



Overview of 2020-21 Enacted Corrections Budget

Californians United for a Responsible Budget (CURB) is a statewide coalition of organizations working to reduce the number of people imprisoned in California and the number of prisons and jails in the state.

Governor Newsom's 2020-21 final budget for Corrections is set at \$13.4 billion, up from \$12.8 billion last year (2019-20). This wasteful increase in the general fund includes nearly \$1.2 billion for local community corrections, about \$244 million for enhancing law enforcement activities and growth, and approximately \$1.1 billion to the Board of State and Community Corrections (BSCC) in overall funding to the agency. The total state funding for Corrections has reached an all time high of \$17.5 billion.

Building on the termination of out-of-state contracts, CDCR terminated its final remaining contract with a private in-state facility for incarcerated males in May 2020. The remaining three male, public in-state contract correctional facilities are expected to close in 2020-21, based on consistent decrease in the prison population. After decades of advocacy to curb prison spending, Governor Newsom has included a declaration to close 1 state-owned prison by 2022 and a second facility by 2023. CURB maintains our position that state-owned prison closures should be the priority and that population reduction must be achieved through statutory changes to sentencing, including the elimination of the 3-Strikes Law, Life Without the Possibility of Parole, and various other sentencing enhancements which are greatly responsible for California's overpopulated prisons.

Since 2013, the state prison system has gone from 150% of design capacity to just below the court-ordered cap of 137.5%. As of June 17, 2020, the adult prison population was 114,643, compared to 122,941 as of March 25, 2020, a reduction of 8,387 incarcerated people. This population decrease is in part due to responses to COVID-19; as of March 24, 2020, the Governor issued Executive Order N-36-20, to mitigate the spread of COVID-19 in the state's adult institutions by stopping intake for 30 days, which was subsequently extended to 60 days. CDCR estimates that approximately 8,200 incarcerated people will be held in county jails as a result of the suspension of intake for 60 days and anticipates transferring all those people to CDCR in the coming months. The prison population will then return to numbers reflected in March of 2020. Governor Newsom must exercise his executive authority to grant commutations and mass releases in order to maintain population reductions that will support the closure of multiple state-owned prisons.

Population Reduction: The average daily adult population of people in prison is now projected to be 114,643, a decrease of over 11,000 people from the 2019 Budget Act which estimated a daily population of 125,871. The average daily population of people paroled is projected to be 50,453 in 2020-21, an increase of less than 1 percent from spring projections.

- **Elder Parole:** Modified to lower the criteria for eligibility for an elderly parole suitability hearing from incarcerated people aged 60 or older who have served 25 continuous years of a sentence to people aged 50 or older who have served 20 continuous years. Statutory changes are necessary to implement this proposal. (Elder Parole modifications are included in the 2020 budget trailer bill, pending a vote from the legislature.)

- **Compassionate Release:** Secretary of the CDCR can request the court resentence an incarcerated person diagnosed with an incurable condition that will result in death within twelve months.
- **Cap Supervision for Certain People on Parole:** Parole cap is at 24 months with an established earned discharge for non-Penal Code section 290 registrants at 12 months. The estimated savings are expected to be \$23.2 million General Fund in 2020-21, increasing to \$64.6 million ongoing General Fund in 2023-24. Statutory changes are necessary to implement the proposal and realize these projected savings.
- **Implementation of Prop. 57:** Estimated to reduce the average daily adult prison population by approximately 8,600 in 2020-21, and by approximately 13,000 in 2022-23.
- **Post Release Community Supervision:** \$12.9 million General Fund for county probation departments to supervise the temporary increase in the average daily population of individuals on Post Release Community Supervision as a result of the implementation of Proposition 57.
- **Prop 47 Savings:** The Department of Finance currently estimates net savings of \$102.9 million General Fund.
- **Realignment:** Anticipated changes to existing law to clarify that an individual's underlying offense determines whether their sentence is served in a county jail or state prison. CDCR estimates these changes will affect several dozen individuals annually and reduce the prison population by around 150 people on an ongoing basis. Statutory changes are necessary to implement this proposal.

Construction and Facility Changes: The Administration is looking to end most of its private prison contracts by prioritizing the facilities that house men, but does not have a plan to do the same for private prisons that house women. If the trends in population declines hold, the Administration will close a state-operated prison within the next five years. *CURB is committed to encouraging further population reductions and pushing for more than one prison closure in the next 5 years.*

- **Youth Offender Rehabilitative Communities:** The Budget includes \$1.3 million General Fund in 2020-21, and \$2 million ongoing, to establish programs that cage people under the age of 26 together at select adult prisons in "campus-style environments." A program will be established at Valley State Prison in Chowchilla. This is a decrease from the proposed \$6.2 million and \$10.1 million ongoing. CURB maintains that the best learning environment for youth is in community, not inside cages.
- **California Rehabilitation Center:** \$6 million to rebuild and upgrade healthcare treatment areas at CRC has been cut.
- **Consolidate Fire Camps:** CDCR's savings are estimated to be \$7.4 million General Fund in 2020-21 and \$14.7 million ongoing with the closure of eight camps, currently not at capacity, that will be selected in coordination with the California Department of Forestry and Fire Protection.
- **Suspension of the Transition-Aged Youth Pilot in the Division of Juvenile Justice:** The seven-year pilot program operated by the Division of Juvenile Justice to divert transition-aged youth from adult prison to a juvenile facility is suspended. The pilot had limited participation and its suspension will result in estimated savings of \$3.1 million General Fund in 2020-21 and ongoing. Although the Budget reduces funding for this program, statutory changes are necessary to suspend the pilot.
- **Juvenile Justice Reorganization:** The Division of Juvenile Justice currently cages approximately 800 youth. The Governor's Budget proposed to transfer the Division of Juvenile Justice to a newly created independent department within the Health and Human Services Agency. Responsibility for managing all youth has been transferred to local jurisdictions and direct a portion of the state savings to county probation departments. CURB maintains our position that Probation departments are ill equipped to care for youth. Youth should be returned to the care of community along with state funding to support their development.

Additional Budget Changes:

- **Changes to Good Conduct Credits**—CDCR will pursue changes to good conduct credits that intend to provide greater incentives for individuals to participate in work and program assignments. While the changes are still being developed, the preliminary estimate is that these changes will save \$2.7 million from the General Fund in 2020-21.
- **Eliminate the Integrated Services for Mentally Ill Parolee Program**—The Integrated Services for Mentally Ill Parolee Program has shown limited effectiveness at reducing recidivism. Elimination of this program is expected to result in savings of \$8.1 million General Fund in 2020-21 and \$16.3 million ongoing General Fund. The Department will adjust policies to connect these individuals with community resources, which ultimately provide better continuity of care long-term. Although the Budget reduces funding for the program, statutory changes are necessary to eliminate the program.
- **Public Defenders:** \$4 million General Fund in 2020-21 and \$3.5 million annually thereafter to expand the Office's mission to include improving the quality of indigent defense services provided by counties. In addition, a \$10 million one-time allocation is included from the General Fund for the Board of State and Community Corrections to administer a pilot program, in consultation with the Office of the State Public Defender, to supplement local funding for indigent criminal defense

For more information go to curbprisonspending.org or email amberrose@curbprisonspending.org.