



April 1, 2021

Honorable Nancy Skinner, Chair
Senate Budget and Fiscal Review Committee

Attention: Joe Stephenshaw, Staff Director

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Christian Griffith, Chief Consultant

Amendment to Budget Bill Item 5225-301-0001, Addition of Item 5225-301-0668, and Statutory Changes, Capital Outlay, Department of Corrections and Rehabilitation

Chuckawalla Valley State Prison, Blythe: New Potable Water Wells—Preliminary Plans (Issue 374): It is requested that Item 5225-301-0001 be increased by \$821,000 General Fund for the preliminary plans phase of a project that will construct two new groundwater wells at Chuckawalla Valley State Prison. This project is necessary to provide a long-term, sustainable solution for the delivery of potable water to inmates and staff at Chuckawalla and Ironwood State Prisons.

Ironwood State Prison, Blythe: Heating, Ventilation, and Air Conditioning System, Supplemental Appropriation—Construction (Issue 372): It is requested that Item 5225-301-0668 be added in the amount of \$11,491,000 Public Buildings Construction Fund Subaccount. This action is necessary to address cost increases to the project resulting from errors and omissions in the design documents, delays related to the COVID-19 Pandemic, and an extended construction duration.

Health Care Facility Improvement Program, Increase Lease Revenue Appropriation—Construction (Issue 376): It is requested that statutory changes be adopted to increase the lease revenue appropriation authorized by Government Code section 15819.403 by \$43,235,000 for this construction program (see Attachment 1). This program provides medical, dental, and mental health treatment or housing space at existing prison facilities. This action is necessary to address cost increases caused by errors and omissions in the design documents, delays related to the COVID-19 Pandemic, an extended construction duration, and to comply with the Receiver's Turn-Around Plan of Action related to the Plata litigation. This language also includes reporting requirements to allow the Legislature to monitor the progress of the program.

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 Koreen Van Ravenhorst, Principal Program Budget Analyst, at (916) 445-9694.

KEELY MARTIN BOSLER
Director
By:

/s/ Erika Li

ERIKA LI
Chief Deputy Director

Attachment

cc: Honorable Anthony Portantino, Chair, Senate Appropriations Committee
Attention: Mark McKenzie, Staff Director
Honorable Jim Nielsen, Vice Chair, Senate Budget and Fiscal Review Committee
Attention: Kirk Feely, Fiscal Director
Honorable Lorena Gonzalez, Chair, Assembly Appropriations Committee
Attention: Jay Dickenson, Chief Consultant
Honorable Vince Fong, Vice Chair, Assembly Budget Committee
Attention: Joseph Shinstock, Fiscal Director
Honorable Maria Elena Durazo, Chair, Senate Budget and Fiscal Review Subcommittee
No. 5
Honorable Cristina Garcia, Chair, Assembly Budget Subcommittee No. 5
Gabriel Petek, Legislative Analyst
Christopher W. Woods, Senate President pro Tempore's Office
Jason Sisney, Assembly Speaker's Office
Paul Dress, Caucus Co-Chief of Staff, Assembly Republican Leader's Office
Luigi Luciano, Legislative Director, Assembly Republican Leader's Office
Dean Borg, Director, Facility Planning, Construction, and Management, Department of
Corrections and Rehabilitation
Chris Lief, Deputy Director, Facility Planning, Construction, and Management, Department
of Corrections and Rehabilitation
Michelle Weaver, Associate Director, Facility Planning, Construction, and Management,
Department of Corrections and Rehabilitation

Government Code Section 15819.403

“(a) The board may issue revenue bonds, negotiable notes, or negotiable bond anticipation notes pursuant to this part to finance the design and construction, including, without limitation, renovation, and the costs of interim financing of the projects authorized in Section 15819.40. Authorized costs for design and construction, including, without limitation, renovation, and construction-related costs for all projects approved for financing by the board shall not exceed one billion six million three hundred sixty-nine thousand dollars (\$1,006,369,000) for subdivision (a) of Section 15819.40, and one billion two hundred and fifteen million one hundred and ninety six thousand dollars ~~one billion one hundred and seventy one million nine hundred sixty one thousand dollars (\$1,171,961,000)~~ 1,215,196,000 for subdivision (b) of Section 15819.40.

(b) Notwithstanding Section 13340, funds derived from interim financing, revenue bonds, negotiable notes, or negotiable bond anticipation notes issued pursuant to this chapter are hereby continuously appropriated to the board on behalf of the Department of Corrections and Rehabilitation for the purposes specified in Section 15819.40.

(c) For the purposes of this section, “construction-related costs” shall include mitigation costs of local government and school districts and shall be made available pursuant to subdivisions (c) and (d) of Section 7005.5 of the Penal Code. It is the intent of the Legislature that any payments made for mitigation shall be made in a timely manner.

