



May 11, 2018

Honorable Holly Mitchell, Chair
Senate Budget and Fiscal Review Committee

Attention: Mr. Joe Stephenshaw, Staff Director (2)

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

**Amendment to Various Budget Bill Items and Reimbursements, Support, California
Department of Corrections and Rehabilitation**

Adult Population Adjustment—It is requested that Item 5225-001-0001 be decreased by \$14,252,000 and 70.3 positions, Item 5225-002-0001 be increased by \$7,803,000 and 108.1 positions, Item 5225-006-0001 be decreased by \$17,184,000, Item 5225-007-0001 be increased by \$748,000, Item 5225-008-0001 be increased by \$1,372,000 and 1.5 positions, Item 5225-009-0001 be decreased by \$340,000 and 2 positions, and Item 5225-001-0917 be increased by \$28,000. Corresponding provisional language changes are reflected on Attachment 1.

This reflects a net decrease of \$21,825,000 and a net increase of 37.3 positions, which is comprised of a reduction of \$21,853,000 General Fund and an increase of \$28,000 Inmate Welfare Fund.

The May Revision reflects an estimated average daily population of 126,890 in fiscal year 2018-19, which is 522 fewer than projected in the Governor's Budget. The projected parolee average daily population is 48,535 in 2018-19, which is a decrease of 1,259 compared to the Governor's Budget projection.

Juvenile Population Adjustment—It is requested that Item 5225-001-0001 be decreased by \$259,000 and 1.7 positions and reimbursements be increased by \$33,000. The May Revision reflects an estimated average daily population of 646 wards in 2018-19, which is one more ward than projected in the Governor's Budget.

Contraband Interdiction Program—It is requested that Item 5225-001-0001 be increased by \$7,276,000 and Item 5225-002-0001 be increased by \$1,860,000 to implement a two-year Contraband Interdiction Program and Medication Assisted Treatment program at the Substance Abuse Treatment Facility.

Court Resentencing Petitions—It is requested that Item 5225-001-0001 be increased by \$1,987,000 and 13 positions to implement a formal process for screening individuals with meritorious conduct or sentence errors and submittal of petitions to sentencing courts to request resentencing hearings.

Correctional Counselor I Ratio Adjustment—It is requested that Item 5225-001-0001 be increased by \$13,548,000 and 89.2 positions to amend the offender to Correctional Counselor I ratio of 150:1 to 135:1 to provide enhanced rehabilitation and program enrollment assistance to the offender population.

Medical Guarding and Transportation—It is requested that Item 5225-001-0001 be increased by \$5,876,000 and 42.7 positions to address higher-than anticipated medical transports, which results in yard and program closures.

Overtime Base Budget Adjustment—It is requested that Item 5225-001-0001 be increased by \$16,503,000 to reflect the impact of salary increases on activities budgeted as overtime.

Training Initiatives—It is requested that Item 5225-001-0001 be increased by \$12,934,000 and 5 positions to add essential training services for the Department's peace officer positions. This comprehensive modernization includes courses in ethics, sexual harassment, procedural justice, implicit bias, and criminal investigations.

Case Records Training Team—It is requested that Item 5225-001-0001 be increased by \$444,000 and 3 positions to establish a statewide training team to develop and implement training for sentence calculations and computations.

Healthcare Services for Reentry—It is requested that Item 5225-001-0001 be increased by \$3,916,000 and that Item 5225-008-0001 be increased by \$6,887,000 to provide health and dental services to inmates participating in reentry programs. It is also requested that provisional language be added to authorize an augmentation in the event the final contracted rates are greater than the estimated rates (see Attachment 2).

Hepatitis C Treatment Funding—It is requested that Item 5225-002-0001 be increased by \$105,818,000 to accelerate the treatment schedule for inmate-patients diagnosed with chronic Hepatitis C Virus. The limited-term funding will allow the California Corrections Health Care Services to treat approximately 6,600 infected inmates per year over a three year period.

Psychiatry Registry Funding—It is requested that Item 5225-002-0001 be increased by \$18,104,000 to address increased contract rates for registry psychiatrists. It is also requested that provisional language be added requiring the funding to only be used for psychiatry registry purposes and any remaining funds shall revert to the General Fund at the end of the fiscal year (see Attachment 3). The requested resources will allow the Department to provide additional psychiatrists to meet minimum court-ordered staffing requirements.

