
Senate Budget and Fiscal Review—Nancy Skinner, Chair

SUBCOMMITTEE NO. 5

Agenda

Senator Maria Elena Durazo, Chair
Senator Shannon Grove
Senator Dave Cortese
Senator Josh Newman



Public Safety, the Judiciary, Labor and Transportation

Tuesday, May 25, 2021
State Capitol – Senate Chambers
1:30 PM

Consultant: Christopher Francis, Ph.D.

Part A
OUTCOMES

TABLE OF CONTENTS

Vote-Only Calendar

Issues 1-39	0552 Office of Inspector General (OIG) & 5225 Department of Corrections and Rehabilitation (CDCR)Pg. 1
Issues 40-56	0250 Judicial BranchPg. 23
Issue 57	0530 Secretary for California Health and Human Services Agency (HHS)Pg. 28
Issues 58-63	5227 Board of State and Community Corrections (BSCC)Pg. 29
Issues 64-69	0820 Department of Justice (DOJ)Pg. 32
Issue 71	8120 Commission on Peace Officer Standards and TrainingPg. 35
Issue 72	Various DepartmentsPg. 35

Public Comment

- *Issues 1, 2, 5, 8-14, 16, 18, 20, 21, 23-36, 40-46, 48-56, 58, 60-63, 65-68, 70, and 71.*

Motion: Adopt Staff Recommendations

Ayes: 4 Noes: 0

- *Issue 3, 7, 15, 47, 57, and 69.*

Motion: Adopt Staff Recommendations

Ayes: 3, Noes: 1

- *Issues 4, 6, 17, 19, 22, 37-39, 59, 64, and 72*

Motion: Adopt Staff Recommendations

Ayes: 3 Noes: 0, Abstain: 1

Vote-Only Calendar**0552 OFFICE OF THE INSPECTOR GENERAL (OIG)****5225 DEPARTMENT OF CORRECTIONS AND REHABILITATION (CDCR)**

Issue #	Proposal Name	Request	Comments	LAO Notes	Staff Recommendation
1.	Adult Institution and Parolee Population Adjustments	Due to the changes in population, the Administration requests corresponding budget bill changes that are both ongoing and one-time. Overall, this reflects a net increase of \$106,159,000 and a net increase of 161.6 positions, which is comprised of an increase of \$103,570,000 General Fund and an increase of \$2,589,000 Inmate Welfare Fund.	Heard on 5/20	Based on our discussions with the administration, the inmate population projections do not take into account the time inmates have been serving on their prison sentences while in county jail awaiting transfer to state prison. As such, we find that the administration's projections and requested funding are likely significantly overestimated. However, the precise amount by which the projections are overestimated is unclear at this time. Accordingly, we recommend approving the proposed funding but adopting budget bill language specifying that the department shall revert to the General Fund any funding it received associated with inmates it did not serve in 2021-22. This will ensure the department does not use funds budgeted for the inmate population for other purposes.	Adopt LAO Recommendation
2.	Division of Juvenile Justice Population Adjustment	It is requested that Item 5225-001-0001 be increased by \$261,000 and 2.9 positions ongoing, reimbursements be decreased by \$232,000 ongoing, and Item 5225-011-0001 be	Heard on 5/20	No comments on this adjustment	Approve as budgeted

		decreased by \$255,000 and 2 positions ongoing. The May Revision reflects an estimated average daily population of 613 wards in 2021-22, which is 116 fewer wards than projected in the Governor’s Budget.			
3.	COVID-19 Workers’ Compensation-- SB 1159 (Hill), Chapter 85, Statutes of 2020	\$51 million General Fund in 2021-22, \$59.9 million General Fund in 2022-23, \$68.7 million General Fund in 2023-24, and \$77.6 million General Fund in 2024-25 27.0 limited-term positions	For workers’ compensation costs related to COVID-19 per SB 1159 and this request also includes Budget Bill Language to provide augmentation authority related to costs associated with SB 1159. Heard on 2/4	No comments on this proposal	Approve as budgeted
4.	Closure of Deuel Vocational Institute (DVI) BCP and Trailer Bill Language	The May Revise includes a reduction of \$4.5 million and 32.7 positions General Fund in 2020-21, \$5.4 million and 37.1 positions in 2021-22, and an increase of \$350,000 and 0.9 positions in 2022-23 and ongoing, and statutory changes to reflect the closure of Deuel Vocational Institution. This request includes funding to support limited-term positions for workers’ compensation workload and reverses a	To close Deuel Vocational Institute Heard on 2/4 and Heard on 5/20	Withhold action on savings associated with DVI closure until may revision estimates, reject unnecessary portion of positions for warm shutdown, and require report on options for closed prison properties.	Provide five positions for warm shut down and reduce the requested resources by \$640,000 and 5.4 positions in 2021-22 and \$830,000 and 7 positions in 2022-23 and ongoing. Approve the other components of proposal as proposed. Also, adopt placeholder trailer bill language.

		position erroneously reduced in the initial savings estimate. The closure of DVI overall is estimated to achieve savings of \$113.5 million General Fund in 2021-22 and \$150.6 million General Fund beginning in 2022-23.			
5.	Correctional Staff Training and Job Shadowing	\$19.9 million General Fund and 59 positions in 2021-22, \$16.2 million General Fund in 2022-23, \$23.2 million General Fund in 2023-24 \$14.7 million General Fund in 2024-25 and ongoing	To improve departmental training of institution-based custody staff. The budget also includes trailer bill language containing statutory changes to implement the proposal. Heard on 2/4	Approve CPOST funding but require report on training, approve new facility for hands-on training, approve fewer resources than proposed for new officer job shadowing program, require CDCR to adjust officer training funding annually	Per LAO recommendation, reject 16 of the 33 proposed prison based sergeant positions and the associated funding (estimated at \$2.7 million), reduce the funding for new officer pay by \$1.4 million to accurately reflect the new number of correctional officers CDCR requires in 2021-22, and adopt placeholder trailer bill language to adjust the funding for new officer training annually. Approve the remaining resources and positions.
6.	Technology for Inmates Participating in Academic Programs	\$23.2 million General Fund and 43.0 positions in 2021-22, and \$18.4 million General Fund and 38.0 positions in 2022-23 and ongoing	To create a cloud network for rehabilitative programming support and deploy approximately	No comments on this proposal	Approve as budgeted

