

SUBCOMMITTEE NO. 5

Agenda

Senator Nancy Skinner, Chair
Senator Joel Anderson
Senator Jim Beall



Thursday, May 18, 2017
9:30 a.m. or adjournment of session
State Capitol - Room 3191
PART A
Consultant: Julie Salley-Gray

Item

Department

5225 California Department of Corrections and Rehabilitation
Item 1 Transfer of Immediate and Acute Levels of Care from DSH to CDCR

Committee Action: Delay the transfer until stakeholders have met and agreed on key terms of the transition.

Vote: 3 – 0

Item 2 Proposition 57

Committee Action: Approve January proposal, related trailer bill as placeholder language, and the May Revision update. In addition, approve the following:

- Redirect \$5.5 million General Fund from the Administration's drug interdiction proposal to maintain on-going for restorative justice and offender responsibility long-term offenders programming.
- Redirect \$250,000 in CDCR General Fund savings from the rejection of the drug interdiction proposal to the Community Colleges Chancellors Office (CCCO) and require that the CCCO work with the Underground Scholars organization at the University of California at Berkley to replicate their existing program on community college campuses.
- Adopt draft placeholder trailer bill language requiring CDCR to establish and maintain a statewide memorandum of understanding with the federal Social Security Administration to allow inmates to apply for and receive social security cards and to allow the Administration to process SSI claims under the pre-release program. In addition, require the State Department of Social Services, on or before March 31, 2018, to request a waiver to allow for the pre-enrollment of otherwise eligible applicants to the CalFresh program up to one month prior to the applicants' reentry into the community from a county jail or the state prison.
- Adopt draft, placeholder trailer bill language to authorize a person who is committed to a state hospital after being found not guilty by reason of insanity to petition the court to have the maximum term of commitment reduced to what it would have been had Proposition 36

or Proposition 47 been in effect at the time of the original determination. The bill would require the petitioner to show that he or she would have been eligible to have his or her sentence reduced under the relevant proposition and to file the petition prior to January 1, 2021, or at a later date with a showing of good cause.

Vote: 2 – 1 (Anderson “no.”)

Item 3 California Medical Facility – Psychiatric Inpatient Program

Committee Action: Approve as budgeted.

Vote: 3 – 0

Item 4 Mental Health Crisis Beds

Committee Action: Approve funding for the 50-bed facility at the Richard J. Donovan Correctional Facility and reject the funding for the facility at the California Institution for Men.

Vote: 3 – 0

Item 5 Housing Unit Conversions

Committee Action: Approve the housing unit conversions as budgeted, the May Revision adjustments, and the proposed spring finance request.

Vote: 3 – 0

Item 6 Standardized Staffing Adjustments

Committee Action: Approve as budgeted.

Vote: 3 – 0

Item 7 Medical Parole/Compassionate Release/Elderly Parole

Committee Action: Adopt draft placeholder trailer bill language that achieves the following:

- Medical Parole
 - Clarifies that individuals being considered for medical parole can be cared for at home, if they have proper medical care and an appropriate residence with adequate care.
 - Expands eligibility for medical parole to inmates with a significant and permanent condition, disease, or syndrome resulting in the prisoner being physically or cognitively debilitated or incapacitated.
 - Requires that any inmates released on medical parole must have access to healthcare insurance either through Medi-Cal or another means.
 - Removes the requirement that the state cover all medical-related costs for the inmate.

➤ Creates a process by which any inmate released on medical parole, who is found to have inadequate housing or medical care will be returned to CDCR custody.

- Elderly Parole

➤ Establishes elderly parole in state statute allowing for parole for eligible offenders who are 60 or older, have served at least 20 years of the sentences, and who are deemed not to be a threat to public safety.

- Compassionate Release

➤ Expands compassionate release to all inmates who are suffering from late-stage dementia and who are medically incapacitated. Approval will be required from a judge in the county of the institution where the inmate is housed. In addition, requires an administrative action from the executive director of the Board of Parole Hearings or the Secretary of CDCR for an inmate to be eligible for consideration for compassionate release.

Vote: 2 – 1 (Anderson “no.”)

Item 8 Medication Management

Committee Action: Approve as proposed.

Vote: 3 – 0

Item 9 Population Adjustments

Committee Action: Approve the proposed adjustments. In addition, approve the following for the Division of Juvenile Justice (DJJ):

- Redirect \$500,000 in existing DJJ funding each year for three years to fund to innovative programming grants for the three DJJ facilities. Require the Division of Rehabilitative Programming to work with DJJ to award the three-year grants.
- Redirect \$300,000 in existing DJJ funding and add two permanent Community Resource Managers for DJJ – one in Ventura and one in Stockton.

Vote: 3 – 0

Item 10 Case Management Reentry

Committee Action: Expand the funding to \$5.8 million General Fund and 42 positions to expand the program to five additional counties.

Vote: 3 – 0

Item 11 Minor Capital Outlay

Committee Action: Approve as proposed.

Vote: 3 – 0

0250 **Judicial Branch**
Item 12 Veterans' Collaborative Courts Evaluation

Committee Action: Provide \$100,000 General Fund one-time as matching funds to \$100,000 in private funding for an independent evaluation of the effectiveness of veterans treatment courts.

Vote: 3 – 0

Item 13 San Diego County Courthouse Trailer Bill Language

Committee Action: Approve the proposed trailer bill language with a modification to prohibit any new detention facilities from being constructed on any of the parcels as draft, placeholder trailer bill language.

Vote: 3 – 0

0820 **Department of Justice**
Item 14 Agency Counsel Trailer Bill Language

Committee Action: Approve as draft, placeholder trailer bill.

Vote: 2 – 1 (Anderson “no.”)

Item 15 **Local Law Enforcement**
 Probation Chief Trailer Bill Language

Committee Action: Approve as draft, placeholder language and direct the Department of Finance, the Legislative Analyst's Office and staff to modify the language to address the concerns of juvenile justice advocates and to clarify that nothing in the language is intended to reduce county board of supervisors' authority over the probation department or to reduce the ability of probation departments to collaborate with other county partners.

Vote: 3 – 0

Item 16 Extradition Subsistence Rates Trailer Bill

Committee Action: Modify the language to establish that the reimbursement rate shall be the same for the inmates, wards, and fugitives as the person who is transporting the fugitive and approve as draft, placeholder trailer bill language.

Vote: 3 – 0

0280 **Commission on Judicial Performance**
Issue 1 State Audit - INFORMATIONAL/NO ACTION

[Note: The chair directed staff and the LAO to work with the commission, the state auditor, and the Joint Legislative Audit Committee to determine if there is any statutory fix needed to address concerns related to protecting confidentiality during audits.]