

PUBLIC SAFETY

Over the coming year, the Administration will map out a plan to further transform the state correctional system with a focus on public safety, increased rehabilitation, expanded opportunities for reentry, and restorative justice. The plan will address the long-term population trends, utilization and maintenance of facilities, and implications of ongoing litigation. The Governor's Budget and the May Revision make important near-term investments that will support these long-term goals. They also reflect the Administration's commitment to sound correctional practices and recidivism reduction that ensure the state meets its paramount obligations to protect the public, correctional staff, and the incarcerated population.

DEPARTMENT OF CORRECTIONS AND REHABILITATION

The California Department of Corrections and Rehabilitation (CDCR) incarcerates the most violent felons, supervises those released to parole, and provides rehabilitation programs to help reintegration into the community. The Department provides safe and secure detention facilities and necessary support services to inmates, including food, clothing, academic and vocational training, as well as health care services. The May Revision includes total funding of \$12.8 billion (\$12.5 billion General Fund and \$305 million other funds) for the operation of the Department in 2019-20.

POPULATION

Compared to the Governor's Budget projections, changes in the adult inmate and parole population have resulted in a net decrease of \$4.2 million General Fund in 2018-19 and 2019-20 combined. The revised average daily population projections for adult inmates are 127,993 in the current year and 126,705 in the budget year, a decrease of 341 in 2018-19 and 266 in 2019-20. The revised average daily parolee population projection is 48,535 in the current year and 50,442 in the budget year, a decrease of 166 in the current year and an increase of 497 in the budget year.

Proposition 57, the Public Safety and Rehabilitation Act of 2016, is estimated to reduce the average daily adult inmate population by approximately 6,500 in 2019-20, and approximately 10,600 in 2021-22. As of May 2, 2019, the prison population was at 134.8 percent of design capacity, which is below the federal court-ordered population cap of 137.5 percent of design capacity.

The implementation of Proposition 57 and other actions have allowed the Department to eliminate the use of out-of-state beds from its long-term court compliance strategy as all inmates will be removed from Arizona by June 2019.

INMATE REHABILITATION AND REENTRY

The May Revision includes several proposals that provide offenders greater opportunity for rehabilitation, thereby improving offender outcomes and increasing public safety.

REENTRY EXPANSION

One important component of rehabilitation programming involves the operation of reentry facilities which provide eligible offenders a variety of services, such as substance use disorder treatment, education, and employment counseling, in the communities in which they will be released during the last portion of their sentences. Recognizing the important role reentry facilities play in rehabilitation and successful reentry into the community, the May Revision includes \$8.8 million ongoing General Fund to establish two new 60-bed female facilities in Los Angeles and Riverside, and expand an existing male facility in Los Angeles by 10 beds. In addition, the May Revision includes \$1.5 million ongoing General Fund to provide a five-percent contract rate increase for Male Community Reentry Program providers.

INTEGRATED SUBSTANCE USE DISORDER TREATMENT PROGRAM

Across the country, substance use disorders (SUD) involving alcohol, opioids, and methamphetamines are on the rise, resulting in an increasing number of overdose-related deaths each year. Treatment of individuals suffering from substance use disorders involves long-term medical and/or behavioral modification components. Providing offenders who battle addiction with proper evidence-based treatment and medication-assisted treatment can reduce the risk for further substance use, relapse, and drug-related death, and can help prepare inmates for a successful reentry to society.

To combat alcohol and opioid addiction-related issues within the state's incarcerated population, the May Revision includes \$71.3 million General Fund in 2019-20 and \$161.9 million ongoing General Fund beginning in 2020-21 to implement an integrated substance use disorder treatment program throughout all 35 CDCR institutions. The proposal includes three main components: (1) the use of medication-assisted treatment (MAT) to treat inmates with opioid and alcohol use disorders; (2) a redesign of the current cognitive behavioral treatment curriculum; and (3) the development and management of inmate treatment plans and substance use disorder-specific pre-release transition planning. This new program will target three populations: (1) inmates who were receiving MAT prior to entering prison; (2) inmates already in CDCR with high substance use disorder risk factors (such as a recent overdose); and (3) inmates scheduled for release within 15 to 18 months who have been assessed as having a high need for substance use disorder services.

Medication-Assisted Treatment—The proposal creates a statewide medication-assisted treatment program that will offer buprenorphine, methadone, and naltrexone to inmates with opioid use disorders in all 35 institutions and distributes naloxone (an opioid reversal agent) to inmates slated for release who are also deemed to be at risk. Additionally, naltrexone and acamprosate will be offered to inmates with alcohol use disorders. Medication-assisted treatment services will be provided by new medical, nursing, pharmacy, and custody staff. These staff will be trained to provide needed services consistent with the medication-assisted treatment program. Medical staff will be certified to meet the federal requirements for prescribing buprenorphine.

