

CRIMINAL JUSTICE

DEPARTMENT OF CORRECTIONS AND REHABILITATION

The California Department of Corrections and Rehabilitation (CDCR) incarcerates people convicted of the most violent felonies, supervises those released to parole, and provides rehabilitation programs to help them reintegrate into the community. The Department strives to facilitate the successful reintegration of the individuals in its care back to their communities equipped with the tools to be drug-free, healthy, and employable members of society by providing education, treatment, and rehabilitative and restorative justice programs. The Budget includes total funding of \$13.6 billion (\$13.3 billion General Fund and \$347 million other funds) for CDCR in 2021-22.

The COVID-19 Pandemic has affected every aspect of prison operations and the state has taken swift action to mitigate the spread of the virus. These actions have significantly impacted current population projections. The Governor's Budget projected an overall incarcerated adult average daily population of 95,324 in 2021-22. Spring projections now estimate an incarcerated adult average daily population of 106,259, an increase of 10,935. This is primarily because CDCR has resumed intake of individuals sentenced to prison but who remain in county jails awaiting transfer to state prison.

The Governor's Budget projected an overall parolee average daily population of 45,924 in 2021-22. The average daily parolee population is now projected to be 48,269, an increase of 2,345, or approximately 5 percent.

COVID-19 UPDATE

The number of active COVID-19 cases across CDCR's prison system has declined dramatically since the height of the COVID-19 Pandemic. In December 2020, CDCR reported as many as 10,600 active incarcerated adult COVID-19 cases and 3,250 active staff COVID-19 cases. As of June 30, 2021, CDCR was tracking 31 active incarcerated adult cases and 86 active staff cases. One of the primary drivers of CDCR's success in combatting the further spread of COVID-19 has been the roll-out of COVID-19 vaccines to incarcerated individuals and staff, consistent with California Department of Public Health guidance. CDCR began administering vaccines in December 2020. At the end of June 2021, approximately 34,000 staff (about 59 percent) and 70,000 incarcerated people (about 71 percent) had received complete courses of a COVID-19 vaccine.

As of June 2021, the Division of Juvenile Justice (DJJ) within CDCR reports no active COVID-19 cases among youth and one active staff case. A total of 405 cases (205 youth cases and 200 staff cases) have resolved since June 2020, with no reported serious symptoms or deaths. Vaccinations are currently offered to all DJJ youth, and DJJ has been working to distribute approved vaccines to minors consistent with Food and Drug Administration guidance and with written parental permission. Approximately 192 wards (about 30 percent) and 630 DJJ staff (about 60 percent) have received their first dose or have been fully vaccinated.

CDCR continues to take proactive measures and precautions to protect the incarcerated population and staff, which includes continuing regular testing, observing physical distancing protocols, utilizing masks and other personal protective equipment, and providing extra cleaning and sanitation services. CDCR has performed over 3.4 million COVID-19 tests since the beginning of the pandemic.

Given improvements in CDCR's containment of the virus, CDCR recently re-opened visitation at all of its institutions. Visitors are generally asked to provide vaccine documentation or recent COVID-19 test results, but CDCR is also currently offering visitors the opportunity to have COVID-19 tests performed on-site if available.

CDCR estimates it incurred costs of approximately \$1.1 billion in 2019-20 and 2020-21 to support direct and indirect COVID-19-related response activities, including testing of staff and incarcerated individuals; administering vaccines; cleaning; installing and staffing temporary tents to isolate incarcerated individuals; and supplying personal protective equipment. The Budget includes \$407.9 million one-time General Fund in 2021-22 to continue COVID-19 activities and fund related contracts and purchases.

In addition, the Budget provides limited-term resources of \$51 million General Fund in 2021-22, growing to \$77.6 million through 2024-25, for increased workers' compensation costs associated with Chapter 85, Statutes of 2020 (SB 1159), which creates a rebuttable presumption that an employee's illness related to COVID-19 is an occupational injury.

Although the number of active cases has decreased significantly since the height of the pandemic, CDCR remains vigilant regarding the potential risks and will continue current response operations for the near future with the goal of preventing any further spread of COVID-19.

INCREASED INTAKE TO STATE PRISONS

In late March of 2020, the state halted intake of incarcerated persons from county jails to reduce the risk of COVID-19 entering the state prison system. CDCR resumed intake on a limited basis in late August, although public health conditions subsequently necessitated halting intake again in late November. In January 2021, CDCR resumed intake with continued precautions including requiring testing and symptom screening prior to intake, and instituting a mandatory 14-day quarantine period in its reception centers. Since then, intake has remained open, and has increased over time, as public health conditions have allowed. At the height, counties held 10,755 incarcerated persons on behalf of the state. As of the end of June 2021, approximately 5,300 incarcerated persons remained in county jails awaiting transfer to state prison.

