

CRIMINAL JUSTICE

DEPARTMENT OF CORRECTIONS AND REHABILITATION

The California Department of Corrections and Rehabilitation (CDCR) incarcerates people convicted of the most serious and 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 \$14.5 billion (\$14.1 billion General Fund and \$374.9 million other funds) for CDCR in 2023-24. Of this amount, \$3.8 billion General Fund is 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.

The average daily adult incarcerated population for 2022-23 is now projected to be 96,157, a decrease of 6.6 percent since spring 2022 projections. Fall projections indicate the adult incarcerated population will trend downward, decreasing by 2,761 individuals between 2022-23 and 2023-24, from 96,157 to 93,396, respectively. On January 1, 2020, prior to the COVID-19 Pandemic, the CDCR population was 123,977. The population is projected to continue its long-term downward trend, declining to 87,295 in 2025-26.

The overall parolee average daily population is projected to be 41,345 in 2023-24. In 2022-23, the average daily parolee population is projected to be 43,668. The parolee population is projected to decline to 36,473 by June 30, 2027.

PRISON CAPACITY AND CLOSURE

The adult prison population has steadily declined in recent years, which has provided 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, and its final in-state contract community correctional facility in May 2021. In total, the termination of these contracts has saved the state hundreds of millions of dollars in annual expenditures.

In September 2021, CDCR closed the Deuel Vocational Institution in Tracy, achieving savings of \$150.3 million General Fund annually beginning in 2022-23. Beginning in November 2022, CDCR initiated the closure of a second prison, the California Correctional Center (CCC) in Susanville, which is expected to achieve an estimated \$142.8 million in annual ongoing savings.

On December 6, 2022, CDCR announced its plan to terminate the lease of the California City Correctional Facility, its last privately-owned prison facility, by March 2024, ending its use as a state prison. CDCR also announced the planned closure of Chuckawalla Valley State Prison (CVSP) in Blythe by March 2025. In addition, to continue the flexibility required to meet the needs of the incarcerated populations, CDCR announced the deactivation of specified facilities within six prisons by the end of 2023. The facilities are located within the California Rehabilitation Center, California Institution for Men, California Correctional Institution, Pelican Bay State Prison, the California Men's Colony, and the Folsom Women's Facility within Folsom State Prison. In total, CDCR estimates \$150 million in ongoing General Fund savings as a result of these facility deactivations.

The Administration remains committed to meeting the needs of staff and the incarcerated populations while right-sizing California's prison system to reflect the needs of the state as the prison population declines.

RECENT INVESTMENTS

In recent years, the state has invested in creating a safer and more rehabilitative-focused prison system, with the goal of improving post-release outcomes

for incarcerated individuals and reducing recidivism. This has included the following resources:

- **Integrated Substance Use Disorder Treatment Program**—The 2022 Budget Act augmented funding to support the Integrated Substance Use Disorder Treatment (ISUDT) Program, which is funded at approximately \$260 million in 2022-23. These resources were added to enhance the Department's ability to treat individuals with substance use disorders. As of December 31, 2022, the ISUDT Program had screened over 90,000 individuals for substance use disorders, was serving approximately 15,000 of those individuals with Medication-Assisted Treatment, and was providing approximately 9,000 individuals with Cognitive Behavioral Interventions.
- **Technology Improvements**—The 2021 and 2022 Budget Acts included \$37.6 million General Fund in 2021-22, \$112.3 million in 2022-23, \$28.4 million in 2023-24, and \$11.6 million ongoing to: (1) install and operate new fixed cameras and deploy body-worn cameras at certain institutions, and (2) begin an Enhanced Managed Access System to block contraband cell phone usage that can stop calls and texts on newer technologies. Additionally, the 2021 Budget Act added \$23.2 million General Fund in 2021-22, and \$18 million ongoing, to purchase and support the operation of laptop computers for use by academic program participants.
- **Expansion of Reentry Beds**—The 2022 Budget Act included \$40 million General Fund annually for three fiscal years (total of \$120 million) to support an expansion of CDCR's community reentry programs. These programs have demonstrated success in reducing recidivism by enabling incarcerated individuals to serve a portion of their sentence in a community-like setting, with the goal of facilitating their successful transition back into their communities following their release.
- **Various Rehabilitative, Restorative Justice, and Reentry Programming**—The 2022 Budget Act included over \$37 million one-time General Fund to support in-prison rehabilitation programs, including the creation of a veterans' hub at the Correctional Training Facility in Soledad and restorative justice programming to further support the incarcerated population in transforming their lives, better preparing them to reenter society.
- **Valley State Prison Enhancements**—The 2021 Budget Act included \$13.7 million General Fund in 2021-22, and \$3 million ongoing, to transform and create a rehabilitative environment within Valley State Prison that better prepares people for release and life outside of the institution.