Cognitive Behavioral Treatment—Recognizing that medication-assisted treatment must also be combined with behavioral education, the May Revision proposes several changes to the Department's current program to provide a comprehensive behavioral modification program to all incarcerated individuals prior to release. These changes include:

- Streamlining the curriculum provided across institutions. This programming, which includes substance use disorder treatment, will now be offered to all offenders within 15 to 18 months of release. The treatment will be structured to provide the offender the opportunity to address all criminogenic needs within a structured delivery period, removing the potential for fragmented delivery of treatment components over several years prior to release.
- Increasing the total number of programming slots to provide treatment to all offenders.
- Revising curricula to support offenders in the integrated substance use disorder treatment program to meet their specific treatment needs.
- Requiring those who deliver treatment services to be certified alcohol and other drugs counselors. A rate increase is included for counselors to increase the experience level necessary for treatment delivery.

Treatment Plans and Pre-Release Transition Planning—Ongoing treatment is paramount in maintaining patient health and wellness. As part of a whole person care model, the May Revision proposes to expand nursing and licensed clinical social worker staff to coordinate several pre-release processes. These staff will work with all 58 California counties and the Division of Adult Parole Operations to facilitate the placement of inmates released to Post Release Community Supervision and parole into treatment and counseling programs in the community and minimize gaps in care.

Other Significant Adjustments:

Tattoo Removal Program—Tattoos often present an obstacle to formerly incarcerated individuals seeking to reintegrate into society. The Governor's Budget included a placeholder of \$2.5 million General Fund for the Department to develop a tattoo removal program for the adult offender population. The May Revision includes a refined estimate, reducing the costs to \$1.1 million General Fund in 2019-20 and \$2.1 million ongoing General Fund beginning in 2020-21. The Department will provide tattoo removal to approximately 3,000 offenders annually, with a focus on those who are seeking to leave gangs or are within 1 to 2 years of release on a voluntary basis.

Sign Language Interpreter Services—The May Revision includes \$1.5 million ongoing General Fund to provide equal access to rehabilitation programs and services to inmates for whom sign language is their primary method of communication.

Project Rebound—The May Revision includes an additional \$750,000 ongoing General Fund to support Project Rebound, a California State University (CSU) program that provides assistance to formerly incarcerated individuals seeking to enroll in participating CSU campuses. This brings total ongoing funding for this program to \$1 million General Fund and is included in the CSU's budget.

INMATE HEALTH CARE

The May Revision continues the state's significant financial commitment to improve the Department's delivery of health care services to inmates. The May Revision dedicates \$3.5 billion General Fund to health care services programs which provide access to mental health, medical and dental care that is consistent with the standards and scope of services appropriate within a custodial environment.

Since the Governor's Budget, the court-ordered Receiver overseeing the Department's inmate medical program, has incurred unanticipated current year costs totaling \$95.6 million General Fund related to contract medical (\$61 million), pharmaceuticals (\$18.8 million), clinical staffing (\$12.7 million), and leased office space (\$3.1 million). The May Revision includes \$114.3 million General Fund (including the Medical Classification Model update discussed below) in 2019-20 to account for these costs on an ongoing basis.

MEDICAL CLASSIFICATION MODEL UPDATE

The May Revision includes \$27.9 million for the Receiver's Medical Classification Model to provide increased staffing levels for health care operations throughout California's prison system. The Medical Classification Model, established in 2014-15, uses a ratio-based methodology for adjusting medical staffing levels based on inmate medical classification. Since then, the population has grown older and sicker and is experiencing an increase in trauma-related incidents. Current staffing ratios are insufficient to meet these needs. This proposal includes the reclassification of certain offender populations based on medical acuity and revises staffing methodologies based on the Receiver's update to the model.

JUVENILE JUSTICE

Over the past several decades, research on effective methods to improve juvenile justice outcomes has expanded, providing a framework for reform, enhancements, and refinement of current systems, highlighting the important need to distinguish between adult corrections and juvenile strategies. This new framework recognizes that (1) the

brains of adolescents are fundamentally different from adults and these differences remain up to age 25, (2) youth involved in the juvenile justice system have typically experienced multiple traumatic events in early childhood, and (3) youth in the juvenile justice system rely on adults who can provide critical resources and support as they internalize information and learn from their experiences.

In recognition of these realities, the Governor's Budget announced a plan to reorganize the Division of Juvenile Justice (DJJ) and a new approach to operating state juvenile justice facilities. In furtherance of this plan, the May Revision includes statutory changes to move the DJJ from the CDCR to a new department under the California Health and Human Services Agency (CHHS), effective July 1, 2020. The new department will be called the Department of Youth and Community Restoration. The proposal better aligns California's approach with its rehabilitative mission and core values—providing trauma-informed and developmentally appropriate services in order to support a youth's return to their community, preventing them from entering the adult system, and further enhancing public safety. By moving the DJJ from the adult corrections system into a new department under the CHHS, California will be better positioned to achieve this mission.