			<p>37,000 Thin Client laptops to supplement face-to-face instruction and educational materials and provide access to programs beyond physical classrooms. The request also includes staff to provide foundational support, such as system development, and to cover network needs, such as device and infrastructure support. The Division of Rehabilitative Programs (DRP) is also requesting Headquarters staff to assist in content creation for DRP</p> <p>Heard on 2/4</p>		
7.	Transgender, Nonbinary, and Intersex Inmate Housing and Search	\$2.8 million General Fund and 5.5 positions in 2021-22, \$1.8 million General Fund in 2022-23, and \$1.2 million General Fund in 2023-24 and ongoing	Implements SB 132. The bill requires CDCR to ask each person entering into its	No comments on this proposal	Approve one-time \$365,600 General Fund for automation purposes. Specifically, approve \$200,000 for

	<p>Preferences- SB 132 (Wiener), Chapter 182, Statutes of 2020</p>		<p>custody specified information, including the individual's gender identity; requires CDCR to conduct searches of and assign housing to transgender inmates based on the inmate's individual preferences, as specified; and requires CDCR to articulate the reasons for denying a search or housing preference if the department has management or security concerns. Requires the department, for a person who is transgender, nonbinary, or intersex to only conduct a search of that person according to the search policy for their gender identity or according to the</p>		<p>CCHCSs Electronic Records Management Systems and the \$165,600 General Fund for Parole Violation Disposition Tracking System, Law Enforcement Automated Data System, Virtual Integrated Mobile Office, Disability and Effective Communications System. Reject other proposed resources.</p>
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			<p>gender designation of the facility where they are housed, based on the individual's search preference. And additionally require the department to house the person in a correctional facility designated for men or women based on the individual's preference, except as specified.</p> <p>Heard on 2/4</p>		
8.	Increased Healthy Menu Options		<p>Increase statewide feeding rate by \$0.22 per incarcerated person, per day. Funding through unallocated pop adjustment (\$7.5 million) and redirect \$11.6 million in vacancy savings from plant</p> <p>Heard on 2/4</p>	<p>Require CDCR to report on vacancy savings and withhold action until report is provided, withhold action on governor's proposal until report on vacancy savings provided, and require CDCR to provide detailed plan to address plant operations workload.</p>	Approve as budgeted

<p>9.</p>	<p>Receiver-Quality Management and Patient Safety</p>	<p>\$4.0 million General Fund and 23.0 positions in fiscal year 2021-22, \$7.5 million General Fund and 45.0 positions in fiscal year 2022-23, and \$11.7 million General Fund and 75.0 positions in fiscal year 2023-24 and ongoing</p>	<p>Expands the Quality Management System (QMS) to better address patient safety risks. The QMS California Correctional Health Care Services comprises two major interrelated programs: Quality Management and Patient Safety.</p> <p>Heard on 2/4</p>	<p>The LAO notes an error regarding the number of positions requested beginning in 2022-23 and ongoing because the proposal does not take into account two planned prison closures. As such, there should be a reduction in two health program managers and two health program specialist positions in 2022-23 and ongoing, resulting in reduced costs of about \$500,000 General Fund annually.</p>	<p>Adopt LAO Recommendation</p>
<p>10</p>	<p>MR: Replace existing metal dayroom furniture with more comfortable furniture</p>	<p>\$34.8 million one-time General Fund</p>	<p>To replace existing metal dayroom furniture with more comfortable furniture for positive programming and non-designated program facilities and female institutions</p> <p>Heard on 5/20</p>	<p>While this proposal could have merit, it is unclear that this would be the most effective method for CDCR to improve rehabilitation. For example, a more cost-effective approach to improving rehabilitation could be to ensure all inmates have access to evidence-based rehabilitation programs that meet their needs. Before approving this proposal, we recommend that the Legislature require CDCR to report on whether it has sufficient resources to provide all inmates with access to evidence-based rehabilitation programs. If CDCR can demonstrate that this is the case, then the proposal could be merited. Otherwise, there may be more cost-</p>	<p>Reject this proposal</p>

				effective approaches to meeting the rehabilitation needs of inmates.	
11	MR: Increased Visitation	\$20.3 million ongoing General Fund	To add a third day of in-person visitation on Fridays at all institutions (visiting is currently limited to Saturdays and Sundays). In addition, this funding will provide visitors with free transportation on select days throughout the year to all prisons via chartered busses. Heard on 5/20	No comments on this proposal	Approve as budgeted
12	MR: Centralize Discrimination Complaints.	815,000 General Fund in 2021-22 and \$804,000 ongoing and six positions	To expand CDCR's Civil Rights Operations/Equal Employment Opportunity program, which centrally handles discrimination complaints	No comments on this proposal	Approve as budgeted

