

## **Governor’s Enacted State Budget Fiscal Year 2021-22**

### **Areas of Interest in the Intersection of Criminal Justice & Behavioral Health Systems**

This document reflects excerpts from the California Comeback Plan for Fiscal Year 2021-2022 budget, which is located on the California Budget [website](#). Related Departmental Budget Change Proposals may be found on the Department of Finance [website](#).

Over the course of a year, the economic vision of California and the estimated projected budget deficit of \$54 billion, has dramatically changed. California now has a projected \$75.7 billion surplus due in part to over \$25 billion in federal relief. As such, the California State Budget supports a \$100 billion [California Comeback Plan](#). According to the Governor’s Budget, this *“once-in-a-generation opportunity”* to aid in accelerating the rate of California’s recovery from the pandemic, and make investments in a more equitable future, also puts California in a unique position to *“address long-standing challenges and provide opportunity for every California family—regardless of their income, race, or ZIP code.”*

Notwithstanding the upturn in the economic outlook, California’s revenue has improved dramatically since the onset of the pandemic; however, the same budget resiliency that paved the way through the pandemic is required to ensure the sustainability of existing programs and emergency readiness. While no significant deficits are projected, the budget forecast assumes some anticipated risks associated to new coronavirus variants, vaccine hesitancy, the potential for higher inflation, stock market decline, and the one-time nature of the federal funds and new revenues. While these risks limit the state’s ability to significantly increase allocations to existing programs, the future expenditures reflect the strong fiscal position of California as the pandemic recovery efforts continue throughout the state.

### **Key Elements of Proposed Budget**

A \$25.2 billion budget reserves and surplus that includes:

- ❖ A \$15.8 billion allocation to the Proposition 2 Budget Stabilization Account (Rainy Day Fund) for fiscal emergencies.
- ❖ A \$900 million allocation to the Safety Net Reserve.
- ❖ A \$4.5 billion allocation to the Public School System Stabilization Account.
- ❖ A \$4 billion allocation to the State’s operating reserve.
- ❖ Major expansion to the Golden State Stimulus, providing tax refunds to middle-class families that make an adjusted \$75,000 or less. Under the plan, two-thirds of Californians will benefit from \$600 payments. Qualified families with dependents, including undocumented families, will also be eligible for an additional \$500 payment. Additionally, \$1.5 billion was added to the State’s earlier \$2.5 billion investment to be made available for impacted small businesses.

## **Health and Human Services:**

The Budget reflects \$209.9 billion (\$57.3 billion General Fund and \$152.6 billion other funds) for all health and human services programs. The portion of the California Comeback Plan directly related to Health and Human Services can be found [here](#).

### **Addressing Behavioral Health**

- ❖ **CHHSA Children and Youth Behavioral Health Initiative**— A \$1.4 billion allocation over five years to transform California’s children and youth behavioral health systems to screen, support, and serve all children and youth with behavioral health needs. Services are statewide, evidence-based, culturally competent, and equity focused. Some of the project funds will be used towards developing and supporting a Behavioral Health Service Virtual Platform, enhance Medi-Cal benefits by adding Dyadic services, and increase school-linked preventive and early intervention behavioral health services.
- ❖ **Mental Health Student Services Act**— A \$30 million one-time allocation to the Mental Health Services Funds for the Mental Health Student Services Act partnership grant from the Mental Health Services Oversight & Accountability Commission
- ❖ **Adverse Childhood Experiences**— A \$12.4 million one-time General Fund allocation for to the Office of the Surgeon General for seven demonstration projects focused on Adverse Childhood Experiences (ACEs). The California Initiative to Advance Precision Medicine supports collaborative research and partnerships to advance a holistic perspective of physical and mental wellbeing. The Budget includes funding that will further the Administration’s efforts to better understand and treat ACEs by strengthening workforce training efforts, building a statewide stress surveillance network, and broadening the network of clinicians and providers that are equipped to treat and prevent toxic stress resulting from ACEs.
- ❖ **Office of Youth and Community Restoration**— A \$7.6 million General Fund allocation in 2021-22 and \$7.2 million ongoing General Fund for 33 positions to stand up the Office of Youth and Community Restoration and perform the core functions laid out in SB 823 (Chapter 337, Statutes of 2020). These task include: (1) review of county’s juvenile justice plans, (2) reporting on youth outcomes and identifying best practices, (3) providing technical assistance to counties, and (4) performing the ombudsperson duties. The Budget also includes \$20 million General Fund to provide technical assistance, disseminate bet practices, and issue grants to counties and probation departments for the purpose of transforming the juvenile justice system to improve outcomes for justice involved youth.

### **Department of Health Care Services**

The Medi-Cal budget is expected to be \$123.8 billion (\$27.6 billion General Fund) in 2021-22. A detailed summary of the enacted Budget related to the Department of Health Care Services can be found [here](#).

