

SUBCOMMITTEE NO. 5

Agenda

Senator Loni Hancock, Chair
Senator Joel Anderson
Senator Jim Beall



Thursday, March 3, 2016
9:30 a.m. or upon adjournment of session
State Capitol - Room 113

Consultant: Julie Salley-Gray

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ITEMS TO BE HEARD

5225 DEPARTMENT OF CORRECTIONS AND REHABILITATION

Effective July 1, 2005, the California Department of Corrections and Rehabilitation (CDCR) was created, pursuant to the Governor's Reorganization Plan No. 1 of 2005 and SB 737 (Romero), Chapter 10, Statutes of 2005. All departments that previously reported to the Youth and Adult Correctional Agency (YACA) were consolidated into CDCR and include the California Department of Corrections, Youth Authority (now the Division of Juvenile Justice), Board of Corrections (now the Board of State and Community Corrections (BSCC)), Board of Prison Terms, and the Commission on Correctional Peace Officers' Standards and Training (CPOST).

The mission of CDCR is to enhance public safety through safe and secure incarceration of offenders, effective parole supervision, and rehabilitative strategies to successfully reintegrate offenders into our communities.

The CDCR is organized into the following programs:

- Corrections and Rehabilitation Administration
- Juvenile: Operations and Offender Programs, Academic and Vocational Education, Health Care Services
- Adult Corrections and Rehabilitation Operations: Security, Inmate Support, Contracted Facilities, Institution Administration
- Parole Operations: Adult Supervision, Adult Community-Based Programs, Administration
- Board of Parole Hearings: Adult Hearings, Administration
- Adult: Education, Vocational, and Offender Programs, Education, Substance Abuse Programs, Inmate Activities, Administration
- Adult Health Care Services

The 2015 Budget Act projected an adult inmate average daily population of 127,990 in the current year. The current year adult inmate population is now projected to decrease by 0.2 percent, for a total population of 127,681. The budget year adult inmate population is projected to be 128,834, a 0.7 percent increase over the current year.

As of February 24, 2016, the total in-custody adult population was 127,304. The institution population was 112,927, which constitutes 135.2 percent of prison capacity. The most overcrowded prison is the Valley State Prison in Chowchilla, which is currently at 168.7 percent of its capacity. For female inmates, Central California Women's Facility in Chowchilla is currently the most overcrowded at 143 percent of its capacity.

The Governor's budget proposes total funding of \$10.5 billion (\$10.3 billion General Fund and \$300 million other funds) in 2016-17. This is an increase of approximately \$500 million (\$470 million General Fund) over 2014-15 expenditures. The following table shows CDCR's total operational expenditures and positions for 2014-15 through 2016-17.

**CDCR – Total Operational Expenditures and Positions
(Dollars in thousands)**

Funding	2014-15	2015-16	2016-17
General Fund	\$9,803,883	\$10,096,700	\$10,273,008
General Fund, Prop 98	15,018	18,843	19,185
Other Funds	63,144	63,205	63,775
Reimbursements	181,302	189,050	185,152
Recidivism Reduction Fund	14,679	28,609	-
SCC Performance Incentive Fund	-1,000	-1,000	-1,000
Total	\$10,077,026	\$10,395,407	\$10,540,120
Positions	52,647	53,344	54,071

Issue 1: Population Trends and Budget Overview

Governor's Budget. The budget proposes total funding of \$10.5 billion (\$10.3 billion General Fund and \$248 million other funds) in 2016-17. This is an increase of approximately \$500 million General Fund over 2014-15 expenditures.

CDCR Adult Institution Population – The adult inmate average daily population is projected to increase from 127,681 in 2015-16 to 128,834 in 2016-17, an increase of 1,153 inmates. This constitutes a slight decrease from the 2015-16 projection and a slight increase from the 2015 Budget Act's 2016-17 projection.

CDCR Parolee Population – The average daily parolee population is projected to decrease from 43,960 in 2015-16 to 42,571 in 2016-17, a decrease of 1,389 parolees. This is a decrease from the 2015 Budget Act projections.

CDCR, Division of Juvenile Justice (DJJ) Population – The DJJ's average daily ward population is increasing, when compared to 2015 Budget Act projections. Specifically, the ward population is projected to increase by 37 in 2015-16, for a total population of 714; and 42 in 2016-17, for a total population of 719.

