

## CORRECTIONS AND REHABILITATION

The California Department of Corrections and Rehabilitation (CDCR) incarcerates the most serious and violent felons, supervises these felons after their release on parole, and provides rehabilitative strategies designed to successfully reintegrate offenders into communities. The CDCR provides safe and secure detention facilities and necessary support services to inmates, including food, clothing, academic and vocational training.

The Budget proposes \$8.9 billion (\$8.7 billion General Fund) for all state operations and local assistance programs included under this Agency in 2012-13.

### **IMPROVING THE EFFICIENCY OF THE STATE PRISON SYSTEM**

The Budget reflects the implementation of the 2011 Public Safety Realignment. Chapter 15, Statutes of 2011 (AB 109), shifted the responsibility for lower-level offenders and parole violators from state prisons to county jurisdictions. Counties are now responsible for the community supervision of lower-level offenders upon the completion of their prison sentence. Public Safety Realignment is the cornerstone of California's efforts to comply with a 2009 court order in the *Plata* and *Coleman* cases that required the State to reduce crowding levels in the prison system.

The ongoing successful implementation of the reform of the state's incarceration system is a key priority of the Administration. The effects of this reform included in the Budget are as follows:

- **Population Declining as Expected**—As a result of realignment, the total adult inmate population is expected to decline from 150,038 in the current year to 132,167 in the budget year, a 12-percent decrease. The adult inmate population is projected to decrease by 13,114, or 8 percent, in the current year and 30,985, or 19 percent, in the budget year. The current projections also reflect decreases in the estimated parolee population of 23,476 in 2011-12 and 51,898 in 2012-13, declining to a total parolee population of 84,862 in the current year and 56,440 in 2012-13. These population changes result in state savings of \$453.3 million in the current year and \$1.1 billion in the budget year.
- **Operational Changes to Better Address Needs of Remaining Population**—Realignment has significantly changed the population mix remaining in the care of the state, requiring substantial changes to the Department's operations. For example, the number of female inmates is declining by a greater proportion than male inmates, which necessitates the conversion of the Valley State Prison for Women to a male facility by July 2013. In addition, fewer reception beds are needed due to a significant decline in the intake and release of inmates within CDCR. The lower demand for reception beds is allowing the Department to convert existing reception center capacity throughout the state to house inmates on a longer-term basis. The mission of the reception centers is being aligned to better address the needs of the remaining population.
- **Fewer Non-Traditional Beds Needed**—Under realignment, the deactivation of non-traditional beds has increased significantly. CDCR deactivated 898 non-traditional beds in October 2011, 3,223 beds in November, and 844 beds in December. Currently, CDCR is down to 1,263 non-traditional beds. This equates to just 7 gymnasiums and 1 dayroom compared to the 72 gyms and 125 dayrooms in operation at the peak of crowding in August 2007.
- **Rethinking the Prison Facilities Plans**—Realignment fundamentally alters the State's future facility needs as funded under Chapter 7, Statutes of 2007 (AB 900). The primary purpose for the infill program is no longer present, since the state will no longer operate any non-traditional bed capacity. Although the major medical facility under construction in Stockton will proceed as scheduled due to the specialized capacity that it will provide, the Administration is reevaluating the need for other infill and reentry construction projects in light of the substantial population declines.

The Budget includes a reduction of \$44.5 million to reflect the cancellation of the Estrella infill project. Additionally, the Budget reflects that the state is not currently proceeding with the construction and conversion of the DeWitt youth facility to an adult facility. It is anticipated that the state will avoid approximately \$250 million in annual debt service costs as a result of the revised construction plan. The Budget also assumes savings of \$125 million related to infrastructure projects authorized by AB 900 that are not needed as a result of realignment.

