

# PUBLIC SAFETY

The Budget includes the following changes related to public safety.

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## **CORRECTIONS AND REHABILITATION**

The California Department of Corrections and Rehabilitation (CDCR) incarcerates the most serious and violent felons, supervises them when they are released on parole, and provides rehabilitation programs to help them reintegrate into the community. CDCR provides safe and secure detention facilities and necessary support services to inmates, including food, clothing, academic and vocational training, as well as health care services.

The Budget includes \$10.2 billion (\$9.9 billion General Fund and \$274 million other funds) for CDCR in 2015-16.

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## **PRISON POPULATION UPDATE AND FUTURE PLANNING**

The Budget assumes an average daily adult inmate population of 127,990 in 2015-16.

On February 10, 2014, the three-judge court granted the state's request for a two-year extension of the deadline to meet the 137.5-percent population cap and ordered the state to comply with interim benchmarks of 143 percent by June 30, 2014 (subsequently extended to August 31, 2014), 141.5 percent by February 28, 2015, and the final

population cap by February 28, 2016. The prison population is currently below the final February 2016 benchmark by approximately 2,400 inmates.

Compared with the 2014 Budget, spring population projections show an average daily population reduction of approximately 7,500 inmates in 2015-16. This significant decline is driven primarily by the passage of Proposition 47 and court-ordered population reduction measures. Given the magnitude of the projected population decline and the need to maintain sufficient capacity compared with the final population cap of 137.5 percent, the Administration has developed a revised contract bed plan for the Budget that focuses on reducing the use of out-of-state contract beds.

The Budget includes savings of \$73.3 million General Fund tied to the reduction of approximately 4,000 out-of-state contract beds by June 2016. The reduction assumes vacating two out-of-state facilities, and reducing use of other out-of-state facilities to achieve a 2,700-bed reduction by December 2015 and a further 1,300-bed reduction by June 2016.

Recognizing the extraordinary uncertainties within the current population trends, the Administration will develop for the 2016-17 Governor's Budget a long-term plan which, among other issues, takes into account:

- CDCR's growing population trends, housing limitations, and rehabilitation goals;
- Any use of contract beds on an ongoing basis, including in-state contract beds, out-of-state contract beds, and the leasing of the California City correctional facility;
- A permanent solution for the decaying infrastructure of the California Rehabilitation Center;
- The need for durable population reductions to stay below 137.5 percent of design capacity, such as the current, court-ordered population reduction measures; and
- The impact of population-reduction measures on fire camps.

Significant Adjustments:

- Hepatitis C Treatment—The Budget includes \$60.6 million General Fund to treat inmates with new Hepatitis C treatments.
- Infill Facilities—The Budget includes \$37.2 million General Fund and \$90,000 Inmate Welfare Fund to activate three new infill facilities. The activation of these facilities

adds 2,376 beds, of which 528 are designated Enhanced Outpatient Program beds, to the prison's design capacity by February 2016. The infill projects also expand the number of educational and vocational programming slots by 1,306.

- *Coleman v. Brown*—The Budget includes \$42 million General Fund to comply with an April 10, 2014, *Coleman v. Brown* court order regarding the Department's use of force policies and housing plans for certain *Coleman* class members placed in segregated housing.
- California Health Care Facility—The Budget includes \$76.4 million General Fund to add 715 positions at the California Health Care Facility, which increases the funding for the California Health Care Facility to approximately \$295 million annually.

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## COMMUNITY CORRECTIONS PERFORMANCE INCENTIVE GRANT

The Community Corrections Performance Incentive Grant, Chapter 608, Statutes of 2009 (SB 678), was created to provide incentives for counties to reduce the number of felony probationers sent to state prison. The Budget updates the SB 678 funding formula to provide counties with funding for reducing prison admissions for offenders on felony probation, Mandatory Supervision, and Post Release Community Supervision. The revised formula also provides counties with a share of their past funding based on their current performance. The intent of these revisions is to preserve past successes and encourage county probation departments to continue to decrease the number of individuals sent to state prison. The Budget includes \$125.1 million in total funding for this grant program.

Specifically, the revised formula provides incentive funding to counties that decrease their state prison admissions for offenders on felony probation, Mandatory Supervision, and Post Release Community Supervision compared to each county's prior year admissions. Reductions in state prison admissions will be funded at 35 percent of the state's estimated contract bed rate per offender.

Counties will also receive a portion of their highest payment from the first four years of this grant based on a sliding scale. The rate at which each county sends individuals from local supervision to state prison will be calculated annually which will determine their percentage share of their highest payment from the first four years (with lower rates yielding more funding). This funding recognizes each county's improvement against

the original SB 678 baseline and allows counties to continue programs that produced past success, and will also allow counties to commit funding to ongoing strategies that continue progress toward reducing their admissions to state prison.

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### **AMNESTY PROGRAM**

The Budget includes an 18-month amnesty program that authorizes individuals with past due court-ordered debt owed prior to January 1, 2013, relating to traffic infractions, to pay outstanding delinquent debt at a 50-percent reduction if the individual meets specified eligibility criteria. An individual who utilizes public assistance programs or whose income is less than 125-percent of the current poverty guidelines can qualify for an 80-percent reduction to their qualified outstanding debt. Overall, the amnesty program is estimated to generate \$150 million, which will help avoid structural deficits within many of the eight special funds supported by the State Penalty Fund. Approximately \$12 million of the \$150 million is expected to be deposited in the State Penalty Fund.

The amnesty program allows individuals whose driver licenses have been suspended due to their failure to appear or failure to pay fees and fines on traffic offenses to have their license reinstated—so they can legally get to work and make their agreed upon payments to the court. These individuals would agree to either make one payment or sign up for a payment plan, supported by a wage garnishment agreement in the event that the individual fails to make a payment. In addition, the \$300 court-imposed assessment fee will be waived and replaced by a \$50 amnesty administrative fee to allow the courts to recover their costs to run the program.