

SUBCOMMITTEE NO. 5

Agenda

Senator Laura Richardson, Chair
Senator María Elena Durazo
Senator Kelly Seyarto
Senator Aisha Wahab



Thursday, March 6, 2025
9:30 a.m. or Upon Adjournment of Session
State Capitol – Room 112

Consultant: Nora Brackbill

ITEMS FOR DISCUSSION.....	2
5225 Department of Corrections and Rehabilitation.....	2
Issue 1: Department Overview and Efficiency Reductions	2
Issue 2: Population Projections	6
Issue 3: Facilities and Infrastructure	11
Issue 4: Air Cooling Pilot Program	15
Issue 5: San Quentin Rehabilitation Center and the California Model	20
Issue 6: Food Costs	24
Issue 7: Public Safety Radio Replacement.....	26
ITEMS FOR COMMENT-ONLY	27
Issue 8: Continuation of Employment Leave Expansion	27
Issue 9: Technical Adjustments.....	27
Issue 10: Standardization of Postconviction Proceedings (AB 2483).....	28

Public Comment

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ITEMS FOR DISCUSSION

5225 DEPARTMENT OF CORRECTIONS AND REHABILITATION

Issue 1: Department Overview and Efficiency Reductions

Background. The California Department of Corrections and Rehabilitation (CDCR) is responsible for the incarceration of certain adults convicted of felonies, including the provision of rehabilitation programs, vocational training, education, and health care services. As of February 26, 2025, CDCR was responsible for an incarcerated population of 90,900 individuals¹. Most of these people are housed in the state's 31 prisons and 34 firefighting and conservation camps. CDCR also supervises and treats about 34,600 adults on parole, is responsible for the apprehension of those who commit parole violations, and operates one juvenile conservation camp.

The Governor's budget proposes total funding of \$13.9 billion (\$13.5 billion General Fund and \$365.4 million other funds) for the CDCR in 2025-26. The proposed spending level reflects a decrease of \$149 million (1 percent) from the revised 2024-25 level. This decrease primarily reflects expiration of previously authorized limited-term spending. These decreases are partially offset by various proposed augmentations, such as funding to address increased costs resulting from inflation and population caseload adjustments. The proposed \$149 million decrease does not reflect anticipated reductions associated with Control Sections 4.05 and 4.12 of the 2024-25 Budget Act or increases in employee compensation costs in 2025-26, because they are accounted for elsewhere in the budget. The proposed budget would provide CDCR with a total of about 60,000 positions in 2025-26, a decrease of about 475 (less than 1 percent) from the revised 2024-25 level.

Total Expenditures for Operation of CDCR

(Dollars in Millions)

	2023-24 Actual	2024-25 Estimated	2025-26 Proposed ^a	Change From 2024-25	
				Amount	Percent
Adult Institutions	\$12,809	\$12,450	\$12,236	-\$214	-2%
Adult Parole	702	694	728	34	5
Administration	914	787	818	31	4
Board of Parole Hearings	75	73	74	1	1
Totals	\$14,499	\$14,005	\$13,856	-\$149	-1%

^aDoes not reflect anticipated reductions associated with Control Sections 4.05 and 4.12 of the 2024-25 Budget Act or increases in employee compensation costs in 2025-26 because they are accounted for elsewhere in the budget.

Source: LAO²

¹ <https://www.cdcr.ca.gov/research/wp-content/uploads/sites/174/2025/02/Tpop1d250226.pdf>

² <https://lao.ca.gov/Publications/Report/4986>

Efficiency Reductions. The 2024 Budget Act directed CDCR to reduce its spending by \$392.1 million in 2024-25 and ongoing through efficiency reductions. The proposed budget reflects savings of \$267.6 million in 2024-25, \$185.8 million in 2025-26, and \$193.6 million ongoing. The amount of identified savings is around the statewide average of 2 percent³, and overall, the savings in the proposed budget are significantly lower than what was assumed in the enacted 2024-25 budget.

More information on the savings is provided below, and, as noted, some of these reductions will be discussed in more detail in later items.

- *Vacant Positions.* The proposed reductions reflect a reduction of \$14.2 million General Fund and 441.5 positions in 2024-25 and ongoing across various programs in conjunction with the elimination of vacant positions. However, the Administration has not provided information on the classifications or specific positions being eliminated, and indicated that more information will be provided at a later date.
- *Third Watch Yard Standardization.* The proposed budget reflects \$17.2 million General Fund in 2024-25, and \$25.2 million General Fund in 2025-26 and ongoing, to convert seven-day posts to five-day posts at institutions, deactivating third watch yard time to standardize five-day programming in the afternoon. Third watch runs from 2 p.m. to 10 p.m. daily, during which incarcerated individuals may have yard time or other activities. Eliminating staffing during third watch may limit recreation and yard time, although rehabilitative programming would still occur. Individual institutions have discretion to select which days, with the goal of having minimum disruption on programming that may be offered during this time.
- *Gatehouse Reductions.* The proposed budget reflects a reduction of \$11.8 million General Fund in 2024-25, and \$15.4 million General Fund in 2025-26 and ongoing, to reduce 93.9 positions and end the practice of physically staffing public entrances to the property at most institutions.
- *Division of Adult Parole Operations Redistricting.* The proposed budget reflects a reduction of \$1.2 million General Fund in 2024-25, and \$2.3 million in 2025-26 and ongoing, as part of the Division of Adult Parole Operations' redistricting plan, which will create efficiencies by aligning staffing with caseloads within geographic areas.
- *Training Refinements.* The proposed budget reflects a reduction of \$11 million General Fund in 2024-25, and \$22 million General Fund in 2025-26 and ongoing, related to the implementation of various nursing training efficiencies; \$347,000 ongoing associated with standardizing onboarding requirements and training for registry staffing; and \$285,000 ongoing to facilitate a more efficient delivery of leadership training, resulting in fewer trainings held throughout the year.

³ <https://lao.ca.gov/Publications/Report/4975>; https://dof.ca.gov/wp-content/uploads/sites/352/2025/01/2025-GB_Combined-Drill-Information-Final.pdf

- *Golden Legacy Contract Elimination.* The proposed budget reflects a reduction of \$5.9 million General Fund in 2024-25, and \$11.8 million General Fund in 2025-26 and ongoing, associated with phasing out a contract for medical parole. Patients utilizing this contract may be eligible for compassionate release pursuant to existing law, or returned to an institution inpatient bed, if appropriate. Of the individuals being served under this contract, 22 returned to prison, 23 had compassionate release, and 1 paroled. The Administration indicated that the institutional programs for memory care and palliative care are able to care for the population that returned to prison.
- *Integrated Substance Use Disorder Treatment (ISUDT) Program.* The proposed budget reflects a reduction of \$20.8 million one-time General Fund in 2024-25 consistent with projected savings associated with ISUDT Cognitive Behavioral Intervention services.
- *Hepatitis C Treatment Savings.* The proposed budget reflects a reduction of \$18.5 million one-time General Fund in 2024-25 for estimated reduced treatment costs driven by a reduction in projected patients.
- *Reduced Academy Levels.* The proposed budget reflects a reduction of \$6.2 million one-time General Fund in 2024-25 to adjust Academy levels to align with current operations.
- *Health Care Information Technology Reduction.* The proposed budget reflects a reduction of \$4.6 million one-time General Fund in 2024-25 related to delaying non-critical equipment purchasing and project implementation.
- *General Travel and Training.* The proposed budget reflects a reduction of \$95,000 one-time General Fund in 2024-25 to align with reductions in departmental staffing, class sizes, and Academy operation spending.
- *Various Other Reductions.* The proposed budget reflects various other efficiency measures, reversions, and General Fund reductions totaling \$2.3 million in 2024-25 and \$10.6 million in 2025-26 and ongoing. These changes include revising protocols for transporting incarcerated individuals to community facilities for emergency care, discontinuing IT contracts that are no longer necessary, eliminating lease space in Ontario, and reducing use of leased vehicles.

The following reductions will be discussed in more detail in later issues:

- *Housing Unit Deactivations and Facility Conversions.* The proposed budget reflects General Fund savings of \$39.2 million in 2024-25, \$82 million in 2025-26, and \$89.9 million in 2026-27 and ongoing reflecting various deactivations and housing unit conversions. See Issue 3 for more information.
- *Inmate and Ward Construction Revolving Account Reversion.* The proposed budget reflects a reversion of \$114 million one-time General Fund in 2024-25 previously appropriated for institution-wide roof projects. While replacing roofs remains a priority,

this figure represents funding for projects that have not yet begun. See Issue 3 for more information.