### **ALTERNATIVE CUSTODY FOR WOMEN**

Proposal to Balance the Budget:

- Approximately 70 percent of the current female inmate population is classified as non-violent offenders with convictions for property or drug-related crimes. Additionally, a majority of the women in state prison, including those with prior serious or violent convictions, are classified as low-risk. Increased participation by women in programs such as substance abuse counseling and vocational education will enhance prison safety and rehabilitation efforts and further reduce the state's adult inmate population. The Budget provides for the expansion of Alternative Custody for Women to include women who have a prior serious or violent conviction. This will allow CDCR to place these offenders in community-based treatment programs in an effort to achieve successful outcomes and reduce recidivism among this population. Savings resulting from the reduction in the female inmate population will be used to cover the cost of treatment programs in the community. The anticipated population decline in future years is expected to generate long-term savings of \$2.5 million beginning in 2014-15 and \$5 million annually thereafter. In addition, the state expects to avoid future incarceration costs related to this population due to the positive effects of rehabilitative and therapeutic programs provided through alternative custody.

### **FISCAL ACCOUNTABILITY**

The Budget continues the Department's focus on fiscal accountability. Previously, structural budgetary shortfalls in various programs led to the Department's inability to manage its budget within the funding provided. Consequently, the 2011 Budget Act included an ongoing augmentation of \$379.6 million to more accurately reflect the operational costs within the adult institutions' budgets. In addition, new and expanded program structures were implemented to allow for a more detailed level of fiscal tracking, improving fiscal oversight. The following provides an update on these efforts.

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- **Program Funding**—A necessary component of ensuring sufficient funding is the semiannual population funding request to address CDCR’s ongoing costs for serving the population remaining under its jurisdiction. The Budget includes an increase of \$33.4 million General Fund in 2011-12 and \$30.1 million in 2012-13 for costs primarily related to changes in the budgeted populations of adult mental health inmates. The Budget recognizes the cost to deliver mental health treatment to inmates and represents implementation of the Mental Health Staffing Ratios presented to the court in 2010 in response to the *Coleman v. Brown* lawsuit.
- **Reporting Requirements**—The Budget continues the reporting requirements that were included in the 2011 Budget Act to increase the fiscal accountability at adult institutions. In addition, the Budget requires CDCR to report at intervals on position reductions associated with the population decline.
- **Zero-Based Budgeting of Division of Adult Parole Operations**—The Department of Finance and CDCR are working together to zero-base the budget for the Division of Adult Parole Operations.

### **JUVENILE JUSTICE REALIGNMENT**

The Division of Juvenile Justice currently houses approximately 1,100 offenders. The Budget proposes to expand on previous successful efforts to reform the state’s juvenile justice system by eventually transferring the responsibility for managing all youthful offenders to local jurisdictions. The Budget proposes to stop intake of new juvenile offenders effective January 1, 2013, and also proposes \$10 million General Fund in 2011-12 to support local governments in planning for this transition. The Administration is committed to working with local governments and stakeholders to ensure a successful transition, and to develop a funding model that provides an appropriate level of resources to house and treat juvenile offenders locally.

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

The Budget establishes and includes funding for the Board of State and Community Corrections (Board) through transfers from the Corrections Standards Authority (CSA) within CDCR and the California Emergency Management Agency.

Legislation associated with the 2011 Budget Act abolished the CSA and established the new Board as an independent entity, effective July 1, 2012. The Board will absorb the previous functions of the CSA as well as other public safety programs previously administered by the California Emergency Management Agency.

The Board will provide statewide leadership, coordination, and technical assistance to promote effective state and local efforts and partnerships in California's adult and juvenile criminal justice system. Particularly important in the next several years will be coordinating with and assisting local governments as they implement the realignment of many adult offenders to local government jurisdictions that began in 2011. The Board will guide statewide public safety policies and ensure that all available resources are maximized and directed to programs that are proven to reduce crime and recidivism among all offenders.

The Budget proposes \$109.1 million (\$16.9 million General Fund and \$92.2 million other funds) for the state operations and local assistance programs included under this Board.

### **INCARCERATION OF UNDOCUMENTED FELONS**

An estimated 10.8 percent of inmates in the state prison system in 2011-12 will be undocumented persons. Approximately \$936.4 million will be spent to incarcerate 16,250 offenders. However, the state is expected to receive only \$65.8 million in federal State Criminal Alien Assistance Program funding for 2011-12 and 2012-13. At this level of funding, the state will be reimbursed for only 7 percent of the costs associated with the incarceration and related debt service associated with the undocumented felon population, with \$870.6 million in costs in excess of the level of federal reimbursements.

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