- **Returning Home Well**—The 2022 Budget Act added \$10.6 million General Fund annually for three years (total of \$31.8 million) to continue the Returning Home Well Program. This program, initiated during the COVID-19 Pandemic, provides transitional housing to individuals who would otherwise be at risk of being unhoused at the time of their release, with the goal of supporting successful community reintegration.
- **Bachelor's Degree Program**—The 2022 Budget Act added \$5 million General Fund in 2022-23, and \$4.7 million ongoing, to permanently fund Bachelor's degree programs at seven institutions in collaboration with the California State University system to enable incarcerated individuals to further prepare to enter the workforce and find gainful employment upon their release from prison.

SIGNIFICANT BUDGET ADJUSTMENTS

- **Free Voice Calling (SB 1008)**—An estimated \$5.6 million in 2022-23 and \$30.7 million ongoing General Fund to provide incarcerated individuals and their friends and family with free voice calling, consistent with Chapter 827, Statutes of 2022 (SB 1008).
- **Statewide Correctional Video Surveillance**—\$87.7 million one-time General Fund in 2023-24, and \$14.7 million ongoing, to install fixed cameras at the remaining institutions. Taken with investments included in the 2021 and 2022 Budget Acts, these resources will support the roll-out of fixed cameras at all prisons statewide, which will enhance CDCR's ability to monitor activity and maintain a safe environment for staff and the incarcerated population.
- **Facility Improvements**—\$1.5 million General Fund in 2023-24 and \$62 million one-time General Fund in 2024-25 for the Richard J. Donovan Correctional Facility roof replacement. This is part of a multi-year plan to address aging facility roofs.
- **COVID-19 Direct Expenditures**—\$141.8 million one-time General Fund in 2023-24 to enable CDCR to continue taking proactive measures and precautions to protect the incarcerated population and staff and mitigate the impacts of COVID-19 in state prisons. This includes resources to support staff and incarcerated individual testing (\$89.2 million), personnel services (\$37.5 million), and medical registry costs (\$15.1 million).
- **Comprehensive Employee Health Program**—\$22.7 million General Fund in 2023-24, and \$22.4 million ongoing, to continue CDCR's Employee Health Program, initiated during the COVID-19 Pandemic, to address current and emerging employee

health-related issues consistent with the SMARTER Plan, and to maintain compliance with state and federal regulations.

- **CDCR COVID-19 Worker’s Compensation**—\$30.9 million General Fund annual reduction over four years to account for staff vacancy-related savings and to adjust funding consistent with existing need.
- **Deferred Maintenance**—\$30 million General Fund reduction to deferred maintenance funding. The 2021 Budget Act included one-time \$100 million General Fund, available through June 30, 2024, to address critical infrastructure needs, of which \$70 million General Fund has been either spent or encumbered. For additional information on deferred maintenance, see the General Government and Statewide Issues Chapter.

DIVISION OF JUVENILE JUSTICE

The Division of Juvenile Justice (DJJ) will close on June 30, 2023, pursuant to Chapter 18, Statutes of 2021 (SB 92). DJJ ceased intake of new youth on July 1, 2021, with limited exceptions, consistent with Chapter 337, Statutes of 2020 (SB 823).

