

# CORRECTIONS AND REHABILITATION

The following represents the significant funding issues included in the 2007 Budget Act for the Department of Corrections and Rehabilitation (CDCR).

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## RECIDIVISM REDUCTION STRATEGIES

The Administration is strongly committed to improving public safety by reducing California's high recidivism rate through evidence-based programming for inmates and parolees. Building upon the 2006 Budget Act's investment in evidence-based programs that improve public safety and reduce victimization, the Budget expands funding for programs that reduce recidivism and prepare inmates to transition back into the community. The Budget includes \$90.1 million General Fund for inmate education programs, community partnerships, parolee services, institutions rehabilitative and treatment programs, and research and support services. This funding represents a comprehensive approach to inmate and parolee programming by providing program enhancements and community services to both male and female inmates and parolees.

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## IMPLEMENTATION OF AB 900 (CHAPTER 7, STATUTES OF 2007)

On May 3, 2007, the Governor signed AB 900 (Chapter 7, Statutes of 2007), also known as the Public Safety and Offender Rehabilitation Services Act of 2007, which takes important steps toward solving California's prison overcrowding crisis. AB 900 emphasizes expanding rehabilitative programs and measuring outcomes through performance goals to reduce the high rate of recidivism among adult offenders, and appropriates \$50 million General Fund for additional rehabilitative programming activities. To ensure the additional rehabilitation funding

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is utilized on the most effective evidence-based programs, the Governor established the Rehabilitation Strike Team to help implement the programming requirements of AB 900.

The Rehabilitation Strike Team will focus on evaluating existing education, training and substance abuse programs, developing leading-edge rehabilitation classes, delivering the services to inmates and parolees in order to improve public safety, designing facilities to best accommodate rehabilitation programs, and working with communities to continue services in local settings.

In addition to enhanced programmatic resources, AB 900 also authorizes the construction of infill beds, secure reentry facilities, local jail beds, and health care facilities, and allows the CDCR to transfer inmates to out-of-state correctional facilities for up to four years. AB 900 authorizes over \$6.1 billion in lease-revenue bonds to build 16,000 infill beds, 16,000 reentry facility beds, and 8,000 health care beds, and authorizes \$1.2 billion in lease-revenue bonds to add 13,000 county jail beds. AB 900 also appropriates \$300 million General Fund to make infrastructure improvements at state prisons. To ensure best practices are used and cost containments are in place, the Governor established the Facilities Construction Strike Team to help implement the construction requirements of AB 900.

The Facilities Construction Strike Team has evaluated all alternative construction methods for the construction of reentry facilities and infill capacity, and is working within CDCR to look at any options for housing inmates in existing facilities within the state that are not being utilized before inmates are transferred, develop cost containments for proposed construction, evaluate regulatory impediments to construction and whether waiver of regulations benefit the state, and address local mitigation issues for communities that are impacted by current prison facilities.

The Budget includes \$11.9 million, comprised of \$2.4 million General Fund and \$9.5 million in Reimbursement authority, for the CDCR's Office of Facilities Management and Support Services Division to address workload associated with these prison construction projects. The Budget also includes \$1.7 million General Fund for the Corrections Standards Authority to administer the local jail bed construction program authorized by AB 900. These resources are necessary to ensure that these critical infrastructure projects are effectively managed and standards of quality and accountability are not compromised.

The Administration is committed to improving the space issues for medical, mental health, and dental care through the use of AB 900 funding. The CDCR will be working in conjunction with the Coleman and Perez courts and the federal Receiver appointed by the Plata court

to provide the most efficient, consolidated use of space in order to provide constitutionally adequate health care to all CDCR inmates.

In order to increase the transparency and accountability of the use of AB 900 funds, the Budget requires the CDCR to provide the Legislature specific information defining project scope, cost, and schedule, as well as quarterly reports tracking the authorized projects. These reporting requirements will ensure the management of the \$7.7 billion prison reform package in a transparent and responsible fashion.

This comprehensive approach to solving California's prison overcrowding crisis will allow the CDCR to fulfill its core mission of improving public safety through evidence-based crime prevention and recidivism reduction strategies.

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## SEX OFFENDER MANAGEMENT

The Administration is committed to ensuring that the public is protected from sex offenders. In 2006, the Governor convened the High Risk Sex Offender (HRSO) Task Force, which made a number of recommendations relating to the handling of HRSO inmates and parolees. Some of these recommendations were enacted in 2006 legislative measures. Based upon these recommendations, and along with the overwhelming mandate from voters in enacting Proposition 83 (also known as Jessica's Law), the Administration has begun implementation of the Comprehensive Sex Offender Management Plan to address this population of inmates and parolees in order to ensure the safety of all Californians, especially children.

The Comprehensive Sex Offender Management Plan is comprised of the HRSO Task Force recommendations, related legislation, and implementation of Proposition 83. The Budget includes \$106 million General Fund for the CDCR to implement the Comprehensive Sex Offender Management Plan. The Budget provides resources for Global Positioning System monitoring of paroled sex offenders as well as lower caseload ratios for parole agents who supervise this population. In addition, the Budget provides funding for treatment of paroled High Risk Sex Offenders, enhanced training for parole agents and additional funds for inmate screenings, and resources to address various community issues associated with this population.