- *Elimination of the Council on Criminal Justice and Behavioral Health (CCJBH).* The proposed budget reflects a reduction of \$1.8 million ongoing (\$662,000 General Fund and \$1.1 million Behavioral Health Services Fund) associated with the elimination of the CCJBH. This will be discussed at a later subcommittee hearing.

Staff Comment.

Of the current year reductions, more than half comes from savings that CDCR would have realized with or without direction from the control sections, such as the \$114 million from delayed roof projects, \$20.8 million in ISUDT program savings, and \$18.5 million in Hepatitis C treatment savings, among other adjustments to match expenditure authority with current service and spending levels. CDCR also realized only about half of the anticipated ongoing savings, while other areas, such as higher education, are proposed to take much larger reductions. When considering the magnitude of reductions proposed for CDCR, as well as proposed new spending, the Legislature may want to consider how it will affect other Legislative priorities.

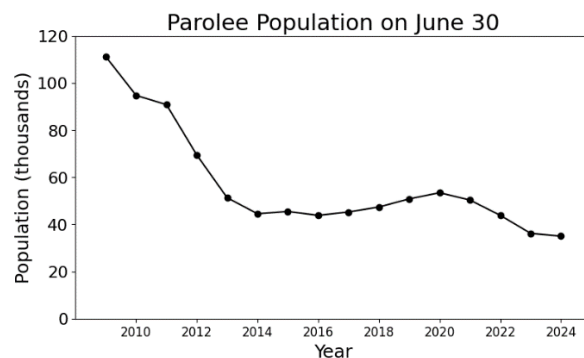
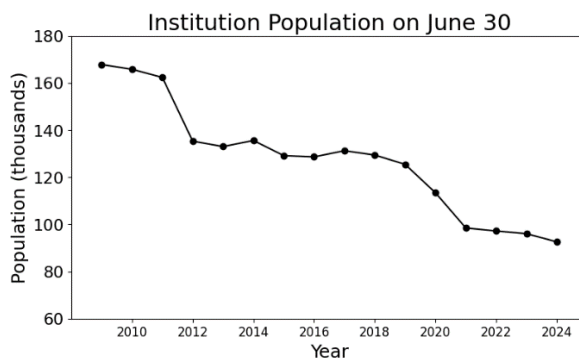
Staff Recommendation. Hold open.

Issue 2: Population Projections

Proposal. The proposed budget reflects the following:

- *Adult Institution Population.* The average daily adult incarcerated population for 2024-25 is projected to be 91,672, a slight increase as compared to spring projections. The population is expected to increase to 93,278 in 2025-26, largely due to the impacts of Proposition 36. However, the population is still projected to continue its long-term decline, and reach 90,988 in 2027-28.
- *Parolee Population.* The parolee average daily population is projected to be 34,940 in 2024-25 and 34,671 in 2025-26. The parolee population is expected to remain roughly stable, with a slight increase in the short term due to Proposition 36 and a long-term steady decline.
- *Current Year Funding Adjustments.* The proposed budget reflects a net increase of \$51 million, largely General Fund, in 2024-25, primarily due to both a higher total prison population and an increase in the portion of the population with high health care needs relative to what was assumed in the 2024-25 Budget Act. This increase in costs is partially offset by various factors, including lower-than-expected costs of providing naloxone upon release and free phone calls to people in prison.
- *Budget Year Funding Adjustments.* The budget proposes a net increase of \$81 million in adjustments in 2025-26. Similar to the current-year, this net increase is primarily due to both a higher total prison population and an increase in the portion of the population with high health care needs relative to what was assumed in the 2024-25 Budget Act. This increase in costs is partially offset by various factors, such as a projected decrease in costs related to the decline in the parole population.

Background. As shown below, the prison population has significantly decreased over the past twenty years in response to crime trends, litigation, policy reforms, the COVID-19 pandemic, and other factors. The total population has decreased nearly 50 percent from the peak in 2006. The parole population has also declined, reflecting the declining prison population, changes to parole terms, realignment, and other policy reforms.



Data from CDCR⁴

⁴ <https://www.cdcr.ca.gov/research/population-reports-2/>

Prison Overcrowding and the Three-Judge Panel. In October 2006, CDCR's population was 173,479, with prisons operating at more than 200 percent of design capacity⁵. In January 2010, a special three-judge court ordered California to reduce its prison population to 137.5 percent of design capacity within two years⁶. The ruling was part of a consolidated proceeding that included the plaintiffs of two major class action lawsuits related to access to healthcare: *Coleman v. Newsom*, which was filed in 1990 on behalf of all California state prisoners with serious mental illness, and *Plata v. Newsom*, which was filed in 2001 on behalf of all prisoners. Both lawsuits are still active today and have resulted in significant federal oversight of CDCR's healthcare system. The plaintiffs of those two cases believed that a remedy for unconstitutional medical and mental health care could not be achieved without reducing overcrowding. They moved their respective District Courts to convene a three-judge court empowered by the Prison Litigation Reform Act of 1995 to order reductions in the prison population. This decision was upheld by the Supreme Court of the United States in 2011.

In response, the state took steps to expand capacity and reduce the population and reached the 137.5 percent milestone in 2015. The state's response included:

- *Expanding Capacity.* CDCR expanded capacity in their health care facilities and utilized out-of-state, private, and local facilities. However, as the population declined, the state ended its use of these placements.
- *Public Safety Realignment.* In 2011, the responsibility for some offenders, primarily newly-convicted, low-level offenders without current or prior serious or violent offenses, was shifted from the state to counties, meaning those individuals served their sentences in county jails rather than state prisons.
- *Policy Reforms.* The state expanded credit-earning opportunities, created a parole consideration process for nonviolent, determinately-sentenced incarcerated persons who have served the full term of their primary offense in state prison, expanded medical and elderly parole, and made other significant sentencing reforms to reduce the amount of time individuals spend in state prison. Some of these were court-ordered changes and were enacted as part of Proposition 57 in 2016.

COVID-19 Impact. The COVID-19 pandemic contributed to a sharp decrease in the prison population over the past few years. This decline has been attributed to halted intake from county jails, expedited release and community supervision programs for individuals with non-violent offenses, and an initial decrease in crime during the lockdowns. CDCR also released people deemed at high risk medically for COVID-19 on a case-by-case basis.

In previous years, the Administration had projected a short-term increase in the prison population as intake from counties resumed and other pandemic impacts ended or ramped down. However, the population has not returned to expected levels. This may reflect changes in crime trends during the pandemic, more time served at the county level than anticipated, or other unknown factors.

⁵ <https://www.cdcr.ca.gov/news/2019/06/25/california-department-of-corrections-and-rehabilitation-exits-last-out-of-state-prison/>

⁶ <https://rbgg.com/news/coleman-plata-supreme-court/>

Other Changes to the Population. Although the overall prison population is declining, the population is aging, and CDCR has reported an increase in incarcerated persons with disabilities and accessibility issues. As of August 2021, over 11,000 people in CDCR’s facilities required disability accommodations. CDCR also has reported increasing numbers of individuals requiring treatment for substance use disorder and the Hepatitis C Virus, as well as other physical, mental, and behavioral health needs. The population-driven adjustments also reflected an increase in the portion of the population with high health care needs, relative to what was assumed in the 2024-25 Budget Act.

Population Projections. CDCR updates its population projections twice a year, in the fall and spring, based on projected changes in the prison and parole populations. The fall projections, with some adjustments based on recent legislation and other timely factors, are used to set the population-adjusted funding level for CDCR in the January Governor’s budget. The adjustments are made both on the overall population and various subpopulations (such as people housed in reentry facilities and sex offenders on parole). In addition, some adjustments include factors other than population trends, such as inflation adjustments. The Administration then modifies both types of adjustments based on updated information each spring as part of the May Revision.

Proposition 36. One of the major recent changes impacting CDCR’s population projections is the passage of Proposition 36 in November 2024, which was not accounted for in the fall 2024 population projections. The initiatives changes can be grouped into three general categories:

1. Creating a new “treatment-mandated” felony offense for repeat drug possession.
2. Increasing penalties and expanding sentencing enhancements for drug sale offenses, particularly those involving fentanyl.
3. Increasing punishment for certain thefts, including expanding California’s “petty theft with priors” offense.

By changing some misdemeanors into felonies, lengthening some felony sentences, and requiring specified felonies to be served in prison, Proposition 36 is expected to lead to an increase in the state prison population, compared to previous projections.

