

PUBLIC SAFETY

This Chapter describes items in the May Revision related to California's correctional system and public safety programs.

DEPARTMENT OF CORRECTIONS AND REHABILITATION

The California Department of Corrections and Rehabilitation incarcerates the most violent felons, supervises those released to parole, and provides rehabilitation programs to help them reintegrate into the community. The Department 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 May Revision includes total funding of \$12.1 billion (\$11.8 billion General Fund and \$313 million other funds) for the operation of the Department in 2018-19.

POPULATION

Compared to the Governor's Budget projections, changes in the adult inmate and parole population have resulted in a net decrease of \$12.6 million General Fund in 2017-18 and 2018-19 combined. The revised average daily population projections for adult inmates are 130,197 in the current year and 126,890 in the budget year, a decrease of 120 in 2017-18 and 522 in 2018-19. The revised average daily parolee population projection is 46,273 in the current year and 48,535 in the budget year, a decrease of 698 and 1,259 parolees, respectively.

Proposition 57, the Public Safety and Rehabilitation Act of 2016, is estimated to reduce the average daily adult inmate population by approximately 5,800 in 2018-19, and approximately 11,200 in 2020-21. While included in the above population projections, these figures remain preliminary and subject to considerable uncertainty. As of May 3, 2018, the prison population was at 134.6 percent of design capacity, which is below the federal court-ordered population cap of 137.5 percent of design capacity.

The implementation of Proposition 57 and other population reduction measures will allow the Department to eliminate the use of out-of-state beds from its long-term court compliance strategy. Revised estimates include the removal of all inmates from both out-of-state facilities—Mississippi by the end of May 2018 and Arizona by the end of January 2019.

EMPLOYEE TRAINING AND INMATE ACCESS TO PROGRAMS

The Department will further its efforts to promote programs that support workforce development to complement investments being made for inmate rehabilitation. Specifically, the May Revision includes:

Training Initiatives—\$12.9 million General Fund for additional training for peace officers that includes topics such as ethics, sexual harassment, procedural justice, and implicit bias. This proposal also includes specialized training for Special Agents and Investigative Unit staff in criminal investigations, training designed to assist with the transition of officers to supervisory roles, and training to strengthen skills of existing supervisors and managers. This will be achieved by:

- Expanding the Correctional Officer Academy by 1 week to 13 weeks.
- Expanding the annual institution staff off-post training by 8 hours for a total of 48 hours.
- Creating a Command College for Captains, Associate Wardens, Chief Deputy Wardens and Superintendents.
- Utilizing Peace Officer Standards and Training certified courses to train Special Agents and Investigative Services Unit staff.
- Increasing Advanced Supervision training by 1 week to 3 weeks.

Training for Case Records Staff—\$444,000 General Fund to create a unit that will be responsible for developing and implementing a statewide training plan for sentencing calculations and computations. Given the complexity of recent credit enhancements, this unit will provide continual training and updates to the various systems used to track inmate data and

address inconsistencies with manual and computer generated calculations.

The following proposals will provide additional staff to continue enrolling offenders into appropriate rehabilitation programs and safeguard against the redirection of staff responsible for overseeing program delivery to cover unplanned transports.

Correctional Counselor I Ratios—\$13.5 million General Fund to reduce the current offender to Correctional Counselor I ratio of 150:1 to 135:1 to provide enhanced rehabilitation and program enrollment assistance to the offender population. This results in the addition of 89 Correctional Counselors to focus on core offender counseling needs.

Medical Guarding and Transportation—\$5.9 million General Fund to provide an equivalent of one additional Correctional Officer at each institution to address higher-than-anticipated medical transports, primarily during third watch, which result in yard or program closures. Officers assigned these duties will be redirected to other work, such as search and escort, when they are not transporting inmates. These resources will enable the Department to mitigate rehabilitative program closures while it undergoes a more comprehensive review of the medical guarding and transportation needs at each institution.