- ❖ **California Advancing and Innovating Medi-Cal (CalAIM) Initiative**- The Budget includes \$1.6 billion (\$650.7 million General Fund) in 2021-22 for the CalAIM initiative. The cost increases in General Fund to \$1.5 billion (\$812.5 million General Fund) by 2023-24 and decreases to \$900 million (\$480 million General Fund) in 2024-25, and ongoing.
- ❖ **Population Health Management Service**— A one-time \$315 million (\$31.5 million General Fund) allocation to provide population health management services that would centralize administrative and clinical data from the Department, health plans, and providers. Access to this information would allow all parties to better identify and stratify member risks, inform quality, and value delivery across the continuum of care while implementing CalAIM. The service will also facilitate the connection between important health data and critical social service data for a given beneficiary.
- ❖ **Medi-Cal Providing Access and Transforming Health Payments**— A one-time \$200 million (\$100 million General Fund) allocation to build capacity for effective pre-release care for justice-involved populations to enable coordination with justice agencies and Medi-Cal coverage of services 30 days prior to release.
- ❖ **Community Health Workers**— A \$16.3 million allocation (\$6.2 million General Fund), and increasing to \$201 million (\$76 million General Fund) by 2026-27, to add Community Health Workers to the class of health workers who are able to provide benefits and services to Medi-Cal beneficiaries, effective January 1, 2022.
- ❖ **Medically Tailored Meals**— A one-time \$9.3 million General Fund allocation to continue the provision of medically tailored meals in the period between the conclusion of the existing pilot program in 2021 and when medically tailored meals become available as an option for In-Lieu of Service under CalAIM.
- ❖ **Behavioral Health Continuum Infrastructure**— The Governor’s Budget proposed \$755.7 million one-time General Fund for competitive grants to qualified entities to construct, acquire, and rehabilitate real estate assets to expand the community continuum of behavioral health treatment resources. In addition, the Governor’s Budget proposed \$1.4 billion (\$1.2 billion General Fund and \$220 million Coronavirus Fiscal Recovery Fund) in 2022-23 and \$2.1 million General Fund in 2023-24 for competitive grants to qualified entities to construct, acquire, and rehabilitate real estate assets or to invest in mobile crisis infrastructure to expand community continuum of behavioral health treatment resources.
- ❖ **Medication Therapy Management**— A \$12.6 million (\$4.4 million General Fund) allocation to reimburse specialty pharmacies for services provided to beneficiaries with complex drug therapies in the fee-for-service delivery system, effective July 1, 2021.
- ❖ **Support for Public Hospitals and Health Systems**— A \$300 million one-time Coronavirus Fiscal Recovery Fund allocation to help public health care systems cover costs associated with critical care delivery needs provided during and beyond the pandemic.
- ❖ **Rates for Intermediate Care Facilities for Individuals with Developmental Disabilities (ICF/DD) and Freestanding Pediatric Subacute Facilities (FS/PSA)** — The Budget includes



*Building bridges to prevent incarceration*

\$45.4 million (\$21.6 million General Fund) in 2021-2022 and \$22 million (\$11.1 million General Fund) ongoing to allocation to address frozen rates for ICF/DD and FS/PSA

### **Department of Social Services**

The California Department of Social Services (CDSS) serves, aids, and protects needy and vulnerable children and adults in ways that strengthen and preserve families, encourage personal responsibility, and foster independence. To review CDSS' Executive Summary for the California Comeback Plan, click [here](#).

- ❖ **CalWORKs Grant Increase**— A 5.3 percent increase to CalWORKs Maximum Aid Payment levels, which is estimated to cost \$141.9 million in 2021-22. These increased grant costs are funded entirely by the Child Poverty and Family Supplemental Support Subaccounts of the Local Revenue Fund.
- ❖ **CalWORKs Housing Support Program Investment**— A \$190 million General Fund allocation in both 2021-22 and in 2022-23 to expand the existing program.
- ❖ **Child Care Pandemic Relief Package**— A \$579 million federal funds that provide: tiered licensed provider one-time stipend; a third round of per-child stipends for subsidized child care and preschool providers; family fee waivers; one-time federal funds for the expansion of the California Child Care Initiative Project; one-time federal funds for early childhood mental health consultation; 16 non-operational days for providers accepting vouchers that have to close due to COVID-19 related reasons; and continued hold harmless funding for certain child care providers that contract directly with the state and provider reimbursement at a child's maximum certified level of need.
- ❖ **Family Reunification CalWORKs Assistance Payment**— An \$8.8 million General Fund allocation in 2021-22 and ongoing for counties to continue providing CalWORKs services for no more than 180 days when a child has been removed from the home and is receiving out-of-home care. A \$2.7 billion General Fund allocation in 2021-22 for the SSI/SSP program. The average monthly caseload in this program is estimated to be 1.2 million recipients in 2021-22.
- ❖ **Family First Prevention Services Act Part I**— A \$222.5 General Fund one-time allocation in 2021-22 to be expended over three years to assist counties with new prevention services implementation efforts allowable under the new federal Family First Prevention Services Act. These one-time resources will assist counties to build locally driven services and supports for children, youth, and families at risk of entering foster care.
- ❖ **Bringing Families Home Program**— A \$92.5 million General Fund allocation in both 2021-22 and 2022-23 to expand the existing program to provide housing-related supports to eligible families experiencing homelessness in the child welfare system.
- ❖ **Child Welfare Services-California Automated Response and Engagement System**— A \$39.4 million General Fund allocation in 2021-22 to continue development of a new technology platform for Child Welfare Services.
- ❖ **Child and Adolescent Needs and Strengths Assessment Tool Workload**— A \$3.4 million

General Fund ongoing allocation for increased county social worker workload associated with the Child and Adolescent Needs and Strengths Assessment tool.

