



CALIFORNIA PROBATION, PAROLE AND CORRECTIONAL ASSOCIATION

To: All CPPCA Members

From: Danielle Sanchez, Legislative Representative, Danielle@wpssgroup.com

Date: June 15, 2016

Re: Legislature Passes 2016-17 Budget Act

Today, the Legislature passed a \$122.5 billion budget package for 2016-17 which includes the main budget bill and five trailer bills in order to meet its June 15 constitutional deadline. We expect the Legislature to take up the remaining budget trailer bills in the coming days. The remaining bills have not been in print for the agreed upon 72 hour review period and therefore were not taken up today.

The summary of items below represents the negotiated budget agreement between the Legislature and the Administration and therefore we do not expect these items to change despite the fact that not all trailer bills were taken up today. We will of course be sure to let you know if anything should change, but at this time we do not expect any deviations in this regard. As you will note, the Budget represents continued investments in community corrections and many key public safety programs.

The final budget must be signed into law by July 1, 2016.

PUBLIC SAFETY ITEMS

- **SB 678** – The budget includes \$125.3 million for SB 678 for FY 2016-17. As you will recall, the revised formula stabilizes funding swings while maintaining a performance based funding mechanism. Part of the funding is based on a probation department's highest year of funding from the first four years. Each year a department will receive a percentage of the highest year based their probation failure rate (PFR). The percentage ranges from 40%-100% of the highest year. The second part of the funding accessible to probation departments compares a department's individual success year over year. A department will receive 35% of the state contract bed rate based on their own improvement on prison revocation rate. The formula is based on prison revocation rates on all supervised populations for felony probation, PRCS and Mandatory Supervision. The formula also contains a minimum payment of \$200,000.
- **Continuum of Care Reform Resources** – The Budget includes a total of \$165 million (\$127 million General Fund) for DSS, DHCS, county child welfare agencies, county probation departments and county behavioral health departments to continue the implementation of the Continuum of Care reforms codified in Chapter 773, Statutes of 2015 (AB 403). As noted earlier \$24.5 of this budget item (\$18.6 million General Fund and \$6 million in federal reimbursement) is dedicated to probation. The main budget bill, SB 826, also contains authority for unspent 2015-16 Foster Parent Recruitment, Retention and Support (FPRRS) to rollover to 2016-17 which then allows for county probation and child welfare departments to expend that funding in 2016-17. The table below provides a breakdown of CCR funding for probation provided in the final state budget:



CALIFORNIA PROBATION, PAROLE AND CORRECTIONAL ASSOCIATION

CCR Budget Item	General Fund	Fed Reimbursement	Total Funding
2 nd level reviews (for youth in placement longer than one year)	\$8,000	\$2,000	\$10,000
Child and Family Teams	\$1.59 mil	\$393,000	\$1.98 mil
Training	\$1.5 mil	\$1.5 mil	\$3 mil
Foster Parent, Recruitment, Retention and Support	\$15.56 mil	\$4.13 mil	\$19.69 mil
Total	\$18.65 mil	\$6.02 mil	\$24.68 mil

Consistent with the May Revision, the budget contains \$6.4 million for county mental health costs associated with the implementation of CCR, including participation in child and family teams, mental health assessments for children in foster care, and training for mental health providers.

