

SUBCOMMITTEE NO. 5

Agenda

Senator Nancy Skinner, Chair
Senator John M.W. Moorlach
Senator Jim Beall



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State Capitol - Room 113

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Public Comment

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ITEMS TO BE HEARD

5225 DEPARTMENT OF CORRECTIONS AND REHABILITATION (CDCR)

Issue 1: Rehabilitative Communities for Incarcerated People under Age 26 (Youth Offender Rehabilitative Communities)

Governor's Budget. The budget includes 19.5 positions and \$6.2 million General Fund in 2020-21, and \$10.1 million and 23.5 positions in 2021-22 and ongoing to develop and operationalize focused Youth Offender Program (YOP) rehabilitative communities to cluster youth offenders together at select adult institutions in campus style environments conducive to positive behavioral programming.

Background. Medical and mental health professionals indicate the human brain is in a critical development stage until the age of 25. The impact of trauma during early childhood (ages three to six) has a great impact on overall functioning (such as withdrawal, depression, or self-blame), whereas trauma experienced during school age years (ages six to 12) has an impact on more externalized behaviors. In adolescence (ages 13 to 18), the brain goes through another period of development where the part of the brain which supports attention, concentration, reasoning, and advanced thinking becomes more efficient (Child Development Institute, 2019). Trauma experienced during adolescence disrupts the brain development during this time. This can lead to increased risk taking, impulsivity, substance abuse, and criminal activity (Cook, et al, 2005). Youth offenders experience higher rates of traumatic events and increasingly suffer from post-traumatic stress disorder (PTSD), which can be further triggered when housed in a correctional setting (Substance Abuse and Mental Health Services Administration, 2019). Because of these unique factors, youth offenders benefit from programming targeted to address these needs.

Relevant Policy. AB 1276 (Bloom), Chapter 590, Statutes of 2014, required, as of July 1, 2015 the CDCR to conduct a youth offender Institutional Classification Committee (ICC) review at reception to provide special classification consideration for every youth offender. It would require the department to consider placing a youth offender at a lower security level than corresponds with his or her classification score, or placing a youth offender in a facility that permits increased access to programs, based on the ICC review and other factors, including, among others, the youth offenders recent in-custody behavior. And, it would require the department to transfer a youth offender to a lower security level facility if the department determines, based on a specified review, that he or she may appropriately be placed at a lower security level facility. The bill required a youth offender who is denied a lower security level, or who did not qualify for a placement permitting increased access to programs, and is placed in the highest security level to be eligible to have his or her placement reconsidered at his or her annual review until age 25.

Current Programming. Due to the addition of Penal Code section 2905 via AB 1276, CDCR implemented the current YOP classification process. The current YOP classification process occurs at a reception center institution where eligible youth offenders are identified for placement at one of ten designated YOP institutions. A Youth Offender ICC (YOICC) reviews the youth offender's case factors and affords the opportunity for special classification consideration. This consideration determines the appropriateness of performing a Behavior Override (BEH) for the youth offender, wherein the YOICC assesses the youth's readiness for placement at a lower security level than their classification score.

Youth offenders who are identified as Level I and Level II (eligible for a BEH to Level I) are transferred for placement at a Camp or Minimum Support Facility (MSF). The remaining youth offenders who are identified at Level III and Level IV (eligible for a BEH to Level II and Level III, respectively) are transferred to a YOP-designated institution based on their rehabilitative and security needs. The current YOICC is comprised of multiple correctional staff members, including at least one Correctional Counselor I (CCI) specifically trained in adolescent and young adult development and evidence-based interviewing processes. The primary goals of the CCI in this process are to thoroughly prepare the youth offender's casework and assist the YOICC in determining the youth offender's readiness for a BEH override, as well as encourage the youth to commit to positive change and self-improvement. Currently, youth offenders have the ability to refuse participation in a YOP. In these instances, the YOICC is unable to approve a BEH and the youth offender is transferred to a non-YOP institution, where they will be housed with other adult offenders with a similar classification level.

Proposal Details. Currently, CDCR houses approximately 5,800 youth offenders, a large portion of whom have not opted to participate in the Youth Offender Program. With this proposal, CDCR will require all youth offenders to participate in the YOP for the first 12 months of incarceration. CDCR will cluster youth offenders in campus style environments at select institutions. Institutions have been identified to ensure multiple classification factors can be accommodated, but also with consideration to location of institutions in proximity to assist with visits from loved ones. Based on these factors, four institutions are identified as focused YOP rehabilitative communities super cluster locations housing 500 or more youth offenders. Six additional institutions will serve as focused YOP rehabilitative communities providing for populations of less than 500 youth offenders. By clustering youth offenders in large focused YOP rehabilitative communities, CDCR will create campus-style atmospheres, tailored for YOP programming.