CDCR included an initial estimate of the impact of Proposition 36 on the state prison population in the January budget, although they anticipate refining that estimate for the May Revision. The estimated increase in institution population is 572 in the current year, 3,325 in the budget year, and 3,597 in the outyears. The estimated increase in parole population is 0 in the current year, 360 in the budget year, and 719 in the outyears.

Some of the changes included in Proposition 36 reverse previous changes made in Proposition 47 in 2014, so CDCR used admissions in 2013-14 (prior to Proposition 47) to inform their estimates, focusing on the following code sections:

- Health and Safety Code (HSC) 11350 - Possession Controlled Substance
- HSC 11377(a) - Possession Controlled Substance with Prior

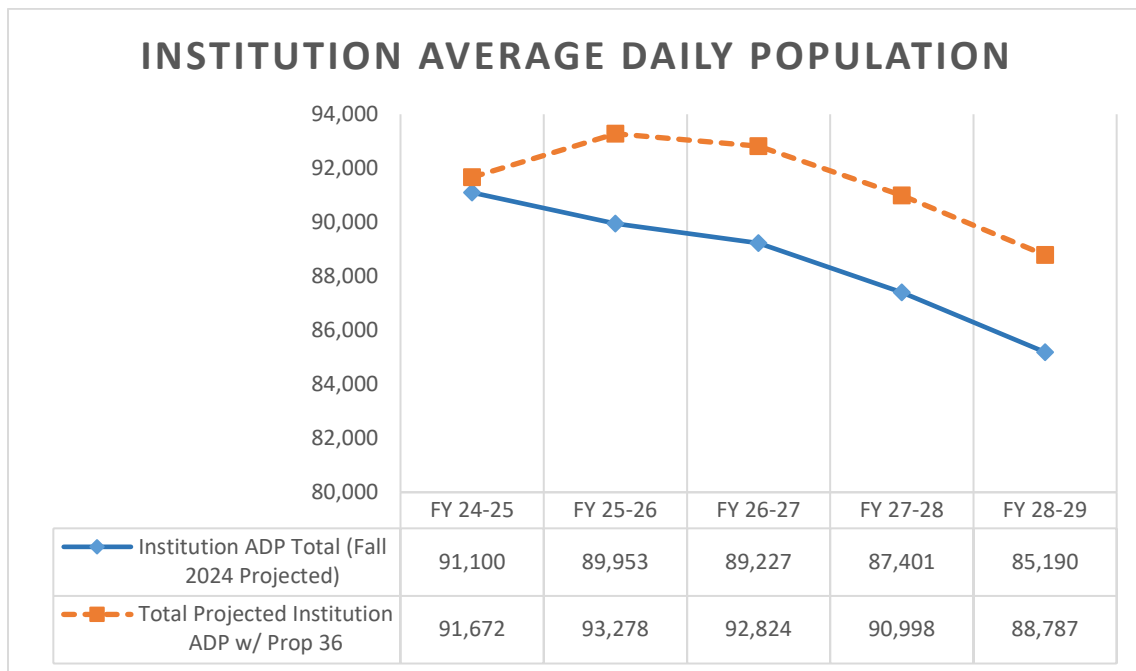
- Penal Code (PC) 484(a) - Grand Theft Property
- PC 487(a) - Grand Theft Exceeding \$950
- PC 496(a) - Receiving Stolen Property
- PC 666(a)(1) - Petty Theft with 3+ Prior Theft Related Convictions
- PC 666(b)(1) - Petty Theft with Prior Specified Offense.

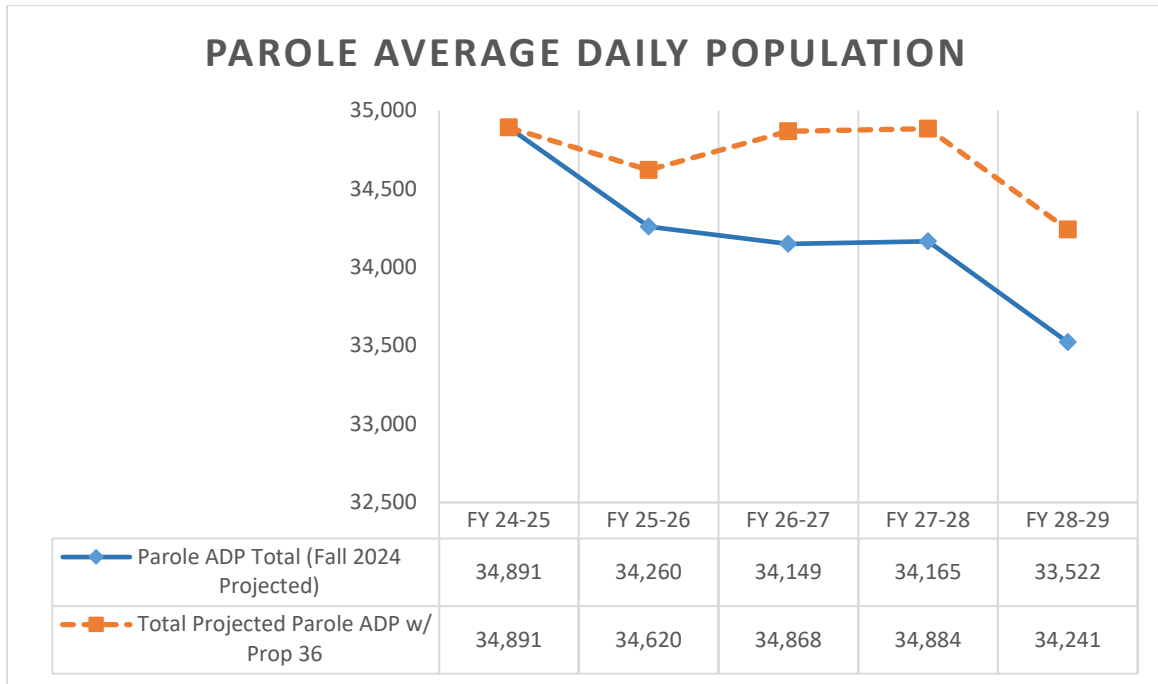
The estimate also relies on the following assumptions:

- Admissions beginning January 2025.
- Similar sentencing to pre-Proposition 47 penalties, less those with enhancements that are no longer valid.
- Current Good Conduct Credit earning rates.
- 11 month lengths of stay.

The Administration notes that the data available to estimate the impact of Proposition 36 is limited, and they anticipate adjusting the estimate at the May Revision and in the future as more information becomes available.

Projections. The projected institution and parole populations are shown in the following graphs. These include both the fall projections and the January budget projections, for comparison. Despite the projected increases due to Proposition 36, the population in 2027-28 is expected to be smaller than the current year population, due to the impact of previous policy changes that have led to long-term declines in the prison population.





LAO Comments and Recommendation.

The LAO identified flaws in the Administration's methodology that mean CDCR may be overbudgeted by millions of dollars in 2024-25 and tens of millions of dollars in 2025-26. Specifically, CDCR's estimates do not account for key features of the treatment-mandated felony, include some crimes that were not affected by Proposition 36, and exclude other crimes that were affected by Proposition 36. The LAO's estimates suggest that the average daily prison population impact of Proposition 36 could be in the low hundreds in 2024-25 and grow to around 1,000 or so in 2025-26—less than half of the magnitude of the Administration's estimates. However, any estimate at this early point in the implementation of Proposition 36 is subject to significant uncertainty. The LAO also notes that the Administration's assumption that Proposition 36 will impact the parole population in the budget year is not plausible. Accordingly, the LAO recommends directing the Administration to address these flaws at the May Revision.

Staff Recommendation. Hold open.

Issue 3: Facilities and Infrastructure

Proposal. The proposed budget reflects the following:

- Savings of \$900 million General Fund from previous facility closures and deactivations.
- General Fund savings of \$39.2 million in 2024-25, \$82 million in 2025-26, and \$89.9 million in 2026-27 and ongoing reflecting various deactivations and housing unit conversions that were part of the efficiency reductions.
- Reversion of \$114 million General Fund for roof repairs and replacements.
- \$23.1 million one-time General Fund in 2025-26 to complete accessibility improvements at six institutions.
- \$14.1 million General Fund for the California Health Care Facility, Stockton–Potable Water Treatment System; the Ironwood State Prison, Blythe–New Potable Water Wells; the Valley State Prison, Chowchilla–New Potable Water Wells; and statewide budget and planning.

