# CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

## SENATE PUBLIC SAFETY COMMITTEE HEARING
## MAY 19, 2009

## IMPLEMENTATION OF GOVERNOR'S FEBRUARY 2009 BUDGET REDUCTION

In February 2009, Governor Arnold Schwarzenegger, through his blue pencil authority, reduced the budget allocation for the Department of Corrections and Rehabilitation (CDCR) by $400 million. In his message, the Governor stated that the Administration would work with the Legislature to achieve the reductions, and that they would be "achieved in a manner that promotes rehabilitation and preserves public safety."

As a result of the Governor's reduction, CDCR is proposing a series of reductions designed to achieve savings beginning in Fiscal Year (FY) 2009-10 and thereafter. These proposals consist of reductions achieved through the following measures:

- Parole Reform
- Credit Earning Enhancements
- Indexing Dollar Thresholds for Property Crimes
- Discharge of Deported Parolees
- Reductions in Division of Juvenile Justice
- Reductions in Headquarters Positions

### Parole Reform

- Currently, California is one of only a few states that places EVERYONE on parole after a sentence to state prison

- Through use of validated risk assessments, California can target low-level, low-to medium-risk offenders and eliminate placing them on parole, thus providing savings to the State.

- Administration proposal would provide that any offender who does NOT have a current or prior violent, serious, or sex offense conviction, as well as non-violent/non-serious/non-sex offenders who are NOT at a high risk to reoffend, shall be directly discharged from prison and not serve a period of parole.

- These discharged offenders, however, would be placed on a three-year "community supervision" provision that would require the person be subject to search by local law enforcement for three years from the date of discharge from state prison.

- The parole reform proposal would also include the following enhancements to current parole supervision:

    - Parole supervision ratios would be improved from 70 parolees per parole agent to 40 to 1. Supervision must be increased because only violent, serious, and high-risk offenders will be subject to parole.
    - CDCR would place an additional 4,000 offenders on GPS monitoring. This will aid the Department by providing both an alternative sanction in lieu of return to state prison, as well as an additional tool for targeted high-risk offenders, such as gang members.
    - CDCR would increase personnel assigned to fugitive apprehension. The Department will provide more hands-on personnel responsible for identifying and arresting fugitive parolees.

ESIMATED SAVINGS: $178.5 million in 2009/10; $211.7 in 2010/11

Credit Earning Enhancements

Currently, credit earning varies widely, from 2 days of reduction for every one day served for offenders who engage in firefighting duties, to zero credit reduction for specified violent offenders who are serving three or more prison terms. This proposal would propose a number of credit earning enhancements, as follows:

- Provide day for day credits for any jail time spent prior to arrival at state prison (under current law, jail credits are 1/3 time)

- Provide that eligible offenders who serve a parole revocation shall receive day for day credits.

- Provide two days of credit for every one day for inmates during their fire camp training. Currently, these inmates receive their enhanced credit only after their fire camp assignment has begun.

- Provide for a consistent rule of one day credit for every day served for all eligible inmates, whether those inmates are on a waiting list for a full-time assignment, participating in college, or undergoing

reception center processing, so long as the inmate is discipline-free during that time.

- Provide for program completion credits, not to exceed 5 weeks per year, for non-violent, non-sex, and non-striker offenders who complete specific program milestones, such as completion of a high school diploma, G.E.D., or vocational certificate.

ESTIMATED SAVINGS: $36 million in 2009/10; $112.5 in 2010/11

Property Crimes

Under current law, persons who are convicted of specified property crimes in excess of a certain dollar amount can be punishable by imprisonment in state prison. For example, "grand theft" is any theft of $400 or more. Persons convicted of grand theft can receive a sentence of no more than one year in county jail, or a sentence to state prison for 16 months, 2 or 3 years. Any amount under $400 is considered "petty theft", punishable as a misdemeanor (no state prison time).

However, the dollar amount of these crimes has not been indexed for inflation in over 20 years. As a result, in current year dollars, persons are serving state prison sentenced that would previously be punishable by a only a misdemeanor.

This proposal would index all property crimes for inflation, which would result in fewer offenders being eligible for imprisonment in state prison.

ESTIMATED SAVINGS: $34.2 million in 2009/10; $68.4 in 2010/11

Discharge of Deported Parolees

Prior to February 2009, CDCR placed all deported (undocumented) parolees on a "banked" caseload. Parolees who subsequently returned to California could be revoked and placed back into state prison. Since the return of any undocumented parolee is a federal offense, California should not bear the cost of incarceration of these offenders. Federal law provides a penalty of up to ten years in federal prison for such illegal entry.

This proposal, already implemented, provides that parolees who are deported will be discharged from parole supervision, thus saving scarce State resources.

ESTIMATED SAVINGS: $6.8 million in 2009/10; $6.6 in 2010/11

## Division of Juvenile Justice Reductions

Based on an analysis completed by the Division of Juvenile Justice (DJJ), CDCR will eliminate 45 positions in FY 2009-10. In addition, the Administration will consider the closure of an additional DJJ institution sometime in FY 2009-10, which will result in additional cost savings in FY 2010-11.

ESTIMATED SAVINGS: $4.3 million in 2009/10 and thereafter

## Headquarters Position Reductions

Through the work of a CDCR Headquarters Review Strike Team, the Department has identified approximately 180 positions that will be eliminated.

ESTIMATED SAVINGS $15.0 million in 2009/10 and thereafter

## Operational Savings and Implementation Costs

Based on the proposals described above, CDCR would generate additional operational savings, from reductions in spending due to reduced Valdivia workload, reduced correctional officer academy needs, and program reductions. Implementation costs include enhanced staffing to improve parole caseloads, staffing to implement program credit enhancements, and the workload associated with increased GPS use and fugitive apprehension.

NET ESTIMATED SAVINGS: $38.5 million in 2009/10;
$65 in 2010/11