- ❖ **Continuum of Care Reform Reconciliation**— A \$7.1 million General Fund allocation to reflect Continuum of Care Reform true-up related to actual expenditures for county Child and Family Teams in Fiscal Year 2018-19.
- ❖ **Project Roomkey**— A \$150 million one-time General Fund allocation to support transitioning participants into permanent housing.
- ❖ **Guaranteed Income Pilot**— A \$35 million General Fund allocation over five years for Guaranteed Income pilot programs. These pilot programs would be city or county administered, require a local-match commitment, and shall target low-income Californians.
- ❖ **Foster Youth**— A \$139.2 million General Fund allocation to assist counties with serving foster youth with complex needs and behavioral health conditions within California, as well as youth that return from an out-of-state congregate placement.
- ❖ **DSS Homelessness Supports**— A \$190 million General Fund allocation in both 2021-22 and 2022-23 to expand the existing CalWORKs Housing Support program within DSS (see the Housing and Homelessness section of this document).
- ❖ **Community Care Expansion** — A one-time \$805 million (\$355 million one-time General Fund and \$450 million one-time Coronavirus Fiscal Recovery Fund) for competitive grants for those who are homeless or at-risk of becoming homeless and have higher level of care needs (see the Housing and Homelessness section of this document).

### **Department of Developmental Services**

The California Department of Developmental Services (DDS) provides individuals with developmental disabilities a variety of services that allow them to live and work independently or in a supportive environments. California is the only state that provides developmental services as an individual entitlement. To review the enacted budget for DDS, click [here](#).

- ❖ **Systemic, Therapeutic, Assessment, Resources and Treatment (START) Teams**— An \$8 million General Fund allocation in 2021-22, increasing to \$11 million General Fund ongoing in 2022-23, for, START teams of DDS. The START teams will provide 24-hour crisis prevention and response services for individuals with intellectual or developmental disabilities.
- ❖ **Low to No Purchase of Service Caseload Ratio**— A \$10 million General Fund allocation in 2021-22 to establish an intensive caseload ratio (1:40) to improve service delivery to consumers in underserved communities.
- ❖ **Lanterman Act Provisional Eligibility**- A \$23.8 million ongoing General Fund allocation to provide children ages three and four with provisional Lanterman Act services eligibility.

### **Department of State Hospitals**

The Department of State Hospitals (DSH) cares for patients with serious mental illness, 90 percent



of whom are sent to state hospitals through the California court system and the pandemic has exacerbated the felony incompetent to Stand Trial (IST) patients. A summary of the enacted Budget for DSH can be found [here](#).

- ❖ **Incompetent to Stand Trial Facility (IST) Infrastructure**— A \$75 million one-time General Fund allocation to provide competitive grants for increased infrastructure targeted to justice-involved individuals with a serious mental illness who are deemed IST. Related to an intent to reallocate Relinquished County Jail Bond Authority to purchase or modify community mental health facilities, this proposal is intended to provide community-based alternatives to incarceration or unnecessary state hospitalization.
- ❖ **Increased Sub-Acute Capacity**—A \$267.1 million General Fund allocation to contract for sub-acute bed capacity to address the increasing number of IST patient referrals to the department. Beginning in 2024-25, ongoing costs decrease to \$145.5 million General Fund.
- ❖ **Community-Based Restoration Program Expansion**— A \$32.8 million General Fund allocation to provide competency restoration service for IST patients in community mental health treatment settings. Beginning in 2024-25, ongoing costs increase to \$54.7 million General Fund.
- ❖ **Jail-Based Competency Treatment Program Existing/New Program Updates**— A \$19.6 million General Fund allocation to contract with counties to provide competency restoration services for IST patients residing in county jail facilities. Beginning in 2022-23, ongoing costs increase to \$28.8 million General Fund.
- ❖ **Reevaluation Services for Felony ISTs**— A \$12.7 million General Fund allocation in 2021-22 and decreases to \$9.2 million General Fund in 2023-24 to partner with local county jails to re-evaluate individuals deemed IST on a felony charge waiting in jail 60 days or more pending placement to a DSH treatment program.
- ❖ **Forensic Conditional Release Program (CONREP) Mobile Forensic Assertive Community Treatment (FACT) Team**— The Budget includes \$9.7 million General Fund in 2021-22, \$14.3 million General Fund in 2022-23 and 2023-24, and \$14.7 million General Fund in 2024-25 and ongoing to implement a FACT team model within CONREP. This will allow to expand community-based treatment options for both ISTs and non-ISTs in counties and backfill State Hospital beds with IST patients. This expansion is estimated to increase capacity up to 180 beds in 2021-22.
- ❖ **CONREP Continuum of Care Expansion**— The Budget includes \$4.6 million General Fund in 2021-22 and ongoing to increase the to increase the step-down capacity in the community in order to transition more stable non-IST patients out of state hospital beds and backfill state hospital beds with IST patients.
- ❖ **Reappropriation and Expansion of the IST Diversion Program**— The Budget includes \$46.4 million General Fund available for over three years to expand the current IST Diversion program which would include current and new counties. In addition, there will be a five-year limited-term funding of annual \$1.2 million General Fund to support