Background. CDCR operates 31 state-owned institutions, 34 firefighting and conservation camps, and one local justice-involved youth camp. The average age of CDCR’s correctional facility portfolio exceeds 45 years, with approximately 31 percent of the portfolio exceeding 50 years of age. The oldest prison, San Quentin Rehabilitation Center, is over 150 years old. Historically, the resources necessary to maintain, repair, and replace aging equipment and structures have not been available, leading to a backlog of infrastructure needs and deteriorating buildings. Major ongoing capital outlay projects include improvements to healthcare spaces, roof replacements, accessibility improvements, general maintenance funding, expanding programming spaces, and improving energy efficiency. Many of these improvements are court-ordered and/or critical safety improvements.

In addition to aging infrastructure, CDCR must account for changes in the incarcerated population and in programming and services offered. As noted in the previous issue, although the overall population is declining, the population is aging, and the need for facilities that are accessible and have adequate medical spaces is essential. In addition, as will be discussed in Issue 5, an increased focus on programming has led to additional demands on space. These changes are impacting the facility needs of CDCR.

The Infrastructure Plan released with the Governor’s January budget includes \$102.1 million General Fund over the next five years for study funds and for seven projects that address critical fire and life safety upgrades. The 2025 Master Plan Annual Report, which includes information regarding significant future projects anticipated to be needed within the next 10 years at each of CDCR’s active institutions, identified a total of 179 projects with a total project value of \$3.3 billion⁷.

⁷ https://www.cdcr.ca.gov/fpcm/wp-content/uploads/sites/184/2025/01/2024_Master_Plan_Annual_Report-ADA-Final.pdf

Statewide Planning. The proposed budget includes \$500,000 to perform advanced planning functions and prepare budget packages for capital outlay projects. To perform these functions, previous Budget Acts have provided CDCR similar funding as requested here, including \$1 million in the 2022-23 Budget Act. Proposed provisional language is included with this appropriation limiting it to projects that meet both of the following two criteria: (1) the project being studied has not already received funding from the Legislature and (2) the project is being prepared for funding consideration in future Governor’s Budgets or five-year capital outlay plans.

Deactivated Facilities. Due to the long-term and significant declines in CDCR’s population over the past 15 years, the state has been able to close four prisons (three state-owned and one leased) and various other housing units and yards. Together, these closures have created savings of around \$900 million a year, and avoided capital and maintenance projects. In addition to the three state-owned prisons that have been deactivated, CDCR possesses various other vacant facilities, such as former Division of Juvenile Justice facilities. While in CDCR’s possession, they are operated in “warm shutdown mode”, with fire and life safety measures maintained and a minimal level of maintenance and repair activities to keep critical systems operable.

The 2024 Budget Act reduced the annual funding for maintenance of deactivated facilities by \$5 million, and required CDCR to provide a report detailing an inventory of all state-owned deactivated facilities, the functions currently being served by these properties, and the projected timelines for declaring them as surplus to the Department of General Services (DGS). CDCR is currently responsible for 12 deactivated facilities. Their statuses are below:

- Dueul Vocational Institution (DVI) in Tracy, California was deactivated on September 30, 2021. DVI was declared excess to the programmatic needs of CDCR in March 2022, existing bonds were defeased in October 2023, and it has been submitted for consideration for surplus to the Director of DGS.
- California Correctional Center (CCC) in Susanville was deactivated in June 2023 and Chuckawalla Valley State Prison (CVSP) was deactivated in October 2024. CCC and CVSP are both co-located and have shared infrastructure with other facilities (High Desert State Prison and Ironwood State Prison, respectively). CDCR is currently evaluating options to separate shared infrastructure needs. They are also both encumbered with lease revenue bonds, and cannot be sold until the State Public Works Board removes the encumbrance.
- N.A. Chaderjian Youth Correctional Facility and the O.H. Close Youth Correctional Facility are both in Stockton, and are co-located and have shared infrastructure with the California Health Care Facility. CDCR is currently evaluating options to separate shared infrastructure needs.
- The seven other former facilities have been declared as surplus to DGS and/or identified for other development (including affordable housing and energy generation).

CDCR/DGS Surplus Property Disposal Trailer Bill Proposal. The Governor’s budget also includes proposed statutory changes to streamline the disposal of CDCR property by DGS.

Specifically, it would allow DGS to sell, lease, exchange, or otherwise dispose of excess state real property under the jurisdiction of CDCR, with specified requirements related to the Department of Finance and the Joint Legislative Budget Committee. The proceeds would be available to improve the likelihood of successful redevelopment of the property.

Housing Unit Conversions and Deactivations. The proposed budget reflects various deactivations and housing unit conversions that were part of the efficiency reductions, including the following reductions:

- \$33.1 million General Fund in 2024-25 and \$65.5 million General Fund ongoing in 2025-26 and ongoing due to additional facility deactivations at four institutions (Calipatria State Prison, High Desert State Prison, North Kern State Prison, and Wasco State Prison).
- \$7.4 million General Fund in 2025-26, and \$15.3 million General Fund in 2026-27 and ongoing, to transition 180 beds at the California Health Care Facility from the Correctional Treatment Center level of care to Long Term Care to better align with the needs of the patient population.
- \$5.3 million General Fund in 2024-25, and \$7 million General Fund in 2025-26 and ongoing, to convert Restricted Housing Units to General Population at Corcoran State Prison.
- \$854,000 General Fund in 2024-25, and \$2 million General Fund in 2025-26 and ongoing, for the conversion of a Restricted Custody General Population unit to an Enhanced Outpatient Program unit.

Roof Replacement Program. CDCR's portfolio includes more than 3,000 buildings with approximately 30 million square feet of roofs in varying degrees of deterioration. When leaks and failures of these roof systems occur, CDCR is often forced to limit or cancel the activities in the buildings, which can include health care services, feeding, rehabilitative programming, and housing. To maintain CDCR's roof assets and facilitate continued operation of these critical functions, CDCR manages a statewide roofing program. Approximately \$450 million has been appropriated since 2017 for roof replacements at 14 institutions totaling approximately 8.7 million square feet that includes approximately \$136.5 million for approved roof projects at the California Institute for Men, California Medical Facility, and Richard J. Donovan Correctional Facility. In 2024, projects progressed at Calipatria State Prison; Central California Women's Facility; California State Prison, Corcoran; High Desert State Prison, California State Prison, Los Angeles County; California State Prison, Sacramento; California Substance Abuse Treatment Facility and Prison; and California State Prison, Solano.

The Administration is proposing to revert \$114 million of prior roof funding appropriations to the General Fund as part of the efficiency reductions. The Administration notes that while "replacing roofs remains a priority, this figure represents funding for projects that have not yet begun. CDCR will retain funding to prioritize the most urgent and critical needs, and additional roof replacement efforts will be considered in the future."

Accessibility. In response to litigation in *Armstrong* case, CDCR created the Disability Placement Program (DPP), a set of plans, policies, and procedures to ensure non-discrimination against incarcerated individuals with disabilities, consistent with the Americans with Disabilities Act (ADA). CDCR also completed accessibility plans for each of the 18 DPP-designated facilities, based on site assessments and identified deficiencies, which were last updated in January 2015.

CDCR has addressed approximately 65 percent of the identified accessibility deficiencies, and continues construction activities at multiple prison facilities. CDCR has received various augmentations to pay for these projects, including \$12.5 million in 2016-17, \$4.2 million in 2019-20 and in 2020-21, and \$22.2 million in 2022-23. In addition, CDCR receives \$1.9 million annually for maintenance and repair of accessibility features.

The 2025 Governor's budget includes a request for \$23.1 million General Fund for construction of additional ADA accessibility improvements at six institutions (California Institution for Men, California Institution for Women, Mule Creek State Prison, Pleasant Valley State Prison, Richard J. Donovan Correctional Facility, and California State Prison, Sacramento). Future funding requests to complete the required ADA projects are anticipated.

Water Infrastructure. The proposed budget includes the following water infrastructure projects.

Ironwood State Prison, Blythe: New Potable Water Wells. The proposed budget includes \$11.5 million to construct new groundwater wells to supply Ironwood State Prison in Blythe. This is a continuing project to address outages and failures of the existing wells. Funding was included in the 2021-22 Budget Act for preliminary plans and 2022-23 Budget Act for working drawings; however, the co-located Chuckawalla Valley State Prison was announced for closure on December 6, 2022, and this project was stopped to evaluate the impact. CDCR determined that the wells were still necessary to support Ironwood State Prison, but will move the location of one of the two wells to facilitate the eventual separation of the properties. CDCR is in the process of updating drawings to determine a better location for this well, and expects to remain within requested costs to address this change.