In addition, within these communities, incarcerated peer mentors will be carefully selected and trained with the goal of fostering supportive networks for the youth offenders. These incarcerated mentors provide a unique opportunity to connect and influence with the young impressionable offenders, and guide the youth offender to positive methods and choices while incarcerated.

Staffing Details. The table below shows the positions added per year for this proposal.

Positions	FY20 Current Year	FY20 Budget Year	FY20 BY+1	FY20 BY+2	FY20 BY+3	FY20 BY+4
1138 - Office Techn (Gen) (Eff. 07-01-2020)	0.0	4.0	4.0	4.0	4.0	4.0
5278 - Mgmt Svcs Techn (Eff. 07-01-2020)	0.0	1.0	1.0	1.0	1.0	1.0
5758 - Research Data Spec II (Eff. 07-01-2020)	0.0	2.0	2.0	2.0	2.0	2.0
9662 - Corr Officer (Eff. 01-01-2021)	0.0	4.8	9.5	9.5	9.5	9.5
9902 - Corr Counselor III (Eff. 07-01-2020)	0.0	1.0	1.0	1.0	1.0	1.0
9903 - Corr Counselor II (Supvr) (Eff. 07-01-2020)	0.0	2.0	2.0	2.0	2.0	2.0
9903 - Corr Counselor II (Supvr) (Eff. 07-01-2021)	0.0	0.0	4.0	4.0	4.0	4.0
Total Positions	0.0	14.8	23.5	23.5	23.5	23.5

Existing Correctional Counselor Is (CCI) staff, as per established budgetary/operational ratios of one staff to 135 offenders, will be utilized to provide these critical front line services. The identified YOP

Counselor positions will follow tailored duty statements and clearly defined expectations as it relates to the YOP and will be trained as the local Subject Matter Experts for the focused YOP cluster institutions.

The CCIs staff will also train selected YOP peer-mentors at each of the designated institutions, who will then provide an overview of the YOP requirements to incoming youth offenders and emphasize the importance of staying disciplinary-free, with the goal of reinforcing a positive programming culture within the YOP.

These institutions will have a large volume of CCIs dedicated to the larger population of YOP. As a result, a dedicated Correctional Counselor II (CCII) Supervisor is required for institutions with a targeted population of 500 or more to ensure proper supervision, engagement, monitoring and overall success of the local program. When populations reach 1,100 or greater, an additional CCII, Supervisor is required. For the remaining six identified focused YOP community institutions, existing CCII Supervisors will be designated and trained to provide this support.

Correctional Officers will provide custody supervision and ensure youth offender access to programs. The positions will be spread across both second and third watches, to ensure programs are available during both daytime and evening hours, which will further accommodate youth offenders and their varying rehabilitative program schedules.

One Correctional Counselor III (CCIII) and one Management Services Technician (MST) appointed at CDCR Headquarters to facilitate the development, implementation, oversight, compliance monitoring, training, and accountability of the statewide focused YOP communities. The CCIII will work in conjunction with the existing CCII at CDCR Headquarters and will have lead responsibility for conducting audits and providing regular intervals of training at each focused YOP community institution, with an annual cost of approximately \$36,050.

The MST will support the CCIII and CCII in activities and tasks by providing analytical and clerical support for the statewide program administration, especially while the counselor staff are traveling in the field.

LAO Assessment and Recommendation. The LAO did not raise any concerns with this proposal.

Staff Recommendation. Hold Open

Issue 2: Technology for Inmates Participating in Academic Programs

Governor’s Budget. The budget includes 38 positions and \$26.9 million in 2020-21, and ongoing funding as described herein, to create an academic cloud network and associated hardware to enhance efficiency in providing rehabilitative academic programming to the offender population.

Background. Under current state law, CDCR is required to improve literacy and educational attainment. Improving literacy and educational attainment is important because research shows that education programs, when appropriately implemented, are a cost-effective method of reducing recidivism. Moreover, it is often necessary for the incarcerated to improve their literacy in order to be able to effectively participate in other rehabilitation programs while in prison, such as vocational or cognitive behavioral therapy programs.