- **PRCS Second Striker Mitigation Funding**– The Budget includes \$19.7 million to be appropriated directly to probation departments to address accelerated release of some PRCS offenders as a result of the Three Judge Panel orders.
- **CCP Implementation Grants** – The Budget includes \$7.9 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 by December 15, 2016, that provides information about the actual implementation of the 2015–16 Community Corrections Partnership plan accepted by the county board of supervisors pursuant to Section 1230.1 of the Penal Code. The report shall include, but not be limited to, progress in achieving outcome measures as identified in the plan or otherwise available. Additionally, the report shall include plans for the 2016–17 allocation of funds, including future outcome measures, programs and services, and funding priorities as identified in the plan accepted by the county board of supervisors. 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.
- **Jail Construction Funding** - The budget includes \$270 million in lease revenue bond authority for competitive grants to counties to renovate/replace local jail facilities. This funding is limited to applicant counties that have not received a full award pursuant to AB 900, SB 1022, or SB 863. Of this amount, \$20 million is set aside for Napa County to address its earthquake-damaged facility. The grants will require a 10% local match that can be reduced for small counties. The program provides that counties receiving funding that increases capacity must certify that they will not lease housing capacity for 10 years beyond the completion date of the facility (this language was in SB 1022 but not SB 863). Facilities constructed or renovated under this program must include space to allow on-site, in person visitation that complies with state regulations and applicant counties must describe their efforts to address sexual abuse in the new or renovated facility.



CALIFORNIA PROBATION, PAROLE AND CORRECTIONAL ASSOCIATION

- **City Law Enforcement Grants** - The budget includes \$20 million for city law enforcement grants “to increase positive outcomes between municipal law enforcement and high-risk populations.” The Department of Finance and the California Police Chiefs Association will develop an allocation schedule that focuses on smaller departments and jurisdictions using collaborative approaches and evidence-based programs that have high homeless populations and mental illness rates. Law enforcement agencies may use the money to fund homeless outreach teams, crisis intervention training for officers, Gang Resistance Education and Training (GREAT), resources for drug endangered children, outreach to high-risk youth, youth diversion programs, and gang and violence prevention programs. Each department that receives this funding is required to report the number of new teams established, or planned to be established; the type of training and the number of peace officers trained, or planned to be trained; and the type of equipment or resources that were purchased, or planned to be purchased. We understand that cities will continue to be permitted to share this money with counties. The final budget does not include the proposed \$6 million to grants for local law enforcement “for programs and initiatives intended to strengthen relationships between law enforcement and the communities they serve.”
- **Law Enforcement Assisted Diversion (LEAD)** - SB 843 establishes the LEAD program funded by \$15 million in state general funding to be administered by the BSCC. The LEAD program is intended to improve public safety and reduce recidivism by increasing the availability and use of social service resources while reducing costs to law enforcement agencies and courts stemming from repeated incarceration. Grants will be awarded on a competitive basis to up to three jurisdictions to establish LEAD programs. The bill does not define who shall be the lead entity to apply for funds; however, SB 843 provides guidance to the BSCC about what it shall take into consideration as it establishes the LEAD pilot program. Applicants must ensure a balanced representation from law enforcement, prosecutorial agencies, social services agencies, public defenders, and case management service providers. Services provided under this program may include, but are not limited to case management, housing, medical care, mental health care, substance use disorder treatment, employment, legal services and system navigation.
- **BSCC Executive Steering Committee** – Includes language that eliminates the exception of interested government employees participating on a BSCC Executive Steering Committee if the department plans on applying for the funds. Some statewide funding sources will still maintain the exception to participate.
- **POST Executive Director Appointment** – Includes language that changes the POST Executive Director position to be an appointee of the Governor. This position was previously appointed by the Commission.

CDCR

The budget proposes total funding of \$10.6 billion for the California Department of Corrections and Rehabilitation (CDCR) in 2016-17.

Treatment, Services, and Programming

The budget provides \$2.6 billion to fund health care, mental health care, and dental care for state prisoners.

The budget includes more than \$400 million to fund the Division of Rehabilitative Programs, which oversees 13 prison-based reentry hubs that provide services to offenders who are within four years of release and tend to be high-risk to reoffend and in high need of services.



CALIFORNIA PROBATION, PAROLE AND CORRECTIONAL ASSOCIATION

The spending plan also includes \$18.9 million to expand substance use disorder treatment programs to the 11 prisons that do not currently have such a program.

The budget includes \$32.1 million to continue the community reentry program, a voluntary program that allows certain male inmates to serve the end of their sentences in the community instead of prison.