The DJJ estimates that 360 youth will remain at the time of DJJ's closure. Youth who have not been released from DJJ at the time of closure will be transferred to the county probation department within their county of commitment. The 2022 Budget Act included \$100 million General Fund for grants to support improvements to county-operated juvenile facilities to make these locations more conducive to serving justice-involved youth with a wide range of needs, with a focus on supporting trauma-informed care, restorative justice, and rehabilitative programming.

The Budget reflects a decrease of \$95.8 million ongoing (\$93 million General Fund and \$2.8 various funds) associated with the closure of DJJ.

LOCAL PUBLIC SAFETY

CRIMINAL JUSTICE INVESTMENTS FOR SAFE AND SECURE COMMUNITIES

Multifaceted criminal justice investments have been added in recent years that increase the safety and security of our communities and the Administration is committed to maintaining those investments.

RECENT INVESTMENTS

In the last few years, the state provided resources for programs to create safer communities starting with a focus on positive policing strategies, including resources to support peace officer wellness and training. Additionally, the state has substantially invested in programs to reduce organized retail theft, gun violence, illegal drugs, and other crimes.

- **Combatting Organized Retail Theft and Other Crimes**—\$564.4 million General Fund was invested over three years to bolster local law enforcement efforts to address retail theft and other crimes. These investments are helping local law enforcement agencies implement anti-theft task forces, improve prosecution, expand Department of Justice and California Highway Patrol anti-crime and retail theft taskforces, expand drug interdiction and combat fentanyl prevalence, improve emergency response times, combat human trafficking and child sexual exploitation, support programs to remove and dispose of firearms, and provides resources to research to inform policies that address the ever-evolving firearms market.
- **Raising Awareness on Gun Violence Restraining Orders** —\$11 million one-time General Fund was allocated for the Office of Emergency Services (Cal OES) to facilitate education and training efforts related to gun violence restraining orders, including a public awareness campaign, grants to domestic violence groups to conduct outreach, and provide gun violence restraining order trainings to entities statewide.
- **California Internet Crimes Against Children Task Force**—\$15 million one-time General Fund was invested over three years to continue the existing level of funding for this program, which helps state and local law enforcement agencies develop an effective response to technology-facilitated child sexual exploitation and combatting underground child pornography rings.
- **Officer Wellness and Training**—\$65 million one-time General Fund was appropriated for research and grants to support peace officers' physical, mental, and emotional wellness, which is essential for creating safer communities. Additionally, a Use of Force and De-escalation Training pilot program was added to fortify positive policing strategies.

SIGNIFICANT BUDGET ADJUSTMENTS

- **Proposition 47 Savings**—Proposition 47, passed in 2014, 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. Proposition 47 established a fund to invest savings from reduced prison utilization in prevention and support community programs. The Department of Finance estimates net General Fund savings of \$101 million in 2023-24. These funds are allocated according to the formula specified in the ballot measure, which requires 65 percent be allocated for grants to public agencies to support various recidivism reduction programs (such as mental health and substance use treatment 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 Post Release Community Supervision Act of 2011 authorized CDCR to release certain incarcerated individuals to county supervision. The state provides funding to those counties. The Department of Finance estimates \$8.2 million General Fund will be allocated to counties for this purpose in 2023-24.
- **Community Corrections Performance Incentive Grant**—Consistent with the 2022 Budget Act, the Budget continues a total of \$123.8 million General Fund in 2023-24 to provide county probation departments with a consistent level of funding based on prior performance, so county probation departments are not unduly impacted by the lingering effects of the COVID-19 Pandemic on probation populations, law enforcement practices, or court processes. 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.
- **Board of State and Community Corrections**—\$50 million one-time General Fund reduction to the Public Defender Pilot program in 2023-24, due to declining General Fund revenues. This still allows funding for two full years of the grant program and funding for the program evaluation, as planned.