Other Significant Adjustments:

- **Health Care Services for Reentry Facilities**—\$10.8 million General Fund to provide health care to all inmates housed at reentry facilities. The Department is in the process of finalizing an agreement with the Department of Health Care Services to contract with various health care providers for comprehensive medical coverage for inmates at these reentry facilities.
- **Court Resentencing Workload**—\$2 million General Fund to develop a process to expand the utilization of authority under Penal Code section 1170, subdivision (d), allowing the Secretary of the Department to petition courts to resentence inmates who either were erroneously sentenced to terms of imprisonment that are longer than provided for under law or have displayed exceptionally meritorious conduct.
- **Overtime Base Adjustment**—\$16.5 million General Fund to reflect the impact of salary increases on activities budgeted as overtime. Funding for the salary growth for budgeted positions is provided to the Department through the statewide process for bargained salary increases, but overtime is typically not included in that process. The Department supports certain activities entirely through overtime, such as crisis response training, emergency report writing, emergency escapes, and incident response. To provide the Department with an appropriate ongoing overtime funding level, the statewide process will incorporate incremental adjustments beginning in 2019-20.

DRUG AND CONTRABAND INTERDICTION AND MEDICATION ASSISTED TREATMENT PILOT

Most other states and the Federal Bureau of Prisons search all packages and persons entering prison grounds. To measure the efficacy of such efforts in California prisons—one of the largest state prison systems in the nation—this approach should be tested to determine the effect it has on the introduction of drugs and contraband, as well as overdoses associated with the presence of illegal drugs in prisons.

The Department's drug and contraband program is currently aimed at reducing illegal drugs and contraband entering prisons. The Department has 70 permanent canine teams, with two teams assigned to each institution. The canine teams conduct routine searches of housing units, classrooms, offices, buildings and primary entrance points for contraband, including incoming mail and packages, as well as the institution perimeter, parking lots and vehicles. These efforts are intended to reduce inmate violence, increase safety for staff and inmates, and promote a drug-free rehabilitative environment.

The May Revision includes \$9.1 million General Fund to pilot a comprehensive Drug Interdiction program and a Medication Assisted Treatment program at the Substance Abuse Treatment Facility. This proposal includes baggage/parcel and full body scanners at both entrances to deter contraband from entering the prison, and a Medication Assisted Treatment program to treat substance use disorders. The pilot will be operational 24 hours per day, 7 days per week and all staff, volunteers and visitors will be searched prior to entering the prison. Canine teams, using passive dogs trained to detect drugs and contraband, will be present as an additional deterrent. The Medication Assisted Treatment program will complement these efforts and will include access to naltrexone and acamprostate for treatment of alcohol and opiate use disorders.

INMATE HEALTH CARE

The May Revision dedicates \$3.2 billion General Fund to health care services programs, resulting in inmates having continued access to mental health, medical and dental care that is consistent with the standards and scope of services appropriate within a custodial environment.

HEPATITIS C VIRUS TREATMENT

The Centers for Disease Control and Prevention (CDC) promotes the treatment of Hepatitis C given its role in the opioid epidemic and because Hepatitis C is responsible for more deaths in the United States than any other infectious disease reported to the CDC.

The May Revision includes \$105.8 million General Fund annually for three years, beginning in 2018-19, to expand Hepatitis C treatment to all infected inmates in state prison. The court-appointed Federal Receiver overseeing inmate medical care indicates that approximately 22,000 inmates are currently infected with Hepatitis C. Of that number, approximately 2,300 inmates will be treated for the virus in the current year within existing resources, at a cost of about \$60 million. The remaining affected inmates will be treated over the next three years. This augmentation is a result of a new protocol implemented by the Receiver in December 2017 that provides treatment to all inmates in any stage of the Hepatitis C Virus. The May Revision extends this protocol to other health care programs, as referenced in the Health and Human Services Chapter.