The May Revision also includes \$1.2 million ongoing General Fund for key staff to plan for the transition and launch of a new independent training institute that will train all staff on best practices so they can further the new Department of Youth and Community Restoration's rehabilitative mission.

In addition, the May Revision includes \$1.4 million ongoing General Fund to create a partnership between DJJ and the California Conservation Corps to develop and implement an apprenticeship program. This program will provide skill building and job training opportunities to participating members and support them in accessing career pathways upon returning to their communities.

VICTIM SERVICES

Crime victims and their families bear significant physical, emotional, and financial burdens. The May Revision includes several proposals that will both assist crime victims recovering from such traumas and proactively make strategic investments to protect those who face a high risk of victimization.

CONSOLIDATION OF VICTIMS PROGRAMS

Victims and survivors need to know where to turn for services, and these services should be easily accessible. While the state offers dozens of victims' services programs, it currently administers these programs through multiple state departments in a manner that is not designed to maximize ease of access for victims. Over the coming year, the Administration will develop a plan to consolidate the Office of Emergency Services and Victim Compensation Board victims programs within a new state department under the Government Operations Agency and may identify victims programs in other departments that could also be consolidated. This will provide one central place for victims and their families to obtain information and access services when they are most in need. The Administration intends to submit the consolidation of victims' services proposal as part of the 2020-21 Budget. This timeline allows for the planning necessary to address the significant logistical challenges of transitioning the programs without disrupting services to victims and their families.

VICTIM IMPACT PROGRAMS

CDCR's Office of Victims and Survivor Rights and Services provides information, restitution, outreach, training, referral and support services to individuals, as well as their next of kin, who were victimized by offenders sentenced to state prison. The May Revision includes an additional \$2 million Inmate Welfare Fund for (1) the Office's Victim Offender Dialogue program, which employs restorative justice principles to provide opportunities for offenders to understand the impacts their actions have had on victims, and (2) the Department's Division of Rehabilitative Programs to establish or expand Innovative Programming Grants targeting victim impact programs. These programs are unique to CDCR and will not be consolidated.

VIOLENCE INTERVENTION AND PREVENTION PROGRAM

The Governor's Budget included \$9 million ongoing General Fund for the California Violence Intervention and Prevention Program. The May Revision proposes an additional augmentation of \$18 million one-time General Fund, resulting in a total of \$27 million for the program in 2019-20 for grants to eligible cities and community based organizations. These grants provide funding to support services such as community education, diversion programs, outreach to at-risk transitional age youth, and violence reduction models.

NONPROFIT SECURITY GRANT PROGRAM

The California State Nonprofit Security Grant Program, administered by the Office of Emergency Services, provides support for target hardening and other physical security enhancements to nonprofit organizations that are at high risk of a terrorist attack, particularly from hate crimes based on ideology and beliefs. Continuing previous investments to combat attacks of this sort, the May Revision includes a \$15 million one-time General Fund augmentation for the grant program, to assist nonprofit organizations that have historically been targets of hate-motivated violence. Organizations can use these funds to help secure potential targets, such as places of worship.

LOCAL PUBLIC SAFETY

Standards and Training for Corrections Program—Funding for the Standards and Training for Corrections Program, which assists local corrections agencies in improving the professional competence of their staff, was reduced significantly in 2016-17, driven by a decline in criminal fine and fee revenues which was the primary funding source for this program. In 2018-19, support was shifted to the General Fund but remained at the reduced level. The May Revision includes an additional \$6.2 million ongoing General Fund to restore to a level more consistent with historical funding. This proposal was released in April.

Community Corrections Performance Incentive Grant—The Community Corrections Performance Incentive Grant, Chapter 608, Statutes of 2009 (SB 678), was created to provide incentives for counties to reduce the number of felony probationers sent to state prison. The May Revision includes \$112.8 million General Fund to continue this successful program. This is a decrease of \$548,000 from the amount estimated in the Governor's Budget.

Post Release Community Supervision—The May Revision includes \$14.8 million General Fund for county probation departments to supervise the temporary increase in the average daily population of offenders on Post Release Community Supervision as a result of the implementation of Proposition 57. This is an increase of \$2.9 million over the amount estimated in the Governor's Budget.

Proposition 47 Savings—Voters passed Proposition 47 in November 2014, which requires misdemeanor rather than felony sentencing for certain property and drug crimes and permits inmates previously sentenced for these reclassified crimes to petition for

resentencing. The Department of Finance currently estimates net savings of \$78.4 million General Fund for Proposition 47 when comparing 2018-19 to 2013-14, a decrease of \$23,000 from the Governor's Budget estimate for 2018-19. These funds will be allocated according to the formula outlined in the initiative.

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