			Heard on 5/20		
13	MR: Psychiatric Inpatient Programs (PIPs)	\$37.7 million General Fund in 2021-22, and \$35.9 million ongoing, and 264.1 positions	to standardize staffing models across the five CDCR-operated Psychiatric Inpatient Programs (PIPs) Heard on 5/20	We recommend that the Legislature not approve the proposal unless CDCR can provide sufficient justification for the proposed staffing and service levels.	Reject this proposal
14	MR: Statewide Telepsychiatry Program	\$3.7 million ongoing General Fund	To add supervisory capacity Heard on 5/20	No comments on this proposal	Approve as budgeted
15	MR: Reentry Facility Criteria Statutory Changes	Trailer Bill Language	To expands eligibility for CDCR Community Reentry Programs for incarcerated people.	No comments on this proposal	Adopt placeholder trailer bill language
16	MR: Pine Grove Youth Conservation Camp State and Local Partnerships	Trailer Bill Language	To create opportunities for state and local partnerships to maintain firefighting operations at the Pine Grove Youth Conservation Camp in Amador County Heard on 5/20	No comments on this proposal	Adopt placeholder trailer bill language

<p>17</p>	<p>MR: California Sex Offender Management Board Expansion and Juvenile Sex Offender Treatment Certification Statutory Changes</p>	<p>Trailer Bill Language</p>	<p>To increase the California Sex Offender Management Board’s expertise related to the treatment of juvenile sex offenders by expanding its membership and creating a certification process for service providers treating youth who have committed a sex-related offense</p> <p>Heard on 5/20</p>	<p>No comments on this proposal</p>	<p>Adopt placeholder trailer bill language</p>
<p>18</p>	<p>MR: Redirection of Funding From Eliminated Civil Service Positions to Psychiatry Registry Staff</p>	<p>CDCR requests to redirect \$49.3 million in 2020-21 and \$40.9 million in 2021-22 and ongoing from eliminated civil service positions</p>	<p>To augment existing funding for psychiatry registry staff.</p> <p>Heard on 5/20</p>	<p>We find that redirecting this funding on an ongoing basis is not appropriate. This is because registry services are only intended to be a temporary solution while CDCR works to fill civil service psychiatry positions. As CDCR fills these positions, the need to provide funding for registry services should decline. As such, we recommend that the Legislature (1) approve \$11 million on a limited term basis through 2021-22 to cover the funding shortfall for psychiatry registry services and (2) not approve the remaining funds until the administration can demonstrate that the redirected funding is being used for</p>	<p>Adopt LAO Recommendation. Approve \$11 million on a limited term basis through 2021-22 to cover the funding shortfall for psychiatry registry services and reject the remaining funds</p>

				purposes consistent with the Legislature’s priorities.	
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Issues 19-35. Various Capital Outlay Proposals

Issue	Proposal	Request	Comments	LAO Recommendation	Issue
19.	Long-Term Prison Infrastructure Planning				Adopt placeholder trailer bill language to require CDCR to create a long term facility infrastructure investment plan and prison closure plan.
20.	Health Care Facility Improvement Program (HCFIP): Lease Revenue Bonds to General Fund	Reverts existing Lease Revenue Bond authority and withdraws April 1 Request to increase lease revenue authority, Instead switches fund source to General Fund and proposes \$115.7 Million general fund for the construction phase to complete HCFIP projects.	The funding for HCFIP projects is currently derived from bond proceeds generated through asset transfers. As part of this proposal, it is requested that budget line items and statute are amended to revert existing lease revenue bond	Based on our initial review, we find that the California Rehabilitation Center in Norco, California Men’s Colony (CMC) in San Luis Obispo, San Quentin State Prison, and the Correctional Training Facility (CTF) in Soledad appear to be strong candidates for closure, primarily because they all have high estimated repair and/or operational costs relative to their inmate capacity. While we do not have concerns with the change to the structure of the HCFIP program, we note that the proposal	Approve the requested resources and adopt provisional budget bill language and placeholder trailer bill language to restrict any expenditures of these resources on prisons that are strong candidates for closure.

			<p>authority. In addition, the 2021-22 April Finance Letter requesting additional lease revenue bond financing authority of \$43,235,000, is being officially withdrawn and replaced with this proposal.</p> <p>Heard on 5/20</p>	<p>includes increased funding for projects at CMC and CTF—which we have identified as strong candidates for closure. We recommend that the Legislature modify the proposed budget bill and budget trailer legislation to restrict the administration from making any expenditures with the proposed funding at prisons the Legislature identifies as strong candidates for closure—such as CMC and CTF—unless the department puts forward a prison closure plan showing that those facilities will not be closed.</p>	
21.	<p>Medication Distribution Improvements Phase II Reappropriation at 13 facilities</p>	<p>\$30.1 Million General Fund Reappropriation</p>	<p>For the construction medication distribution improvement at 13 institutions.</p> <p>Heard on 5/20</p>	<p>We note that the proposal would result in providing funding to a project at CTF—one of the prisons we have identified as a strong candidate for closure. As such, we recommend adopting budget bill language to restrict the administration from making any expenditures on medication room projects at prisons the Legislature identifies as strong candidates for closure—such as CTF—unless the department puts forward a prison closure plan showing that those facilities will not be closed.</p>	<p>Approve the requested resources and adopt provisional budget bill language and placeholder trailer bill language to restrict any expenditures of these resources on prisons that are strong candidates for closure.</p>
22.	<p>One-Time Deferred Maintenance Allocation</p>	<p>The January Governor’s budget included \$50 million General Fund one-time to address the CDCR’s highest priority deferred maintenance projects. The May Revision includes an additional investment of \$50 million one-time General Fund</p>	<p>To increase CDCR’s \$26 million base budget for special repairs and deferred maintenance.</p>	<p>We recommend approving the increase given the significant statewide prison infrastructure needs. However, we recommend that the Legislature approve budget bill language prohibiting CDCR from spending these funds on prisons that are strong candidates for closure unless department puts forward a prison</p>	<p>Approve the proposed funding for deferred maintenance contingent upon the adoption of trailer bill in the final budget</p>

		in 2021-22 to address CDCR’s significant backlog of deferred maintenance projects. Taken with the Governor’s Budget proposal, this will provide \$100 million in total funding for CDCR deferred maintenance projects.	Heard on 2/11 and Heard on 5/20	closure plan showing that those facilities will not be closed.	agreement requiring CDCR to create and adopt a long-term prison infrastructure investment plan and closure plan. Adopt placeholder trailer bill language.
23.	Health Care Facility Repairs at the California Rehabilitation Center (CRC)	\$6.8 million General Fund in 2021-22	This project will replace damaged flooring, walls, casework and doors, and complete basic renovations to make medical spaces safe and functional. This project would also replace several existing medication distribution windows with prototypical medication distribution windows along with casework replacements and installation of sinks for hand washing.	Reject Proposed \$6.8 Million for Health Care Facility Repairs at CRC unless the Administration provides a long-term plan for the facility demonstrating that the repairs will be completed sufficiently in advance of any potential future closure date.	Adopt LAO recommendation to reject this proposal