Mental Health Program Caseload – The population of inmates requiring mental health treatment is projected to be 35,743 in 2015-16 and 36,825 in 2016-17. This is an increase of 571 and 1,653, respectively, over the 2015 Budget Act projections. The budget includes \$14.7 million General Fund for the staffing increases related to the population increase.

Background. Over the last several years, significant policy changes have affected people convicted of crimes and the number of individuals serving their sentences in the state's prison system. The following are among the most significant changes:

Public Safety Realignment. In 2011, the Legislature approved a broad realignment of public safety, health, and human services programs from state to local responsibility. Included in this realignment were sentencing law changes requiring that certain lower-level felons be managed by counties in jails and under community supervision rather than sent to state prison. Generally, only felony offenders who have a current or prior offense for a violent, serious, or sex offense are sentenced to serve time in a state prison. Conversely, under realignment, lower-level felons convicted of non-violent, non-serious, and non-sex-related crimes (colloquially referred to as "non-non-nons") serve time in local jails. In addition, of those felons released from state prison, generally only those with a current violent or serious offense are supervised in the community by state parole agents, with other offenders supervised by county probation departments. Responsibility for housing state parole violators was also shifted from state prisons to county jails.

In adopting this realignment, the Legislature had multiple goals, including reducing the prison population to meet the federal court-ordered cap, reducing state correctional costs, and reserving state prison for the most violent and serious offenders. Another goal of realignment was to improve public safety outcomes by keeping lower-level offenders in local communities where treatment services exist and where local criminal justice agencies can coordinate efforts to ensure that offenders get the appropriate combination of incarceration, community supervision, and treatment. For many,

realignment was based on the confidence that coordinated local efforts are better suited for assembling resources and implementing effective strategies for managing these offenders and reducing recidivism. This was rooted partly in California's successful realignment reform of its juvenile justice over the last 15 years and the success of SB 678 (Leno), Chapter 608, Statutes of 2009, which incentivized evidence-based practices for felony probationers through a formula that split state prison savings resulting from improved outcomes among this offender population.

Passage of Proposition 36. The passage of Proposition 36 in 2012, resulted in reduced prison sentences served under the Three Strikes law for certain third strikers whose current offenses were non-serious, non-violent felonies. The measure also allowed resentencing of certain third strikers who were serving life sentences for specified non-serious, non-violent felonies. The measure, however, provides for some exceptions to these shorter sentences. Specifically, the measure required that if the offender has committed certain new or prior offenses, including some drug, sex, or gun-related felonies, he or she would still be subject to a life sentence under the three strikes law.

According to the January 2016 status report to the three-judge panel, as of December 23, 2015, 2,168 inmates had been released due to Proposition 36.

Passage of Proposition 47. In November 2014, the voters approved Proposition 47, which requires misdemeanor, rather than felony, sentencing for certain property and drug crimes and permits inmates previously sentenced for these reclassified crimes to petition for resentencing. The Administration estimates that Proposition 47 will reduce the average number of state prison inmates in 2015–16 by about 4,700.

Proposition 47 requires that state savings resulting from the proposition be transferred into a new fund, the Safe Neighborhoods and Schools Fund. The new fund will be used to reduce truancy and support drop-out prevention programs in K-12 schools (25 percent of fund revenue), increase funding for trauma recovery centers (10 percent of fund revenue), and support mental health and substance use disorder treatment services and diversion programs for people in the criminal justice system (65 percent of fund revenue). The Director of Finance is required, on or before July 31, 2016, and on or before July 31 of each fiscal year thereafter, to calculate the state savings for the previous fiscal year compared to 2013-14. Actual data or best estimates are to be used and the calculation is final and must be certified by the State Controller's Office no later than August 1 of each fiscal year. The first transfer of state savings to the Safe Neighborhoods and Schools Fund will occur in 2016-17, after the Department of Finance (DOF) calculates savings pursuant to the proposition. Consequently, the budget does not reflect estimated 2015-16 savings related to Proposition 47.

The Administration estimates that initial savings for the first year of Proposition 47 will be \$29.3 million and on-going savings are currently estimated to be \$57 million per year.