The suspension of intake has resulted in greater numbers of incarcerated persons being held in county jails. In circumstances where CDCR cannot accept the intake of an individual from a county jail, the state is required to reimburse counties for holding those individuals. As of July 13, 2021, the state has provided approximately \$171.3 million General Fund to county sheriffs for this purpose. This reflects payments for individuals held in county jails from March 2020 through February 2021, and reimbursements will continue until such time that all incarcerated individuals are transferred to state prison. Current projections suggest a total of \$97.5 million in additional reimbursements will be made in 2021-22 as the backlog is gradually reduced and then eliminated.

PRISON CAPACITY AND CLOSURES

The adult prison population has steadily declined over many years, presenting opportunities for CDCR to eliminate its reliance on contract prison capacity. CDCR terminated its final remaining contract to house incarcerated persons out of state in June 2019. In addition, CDCR terminated its final in-state contract correctional facility in May 2021. Consistent with the 2020 Budget Act, the Department plans to close Deuel

Vocational Institution in Tracy by September 2021, achieving savings of \$119 million General Fund in 2021-22, and \$150.3 million General Fund annually beginning in 2022-23.

The Department also plans to close the California Correctional Center in Susanville by June 30, 2022. The closure of this facility is estimated to save the state \$122 million General Fund annually beginning 2022-23.

EXPANSION OF REHABILITATIVE OPPORTUNITIES

Increasing access to rehabilitative and reentry programs has the potential to improve post-release outcomes for incarcerated individuals and reduce recidivism. CDCR's academic, vocational, and rehabilitative programs are critical to preparing incarcerated individuals to successfully reenter their communities following their release from prison. The Budget includes targeted resources to further enhance these programs with the goal of improving public safety through rehabilitation.

REIMAGINING THE PRISON SYSTEM

Norway is globally recognized for its model corrections system, demonstrated through its low rate of recidivism and successful post-release outcomes. Norway's model is distinguished in part by the level of access to educational and life and job skill training opportunities, the use of innovative and trauma-informed rehabilitative practices, and the community and campus-like look and feel of the prison environment. The Budget includes \$13.7 million General Fund in 2021-22, and \$3 million ongoing, to expand programming and undertake facility improvements at Valley State Prison (VSP), guided by the Norway model, with the goal of achieving similar success in rehabilitating incarcerated individuals and preparing them for life outside of the institution. VSP will serve as a pilot for re-envisioning and transforming the state's correctional system.

Specifically, these resources will enable CDCR to:

- Install two new modular buildings to accommodate additional educational and rehabilitative activities for incarcerated individuals.
- Create two new baccalaureate degree programs—one general education program and one focused on Science, Technology, Engineering, and Mathematics (STEM).

- Add new vocational and career technical training opportunities, including multimedia (video, music, and podcasts) production and construction licensing and certification programs.
- Provide additional laptops for the incarcerated population's use to support digital literacy development and access to educational offerings.

To further promote these efforts system-wide, the Budget includes \$34.8 million one-time General Fund to replace existing metal dayroom furniture with more comfortable furniture for positive programming and non-designated program facilities and female institutions. This change will create a more welcoming and community-like atmosphere for incarcerated persons, thereby transitioning from a typical institutional environment to a more rehabilitative setting.

In addition, the Budget includes \$3.5 million General Fund in 2021-22 and \$3.3 million General Fund in 2022-23 and 2023-24 for CDCR to expand the Hope and Redemption Team Program to provide additional rehabilitative and reentry programming at institutions statewide.

INCREASING ACCESS TO TECHNOLOGY

The Budget includes \$23.2 million General Fund in 2021-22, and \$18 million ongoing, for information technology to enhance access to rehabilitative programming. Specifically, these resources will enable CDCR to purchase approximately 37,000 laptop computers for use by academic program participants (such as students in basic adult education, GED, or community college courses), as well as for the expansion of virtualization infrastructure, network bandwidth, and the creation of a secure online academic portal that will allow students to complete educational curriculum outside of the classroom. The ongoing resources will fund the necessary technology infrastructure and related staffing, and support a three-year laptop replacement cycle.

INCREASING OPPORTUNITIES TO CONNECT WITH FRIENDS AND FAMILY

Another challenge faced by many incarcerated persons upon release is the loss of family and community connections during their time of incarceration.