The budget includes \$4.9 million to expand efforts to reduce the presence of contraband and illegal drugs in prison by continuing drug interdiction programs at 11 institutions.

The budget includes \$15 million to expand the availability of parolee service center beds, the In-Prison Long Term Offender Program, the Offender Mentor Certification Program, the Pre-Employment Transitions Program, and other lifer-focused initiatives.

The Budget includes \$3.3 million in 2015-16 and \$6 million beginning in 2016-17 to comply with the *Sassman v. Brown* lawsuit, which requires the state to expand the existing female Alternative Custody Program to males. Alternative custody participants can be placed on home detention or other available residential placement one year prior to their release. Although the female Alternative Custody Program is currently available for inmates two years prior to their release, it will be modified to one year. At this time, it is unclear how many males will ultimately qualify for an alternative placement. Consequently, future budget adjustments may be necessary to capture the full impact of this program expansion.

The CDCR budget also includes the following provisions and funding:

- *eReader Community College Content* – \$3 million to use approximately 7,500 eReaders to provide inmates enrolled in community colleges with access to textbook content.
- *Internet Protocol Television Integration Maintenance and Operations Support* – \$3.7 million to enable CDCR to create the necessary infrastructure at each prison to support a television network to deliver rehabilitative programming to more inmates.
- *Cognitive Behavioral Therapy* – \$2.2 million to expand Cognitive Behavioral Therapy programs currently offered at 13 reentry hubs to all institutions.
- *Career Technical Education Programs* – \$2.3 million to add 12 career technical education programs statewide to reduce the current waiting lists at institutions that have available classroom space to support these programs.
- *Arts in Corrections* – \$4 million to expand the Arts in Corrections program to all institutions.
- *Internet Access for Education Programs* - \$4 million to provide secured internet access for inmates in certain career technical education programs that require online access for inmates to obtain certification. The secured internet access will be provided at all institutions for classroom coursework, real-time shop exercises, and certification exams. Additionally, the budget commits \$10.6 million in 2017-18 and \$3.3 million beginning in 2018-19 to expand the secured internet access to all career technical education courses consistent with the approved Feasibility Study Report for this project.

Three-Judge Panel

As of May 11, 2016, the CDCR prison population was 113,073 inmates, or 134.8% of design capacity, and 4,987 inmates were housed in out-of-state facilities. As has been the case since February 2015, the prison population is below the February 2016 benchmark of 137.5% of design capacity, as ordered by the Three-Judge Panel. In order to



CALIFORNIA PROBATION, PAROLE AND CORRECTIONAL ASSOCIATION

keep prison population below the cap, the budget includes legislative authority to continue the use of in-state and out-of-state contract beds until January 1, 2020.

State Savings from Proposition 47

As part of Proposition 47, the DOF was required to calculate the state savings created by the implementation of the measure. That money is then distributed pursuant to a formula contained in Prop 47 – 25% to the Department of Education to administer a grant program to public agencies to reduce truancy and support students who are at risk of dropping out or are crime victims; 10% to the Victim Compensation and Government Claims Board to make grants to trauma recovery centers; and 65% to the Board of State and Community Corrections (BSCC) to administer a grant program to public agencies aimed at supporting mental health treatment, substance abuse treatment, and diversion programs for people in the criminal justice system. The DOF has estimated that Prop 47 will result in net state savings of \$39.4 million, when comparing costs from 2015-16 to 2013-14, which is up from the January Budget's estimate of \$29.3 million. The estimate assumes savings from a reduction in the state prison population, fewer felony filings, and releases from DSH, which are offset by increased costs from a higher parole population and workload stemming from resentencing proceedings.

In addition to the Prop 47 savings calculated by DOF, the budget includes an additional \$10 million toward the BSCC Prop 47 program and an additional \$18 million to the Department of Education's Prop 47 program.

Facilities

Two level II dormitory housing facilities at Mule Creek State Prison in Ione have been activated this year. A third such facility at RJ Donovan Correctional Facility in San Diego is still scheduled to be activated later this year. These facilities will provide a total of 2,376 beds to the system's design capacity.