MENTAL HEALTH PSYCHIATRY REGISTRY

The May Revision includes \$18.1 million General Fund for contract psychiatry services needed to meet a federal court order to fill at least 90 percent of the state prison system's psychiatry positions. This is one of many staffing efforts the Department has undertaken to increase its ability to fill psychiatry positions. Other efforts implemented over the last few years include increasing use of tele-psychiatry, establishing an onboarding program and exit interviews, beginning the use of Medical Assistants to support psychiatry positions with non-clinical tasks, and expanding the use of a fellowship program.

PRISON INFRASTRUCTURE

California experienced record levels of rainfall in 2017, and severe storms caused significant damage to prison roofs. Failing prison roofs have resulted in damage to electrical systems and housing units, and interruptions in rehabilitation programs, education programs, and mental health treatment. The Governor's Budget included \$119 million to replace roofs at five facilities over a two-year period and \$20 million for mold remediation efforts. Based on a revised system-wide estimate of water damage repair costs, the May Revision reduces the Governor's Budget proposal for mold remediation by \$11 million in 2018-19. The May Revision also includes \$2.5 million to fund the design process for four of the roof replacement projects and adds \$22.6 million for the replacement of the roof at the California Correctional Women's Facility in 2019-20. This adjustment results in total funding of \$153 million General Fund for roof replacements and mold remediation over the next two fiscal years.

DEPARTMENT OF JUSTICE

As chief law officer of the state, the Attorney General is responsible for seeing that the laws of California are uniformly and adequately enforced. This responsibility is fulfilled through the

diverse programs of the Department of Justice, and includes protecting Californians from fraudulent, unfair, and illegal activities.

Significant Adjustments:

- California Sexual Assault Registry—\$10 million General Fund to begin implementing Chapter 541, Statutes of 2017 (SB 384), which will replace the existing lifetime sex offender registration systems with a tiered registration system. This initial funding will enable the Department of Justice to develop the necessary information technology planning documents and begin updating the California Sex and Arson Registry System, as well as ancillary systems and the Megan’s Law website. Ongoing funding will be included in the 2019-20 Governor’s Budget to allow the Department to implement the new system by January 1, 2021, which will include staffing associated with new tiering, exclusion, and termination requests associated with SB 384.
- DNA Identification Fund Backfill—\$6 million General Fund on a one-time basis to backfill the decline in fine and fee revenues in the DNA Identification Fund. This funding will enable the Department of Justice to continue processing forensic evidence for client counties at existing levels.
- Bureau of Forensic Services Equipment Replacement—\$5.4 million General Fund on a one-time basis to replace critical forensic equipment within the Bureau of Forensic Services.
- Cybercrime Investigation Teams—\$5.4 million General Fund to establish two investigation teams to combat cybercrimes, white collar crimes, and human trafficking crimes.
- Cybersecurity Improvements—\$2.3 million General Fund to protect and secure information on the Department’s data and law enforcement networks throughout California. Specifically, this proposal provides additional resources for the Office of Digital Investigations and the Network Security Unit.
- Illegal Cannabis Enforcement—\$14 million Cannabis Tax Fund to create four investigation teams and one interdiction team to combat large-scale illegal cannabis activities, as referenced in the Statewide Issues and Various Departments Chapter.

STATE PENALTY FUND—LAW ENFORCEMENT TRAINING

To maintain critical law enforcement training programs, the May Revision restores proposed State Penalty Fund expenditure reductions included in the Governor’s Budget. Specifically, the Commission on Peace Officer Standards and Training and the Standards and Training for Local

Corrections programs are now proposed to be funded at their 2017-18 level. Because State Penalty Fund revenues continue to decline, the May Revision shifts the Standards and Training for Local Corrections program (\$17.3 million), administered by the Board of State and Community Corrections, to the General Fund. While protecting law enforcement training, this expenditure shift also provides relief to the State Penalty Fund and avoids the need to further reduce victims programs that have also experienced significant State Penalty Fund expenditure reductions in recent years.