CDCR Provides Both Classroom- and Non-classroom-Based Education. The 2019-20 Budget Act provided about \$172 million (mostly from the General Fund) to CDCR for various academic education programs. Most of this funding is used to support classroom based education. However, the department has also taken steps to provide educational opportunities outside of traditional classroom instruction. For example, the department operates the Voluntary Education Program, which is designed to supplement classroom-based education or to provide access to education when a classroom-based option is not available. Instructors in this program work with incarcerated students offering in-person support at least twice a week. In addition, CDCR provides technology-based education such as computer software designed to help the incarcerated prepare for the high school equivalency exam, as well as peer mentors to help the incarcerated develop basic literacy skills.

Current Issues. According to the CDCR, there are several barriers to expanding programming to incarcerated people interested in programming. One barrier to providing more programming is physical space limitations within the institutions. Managing space between academic education, vocational education, substance use disorder treatment programs, and other cognitive behavioral interventions, offender activity groups, mental health groups, and California Prison Industry Authority activities continues to remain a challenge.

Another challenge concerns the necessary educational staff to efficiently provide programming. Many institutions are in remote locations. Highly specialized teachers or college professors may not be able to make the significant travel commitments, or work the needed alternate-schedule hours required to teach programs in prison. As an example, many current face-to-face college instructors are required to drive 1-2 hours to reach remote institution locations to teach college. This often limits CDCR’s ability to attract college professors to travel or teach, especially because they are not reimbursed by CDCR.

Additionally, as offenders have access to more programs and educational opportunities throughout the day, they require additional flexibility in their schedule for studying and completing program assignments, or potentially working part-time. Limited downtime is available if an offender attends morning classroom instruction, early afternoon cognitive behavioral interventions, and works part-time in the afternoon/early evening. Offenders need flexibility in non-core hours to finish in-class work, study, research, and/or write papers away from the traditional classroom.

Proposal Details. CDCR requests funding to provide a total of 40,000 “thin” client laptops and an academic cloud network to support programming, while leveraging current technology, to better prepare

offenders for release. This allows for just over 28,000 participants in academic classroom-based instruction, and another 12,000 currently enrolled in post-secondary education. Thin client laptops are simple computers with little to no software residing on the local hard drive. Most or all content is accessible only through a private and secure cloud network. An academic cloud network is an online portal where students are able to access educational material in a formal academic environment/classroom and download applicable information. Thin client laptops may be checked out to continue the offender's education outside of the formal classroom setting. This check out system will allow the offender to continue engaging in rehabilitation outside of the classroom and inside of the dayroom or in their dormitory or cell.

Education and rehabilitative services that would be available on the laptops include adult literacy instruction, high school equivalency, college, and cognitive behavioral interventions, including substance use disorder treatment and education. Although not a part of this funding request, CDCR anticipates that career technical education programs will also be available on the cloud network as part of a holistic application of technology for the offender. This technology intends to supplement face-to-face instruction, providing educational programming beyond physical classrooms and expanding opportunities for learning and rehabilitation. It will not replace face-to-face instruction. The program will leverage wireless services for the following purposes:

- Supplement face-to-face instruction and educational materials and provide access to programs beyond physical classrooms.
- Students enrolled in academic education programs will check out laptops to support their programming and access support services in an electronic Learning Management System. Students will be able to download needed information from the academic cloud network while in an academic setting to later utilize on their thin client laptop during non-classroom hours in the dayroom or in their dormitory or cell.
- Migration from desktop computers to laptop computers (where appropriate), will allow for learning outside the classroom and increases the flexibility of existing facility space. All existing computer labs would eventually migrate to portable laptop devices, creating more traditional spaces for other rehabilitative uses during non-school hours.
- CDCR plans to use current video conferencing equipment in classrooms to extend instructors' reach to more offenders, potentially allowing them to teach in multiple classrooms statewide at one time, while having the assistance of an in-classroom facilitator to assist students with the material.
- Deliver self-driven digital learning tools, such as electronic books and media.
- The requested technology infrastructure will provide students with the capability to access their completed program work, along with current program materials, from any designated wireless area and from alternate institutions in case of transfer. A student losing completed program content when they transfer inhibits their ability to show employers evidence of work they completed while incarcerated.
- This proposal allows offenders the opportunity to extend their educational hours through effective self-study in instructional libraries and their dormitory or cell. The ability to study during third watch, weekends, and institution lockdowns, will increase the speed of educational progress, allowing for earlier educational advancement and more program seats to be available to offenders on waiting lists.