Three-Judge Panel Population Cap. In recent years, the state has been under a federal court order to reduce overcrowding in the 34 state prisons operated by CDCR. Specifically, the court found that prison overcrowding was the primary reason the state was unable to provide inmates with constitutionally adequate health care and ordered the state to reduce its prison population to 137.5 percent of design capacity by February 28, 2016. (Design capacity generally refers to the number of beds CDCR would operate if it housed only one inmate per cell and did not use temporary beds, such as housing inmates in gyms. Inmates housed in contract facilities or fire camps are not counted toward the overcrowding limit.)

The changes discussed above, along with increased investment in rehabilitation funding and other sentencing changes allowed the state to meet its court-ordered population cap a year before the deadline. As of February 16, the state's prisons were at 135.2 percent of their design capacity, creating a buffer of approximately 1,900 beds.

CDCR's Updated Plan for the Future of Corrections: CDCR's *Updated Plan for the Future of Corrections* notes that the original blueprint significantly underestimated the inmate population. The original blueprint assumed an inmate population of approximately 124,000 as of June 30, 2017. The revised estimates suggest that the population will bottom out at 128,000 in June 2016, and will begin to rise, reaching 131,000 inmates by June 30, 2020. The report notes that it is this increased population that drives their request to maintain a higher capacity than assumed in the original blueprint. The new plan will be discussed in detail in the next agenda item.

Issue 2: CDCR's Updated Plan for the Future of Corrections

Governor's Budget. The budget proposes total funding of \$10.5 billion (\$10.3 billion General Fund and \$200 million other funds) in 2016-17. This represents a \$470 million increase over the 2015 Budget Act and a \$1.1 billion increase over 2012 Budget Act, when the original blueprint was approved. Specifically related to the original blueprint, the budget requests:

- Legislative authority to continue the use of in-state and out-of-state contract beds beyond the December 31, 2016 sunset date established by SB 105 (Steinberg) Chapter 310, Statutes of 2013.
- Continued operation of the California Rehabilitation Center, which was slated to be closed in The Future of California Corrections Blueprint and whose closure was assumed under the 2012 Budget Act.
- \$6 million General Fund to address critical repairs and deferred maintenance projects at the facility in Norco, California.

The specific details on many of the Administration's proposals related to the updated plan will be heard in future subcommittee hearings.

Background. In April 2012, CDCR released its blueprint detailing the Administration's plan to reorganize various aspects of CDCR operations, facilities, and budgets in response to the effects of the 2011 realignment of adult offenders, as well as to meet federal court requirements. The blueprint was intended to build upon realignment, create a comprehensive plan for CDCR to significantly reduce the state's investment in prisons, satisfy the Supreme Court's ruling to reduce overcrowding in the prisons, and get the department out from under federal court oversight. In the blueprint's introduction, the Administration stated:

Given the ongoing budget problems facing California it has become increasingly important to reexamine the mission and priorities of the corrections system. With dedicated funding directed to county governments to manage lower level offenders, realignment allows the state to focus on managing the most serious and violent offenders. And it allows counties to focus on community-based programs that better promote rehabilitation. Not only is this good corrections policy, but it also allows the state to achieve significant budgetary savings from a department whose share of General Fund expenditures had grown from 3 to 11 percent over the last 30 years.

As a result of the declining populations, the state will be able to save nearly half a billion dollars by closing the California Rehabilitation Center—one of its oldest, most costly, and inefficient prisons to operate—and ending contracts for out-of-state prison facilities. The savings contemplated in this plan will be attained by safely reclassifying inmates, housing inmates in facilities that are commensurate with their custody level, and working to reduce recidivism. Capitalizing on the opportunities created by realignment will create a safer, more effective correctional system, and allow the state to regain control of its prison system by satisfying federal court requirements.

Combining the actual budget savings with the avoided expenditures that would have been required without realignment, over a ten year span the state will have saved and avoided over \$30 billion in General Fund costs that may now be used to help balance the state budget or for other critical areas such as education and health care.

The Budget Act of 2012 and related trailer bills approved both funding augmentations and reductions associated with the blueprint and adopted necessary statutory changes. In addition, the Legislature made several changes to the blueprint to increase transparency and accountability, including creating a separate budget item for CDCR's rehabilitative programs and giving the Office of the Inspector General (OIG) oversight over the implementation of certain aspects of the blueprint.