			Heard on 2/11		
24.	Roof Replacement Design and Construction	\$1 million General Fund in 2021-22 for the design phase and \$32.6 million General Fund in 2022-23 for the construction phase	For the construction phase of roof replacements at California State Prison, Los Angeles County (LAC). Roof replacement is necessary due to deteriorated conditions of the existing roof that severely impacts housing conditions and inmate access to services and rehabilitation programs.	Additional funding for special repair and deferred maintenance needed	Approve as budgeted
25.	Calipatria State Prison, Calipatria (CAL): Health Care Facility Improvement Program (HCFIP)- Phase II	\$ 4.1 million General Fund	Capital Outlay proposal for renovations and additions to the Primary Care Clinics in Facilities A, B, C, and D and a new Administrative Segregation Unit Primary Care Clinic. This is a supplemental	No comments on this proposal	Approve as budgeted

			<p>appropriation for the construction phase due to delays, design errors and omissions and Fire Marshal requirements.</p> <p>Heard on 2/11</p>		
26.	<p>California State Prison, Los Angeles County, Lancaster (LAC): Medication Preparation Room Unit D5</p>	<p>\$328,000 GF for working drawings phase</p>	<p>Capital Outlay proposal to design and construct a Medication Preparation Room (MPR) at LAC in housing unit D5 and is part of the projects within the HCFIP. This physical plant modification will allow CDCR to provide the appropriately-sized space with the proper infrastructure for safe and secure medication preparation.</p> <p>Heard on 2/11</p>	<p>No comments on this proposal</p>	<p>Approve as budgeted</p>

<p>27.</p>	<p>AB 900 (2007) General Fund Reappropriation</p>	<p>Reappropriation of \$6.0 million GF for Construction phase</p>	<p>A reappropriation of the unexpended funding is being requested. Five HCFIP projects, the Folsom State Prison’s Cell Block Five Fire Life & Safety project, and multiple medication distribution improvement projects are authorized from this funding source.</p> <p>Preliminary plans and working drawings have been completed for these projects; however, construction has been delayed due to fire alarm system connectivity issues, delayed approvals of fire sprinkler submittals, and phasing to maintain safe</p>	<p>No comments on this proposal</p>	<p>Approve as budgeted</p>
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			<p>prison and medical operations during construction.</p> <p>Heard on 2/11</p>		
28.	<p>California Institution for Men, Chino: Air Cooling Facility A</p>	<p>\$ 13.9 million GF for the construction phase</p>	<p>Capital Outlay proposal to design and install air cooling systems in housing units at CIM's Facility A.</p> <p>Heard on 2/11</p>	<p>No comments on this proposal</p>	<p>Approve as budgeted</p>
29.	<p>Substance Abuse Treatment Facility (SATF): Air Cooling Facility F And G</p>	<p>\$ 2.7 million GF for the preliminary plans and working drawings phases</p>	<p>Capital Outlay proposal for air cooling systems with required fire/life/safety improvements in rehabilitative treatment, education, and office space within Facility F and G housing units at SATF to provide indoor temperatures suitable for incarcerated people to receive treatment and education.</p> <p>Heard on 2/11</p>	<p>No comments on this proposal</p>	<p>Approve as budgeted</p>

<p>30.</p>	<p>Statewide: Minor Capital Outlay Program</p> <p>California Health Care Facility (CHCF), Facility E Dayroom Restroom Housing Units 301 B-F</p>	<p>\$1.5 million GF for the preliminary plans, working drawings, and construction phases</p>	<p>A list of 5 projects for fiscal year 2021-22, totaling \$1,515,000 General Fund for Design and construction of a toilet and sink inside a housing unit for inmate- patients with accessibility requirements and chronic medical needs. Each project costs \$303,000 GF.</p> <p>Heard on 2/11</p>	<p>No comments on this proposal</p>	<p>Approve as budgeted</p>
<p>31.</p>	<p>California State Prison, Los Angeles County, Lancaster (LAC): Medication Preparation Room Unit D5</p>	<p>\$328,000 GF for working drawings phase</p>	<p>Capital Outlay proposal to design and construct a Medication Preparation Room (MPR) at LAC in housing unit D5 and is part of the projects within the HCFIP. This physical plant modification will allow CDCR to provide the appropriately-sized space with the proper</p>	<p>No comments on this proposal</p>	<p>Approve as budgeted</p>

			<p>infrastructure for safe and secure medication preparation.</p> <p>Heard on 2/11</p>		
32.	<p>California Health Care Facility, Stockton: Facility B Individual Exercise Yards</p>	<p>\$ 537,000 General Fund for Preliminary Plans and Working Drawings</p>	<p>To design 10 individual exercise yards (IEYs) in Facility B at the California Health Care Facility (CHCF). The IEYs will allow maximum custody patients receiving inpatient mental health treatment at CHCF to participate in out-of-cell recreation therapy that is consistent with their mental health treatment plan.</p> <p>Heard on 5/20</p>	<p>No comments on this proposal</p>	<p>Approve as budgeted</p>
33.	<p>California Institution for Men, Chino: 50-Bed Mental Health Crisis Facility Reappropriation</p>	<p>Lease Revenue Bond (GF) Reappropriation \$91.032 M for Construction Phase</p>	<p>This proposal requests reappropriation of funding to construct a licensed 50-Bed Mental Health Crisis Facility</p>	<p>No comments on this proposal</p>	<p>Approve as budgeted</p>

