

SUBCOMMITTEE NO. 5

Agenda

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



Thursday, May 12, 2022
Upon adjournment of session
1021 O Street - Room 2200

Consultant: Nora Brackbill, Ph.D.

OUTCOMES

All Items - Approved Staff Recommendation (3-0; Grove Absent)

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ITEMS FOR VOTE ONLY

Issue	Proposal	Background	Staff Rec.
0250 JUDICIAL BRANCH			
1	AB 177 Trial Court Backfill	The Governor's Budget proposes requests \$13.4 million ongoing General Fund to backfill revenues lost from the repeal of fees in AB 177. AB 177 repealed various Penal Code and Vehicle Code sections that dealt with predominantly administrative fees which were used generally to cover various court services.	AAB
2	Court of Appeals Court Appointed Counsel	\$8.3 million ongoing General Fund in 2022-23 to support the Courts of Appeal Court Appointed Counsel Program. This total amount includes \$6.4 million ongoing General Fund for a \$15 rate increase for non-capital appeal appointments, and \$1.9 million for a permanent 10.5 percent increase in the Project Offices annual contracts.	AAB
3	Electronic Filing for Restraining Orders (AB 887, SB 538)	The Governor's Budget proposes \$2.6 million General Fund in 2022-23 and three positions and \$1.7 million in 2023-24 and ongoing to implement, support, and maintain electronic filing interfaces for domestic violence restraining orders, domestic temporary restraining orders, and gun violence restraining orders at all trial courts.	AAB
4	Improvement and Modernization Fund (IMF) BBL	The Governor's Budget proposes provisional budget language authorizing the Director of the Department of Finance to transfer additional General Fund support to the IMF if revenues are lower than expected. The transfer can only occur 30 days after written notification to the Legislature.	AAB and adopt provisional BBL
5	Probate Conservatorship Report (AB 1194)	The Governor's Budget proposes \$1.25 million one-time General Fund in 2022–2023 to support costs of producing a comprehensive study of probate conservatorships in California and developing statewide recommendations, as required by AB 1194 which requires the Judicial Council, on or before January 1, 2024, to report to the Legislature the findings of a study of at least three courts measuring court effectiveness in conservatorship cases.	AAB
6	Public Access Staffing	The Governor's Budget proposes \$1.2 million General Fund in 2022-23 and 4 positions and \$1.1 million in 2023-24 and ongoing to address the volume and work related to requests for legal guidance and support with public access requirements for judicial branch administrative records and proceedings.	AAB

7	Trial Court Employee Health Benefit and Retirement Costs	The Governor's Budget proposes \$28.7 million ongoing General Fund for the trial court employee health benefit and retirement costs.	AAB
8	Trial Court Trust Fund Revenue Backfill	The Governor's Budget proposes \$117.8 million ongoing General Fund to backfill the Trial Court Trust Fund Revenue.	AAB
0280 COMMISSION ON JUDICIAL PERFORMANCE			
9	Spring Reappropriation Proposal	The Governor's spring proposal requests a reappropriation of \$200,000 with funding available for encumbrance and expenditure until June 30, 2023, related to the establishment of a fifteen-member committee to review the operations and structure of the Commission on Judicial Performance and to develop recommendations that would improve the Commission's ability to carry out its core responsibilities.	AAB
0390 CONTRIBUTIONS TO THE JUDGES' RETIREMENT FUND			
10	Spring Reappropriation Proposal	The Governor's spring proposal requests a reappropriation of \$80,000 related to the post judgment award in <i>Robert M. Mallano, Individually, and Behalf of a Class of Similarly Situated Persons v. John Chiang, Controller of the State of California (Case No. BC-533770)</i> .	AAB
0552 OFFICE OF THE INSPECTOR GENERAL			
11	Staffing Increase for the Oversight, C-ROB, and Intake Unit	The Governor's Budget requests \$232,000 ongoing General Fund and 2 positions to address increased workload of the Office of Inspector General's OCI Unit. This unit is currently staffed with a total of six line-staff positions and requires two additional Associate Deputy Inspector General positions to handle its increased complaint workload.	AAB
0690 OFFICE OF EMERGENCY SERVICES			
12	Disaster Service Worker Program	The Governor's spring proposal requests \$500,000 General Fund in 2022-23 and ongoing for the Disaster Service Worker Volunteer Program to provide sufficient and timely workers' compensation benefits to injured volunteers and eligible survivors, and issue medical provider payments without incurring penalty and interest fees.	AAB

