



To: All CPPCA Members

From: Danielle Sanchez, Danielle@wpssgroup.com

Date: June 13, 2019

Subject: **California State Legislature Approves 2019-20 State Budget**

Yesterday, the Legislature passed the main budget bill, AB 74, for the 2019-2020 Budget. We would note that the related trailer bills were not taken up yesterday and are likely to be acted on next week. While the provisions of the budget package adopted by the bicameral Conference Committee and analyzed by us are included below, given the fact that the numerous trailer bills have not been approved by the Legislature, some of these provisions are subject to change. If they do, we will provide updated information.

We will continue to analyze and receive information on additional details in the coming days so we will update you with new information. The final budget must be signed into law by July 1, 2019.

CDCR

- **Division of Juvenile Justice Re-organization** – Moves the Division of Juvenile Justice from the CDCR to a new Department under the California Health and Human Services Agency. The new department will be called the Department of Youth and Community Restoration (DYCR). The transfer will be initiated July 1, 2019 with completion by July 1, 2020.

The budget also includes language that requires the Secretary of the Health and Human Services Agency to convene a committee of the Child Welfare Council, on or before October 1, 2019, to provide input and recommendations related to the Department of Youth and Community Restoration's policies and programs. The Department of Youth and Community Restoration shall report as part of the budget process regarding the committee's input and recommendations until 2025.

- **Prison to Community Pipeline Package** - The Budget includes \$50 million General Fund in 2019-20 and ongoing. In 2019-20 the funding is allocated as follows:
 - Rehabilitation programs within corrections settings by community-based organizations - \$5 million
 - Adult Reentry Grant - \$32.9 million
 - DJJ Therapeutic Communities - \$8 million
 - City of Oakland for a parole preparation pilot in state facilities - \$4 million (one-time)
 - City of Oakland (\$50,000) to provide reentry support to exonerees (one-time)

- **California Reentry and Enrichment (CARE) Grant program**- The Budget provides \$5 million for the CARE Grant program to provide grants to community-based organizations that provide rehabilitative services to incarcerated individuals within correctional settings, establishes grant goals, and creates a steering committee to guide the grant process.

- **Integrated Substance Use Disorder Treatment Program** – The Budget includes \$71.3 million General Fund in 2019-20 and \$161.9 million ongoing General Fund beginning in 2020-21 to implement an integrated substance use disorder treatment program throughout all 35 CDCR institutions.

- **Board of Parole Hearings (BPH) Commissioner Increase** - Expands BPH by two commissioners, for a total of 17 commissioners. One commissioner per week will be designated as a “floater” who will prepare for hearings and be assigned as a third panel member, but who may be redirected to cover another hearing when needed. The additional commissioners are needed to complete workload related to a projected increase in parole hearings. Since 2011, BPH has scheduled between 4,000 and 5,300 parole hearings annually. Current projections indicate that BPH will need to schedule a total of 7,200 hearings in 2019-20 and 8,300 hearings in 2020- 21.

- **Proposition 57 Credit Change Notification** - Budget language requires the CDCR to submit a report to the relevant fiscal and policy committees of the Legislature and the Legislative Analyst’s Office whenever the CDCR proposes regulatory changes pursuant to the authority to award credits earned for good behavior and approved rehabilitative or educational achievements.

- **Rehabilitation and Re-Entry** –The budget includes \$5.5 million to improve inmate literacy rates and \$1.1 million to expand the tattoo removal program.

- **Re-Entry Expansion** - To provide offenders a variety of services in the communities in which they will be released, the budget includes \$8.8 million ongoing to establish two new 60-bed female reentry facilities in Los Angeles and Riverside and expand an existing male facility in Los Angeles by 10 beds.