While the closure of the California Rehabilitation Center in Norco has been considered for some time due to its obsolete design and the effects of time, CDCR will continue to operate the facility for the near future. The budget contains \$6 million to undertake critical repairs at CRC.

SOCIAL SERVICES / HUMAN SERVICES

- **Mental Health Crisis Funding for Youth under 21** – Establishes a Continuum of Crisis Services for children and youth under 21 years of age. The program, funded at \$30 million with a combination of \$14 million in general fund and \$16 million in Proposition 63 funding, will be administered through a joint effort of the California Health Facilities Financing Authority and the Mental Health Services Oversight and Accountability Commission. A competitive selection process will be developed to increase capacity for mobile crisis support, crisis support, crisis intervention, crisis stabilization services, crisis residential treatment, and specified personnel resources. Counties may apply independently or jointly (two or more counties applying together), or a private non-profit corporation (if such corporation is supported by the county government in lieu of the county government applying for funding) for funding. Funding shall be used for mobile crisis support teams, crisis stabilization services and beds, triage personnel to provide intensive case management and linkage to services for individuals with mental health care disorders, expand family respite, reduced unnecessary hospitalizations and inpatient days, reduce recidivism and mitigate unnecessary expenditures of local law enforcement among other things.



CALIFORNIA PROBATION, PAROLE AND CORRECTIONAL ASSOCIATION

EDUCATION

- **Foster Youth Services Coordinating Program**– Commencing with the 2016-17 fiscal year, the Superintendent shall provide a base grant of \$75,000 to each participating county office of education or consortium that served at least one foster youth pupil in the prior fiscal year. After providing base grants, the Superintendent shall allocate the remaining funding to participating county offices of education or consortium of county offices of education based on the following criteria: (1) Seventy percent of the allocation shall be based on the number of pupils in foster care in the county. (2) Thirty percent of the allocation shall be based on the number of school districts in the county. (h) The allocation pursuant to subdivision (g) shall be applied after consideration of subdivision (b) of Section 42926.

LOCAL GOVERNMENT

- **Community Infrastructure Rehabilitation Grants** - Authorize \$67.5 million in grants for infrastructure repairs/upgrades/expansions. Grants would provide 1-time resources to community providers focused on mental health treatment, substance use disorder treatment, and trauma-centered services. Funds will be appropriated to selected counties, city and county, or counties acting jointly and used to establish a competitive grant program designed to promote diversion programs and services by increasing and expanding mental health treatment facilities, substance use disorder treatment facilities, and trauma-centered service facilities, including facilities providing services for sex trafficking victims, domestic violence victims, and victims of other violent crimes, in local communities, through the provision of infrastructure grants.
- **Housing and Homelessness**
 - **No Place Like Home Initiative** - Includes \$266.8 million in bond proceeds to be generated from the securitization of Proposition 63 (2004) funds and 10.4 positions to implement a competitive, multiyear, initiative to address the state's homelessness.
 - **Bringing Families Home Program** - The budget includes \$10 million General Fund for the creation of the Bringing Families Home program. Requires DSS to award program funds to counties for the purpose of providing housing-related supports to eligible families in the child welfare system experiencing homelessness. Specifies that housing-related supports include an assessment of each family's housing needs, and a plan to assist them in meeting those needs, housing navigation or search assistance, housing-related financial assistance, and housing stabilization services. Specifies that the department shall award program funds to counties according to criteria developed by the department, in consultation with the County Welfare Directors Association, the Corporation for Supportive Housing, and Housing California. Counties that receive state funds under this program will match that funding on a dollar by dollar basis.
 - **Community Based Transitional Housing Program** –\$25 million for a siting grant program to encourage local communities to support housing that provides treatment and reentry programming to offenders from the criminal justice system. Would require an applicant city, county, or city and county to submit an application between October 1, 2016, and October 1, 2018, that includes specified information and to approve the issuance of a conditional use permit or other local entitlement for a transitional housing facility that meets specified criteria, including that the facility provide transitional housing for a period of not less than 10 years and that it provide additional services to residents. If, after approval of its application, the city, county, or city and county fails to issue the conditional use permit or provide other local entitlement within a specified time period, would provide that the approval of the



CALIFORNIA PROBATION, PAROLE AND CORRECTIONAL ASSOCIATION

application is void and the city, county, or city and county is permanently ineligible to submit any future application for funding under the program.