13	Emergency Services: Vulnerable Populations (AB 580)	The Governor's Budget proposes \$1.41 million General Fund ongoing and 6 positions to review the emergency plans of each county to determine whether the plans are consistent with access and functional needs best practices and provide technical assistance, consistent with the requirements of Chapter 744, Statutes of 2021 (AB 580).	AAB
14	Equality in Prevention and Services for Domestic Abuse Fund	The Governor's spring proposal requests a one-time budget authority increase of \$375,000 in Equality in Prevention and Services for Domestic Abuse Fund in 2022-23 to continue to develop and support a training curriculum, support service providers, and provide brochures associated with lesbian, gay, bisexual, and transgender domestic abuse.	AAB
15	Headquarters Modernization	The Governor's Budget proposes \$5.23 million one-time General Fund in 2022-23 and \$1.96 million in 2023-24 for support costs associated with two authorized capital outlay projects for the construction phase of State Operations Center modification.	AAB
16	Implementing 9-8-8 Behavioral/Mental Health Hotline	The Governor's Budget proposes \$7.52 million General Fund in 2022-23, \$5.98 million ongoing, and 10 positions in response to the Federal Communications Commission requirement to implement 9-8-8 nationwide. The requested resources will be used to procure, install, and maintain the 9-8-8 call handling equipment and to develop and implement the 9-1-1 to 9-8-8 interface.	AAB
17	Mather: Headquarters Lobby Security Enhancements	The Governor's Budget proposes \$198,000 General Fund for the working drawings phase and \$1.11 million General Fund for the construction phase of the Mather: Headquarters Lobby Security Enhancements project.	AAB
18	Mather: Headquarters Security Checkpoint Enhancements	The Governor's Budget proposes \$351,000 General Fund for the working drawing phase of this continuing project to install two permanent check points and upgrade existing entryway gates at the North and West entrances of the main parking lot.	AAB
19	Mather: Security Checkpoint Support	The Governor's Budget proposes \$200,000 ongoing General Fund for support costs related to the Headquarters Security Checkpoint Enhancement Capital Outlay project. This proposal will supplement an existing security contract to add two additional security guards.	AAB

20	Mather: State Operations Center Modification	The Governor's Budget proposes \$1 million General Fund for equipment and \$8.93 million General Fund for the construction phase of the State Operations Center modification.	AAB
21	Nuclear Planning Assessment Special Account Consumer Price Index Adjustment	The Governor's spring proposal requests an increase to the Nuclear Planning Assessment Special Account appropriations of \$10,000 state operations and \$53,000 local assistance in 2022-23 in accordance with provisions of Government code section 8610.5.	AAB
22	Peace Officer and Law Enforcement Legislative Requirements (AB 481)	The Governor's Budget proposes \$418,000 ongoing and 2 positions for OES to comply with AB 481, which requires all law enforcement agencies to obtain approval from their applicable governing body before they can request to acquire military equipment through the 1033 Program. Note that this BCP also contains funding for other agencies, which will be handled in Subcommittee 2.	Reject the proposed resources and positions for OES (\$418,000 and 2 positions ongoing).
0820 DEPARTMENT OF JUSTICE			
23	Medi-Cal Fraud and Elder Abuse: Medicaid Patient Abuse Prevention Act	The Governor's spring proposal requests that Item 0820-001-0001 be increased by \$474,000, Item 0820-001-0378 be increased by \$1,224,000, and Item 0820-001-0890 be increased by \$6,134,000 ongoing to provide sufficient authority for the Department of Justice to receive the full amount of a reoccurring federal grant that supports investigative, enforcement, and prosecutorial duties carried out by the Department's Division of Medi-Cal Fraud and Elder Abuse.	AAB
24	Registry of Charitable Trusts Workload	The Governor's Budget proposes \$1.4 million Registry of Charitable Trusts Account and 10 positions in 2022-23, \$1.3 million and 11 positions in 2023-24, \$1.4 million and 12 positions in 2024-25, and \$1.4 million and 13 positions in 2025-26 and ongoing to support increased workload from increased registrations and delinquency reduction.	AAB
25	Replacement of the License 2000 System	The Governor's Budget proposes \$902,000 Gambling Control Fines and Penalties Fund in 2022-23 to support continued Project Approval Lifecycle (PAL) efforts related to the replacement of the Bureau of Gambling Control's License 2000 System.	AAB
26	Tribal Nation Grant	The Governor's Budget proposes \$137,000 Indian Gaming Special Distribution Fund in 2022-23 and ongoing, and 1 permanent position, to comply with mandated duties associated with the Tribal Nation Grant Fund Program.	AAB