research and administration for the program. Further, the Budget authorizes the reappropriation of \$6.6 million of existing program funds set to expire in the current year.

## **Housing and Homelessness**

As California recovers from an unprecedented pandemic and the ensuing economic challenges that exacerbated a long-standing housing shortage, intensified a statewide affordability crisis, and provoked housing instability, the Budget provides significant investments to continue to protect vulnerable Californians who were disproportionately and negatively impacted. The portion of the Budget that addresses housing and homelessness can be found [here](#).

- ❖ **Challenge Grants & Technical Assistance**— A \$40 million one-time General Fund allocation available over five years for the Homeless Coordinating Financing Council to provide grants and technical assistance to local jurisdictions to develop action plans that will address family homelessness and move the state closer to attaining functional zero family homelessness. Grants will be used to accelerate local jurisdictions' rehousing efforts that can demonstrate cross-system collaboration, multi-funder initiatives, and efforts that coordinate across funding streams and systems. This initiative strengthens the State's continued system-level improvements while local communities work toward eliminating family homelessness in an equitable and holistic manner.
- ❖ **DSS Homelessness Supports**— A \$190 million General Fund allocation in both 2021-22 and 2022-23 to expand the existing CalWORKs Housing Support program. This program assists CalWORKs families experiencing homelessness to secure and maintain permanent housing. Services include financial assistance and housing related wrap-around supportive services. In addition, a \$92.5 million General Fund allocation in both 2021-22 and 2022-23 to expand the existing Bringing Families Home program. This program provides housing-related supports to eligible families experiencing homelessness in the child welfare system.
- ❖ A \$150 million one-time General Fund allocation to the Governor's Office of Emergency Services to support the stability of the shelter population and transition of individuals from Project Roomkey into permanent housing, as mentioned above in the Health and Human Services Agency section of this document.
- ❖ **Behavioral Health Continuum Infrastructure**— The Budget includes \$1.7 billion General Fund and \$530 million Coronavirus Fiscal Recovery Fund, for a total of \$2.2 billion, over three years for competitive grants to qualified entities to construct, acquire, and rehabilitate real estate assets or to invest in mobile crisis infrastructure to expand the community continuum of behavioral health treatment resources (for more information, see the Department of Health Care Services section).
- ❖ **Support for Vulnerable Populations**— The Budget includes investments to meet the complex needs of people with disabling conditions.
  - **Housing and Disability Advocacy Program**— A \$300 million General Fund allocation annually through 2023-24 to better reach and house individuals who

are eligible for but not currently receiving SSI/SSP through benefits advocacy and housing.

- **Home Safe**— A \$185 million General Fund allocation annually through 2022-23 for the Home Safe program to provide access to health, safety, and housing supports for individuals involved in or at risk of involvement in Adult Protective Services.
- **Community Care Expansion**— \$355 million one-time General Fund and \$450 million one-time federal CFRF allocation, for a total of \$805 million, to the DSS for competitive grants to qualified county and tribal entities for the acquisition and rehabilitation of adult and senior care facilities for those who are homeless or at-risk of becoming homeless and have higher level of care needs.
- **Supportive Services for Formerly Homeless Veterans**— A \$25 million one-time General Fund allocation for the California Department of Veterans Affairs to administer a competitive grant program to support aging veterans and veterans with disabilities who have experienced chronic homelessness. This program will provide a higher level of on-site supportive services, such as in-home support to help with habitability, peer specialists to encourage veterans to engage in mental health care, and geriatric social workers to identify behavioral issues related to early onset dementia or similar cognitive issues. This program will support residents in permanent supportive housing projects throughout California, primarily projects supported by Housing and Urban Development-Veterans Administration Supportive Housing.

## **Judicial Branch**

The Budget includes a total funding of \$4.6 billion (\$2.8 billion General Fund and 1.8 billion other fund), \$1.3 billion of which is provided to support trial court operations. The portion of the Budget that addresses the Judicial Branch can be found [here](#).