In-person visitation provides incarcerated persons with the opportunity to establish and maintain a continuum of social support, including parent-child relationships, which are critical for successful reentry. In-person visiting is linked to lower recidivism rates and fewer parole violations.

Unfortunately, the COVID-19 Pandemic necessitated the temporary suspension of in-person visiting. To mitigate the negative effects of this suspension, CDCR provided incarcerated persons with the ability to correspond with loved ones through free telephone and video visitation opportunities. In December 2020, the Department implemented weekend video visiting at all institutions to allow incarcerated individuals to engage in virtual contact with their friends and family.

In April 2021, CDCR resumed in-person visiting using a phased-in approach. Currently, in-person visitation restrictions vary between institutions, dependent on active cases and other health and safety factors. Video visitation will continue to be provided until in-person visitation is fully reinstated. To support increased in-person visiting, the Budget includes \$20.3 million ongoing General Fund to add a third day of in-person visitation on Fridays at all institutions (visiting is currently limited to Saturdays and Sundays). Additionally, this funding will provide visitors with free transportation on select days throughout the year to all prisons via chartered busses.

In addition to expanding in-person visitation, the Budget includes \$12 million one-time General Fund to support free communication opportunities for incarcerated individuals to connect with their families and friends via telephone calls and electronic messages. These resources will provide 60 minutes of free calling to incarcerated individuals and call recipients every two weeks, and allow incarcerated persons to send 60 free electronic communications each month. This is in addition to the 15 minutes of free calling already offered to incarcerated individuals every two weeks under CDCR's existing communications contract.

EXPANDING ADULT REENTRY GRANT RESOURCES

The Budget includes \$30 million one-time General Fund to provide additional resources for Adult Reentry Grants provided by the Board of State and Community Corrections. These funds will supplement the ongoing baseline \$37 million General Fund and provide additional grant funding to organizations that provide rental assistance and warm handoff and reentry services for individuals released from state prisons.

STAFF DEVELOPMENT AND SUPPORT

Creating a prison environment that is safe, secure, and conducive to rehabilitation requires a professional, well-trained workforce. Correctional officers serve an especially important role in the rehabilitation efforts of the Department. The Budget includes \$21.2 million General Fund in 2021-22, decreasing to \$16.1 million ongoing General Fund in 2024-25, to enhance staff development through new training for correctional officers.

These efforts will involve repurposing the former Northern California Women's Facility into a new hands-on training facility and will focus on effective and realistic training.

EXPANSION OF FIXED VIDEO SURVEILLANCE SYSTEMS

Audio visual surveillance is integral to CDCR's ability to monitor activity within its institutions and maintain a safe environment for the incarcerated population and staff. Effective surveillance systems have the capacity to facilitate contraband interdiction and support inquiries and investigations into allegations of staff and incarcerated individual misconduct. These systems generally serve as a deterrent for improper or illicit activities, thereby improving safety and enhancing operations within the institutions. CDCR initiated the process of replacing its older analog camera systems with modern fixed security camera systems at High Desert State Prison and Central California Women's Facility, and portions of San Quentin State Prison and California State Prison, Sacramento.

The Budget includes \$37.6 million General Fund in 2021-22, and \$2.1 million ongoing, to install modern fixed security cameras at four additional institutions. These resources and complementary funding included in the *Armstrong* court compliance proposal described below will enable CDCR to install fixed security cameras at a total of nine institutions.

ALLEGATIONS OF STAFF MISCONDUCT AND DISCRIMINATION COMPLAINT PROCESSES

The Budget invests the resources identified below to further enhance CDCR's programs and processes dedicated to proactively addressing staff misconduct and discrimination when it occurs. These investments will enable CDCR to make institution-specific and system-wide reforms and improvements with the goal of continuing to increase accountability and transparency.

ARMSTRONG COURT COMPLIANCE CONTINUATION AND ALLEGATION INQUIRY MANAGEMENT SECTION IMPROVEMENTS

In September 2020, the US District Court for the Northern District of California ordered CDCR to develop a plan to implement certain remedial measures at Richard J. Donovan Correctional Facility. These measures included: (1) deploying body-worn cameras; (2) installing fixed security cameras throughout the prison; (3) modifying staff complaint and disciplinary processes; and (4) increasing supervisory staff and training.

In March 2021, this court issued an order requiring CDCR to implement the same measures at five additional institutions: Kern Valley State Prison; California Institution for Women; California State Prison, Corcoran; Substance Abuse Treatment Facility and State Prison, Corcoran; and California State Prison, Los Angeles. The Budget includes \$17.2 million General Fund in 2020-21, \$90.6 million in 2021-22, and \$34.9 million ongoing for CDCR to achieve compliance with the requirements of these recent court orders.