5225 DEPARTMENT OF CORRECTIONS AND REHABILITATION			
27	Americans with Disabilities Act (ADA) Facility Improvements	The Governor's Budget requests \$22.2 million one-time General Fund for the construction of ADA accessibility improvements at the California Institution for Men, California Institution for Women, California State Prison – Los Angeles County, and Richard J. Donovan Correctional Facility.	AAB
28	Americans with Disabilities Act (ADA) Staffing	The Governor's Budget requests \$2.6 million General Fund and 20 positions in 2022-23 and \$2.7 million ongoing to support court mandated ADA remedial measures for disabled incarcerated persons at various institutions. These resources will be used to provide the disabled population with increased access to programs, services, and activities consistent with the ADA. CDCR will monitor compliance by tracking litigation costs, decreases in the number of rules violations, and number of grievances and incident reports filed by the incarcerated population.	AAB
29	Bachelor's Degree Expansion	The Governor's Budget requests \$5 million General Fund in 2022-23, \$4.5 million in 2023-24, and \$4.7 million in 2024-25 and ongoing and 15 positions to expand the Bachelor's Degree Program to seven institutions.	AAB
30	Cellular Interdiction	The Governor's Budget proposes 5 positions and \$12.6 million General Fund in 2022-23 (increasing to \$18.5 million in 2023-24 and decreasing to \$2.4 million in 2026-27 and ongoing) to install new cellphone interdiction technology at all 33 state-owned and operated prisons. Under the proposal, CDCR would install the technology at 8 prisons in 2022-23, 12 prisons in 2023-24, 12 prisons in 2024-25 and one prison in 2025-26. After the technology is installed, ongoing funding would support staff to operate and maintain the equipment.	Approve funding to support the proposed installation at 8 prisons in 2022-23 and 12 prisons in 2023-24 only. CDCR may request additional resources for the remaining prisons in a future budget year.

31	Class Action Lawsuit Staff	The Governor's Budget requests \$2.4 million General Fund and 14 positions in 2022-23 and \$2.3 million ongoing to handle legal work involved in class action lawsuits. This proposal is aimed at decreasing litigation costs through targeted intervention, the development of proactive litigation strategies and policy change, and the promulgation of regulations and policies that will assist in future termination of expensive class action litigation.	Approve the proposed resources and adopt provisional budget bill language that requires CDCR to report spending on class action lawsuits to the Legislature by August 31 of each year for five years beginning in 2022.
32	Contract Reappropriation and Technical Adjustments	The Governor's spring proposal requests a reappropriation of \$224,000 to complete the purchase of a tracking system for individuals with disabilities associated with the 2021-22 Armstrong Court Compliance Continuation budget change proposal and net zero technical adjustments to correctly align resources across CDCR programs.	AAB
33	DOJ Legal Service Fees	The Governor's Budget requests \$1.5 million ongoing General Fund for Department of Justice Legal Services fees. Over the years, CDCR has utilized internal resources to address the ongoing deficit and permanently redirected \$9.9 million from its administrative budget on an ongoing basis in the 2019 Budget Act, bringing the total ongoing appropriation to \$67.8 million. However, there are no additional internal resources available to offset these increased costs.	AAB
34	eDiscovery Platform, Redaction, and Delivery	The Governor's Budget proposes \$19.5 million General Fund and 10 positions in 2022-23 and \$1.4 million in 2023-24 and ongoing to develop an eDiscovery platform and increasing staffing for the centralized video storage and redaction unit.	AAB
35	Light Duty and Modified Work Assignments Continuation	The Governor's Budget requests \$9.5 million General Fund and seven positions ongoing to support return-to-work programs, including the limited term light duty assignment and temporary modified work assignment policies.	AAB
36	Mental Health Data Analysis and Informatics	The Governor's Budget requests 22.0 positions and \$3.1 million from the General Fund in fiscal year 2022-23 and ongoing to support additional	AAB