- ❖ The Budget includes \$60 million one-time General Fund for the trial courts to specifically address backlogs and workload delays resulting from the pandemic and a \$30 million one-time General Fund expenditure to support the Early Disposition Readiness Conference Program. The Chief Justice initiated this program to expedite adjudications by making temporary assigned judges available to complete readiness conferences. Courts can opt-in to this voluntary program, but not all courts have resources available to provide staff to support these judges and have been reluctant to opt-in to the program. The proposed funding, subject to approval by the Department of Finance upon review of data demonstrating persistent case backlog, would remove this financial impediment and thereby support the early resolution of certain criminal cases. The Budget includes \$72.2 million General Fund ongoing for trial courts to address inflationary cost increases and \$53.5 million General Fund ongoing for maintenance, utility, and lease costs for trial court and Courts of Appeal facilities.
- ❖ A \$140 million General Fund allocation in 2021-22, and \$70 million ongoing, to promote



the safe and thoughtful reduction in pretrial detention. Specifically, this funding will provide all 58 courts and county supervision agencies with the resources necessary to support judicial officers in making pretrial release decisions that impose the least restrictive conditions while maintaining public safety and assisting individuals in returning to court, and implementing appropriate monitoring practices, and the provision of services for released individuals.

## **Criminal Justice**

### **California Department of Corrections and Rehabilitation**

The California Department of Corrections and Rehabilitation (CDCR) incarcerates people convicted of the most violent felonies, supervises those released to parole, and provides rehabilitation programs to help them reintegrate into the community. The Department strives to facilitate the successful reintegration of the individuals in its care back to their communities equipped with the tools to be drug-free, healthy, and employable members of society by providing education, treatment, and rehabilitative and restorative justice programs. The Budget includes a total funding of \$13.6 billion (\$13.3 billion General Fund and \$347 million other funds) for CDCR in 2021-22.

The Governor's Budget projected an overall incarcerated adult average daily population of 95,324 in 2021-22. Spring projections now estimate an incarcerated adult average daily population of 106,259, an increase of 10,935. This is primarily because CDCR has resumed intake of individuals sentenced to prison, who remain in county jails awaiting transfer to state prison.

The Governor's Budget projected an overall parolee average daily population of 45,924 in 2021-22. The average daily parolee population is now projected to be 48,269, an increase of 2,345, or approximately five percent.

The Governor's Budget reflected closing the final in-state contract correctional facility by May 2021. Consistent with the 2020 Budget Act, the Department plans to close Deuel Vocational Institution in Tracy by September 2021, achieving savings of \$119 million General Fund in 2021-22, and \$150.3 million General Fund annually beginning in 2022-23. The Department also plans to close the California Correctional Center in Susanville by June 30, 2022. The closure of this facility is estimated to save the state \$122 million General Fund in 2022-23 and ongoing. A summary from CDCR on the Budget can be found [here](#).

- ❖ **Expansion of Rehabilitative Opportunities**— A \$13.7 million General Fund allocation in 2021-22, and \$3 million ongoing, to expand programming and undertake facility improvements at Valley State Prison (VSP), guided by the Norway model, with the goal of achieving similar success in rehabilitating incarcerated individuals and preparing them for life outside of the institution. VSP will serve as a pilot for re-envisioning and transforming the state's correctional system. Specifically, these resources will enable CDCR to:
  - Install two new modular buildings to accommodate additional educational and rehabilitative activities for incarcerated individuals.
  - Create two new baccalaureate degree programs—one general education program

and one focused on Science, Technology, Engineering, and Mathematics (STEM).

- Add new vocational and career technical training opportunities, including multimedia (video, music, and podcasts) production, construction licensing, and certification programs.
  - Provide additional laptops for the incarcerated population's use to support digital literacy development and access to educational offerings.
- ❖ A \$34.8 million one-time General Fund allocation to replace existing metal dayroom furniture with more comfortable furniture for positive programming, non-designated program facilities, and female institutions. This change will create a more welcoming and community-like atmosphere for incarcerated persons, thereby transitioning from a typical institutional environment to a more rehabilitative setting.
    - Similarly, the Budget includes \$3.5 million General Fund in 2021-22 and \$3.3 million General Fund in 2022-23 and 2023-2024 for CDCR to expand the Hope and Redemption Team Program to provide additional rehabilitative and reentry programming at institutions statewide.
  - ❖ **Increasing Access to Technology**— The Budget includes \$23.2 million General Fund in 2021-22 and \$18 million ongoing for information technology to enhance access to rehabilitative programming. This will enable CDCR to be able to purchase approximately 37,000 laptop computers for academic program participants to use, enable the expansion of the virtualization infrastructure, network bandwidth, and the creation of a secure online academic portal that will allow students to complete educational curriculum outside of the classroom.
  - ❖ **Increasing Visitation Opportunities**— A \$20.3 million ongoing General Fund allocation to add a third day of in-person visitation on Fridays at all institutions (visiting is currently limited to Saturdays and Sundays). In addition, this funding will provide visitors with free transportation on select days throughout the year to all prisons via chartered busses.
  - ❖ **Expanding Resources for Adult Reentry Grants**— A one-time \$30 million General Fund allocation to provide additional resources for Adult Reentry Grants provided by the Board of State and Community Corrections. Funds will be used to supplement the ongoing baseline \$37 million General Fund and provide additional grant funding to organizations that provide rental assistance, warm handoff, and reentry services for individuals who are released from state prisons.
  - ❖ **Staff Development and Support**— The Budget includes \$21.2 million General Fund in 2021-22, decreasing to \$16.1 million ongoing General Fund in 2024-25 to enhance staff development through new training for correctional officers.
  - ❖ **Modernization of Video Surveillance Systems**— A \$37.6 million General Fund, to install modern fixed security cameras at 24 additional institutions. This proposal, along with existing efforts underway, will effectuate a roll-out of new audio visual surveillance systems at all institutions statewide. These resources and complementary funding