In addition to an expectation of General Fund savings, the Legislature, in approving the blueprint and public safety realignment one year earlier, expressed concerns during budget hearings that the Administration had not provided a comprehensive plan designed to reduce the number of people either coming to prison for the first time or returning to prison. The Legislature and the federal court both signaled clearly to the Administration that the state could not grow its way out of this problem by simply increasing prison capacity. Furthermore, through budget hearings and discussions with the Administration the Legislature was reassured that if it approved the construction of infill facilities and allowed for in-state contracted prisons, once the new facilities were open, the state would not have added any new capacity, CDCR would close California Rehabilitation Center (CRC), and out-of-state inmates would return to in-state prisons.

SB 105 (Steinberg and Huff), Chapter 310, Statutes of 2013. Subsequent to the passage of the 2012 Budget Act, in September 2013, the Legislature passed, and the Governor signed, SB 105 to address the federal three-judge panel order, which required the state to reduce the prison population to no more than 137.5 percent of design capacity by December 31, 2013. SB 105 provided the CDCR with an additional \$315 million in General Fund support in 2013-14 and authorized the department to enter into contracts to secure a sufficient amount of inmate housing to meet the court order and avoid the early release of inmates, which might otherwise be necessary for compliance. The measure included sunset provisions allowing for contracted facilities until January 1, 2017. The measure also required that, should the federal court modify its order capping the prison population, a share of the \$315 million appropriation in Chapter 310 would be deposited into a newly-established Recidivism Reduction Fund.

Four years later, despite (1) the commitment made in the original blueprint, (2) an understanding between the Legislature and the Administration based on the original blueprint proposal and the discussions and hearings surrounding the approval of SB 105 that the approval of funding for more contract prison beds and the construction of three infill projects would not result in additional prison beds in the long-term, and (3) the state assumption in the blueprint that adopting the proposals through the 2012-13 budget would result in \$3 billion in savings per year, the 2016-17 budget proposes to spend over \$1 billion more than the state spent in 2011-12 (growing to over \$2.3 billion if the revenue shifted to counties for realigned felons is included). In addition, with the activation of new infill facilities this spring, the state will maintain 5,211 more beds than at the time of the blueprint.

CDCR's Original Blueprint and the Updated Blueprint

On January 20, 2016, the Administration released *An Update to the Future of California Corrections* to document why certain commitments made in the original blueprint did not materialize, and to establish new long-term priorities for CDCR. Below are key provisions that differ between the original and revised blueprint:

Original Blueprint: Higher Prison Population Estimates Than Projected in 2012. The original blueprint assumed that the prison population would continue on a downward trend. The blueprint projected a total population of 133,746 inmates as of June 2012. By the end of 2014-15 that population was projected to be 123,149. Of the 123,149 inmates, 117,565 were projected to be housed in adult institutions, with the remainder housed in fire camps or contract facilities; this would result in the state being at 142.3 percent of prison capacity.

- **Updated Blueprint.** One of the most significant revisions to the original blueprint is the population estimate. The updated plan notes that the original blueprint significantly underestimated the inmate population. The original blueprint assumed an inmate population of approximately 124,000 as of June 30, 2017. The revised estimates suggest that the population will bottom out at 128,000 in June 2016, and will begin to rise, reaching 131,000 inmates by June 30, 2020. The report notes that it is this increased population that drives their request to maintain a higher capacity than assumed in the original blueprint as discussed in more detail below.

Original Blueprint: \$3 billion in Savings Did Not Materialize. The Administration asserted that the blueprint would reduce state spending on adult prison and parole operations by \$1 billion in 2012-13, as a result of 2011 realignment. The plan estimated that these savings would grow to over \$1.5 billion by 2015-16, and assumed an ongoing annual savings of over \$3 billion. Over ten years, the blueprint projected a state General Fund savings of approximately \$30 billion.

- **Updated Blueprint.** Rather than achieving the ongoing annual savings of over \$3 billion per year over CDCR's pre-realignment budget envisioned in the original blueprint, the CDCR budget has consistently grown since the time of its adoption. The proposed 2016-17 budget for CDCR is approximately \$10.3 billion. In addition, the estimated realignment revenue for local community corrections (which would otherwise come to the state General Fund) is \$1.3 billion. This totals \$11.6 billion in spending on California's incarcerated felons. Prior to realignment, in 2010-11, the state spent approximately \$9.7 billion on incarcerated felons housed in state institutions and camps.