			(MHCF) to provide housing, treatment, and office space to allow for inmate-patients in a crisis mental health state, or requiring other levels of licensed mental health care, to be treated at the California Institution for Men. Heard on 5/20		
34.	Chuckawalla Valley State Prison, Blythe: New Potable Water Wells	This proposal requests funding for the construction plans phase of this project. The total estimated project cost is \$821,000 General Fund.	To design two new groundwater wells to supply adequate amounts of potable water for incarcerated people and staff at Chuckawalla Valley State Prison and Ironwood State Prison. Heard on 5/13	No comments on this proposal	Approve as budgeted
35.	Ironwood State Prison (ISP), Blythe: Heating, Ventilation, and Air Conditioning	A supplemental appropriation for the construction phase in the amount of \$11,491,000 Lease Revenue Bond. The total estimated project cost is \$187,424,000.	To provide supplemental funding to complete the construction of a new central chiller water plant as well	No comments on this proposal	Approve as budgeted

	System Supplemental Appropriation		as replacement of existing air handling units (AHUs) and improvements to existing roofs, fire dampers, and smoke evacuation systems to correct damage caused by the existing evaporative cooling system at ISP. Heard on 5/13		
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Issues 36-39 Various <i>Armstrong</i> Court Compliance, staff misconduct, and oversight proposals.				
Issue	Proposal	Request	Comments	LAO Recommendation
36.	MR: Statewide Implementation of Fixed Video Surveillance Systems	37.6 million (General Fund) and 7 positions in 2021-22 increasing to \$95.4 million and 34 positions by 2023-24, and \$11.1 million and 34 positions in 2024-25 and ongoing	To install modern fixed security cameras at 24 additional institutions Heard on 5/20	Given that cameras could help provide objective evidence with which to resolve inmate allegations of staff misconduct and the four prisons proposed to receive cameras in 2021-22 do not appear to be strong candidates for closure, we recommend approving funding for video surveillance only at these the four prisons. We estimate that this would cost \$37.6 million in 2021-22 to install cameras and \$1.9 million in 2022-23 and ongoing for their operation and maintenance. The administration can request funding to install cameras at additional prisons at a later date—at which point the Legislature may

				have greater clarity about which additional prisons will be closed.
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Staff Recommendation for Issue 36. Approve only \$37.6 million and 7 positions in 2021-22, and \$1.9 million ongoing to install cameras at Salinas Valley State Prison, Mule Creek State Prison, California State Prison Sacramento, and California Correction Institution in Tehachapi.

37. January 10 Proposal: Armstrong Court Compliance Proposal. CDCR requests \$13.5 million General Fund and 22.8 positions in 2020-21, \$10.1 million General Fund and 34.9 positions in 2021-22, and \$7.0 million and 34.9 positions in 2022-23 and ongoing to deploy the Audio Video Surveillance System (AVSS) and body-worn cameras at RJ Donovan, AVSS at CA State Prison, Los Angeles, and other requirements to comply with *Armstrong v. Newsom*.

38. May Revision Proposal. Armstrong Court Compliance Continuation. \$80.5 million General Fund and 152.1 positions in 2021-22 and \$28 million ongoing to deploy AVSS and body worn cameras at CA State Prison Los Angeles, Corcoran, Substance Abuse Treatment Facility, CA Institution for Women, and Kern Valley State Prison and expand the Allegation Inquiry Management Section.

39. Statewide Process of Use of Force and Prison Rape Elimination Act Allegations. \$7.9 million General Fund and 40 positions in 2021-22 and ongoing to expand the Office of Internal Affairs regional investigation process to include all allegations associated with potential employee violations of use of force and PREA.

Staff Recommendation for Issues 37-39. Reduce the requested funding by \$9.8 million General Fund and 47 positions in 2021-22 and ongoing and approve the following:

2021-22	2022-23 and ongoing
\$88.7 million	\$43 million
180 positions	180 positions

As well, approve \$15 million General Fund in 2021-22 and ongoing thereafter to the Office of Inspector General (OIG) to perform investigations and provide increased oversight of CDCR’s staff complaint process and adopt placeholder trailer bill language to restore the investigative authority of the OIG and clarify the oversight duties related to CDCR’s staff complaint process.

0250 JUDICIAL BRANCH

Issue #	Proposal Name	Request	Comments	LAO Notes	Staff Recommendation
40.	Ongoing Support for the Judicial Branch	\$200 million ongoing General Fund (\$176.9 million for the trial courts and \$23.1 million for the state-level judiciary)	To allow courts to re-open temporarily closed courtrooms and process case backlogs which have accumulated during the pandemic. Heard on 2/18 & 5/6		Approve as budgeted
41.	Continuation of Self-Help Centers in Trial Courts	\$19.1 million ongoing General Fund	To allow California's trial courts to maintain vital self-help services to address the needs of and access for litigants who do not have an attorney to help them with critical housing, domestic violence, family law, child support, consumer debt and similar issues—all of which are exacerbated by the impact of the pandemic. Heard on 2/18	Direct Judicial Council to use external researcher to complete cost benefit analysis, provide funding for two years, and consider provisional language prioritizing use of funding	Approve three years of funding at \$19.1 million General fund each year and adopt provisional budget bill language directing the Judicial Council to complete the cost benefit analysis required in the 2018 Budget Act on or before January 1, 2022.
42.	Design-Build Authority Trailer Bill Language		The budget includes trailer bill language that would authorize the Judicial Council to use a design-build procurement process in contracting and procuring public works projects and would authorize the Judicial Council to award contracts using either the best value or low bid selection method for all projects.	No comments on this proposal	Adopt May Revision as proposed