included in the Armstrong court compliance proposal will enable CDCR to install fixed security cameras at nine to ten institutions per year over the next three years. The deployment of this technology will transform surveillance across the prison system and greatly increase CDCR's capacity to operate safe and effective prisons.

- ❖ **Addressing Staff Misconduct and Discrimination Complaints**— The US District Court for the Northern District of California ordered CDCR to develop a plan to implement remedial measures at five institutions—including Kern Valley State Prison; California Institution for Women; California State Prison, Corcoran; Substance Abuse Treatment Facility and State Prison, Corcoran; and California State Prison, Los Angeles. The measures include: (1) deploying body-worn cameras by the end of July 2021; (2) installing fixed security cameras throughout the five prisons on staggered timelines through December 2021; (3) modifying staff complaint and disciplinary processes; and (4) increasing supervisory staff and training. The Budget includes \$17.2 million General Fund allocation in 2020-21, \$90.6 million in 2021-22, and \$34.9 million ongoing, to enable CDCR to undertake these changes and achieve compliance with the recent court order.
- ❖ **Allegation Inquiry Management (AIMS)**— An \$8 million ongoing General Fund allocation and 40 positions to expand the AIMS process to cover all use of force allegations against staff, as well as allegations of staff misconduct that fall under the federal Prison Rape Elimination Act. Additionally, CDCR will establish a centralized screening process by redirecting existing staff to triage all allegations of staff misconduct to determine the appropriate routing based on the type of allegation and related circumstances, as opposed to each institution independently performing this function, which will help to create greater consistency in the handling of staff complaints.
- ❖ **Discrimination Complaint Tracking**— An \$815,000 General Fund allocation in 2021-22, \$804,000 ongoing, and six positions to expand CDCR's Civil Rights Operations/Equal Employment Opportunity program, which centrally handles discrimination complaints.
- ❖ **Prison Medical and Mental Health Services**— The Budget includes \$3.4 billion General Fund in 2021-22 for health care programs, which provide incarcerated individuals with access to mental health, medical, and dental care services that are consistent with the standards and scope of care appropriate within a custodial environment.
- ❖ **Federal Receivership Overseeing Prison Medical Care**— The Budget includes \$4 million General Fund in 2021-22 increasing to \$11.1 million in 2023-24 to enhance quality management and patient safety by providing staff to evaluate risks and implement best practices to improve the health care delivery system.
- ❖ **Mental Health Care Improvements**— To further enhance Psychiatric Inpatient Program (PIP) operations and better address CDCR's unique operational needs, the Budget includes \$43 million General Fund allocation in 2021-22, and \$35.9 million ongoing, and 264.1 positions to standardize staffing models across the five CDCR-operated PIPs and support targeted staffing increases to perform operationally critical functions. This includes resources to add clinicians, nurses, custody staff, and administrative staff to

provide the comprehensive suite of services necessary to best serve PIP patients.

- ❖ **Telepsychiatry**— A \$3.7 million ongoing General Fund allocation to add supervisory capacity within the Statewide Telepsychiatry Program. This program has grown considerably in recent years and has become an important component of the delivery of mental health care services.
- ❖ **Parole Hearing Process**— A \$3.1 million ongoing General Fund allocation to increase the number of Board of Parole Hearings commissioners from 17 to 21 to alleviate a significant backlog of hearings and maintain a consistent level of service as the number of required hearings continues to rise. The increase in the number of hearings and a growing backlog are related to several factors. For example, recent legislation has expanded youthful offender parole hearings for individuals sentenced up to the age of 25 and expanded the Elderly Parole Program to reduce eligibility from age 60 to age 50. In addition, recent court decisions and the high number of postponements in 2020—2,648, or more than double the number in 2019—have increased the number of upcoming required hearings. Without additional Commissioners and resources, the Board projects a backlog of nearly 4,000 hearings by June 30, 2023.
  - The Budget also includes statutory changes to permit the Board of Parole Hearings to conduct video conference hearings currently authorized through an Emergency Executive Order, which allows for more hearings by reducing travel time for commissioners, as well as associated costs. Remote hearings have also allowed easier access for participation by victims and next of kin. For example, in February 2020, 127 victims or next of kin participated in the parole hearing process. In February 2021, 343 victims or next of kin participated.
- ❖ **Attorney Consultation Pilot**—The Budget includes \$1.8 million one-time General Fund for a one-year pilot to require state-appointed attorneys to provide additional counsel to incarcerated persons before they are interviewed for their comprehensive risk assessment. This will include at least one hour of counsel, education, and advice on the importance of the comprehensive risk assessment and its role in the parole decision-making process.