Valley State Prison, Chowchilla: New Potable Water Wells. The proposed budget includes \$1.2 million for the preliminary plans phase of a project to construct new ground water wells to supply Central California Women's Facility and Valley State Prison in Chowchilla. This is a new project, with an expected total cost of \$18.2 million, to address lowered groundwater levels in the aquifer in the Central Valley. Of the five wells serving the two institutions, two are fully operational, and two are active but restricted. There is also an ongoing project to address the high levels of arsenic and manganese from the existing wells, which is expected to be completed in 2026.

California Health Care Facility, Stockton: Potable Water Treatment System. The proposed budget includes \$982,000 for the working drawing phase of a project to construct a potable water treatment system at the California Health Care Facility (CHCF) in Stockton. This is a continuing project to address *Legionella* bacteria present in the water system at CHCF. CHCF purchases water from the City of Stockton, and stores it onsite.

Staff Recommendation. Hold open.

Issue 4: Air Cooling Pilot Program

Proposal. The proposed budget includes \$23.6 million General Fund in 2025-26 and \$45.4 million General Fund in 2026-27 for a pilot program to install and evaluate air cooling alternatives to improve indoor environments at Central California Women’s Facility in Chowchilla; California Medical Facility in Vacaville; Kern Valley State Prison in Delano; and California State Prison, Los Angeles County in Lancaster. A subsequent analysis of the alternatives used at the identified institutions will assist CDCR in developing a statewide effort to address the indoor temperatures.

Background. Many of the state’s prisons are in areas that experience high summer temperatures, including the eastern and southeastern deserts, Central Valley, Antelope Valley, and Inland Empire. Prisons are also not generally designed to reduce indoor temperatures. Materials like concrete absorb heat and continue to radiate even if outdoor temperatures drop. The layout of cells and housing units can also hinder air circulation, so additional measures may be needed to ensure cooled air reaches cells. While some areas of the prisons typically have air conditioning (e.g. medical and certain administrative areas), most housing units use evaporative cooling (a system that cools air through evaporation of water, sometimes called a “swamp cooler”), and most yards do not have shade. CDCR aims to keep indoor temperatures under 89 degrees Fahrenheit, though evaporative cooling is not always capable of meeting this standard.

A 2023 report by the UCLA Luskin School of Public Affairs and the Ella Baker Center for Human Rights noted that incarcerated individuals reported extreme heat as the most experienced climate hazard, and that many state prisons are in areas vulnerable to extreme heat⁸. During last summer’s heatwave, concerns were raised about conditions inside California’s prisons, and the potential for heat-stroke related deaths⁹. A 2024 study published in the journal Nature Sustainability found that from 2016 to 2020, California ranked third among states with the highest numbers of incarcerated people exposed to potentially hazardous heat days, behind Texas and Florida¹⁰.

CDCR has various policies intended to mitigate some of the negative effects of heat, some of which are a result of litigation. For example, people on psychotropic or other heat-risk medications are not housed in prisons located in heat-prone areas. CDCR also has staged plans that must be implemented when heat-risk incarcerated individuals are exposed to extreme high temperatures. Stage I alerts occur when outside temperatures reach 90 degrees, and remain in effect until temperatures fall back below 90 degrees. Stage II and III heat alerts are initiated when the inside temperature of a building housing heat-risk incarcerated individuals reaches 90 degrees and 95 degrees, respectively. For example, when indoor temperatures reach 90 degrees, staff initiate cooling and hydration procedures such as cool showers and misting, and perform increased observation of people with health conditions that make them particularly sensitive to heat. Staff may also move individuals to areas of the prison with better air cooling, such as medical areas.

Between May and October 2024, there were an average of 92 Stage I alerts, 15 Stage II alerts, and 3 Stage III alerts per institution. However, as expected, there is significant variation across institutions. For example, California Men’s Colony in San Luis Obispo had five Stage I alerts,

⁸ <https://ellabakercenter.org/wp-content/uploads/2023/06/Hidden-Hazards-Report-FINAL.pdf>

⁹ <https://www.sacbee.com/news/california/article289867299.html>; <https://www.latimes.com/california/story/2024-07-08/unprecedented-heat-wave-in-california-brings-death-fires-record-highs>

¹⁰ <https://www.nature.com/articles/s41893-024-01293-y>

three Stage II alerts, and no Stage III alerts. On the other end, California Rehabilitation Center in Norco had 42 Stage III alerts, where indoor temperatures exceeded 95 degrees.

Heat Risks. In hotter temperatures, the body must work harder to cool itself. When the body's temperature control system cannot do so, significant physiological problems can occur—such as fainting, nausea, muscle cramps, damage to vital organs, and in extreme cases, death. These problems can set in more quickly for people who take medications (such as diuretics, antihistamines, and many mental health medications) or have other health conditions (such as cardiovascular disease or diabetes) that impair their body's temperature control system. Risk of heat-related illnesses also increases as humidity rises. Moreover, use of portable electric fans in certain hot conditions can speed the onset of heat-related illnesses by blowing hot air on the body and increasing the heat stress that the body must respond to. In addition to its direct risks to health, heat may also limit productivity (such as in education classes) and some studies indicate it is correlated with violence and self-harm.

Indoor Heat Regulations. In July 2024, the Occupational Safety and Health Standards Board (OSHSB) approved a regulation requiring employers to take steps to protect workers from heat when indoor temperatures reach 82 degrees Fahrenheit, with additional requirements when temperatures reach 87 degrees Fahrenheit. Local and state correctional facilities were exempted from these regulations. However, OSHSB is in the process of developing an industry-specific regulation for workers in local and state correctional facilities. In addition, plaintiffs in an ongoing class action lawsuit related to prison medical care (known as *Plata v. Newsom*) have expressed concerns about extreme heat, suggesting that heat-related litigation is possible.

Proposed Resources. The Governor proposes \$23.6 million in 2025-26 and \$45.4 million in 2026-27 from the General Fund for a pilot program to install and evaluate three options to reduce indoor temperature in certain housing units at the Central California Women's Facility in Chowchilla; California Medical Facility in Vacaville; Kern Valley State Prison in Delano; and California State Prison, Los Angeles County in Lancaster. Specifically, the pilot would test:

- (1) mechanical cooling (such as air conditioning) only,
- (2) exterior thermal insulation only, and
- (3) mechanical cooling plus thermal insulation.

These options would be installed in four different housing unit design types that are common throughout the prison system. The department reports that it identified the cooling options through an engineering study of the existing infrastructure in these four housing unit types and what modifications would be capable of maintaining interior temperatures below 79 degrees. Based on this study, the department is expecting mechanical cooling and mechanical cooling plus insulation to meet this temperature goal. It expects thermal insulation alone to provide temperature reductions but acknowledges that it is not expected to meet the 79 degree threshold. However, because insulation is relatively quicker and less expensive to install than mechanical cooling, the department considers it worth piloting.

CDCR expects installation for the pilot to be completed in 2028-29 and intends to use the findings to inform a plan to cool facilities statewide. The pilot will also be used to inform standards and

policies related to temperatures and ventilation in living units. The timeline anticipates design completed by early 2026, insulation installed by July 2026, and air conditioning installed by September 2027. The 2025-26 cost of \$23.6 million reflects the insulation phase costs, and the 2026-27 cost of \$45.4 million reflects the air conditioning system phase costs.

LAO Comments.

Piloting Cooling Options Makes Sense. In view of the health and other risks posed by indoor heat as well as the likelihood that the state will face requirements related to indoor heat in prisons, it makes sense to proactively begin addressing the issue. In addition, piloting alternatives in four common housing unit design types is a reasonable step to inform a broader statewide strategy.

Department Has Not Provided a Detailed Plan to Evaluate Success. The department has not provided a detailed plan for how it would evaluate success in the pilot. For example, it has not described its plan for measuring temperature, such as whether it would use sensors located throughout housing units that continuously measure and transmit data or whether it would depend on staff to manually read and log temperatures. The department has also not specified the data to which it will compare the pilot sites. For example, it is unclear if it would compare pilot housing units to their own interior temperatures from previous years or if it would compare pilot housing units to data collected from other housing units over the same time period.