- CDCR also plans to leverage the capability to provide access to job resources through the Prison to Employment initiative and DRP's Automated Rehabilitation Catalog and Information Discovery system.

LAO Assessment. *Program is Promising, but Cost Effectiveness Unclear.* The laptops and other technologies included in the Governor's proposal would likely expand access to academic materials. This could improve the productivity of those enrolled in academic programming and lead to more rapid gains in literacy and other educational outcomes. The LAO also notes that these technologies could allow the department to further expand academic programs in prisons that have difficulty recruiting instructors by allowing instructors at other prisons to lead courses remotely. In addition, through the opportunity to use laptops, the incarcerated would improve their familiarity with computers. This could improve their employability and ability to function in the community upon release.

However, while the program could have a number of benefits, it is unclear if it would be cost-effective relative other academic programs, particularly because of its relative expense. The LAO notes that the requested funding for 2020-21 represents a 16 percent increase in CDCR's current budget for academic education. With this funding, the LAO estimates for illustrative purposes that CDCR could instead hire over 200 additional instructors capable of providing classroom-based literacy instruction to roughly 5,500 incarcerated people annually.

LAO Recommendations *Approve Proposal but Require Reporting on Outcomes and Cost-Effectiveness.* The LAO recommends the Legislature approve the Governor's proposal to provide inmates with thin-client laptops and other academic technologies as it could improve inmate academic achievement. However, given the expense of the program, the LAO recommends the Legislature adopt budget trailer legislation requiring CDCR to contract with an external researcher to evaluate the cost-effectiveness of the program at improving inmate educational attainment relative to traditional classroom-based instruction. The LAO estimates that costs for the external evaluation would be around a few hundred thousand dollars. The LAO recommends that the Legislature require the department to provide the evaluation no later than January 10, 2024, to give the department time to fully implement the program. This evaluation would allow the Legislature to determine whether the program is sufficiently successful given its expense. To the extent it is not, the Legislature could consider redirecting the funding for the program to other General Fund priorities—including other academic programs that would achieve greater improvements in inmate educational attainment.

Staff Recommendation. Hold open.

Issue 3: Correctional Video Surveillance/ Drug Interdiction Project Continuation

Governor’s Budget. The budget includes \$21.6 million General Fund and eight positions (six permanent and two one-year, limited-term) in 2020-21 and \$2.1 million General Fund and six positions in 2021-22 and ongoing to enhance drug interdiction efforts by completing additional deployments of the Correctional Video Surveillance project at three institutions- Richard J. Donovan Correctional Facility (RJD), Salinas Valley State Prison (SVSP) and the California Institution for Women (CIW).

Background. There is an ongoing problem with the use and trafficking of illegal drugs and contraband within its institutions, with visiting rooms being an avenue for the introduction of contraband. The importing, trafficking, and use of illegal drugs and contraband can lead to an increase in inmate violence, the establishment of an underground economy, and inmates’ death due to drug overdose.

The CDCR uses a variety of search methods on inmates, including visual inspections, clothed body searches, visual unclothed body searches, hand-held metal detectors, walk-through metal detectors, audio and video surveillance devices, and canine units. The enforcement of various regulations and search methods has deterred inmates from attempting to introduce drugs and contraband into the institution. This has resulted in the discovery, identification, and in some instances, prosecution of people (inmates, employees, visitors, volunteers, attorneys, contractors, etc.) who have violated contraband introduction laws. From July 2014 to June 2018, there were 1,142 incidents in which staff, visitors, and non-visitors (civilians) were identified, arrested, and prosecuted for attempting to introduce drugs, alcohol, or contraband into an institution.

Surveillance at Prisons. In 2015, the Office of Inspector General conducted a special review of High Desert State Prison (HDSP). The resulting report stated, “Surveillance is invaluable in capturing misconduct, documenting inmate activity, and exonerating employees who have been wrongly accused of misconduct. High quality visual recordings of incidents can serve to resolve...conflicting accounts. In addition, there are many rule violations and crimes inmates commit that visual recordings could memorialize for just resolution.” The report further recommended CDCR “immediately install cameras in all inmate areas, including, but not limited to, the exercise yards, rotundas, building dayrooms, patios, and program offices of HDSP.” In 2016, CDCR installed an Audio Video Surveillance Solution (AVSS) with 207 high definition cameras in designated high traffic and large congregation areas at HDSP. This deployment served as a technical pilot, enabling CDCR to test the viability of operating this type of equipment on CDCR’s network. In 2017-18, CDCR received funding to deploy AVSS at HDSP and the Central California Women’s Facility (CCWF). Also in 2016, a Coleman Special Master monitoring team toured California State Prison, Sacramento (SAC) due to an increased number of allegations against the staff within their Psychiatric Services Unit, Treatment Centers, and Administrative Segregation Units. The resulting report recommended CDCR install video surveillance cameras to increase observation and provide transparency in areas where allegations commonly originate. In 2018-19, CDCR received funding and installed 178 video surveillance cameras at SAC.