		Mental Health reporting tasks, a new data validation project related to the Coleman court, and to address increased reporting requests from both internal and external stakeholders.	
37	Microsoft End User Licensing Agreement	The Governor's Budget requests \$11.5 million General Fund in 2022-23, \$16.1 million General Fund in 2023-24, and \$17.5 million General Fund in 2024-25 and ongoing, to cover the increased cost of moving to a statewide contract for Microsoft End User Licensing Agreement.	AAB
38	Privacy Office Augmentation	The Governor's Budget requests 12.0 positions and \$2.1 million General Fund in fiscal year 2022-23 and ongoing for resources to enhance CDCR's ability to identify, prevent, manage, and mitigate privacy, information security, and cybersecurity risks and threats, and address key vulnerabilities consistent with recent Corrective Action Plans.	AAB
39	Redaction Workload	The Governor's Budget requests \$1.1 million General Fund and 7.6 positions in 2022-23 and ongoing for compliance with Chapter 402, Statutes of 2021 (SB 16). Chapter 988, Statutes of 2018 (SB 1421), amended Penal Code sections 832.7 and 832.8, making peace officer and custodial officer investigation and personnel records available for public inspection, pursuant to the California Public Records Act, when those records relate to reports, investigations, and findings of officer-involved incidents, including discharge of a firearm at a person; use of force resulting in death or great-bodily-injury; or sustained findings of sexual assault and acts of dishonesty directly relating to the reporting, investigation, or prosecution of crime, or misconduct by a fellow officer.	Approve the funding and proposed positions on a two-year limited term basis
40	Repurposing Condemned Housing	The Governor's Budget requests \$1.5 million one-time General Fund for a consulting contract to repurpose condemned housing/ support spaces at San Quentin State Prison.	Reject the Proposal
41	Security Solutions and Laptop End User Security	The Governor's Budget requests 9 positions and \$4.4 million General Fund in 2022-23 and \$5.2 million General Fund in 2023-24 and ongoing to address information security and cybersecurity vulnerability.	AAB
42	Support Inmate-Ward Labor Construction Projections	The Governor's Budget requests \$1.1 million in reimbursement authority and 13 positions ongoing to support the Inmate/Ward Labor Program. These positions will provide administrative support in construction field offices by performing administrative tasks required for current construction projects.	AAB

43	Tattoo Removal Program	The Governor's Budget requests \$567,000 General Fund in 2022-23 and \$1.1 million General Fund through 2025-26 to implement a tattoo removal program. The 2019 Budget Act included resources to support the tattoo removal program; however, these resources were cut in the 2020 Budget Act due to anticipated economic issues resulting from the COVID-19 Pandemic.	AAB
44	Technical Adjustments (net zero change)	The Governor's Budget requests a net-zero change to permanently realign budget authority by program. Each year, the Budget Act provides CDCR funding and CDCR makes adjustments through various Executive Orders and Budget Revisions.	AAB
5227 BOARD OF STATE AND COMMUNITY CORRECTIONS			
45	Fresno County SB 1022 Jail Project – Lease Revenue Bonds to General Fund	The Governor's Budget proposes \$81.5 million to pay off a Pooled Money Investment Account (PMIA) loan that is currently outstanding for the preliminary plans, working drawings, and construction phases of the Fresno County Jail project. The project was established and authorized for total funding of approximately \$79.2 million through the State Public Buildings Construction Fund (lease revenue bond financing authority) in a State Public Works Board (SPWB) action on June 15, 2015 through Government Code Sections 15820.92-15820.926. This request will eliminate the need to issue costlier bonds, resulting in debt service savings of approximately \$40 million over the 15-year life of the bonds.	AAB
7870 CALIFORNIA VICTIM COMPENSATION			
46	Attorney General Fees -- Erroneous Conviction Compensation lawsuits	The Governor's spring proposal requests an increase of \$874,000 in 2022-23 and 2023-24 for legal representation by the Department of Justice in lawsuits brought forth by individuals whose claims for erroneous conviction compensation were denied. In addition, the proposal requests provisional language to specify the use of the funds.	AAB
47	Erroneous Conviction SB 446	The Governor's Budget proposes \$535,000 General Fund and 2.0 positions in 2022-23 and \$471,000 in 2023-24 and ongoing, to implement Chapter 490, Statutes of 2021 (SB 446). SB 446 creates a procedure that reassigns the burden of proof for granting compensation to an erroneously convicted person under Penal Code section 4900 when the underlying conviction was vacated.	AAB

