

CRIMINAL JUSTICE AND JUDICIAL BRANCH

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 people 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 (\$13.2 billion General Fund and \$400 million other funds) for CDCR. Of this amount, \$4.1 billion General Fund is for health care programs, which provide incarcerated individuals access to mental health, medical, and dental care services.

The adult incarcerated population is projected to fluctuate over the next few years, with increases in the near-term due to the passage of Proposition 36 in November 2024. Spring projections indicate the average daily adult incarcerated population for 2024-25 is estimated to be 91,471, a decrease of 0.2 percent from the fall 2024 projections, and 91,205 in 2025-26, a decrease of 2.2 percent from the fall projections. The projected decrease recognizes a slower ramp up of the Proposition 36 population than initially projected. However, even with the expected population increase from Proposition 36, rising to 92,179 in 2027-28, the population is still projected to continue its overall

long-term downward trend, declining to 89,692 incarcerated individuals by June 30, 2029.

The parolee average daily population is projected to be 34,723 in 2024-25, declining slightly to 34,197 in 2025-26. Proposition 36 is projected to reverse further decline and, in fact, slightly increase the parole population, which is anticipated to remain relatively stable over the next few years, at 34,213 by June 30, 2029.

PRISON CAPACITY AND CLOSURE

The adult prison population has steadily declined in recent years, which has allowed CDCR to eliminate its reliance on in-state and out-of-state contract prison capacity, and the lease of the California City Correctional Facility. CDCR has also closed three institutions: Deuel Vocational Institution (Tracy), California Correctional Center (Susanville), and Chuckawalla Valley State Prison (Blythe). Lastly, the department has deactivated 11 facilities, portions of 2 facilities, and 42 housing units across 11 prisons. Combined, these closures and deactivations, along with administrative savings, result in hundreds of millions of dollars in annual General Fund savings.

The Administration remains committed to meeting the needs of staff and the incarcerated population while right-sizing California's prison system as the prison population declines, and to addressing space needs as the state transforms the carceral system to one more focused on rehabilitation. While Proposition 36 is expected to temporarily increase CDCR's population, the population should continue its downward trend over the long-term.

Given the state's fiscal situation and the projected decline in the prison population, the department will close one additional prison by October 2026. Upon full closure, the state will achieve an estimated annual savings of approximately \$150 million General Fund.

In assessing capacity, CDCR takes into consideration a variety of factors for the safety and security of its population, specialized bed needs, and available health care, educational, and rehabilitation programming space, while also assessing the amount and type of space needed to provide services and a more normalized living environment to support the incarcerated population. The closure of a prison does not change the Administration's commitment to balancing the needs of the population it serves and focusing on rehabilitation and reentry.

As such, the Budget includes \$7.8 million General Fund in 2025-26, and \$13 million General Fund in 2026-27 and ongoing, for the new learning center at San Quentin Rehabilitation Center, which is expected to complete construction in January 2026. The Budget continues the commitment to begin operating the learning center, provide staffing, and add and expand rehabilitative programs focused on behavior change, trauma-informed care, and dynamic security to operate a new campus that embodies the California Model, implementing a transformational change in a correctional environment.

REHABILITATION AND REENTRY

Increasing access to rehabilitative and reentry programs is integral to improving post-release outcomes for incarcerated individuals and reducing recidivism. CDCR operates a wide range of rehabilitative programs with the goal of supporting individuals in successfully reintegrating into their communities following their release from prison.

The Budget reflects the following to support rehabilitation and reentry programming:

- **Pre-Release Community Correctional Reentry Centers**—The 2024 Budget Act consolidated \$102.8 million in remaining funding available to support reentry expansion with existing reentry center funding. These funds are projected to continue supporting pre-release reentry programs through 2026-27. CDCR has executed contracts with four providers to add a total of 435 additional beds, and new facilities are slated to come online by June 2026. Once full expansion is achieved, CDCR will operate a total of 1,501 reentry beds.
- **Post-Release Community Reentry Programs**—\$32 million General Fund in 2025-26, increasing to \$42.9 million General Fund in 2028-29, to increase contract rates for post-release reentry programs. Additionally, the Budget includes \$12.9 million General Fund in 2025-26 and 2026-27 to continue the Returning Home Well program and provide wraparound services for its participants.
- **Free Voice Calling for Incarcerated Individuals**—\$31.6 million ongoing General Fund to provide access to free voice calling services for incarcerated individuals.