LIST OF BUDGET BILLS

**Highlighted bills were passed today.*

Bill Number	Subject
SB 826 (Leno D) Budget Act of 2016.	Main Budget Bill
SB 827 (Committee on Budget and Fiscal Review)	Budget Act of 2015: augmentation.
SB 828 (Committee on Budget and Fiscal Review)	School finance: education omnibus trailer bill.
SB 830 (Committee on Budget and Fiscal Review)	Education.
SB 831 (Committee on Budget and Fiscal Review)	Public social services omnibus.
SB 833 (Committee on Budget and Fiscal Review)	Health.
SB 834 (Committee on Budget and Fiscal Review)	Developmental services.
SB 835 (Committee on Budget and Fiscal Review)	Medi-Cal: hospitals: quality assurance fee.
SB 836 (Committee on Budget and Fiscal Review)	State government.
SB 837 (Committee on Budget and Fiscal Review)	State government.
SB 838 (Committee on Budget and Fiscal Review)	Transportation.
SB 843 (Committee on Budget and Fiscal Review)	Public safety.
SB 844 (Committee on Budget and Fiscal Review)	Correctional facilities: construction: financing.
SB 848 (Committee on Budget and Fiscal Review)	State employment.

**Community Corrections Performance Incentive Grant
2016-17 May Revision Comparison**

	2015-16 Final Allocation	2016-17 Governor's Budget Estimate	2016-17 May Revision Estimate	Difference Governor's Budget to May Revision	Difference 2015-16 Final Allocation to 2016-17 May Revise
Alameda	\$2,243,488	\$1,951,040	\$1,922,990	(\$28,050)	(\$320,498)
Alpine	\$200,000	\$340,757	\$391,028	\$50,271	\$191,028
Amador	\$200,000	\$243,341	\$200,325	(\$43,016)	\$325
Butte	\$370,116	\$433,694	\$746,201	\$312,507	\$376,085
Calaveras	\$244,435	\$238,459	\$264,543	\$26,084	\$20,108
Colusa	\$200,000	\$200,000	\$200,000	\$0	\$0
Contra Costa	\$4,647,293	\$6,634,877	\$6,674,147	\$39,270	\$2,026,854
Del Norte	\$211,197	\$249,410	\$253,626	\$4,216	\$42,429
El Dorado	\$352,966	\$398,570	\$300,213	(\$98,357)	(\$52,753)
Fresno	\$3,370,959	\$3,621,243	\$3,628,503	\$7,259	\$257,544
Glenn	\$202,647	\$200,000	\$214,973	\$14,973	\$12,326
Humboldt	\$474,030	\$287,427	\$359,283	\$71,857	(\$114,747)
Imperial	\$200,000	\$538,433	\$300,974	(\$237,459)	\$100,974
Inyo	\$200,000	\$200,000	\$282,183	\$82,183	\$82,183
Kern	\$2,715,301	\$1,915,252	\$1,845,404	(\$69,848)	(\$869,897)
Kings	\$1,206,112	\$1,691,495	\$1,300,163	(\$391,331)	\$94,051
Lake	\$408,995	\$488,201	\$301,675	(\$186,526)	(\$107,320)
Lassen	\$229,826	\$200,000	\$200,000	\$0	(\$29,826)
Los Angeles	\$43,306,893	\$45,536,464	\$45,133,491	(\$402,973)	\$1,826,598
