claims act; and (4) violations of California's consumer protection statutes. If victorious, California stands to be awarded hundreds of millions of dollars;
- \$2.1 million General Fund and 18 positions to defend the State against lawsuits arising from the widespread flooding that occurred in January 1997 relating to lack of levee maintenance;
- \$18 million federal funds and 145 positions on a two-year limited-term to implement the California Methamphetamine Strategy, which is a multi-component systematic approach that targets all facets of methamphetamine production and trafficking, including tighter monitoring of the sale of precursor chemicals. The Governor proposes to start the program in the current year with \$14.1 million in federal funds, but approval is pending before the Joint Legislative Budget Committee;
- \$4.2 million and 43 positions to implement the provisions of SB 8 (Lockyear) Chapter 867, Statutes of 1997, which repealed the Gaming Registration Act (GFA) and replaced it with the Gambling Control Act (GCA). The GCA creates a new California Gambling Control Board and the Division of Gambling Control within the Department of Justice effective January 1, 1999;
- \$5 million and one position to provide full-year funding for the California Witness Protection Program, established by AB 856 (Hertzog) Chapter 507, Statutes of 1997;
- \$4 million special funds and 39 two-year limited-term positions to perform criminal background checks for school district employees, as specified, consistent with Chapters 588 and 589, Statutes of 1997 respectively, AB 1610 (Ortiz) and AB 1612 (Alby); and

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- \$1.8 million and 14 positions to establish a regional Sexual Predator Apprehension Team (SPAT) in Northern California and augment three existing teams in the Fresno, Los Angeles, and San Francisco areas. SPAT units provide coordination, expertise, and training to local law enforcement agencies in the monitoring and apprehension of habitual sex offenders and convicted sex offenders who fail to register with local authorities. Nine of the positions are proposed to establish a fourth SPAT unit in the 25 Northern California counties with the remaining five positions proposed to augment the existing three SPAT units.

**CAPITAL OUTLAY:** The Budget proposes a total of \$5.6 million for DOJ capital outlay projects. Of this approximately \$4 million is for the acquisition (Eureka), and acquisition and preliminary plans to replace three laboratories: Santa Rosa, Santa Barbara and Fresno. The balance of the funding, or \$1.6 million is for replacement and upgrade of computer systems at Hawkins Data Center.

## **OFFICE OF THE STATE PUBLIC DEFENDER:**

The Office of the State Public Defender (OSPD) was established to provide legal representation for persons who are financially unable to employ counsel in capital appeal cases and other proceedings where a person is afforded legal representation at public expense. The 1998-99 budget proposes a total of \$11.2 million for OSPD a \$1.1 million increase, or 10.9 percent higher than revised current year amounts.

Due to concerns about the number of inmates on death row without legal representation, and in order to comply with federal timelines for expedited habeas corpus review, SB 513 (Lockyer), Chapter 869, Statutes of 1997, was enacted which does, among other things, the following:

- Created the California Habeas Resource Center. This new entity is authorized to employ attorneys and investigators to represent indigent individuals in post-conviction proceedings and to assist appointed counsel in post-conviction proceedings. The Budget provides \$5 million General Fund to establish the Habeas Resource Center;
- Revised the mission of the OSPD. Except for training new attorneys utilizing non-capital cases, OSPD will only be assigned automatic capital appeals by the California Supreme Court. The budget proposes \$2.7 million General Fund and 30 positions for additional legal staff to implement the new legislation and to address the backlog of inmates on death row without assigned legal counsel; and
- Increased the hourly rate at which court-appointed private attorneys are paid to provide representation in these cases, from \$98 per hour to \$125 per hour. It also provides that the Supreme Court may increase from \$12,000 to \$25,000 the amount private counsel can spend for investigation and other expenses without providing

special justification. It is anticipated that these reforms will provide an incentive to attract more attorneys to work on these cases.

## **DEPARTMENT OF YOUTH AUTHORITY**

The Department of Youth Authority is responsible for the protection of society from the consequences of criminal and delinquent behavior of youthful offenders (generally ages 12 to 24). The department accomplishes this by operating training and treatment programs geared to educate, correct, and rehabilitate youthful offenders instead of punishing them. This is accomplished through the operation of 11 institutions, including two reception centers/clinics, six conservation camps (two of which are institution-based camps), and two institution-to-parole transition programs (one of which El Centro, is a drug treatment program). Parolee supervision is provided through 16 offices located throughout the State.

The Youth Authority projects a year-end institution population of 8,400 youthful offenders by June 30, 1998, which is 745 less, or 8.1 percent lower, than anticipated in the 1997 Budget Act. This trend is expected to continue in the budget year, although at a slower rate, resulting in a decrease of 85 wards for a 1998-99 year-end population of 8,315, a 1.0 percent reduction. The Parole population is projected to be 6,120 by June 30, 1998, and to decrease by 655 cases, or 10.7 percent, to 5,465 by June 30, 1999.

To address the projected ward population, the Governor's budget proposes \$412 million for the Department of Youth Authority in 1998-99, a 4.4 percent decrease over the revised current year support expenditures. Proposed General Fund expenditures for the Youth Authority are \$331.7 million in 1998-99, a decrease of \$5.4 million, or 1.6 percent below revised 1997-98 expenditures. The reduction in the ward population and subsequent funding is primarily attributable to two statutes enacted in 1996.