SIGNIFICANT BUDGET ADJUSTMENTS

The Budget includes additional resources to continue existing CDCR initiatives, make needed infrastructure improvements, address increased costs, and incorporates savings associated with improvements and efficiencies:

- **Statewide Fire Alarm Replacements and Fire Watch**—\$37.3 million General Fund in 2025-26, and \$44.2 million General Fund in 2026-27 and 2027-28, to replace fire alarm control panels and systems at two institutions that require staff to patrol for fires as mandated by the Office of the State Fire Marshal and to support costs for fire watch coverage.
- **Air Cooling Pilot Program**—\$17.6 million General Fund in 2025-26, and \$20 million General Fund in 2026-27, to conduct a pilot program at three prisons to evaluate the effectiveness of two air cooling alternatives.
- **Food Costs Adjustment**—\$36.4 million General Fund in 2025-26, and \$31.4 million General Fund in 2026-27 and ongoing, to accommodate increased food costs and incorporate California-grown agricultural products into the daily menu for incarcerated individuals as required by Chapter 576, Statutes of 2022 (AB 778).
- **Operational Improvements**—Savings of \$125 million General Fund in 2025-26, growing to \$635 million General Fund in 2028-29. CDCR will achieve savings through additional operational improvements related to headquarters, contract management, overtime management, and modifying various aspects of health care programs.
- **State Operations Reductions**—Savings of \$177.1 million General Fund and \$1.1 million in other funds in 2025-26, growing to \$184.9 million General Fund and \$1.1 million in other funds in 2026-27 and ongoing, from various state operations reductions, consistent with statewide efficiency reductions. These efficiencies will also eliminate nearly 1,200 vacant permanent positions from CDCR, effective January 1, 2026.

HEALTH CARE SERVICES FOR INCARCERATED INDIVIDUALS

The Budget continues the state's commitment to deliver quality health care services to incarcerated individuals. This includes \$4.1 billion General Fund in 2025-26 for CDCR health care programs, which provide incarcerated individuals access to medical, mental health, and dental care services that are consistent with the standards and scope of care appropriate within a custodial environment.

SIGNIFICANT BUDGET ADJUSTMENTS

- **CalAIM Justice-Involved Initiative – Program Support**—\$21.5 million in 2025-26 and \$11 million ongoing in increased reimbursement authority, an increase of 65 positions in 2025-26 and ongoing, and a reduction of \$6.2 million General Fund in 2025-26, an

increase of \$3.8 million General Fund in 2026-27, and a reduction of \$11 million General Fund ongoing to support full implementation of the California Advancing and Innovating Medi-Cal Justice-Involved Initiative and account for additional federal reimbursements.

- **Suicide Watch**—\$13.6 million ongoing General Fund to address increased suicide watch workload. These resources will fund overtime and temporary help for required suicide watch posts.
- **California Institution for Men 50-Bed Mental Health Crisis Facility Staffing**—\$3 million General Fund and 13.4 positions in 2025-26, and \$4.4 million General Fund and 20.4 positions ongoing, to provide staffing for a new Mental Health Crisis Facility that will become operational at the California Institution for Men. CDCR estimates construction of this facility will be completed in October 2025.

OFFICE OF THE INSPECTOR GENERAL

The Office of the Inspector General (OIG) provides oversight through monitoring, reporting, and recommending improvements to CDCR. The Budget includes a total of \$48.1 million for the OIG in 2025-26.

The Budget includes \$3.6 million General Fund and 22 positions in 2025-26, and \$5.7 million General Fund and 29 positions in 2026-27 and ongoing, for OIG to implement Chapter 1012, Statutes of 2024 (SB 1069). These resources will enable the OIG to expand monitoring of complaints of staff sexual misconduct filed by incarcerated persons.

PUBLIC SAFETY

PROPOSITION 36 INVESTMENTS

Proposition 36, approved by voters in November 2024, increased punishment for specified theft and drug crimes and created a new court process for some drug crimes. This new process establishes a “treatment-mandated felony,” which generally allows individuals who are charged under this framework to have their relevant charges dismissed upon successful completion of treatment. The Budget provides \$100 million one-time General Fund, to be spent across three years, for multiple departments to fund Proposition 36 implementation.