Additionally, CDCR is in the process of implementing a number of improvements to its staff complaint inquiry process. The 2019 Budget Act included \$9.8 million ongoing General Fund and 47 positions to enable CDCR's Office of Internal Affairs to conduct inquiries into certain specified allegations of staff misconduct that previously would have been reviewed at the institution level. The staff complaint inquiry process was specifically designed to facilitate a fair, transparent, and unbiased process with a centralized staffing model dedicated to performing staff allegation inquiry functions.

CDCR has continuously evaluated its staff complaint inquiry process over the past year to identify areas of improvement and ways to further enhance the review process. Accordingly, the Budget includes \$8 million ongoing General Fund and 40 positions to expand the staff complaint inquiry process to encompass all use of force allegations against staff as well as allegations of staff misconduct that fall under the federal Prison Rape Elimination Act. Additionally, CDCR will establish a centralized screening process by redirecting existing staff to triage all allegations of staff misconduct to determine the appropriate routing based on the type of allegation and related circumstances, as opposed to each institution independently performing this function, which will help to create greater consistency in the handling of staff complaints.

CDCR is also reviewing the existing regulations governing the staff complaint inquiry process to determine areas for potential improvement and refinement for this relatively new program. CDCR expects to pursue regulatory updates in the coming months consistent with its commitment to realizing the best possible staff allegation inquiry process.

DISCRIMINATION COMPLAINT TRACKING

The Budget includes \$815,000 General Fund in 2021-22 and \$804,000 ongoing and 6 positions to expand CDCR's Civil Rights Operations/Equal Employment Opportunity program, which centrally handles discrimination complaints. These resources will assist CDCR in complying with directives and guidelines from the California Department of Human Resources to implement the statewide Discrimination Complaint Tracking System.

PRISON MEDICAL AND MENTAL HEALTH SERVICES

The Budget continues the state's commitment to the Department's delivery of health care services to incarcerated individuals. The Budget includes \$3.4 billion General Fund in 2021-22 for health care programs, which provide incarcerated individuals with access to mental health, medical, and dental care services that are consistent with the standards and scope of care appropriate within a custodial environment.

FEDERAL RECEIVERSHIP OVERSEEING PRISON MEDICAL CARE

In 2005, a federal court established a receivership to oversee prison medical care. To date, the Receiver has transitioned oversight of 19 institutions back to the state. The Budget includes \$4 million General Fund in 2021-22, increasing to \$11.1 million in 2023-24, to enhance quality management and patient safety by providing staff to evaluate risks and implement best practices to improve the health care delivery system.

MENTAL HEALTH CARE IMPROVEMENTS

In 2017-18, the responsibility for operating three Psychiatric Inpatient Program (PIP) facilities, which primarily served CDCR patients, was shifted from the Department of State Hospitals to CDCR with the goal of improving patient care, reducing wait times, and creating additional efficiencies. Consistent with the transfer of this oversight, the 2017-18 Budget realigned \$254.4 million and 1,977.6 positions from the Department of State Hospitals to CDCR.

To further enhance PIP operations and better address CDCR's unique operational needs, the Budget includes \$43 million General Fund in 2021-22, \$35.9 million ongoing, and 264.1 positions to standardize staffing models across the five CDCR-operated PIPs and support targeted staffing increases to perform operationally critical functions. This includes resources to add clinicians, nurses, custody staff, and administrative staff to provide the comprehensive suite of services necessary to best serve PIP patients.

Additionally, the Budget includes \$3.7 million ongoing General Fund to add supervisory capacity within the Statewide Telepsychiatry Program. This program has grown considerably in recent years and become an important component of the delivery of mental health care services. This investment will support the addition of dedicated telepsychiatry supervisors to enhance program operations and provide for improved on-site and telepsychiatry service delivery.

INVESTMENTS IN THE PAROLE HEARING PROCESS

BOARD OF PAROLE HEARINGS WORKLOAD

The Budget includes \$3.1 million ongoing General Fund to increase the number of Board of Parole Hearings commissioners from 17 to 21 to alleviate a significant backlog of hearings and maintain a consistent level of service as the number of required hearings continues to rise.

The increase in the number of hearings and a growing backlog are related to several factors. For example, recent legislation has expanded youthful offender parole hearings for individuals sentenced up to the age of 25 and expanded the Elderly Parole Program to reduce eligibility from age 60 to age 50. In addition, recent court decisions and the high number of postponements in 2020—2,648, or more than double the number in 2019—have increased the number of upcoming required hearings. Without additional Commissioners and resources, the Board projects a backlog of nearly 4,000 hearings by June 30, 2023.