Systemwide Implementation Could Present Significant Challenges. While the exact scope of the problem is not clear, it seems likely that meeting the 79 degree goal statewide could be a major undertaking. Specifically, the LAO finds that statewide implementation could present the following significant challenges:

- *High Cost.* The department has not developed a cost estimate or time line to scale up air cooling because it intends to use the results of the pilot to inform its statewide strategy. However, our rough estimates suggest that the one-time installation costs to cool facilities statewide could total in the low billions of dollars. In addition, operation of mechanical cooling systems would increase ongoing utility costs. The department's engineering study estimates that the addition of mechanical cooling for facilities that previously have only included evaporative cooling will increase annual energy costs by \$77,000 to \$141,000 annually per building. If scaled up statewide, the LAO estimates that the increase in CDCR's energy costs could be in the tens of millions of dollars annually.
- *Additional Strain on Project Planning and Management Capacity.* The potentially high cost of installing air cooling statewide would be in addition to the roughly \$1.5 billion in other infrastructure projects that CDCR estimates it will need to pursue over the next decade to address issues related to safety (such as replacement of fire suppression systems) and critical infrastructure (such as kitchen renovations). Accordingly, introduction of air cooling projects alone could potentially double the volume of projects over this time period. This would put additional strain on CDCR's project planning and management capacity, which is concerning given that effective project planning and management is important for ensuring projects are completed in an efficient and timely manner.

- *Operational Considerations Could Limit Implementation Speed.* CDCR indicates that installation of mechanical cooling could cause operational disruptions to housing units during construction, though the details cannot be determined until design is complete. To the extent people need to be relocated to other housing units during construction, this would limit the number of projects that can be ongoing at any given time. This is because the more housing units that are under construction at a given time, the more people will become concentrated in the remaining housing units. Accordingly, to avoid overcrowding, the department would likely have to pursue statewide implementation in several construction stages, which could take many years to complete.

Legislature Needs Additional Information to Provide Ongoing Oversight. Given the serious health risks posed by extreme heat in prisons and the significant challenges that could come with systemwide implementation of air cooling, it is important that the Legislature has information necessary to provide oversight going forward. For example, it might make more sense to close, or even rebuild, a prison with particularly significant infrastructure problems rather than pay to repair and upgrade it. However, to make this decision, the Legislature would need information about the condition of the infrastructure and estimated costs and timelines to address it. In addition, the Legislature needs information about what other strategies—besides major infrastructure modifications—CDCR is considering to mitigate heat. This is important because the pilot will not be completed until 2028-29 and statewide implementation could take many years more. Accordingly, interim strategies to address heat are essential to mitigating health and litigation risks in the near term.

LAO Recommendations.

Approve Pilot. Given the health risks of extreme heat, the risks of heat-related litigation, and the reasonable approach to testing various air cooling alternatives proposed by the Governor, the LAO recommends approving the proposed air cooling pilot.

Require CDCR to Provide Evaluation and Statewide Strategy by January 10, 2031. The LAO recommends that the Legislature adopt trailer bill language requiring CDCR to provide an evaluation of the pilot by January 10, 2031 (a full year and a few months after the installation of the air cooling projects at the pilot sites is expected to be completed). To inform this trailer bill, the LAO also recommends directing CDCR to provide during spring 2025 budget hearings a clear plan for how it will evaluate success in the proposed pilot. In addition to the evaluation, the department should submit in the January 10, 2031 report a recommended statewide strategy for scaling air cooling in a timely and efficient manner. To the extent the strategy would involve deactivating housing units while air cooling is being installed, the report should discuss how CDCR would manage the impact to the prison population and employees. In addition, the report should include consideration of options to expedite construction.

Require CDCR to Provide an Interim Report by January 10, 2026 With Information Necessary for Legislative Oversight. The LAO recommends that the Legislature adopt budget bill language requiring CDCR to report by January 10, 2026 on the following:

- *Systemwide Monitoring.* The report should discuss the Administration's current capabilities and/or plans to collect statewide data on temperature, humidity, and the availability of electric fans in housing units as well as other areas of prisons that may also require cooling, such as kitchens. Such data would be useful for CDCR and the Legislature in determining how to prioritize deployment of future cooling interventions. For example, if fans are not authorized in certain units due to security reasons or physical plant limitations, it could make sense to prioritize these units to receive mechanical cooling.
- *Status of Existing Infrastructure.* For each housing unit in the state, the report should indicate (1) their design type, (2) their existing air cooling infrastructure (if any), and (3) how many days they exceeded 78 degrees over the past year (or similar available data).
- *Plan for Nontypical Housing Units.* For those housing units that are not one of the four common design types included in the pilot, the report should discuss the steps CDCR has taken and/or plans to take (such as conducting additional engineering studies) to identify cooling options for them.
- *Other Heat Mitigation Strategies.* The report should discuss other policies and/or practices CDCR has adopted or is considering to mitigate the effects of indoor heat in the near term. For example, these may include using portable air conditioning units, changing lightbulbs to LED, reducing humidity (such as by ensuring showers are properly ventilated), painting roofs to reflect solar radiation, modifying summer uniforms, creating cooling centers, or changes to policies for monitoring and responding to heat-related illnesses. In particular, the report should include a discussion of policies around electric fan usage, given that they can be helpful in some circumstances but increase risk of heat-related illness in others.

Staff Recommendation. Hold open.

Issue 5: San Quentin Rehabilitation Center and the California Model

Proposal. The proposed budget includes \$7.8 million General Fund in 2025-26 and \$13 million General Fund in 2026-27 and ongoing to increase staffing, add and expand rehabilitative programs, and provide staff training for the San Quentin Rehabilitation Center and the new Educational and Vocational Center.

Background.

San Quentin Rehabilitation Center (SQRC). On March 17, 2023, Governor Gavin Newsom outlined a vision to overhaul San Quentin with a new rehabilitation center focused on rehabilitation, education, and workforce development¹¹. On May 5, 2023, the Governor announced an advisory council to help guide the project¹², and funding was proposed in the May Revision and included in the final budget that year. The 2023 Budget Act provided \$360.6 million one-time Public Buildings Construction Fund and \$20 million one-time General Fund, which was adjusted to \$240 million and \$12 million respectively in the 2024 Budget Act. The budget also included statutory exemptions to enable project completion by 2025, as outlined in Senate Bill 135 (Committee on Budget and Fiscal Review), Chapter 190, Statutes of 2023.

The project includes the demolition of the former California Prison Industry Authority Warehouse Building 38 and design and construction of a new Educational and Vocational Center. The center is comprised of three primary buildings and various structures and facilities that support and/or are necessary for operation of the center. To accommodate the expansion of existing programs and provide space for new programs, the new center, which is planned for approximately 80,000 square feet, will include flexible classrooms, media and technology spaces, library space, counseling spaces, multi-purpose rooms, a store, a café, a central plaza with courtyard space or social gatherings, staff administrative offices, and restrooms for both staff and the incarcerated population. This project will also increase the amount of exterior gathering space available to the incarcerated population, which is relatively limited at San Quentin.

In September 2023, CDCR contracted with McCarthy Construction for the educational and vocational center project. The scope of the educational facility was established and recognized by the State Public Works Board on March 8, 2024. Demolition was completed and construction began in 2024, and the project is on track to be completed by December 2025. In addition, CDCR plans to use the \$12 million to renovate the upper yard, which previously contained individual exercise yards for condemned individuals.

Advisory Council. The recommendations of the Advisory Council were released in a report in January 2024¹³. The report cited three key principles: focusing on reentry, normalizing the environment, and establishing a correctional culture focused on rehabilitation. The report included 10 lead recommendations and 44 specific recommendations in the following categories:

- Creating clearer and more coordinated rehabilitation and reentry pathways.
- Expanding programming.

¹¹ <https://www.latimes.com/world-nation/story/2023-03-17/california-will-remake-san-quentin-prison-emphasizing-rehab>

¹² <https://www.cdcr.ca.gov/blog/san-quentin-state-prison-transformation/>

¹³ https://www.cdcr.ca.gov/wp-content/uploads/2023/06/FINAL-San-Quentin-Report_1.3.24.pdf

- Debt reduction.
- Updating staff training and improving resources and conditions for staff.
- Improving facilities and conditions for the residents.
- Strengthening family and community engagement.

Two notable recommendations included reducing the population from 3400 to 2400 to end double-celling, and redirecting at least one-third of the funding from Building 38 to upgrade the campus and normalize the environment. As noted above, the size of the capital outlay project was reduced last year (although the funding was not redirected, as bond funding is limited to specific uses). In addition, CDCR has indicated that they intend to operate both San Quentin and Central California Women's Facility at design occupancy. For San Quentin, this means largely single-cell occupancy. The Administration noted that this is reflective of current population levels, and they do not intend to move people to accomplish this.