- **Department of Health Care Services**—\$50 million to provide non-competitive grants to county behavioral health departments to help offset county responsibilities related to the initial implementation of Proposition 36. Counties must spend at least fifty percent of their grant funds to support planning and capacity building to accelerate delivery of treatment services.
- **Court Workload**—\$20 million to provide funding for increased workload as a result of Proposition 36 and, in collaboration with the California Department of Health Care Services, submit annual reports to the Legislature containing detailed data on Proposition 36 implementation until all funds are spent.
- **Pretrial Services**—\$15 million to fund various costs associated with programs and services for individuals released pretrial to improve public safety, increase court appearances, and improve the efficient and fair administration of justice.
- **Indigent Defense**—\$15 million to the State Public Defender to provide grants to indigent defense providers for provision of holistic defense in criminal matters, including services for defendants charged with treatment-mandated felonies.

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. The Budget estimates net General Fund savings of \$91.5 million in 2025-26. However, Proposition 36 is projected to increase the state prison population and thereby decrease savings associated with Proposition 47 in future years. Proposition 47 invests savings from reduced prison utilization in prevention and supporting community programs; 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 victim services.

As noted above, Proposition 36 established a treatment-mandated felony for drug possession that can be charged under specified circumstances. Proposition 47 monies may be used to fund court-ordered treatment programs that address the new treatment-mandated felony offense. Allowable uses may include expanding or enhancing court-ordered substance use disorder and/or mental health treatment, or

providing case management and wraparound services that facilitate successful reintegration, including housing, employment support, and job training.

DEPARTMENT OF JUSTICE

As the 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 DOJ provides litigation 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 approximately \$1.3 billion, including \$500 million General Fund, to support the DOJ.

SIGNIFICANT BUDGET ADJUSTMENTS

- **Federal Accountability Workload**—\$14.2 million (\$12.3 million General Fund) in 2025-26 and \$13.9 million (\$12 million General Fund) ongoing and 44 positions to defend California against adverse federal actions. The anticipated workload includes, but is not limited to, defending environmental protections, voting rights, birthright citizenship, reproductive choice, and labor standards.
- **California Law Enforcement Telecommunications System (CLETS) – Department of Motor Vehicles Enhancements**—\$3.1 million General Fund in 2025-26 and \$1.1 million in 2026-27 for information technology enhancements at DOJ to establish a new connection between CLETS and the Department of Motor Vehicles.
- **DOJ FI\$Cal Resources**—\$2.7 million (\$1.1 million General Fund) in 2025-26 and \$3.2 million (\$1.2 million General Fund) in 2026-27 for DOJ to continue the transition from its legacy accounting system to FI\$Cal. The migration will take place over the next three years, with an estimated completion date by the end of 2026-27.
- **Juveniles: Sealing Records (AB 1877)**—\$2.4 million General Fund and 4 positions in 2025-26 and \$812,000 in 2026-27 and ongoing to implement the provisions of Chapter 811, Statutes of 2024 (AB 1877).
- **Tribal Police Pilot**—\$5 million one-time General Fund in 2025-26 and statutory changes to establish the Tribal Police Pilot Program. The program grants tribal law enforcement officers, of specified tribes, state peace officer authority on Indian land and elsewhere in the State under specified circumstances.