The Budget also includes statutory changes to permit the Board to conduct video conference hearings, which allows for more hearings by reducing travel time for commissioners, and reduces associated costs. Remote hearings have also allowed easier access for participation by victims and next of kin. For example, in February 2020, 127 victims or next of kin participated in the parole hearing process. In February 2021, fully remote hearings allowed 343 victims or next of kin to participate.

ATTORNEY CONSULTATION PILOT

The Budget includes \$1.8 million one-time General Fund for a one-year pilot to require state-appointed attorneys to provide additional counsel to incarcerated persons before they are interviewed for their comprehensive risk assessment. This will include at least one hour of counsel, education, and advice on the importance of the comprehensive risk assessment and its role in the parole decision-making process. The Department will submit a report to the Legislature regarding the pilot and its impacts to parole decisions by January 10, 2023.

FACILITY AND INFRASTRUCTURE IMPROVEMENTS

Maintaining facility infrastructure is essential to the health, safety, and rehabilitative goals for those who live and work in state prisons.

ROOF REPLACEMENT

The Budget includes \$33.6 million General Fund over two years for roof replacement projects at California State Prison, Los Angeles County as part of a multi-year plan to replace aging and deteriorating roofs across the state prison system. With this Budget, 12 institutions have received one-time funding for major roof replacement and repair projects, and 14 institutions remain scheduled for future roof replacement and repair projects over the next 7 years.

HEALTH CARE FACILITY UPDATES AT THE CALIFORNIA REHABILITATION CENTER

The Budget includes \$6.8 million one-time General Fund to replace damaged flooring, walls, wall-mounted air conditioning units, counters, and storage spaces in existing health care treatment areas at the California Rehabilitation Center. Existing health care facilities at this institution do not have adequate storage for medication and medical supplies, which restricts workflow and makes it difficult to maintain incarcerated patient privacy. These upgrades are essential in maintaining this facility, which is well-situated geographically to recruit essential staff, including health care professionals.

DEFERRED MAINTENANCE

The Budget also includes an additional investment of \$100 million one-time General Fund in 2021-22 to address CDCR's significant backlog of deferred maintenance projects.

The Budget includes the following significant adjustments:

- **Increased Healthy Menu Options**—To improve health and well-being of the incarcerated people, CDCR is implementing healthier menus within its institutions. The updated menu addresses individuals' overall healthy eating patterns and is based on the U.S. Department of Agriculture's dietary guidelines. The Budget includes \$7.5 million ongoing General Fund to support this change.
- **Transgender, Nonbinary, and Intersex Housing and Search Preferences**—The Budget includes \$2.8 million General Fund in 2021-22, declining to \$1.2 million ongoing General Fund, to develop and implement policies related to Chapter 182, Statutes of 2020 (SB 132), the Transgender Respect, Agency, and Dignity Act. SB 132 requires CDCR to house, and conduct physical searches of, transgender, nonbinary, and intersex incarcerated persons according to their gender identity and preference. Funding will be used to update data repositories with gender identity markers;

process transgender, nonbinary, and intersex housing change requests; and train correctional staff on safe housing practices.

- **Cellular Interdiction**—The Department currently uses technology called the Managed Access System to block unauthorized cellular usage within its prisons. While the Department works to prevent the introduction of contraband cell phones onto prison grounds, cell phones are still located and confiscated. This system disables contraband cell phones by intercepting calls and stopping them from being completed. The Budget includes \$1.8 million ongoing General Fund to maintain the use of the current Managed Access System.

DIVISION OF JUVENILE JUSTICE

Consistent with Chapter 337, Statutes of 2020 (SB 823), the Division of Juvenile Justice (DJJ) stopped the intake of wards on June 30, 2021, with limited exceptions, as a first step in the realignment of youth from the state to counties. Spring projections reflect an estimated average daily population of 613 wards in 2021-22, which represents a decrease of 116 wards as compared to Governor's Budget estimates.

SB 823 established the Juvenile Justice Realignment Block Grant Program, which will result in annual appropriations to be allocated to counties to serve realigned youth, including \$45.7 million General Fund in 2021-22 growing to \$211.9 million in 2024-25 and annually thereafter.

Chapter 18, Statutes of 2021 (SB 92), made critical changes to support implementation of SB 823 and enable counties to provide appropriate rehabilitative and supervision services to realigned youth. This includes establishing a framework for county secure youth treatment facilities, consistent with intent language included in SB 823. SB 92 also specifies that DJJ will close on June 30, 2023, and requires DJJ to develop a plan by January 1, 2022 for the transfer of remaining DJJ youth.