43.	Lake County – New Lakeport Courthouse	\$1.6 million General Fund for the Performance Criteria and \$66.5 million in lease revenue bond authority for the Design Build	<p>The requested funding is for the Lake County — New Lakeport Courthouse. It ranks first in the “Immediate” need projects reassessed per SB 847. The estimated total project cost is \$73.1 million.</p> <p>The project includes the design and construction of a new 4-courtroom courthouse of approximately 46,000 square feet (SF) in the city of Lakeport.</p> <p>Heard on 2/18</p>	No comments on this proposal	Approve as budgeted
44.	Mendocino County – New Ukiah Courthouse	\$3,334,000 General Fund	<p>The requested funding is for the Performance Criteria phase of the Mendocino County — New Ukiah Courthouse. The project will provide construction of a new 7-courtroom courthouse of approximately 82,000 square feet (SF) in the city of Ukiah.</p> <p>Heard on 2/18</p>	No comments on this proposal	Approve as budgeted
45.	Los Angeles County – Los Angeles Master Plan	\$2,347,000 General Fund	<p>This funding is to complete a study for the Superior Court – County of Los Angeles. The proposed long-range planning study will analyze and develop a plan for improving and modernizing Los Angeles County court facilities. The SB 847 reassessment identified 17 capital outlay projects for the Los Angeles Superior Court; 11 of the 17 are in the immediate or critical need groups.</p>	No comments on this proposal	Approve as budgeted

46.	Nevada County – New Nevada City Courthouse	\$972,000 General Fund	This funding is to initiate a Planning Study for the Nevada County – New Nevada City Courthouse. The proposed study will compare the merits and disadvantages of options for the Nevada Court in Nevada City. Heard on 2/18	No comments on this proposal	Approve as budgeted
47.	Remote Civil Proceedings Trailer Bill language	Trailer Bill Language	Authorizes Remote Proceedings in All Civil Cases Heard on 5/6	Remote Proceedings Could Create Benefits but Proposal Leaves Significant Implementation Details to Judicial Branch. Recommendation: Direct Judicial Branch Submit Implementation Plan. And to the extent that the Legislature is interested, the Judicial Branch Could Implement Pilot in Less Complex Cases or Proceedings if Priority to Authorize Remote Proceedings in 2021-22.	Reject this proposal
48.	MR: Early Disposition Readiness Conference Program	\$30 million one-time General Fund	This proposal builds on a program, initiated by the Chief Justice, in response to the significant COVID-19 related processing delays in criminal cases, by making temporary assigned judges available to complete readiness conferences to resolve low-level misdemeanors or felony cases before going to trial. Heard on 5/20	No comments on this proposal	Approve as budgeted

49.	MR: Provisional Language for Augmentation Authority for Court Backlogs	Would allow the Judicial Council to request additional funding, up to \$60 million	Proposes language in the budget that would allow the Judicial Council to request additional funding, up to \$60 million, in the event that the augmentations included in the budget earlier this year are insufficient to address the courts' case backlogs. This funding, which would be subject to approval by the Department of Finance upon review of data demonstrating a persistent case backlog, could be used to procure resources such as additional staff or space to process cases. Heard on 5/20	We recommend rejecting this proposed language as a process—outlined in Item 9840 of the annual budget—already exists for state programs to request additional funding for unanticipated, necessary expenses.	Adopt LAO Recommendation to reject this proposal
50.	MR: Deferred Maintenance II	\$158 million one-time General Fund in 2021-22	To support deferred maintenance projects in trial courts and Courts of Appeal Heard on 5/20	We recommend the Legislature direct Judicial Council provide a list of projects that will be funded by this augmentation before acting on this proposal in order to ensure the selected projects align with legislative priorities.	Approve as budgeted
51.	MR: Shasta County Superior Court Security	\$330,000 General Fund in 2021-22 and \$660,000 ongoing thereafter	To support trial court security costs for a new courthouse scheduled to open in January 2022. Heard on 5/20	No comments on this proposal	Approve as budgeted
52.	MR: Trial Court Benefit Adjustment	Budget bill line item adjustments amounting to a \$7,822,000 ongoing decrease	To reflect the updated health benefit and retirement rate changes for trial court employees Heard on 5/20	No comments on this proposal	Approve as budgeted

53.	MR: AB 1058 (Speier), Chapter 957, Statutes of 1996 Reimbursement Authority	Increased reimbursement authority of \$5 million ongoing	To enable the Judicial Council to receive additional resources from the Department of Child Support Services' contract for the Child Support Commissioner and Family Law Facilitator Program Heard on 5/20	No comments on this proposal	Approve as budgeted
54.	MR: Butte County: Juvenile Hall Addition and Renovation	\$604,000 General Fund for Preliminary Plans and Working Drawings	Heard on 5/20	No comments on this proposal	Approve as budgeted
55.	MR: San Bernardino County: Juvenile Dependency Courthouse Addition & Renovation	\$901,000 General Fund for Acquisition and Preliminary Plans	Heard on 5/20	No comments on this proposal	Approve as budgeted
56.	MR: Monterey County: New Fort Ord Courthouse	\$38.7 Million General Fund for the Acquisition and Performance Criteria Phase	Heard on 5/20	No comments on this proposal	Approve as budgeted