VICTIM SERVICES

Crime victims and their families bear significant physical, emotional, and financial burdens. The Budget continues the state's commitment to both assist crime victims and their families in recovering from such traumas, and maintains investments that support

those who face a high risk of victimization. In addition, the 2022 Budget Act also commits to prioritizing changes to the victims compensation benefit program and for the elimination of the restitution fine, if a determination is made in the spring of 2024 that General Fund over the multiyear forecast is available to support this ongoing augmentation.

RECENT INVESTMENTS

- **California Violence Intervention and Prevention Grant Program**—\$200 million General Fund was provided over three years to expand violence prevention efforts within communities that focus on those at the highest risk of violence.
- **Trauma Recovery Centers**—\$23 million General Fund was provided over three years to support existing trauma recovery centers, and to establish an innovative pilot program to operate satellite offices in hard-to-reach and/or rural areas affiliated with a local organization and overseen by an existing trauma recovery center.
- **Expanded Victim Benefits**—\$14 million ongoing, including \$7 million Federal Trust Fund expenditure authority was added to reflect the Federal Victims of Crime Act reimbursement rate increase from 60 percent to 75 percent, which is being used in part to support an increase in benefit limits for crime scene cleanup costs, funeral/burial costs, and relocation claims; and \$7 million General Fund and statutory changes authorizing the California Victim Compensation Board to approve claims for incarcerated individuals who were falsely accused of crimes.
- **Supportive Services for Victims**—\$1.8 million ongoing General Fund was provided to deliver services to victims throughout CDCR's parole hearing process and to survivors of those killed in officer-involved shootings investigated by the Department of Justice.
- **Restitution Fund Backfill**—\$39.5 million ongoing General Fund was appropriated to backfill declining fine and fee revenues in the Restitution Fund, allowing the California Victim Compensation Board to continue operating at its current funding level.
- **Reparations for Victims of Forced Sterilization**—\$7.5 million one-time General Fund was provided 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.

- **Victims of Crime Act Supplemental Funding**—\$100 million one-time General Fund was authorized to supplement federal funding supporting a variety of services for domestic violence victims, enabling existing programs to continue, while building capacity to handle the increased need resulting from an increase in domestic violence during the pandemic.
- **Flexible Cash Assistance for Survivors of Crime**—\$50 million one-time General Fund was provided to support grants for community-based organizations to provide cash assistance for survivors of crime.
- **Nonprofit Security Grant Program**—\$100 million General Fund was appropriated to assist nonprofit organizations that have historically been targets of hate-motivated violence, providing them with resources to make physical security enhancements to nonprofit organizations that are at high risk of violence and hate crimes based on ideology and beliefs.
- **Domestic and Sexual Violence, Human Trafficking, and Children's Services**—\$15 million one-time General Fund was provided to expand domestic violence and sexual violence prevention efforts; \$6.7 million ongoing General Fund was provided 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; \$30 million one-time General Fund was provided over three years to expand human trafficking survivor support programs; and \$11 million one-time General Fund was provided to support the Family Justice Center Program providing services for victims and their children.
- **Media Outreach to Victims of Violent Crime**—\$3 million one-time Restitution Fund was appropriated to conduct an outreach campaign to raise awareness of statewide victim support services, while targeting hard-to-reach populations.

CALIFORNIA HIGHWAY PATROL

The California Highway Patrol provides uniform traffic law enforcement throughout the state and serves the public by assuring the safe, convenient and efficient transportation of people and goods on the state's highway system.

SIGNIFICANT BUDGET ADJUSTMENTS

- **Body-Worn Cameras**—The Budget proposes \$9.8 million Motor Vehicle Account for the California Highway Patrol to implement a statewide body-worn camera program. Building on a pilot program in the Oakland and Stockton areas, the statewide body-worn camera program will enhance public safety transparency and accountability, and have a substantial positive impact on the successful prosecution of crimes.

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 the data needs of California's criminal justice community. The Budget includes total funding of approximately \$1.2 billion, including \$486 million General Fund, to support DOJ.