The revised plan details several areas where costs have risen in excess the assumptions made in the original blueprint. Specifically, increased employee compensation and retirement costs are estimated to consume about \$835 million in 2016-17. In addition, costs for the Correctional Health Care Facility (CHCF) have increased by approximately \$289 million. Along with those increases, the CDCR budget now contains \$430 million in lease-revenue bond payments per year (an increase of \$170 million over the 2012 Budget Act) related to the cost of constructing CHCF, Health Care Facility Improvement Projects, infill capacity, and construction grants provided for local jails. Finally, the report notes that 11,396 inmates remain in leased or contracted facilities that cost the state \$385 million per year.

Original Blueprint: No Elimination of Contracted Prison Beds. The department began sending inmates out-of-state when overcrowding was at its worst in 2007. At the time of the blueprint, there were more than 9,500 inmates housed outside of California. The blueprint projected that by 2014-15 there would be 1,864 inmates remaining in out-of-state contract beds and committed to ending all out-of-state contracts by 2015-16. Returning out-of-state inmates to in-state facilities was expected to save the state \$318 million annually. In addition, the blueprint assumed that as of June 30, 2016, there would only be 1,825 inmates in in-state contract beds.

- **Updated Blueprint.** The Administration proposes maintaining 4,900 inmates in out-of-state facilities in Arizona and Mississippi for the foreseeable future. As noted above, the Administration thinks that the higher than originally projected inmate population will require them to continue to need out-of-state capacity. However, the Administration also requires legislative approval to continue the use of out-of-state beds because the statutory language authorizing contract beds is scheduled to sunset.

In addition to out-of-state contracts, CDCR has increased utilization of in-state contract beds above the levels contained in the original blueprint. As noted above, there were approximately 5,600 inmates in in-state contract beds, including California City, as of January 20, 2016. The budget also contains trailer bill language extending the sunset date for in-state contract facilities and the lease of California City, all of which are due to expire on December 31, 2016. The draft trailer bill language proposes extending the sunset for all contract and lease facilities until December 31, 2020.

Original Blueprint: Makes Minimal Progress on Rehabilitation. The blueprint required the department to improve access to rehabilitative programs and place at least 70 percent of the department's target population (approximately 36 percent of the total prison population) in programs consistent with academic and rehabilitative needs. The blueprint further set June 30, 2015, as the completion date for reaching that goal.

Toward that end, the blueprint required the establishment of reentry hubs at certain prisons to provide intensive services to inmates as they get closer to being released. It also required the creation of enhanced programming yards, which are designed to incentivize positive behavior. For parolees, the blueprint increased the use of community-based programs to serve, within their first year of release, approximately 70 percent of parolees who need substance-abuse treatment, employment services, or education.

- **Updated Blueprint.** In the revised blueprint, the Administration notes that it fell short of reaching its target and has only reached 60 percent of the target population. Further, the department continues to count an inmate who shows up for only one day for a program toward meeting the goal of reaching their target. The Office of the Inspector General has consistently recommended that CDCR only count a person as having met the requirement when the person completes a program. Given CDCR's counting method, it is unclear how many people receive rehabilitative programming, either in the larger population or within their much smaller target population. The revised blueprint notes that CDCR is working with the Inspector General to revise their counting methodology and they acknowledge that the new methodology would take the department farther away from the original goal.

Original Blueprint: Successfully Increased In-State Prison Capacity. As noted above, the original blueprint required the return of all inmates who were being housed outside of California. In order to accommodate the return of those inmates and the closure of the California Rehabilitation Center (discussed below), the blueprint outlined a plan for increasing in-state prison beds through the modification of existing facilities and the construction of three new infill-projects.

The blueprint called for the construction of additional low-security prison housing at three existing prisons. The proposed projects would have capacity for 3,445 inmates under the 145 percent population cap proposed by the blueprint (design capacity of 2,376 beds) and would include space to permit the operation of inmate programs such as mental health treatment and academic programs. In addition, the blueprint called for the renovation of the DeWitt Nelson Youth Correctional Facility to house adult offenders. The facility would serve as an annex to the California Health Care Facility (CHCF) that was under construction in Stockton. Under the proposed 145 percent population cap, the DeWitt facility would have capacity for 1,643 lower-security inmates (design capacity of 1,133 beds). Finally, the blueprint proposed converting the Valley State Prison for Women into a men's facility and the conversion of treatment facilities at Folsom Women's Facility into dormitory housing.