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## JUVENILE OFFENDER POPULATION REHABILITATION AND MANAGEMENT

Before the 2005 Youth and Adult Correctional Agency consolidation, the Division of Juvenile Justice (DJJ) was known as the California Youth Authority (CYA). The CYA was created by law in 1941 and began operating “reform schools” in 1943, when the Governor transferred management of three state reformatories, 1,080 wards in institutions and 1,625 wards on parole to the CYA for the purpose of providing institutional training and parole supervision for juvenile and young adult offenders. By June 1996, the CYA had reached an institution population high of 10,114 and parole population high of 6,249. Since that time, due to legislation that increased the cost for locals to house wards in state institutions and efforts to enhance local services, the DJJ’s population has steadily declined.

For example, local juvenile justice services have been improved through efforts such as the Juvenile Justice Crime Prevention Act (JJCPA). The JJCPA involves a partnership between the state of California, 56 counties and more than 200 community-based organizations. Local officials and stakeholders determine where to direct resources through an interagency planning process; the state appropriates funds to counties on a per capita basis; and community-based organizations play a critical role in delivering services. It is a partnership that recognizes the value of local discretion in addressing the problem of juvenile crime in our communities. Data collected by counties clearly indicates that JJCPA programs continue to curb juvenile crime and delinquency in California.

As a result of programs like the JJCPA and the increased costs to locals, counties have consistently sent fewer juvenile offenders to the DJJ over the last decade, a trend that is projected to continue. By June 30, 2006, DJJ’s institution population had decreased to 2,887 (a 71-percent drop from June 1996) and its parole population had decreased to 3,162 (a 49-percent drop from June 1996). Currently, less than one percent of juveniles arrested in California end up in DJJ facilities. The rest are retained at the local level.

In 2005-06, the DJJ began implementing reforms, as stipulated by the Farrell consent decree, in areas of mental health, sex behavior, disability, education, medical care, and safety and welfare. The Farrell reforms are intended to enhance the state’s juvenile justice services and focus on the rehabilitation of the state’s juvenile offender population. Consistent with enhancing the services it provides, the DJJ has reevaluated its mission in an effort to determine where juvenile offenders would best be served in their rehabilitation.

Beginning September 1, 2007, the DJJ will no longer accept juvenile court commitments or parole violators, except those convicted of violent, serious, or sex offenses. The non-serious,

non-violent juvenile offenders will now be the responsibility of local jurisdictions, where they can benefit from programs within their communities and be closer to potential support networks.

The Budget includes \$24 million General Fund, growing to a total of \$92 million by 2009-10, in Juvenile Offender Block Grant funding that will provide counties with resources to provide services to juvenile offenders who will no longer be housed in DJJ facilities or supervised by the Division of Juvenile Parole Operations (DJPO). This is based on approximately 700 juvenile offenders being housed or supervised on parole at the county level, growing to approximately 1,300 by 2009-10.

Due to the reduction of juvenile offenders housed in DJJ facilities and supervised by the DJPO and the associated costs of housing and supervising these juveniles, there will be a reduction to the DJJ's operating budget of \$25 million, growing to \$169 million by 2009-10.

The Budget also includes \$100 million in lease-revenue bonds to finance the acquisition, design, renovation, or construction of local juvenile facilities in order to ensure that locals have adequate capacity and program space to house and serve juvenile offenders.

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## COURT AND LAWSUIT RELATED ISSUES

The Budget includes \$526.4 million General Fund to fund various program enhancements for the medical, mental health and dental care programs for the CDCR.

- The Budget includes \$125 million for the Receiver in 2007-08, which is intended to address costs associated with the California Prison Health Care Receivership Corporation's operational budget, coordinated activities undertaken by the Coleman, Perez, and Plata courts, potential but unknown additional health care guarding and transportation costs, and unidentified Receiver-driven activities within the medical program. This is in addition to \$200.8 million to address costs associated with salary enhancements, the establishment of various medical and custody positions, and additional medical equipment.
- The Budget includes \$79.2 million to comply with the Perez lawsuit. Included in these funds are \$22.5 million to rollout Phase IV of the Inmate Dental Services Program in response to a stipulation agreement and to provide additional headquarters staffing within the Dental Program as ordered by the court, and \$56.7 million is to provide salary enhancements for various dental classifications.

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- The Budget includes \$121.4 million to comply with the Coleman lawsuit. This includes \$40.2 million to implement the Revised Program Guide for the Mental Health Services Delivery System, \$17.8 million to retrofit administrative segregation and mental health cells to help prevent suicides in those cells, \$7.7 million to staff a new Mental Health Crisis Bed Unit at the California Medical Facility that was constructed in response to a Coleman court order, \$5.1 million to implement the Reception Center Enhanced Outpatient Program to deliver mental health treatment to individuals who have been identified as having a serious mental disorder resulting in a serious level of impairment in functioning, and \$50.6 million to provide salary increases for mental health professionals.