The state has continued to invest in DOJ's budget to enhance public safety. Among other things, the 2022 Budget Act included funding to maintain the DNA Identification Fund to support forensic activities on behalf of local law enforcement agencies, create a fentanyl enforcement program, combat organized retail theft, and continue coordination efforts that support various law enforcement task forces. Additionally, the Administration has demonstrated its commitment to strengthening gun violence protections by dedicating funds to enhance DOJ's firearms information technology systems, regulating the sale and transfer of firearm precursor parts, and supporting a gun violence reduction grant program.

SIGNIFICANT BUDGET ADJUSTMENTS

- **Bureau of Forensic Services**—\$53.4 million ongoing General Fund to continue backfilling a decline in fine and fee revenue to the DNA Identification Fund. This is necessary to maintain current service levels related to processing forensic evidence, such as DNA, for local jurisdictions.

- **Unserialized Firearms (AB 1621)**—\$2.8 million General Fund in 2023-24, \$2.5 million in 2024-25, and \$1.2 million ongoing, to regulate the sale, transfer, possession, and manufacturing of unserialized firearm precursor parts pursuant to Chapter 76, Statutes of 2022.
- **Firearms: Dealer Inspections (AB 228)**—\$797,000 General Fund in 2023-24, and \$738,000 ongoing, to conduct firearms dealer inspections at least once every three years and increase audit sampling amounts during inspections pursuant to Chapter 138, Statutes of 2022.
- **Firearms: Civil Suits (AB 1594)**—\$648,000 General Fund in 2023-24, and \$631,000 ongoing, to provide legal guidance, expert testimony, and support general research and analytic workload in civil lawsuits pertaining to firearms pursuant to Chapter 98, Statutes of 2022.
- **Firearms: Dealer Requirements (SB 1384)**—\$177,000 Special Fund in 2023-24, and \$164,000 in 2024-25, to promulgate regulations and update existing procedures for operating a firearm dealer business pursuant to Chapter 995, Statutes of 2022.
- **Firearms: Gun Shows and Events (AB 2552)**—\$408,000 (\$12,000 General Fund and \$396,000 Special Fund) in 2023-24, decreasing to \$191,000 (\$12,000 General Fund and \$179,000 Special Fund) ongoing, to address increased gun show enforcement and related reporting requirements pursuant to Chapter 696, Statutes of 2022.
- **Firearms: Manufacturers (AB 2156)**—\$911,000 one-time General Fund to address increased workload to process firearm manufacturer applications and make changes to the Unique Serial Number Application process pursuant to Chapter 142, Statutes of 2022.
- **Police Practices Division (AB 1506)**—\$1.8 million ongoing General Fund to establish the Police Practices Division to review the use of deadly force policies and make best practice recommendations pursuant to Chapter 326, Statutes of 2020.
- **Domestic Violence: Death Review Teams (SB 863)**—\$1.5 million General Fund in 2023-24, and \$1.1 million ongoing, to collect data on near-death domestic violence cases and prepare an annual report pursuant to Chapter 986, Statutes of 2022.
- **Crimes: Race-Blind Charging (AB 2778)**—\$817,000 General Fund in 2023-24, and \$2.4 million ongoing, to collaborate with local jurisdictions, develop guidelines and policies for race-blind charging, perform document redaction, and review additional criminal cases pursuant to Chapter 806, Statutes of 2022.

- **Criminal Procedures: Discrimination (AB 256)**—\$2.2 million General Fund in 2023-24, \$2.1 million in 2024-25, and \$848,000 in 2025-26 and 2026-27, to address increased litigation-related workload associated with increased appeals for past convictions pursuant to Chapter 739, Statutes of 2022.
- **Fee Increase for Missing Persons DNA Program**—\$1.5 million Special Fund in 2023-24 and \$1.4 million ongoing to support the Missing Persons DNA Identification program. This program is funded by a fee assessed for each death certificate, and the Budget proposes to increase the fee from \$2 to \$3.63 to support the current service level.