- **Bureau of Firearms Workload**—\$3.2 million (\$2.7 million General Fund and \$519,000 Fingerprint Fees Account) and 26 positions in 2025-26 and ongoing to help the Bureau process an increased number of concealed carry weapon permit applications as a result of the *New York State Rifle & Pistol Association v. Bruen* U.S. Supreme Court decision. Additionally, the Budget provides \$2.1 million General Fund and 14 positions in 2025-26 and \$1.9 million in 2026-27 and ongoing for the Firearms Clearance Section within the Bureau to process an increased number of Dealers Record of Sale transactions on specified timelines.
- **Firearms Information Technology Systems Modernization Project**—\$11.2 million General Fund in 2025-26 for DOJ for Stage 3 of the Project Approval Lifecycle (PAL) Process and initiate Stage 4 of the PAL process for this project.
- **Chaptered Legislation: Firearms**—\$2.4 million (\$2.3 million General Fund) and 7 positions in 2025-26, \$1.5 million (\$1.4 million General Fund) in 2026-27, and \$1.2 million General Fund in 2027-28 and ongoing for DOJ to address workload from recently chaptered legislation related to the storage, sale, transfer, and relinquishment of firearms.
- **DNA Identification (DNA ID) Fund Backfill**—To address a projected cashflow shortage in the DNA ID Fund beginning in 2026-27, the Budget includes an ongoing backfill adjustment with \$37 million General Fund in 2026-27, \$36 million in 2027-28, and \$35 million in 2028-29 and ongoing. Previously, the 2023 Budget Act provided a three-year backfill through 2025-26.
- **License 2000 System Replacement Project**—\$1.9 million Special Fund (\$966,000 Indian Gaming Special Distribution Fund and \$951,000 Gambling Control Fund in 2025-26, \$950,000 Indian Gaming Special Distribution Fund and \$967,000 Gambling Control Fund ongoing) and 3 positions in 2025-26 and ongoing for DOJ to finish the License 2000 System Replacement Project and transition the project into the maintenance and operations phase.
- **Chaptered Legislation: Public Rights**—\$2.2 million (\$597,000 General Fund and \$1.6 million Unfair Competition Law Fund) and 9 positions in 2025-26 and \$2.2 million (\$577,000 General Fund) in 2026-27 and ongoing to address workload from recently chaptered legislation related to, among other issues, helping protect minors from addictive social media feeds, transparency regarding the training data used for generative artificial intelligence systems or services, and requiring large online platforms to block the posting of deceptive content during specified timeframes before and after elections.

- **Unfair Competition Law Fund Loan**—A budgetary loan of \$150 million from the Unfair Competition Law Fund to the General Fund in 2025-26 from resources not required for currently projected operational or programmatic purposes.

CALIFORNIA HIGHWAY PATROL

The California Highway Patrol (CHP) 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. Additionally, CHP is responsible for the security of state buildings and officials. Increasingly, CHP also supports statewide law enforcement in specialized areas concerning interjurisdictional crimes.

SIGNIFICANT BUDGET ADJUSTMENTS

- **Child Sexual Abuse Material Investigations**—The Budget provides \$5 million ongoing General Fund for the CHP Computer Crimes Investigation Unit to assist in combatting Child Sexual Abuse Material and Human Trafficking throughout California.
- **Highway Violence Task Force**—To continue addressing violent crimes occurring on state highways, the Budget includes one-time resources totaling \$4.9 million Motor Vehicle Account in 2025-26 for an additional year of funding for the CHP's Highway Violence Task Force.

OFFICE OF EMERGENCY SERVICES

The Office of Emergency Services (Cal OES) serves as the state's leadership hub during all major emergencies and disasters. This includes responding, directing, and coordinating local, state, and federal resources, and mutual aid assets across all regions to support the diverse communities across the state. Cal OES also builds disaster resilience by supporting local jurisdictions and communities through planning and preparedness activities, training, and facilitating the immediate response to an emergency through the longer-term recovery phase. During this process, Cal OES serves as the state's overall coordinator and agent to secure federal government resources through the Federal Emergency Management Agency. The Budget includes \$4.5 billion (\$740 million General Fund) and 1,907 positions for Cal OES.

The Budget maintains \$80 million one-time General Fund to implement the California State Nonprofit Security Grant Program, consistent with the two-year funding commitment in the 2024 budget agreement. Since 2020-21, the state has dedicated \$220 million one-time General Fund for this program to support physical security enhancements to nonprofit organizations that have historically been targets of hate-motivated violence. The state has also received \$116 million from the federal Nonprofit Security Grant Program during this period.

SIGNIFICANT BUDGET ADJUSTMENTS

- **Victims of Crime Act Supplemental Funding**—The Budget includes \$100 million one-time General Fund in 2025-26 to supplement decreasing federal funding supporting a variety of services for victims of crime. Depending on the level of federal funding awarded to California, this one-time augmentation will either allow existing programs to continue at their current level of services or significantly alleviate the service level reductions that would otherwise be necessary.
- **Flexible Cash Assistance for Survivors of Crime**—A reversion of \$49.7 million one-time General Fund appropriated in the 2022 Budget Act to establish a financial assistance program for survivors of crime.
- **Internet Crimes Against Children**—The Budget includes \$7 million ongoing General Fund to support the Internet Crimes Against Children Task Force Program, which helps state and local law enforcement agencies develop an effective response to technology-facilitated child sexual exploitation and combat underground child pornography rings. This investment transitions funding for this program from annual \$5 million one-time General Fund appropriations and increases the level of state resources provided for this effort.