PUBLIC SAFETY ITEMS OF NOTE

- **SB 678** – The Budget includes \$112.8 million in 2019-20.
- **STC** – The budget includes \$20.9 million, up from \$14.8 in 2018-19, to restore STC to a level more consistent with historical funding.
- **Peace Officer Standards and Training (POST)** – The budget approves \$34.9 million ongoing to POST to restore the department to previous funding levels, provide training, and provide local assistance. In 2019-20 and 2020-21, \$20 million is prioritized each year for use of force and de-escalation training. The Budget also includes language that requires annual reporting beginning on February 1, 2020. Requires that the reporting should include, but is not limited to, the number of peace officers trained, by law enforcement agency, by course, and by how the training was delivered, among other criteria.
- **PRCS Mitigation Funding** – The budget includes \$14.8 million to be appropriated to probation departments to mitigate workload related to PRCS offenders as a result of Proposition 57.
- **CCP Implementation Grants** - The budget includes \$7.95 million to go out to the counties that report on their realignment efforts to the BSCC. Counties are eligible to receive funding if they submit a report to the Board of State and Community Corrections annually that provides information about the implementation of the Community Corrections Partnership plan accepted by the County Board of Supervisors pursuant to Section 1230.1 of the Penal Code. As in years past, the funds would be distributed based on the most recent county population as follows: (1) \$100,000 to each county with a population of 0 to 200,000, inclusive, (2) \$150,000 to each county with a population of 200,001 to 749,999, inclusive, and (3) \$200,000 to each county with a population of 750,000 and above.
- **Violence Intervention and Prevention Program** - The budget provides an augmentation of \$21 million one-time for the California Violence Intervention and Prevention Program, resulting in a total of \$30 million for the program in 2019-20 and \$9 million ongoing thereafter. This funding is for eligible cities and community-based organizations to provide funding to support services such as community education, diversion programs, outreach to at-risk transitional age youth, and violence reduction models.
- **2011 Realignment** –The budget contains updated projections for all of the programs included in 2011 Realignment. The Administration is estimating a decrease in sales tax for 2018-19 and 2019-20 from their January projections which affects the overall funding estimates for the public safety programs contained within the 2011 realignment construct. Total funding for AB 109 Community Corrections Account for FY 2019-20 is down slightly from \$1.4 billion proposed in January to \$1.37 billion in May Revise due to

the Administration reducing the 2018-19 AB 109 growth subaccount estimate by \$35.6 million. The YOBG and Juvenile Reentry estimates are down slightly in 2019-20 to \$161.5 million and \$9.4 million from \$166 million and \$9.7 million in the January Proposed Budget.

- **Pretrial Pilot Projects** – The Budget includes \$75 million General Fund to be allocated over a two-year period by the Judicial Council to fund the implementation, operation, or evaluation of programs or efforts in at least 10 courts.
- **California Penal Code Review** - The Budget includes \$576,000 to begin an effort under the California Law Revision Commission to simplify and rationalize criminal law and criminal procedures included in the Penal Code.
- **Challenger Memorial Youth Center** – The Budget includes an allocation of \$5 million General Fund to fund the transition of the Los Angeles Challenger Memorial Youth Center into a residential vocational training center for young adults.

BSCC

- **Youth Reinvestment Grant** – The Budget agreement includes a one-time allocation of \$5 million General Fund for the Youth Reinvestment Act. It also includes \$10 million General Fund specifically for tribal youth diversion efforts, which was also part of the reinvestment grant last year.
- **Organized Retail Theft** -The Budget extends the sunset date for the definition of the crime of organized retail crime and the operation of the statewide organized retail crime task force. Existing law, until January 1, 2021, creates the crime of organized retail theft, and sets forth criminal procedures governing the prosecution of certain types of theft and other misdemeanors, including establishing the jurisdiction of a criminal action for certain types of theft, authorizing a peace officer to retain a person or issue a bench warrant for a person arrested for a misdemeanor if the person has failed to appear in court, as specified, and authorizing a diversion or deferred entry of judgment program for repeat theft offenses. Existing law also requires the Board of State and Community Corrections to award funding for a grant program to reduce the recidivism of high-risk misdemeanor probationers and requires the Department of the California Highway Patrol to convene a regional property crimes task force. This bill would extend the sunset date for these provisions from January 1, 2021 to July 1, 2021.

OTHER ITEMS

- **Trial Court Judgeships** - This Budget provides \$30.4 million General Fund in 2019-20, and \$36.5 million General Fund in 2020-21 and ongoing, to allocate 25 of the 48 remaining trial court judgeships.
- **Armed and Prohibited Persons System (APPS)** – Budget language requires the Department of Justice, no later than April 1, 2020, and no later than April 1 of each year thereafter, to report to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature the number of individuals in the APPS, the degree to which the backlog in the APPS has been reduced or eliminated, and other specified information related to the efforts of the department in reducing the backlog.
- **Court Data Analytics and Futures Commission IT Directives** – The Budget includes \$5.5 million General Fund to the Judicial Council to provide funding to implement technology solutions related to business intelligence and data analytics and makes this amount available for encumbrance or expenditure until June 30, 2021. Specific initiatives include evaluating and implementing a pilot program for new technology solutions, including intelligent chat, video remote hearings, natural language voice to-text translation services, and business intelligence/data analytics using identity management, with the plan of expanding these programs for availability to all judicial branch entities. This program directly supports delivery of three of the Futures Commission recommendations, as directed by the Chief Justice, as well as Judicial Council Technology Committee workload for data analytics and business intelligence.
- **Emergency Response** - The Budget plan includes approximately \$184 million for emergency response. This includes: (1) \$75 million for public safety power shutdowns; (2) \$25 million ongoing for the state's mutual aid system; (3) approximately \$60 million to build a statewide public safety radio system; (4) \$16.3 million for the final phase of the build-out for the California Earthquake Early Warning System; and (5) \$7.5 million to support disaster preparedness efforts.