- **Updated Blueprint.** The department has fully activated the DeWitt Annex at CHCF, with a design capacity of 1,133 beds. In addition, they anticipate the activation of the infill projects at Mule Creek State Prison and RJ Donovan State Prison later this spring. Those infill projects will add an additional 2,376 beds to the prison system. Combined, these projects approved through the blueprint, increase the state's prison capacity by over 4,807 inmates (under the current population cap of 137.5 percent).

The updated report, however, rather than reducing contract capacity or closing CRC (as discussed below) finds that CDCR has an on-going need for additional capacity. Specifically, the original blueprint assumed that the bed capacity at the end of 2015-16 and ongoing would be approximately 124,438 beds. In the updated plan, the Administration assumes there will be an on-going need for 133,054 beds, which is an increase of 8,616 beds.

Original Blueprint: Will Not Close the California Rehabilitation Center (CRC) in the Foreseeable Future. The blueprint assumed that one prison, CRC (Norco), would be closed in 2015-16. This planned closure was due to the fact that CRC is in need of significant maintenance and repair. In addition, the Administration proposed that the savings achieved from closing CRC would offset the costs of operating the new infill beds (mentioned above). This goal was revised by SB 105 which suspended this requirement pending a review by the Department of Finance and CDCR that will determine whether the facility can be closed.

The 2015-16 budget included statutory language requiring the Administration provide an updated comprehensive plan for the state prison system, including a permanent solution for the decaying infrastructure of the California Rehabilitation Center. In addition, state law provides legislative findings and declarations that, given the reduction in the prison population, the Legislature believes that further investment in building additional prisons is unnecessary at this time and that the California Rehabilitation Center can be closed without jeopardizing the court-ordered population cap.

- **Updated Blueprint.** The new blueprint is intended to fulfill the requirement in the 2015-16 budget that the Administration provide the Legislature with an updated comprehensive plan for the prison system. However, in the revised blueprint, the Administration maintains that they are unable to close CRC in the near future, but states that it remains committed to its

closure at an unspecified future date. The proposed budget also includes \$6 million in General Fund for critical repairs to the facility. In addition, the report states that the Administration will work with the Federal Healthcare Receiver to determine other physical plant improvements needed to improve health care access at the facility.

Achieved Standardized Staffing Levels. Realignment’s downsizing left the department with uneven, ratio-driven staffing levels throughout the system. The blueprint proposed adopting a standardized staffing model for each prison based on factors such as the prison's population, physical design, and missions. For the most part, prison staffing levels would remain fixed unless there were significant enough changes in the inmate population to justify opening or closing new housing units. In contrast, historically prison staffing levels were adjusted to reflect changes in the inmate population regardless of the magnitude of those changes.

- **Updated Blueprint.** The report notes that the department has fully adopted a standardized staffing model and no longer uses a staffing model based upon the size of the prison population. The 2016-17 budget includes resources for 23,151 correctional officers to provide security at all state-run institutions and camps. This is an increase of 1,099 over the number of correctional officer positions at the time of the original blueprint. A portion of this increase is due to the activation of California City, the California Healthcare Correctional Facility (CHCF) and the infill projects at RJ Donovan and Mule Creek. However, it is also important to note that in April 2012, when the blueprint was released, the prison population was close to 138,000 inmates. At its peak population of approximately 170,000 inmates, CDCR was budgeted for approximately 24,332 correctional officers.

**California Department of Corrections and Rehabilitation:
Summary of Institutions, Inmates and Correctional Officers**

Year ¹	Number of Institutions	Number of Conservation/Inmate Camps	Number of Inmates ²	Number of Correctional Officers	Inmate to Correctional Officer Ratio
2006-2007	33	42	173,000	24,332	7.1:1
2012-2013	33	42	138,000	22,052	6.2:1
2016-2017	35	43	129,000	23,151	5.6:1

¹ 2006-07 and 2012-13 population figures as of June 30. 2016-17 represents the average population projected in the Governor’s January budget.

² Totals rounded to the nearest 1,000.

Future Vision. CDCR’s updated plan includes a section on the department’s future vision. That section primarily discusses CDCR’s current investments in rehabilitation programming, safety, and security. For example, the plan discusses the type of education provided to inmates, including career technical education and community college. In addition, the plan discusses the creation of reentry hubs, the provision of substance abuse treatment, innovative programming grants, arts-in-corrections, the Cal-ID project, and many other efforts that have been introduced and promoted by the Legislature. In terms of safety and security, the plan mentions the department’s drug and contraband interdiction pilot and the cell phone signal blocking technology that has been implemented at 18 prisons over the last few years.