PINE GROVE YOUTH CONSERVATION CAMP

The Budget includes statutory changes to create opportunities for state and local partnerships to maintain firefighting operations at the Pine Grove Youth Conservation Camp in Amador County. This will enable juvenile courts to assign local youth to Pine Grove without committing them to DJJ and authorize counties to contract with the state to place youth offenders at Pine Grove. This action is consistent with the intent expressed in SB 823 to continue operations at Pine Grove given the camp provides critical reentry and job training to justice-involved youth.

The Budget also includes \$2.4 million General Fund in 2021-22 and \$2 million ongoing to support increased rehabilitative and preparedness programming for youth assigned to Pine Grove. This includes one-time resources to make targeted facility modifications and ongoing resources to partner with community-based organizations to provide mental health care services, life skills training and life coaching, peer-to-peer mentorship, and reentry preparation support.

SUPPORT FOR VICTIMS

Crime victims and their families bear significant physical, emotional, and financial burdens. The Budget reflects the Administration's continuing commitment to both assist crime victims and their families in recovering from such traumas, and to proactively make strategic investments to protect those who face a high risk of victimization by including the following proposals:

ADDRESSING GUN VIOLENCE

The Budget includes several investments in state and local programs intended to reduce gun violence in California. These include additional resources for grants available to cities and community-based organizations, increased training regarding temporary gun violence restraining orders, and support for county sheriffs departments' seizure of guns from persons who are prohibited from possessing them.

- **California Violence Intervention and Prevention (CalVIP) Grant Program**—The CalVIP Grant Program was established in 2017 to provide funding for cities and community-based organizations with the goal of reducing violence in cities and adjacent areas. AB 1603 (Chapter 735, Statutes of 2019), also known as the Break the Cycle of Violence Act, codified and made permanent the CalVIP Grant Program with a baseline funding of \$9 million General Fund annually. The Budget includes an additional \$200 million one-time General Fund across the next three fiscal years for the Board of State and Community Corrections to expand this program. These funds will help make California a national leader by supporting effective violence prevention efforts within communities that focus on those at the highest risk of violence.
- **Gun Violence Restraining Orders**—The Budget includes \$11 million one-time General Fund for the Office of Emergency Services (Cal OES) to facilitate education and training efforts related to gun violence restraining orders. This funding includes:

(1) \$5 million for Cal OES to conduct a public awareness campaign, (2) \$5 million for grants to domestic violence groups to conduct outreach, and (3) \$1 million to the City of San Diego for the city attorney to provide temporary gun violence restraining order trainings to entities statewide. The city attorney's office will provide a report to the Cal OES on how many trainings were provided and which entities were trained by November 1, 2024.

- **Gun Violence Reduction Program**—\$10.3 million one-time General Fund for the Department of Justice to administer the Gun Violence Reduction Program. These funds will support county sheriffs departments seizing weapons and ammunition from persons who are prohibited from possessing them.

SUPPORTIVE SERVICES FOR VICTIMS

- **Restitution Fund Backfill**—\$33 million General Fund in 2021-22 and \$39.5 million ongoing to backfill declining fine and fee revenues in the Restitution Fund, allowing the Victim Compensation Board to continue operating at its current resource level.
- **Reparations for Victims of Forced Sterilization**—\$7.5 million one-time General Fund to establish the Forced or Involuntary Sterilization Compensation Program to provide compensation to individuals who were sterilized pursuant to eugenics laws between 1909 and 1979, or sterilized while imprisoned after 1979.
- **Additional Resources for Victims in the Parole Hearing Process**—\$1.3 million ongoing General Fund to deliver services for victims during the parole hearing process. The staff and resources will also enable CDCR to expand existing initiatives such as the Victim Offender Dialogue program.
- **Support Services for Survivors of Those Killed in Officer-Involved Shootings**—\$522,000 General Fund in 2021-22 and \$491,000 ongoing to provide supportive services to survivors of those killed in officer-involved shootings investigated by DOJ pursuant to Chapter 326, Statutes of 2020 (AB 1506).
- **Nonprofit Security Grant Program**—\$50 million one-time General Fund for the California State Nonprofit Security Grant Program, to assist nonprofit organizations that have historically been targets of hate-motivated violence. This program, administered by the Cal OES, provides support for target hardening and other physical security enhancements to nonprofit organizations that are at high risk of violence and hate crimes based on ideology and beliefs.