### **Facility and Infrastructure Improvements**

Maintaining facility infrastructure is essential to the health, safety, and rehabilitative goals for those who live and work in state prisons.

- ❖ **Roof Replacement**— The Budget includes \$33.6 million General Fund over two years for roof replacement projects at California State Prison, Los Angeles County as part of a multi-year plan to replace aging and deteriorating roofs across the state prison system.
- ❖ **Health Care Facility Updates at the California Rehabilitation Center**— The Budget includes \$6.8 million one-time General Fund to replace damaged flooring, walls, wall mounted air conditioning units, counters, and storage spaces in existing health care treatment areas at the California Rehabilitation Center.

- ❖ **Deferred Maintenance**— The Budget includes an additional investment of \$100 million one-time General Fund in 2021-22 to address CDCR’s significant backlog of deferred maintenance projects. The Budget includes the following significant adjustments:
  - **Increased Healthy Menu Options**— The Budget includes \$7.5 million ongoing General Fund to support CDCR’s efforts to implement healthier menus within its institutions that follow the U.S. Department of Agriculture’s dietary guidelines.
  - **Transgender, Nonbinary, and Intersex Housing and Search Preferences**— The Budget includes \$2.8 million General Fund in 2021-22 and declining to \$1.2 million ongoing General Fund to develop and implement policies related to Chapter 182 Statutes of 2020 (SB132), the Transgender Respect, Agency, and Dignity Act. SB 132 requires CDCR to house, and conduct physical searches of transgender, nonbinary, and intersex incarcerated persons according to their gender identity and preference.
  - **Cellular Interdiction**— The Budget includes \$1.8 million ongoing General Fund to maintain the use of the current Managed Access System. The Managed Access System disables contraband cell phones by intercepting calls and stopping them from being completed.

### **Division of Juvenile Justice**

The Division of Juvenile Justice (DJJ) provides education and trauma informed treatment to California’s youthful offenders up to the age of 25 who have the most serious criminal backgrounds and most intense treatment needs.

- ❖ **SB 823 Implementation**— Consistent with Chapter 337, Statutes of 2020 (SB 823), the DJJ will stop the intake of wards on June 30, 2021, with limited exceptions. Spring projections reflect an estimated average daily population of 732 wards in 2020-21 and 613 wards in 2021- 22, which represents a decrease of 68 and 116 wards in 2020-21 and 2021-22, respectively, as compared to the Governor’s Budget estimates. Taken with the Governor’s Budget estimates, this will result in estimated savings of \$10.1 million General Fund in 2021-22.
  - SB 823 established the Juvenile Justice Realignment Block Grant Program, which will result in annual appropriations to be allocated to counties to serve realigned youth, including \$45.7 million General Fund in 2021-22 growing to \$211.9 million in 2024-25 and annually thereafter
  - Recent legislation, Senate Bill 92, makes critical changes to support SB 823 implementation and enable counties to provide appropriate rehabilitative and supervision services to realigned youth starting July 1, 2021. This includes establishing a framework for county secure youth treatment facilities, consistent with intent language included in SB 823. SB 92 also specifies a closure date for DJJ of June 30, 2023, and requires DJJ to develop a plan by January 1, 2022 for the transfer of remaining DJJ youth.

- ❖ **Pine Grove Youth Conservation Camp**— The Budget includes statutory changes to create



opportunities for state and local partnerships to maintain firefighting operations at the Pine Grove Youth Conservation Camp in Amador County. This will enable juvenile courts to assign local youth to Pine Grove without committing them to DJJ and authorize counties to contract with the state to place youth offenders at Pine Grove. This action is consistent with the intent expressed in SB 823 to continue operations at Pine Grove given the camp provides critical reentry and job training to justice-involved youth. The Budget includes \$2.4 million General Fund in 2021-22 and \$2 million ongoing to support increased rehabilitative and preparedness programming for youth assigned to Pine Grove.

### **Local Public Safety**

Specific details of the Budget for the following programs can be found [here](#) (pages 15-19).