Each Audio Video Surveillance Solution consists of approximately 800 digital cameras installed inside and outside of buildings throughout an institution. Typical locations include, but are not limited to: yards, housing units, program buildings, administration buildings, visiting rooms, sally ports, and visitor processing. The perimeter locations will use radar technology to detect movement in front of the unit with a wide field of view and infrared to produce light for the camera without the need for exterior lighting.

Previous funding for Contraband Interdiction. The Legislature previously approved two-year limited-term funding of \$5.2 million per year and 24.0 positions to begin an Enhanced Drug and Contraband Interdiction Program (EDCIP) pilot. In 2014-15, CDCR began to implement the EDCIP at 11 institutions three identified as an intensive level of interdiction and eight as a moderate level. The pilot designations were intended to gather an overall understanding of the effectiveness of the strategies through CDCR's varying designs and custody levels, including male, female, camp, and reception center institutions. Ultimately, upon expiration of the funding, a 2016-17 Budget Change Proposal authorized the continuation of portions of EDCIP for an additional year. The CDCR was provided \$9.1 million General Fund in 2018-19 and \$8.3 million General Fund in 2019-20 to implement a two-year Contraband Interdiction Program at the California Substance Abuse Treatment Facility (SATF). The program will deploy contraband interdiction devices at the front entrance areas, employ a staffing complement to operate the devices, expand SATF's canine teams, conduct enhanced vehicle and institution searches, and institute a Medication Assisted Treatment (MAT) program to respond to the opioid crisis.

Proposal Details. Audio and/or video recording technology enables CDCR to capture and store recorded data that can be accessed and used as evidence of contraband introduction and violent incidents such as assaults, batteries, and riots. It also provides evidence and transparency in allegations of staff misconduct, use of force, and sexual misconduct; and the introduction and possession of drugs and contraband. High quality visual recordings of incidents will serve as irrefutable evidence in investigations, and in administrative, civil, or criminal proceedings. The existence of evidence improves the institution's ability to conduct and conclude investigations compared to investigations reliant solely on eyewitness testimony. Video recordings will be recorded and stored for at least 90 days. The following events will require staff to preserve the recorded data, until instructed otherwise, as potential evidence in investigations and in administrative, civil, or criminal proceedings:

- Use of force incidents
- Riots
- Suspected felonious criminal activity
- Incidents resulting in serious bodily injury, great bodily injury, or a suspicious death
- Prison Rape Elimination Act/Sexual assault allegations
- Allegations of inmate misconduct (i.e., Serious Rules Violation Reports) by staff
- Allegations of staff misconduct by an inmate, employee, visitor, or other person
- Incidents that may potentially be referred to the District Attorney's Office for criminal prosecution
- An employee report to supervisor of injury
- Inmate claims with Victims Compensation and Government Claims Board
- Office of Appeals requests to review audio or video when conducting an inquiry as it relates to a submittal third level appeal.

Another entry for illegal drug and contraband into an institution is the Minimum Security Facility (MSF) perimeter. The CDCR has seen a significant increase in the number incidents where citizens will gain access to institutional grounds for the purpose of introducing illegal drugs and contraband into an institution by throwing contraband into the MSF perimeter. As technology changes, the Department needs to be proactive in using audio-video recording technology and perimeter detection equipment to ensure the safety of the institutions. The use of audio and/or video recording technology are invaluable investigative tools in identifying involved suspects after an incident has been contained. With the installation of cameras, institutions can eliminate blind spots where prohibited activities may occur.

Staff Details. Below is a table with positions by fiscal year.