- **Victims of Crime Act Supplemental Funding**—\$100 million one-time General Fund for Cal OES to supplement federal funding supporting a variety of services for domestic violence victims. This one-time augmentation will allow existing programs to continue, while building capacity to handle the increased need resulting from an increase in domestic violence during the pandemic.
- **Domestic and Sexual Violence Prevention Grant Program**—\$15 million one-time General Fund for the grant program to expand domestic and sexual violence prevention efforts. Cal OES administers various programs that provide financial and technical assistance to local domestic violence centers and rape crisis centers to implement domestic violence prevention strategies in their community and funding for a statewide domestic violence prevention campaign.
- **Sexual Assault Forensic Medical Evidentiary Examination Reimbursement**—\$6.7 million ongoing General Fund to increase reimbursements to local law enforcement agencies to offset the cost of reimbursing qualified health care professionals, hospitals, or other emergency medical facilities for medical evidentiary examinations for all sexual assault victims.
- **Human Trafficking Survivors**—\$10 million each year for three years, starting in 2021-22, for a total of \$30 million one-time General Fund to expand human trafficking survivor support programs including, but not limited to, advocates, victim assistance to help human trafficking victims recover from the trauma they experienced and assist with reintegration into society, and programs to improve outcomes for human trafficking victims.
- **Family Justice Centers**—\$11 million one-time General Fund to support the Family Justice Center Program providing services for victims and their children.

LOCAL PUBLIC SAFETY

ADULT PROBATION

In 2009, the state recognized the importance of investing in probation to reduce state prison costs with the passage of the California Community Corrections Performance Incentive Act of 2009 (SB 678). SB 678 provides performance-based funding to share General Fund savings with county probation departments that reduce or maintain low revocation rates to prison from the probation population. Based on county-reported

data from calendar year 2019, the 2020 Budget Act allocated \$112.6 million General Fund to counties.

The COVID-19 Pandemic and its impacts to law enforcement and court processing resulted in significantly fewer revocations during calendar year 2020. Because this impacts the current calculations in a way that has little relation to performance, the Budget provides \$122.9 million one-time General Fund to county probation departments, based on the highest payment to individual counties over the prior three fiscal years. These funds will continue to support county probation departments' efforts to reduce or maintain low revocation rates while recognizing the unprecedented impacts of the pandemic.

OTHER ADJUSTMENTS

- **Proposition 47 Savings**—In November 2014, voters passed Proposition 47, which requires misdemeanor rather than felony sentencing for certain property and drug crimes and permits incarcerated persons previously sentenced for these reclassified crimes to petition for resentencing. The Department of Finance estimates net General Fund savings of \$116.2 million when comparing 2020-21 to 2013-14. These funds will be allocated according to the formula outlined in the initiative, which requires 65 percent be allocated for grants to public agencies to support various recidivism reduction programs (such as mental health and substance use services), 25 percent for grants to support truancy and dropout prevention programs, and 10 percent for grants for victims' services.
- **Post Release Community Supervision**—The Budget includes \$23.6 million one-time General Fund for county probation departments to supervise the temporary increase in the average daily population of offenders on Post Release Community Supervision (PRCS) as a result of the implementation of Proposition 57. This is an increase of \$10.7 million General Fund when compared to last year's Proposition 57 funding, primarily attributable to promulgated regulations that expanded good conduct credit earning opportunities.
- **Organized Retail Theft Task Forces**—The Budget includes \$5.6 million one-time General Fund for the California Highway Patrol and \$149,000 one-time General Fund for the Department of Justice for regional task forces aimed at reducing organized retail theft activities. This funding will support the continued operation of task forces that were created by Chapter 803, Statutes of 2018 (AB 1065) and funded on a two-year limited-term basis in the 2019 Budget Act. Although these are one-time resources, the Administration intends to fund the task force through January 1, 2026.

BOARD OF STATE AND COMMUNITY CORRECTIONS

INCREASED LOCAL DETENTION FACILITY OVERSIGHT

The Budget includes \$3.1 million ongoing General Fund to strengthen the state's oversight of county jails. These resources will improve engagement by the Board, increase the frequency of adult jail inspections, and provide for the development of standards more consistent with national best practices. In addition, the Budget includes statutory language to allow employees or agents of the Board to inspect local facilities without prior notification, promoting increased transparency and accountability in managing detention facilities.