- ❖ **California Violence Intervention and Prevention (CalVIP) Grant Program**— The Governor’s Budget included baseline funding of \$9 million ongoing General Fund allocation for the CalVIP program, which provides competitive grants to cities and community-based organizations to support services such as community education, diversion programs, outreach to at-risk transitional age youth, and violence reduction models. The Budget includes an additional \$200 million one-time General Fund across the next three fiscal years for the Board of State and Community Corrections to expand this program. These funds will help to make California a national leader by supporting violence prevention efforts within communities that focus on those at the highest risk of violence.
- ❖ **Gun Violence Restraining Orders**— The Budget includes \$11 million one-time General Fund for the Office of Emergency Services (Cal OES) to facilitate education and training efforts related to gun violence restraining orders. This funding includes: (1) \$5 million for Cal OES to conduct a public awareness campaign, (2) \$5 million for grants to domestic violence groups to conduct outreach, and (3) \$1 million to the City of San Diego for the city attorney to provide temporary gun violence restraining order trainings to entities statewide. The city attorney’s office will provide a report to the Cal OES on the number of trainings provided by November 1, 2024.
- ❖ **Gun Violence Reduction Program**— A one-time \$10.3 million General Fund for the Department of Justice to administer the Gun Violence Reduction Program. These funds will support county sheriff’s departments seizing weapons and ammunition from persons who are prohibited from possessing them.
- ❖ **Proposition 47 Savings**— Voters passed Proposition 47 in November 2014, which requires misdemeanor rather than felony sentencing for certain property and drug crimes, and permits incarcerated persons previously sentenced for these reclassified crimes to petition for resentencing. The Department of Finance currently estimates net General Fund savings of \$116.2 million, an increase of \$1.4 million over the estimated savings at the Governor’s Budget. These funds will be allocated according to the formula outlined in the initiative, which requires 65 percent be allocated for grants to public agencies to support various recidivism reduction programs (such as mental health and substance use services), 25 percent for grants to support truancy and dropout prevention programs, and

10 percent for grants for victims' services.

- ❖ **Post Release Community Supervision (PRCS)**— A \$23.6 million one-time General Fund allocation for county probation departments to supervise the temporary increase in the average daily population of offenders on PRCS as a result of the implementation of Proposition 57. This is an increase of \$10.7 million from the amount estimated in the Governor's Budget and is largely attributable to recently promulgated regulations that expanded good conduct credit earning opportunities.
- ❖ **Additional Support for Indigent Criminal Defense**— The Budget includes \$50 million General Fund annually until 2023-24 for the Board in consultation with the Office of State Public Defender to provide resources to counties for indigent defense in criminal matters for the purposes of workload associated with recent resentencing reforms. Funding will also support the completion of an evaluation to assess the impact of resources on the outcomes associated with workload.
- ❖ **County Jail Relinquishments**— The Budget removes approximately \$229 million of county jail construction lease revenue authority from four programs and reallocates resources to expand capacity to serve felony Incompetent to Stand Trial patients. For more information please refer to the Health and Human Services section.

## **Department of Justice**

As the chief law officer of the state, the Attorney General has the responsibility to see that the laws of California are uniformly and adequately enforced. This responsibility is fulfilled through the diverse programs of the Department of Justice (DOJ). The Department provides legal services on behalf of the people of California; serves as legal counsel to state agencies; provides oversight, enforcement, education, and regulation of California's firearms laws; provides evaluation and analysis of physical evidence; and supports data needs of California's criminal justice community. The Budget includes total funding of approximately \$1.1 billion, including \$387million General Fund, to support the DOJ.

- ❖ **Police Use of Force Investigations**— A \$15.3 million General Fund allocation in 2021-22, and \$15.6 million ongoing, beginning in 2022-23 to provide supportive services to survivors of those killed in officer-involved shootings investigated by DOJ pursuant to AB 1506, and add one additional investigative team in the southern region, bringing the total to four.
- ❖ **Bureau of Forensic Services**— A \$16 million one-time (\$6 million General Fund and \$10 million Fingerprint Fees Account) to backfill the continued decline in fine and fee revenues in the DNA Identification Fund. This funding will allow the Department of Justice to continue processing forensic evidence for client counties.
- ❖ **Retroactive Expungement of Arrest Records**— A \$7.5 million one-time General Fund and statutory changes to extend Chapter 578, Statutes of 2019 (AB 1076) which provides prospective arrest records relief for certain non-violent crimes to retroactively provide such relief going back to 1973.

- ❖ **Sexual Assault Kit Backlog Resources**— A \$4 million one-time General Fund for grants to reduce local law enforcement agencies’ sexual assault kit backlog.
- ❖ **Healthcare Rights and Access Workload**— A \$2.1 million ongoing Public Rights Law Enforcement Special Fund to address workload concerns in the recently established Healthcare Rights and Access Unit within the Division of Legal Services.
- ❖ **Chapter 337, Statutes of 2020 (SB 823)** — A \$1.9 million General Fund in 2021-22 and \$1 million in 2022-23 to convene a working group to submit a plan for the replacement of the Juvenile Court and Probation Statistical System with a modern database as part of the realignment of the Division of Juvenile Justice to the counties.
- ❖ **Chapter 319, Statues of 2020 (AB 3121)** — A \$1.1 million General Fund in 2021-22 and 2022-23 to support the Task Force to study and develop reparation proposals for African Americans with a special consideration for African Americans who are descendants of persons enslaved in the United States.
- ❖ **Chapter 289, Statues of 2020 (AB 2699)**— A \$982,000 General Fund in 2021-22, increasing to \$3 million in 2024-25, and decreasing to \$912, 000 ongoing to gather information about unsafe firearm transactions involving peace officers, develop transformation technology infrastructure to maintain a database of such transactions, and conduct investigations to verify that transactions are being appropriately recorded.