In terms of future planning, the report contains the following major new initiatives or expansions of existing efforts:

- A commitment to evaluating all levels of rehabilitation programming, including inmate education.
- A budget request for \$15.2 million General Fund to continue the expansion of substance use disorder treatment at all state institutions.
- A budget request for \$57.1 million General Fund to continue and expand community reentry facilities. The department currently has 220 beds and plans to expand to 680 beds during 2016-17. \$25 million of the funding is designated as incentive payments for local communities that allow long-term conditional use permits for community reentry facilities.
- The establishment of a pilot program for in-prison sex offender treatment for 80 inmates at the Substance Abuse Treatment Facility in Corcoran.
- A budget request to increase funding dedicated toward services directed at long-term offenders, including residential and support services for offenders who are being released after long sentences, specialized programming for long-term offenders, and the expansion of the offender mentor certification program to provide training for inmates to become mentors for drug and alcohol counseling. In addition, the department plans to create a pre-employment transitions program and a community transitional housing program dedicated to long-term offenders.
- To enhance safety, CDCR plans to begin installing video surveillance systems at Mule Creek State Prison and RJ Donovan Correctional Facility in order to evaluate the benefits of using video technology to improve safety and security in the prisons.

Legislative Analyst's Office (LAO) Recommendations Related to the Revised Blueprint.

Approve Extension of Contract Bed Authority. The LAO recommends that the Legislature approve the Administration's requested extension of authority to procure contract beds. The LAO notes that it is very likely that the Administration will need to continue utilizing contract beds over the next several years in order to maintain compliance with the prison population cap.

Reduce Prison Capacity by Closing CRC. The LAO recommends that the Legislature direct CDCR to reduce its prison capacity in order to achieve a reduced buffer of 2,250 in 2016-17. They further recommend that the Legislature direct the department to achieve this capacity reduction by closing CRC. The LAO estimates this approach would eventually achieve net savings of roughly \$131 million annually, relative to the Governor's proposed approach. These savings are achieved primarily from reduced costs to operate CRC but also include reduced debt service from avoided capital outlay costs that the LAO estimates would need to be invested in order to keep CRC open permanently. These savings would be somewhat offset by increased costs for contract beds needed to replace a portion of the capacity lost from the closure of CRC. The LAO also recommends that the Legislature reject the Governor's proposed augmentation of \$6 million for special repairs at CRC, as these repairs would be unnecessary if CRC is closed.

Questions for the Administration. The Administration should be prepared to address the following questions:

1. Please explain why the population projections in the original blueprint ended up being so significantly wrong.
2. Please provide an update on how you plan to address the Inspector General's ongoing concern that CDCR measures an inmate who shows up one day for programming toward meeting their target. Why isn't program completion the measure that you use?
3. Given the value of rehabilitation programming, both in terms of the health of an institution and in reducing recidivism, why is the department continuing to focus only on a fairly small subset of the inmate population when considering an appropriate target population?
4. In your revised plan, you mention the significant value of the innovative programming grants. If those grants have proven to be effective in expanding programming, why isn't there a proposal to continue providing those grants?
5. Restorative justice programs such as Guiding Rage into Power (GRIP) and Getting Out by Going In (GOGI), are showing positive results in terms of reducing recidivism. Have you considered formalizing their role in rehabilitation and reentry services for long-term offenders, much in the way you have with former volunteer arts programs through Arts in Corrections?

Staff Comment. During future hearings, the subcommittee will be discussing standardized staffing, community reentry and other alternative placements, and rehabilitative programming, in depth. In addition, the subcommittee will be conducting oversight on the treatment of Coleman inmate-patients, which constitutes a growing population within CDCR according to their updated blueprint.

The Prison Population Reduction and General Fund Costs Savings Envisioned in the Blueprint Have Not Materialized. The long-term plan for the state's corrections system was developed in the context of restructuring the prison system in response to realignment and the federal court's ongoing requirement that the state reduce its prison population to 137.5 percent of capacity. However, instead of reducing the state's investment in the correction's system, as promised by the blueprint, that investment continues to grow at a significant rate. Given that the Administration is asking the Legislature to disregard their original commitment to returning prisoners from out-of-state prisons and close CRC, the Legislature may wish to use this opportunity to reassess other agreements that were made in the context of adopting the blueprint-- including standardized staffing-- and consider alternative, sustainable, long-term solutions that will both reduce the prison population and limit General Fund costs associated with incarcerating large numbers of Californians for significant periods of time.