Assembly Bill 3369 (Bordonaro), Chapter 195, Statutes of 1996 provides for the transfer of M-Cases, 18 years or older, from the Youth Authority to an adult correctional institution. M-Cases are individuals who were under the age of 21 when they were committed to Corrections for a felony conviction in criminal court, and ordered by the court, after a Corrections evaluation, to be transferred to the Youth Authority to serve all or part of their incarceration time. Previously, this population could remain in the Youth Authority until they turned 25 years of age.

Senate Bill 681 (Hurtt), Chapter 6, Statutes of 1996, implemented a sliding scale fee that charges counties a fee for less serious offenders that are committed to the Youth Authority. Since January 1, 1997, when the bill became effective, the Youth Authority's ward population began to decline. Since 1961, counties have paid a monthly \$25 fee for each offender sent to the Youth Authority. The statute increased this fee to \$150 effective, and established a new sliding scale fee, in lieu of the \$150, to be charged for less serious offenders committed to the Youth Authority by counties. The intent is to

provide an incentive for counties to establish local alternatives for housing these juvenile offenders.

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Some of the major proposals in the 1998-99 budget for the Department of Youth Authority include:

- \$143,000 for two additional Group Supervisor posts during first watch at the N.A. Chaderjian Youth Correctional Facility in Stockton. This augmentation is designed to ensure that adequate staffing exists to conduct timely ward counts;
- \$444,000 to provide staff for the checkpoints at two institutions and to provide arming for staff at four institutions. This will enable the Youth Authority to more closely monitor the pedestrian and traffic flow into and out of the affected institutions and will provide enhanced security for staff responsible for working in these checkpoints;
- \$663,000 to upgrade the radio system at the Southern Youth Correctional Reception Center and Clinic at Norwalk in order to alleviate dead spots and other safety-compromising transmission problems;
- \$1.4 million in Proposition 98 General Fund and 31 positions to increase staffing to address the special education needs of an estimated 23 percent of the Youth Authority population;
- \$417,000 General Fund and seven positions to upgrade a specialized counseling program at Ventura Youth Correctional Facility in Camarillo, to an intensive treatment program that provides additional psychological and psychiatric treatment for female offenders who have severe psychological disturbances; and
- \$214,000 and three positions to expand the Sacramento Training and Employment Preparation Program to three additional sites. This Program has been established at six sites, and is designed to assist parolees with little or no work experience to develop good work habits while placing a high priority on restoring justice in communities by helping youthful offenders understand the impact of their crime on victims.

**Capitol Outlay:** In order to provide projected space to manage violent and disruptive offenders, the Governor's budget proposes to construct 300 single occupancy rooms at four California Youth Authority facilities for a total cost of \$33 million. The California Youth Authority has facilities that were activated between 1947 and 1967 as open dormitory settings and were intended for a predominately nonviolent offender population. However, because of the two previously noted statutes, Youth Authority estimates

assume a heavier concentration of the more serious offenders which tend to be more violent and pose greater safety risks.

The Administration assumes the required \$33 million will come from bond measures that it will either place on the ballot in 1998 or lease revenue bonds. Irrespective, the budget does not include an appropriation from this proposed bond.

The Administration also proposes to expend \$14.2 million General Fund in the Department of the Youth Authority for construction projects. The proposals are as follows:

- \$609,000 for working drawings for the installation of a statewide personal alarm system;
- \$1.5 million to complete the construction of a secondary perimeter security fence at the Preston Youth Correctional Facility in Lone;
- \$4.9 million to complete the replacement of living unit doors at Heman G. Stark Youth Correctional Facility;
- \$837,000 is proposed for a plan to separate the male and female wards at the Ventura Youth Correctional Facility in Camarillo;
- \$716,000 is proposed for pre-construction work to construct visiting facilities at: Southern Youth Correctional Reception Center and Clinic in Norwalk, Fred C. Nelles Youth Correctional Facility in Whittier, De Witt Nelson Youth Correctional Facility in Stockton, and Ventura Youth Correctional Facility in Camarillo;
- \$670,000 to replace a sewer line at Fed C. Nelles Youth Correctional Facility in Whittier (\$222,000), and to replace a water line at Preston Youth Correctional Facility in Lone (448,000); and
- \$3.5 million for the Department's minor capital outlay program and \$2.2 million for various small infrastructure projects.

**Local Juvenile Detention Centers:** Most juvenile detention facilities were constructed over 25 years ago when juvenile offenders were generally less criminally sophisticated and less violent than today's juvenile offender population. The number of juveniles between the ages of 11 and 17, which account for 99 percent of juvenile arrests is projected to increase 33 percent within the next decade. Unless, these youths provided proper support services like education and health care, it is estimated that California will need 6,000 local juvenile facility beds by the year 2000 to address the first wave of that increase.

California's local juvenile detention facilities are crowded and dilapidated, even though the 1997 Budget Act provided \$37.4 million from the Federal Crime Bill to construct new juvenile facilities. Assuming the aforementioned projections, the Administration is proposing that \$350 million in bonds be placed on the 1998 to construct and/or renovate local juvenile facilities. The budget includes no appropriation to address this critical situation.