JUDICIAL BRANCH

The Judicial Branch consists of the Supreme Court, courts of appeal, trial courts, the Habeas Corpus Resource Center, and the Judicial Council. The Judicial Council is responsible for managing the resources of the Judicial Branch. The trial courts are funded with a combination of General Fund, county maintenance-of-effort requirements, fines, fees, and other charges. Other levels of the Judicial Branch receive most of their funding from the General Fund. The Budget includes total funding of \$5.3 billion in 2025-26 for the Judicial Branch, of which \$3 billion is provided to support trial court operations.

SIGNIFICANT BUDGET ADJUSTMENTS

- **Trial Court Operations**—\$40 million ongoing General Fund to address increasing trial court operations costs.
- **Trial Court Employee Health Benefits**—\$19.8 million ongoing General Fund for trial court employee health benefit and retirement costs. The state began consistently funding the increased health benefit and retirement costs for the trial courts in 2014-15.
- **Court-Appointed Counsel Programs**—\$6.3 million ongoing General Fund to increase the hourly compensation rate of court-appointed counsel at the Supreme Court and Courts of Appeal, which provides representation for indigent appellants.
- **San Diego Hall of Justice**—\$9.5 million one-time General Fund in 2025-26 to address the cost increases for an existing facility modification project at the San Diego Hall of Justice. This is in addition to the \$29.7 million included in the 2022 Budget Act for this project.
- **Lactation Rooms**—\$5.4 million one-time General Fund in 2025-26 to complete the build-out of lactation rooms in court facilities pursuant to Chapter 200, Statutes of 2022 (AB 1576). This is in addition to the \$15 million included in the 2022 Budget Act to implement AB 1576.
- **State Court Facilities and Construction Fund (SCFCF) Backfill**—\$4.7 million General Fund in 2025-26 and \$79 million in 2026-27 and ongoing to continue to backfill a projected shortfall in the SCFCF and to maintain existing service levels.
- **Tribal Nations Access to Justice Act (SB 549)**—\$2.7 million in 2025-26, \$1.5 million in 2026-27, and \$784,000 in 2027-28, for the courts to handle workload resulting from lawsuits filed by California Indian tribes against California gambling establishments and third-party providers pursuant to Chapter 860, Statutes of 2024 (SB 549).
- **Trial Court Trust Fund Unrestricted Fund Balance**—A transfer of \$38 million in 2025-26 of the unrestricted fund balance in the Trial Court Trust Fund to the General Fund. This unrestricted fund balance exists primarily from cost savings from previous allocations to the Judicial Branch where no mechanism exists to return the funds to the General Fund.
- **Court Facilities Architectural Revolving Fund**—A transfer of accumulated savings and accumulated interest revenue totaling \$34.3 million from the Court Facilities Architectural Revolving Fund to the SCFCF, resulting in a one-time reduction of the General Fund backfill to the SCFCF by the same amount in 2025-26.

- **Pretrial Release Program**—A reversion of \$20 million General Fund from 2024-25 associated with savings related to the Judicial Branch's pretrial services and a reduction of \$5 million in 2025-26, and \$20 million ongoing General Fund beginning in 2026-27. The Budget maintains \$65 million General Fund in 2025-26 and \$50 million General Fund in 2026-27 and ongoing for the Pretrial Release program.
- **Incompetent to Stand Trial Evaluations**—A reversion of \$9.1 million General Fund in 2023-24 and 2024-25 associated with unspent funds provided to the Judicial Branch for improvements to Incompetent to Stand Trial evaluations.
- **Jury Duty Pilot Program**—A reversion of \$27.5 million General Fund in 2023-24 and 2024-25 associated with unspent funds provided to the Judicial Branch to implement a pilot program related to juror compensation pursuant to Chapter 326, Statutes of 2022 (AB 1981). The Budget also includes statutory changes to suspend the program. However, the Budget maintains \$4.2 million ongoing General Fund for increased juror mileage and public transit reimbursements associated with AB 1981.