COUNTY RESENTENCING PILOT PROGRAM

The Budget includes \$18 million one-time General Fund and statutory changes to create a county resentencing pilot program to support and evaluate a collaborative approach to exercising prosecutorial resentencing. The pilot funds nine county District Attorney and Public Defender offices to develop and implement policies to support the identification and recommendation of individuals for sentence recall. The pilot counties may also involve community-based organizations. The program will begin September 1, 2021, and end September 1, 2024, with the final report due to the Legislature from an evaluator by January 31, 2025.

ADDITIONAL SUPPORT FOR INDIGENT CRIMINAL DEFENSE

The Budget includes \$50 million General Fund annually until 2023-24 for the Board, in consultation with the Office of State Public Defender, to provide resources to counties to provide indigent defense in criminal matters for the purposes of workload associated with recent resentencing reforms. This funding will also support the completion of an evaluation to assess how these resources impacted the outcomes for the associated workload.

COUNTY JAIL RELINQUISHMENTS

The Board administers five financing programs for adult jail facilities in counties statewide. Since these programs commenced, several county recipients have relinquished their awards, some amounts were not awarded, and some counties realized minor project savings that remain unspent. The Budget removes approximately \$229 million of county jail construction lease revenue authority from four programs, and

reallocates resources to expand capacity to serve felony Incompetent to Stand Trial patients. For more information, please refer to the Health and Human Services Chapter.

DEPARTMENT OF JUSTICE

As chief law officer of the state, the Attorney General has the responsibility to see that the laws of California are uniformly and adequately enforced. This responsibility is fulfilled through the diverse programs of the Department of Justice (DOJ). The Department provides legal services on behalf of the people of California; serves as legal counsel to state agencies; provides oversight, enforcement, education, and regulation of California's firearms laws; provides evaluation and analysis of physical evidence; and supports data needs of California's criminal justice community. The Budget includes total funding of approximately \$1.1 billion, including \$387 million General Fund, to support the DOJ.

POLICE USE OF FORCE INVESTIGATIONS

Chapter 326, Statutes of 2020 (AB 1506) requires a state prosecutor to investigate incidents of officer-involved shootings that result in the death of an unarmed civilian, and makes the Attorney General the state prosecutor unless otherwise specified. The Budget includes \$15.3 million General Fund in 2021-22 and \$15.6 million ongoing, to establish four teams to conduct these investigations across the state, one in each of the northern and central California regions, and two in southern California. As mentioned above, the Budget also includes an additional \$522,000 General Fund in 2021-22 and \$491,000 ongoing to provide supportive services to survivors of those killed in officer-involved shootings investigated by DOJ pursuant to AB 1506.

The Budget includes the following significant adjustments:

- **Bureau of Forensic Services**—\$16 million one-time (\$6 million General Fund and \$10 million Fingerprint Fees Account) to backfill the continued decline in fine and fee revenues in the DNA Identification Fund. This funding will enable DOJ to continue processing forensic evidence for client counties.
- **Retroactive Expungement of Arrest Records**—\$7.5 million one-time General Fund and statutory changes to extend Chapter 578, Statutes of 2019 (AB 1076), which provides prospective arrest records relief for certain non-violent crimes, to retroactively provide such relief going back to 1973.

- **Sexual Assault Kit Backlog Resources**—\$4 million one-time General Fund for grants to reduce local law enforcement agencies' sexual assault kit backlog.
- **Healthcare Rights and Access Workload**—\$2.1 million ongoing Public Rights Law Enforcement Special Fund to address workload concerns in the recently established Healthcare Rights and Access Unit within the Division of Legal Services.
- **Chapter 337, Statutes of 2020 (SB 823)**—\$1.9 million General Fund in 2021-22, and \$1 million in 2022-23, to convene a working group to submit a plan for the replacement of the Juvenile Court and Probation Statistical System with a modern database, as part of the realignment of the Division of Juvenile Justice to the counties.
- **Chapter 319, Statutes of 2020 (AB 3121)**—\$1.1 million General Fund in 2021-22 and 2022-23, to support the Task Force to Study and Develop Reparation Proposals for African Americans, with a Special Consideration for African Americans Who are Descendants of Persons Enslaved in the United States.
- **Chapter 289, Statutes of 2020 (AB 2699)**—\$982,000 General Fund in 2021-22, increasing to \$3 million in 2024-25, and decreasing to \$912,000 ongoing to gather information about unsafe firearm transactions involving peace officers, develop information technology infrastructure to maintain a database of such transactions, and conduct investigations to verify that transactions are being appropriately recorded.
- **Chapter 292, Statutes of 2020 (AB 2847)**—\$674,000 Dealers Record of Sale Special Account in 2021-22, and \$1.3 million in 2022-23, for information technology resources to update systems to track firearm microstamp information.