Positions	FY20 Current Year	FY20 Budget Year	FY20 BY+1	FY20 BY+2	FY20 BY+3	FY20 BY+4
1402 - Info Tech Spec I (Eff. 07-01-2020)	0.0	2.0	2.0	2.0	2.0	2.0
1402 - Info Tech Spec I (Eff. 07-01-2020)(LT 06-30-2021)	0.0	0.0	0.0	0.0	0.0	0.0
1414 - Info Tech Spec II (Eff. 07-01-2020)	0.0	1.0	1.0	1.0	1.0	1.0
4063 - Sr Estimator of Bldg Constrn (Eff. 07-01-2020)(LT 06-30-2021)	0.0	0.0	0.0	0.0	0.0	0.0
9662 - Corr Officer (Eff. 07-01-2020)	0.0	3.0	3.0	3.0	3.0	3.0
OT00 - Overtime (Eff. 07-01-2020)	0.0	0.0	0.0	0.0	0.0	0.0
Total Positions	0.0	6.0	6.0	6.0	6.0	6.0

LAO Assessments and Recommendation. The LAO did not raise any concerns with this proposal.

Staff Recommendation. Hold Open.

Issue 4: Correctional Staff Training and Job Shadowing

Governor's Budget. The budget includes \$21.4 million General Fund and 54 positions in fiscal year 2020-21, \$19.7 million General Fund and 74 positions in 2021-22, \$28.3 million General Fund and 85 positions in 2022-23, and \$19.8 million General Fund and 85 positions in 2023-24 and ongoing to improve departmental training of institution-based custody staff.

Background. CDCR operates a 13 week Basic Correctional Officer Academy (BCOA) at the Richard A. McGee Correctional Training Center in Galt. At the academy, cadets learn the basic practices of a correctional officer—such as how to search inmate property—in a largely classroom-based setting. Afterward, graduates are assigned to prisons and begin work as correctional officers.

The Commission on Correctional Peace Officer Standards and Training (CPOST) is statutorily responsible for developing, approving, and monitoring standards for the selection and training of correctional officers and supervisory staff, as well as monitoring CDCR's design and delivery of staff training. CPOST is comprised of six members, three appointed by CDCR to represent the department's management and three appointed by the Governor to represent the members of the California Correctional Peace Officers' Association (the union representing CDCR correctional staff). The 2019-20 budget includes \$1.3 million from the General Fund for CPOST and \$83 million from the General Fund for CDCR to deliver training to peace officers.

Proposal Details. The Governor's budget includes \$8.2 million and 17 positions in 2020-21 for the new training facility. Under the proposal, the level of resources would fluctuate until reaching \$7.6 million and 48 positions in 2023-24 and annually thereafter.

- a) ***New Facility for Hands-On Training (\$8.2 Million).*** Under the Governor's proposal, CDCR would convert a former prison located in Stockton into a facility to provide hands-on training to cadets on topics such as transportation of inmates, contraband surveillance, and escape prevention. Specifically, the CDCR is requesting to convert the Northern California Women's Facility (NCWF), a formerly operational institution closed in 2003, into an advanced departmental training facility, implement a four-week job shadowing and New Employee Orientation program for newly graduated cadets, and expand Correctional Counselor training. The department also plans to offer a new training called "Day in the Life."
- b) ***Job Shadowing Program for New Correctional Officers (\$11.5 Million).*** As a part of the proposed training plan, after graduation from the BCOA, upon arrival at their assigned institution, new COs will enter a transitional phase where they will learn job-specific procedures through a formalized training program. The training includes New Employee Orientation, which currently exists as a one week program, and job shadowing with experienced COs and staff for an additional three weeks. The highly structured four-week orientation will pair new COs with experienced COs on a variety of post assignments, preparing new officers to assume these posts independently after orientation.

The Governor's budget provides a total of \$11.5 million in ongoing resources for the program. This amount includes (1) \$5.2 million to pay the new officers' salaries during these three weeks, and (2) \$6.3 million to support 35 correctional sergeant positions (one per prison). These sergeants would coordinate the new job shadowing program and perform various other duties

related to staff training that the department indicates have grown in recent years beyond a level that can be accommodated by existing staff.

- c) **Additional CPOST Staff (\$524,000).** The Governor's budget provides \$524,000 in 2020-21 (decreasing to \$462,000 annually beginning in 2021-22) for CPOST to add two new supervisor-level positions. CPOST indicates that without these positions, it cannot effectively provide oversight of standards and training for CDCR's management and supervisory positions. According to CPOST, the additional staff would allow it to better monitor and evaluate outcomes associated with increased staff training, such as use of workers compensation, employee attrition, and morale.
- d) **Additional Training for Correctional Counselors (\$1.2 Million).** Correctional counselors compile and maintain information about inmates—such as their criminal and medical histories—and assist with assigning inmates to appropriate housing settings and rehabilitation programs. The Governor's budget proposes \$1.2 million in 2020-21 (decreasing to \$312,000 annually in 2021-22) for CDCR to provide training to correctional counselors related to communication and case management skills. The department reports that this is necessary as current training for these staff is focused on knowledge of department policies and regulations but lacks sufficient training on interpersonal communication, which is an important element of their work.