(d) Notwithstanding any other law, the financing authorized in this section for projects approved pursuant to subdivision (a) of Section 15819.40 shall only be used for the California Health Care Facility, Stockton project and the conversion of the DeWitt Nelson Youth Correctional Facility to a semiautonomous annex facility to the California Health Care Facility. In addition, the financing authorized in this section for projects approved pursuant to subdivision (b) of Section 15819.40 shall only be used for the following projects:

- (1) The California Medical Facility, Vacaville: Intermediate Care Facility.
- (2) The California Institution for Women, Chino: Acute/Intermediate Care Facility.
- (3) The California State Prison Los Angeles County, Lancaster: Enhanced Outpatient Program Treatment and Office Space.
- (4) The California Men's Colony, San Luis Obispo: Mental Health Crisis Beds Facility.
- (5) The California Medical Facility, Vacaville: Enhanced Outpatient Program Treatment and Office Space.
- (6) The California State Prison, Sacramento: Psychiatric Services Unit Treatment and Office Space.
- (7) The California State Prison, Corcoran: Administrative Segregation Unit/Enhanced Outpatient Program Treatment and Office Space.

- (8) The Salinas Valley State Prison, Soledad: Enhanced Outpatient Program Treatment and Office Space.
- (9) The Central California Women's Facility, Chowchilla: Enhanced Outpatient Program Treatment and Office Space.
- (10) All projects established by the board in the Health Care Facility Improvement Program.

(e) The amount authorized in subdivision (a) for subdivision (b) of Section 15819.40 reflects an increase of ~~one hundred twenty-five million three hundred and eighty-two thousand~~ one hundred sixty-eight million six hundred and seventeen thousand dollars (\$125,382,000~~168,617,000)~~ to fund any project established by the board in the Health Care Facility Improvement Program, subject to all of the following:

- (1) Each allocation shall be approved by the board.
- (2) Not less than 20 days prior to the board's approval, the Department of Finance shall report to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the respective fiscal committee of each house of the Legislature the following:
 - (A) The name of the project, the additional allocation received, the reason for this allocation, and the estimated date of completion.
 - (B) The amount remaining to be allocated to other projects."



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Honorable Nancy Skinner, Chair
Senate Budget and Fiscal Review Committee

Attention: Joe Stephenshaw, Staff Director

Honorable Phil Ting, Chair
Assembly Budget Committee

Attention: Christian Griffith, Chief Consultant

Amendment to Budget Bill Item 5227-001-0001, Support, and Statutory Changes, Board of State and Community Corrections

Strengthening Jail Oversight—It is requested that Item 5227-001-0001 be increased by \$3,095,000 and 14 positions ongoing to provide additional county jail oversight through annual inspections of adult jails, increased technical assistance, better tracking of inspection findings, and more timely release of inspection reports.

It is also requested that Penal Code section 6031 and Welfare and Institutions Code section 209 be amended to clarify that any duly authorized officer, employee, or agent of the Board of State and Community Corrections may enter and inspect any area of a local detention facility, with or without advance notice, as specified (see Attachment 1).

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 Justin Adelman, Staff Finance Budget Analyst, at (916) 445-8913.

KEELY MARTIN BOSLER
Director
By:

/s/ Erika Li

ERIKA LI
Chief Deputy Director

Attachment

cc: On following page

cc: Honorable Anthony Portantino, Chair, Senate Appropriations Committee
Attention: Mark McKenzie, Staff Director
Honorable Jim Nielsen, Vice Chair, Senate Budget and Fiscal Review Committee
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Christopher W. Woods, Senate President pro Tempore's Office
Jason Sisney, Assembly Speaker's Office
Paul Dress, Caucus Co-Chief of Staff, Assembly Republican Leader's Office
Luigi Luciano, Legislative Director, Assembly Republican Leader's Office
Kathleen Howard, Executive Director, Board of State and Community Corrections

Section 1. Section 6031 of the Penal Code is amended to read:

“6031.

(a) The Board of State and Community Corrections shall, at a minimum, inspect each local detention facility in the state biennially.

(b) Any duly authorized officer, employee, or agent of the Board may, upon presentation of proper identification, enter and inspect any area of a local detention facility, with or without advance notice, to determine compliance with the regulations adopted by the Board.”

Section 2. Section 209 of the Welfare and Institutions Code is amended to read:

“13601.

(3) (A) The Board of State and Community Corrections shall conduct a biennial inspection of each jail, juvenile hall, lockup, or special purpose juvenile hall situated in this state that, during the preceding calendar year, was used for confinement, for more than 24 hours, of any minor. The board shall promptly notify the operator of any jail, juvenile hall, lockup, or special purpose juvenile hall of any noncompliance found, upon inspection, with any of the minimum standards for juvenile facilities adopted by the Board of State and Community Corrections under Section 210 or 210.2.

(B) Any duly authorized officer, employee, or agent of the Board may, upon presentation of proper identification, enter and inspect any area of a local detention facility, with or without advance notice, to determine compliance with the regulations adopted by the Board.”