California Model. On April 4, 2023 the Secretary of CDCR and the federal Receiver who oversees prison medical care issued a joint memorandum expressing their concern that prison environments can be unfavorable to the health and well-being of the people who live and work in them and operate at cross purposes to rehabilitative efforts. To address this concern, they announced that CDCR is implementing the California Model, which aims to make “system changes that create an environment rich in rehabilitation, a safer and more professionally satisfying workplace for all staff, and improve outcomes and opportunities for success through robust re-entry efforts.” More specifically, the memorandum cited the following goals: (1) improving the health and well-being of people who live and work in California prisons, with a focus on reducing trauma and toxic stress; (2) reducing recidivism; and (3) reducing incidents of use of force, staff assaults, overdoses, self-harm, homicides, suicides, grievances, self-isolation, and admissions to Mental Health Crisis Beds. In addition, the memorandum outlined four pillars intended to guide development of specific policy and practice changes:

- *Dynamic Security.* Dynamic security is an approach to security that promotes positive relationships between staff and incarcerated people through purposeful activities and professional, positive, and respectful communication.
- *Normalization.* Normalization involves bringing life in prison as close as possible to life outside of prison to make it easier for people to adjust to life in the community upon release. Normalization can involve changes to physical features (such as adding furniture that more closely mirrors furniture used outside prison) or changes to experiences, routines, or interactions (such as celebrating cultural events).
- *Peer Support.* Peer support involves training incarcerated people to use their lived experiences to provide recovery and rehabilitative support to their peers.
- *Trauma Informed Organization.* Becoming a trauma informed organization involves changing the practices, policies, and culture of the department to recognize the impacts of trauma and ensure the physical and emotional safety of all staff and incarcerated people.

So far, aside from SQRC, California Model activities include implementing resource teams (composed of officers with specialized training on mental illness and trauma, de-escalation techniques, and rehabilitative programming), peer support specialist programs, honor dorms, staff training, and normalization efforts. For example, each institution was given a small grant (\$15,000) to use to promote wellness and morale. Institutions used this in a variety of ways, such as landscaping, refurbishing exercise equipment or areas, installing shade sails or planting trees, and improving visiting areas. New staff trainings include dynamic security, an active bystander refresher, principles of the California Model, and trauma-informed organizations.

Proposed Resources. The Governor proposes a total of \$7.8 million General Fund and 33.6 positions in 2025-26 (increasing annually to \$13 million and 74.4 positions by 2027-28) to (1) activate the new learning center, (2) contract with the American Job Center of California (AJCC), and (3) make various programmatic enhancements, outlined below.

- *Activate the New Learning Center (\$6.2 Million Ongoing by 2027-28).* The proposal includes \$3 million in 2025-26 (growing to \$6.2 million in by 2027-28) to support the operation of the new learning center. At full implementation, this would include 24.8 custody positions, 8 plant operations positions, 5 information technology positions, 2 librarian positions, and 1 position to support community engagement (such as by processing security clearances for volunteers to enter the prison).
- *Contract With AJCC (\$200,000 Ongoing).* The proposal includes \$200,000 ongoing to partner with AJCC, which provides one-on-one career counseling and job placement assistance for people nearing release from prison. The proposal assumes AJCC would assist approximately 1,200 people at SQRC annually.
- *Make Various Programmatic Enhancements (\$6.6 Million Ongoing by 2027-28).* The proposal includes \$4.6 million in 2025-26 (growing to \$6.6 million by 2027-28) to make the following expansions to custody staffing and rehabilitative programming capacity:
 - *Provide Additional Custody Staff for Existing Areas of the Prison.* The proposal includes 21.6 custody positions, which would be assigned to housing units to engage with residents to build trust, rapport, and help them navigate rehabilitative opportunities at the prison.
 - *Expand Basic and Secondary Education Capacity.* The proposal includes eight teacher positions, which would allow CDCR to expand basic and secondary education capacity by 432 students, roughly doubling capacity.
 - *Establish Bachelor's Degree Program.* The proposal includes funding and two positions to contract with a college to establish a bachelor's degree program at SQRC to serve 140 students at full implementation. This would be in addition to two existing associate degree programs currently offered at SQRC. CDCR currently has bachelor's degree programs at 10 other prisons with a total of about 400 students.

- *Establish Electrical and Barbering/Manicurist Training Programs.* The proposal includes two positions and funding for start-up costs to establish two new career technical education (CTE) programs—serving a total of 54 new students—in the space that will be vacated by existing rehabilitative programs that are relocated to the new learning center. The Administration indicates that it selected electrical and barbering/manicurist programs based on employment trend data. Current CTE programs at the prison are plumbing, painting, and machine shop and can serve a total of 81 students.

LAO Comments.

The LAO finds that the resources to activate the new building and the AJCC contract appear reasonable. However, the LAO notes that the Administration has not developed a clear plan for SQRC, and is still in the process of reviewing the Advisory Council’s recommendations and engaging key stakeholders. The LAO notes that the Administration has not (1) determined which pieces of the advisory council’s vision it wants to pursue; (2) prepared a strategy and specific action plan to pursue that vision; or (3) vetted the plan with key stakeholders, many of whom will be critical to implementing it.

Therefore, the LAO finds that it is premature to approve the remainder of the request until the SQRC planning process has been completed. Specifically, the LAO mentions custody staff not associated with the new learning center, the basic and secondary education expansion, the new Bachelor’s degree program, and the new electrical and barbering/manicurist training programs as resources that may be premature to approve.

The LAO also finds that key questions remain unanswered for the California Model as a whole. Without answers to these questions, it is difficult for the Legislature to provide oversight over the development and implementation of the California Model, and evaluate any future funding requests. Open questions include how progression through the system is envisioned, the role of SQRC in the envisioned progression, how the vision should be implemented, what success means, and how success should be measured and evaluated.

LAO Recommendation.

The LAO recommends that the Legislature approve the resources to activate the new learning center and contract with AJCC, and reject the remaining resources, unless the Administration can provide a clear plan for SQRC justifying them. In addition, the LAO recommends requiring the Administration to report on key unanswered questions about the California Model.

Staff Recommendation. Hold open.

Issue 6: Food Costs

Proposal. The proposed budget includes \$37.1 million General Fund in 2025-26 and \$32.1 million General Fund in 2026-27 and ongoing to accommodate increased food costs and fulfill the requirements of AB 778 (Eduardo Garcia), Chapter 576, Statutes of 2022.

Background. CDCR provides a statewide standardized menu, designed to meet nutritional standards, for all institutions and facilities (except for the California Health Care Facility, due to their medical mission). CDCR also accommodates religious and vegetarian dietary restrictions, as well as other special dietary needs, such as providing higher-calorie meals while serving in fire camps.

CDCR is budgeted for meals on a per incarcerated person per day basis. The last funding adjustment occurred in the 2021 Budget Act, a \$0.22 rate adjustment to implement a healthier menu, which brought the funded rate to its current \$3.40 per incarcerated person per day. As part of this menu, CDCR provides an average of 16 servings of fresh produce per week. CDCR also purchases almost half of its food from the Prison Industry Authority, which sources foods and assembles some meals.

Resource History
(Dollars in thousands)

Program Budget	2020-21	2021-22¹	2022-23	2023-24	2024-25
Enacted Budget ADP	118,154	104,678	101,491	91,469	89,404
Funded Rate	\$3.18	\$3.38	\$3.40	\$3.40	\$3.40
Authorized Expenditures	\$137,141	\$129,021	\$125,950	\$113,513	\$110,950
Actual/Projected ADP	96,244	96,845	94,720	92,810	89,404
Actual Rate	\$3.82	\$3.93	\$4.51	\$4.31	\$4.20
Actual Expenditures	\$134,196	\$138,973	\$155,908	\$146,020	\$137,056
Surplus/Deficit	\$2,946	\$(9,952)	\$(29,957)	\$(32,507)	\$(26,106)

¹ Funding for the Healthy Menu BCP appropriated as a base funding adjustment in the 2021-22 Governor's Budget.

California-Grown. AB 778 (Eduardo Garcia), Chapter 576, Statutes of 2022 requires that at least 60 percent of the agricultural good products purchased by state institutions are grown or produced in state, effective December 31, 2025. "Agricultural food products" include "any fresh or processed food product including, but not limited to, fruits, nuts, vegetables, herbs, mushrooms, dairy, shell eggs, honey, pollen, grains, livestock meats, poultry meats, rabbit meats, and fish, including shellfish". Prior to AB 778, institutions were required to purchase agricultural products grown, produced, or packaged and processed in California if the cost did not exceed 5 percent of the lowest out-of-state bid, and the products were comparable, pursuant to AB 822 (Caballero), Chapter 785, Statutes of 2017.