Staff Details. The number of positions will fluctuate, beginning with 17 positions in 2020-21 and increasing to 48 in 2023-24. Below is a table that shows the position by year. These 48 positions would include 28 instructional sergeants, 15 maintenance staff, and one sergeant to provide perimeter security.

Positions	FY20 Current Year	FY20 Budget Year	FY20 BY+1	FY20 BY+2	FY20 BY+3	FY20 BY+4
0743 - Groundskeeper - CF (Eff. 07-01-2021)	0.0	0.0	2.0	2.0	2.0	2.0
2003 - Lead Custodian (Eff. 07-01-2021)	0.0	0.0	1.0	1.0	1.0	1.0
2006 - Custodian - CF (Eff. 07-01-2021)	0.0	0.0	1.0	1.0	1.0	1.0
5393 - Assoc Govtl Program Analyst (Eff. 07-01-2022)	0.0	0.0	0.0	1.0	1.0	1.0
6538 - Electrician II - CF (Eff. 07-01-2021)	0.0	0.0	1.0	1.0	1.0	1.0
6594 - Plumber II - CF (Eff. 07-01-2021)	0.0	0.0	1.0	1.0	1.0	1.0
6643 - Locksmith I - CF (Eff. 07-01-2020)	0.0	1.0	1.0	1.0	1.0	1.0
6699 - Chief Engr I - CF (Eff. 07-01-2020)	0.0	1.0	1.0	1.0	1.0	1.0
6713 - Stationary Engr - CF (Eff. 07-01-2020)	0.0	2.0	2.0	2.0	2.0	2.0
6713 - Stationary Engr - CF (Eff. 07-01-2021)	0.0	0.0	1.0	1.0	1.0	1.0
6826 - Heavy Equipmt Mechanic - CF (Eff. 07-01-2022)	0.0	0.0	0.0	1.0	1.0	1.0
6940 - Maint Mechanic (Eff. 07-01-2020)	0.0	1.0	1.0	1.0	1.0	1.0
6940 - Maint Mechanic (Eff. 07-01-2021)	0.0	0.0	2.0	2.0	2.0	2.0
9646 - Capt (Adult Institution) (Eff. 07-01-2020)	0.0	1.0	1.0	1.0	1.0	1.0
9646 - Capt (Adult Institution) (Eff. 07-01-2022)	0.0	0.0	0.0	1.0	1.0	1.0
9656 - Corr Lieut (Eff. 07-01-2020)	0.0	1.0	1.0	1.0	1.0	1.0
9656 - Corr Lieut (Eff. 07-01-2021)	0.0	0.0	1.0	1.0	1.0	1.0
9659 - Corr Sgt (Eff. 07-01-2020)	0.0	47.0	47.0	47.0	47.0	47.0

Positions	FY20 Current Year	FY20 Budget Year	FY20 BY+1	FY20 BY+2	FY20 BY+3	FY20 BY+4
9659 - Corr Sgt (Eff. 07-01-2021)	0.0	0.0	10.0	10.0	10.0	10.0
9659 - Corr Sgt (Eff. 07-01-2022)	0.0	0.0	0.0	8.0	8.0	8.0
OT00 - Overtime (Eff. 07-01-2020)	0.0	0.0	0.0	0.0	0.0	0.0
Total Positions	0.0	54.0	74.0	85.0	85.0	85.0

LAO Assessments and Recommendation. *Portions of Requested Funding Are Not Fully Justified.* The LAO finds that efforts to integrate hands-on training into the academy, implement a job shadowing program for new officers, provide additional staff for CPOST, and expand training for correctional counselors appear reasonable and worthwhile. However, the following portions of the requested funding have not been fully justified:

- ***Instructors for Day in the Life Training.*** One of the 19 trainings that CDCR plans to offer at the new facility—called Day in The Life—would drive one-quarter of the workload for the 28 new instructional sergeants requested for the facility. However, at the time of publication, the department had not explained what this course would entail and why it believes its benefits justify seven dedicated sergeant positions at a total cost of \$1.3 million annually.
- ***Maintenance Staff at New Training Facility.*** The proposal includes 15 maintenance positions for the new facility—one-third of the total staffing package proposed for the facility. This includes a locksmith, heavy equipment mechanic, three stationary engineers (responsible for maintaining electrical and mechanical systems), three maintenance mechanics (responsible for repairing plumbing, electrical systems, and various pieces of equipment such as locks), one plumber, and one electrician. While some maintenance staff would be necessary, at the time of this report, the department had not explained why it needs 15 maintenance staff at a facility that is not a 24-hour institution and does not house inmates. For example, given that no inmates are housed in the new facility's cells, it is unclear why the department could not bring a locksmith from one of its other institutions to fix locks when needed. Furthermore, the new facility would not need the extensive infrastructure and equipment associated with an operational prison—including industrial kitchens and busses. Accordingly, it is not clear that there would be enough infrastructure and equipment on site to justify all of the requested maintenance staff. The LAO thinks that one chief engineer, one lead custodian, and two groundskeepers would be a more reasonable maintenance staffing package for the proposed training center.
- ***Outside Patrol Sergeant at New Training Facility.*** The proposal includes a sergeant position to perform various security functions, including processing staff and visitors into and out of the facility, monitoring vehicles, and observing video surveillance monitors. It is unclear why a facility with no inmates present would need this level of security.
- ***Portion of New Prison-Based Sergeants.*** The department requests 35 sergeant positions to perform various duties related to staff training. The department provided information showing that there is sufficient new workload related to managing the proposed job shadowing program to justify 13 of the 35 proposed staff. According to CDCR, the remaining 22 proposed positions would accommodate workload that existing staff are unable to complete in a timely manner due to other workload priorities. For example, CDCR indicates that employee orientations are often not provided until after new employees have been working for several months. However, the department has not been able to provide adequate information to justify the additional 22 positions. This information includes: (1) data identifying the specific workload

being delayed and the extent to which it is delayed, (2) the impacts of the delayed workload, (3) detailed analysis demonstrating that the 22 requested positions are needed to complete this workload in a timely manner, and (4) alternatives that the department considered for accommodating the identified workload.

Unclear How Legislature Would Be Informed of Training Outcomes. With the requested new supervisory staff, CPOST reports that it would be better able to monitor metrics that it expects to be impacted by these training initiatives. This added data collection capacity would be beneficial, but the LAO notes that the proposal did not include any requirement that the Legislature be kept regularly informed of the findings.

LAO Recommendations. Reject Unjustified Portions of New Training Center and Job Shadowing Program. In light of the concerns raised above, the LAO recommends the Legislature reject the following portions of the resources requested for the new training center and job shadowing program that have not been justified:

- ***Instructors for Day in the Life Training.*** The LAO recommends that the Legislature reject the seven sergeant positions and associated \$1.3 million in funding for the Day in the Life training given that CDCR has not explained what this course would entail or why its benefits would justify its cost.
- ***Portion of Maintenance Staff.*** The LAO recommends that the Legislature reject 11 of the proposed 15 maintenance positions as they do not appear necessary. This would reduce the funding needed for the training center by \$1.2 million once the training center is fully operational.
- ***Perimeter Security Sergeant.*** The LAO recommends that the Legislature reject the perimeter security sergeant position and associated \$180,000 in ongoing funding as it is unclear why the new training center would need this level of security.
- ***Portion of Prison-Based Sergeants.*** The LAO recommends that the Legislature reject the 22 prison-based sergeants and associated \$4 million in ongoing funding given that CDCR has not provided an analysis demonstrating the need for these positions.

Approve CPOST Funding but Require Report on Outcomes of Training. The LAO recommends that the Legislature approve the requested resources for CPOST, as the additional positions would better position CPOST to meet its legislative mandates. In addition, the LAO recommends that the Legislature pass budget trailer legislation requiring an annual report from CPOST beginning July 1, 2021, on the correctional training provided by CDCR. This report should include data on relevant outcomes that could be impacted by the improvements to CDCR training—including the number of workers’ compensation claims, use of sick leave, transfer and attrition rates, employee morale, the number of inmate appeals, use of force incidents, and lawsuits brought against the department. The report should also include the conclusions CPOST draws from the data and its plans to address any concerns or challenges identified. This information would help the Legislature more effectively provide oversight of officer standards and training.

Approve Funding to Increase Training for Correctional Counselors. The LAO recommend that the Legislature approve the proposal to increase correctional counselor training given that the objective and funding amount associated with the proposed training appear reasonable.

Staff Recommendation. Hold Open.