Alternative Custody Placements. The Legislature may wish to find ways of supporting and expanding the initiatives outlined in the "Future Vision" portion of the new plan, which includes system changes that have long been priorities of the Legislature. For example, the Legislature may wish to invest any capacity expansion in reentry programs in the community for both men and women. The budget includes \$32.1 million General Fund to continue and expand the male community reentry program. The state currently has space to house 220 men in community facilities during the last few months of their sentence, and budget proposes expanding that capacity to 680 community reentry beds.

Increase Evidence-Based Programming for Long-Term Offenders. The plan and budget include efforts to increase rehabilitation programming and services for long-term offenders who were previously serving life sentences but are now able to be released on parole due to recent statutory changes. The budget includes \$10 million in funding to increase rehabilitation treatment and services specifically for this long-term population. The Legislature may consider additional funding to provide evidence-based, restorative justice programming opportunities for this population in their last 12- to 24-months of incarceration.

In the last two years, the Legislature has provided \$5.5 million for innovative programming grants. The Recidivism Reduction Fund money has allowed volunteer groups which have demonstrated success in providing programs focused on offender responsibility and restorative justice principles to receive funding to expand their programs to underserved prisons. While this grant program has allowed for an increase in volunteer programming at certain institutions, the Legislature may wish to consider committing on-going funding to non-profit organizations which have successfully provided evidence-based restorative justice programming to life-term or long-term inmates. As these programs are shown to reduce recidivism and reduce institutional violence, an investment that incorporated these programs into the reentry programming provided to long-term inmates, would likely reduce recidivism and reduce the prison population.

Issue 3: Pew Research Center *Results First* Initiative**Panelists**

Sara Dube – Director, State Policy, Pew-MacArthur Results First Initiative, The Pew Charitable Trust

Ashleigh Holand – Manager, State Policy, Pew-MacArthur Results First Initiative, The Pew Charitable Trusts

Scott Kernan – Secretary, California Department of Corrections and Rehabilitation

Background. The Pew-MacArthur Results First Initiative, a project of The Pew Charitable Trusts and the John D. and Catherine T. MacArthur Foundation, works with states to implement a cost-benefit analysis approach that helps them invest in policies and programs that are proven to work. Since 2011, the Pew-MacArthur Results First Initiative has partnered with multiple states in this capacity. Among the states partnering with Pew are Texas, New York, Oregon, Massachusetts, and Wisconsin.

CDCR has recently begun working with Pew to begin a large-scale evaluation of the programs offered to CDCR inmates and parolees to best identify which programs are cost-effective and successful, and to prioritize and expand on effective, evidence-based programs based on the Results First analysis.

Four County Pilot Project. In California, Pew has already partnered with four pilot counties to evaluate the effectiveness of local correctional programs and policies. Those four counties are Fresno, Kern, Santa Barbara, and Santa Cruz. Since partnering with the Pew-MacArthur Results First Initiative in 2013, these California counties have used Results First to develop policies and programs to serve the realigned felon population and reduce recidivism.

Staff members from the Results First Initiative have worked closely with staff and leadership from each of the four counties to develop customized tools to help them identify and invest in effective programs that yield high returns. These tools and the Results First process enable leaders to catalog what programs they are operating, assess the evidence of these programs' effectiveness, and compare current and alternative programs based on their expected return on investment and the impact on key outcomes, such as reduction in recidivism.

The Results First staff also works with county leaders to use this information to inform budget and policy decisions. By implementing the Results First approach, each county has forged critical partnerships that encompass a wide range of criminal justice agencies, including offices of sheriffs, probation, courts, public defenders, district attorneys, and police, as well as other social service and health agencies. The counties have also formed cross-agency teams to gather, share, and analyze data to address common challenges of reducing recidivism and improving public safety.

Although there were some differences across counties, each followed the same general process in implementing the Results First approach. This process began with developing an inventory of currently funded programs that included information on each program's design, costs, capacity, and populations served. Next, the counties assessed the programs against the evidence base and built a customized benefit-cost model. Finally, policymakers have used these tools to help guide budget and policy decisions. The state-level program should operate in much the same way.