Proposed Resources. The Governor's budget reflects the following proposals:

- \$32.1 million General Fund in 2025-26 and ongoing to accommodate rising food costs, equivalent to \$4.45 per person per day (increased from \$3.40 per person per day).

- \$5 million General Fund one-time, equivalent to an additional \$0.15 per person per day, to account for initial cost escalation associated with California-grown products. CDCR is working on sourcing local food, and initial cost estimates are still preliminary. CDCR expects to request ongoing funding in the future, once more is known about the costs of implementation.
- A methodology change to disassociate the funding from the population-driven Unallocated Standard Adjustment, and instead augment the current level of funding using a three-year average feeding rate, plus an inflation calibration based on the California Consumer Price Index, to better match CDCR's actual expenditures.

Staff Comment.

Staff notes that a lack of high-quality, palatable food is a common issue raised by incarcerated individuals at institutions across the state. A 2020 nationwide study by Impact Justice, which included visits to and surveys at California institutions, said that 94 percent of the incarcerated individuals surveyed reported not having enough food to feel full¹⁴. The People in Blue, a group of incarcerated individuals formed at San Quentin with the goal of providing lived-experience input on the California Model reforms, have identified healthy food and nutrition as one of their top priorities, noting that “the quality of the incarcerated populations’ food servings has gradually decreased in nutrition, flavor, and portion size until it is now woefully inadequate for good physical and mental health.”¹⁵ A lack of quality food can contribute to food waste at institutions, and force individuals to rely on purchasing supplemental food from the canteen, which may be marked up by up to 35 percent. Nutrient deficiencies can also contribute to other physical, mental, and behavioral issues. Studies have shown that improving prisoners’ nutrition can reduce incidents of violence by 30 percent on average¹⁶. While the resources requested in this proposal may be reasonable, the Legislature may want to consider how to improve the quality of food in institutions across the state.

Staff Recommendation. Hold open.

¹⁴ <https://impactjustice.org/wp-content/uploads/IJ-Eating-Behind-Bars.pdf>

¹⁵ <https://thepeopleinblue.home.blog/wp-content/uploads/2023/06/35973-thepeopleinblue-preliminaryfinalreport.pdf>

¹⁶ <https://www.sciencefocus.com/the-human-body/prison-food-nutrition-violence-mental-health>

Issue 7: Public Safety Radio Replacement

Proposal. The proposed budget includes \$19.8 million ongoing General Fund to replace and update existing radio and communications equipment.

Background. CDCR operates 30 radio systems statewide, and approximately 15,500 radios (i.e. hand-held portables, emergency vehicle mobiles, remote stations, consolettes, and base stations). Radios are used by CDCR staff for both daily operations and emergency incidents. Inside the institutions, staff use radios to communicate. Fire camps use radios to coordinate with other emergency responders during fire events. Parole agents also use radios during their field work.

Law enforcement radio communications are overseen by the California Office of Emergency Services (Cal OES). Cal OES is currently in the process of expanding the California Radio Interoperable System, which allows interoperable communications during emergencies between first responders from different agencies, and with the 9-1-1 system. CDCR's radio system enables this interoperability, communication, and coordination with other law enforcement agencies. Other technologies, such as pagers, satellite phones, and cellular devices, do not meet communication requirements and interoperability for routine, critical, or emergency response.

Currently, 98 percent of the Department's radio equipment is past its lifecycle and is operating beyond the recommended operational cycle by multiple years. Most of the radio equipment is not supported by the manufacturer and replacement parts are no longer available, which has been noted by both the manufacturer and Cal OES, who is tasked with repairing CDCR's radios. In addition, some of the equipment is not able to be used for communicating with other law enforcement agencies due to its age. The Administration notes that during mutual aid assistance and critical incidents, CDCR staff have had to borrow radios from other law enforcement agencies.

Previous Resources. In 2018-19, CDCR was approved one-time funding of \$32.9 million to replace the radio system and equipment. However, much of the radio equipment CDCR purchased with these funds has already surpassed its useful life. The 2018-19 BCP also did not include ongoing resources to maintaining the system over time.

Proposed New Resources. This proposal requests funding for an eight-year replacement cycle, which will enable CDCR to replace approximately 12.5 percent of its radio equipment inventory each year. The project will prioritize radio replacement by age, criticality, and risk of failure.

Staff Recommendation. Hold open.

ITEMS FOR COMMENT-ONLY

These items will not be presented, but the Department of Finance and the Legislative Analyst's Office are available to answer questions from the subcommittee members. Public Comment may be provided on these items.

Issue 8: Continuation of Employment Leave Expansion

Proposal. The proposed budget includes 15 positions and \$2.2 million General Fund in 2025-26 and ongoing to meet the demonstrated workload increase associated with employment leave criteria expansion that authorizes an employee to take leave to care for a “designated person,” as established and defined by AB 1041 (Wicks), Chapter 748, Statutes of 2022.

AB 1041 expanded the definition of individuals for whom an employee can leave to care for to include any individual related by blood or whose association with the employee is the equivalent of a family relationship. The 2023 Budget Act provided \$1.9 million General Fund and 13 limited-term positions in 2023-24 and 2024-25 to comply with the requirements and enable CDCR to gather data on impact of the change. The 2023 BCP was based on receiving 22,500 requests annually, and CDCR will receive an estimated 24,000 requests in 2024.

Staff Recommendation. Hold open.

Issue 9: Technical Adjustments

Proposal. The proposed budget includes net-zero realignment of budget authority within CDCR programs and \$7,000 to correct miscoding related to the Department of Juvenile Justice closure. This includes the following permanent realignments:

- \$3.6 million and 23.0 positions from Program 4550 (Division of Adult Institutions) to Program 4500 (Support Services). This realignment will consolidate the Department's Public Records Act request process under the newly created Office of Public Records (OPR). OPR is a new unit which centralizes the oversight of all Public Records Act and Information Practices Act requests received by CDCR, including court-ordered document requirements.
- \$920,000 and 5.1 positions from Program 4540 (Facility Operations) to Program 4530 (Adult Corrections and Rehabilitation-General Security). This realignment is necessary to fix the erroneous coding of Correctional Officer positions in the 2024-25 Chuckawalla Valley State Prison Warm Shutdown BCP.
- \$770,000 and 6.0 administrative positions, as well as \$350,000 in recruitment resources from Peace Officer Selection and Employee Development to Human Resources to centralize recruitment efforts for critical correctional officer and specialized classifications.

- \$263,000 General Fund from 4550 to 4540. The realignment is necessary to ensure compliance with the *Armstrong* Court Orders, which mandates class members are accommodated with assistive devices. Realigning these funds will allow institutions to independently purchase needed devices.
- \$1.1 million reimbursement authority from 4530 to 4560. The realignment is necessary to ensure the interagency agreements with the Department of Transportation to accurately align budget authority with expenditures.
- \$290,000 reimbursement authority from 4530 to 4585. The realignment is necessary to ensure the interagency agreements with the California Department of Education to accurately align budget authority with expenditures.
- \$450,000 reimbursement authority from 4530 to 4560. The realignment is necessary to ensure the interagency agreements with the Department of Health Care Services to accurately align budget authority with expenditures.
- \$925,000 reimbursement authority from 4530 to 4550. The realignment is necessary to ensure the interagency agreements with the Department of Forestry and Fire Protection to accurately align budget authority with expenditures.

Staff Recommendation. Hold open.

Issue 10: Standardization of Postconviction Proceedings (AB 2483)
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Proposal. The proposed budget includes \$2.9 million General Fund in 2025-26 and 2026-27 and 23 two-year, limited-term positions to address workload related to requests for institutional records in resentencing hearings and new requirements authorized in AB 2483 (Ting), Chapter 964, Statutes of 2024. AB 2483 sets uniform statewide standards for postconviction proceedings. As part of a resentencing hearing, CDCR is required to provide various records, including information about an incarcerated person's behavior and progress while in prison. CDCR staff must review and redact these records before they are shared. AB 2483 narrows and specifies the records CDCR must provide. In the long-term, this will decrease CDCR's workload on each case. However, AB 2483 also requires the records to be provided within 45 days of a request, and CDCR currently has a backlog of records requests for resentencing hearings. The goal of the proposed resources is to clear the current backlog, and enable CDCR to meet the 45-day requirement by its effective date of January 1, 2026.

Staff Recommendation. Hold open.