California Healthcare Facility Janitorial Technical Adjustment—It is requested that Item 5225-001-0001 be decreased by \$1,676,000 to realign contract funding from California Prison Industry Authority to California Correctional Health Care Services and Item 5225-002-0001 be increased by \$9,717,000 to restore partial year contract funding for PRIDE janitorial services.

Roof Replacement and Mold Remediation Adjustment—It is requested that Item 5225-001-0001 be decreased by \$8,441,000 to adjust the roof replacement proposal based on a refined system-wide needs assessment for water damage repairs and add funds for the design process for roof replacement projects at four facilities. Corresponding provisional language changes are included on Attachment 4.

Juvenile Justice Reform Adjustments—It is requested that Item 5225-001-0001 be decreased by \$1,756,000 and 16.6 positions, Item 5225-001-0917 be increased by \$3,000, Item 5225-002-0001 be increased by \$76,000 and 0.2 position, and Item 5225-008-0001 be increased by \$1,000 to: (1) delay implementation of the Young Adult Offender Program, (2) correct a technical error in the Governor's Budget, and (3) add a Basic Correctional Juvenile Academy to satisfy staffing needs associated with an anticipated increase in the juvenile population.

Juvenile Justice Identification Card Program—It is requested that trailer bill language be added to authorize the Division of Juvenile Justice to obtain California identification cards issued by the Department of Motor Vehicles to youth offenders upon discharge (see Attachment 5).

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Madelynn McClain or Aaron Edwards, Principal Program Budget Analyst, at (916) 445-8913.

MICHAEL COHEN
Director
By:

/s/ Amy M. Costa

AMY M. COSTA
Chief Deputy Director

Attachment

cc: On following page

cc: Honorable Ricardo Lara, Chair, Senate Appropriations Committee
Attention: Mr. Mark McKenzie, Staff Director
Honorable Jim Nielsen, Vice Chair, Senate Budget and Fiscal Review Committee
Attention: Mr. Kirk Feely, Budget Fiscal Director
Honorable Lorena Gonzalez Fletcher, Chair, Assembly Appropriations Committee
Attention: Mr. Jay Dickenson, Chief Consultant
Honorable Jay Obernolte, Vice Chair, Assembly Budget Committee
Attention: Ms. Cyndi Hillery, Staff Director
Honorable Nancy Skinner, Chair, Senate Budget and Fiscal Review Subcommittee No. 5
Honorable Shirley Weber, Chair, Assembly Budget Subcommittee No. 5
Mr. Mac Taylor, Legislative Analyst (4)
Mr. Christopher W. Woods, Senate President pro Tempore's Office (2)
Mr. Jason Sisney, Assembly Speaker's Office (2)
Ms. Cheri West, Deputy Chief of Staff, Policy, Assembly Republican Leader's Office
Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Mr. Scott Kernan, Secretary, California Department of Corrections and Rehabilitation
Mr. Ralph Diaz, Undersecretary, Operations, California Department of
Corrections and Rehabilitation
Ms. Diana Toche, Undersecretary, Health Care Services, California Department of
Corrections and Rehabilitation
Mr. Kenneth Pogue, Undersecretary, Administration and Offender Services, California
Department of Corrections and Rehabilitation
Ms. Jennifer Osborn, Director, Division of Fiscal and Business Services, California
Department of Corrections and Rehabilitation
Mr. Clark Kelso, Receiver, California Department of Corrections and Rehabilitation
Mr. Richard Kirkland, Chief Deputy Receiver, California Department of
Corrections and Rehabilitation
Ms. Yulanda Mynhier, Director, Health Care Policy and Administration, California
Department of Corrections and Rehabilitation
Mr. Duane Reeder, Deputy Director, Fiscal Management Section, California
Department of Corrections and Rehabilitation

Amend Provision 1 of Item 5225-006-0001 as follows:

- “1. (a) The funds appropriated in this item shall be used to pay for not more than a combined average daily population of ~~4,588~~ 889 for the 2018–19 fiscal year at the following facilities:
- (1) La Palma Correctional Center located in Eloy, Arizona.
 - (2) Tallahatchie County Correctional Facility located in Tutwiler, Mississippi.
- (b) No other item of appropriation may be used to pay for the costs of the contracts with the entities listed in subdivision (a) for out-of-state housing of state inmates.
- (c) The Department of Corrections and Rehabilitation, upon agreement with its current provider of out-of-state beds, and only after notifying the Department of Finance, may allow the service provider to relocate offenders being housed in any of the facilities listed under subdivision (a) to a different facility operated by the same service provider. The average daily population of offenders being housed in out-of-state facilities shall not exceed ~~4,588~~ 889 for the 2018-19 fiscal year.”

Add the following provision to Item 5225-001-0001:

4. Of the amount appropriated in Schedule (9), \$3,916,000 is provided for health and dental services contracts to provide health services to inmates participating in reentry programs. To the extent the final negotiated health and dental contracts are not consistent with the appropriated amount, the Director of Finance may augment or reduce this item to provide resources necessary to procure health and dental services for inmates participating in reentry programs.

Add the following provision to Item 5225-008-0001:

2. Of the amount appropriated in Schedule (3), \$6,887,000 is provided for health and dental services contracts to provide health services to inmates participating in reentry programs. To the extent the final negotiated health and dental contracts are not consistent with the appropriated amount, the Director of Finance may augment or reduce this item to provide resources necessary to procure health and dental services for inmates participating in reentry programs.

Add the following provision to Item 5225-002-0001:

7. Of the amount appropriated in Schedule (3), \$18,104,000 is provided for psychiatry registry contract services. Any unexpended funds at the end of the year pursuant to this provision shall revert to the General Fund.

Amend Provision 1 of Item 5225-001-0001 as follows:

"1. Of the amount appropriated in this item, \$60,738,000 shall be used for roof replacement at the California Substance Abuse Treatment Facility, Salinas Valley State Prison, and Ventura Youth Correctional Facility; ~~\$20,000,000~~ \$9,025,000 shall be used for mold remediation purposes at various institutions; and \$17,489,000 shall be used for health care access vehicles."

Section 3007.08 is added to the Penal Code as follows:

3007.08. (a) The Department of Corrections and Rehabilitation, Division of Juvenile Justice and the Department of Motor Vehicles shall ensure that eligible juvenile offenders released from a state juvenile facility have valid identification cards, issued pursuant to Article 3 (commencing with Section 12800) and Article 5 (commencing with Section 13000) of Chapter 1 of Division 6 of the Vehicle Code.

(b) For the purposes of this section, "eligible juvenile offender" means a juvenile offender who previously held a California driver's license or identification card, issued pursuant to Section 12801.5 of Article 3 of Chapter 1 of Division 6 of the Vehicle Code, or a juvenile offender who provides acceptable proof of his or her:

- (1) True full name.
- (2) Date of birth.
- (3) Social security number.
- (4) Legal presence in the United States.
- (5) California residency.

(c) The fee for an identification card issued pursuant to this section is eight dollars (\$8). The applicant must provide the Department of Motor Vehicles, upon application, a verification of his or her eligibility under this subdivision that meets all of the following requirements:

- (1) Be on state juvenile correctional facility letterhead.
- (2) Be typed or computer generated.
- (3) Contains the juvenile offender's name.
- (4) Contains the juvenile offender's date of birth.
- (5) Contains the original signature of an official from the state juvenile correctional facility.
- (6) Be dated within 90 days of the date of application.

(d) The requirements specified in subdivision (c) may be used to attest to an applicant's residency in a facility operated by the Department and shall be acceptable proof of California residency.

(e) For the purposes of this section, a certified copy of a birth certificate issued by California Department of Public Health Vital Records shall be acceptable proof to satisfy the requirements of paragraphs (1), (2), and (4) of subdivision (b).

(f) The Department of Corrections and Rehabilitation and the Department of Motor Vehicles shall enter into an interagency agreement to implement this section.



