

PUBLIC SAFETY

The May Revision includes the following proposals related to public safety.

TRIAL COURT SECURITY

2011 Public Safety Realignment includes the shifting of responsibility for trial court security costs to counties. The funding is allocated based on historical court security expenditures and is adjusted based on Sales and Use Tax revenue growth. The state initiated various efforts to build and replace court facilities in recent years, and the activation of those facilities may result in increased court security costs. Proposition 30, passed in 2012, requires the state to provide annual funding for new administratively required activities (after October 9, 2011) that have an overall effect of increasing county costs in this realigned program. New court facilities built by the state and opened after October 9, 2011, may necessitate a different level of court security than the facilities they replaced. The May Revision includes \$1 million to address potential increased court security costs from such new court construction. Counties must demonstrate the need for increased trial court security staff as a result of these new courthouses.

CITY LAW ENFORCEMENT GRANTS

The May Revision proposes to augment the existing city law enforcement grant by \$12.5 million, providing a total of \$40 million in 2014-15 for front line law

enforcement activities. The Board of State and Community Corrections allocates funds to individual cities acting as the fiduciary agent within each county receiving the funds.

UPDATE ON MEETING THE COURT-ORDERED POPULATION CAP

For over two decades, California's prison system has faced many challenges with overcrowding, the need for General Fund resources, and lawsuits related to the provision of health and mental health services in prison. The population increased from approximately 60,000 inmates in 1986 to an all-time high of 173,479 in 2006. In 2011, notwithstanding the significant progress made in providing medical and mental health services and reducing the prison population, the United States Supreme Court upheld a lower court ruling requiring the Department to reduce population in its institutions to 137.5 percent of the system's design capacity by June 30, 2013. Subsequent orders extended the deadline, and on February 10, 2014, the lower court issued a final order, granting the state a two-year extension to meet the cap by February 28, 2016. In granting the two-year extension, the court also established benchmarks, requiring the state to meet 143 percent of design capacity by June 30, 2014 and 141.5 percent by February 28, 2015.

To comply with the federal court order and avoid the early release of offenders, Chapter 310, Statutes of 2013 (SB 105), provided the statutory changes and funding necessary for the Department to meet the population cap by December 2013. The bill appropriated \$315 million that could be used in different ways, depending on whether or for how long the federal court extended the deadline for meeting the population cap. As a result of the two-year extension granted by the court, SB 105 expenditures are anticipated to be \$208 million in 2013-14, for a savings of \$107 million, which is an increase of \$20 million in savings compared to the Governor's Budget. Savings are attributable to a lower-than-anticipated average daily population being housed in contract beds.

RECIDIVISM REDUCTION FUND

SB 105 specified that if a sufficient time extension were granted and all funding was not used for capacity, the first \$75 million of any savings would be transferred into the Recidivism Reduction Fund created by SB 105. Savings beyond the \$75 million would be split, with half going to the Recidivism Reduction Fund and half going to the General Fund.

The May Revision augments the amount available in the Recidivism Reduction Fund by \$9.9 million, increasing the total amount available in the fund to \$91 million in 2014-15. The May Revision proposes to allocate \$865,000 to fund a planning grant for the California Leadership Academy and an additional \$9 million for reentry programs provided in the community.

REENTRY

The May Revision includes total funding of \$49 million for reentry programs provided in the community. The mental health population is typically excluded from alternative placements, but is likely the most in need of intensive reentry programming.

The Administration proposes to fund local reentry programs targeting the mental health population who are within six to twelve months of release to facilitate their reentry into the community. The facilities will offer a therapeutic environment and include services such as case management services, employment services, and assistance with securing identification cards, housing, and enrollment in programs such as Medi-Cal and CalWORKs. The facilities will house offenders who will be released to both parole and Post Release Community Supervision and would allow parole agents and probation officers access to this population for the purpose of developing reintegration plans and strategies for continuity of treatment upon release. Finally, it is anticipated that the facilities could also house probationers and parolees who could benefit from these services either through a referral from a probation officer or parole agent or upon order of a court as a remedial sanction.

FEDERAL COURT ORDER IMPACT ON POST RELEASE COMMUNITY SUPERVISION

The February 10, 2014 federal court order increased credit earnings for non-violent, non-sex second strikers, increasing credits from 20 percent to 33.3 percent. Under 2011 Realignment, inmates with non-violent and non-serious offenses are released onto Post Release Community Supervision under the jurisdiction of counties. While the initial intent was to retain these offenders on parole until they otherwise would have been released, law enforcement concurs that it is in the best interest of public safety for these offenders to be under the supervision of one jurisdiction for the length of their supervision term. The statewide Post Release Community Supervision average daily population impact is estimated to be 216 in 2013-14 and 819 in 2014-15. The May Revision includes \$11.3 million to be allocated to county probation departments for the short-term increase of offenders on Post Release Community Supervision.

ADDITIONAL POPULATION REDUCTION STRATEGIES

The May Revision includes General Fund expenditures of \$3.1 million (a reduction of \$2.9 million from the Governor’s Budget) to comply with the additional population reduction strategies ordered by the court. The resources will allow the Department to begin expanding medical parole, implementing an elderly parole program, establishing a parole process for non-violent, non-sex second strikers that have served 50 percent of their sentence, and reducing the hearing preparation timeline.