Madera	\$1,080,042	\$1,272,177	\$1,170,529	(\$101,648)	\$90,487
Marin	\$946,388	\$1,477,289	\$1,447,592	(\$29,696)	\$501,204
Mariposa	\$221,920	\$200,000	\$200,000	\$0	(\$21,920)
Mendocino	\$437,401	\$238,926	\$238,926	\$0	(\$198,475)
Merced	\$1,675,043	\$1,948,031	\$1,866,071	(\$81,960)	\$191,028
Modoc	\$273,053	\$200,000	\$200,000	\$0	(\$73,053)
Mono	\$249,006	\$200,000	\$227,576	\$27,576	(\$21,430)
Monterey	\$200,000	\$207,952	\$200,000	(\$7,952)	\$0
Napa	\$567,979	\$592,799	\$573,809	(\$18,989)	\$5,830
Nevada	\$597,278	\$624,166	\$607,512	(\$16,654)	\$10,234
Orange	\$4,584,067	\$5,043,272	\$4,956,069	(\$87,203)	\$372,002
Placer	\$537,136	\$650,780	\$667,839	\$17,060	\$130,703
Plumas	\$463,088	\$452,469	\$442,681	(\$9,788)	(\$20,407)
Riverside	\$7,157,600	\$9,088,830	\$8,525,846	(\$562,985)	\$1,368,246
Sacramento	\$10,158,000	\$10,593,400	\$7,951,145	(\$2,642,255)	(\$2,206,855)
San Benito	\$200,000	\$268,646	\$250,271	(\$18,376)	\$50,271
San Bernardino	\$12,327,550	\$7,427,018	\$7,411,317	(\$15,700)	(\$4,916,233)
San Diego	\$1,152,636	\$3,552,764	\$4,077,606	\$524,842	\$2,924,970
San Francisco	\$2,795,325	\$2,757,568	\$2,757,568	\$0	(\$37,757)
San Joaquin	\$2,381,676	\$2,181,691	\$2,336,619	\$154,928	(\$45,057)
San Luis Obispo	\$1,312,985	\$1,374,404	\$1,314,981	(\$59,423)	\$1,996
San Mateo	\$1,228,228	\$846,084	\$856,138	\$10,054	(\$372,090)
Santa Barbara	\$1,453,253	\$1,328,849	\$1,368,908	\$40,059	(\$84,345)
Santa Clara	\$1,201,774	\$1,231,414	\$1,252,045	\$20,630	\$50,271
Santa Cruz	\$1,896,183	\$1,751,641	\$1,745,642	(\$5,999)	(\$150,541)
Shasta	\$504,851	\$200,000	\$200,000	\$0	(\$304,851)
Sierra	\$200,000	\$200,000	\$200,000	\$0	\$0
Siskiyou	\$213,337	\$222,662	\$200,000	(\$22,662)	(\$13,337)
Solano	\$590,030	\$503,719	\$492,960	(\$10,759)	(\$97,070)
Sonoma	\$758,887	\$653,316	\$672,854	\$19,538	(\$86,033)
Stanislaus	\$1,174,045	\$1,340,806	\$957,128	(\$383,678)	(\$216,917)
Sutter	\$863,787	\$348,803	\$348,803	\$0	(\$514,984)
Tehama	\$200,000	\$654,311	\$532,284	(\$122,027)	\$332,284
Trinity	\$305,975	\$301,066	\$210,746	(\$90,320)	(\$95,229)
Tulare	\$1,635,534	\$1,862,979	\$1,866,778	\$3,800	\$231,244
Tuolumne	\$301,270	\$290,657	\$320,820	\$30,162	\$19,550
Ventura	\$733,122	\$670,654	\$593,192	(\$77,462)	(\$139,930)
Yolo	\$1,333,885	\$1,328,929	\$1,350,858	\$21,929	\$16,973
Yuba	\$200,000	\$200,000	\$200,000	\$0	\$0
California	\$125,096,592	\$129,656,735	\$125,312,835	(\$4,343,900)	\$216,243