May 11, 2018

Honorable Holly Mitchell, Chair
Senate Budget and Fiscal Review Committee

Attention: Mr. Joe Stephenshaw, Staff Director (2)

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Mr. Christian Griffith, Chief Consultant (2)

Amendment to, Addition of, and Eliminate Various Budget Bill Items, and Reimbursements, Support and Local Assistance, Board of State and Community Corrections

Standards and Training for Local Corrections—It is requested that Item 5227-002-0001 be added in the amount \$2,489,000 and 13 positions, reimbursements be added in the amount of \$100,000 (see Attachment 1), and Item 5227-102-0001 be added in the amount of \$14,815,000 (see Attachment 2) to redirect expenditures for the Standards and Training for Local Corrections from the State Penalty Fund to the General Fund to address a continuing decline in fine and fee revenue within the State Penalty Fund. This redirection includes an augmentation of \$1,306,000 General Fund and the addition of \$1,306,000 to the Standards and Training for Local Corrections program reversing the Governor's Budget proposal to reduce the amount of funding available to support training and standards for local corrections personnel.

It is requested that Item 5227-001-0903 and Item 5227-101-0903 be eliminated to reflect this change.

Post Release Community Supervision Population—It is requested that Item 5227-106-0001 be decreased by \$820,000 to adjust the amount provided to county probation departments to supervise the average daily population of offenders on Post Release Community Supervision. The adjustment reflects a revised estimate of the temporary increase in the number of offenders expected to be released to Post Release Community Supervision as a result of the Public Safety and Rehabilitation Act of 2016 (Proposition 57).

The effect of my requested action is reflected on the attachment.

If you have any questions or need additional information regarding this matter, please call Madelynn McClain, Principal Program Budget Analyst, at (916) 445-8913.

MICHAEL COHEN
Director
By:

/s/ Amy M. Costa

AMY M. COSTA
Chief Deputy Director

Attachment

cc: Honorable Ricardo Lara, Chair, Senate Appropriations Committee
Attention: Mr. Mark McKenzie, Staff Director
Honorable Jim Nielsen, Vice Chair, Senate Budget and Fiscal Review Committee
Attention: Mr. Kirk Feely, Budget Fiscal Director
Honorable Lorena Gonzalez Fletcher, Chair, Assembly Appropriations Committee
Attention: Mr. Jay Dickenson, Chief Consultant
Honorable Jay Obernolte, Vice Chair, Assembly Budget Committee
Attention: Ms. Cyndi Hillery, Staff Director
Honorable Nancy Skinner, Chair, Senate Budget and Fiscal Review Subcommittee No. 5
Honorable Shirley Weber, Chair, Assembly Budget Subcommittee No. 5
Mr. Mac Taylor, Legislative Analyst (4)
Mr. Christopher W. Woods, Senate President pro Tempore's Office (2)
Mr. Jason Sisney, Assembly Speaker's Office (2)
Ms. Cheri West, Deputy Chief of Staff, Policy, Assembly Republican Leader's Office
Mr. Jim Richardson, Policy and Fiscal Director, Assembly Republican Leader's Office
Ms. Kathleen Howard, Executive Director, Board of State and Community Corrections

5227-002-0001—For support of Board of State and Community Corrections.....		2,489,000
Schedule:		
(1) 4955-Standards and Training for Local Corrections.....	2,589,000	
(2) Reimbursements to 4955-Standards and Training for Local Corrections.....	-100,000	

5227-102-0001—For local assistance, Board of State and Community Corrections.....	14,815,000
Schedule:	
(1) 4955-Standards and Training for Local Corrections.....	14,815,000

Provisions:

1. Notwithstanding any other provision of law, any city, county, or city and county that desires to receive state aid pursuant to this provision shall make application to the Board of State and Community Corrections for such aid. The initial application shall be accompanied by a certified copy of an ordinance adopted by the governing body providing that, while receiving any state aid pursuant to this provision, the city, county, or city and county will adhere to the standards for selection and training established by the board. The application shall contain such information as the board may require.
2. The Board of State and Community Corrections shall annually allocate and the Treasurer shall periodically pay from the General Fund, at intervals specified by the board, to each city, county, or city and county that has applied and qualified for aid pursuant to this item an amount determined by the board pursuant to standards set forth in its regulations. In no event shall any allocation be made to any city, county, or city and county that is not adhering to the selection and training standards established by the board as applicable to such city, county, or city and county.