0530 CALIFORNIA HEALTH AND HUMAN SERVICES AGENCY (HHSA)

Issue #	Proposal Name	Request	Comments	LAO Notes	Staff Recommendation
57.	Office of Youth and Community Restoration January and May Revision	The January Governor's budget included 19.0 permanent positions and \$3.4 in 2021-22 and \$3.1 in ongoing General Fund to establish and operate the Office of Youth and Community Restoration (OYCR) that was created by the DJJ Realignment bill, SB 823 (Committee on Budget), Chapter 337, Statutes of 2020. The May Revision now includes \$7.6 million General Fund in 2021-22 and \$7.2 million ongoing General Fund for 33 positions.	To establish and operate the Office of Youth and Community Restoration (OYCR) per statute in DJJ Realignment - SB 823 (Committee on Budget and Fiscal Review), Chapter 337, Statutes of 2020 This is item was heard in Subcommittee No. 5 on 3/4 and Subcommittee No. 3 on 2/5 and 5/18	No comments on this proposal	Approve a total of \$30 million ongoing General Fund to establish the OYCR, adopt provisional budget bill language, and adopt placeholder trailer bill language to clarify OYCRs functions.

5227 BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC)

Issue #	Proposal Name	Request	Comments	LAO Notes	Staff Recommendation
58.	SB 678 (Leno), Chapter 608, Statutes of 2009 Grant Modification	In order to support this adjustment, CDCR's proposed budget includes a \$10.3 million General Fund augmentation, bringing the total SB 678 grant awards to \$123 million in 2021-22 and ongoing.	A proposed modification to the grant program created by The California Community Corrections Performance Incentives Act of 2009 which provides grants to counties through the CDCR. Specifically, the proposal freezes the SB 678 formula and includes an adjustment to the SB 678 grant program to provide each county with their maximum SB 678 grant award from the prior three fiscal years through trailer bill language. Heard on 3/4	Approve Proposed SB 678 Grant Modification for One Year and Direct Administration to Provide Long-Term Plan for SB 678.	Reject this proposal. Instead, approve the proposed funding for one year and adopt placeholder trailer bill language to make temporary modifications to SB 678 which will sunset after one year.
59.	MR: California Violence Intervention and Prevention Program (CalVIP))	\$200 million one-time General Fund across the next three fiscal years	For the Board of State and Community Corrections to expand this program Heard on 5/20	No comments on this proposal	Approve as budgeted
60.	MR: Prop 57 Adjustments	\$23.6 million one-time General Fund for county probation departments	To supervise the temporary increase in the average daily population of those on Post Release Community Supervision (PRCS) as a result of the implementation of Proposition 57. This is an increase of \$4.1 million	No comments on this adjustment	Approve as budgeted

			from the amount estimated in the Governor’s Budget. Heard on 5/20		
61.	MR: Prop 47 Adjustments	Net General Fund savings of \$116.2 million, an increase of \$1.4 million over the estimated savings at the Governor’s Budget	These funds will be allocated according to the formula outlined in the initiative, which requires 65 percent be allocated for grants to public agencies to support various recidivism reduction programs (such as mental health and substance use services), 25 percent for grants to support truancy and dropout prevention programs, and 10 percent for grants for victims' services. Heard on 5/20	No comments on this adjustment	Approve as budgeted
62.	MR: Relinquishment of County Jail Funding	Decrease in Lease Revenue Bond Authority of \$229 Million	To decrease the lease revenue authority for county jail construction programs by \$229 Million resulting from award relinquishments and unawarded funds for the construction of adult local criminal justice facilities. This proposed action will eliminate the remaining and relinquished bond authority for the county jail construction financing programs. Heard on 5/20	No comments on this proposal	Adopt placeholder trailer bill to decrease the lease revenue authority for county jail programs by \$229.06 million.
63.	Strengthening Jail Oversight	\$3.1 million General Fund and 14 positions ongoing to the BSCC for the oversight of county jails. This proposal also	This proposal would allow for BSCC to move from biennial inspections to annual inspections	Reform Board and Program. As discussed above and in their recent report, the LAO	Reject the 14 positions and \$2.9 million in associated funding. Approve the

		<p>includes proposed trailer bill language to allow properly identified and authorized BSCC staff to enter a local detention facility without advance notice to conduct inspections to determine compliance with the Board’s regulations.</p>	<p>and would allow for additional technical assistance.</p> <p>Heard on 5/6</p>	<p>continue to recommend various changes to the board and the standards and inspections program.</p> <p>Reject Program Expansion. In view of the above, the LAO recommends rejecting the 14 positions and \$2.9 million in associated funding to expand the standards and inspections program as it would be premature to provide the funds before reforming BSCC as the LAO recommends and appears unnecessary if the Legislature chooses not to reform the board. To the extent the Legislature reforms the board, it could consider expanding the program at that time.</p> <p>Approve Funds for Electronic Data Entry and Authorize Unannounced Inspections. The LAO recommends that the Legislature approve the</p>	<p>remaining \$150,000 in ongoing funding to support electronic data entry and adopt placeholder trailer bill language authorizing unannounced inspections.</p>
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				remaining \$150,000 in ongoing funding to support electronic data entry as well as the budget trailer legislation authorizing unannounced inspections as these changes would be worthwhile.	
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0820 DEPARTMENT OF JUSTICE (DOJ)

Issue #	Proposal Name	Request	Comments	LAO Notes	Staff Recommendation
64.	Police Use of Force AB 1506 (McCarty), Chapter 326, Statutes of 2020	The January budget included \$13 million in 2021-22 and \$13.5 million in 2022-23 and ongoing to implement the provisions of AB 1506 (McCarty), Chapter 326, Statutes of 2020. The May Revision includes an additional \$2.3 million General Fund in 2021-22 and \$2.1 million ongoing beginning in 2022-23 to provide supportive services to survivors of those killed in officer-involved shootings investigated by DOJ pursuant to AB 1506, and add one	<p>AB 1506 requires DOJ to investigate all Officer-Involved Shootings (OISs) resulting in the fatality of a civilian who was not armed with a deadly weapon.</p> <p>This bill creates a division within the Department of Justice to, upon the request of a law enforcement agency, review the use-of-force policy of the agency and make recommendations, as specified.</p> <p>Heard on 3/4</p>	We recommend rejecting this proposed language as a process—outlined in Item 9840 of the annual budget—already exists for state programs to request additional funding for unanticipated, necessary expenses. Such an approach allows the Legislature to monitor the implementation of this	Approve the budgeted resources but reject the proposed provisional language that allows the Department of Finance to provide additional funding to the DOJ.