48	Information Technology Security and Systems Enhancement	The Governor's Budget proposes \$2.37 million Restitution Fund in 2022-23 and \$808,000 in 2023-24 and ongoing, to update information technology security systems and infrastructure.	AAB
8120 COMMISSION ON PEACE OFFICER STANDARDS AND TRAINING			
49	Distance Learning and Use of Force Training Equipment Reappropriation	The Governor's spring proposal requests an extension of the encumbrance availability for \$10 million included in the 2018 Budget Act and reappropriated in the 2020 and 2021 Budget Acts by one year, from June 30, 2022 to June 30, 2023. In addition, the proposal requests a reappropriation of \$300,000 included in the 2018 Budget Act and reappropriated in the 2021 Budget Act for use of force and de-escalation training equipment by one year, from June 30, 2022 to June 30, 2023.	AAB
8140 STATE PUBLIC DEFENDER			
50	Support General Workload	The Governor's Budget proposes \$442,000 ongoing General Fund and 3.5 positions to effectively manage OSPD's workload due to increased staff and additional responsibilities. The State Public Defender requires these positions to fulfill its statutory responsibilities to provide effective representation of individuals sentenced to death and to carry out its new mandate to provide training and technical assistance to defenders across California through its Indigent Defense Improvement Division.	AAB
8830 CALIFORNIA LAW REVISION COMMISSION			
51	Data and Research Funding	The Governor's Budget proposes \$1.77 million in reimbursements from the Office of the Legislative Counsel (with an offsetting one-time General Fund augmentation to that office's budget) in 2022-23 to fund three years of contract research activities, including secure data hosting, with the California Policy Lab (CPL), a research center based in the University of California system. The Committee and CPL's research partnership is currently supported entirely by outside philanthropic funding which will not continue indefinitely.	AAB
9285 TRIAL COURT SECURITY - COURT CONSTRUCTION			
52	Trial Court Security - Court Construction	The Governor's spring proposal requests an increase of \$3 million to provide ongoing resources to counties for trial court security costs resulting from new court construction projects and a correction to item 9285-101-0001 to correct an erroneous year reference.	AAB

9286 TRIAL COURT SECURITY - JUDGESHIPS			
53	Trial Court Security - Judgeships	The Governor’s spring proposal requests an increase of \$1,000 to provide ongoing resources to cover security costs associated with newly funded judgeships.	AAB
2660 DEPARTMENT OF TRANSPORTATION			
54	Fi\$Cal Onboarding Planning	<p>The budget includes \$1,609,000 in one-time resources from the State Highway Account to support 10 administrative services positions in the Division of Accounting and Division of Information Technology. These resources will support the increased workload for preliminary planning activities required in preparation for Caltrans onboarding to the Fi\$Cal System.</p> <p>When Fi\$Cal was first rolled out across the state, Caltrans was deferred from the System due to its existing financial management system meeting state requirements, with the understanding that Caltrans would seek approval from the Department of Fi\$Cal (Fi\$Cal) when Caltrans needed to upgrade its software. The existing software is now reaching the end of its useful life, and Caltrans is beginning the process of transitioning to the Fi\$Cal system.</p> <p>Fi\$Cal conducted a functional business fit/gap analysis in May 2020 and issued its conclusion in October 2020. Although the fit/gap analysis identified gaps between the System and Caltrans’ business needs, Fi\$Cal informed Caltrans in February 2021 that it believes the gaps could be mitigated and Caltrans would on-board to the System. This request provides resources needed to initiate the preliminary planning stage to begin the process</p>	AAB

ITEMS FOR DISCUSSION**0690 OFFICE OF EMERGENCY SERVICES****Issue 55: Los Angeles Regional Interoperable Communications System**

Proposal. The Senate is considering a proposal to provide funding to complete the build out of the Los Angeles Regional Interoperable Communications System (LA-RICS), which provides interoperable communications between federal, state, and local first responders and law enforcement agencies in Los Angeles County.

Background.

The LA-RICS system provides a unified communication network for federal, state, and local public safety agencies in Los Angeles County. The LA-RICS system will provide radio communication services to public safety agencies serving 88 cities and the unincorporated areas of Los Angeles County. Additionally, LA-RICS will also serve various State and federal agencies, including but not limited to, the Governor's Office of Emergency Services (Cal OES), California Highway Patrol (CHP), California State Universities, California State Parks, Alcohol Tobacco and Firearms (ATF), and Federal Reserve Bank Police.

The LA-RICS system is over 80 percent complete. Out of 58 sites, 49 are complete, eight are nearing completion, and one is pending. The system has been funded through federal funding and local grant funding. However, unforeseen delays have led to a shortfall in funding to complete the system. The LA-RICS Authority is requesting \$18.6 million to complete the request.

Staff Recommendation. Hold Open.