		additional investigative team in the southern region, bringing the total to four.	and Heard on 5/20	new program and to determine whether statutory changes are needed, such as to adjust the program's size or scope.	
65.	AB 2699 (Santiago), Chapter 289, Statutes of 2020.	The May Revision includes \$982,000 General Fund in 2021-22, \$912,000 in 2022-23, \$2.9 million in 2023-24, \$3 million in 2024-25, and \$1.9 million in 2025-26	To gather information about unsafe firearms transactions involving peace officers, develop information technology infrastructure to maintain a database of such transactions, and conduct investigations to verify that transactions are being appropriately recorded. Heard on 5/20	Chapter 289 specifically amended state law to allow for certain costs of its implementation to be covered by firearm fee revenue deposited into the Dealers' Record of Sale Special Account (DROS). As such, we recommend modifying the proposal to shift a portion of the costs to DROS.	Approve the proposal but shift 60 percent of the requested funding to come out of the Dealer's Record of Sale Special Account (DROS).
66.	Bureau of Forensic Services (BFS) Proposals	\$16 million backfill. Specifically, the budget proposes (1) a \$6 million ongoing General Fund augmentation in 2021-22 (increasing to \$18.3 million annually beginning in 2022-23) and (2) an ongoing redirection of \$10 million General Fund from the California Justice Information Services Division (CJIS).	To backfill a projected decline in criminal fine and fee revenue in the DNA Identification Fund in order to maintain existing service levels in the budget year. The Governor proposes to backfill the \$10 million redirection from CJIS from another DOJ special fund—the Fingerprint Fees Account (FFA). (FFA cannot directly backfill BFS due to statutory limits on how the funds in FFA can be used.) Item heard on 3/4	Approve Governor's Proposed Backfills for Two Years, Require Local Governments to Partially Support BFS Beginning in 2023-24, Require DOJ Develop Plan for Calculating Local Government's Share of BFS Support	Approve one-year backfill plus supplemental reporting language directing DOJ to present alternative ways to fund BFS by March 10, 2022

67.	Bureau of Forensic Services- One-Time Funding for New Consolidated Forensic Laboratory Campus	\$6.5 million one-time General Fund	For the performance criteria phase for a proposed consolidated forensic campus on land leased from the California State University, Sacramento. The campus would consolidate the state's DNA laboratory, the Sacramento regional laboratory, the state's criminalistics training institute, and BFS headquarters into one facility. The estimated total cost of the project is \$435 million. Item heard on 3/4	Consider Facility Proposal After Implementing New Funding Structure that LAO recommends for DNA ID Backfill item	Reject this proposal
68.	Healthcare Rights and Access Workload	10 positions and \$2.1 million Public Rights Law Enforcement Special Fund in 2021-22 and ongoing	To address the workload related to healthcare rights and access. Heard on 5/6	No comments on this proposal	Reject this proposal
69.	Bureau of Gambling Control	\$3.4 million Gambling Control fund in 2021-22 and ongoing	To process California Cardroom and Third-Party Providers of Proposition Player Services license applications. Specifically, this funding would (1) make permanent 20 existing positions currently supported by temporary funding and (2) add 6 new clerical support positions. Heard on 5/6	No comments on this proposal	Approve funding and positions on a two-year limited basis.
70.	Bureau of Medi-Cal Fraud and Elder Abuse	\$10.5 million Federal Trust Fund and \$3.5 million False Claims Act Fund	To allow full expenditure of a reoccurring federal grant which supports its current operations of eight regional offices. Heard on 5/6	No comments on this proposal	Approve as budgeted

8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING

Issue #	Proposal Name	Request	Comments	LAO Notes	Staff Recommendation
71.	Distance Learning and Use of Force Training Equipment Reappropriations	Reappropriation of a portion of \$25 million originally authorized in the Budget Act of 2018, including: (1) \$10 million reappropriated in the Budget Act of 2020 for distance learning and modernization of POST's learning management system, and (2) \$300,000 (of \$5 million)	For equipment purchase specific to use of force and de-escalation training.	No comments on this proposal	Approve as budgeted

VARIOUS DEPARTMENTS

Issue #	Proposal Name	Comments	LAO Notes	Staff Recommendation
72.	Oversight of State Funding To the California District Attorneys Association (CDAA)	In light of concerns raised internally about whether certain monies received by CDAA were being used consistent with their restricted uses, CDAA retained an external auditor in August 2020 to conduct a line-item audit of settlement, judgment, and grant monies provided for roughly six environmental- and worker safety-related CDAA programs since 2002.	N/A, There was an oversight item on this topic on 5/13 that the LAO presented.	Adopt placeholder trailer bill language to increase accountability over various sources of state funding that currently flow to and through the California District Attorneys Association.

		<p>Audit Findings: Practice of Borrowing Restricted Funds. CDAA routinely borrowed restricted funds from the programs and treated these funds as unrestricted. This practice has been instrumental to CDAA’s financial viability since 2004.</p> <p>\$3 Million Owed. As of June 2020, \$2.9 million was still owed to CDAA’s environmental and worker safety programs from its unrestricted general purpose account. CDAA does not currently have sufficient resources to repay this amount.</p>		
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