



Overview of 2021-22 Proposed 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. We advocate for an investment in justice that centers care, not punishment.

Governor Newsom's [May Revision of the 2021-22 budget for Corrections](#) includes \$13.3 billion in the general fund. The total budget for Corrections lands just over \$16 billion of state funding. The general fund includes over \$1.5 billion to support local community corrections, nearly \$200 million for enhancing law enforcement activities and growth, and about \$400 million to the Board of State and Community Corrections (BSCC).

Trending reductions in state prison populations are advanced by reformed credit earning structures, conviction reclassifications and reformed sentencing schemes via the ballot or legislation. For these reductions to be sustained, we must permanently close more California state prisons. Decreasing the state's reliance on punitive answers to public safety has been matched with increases to the corrections budget, from \$8.9 billion (2012-2013) to this coming year's proposed \$13.4 billion, with increased requests from CDCR for more construction and expansion of their failing facilities. This is not our definition of a responsible budget.

In order to cut wasteful spending on Corrections (and shift investments into public health centered safety that includes housing, healthcare and community based resources), the state should—at minimum—follow many of the cost-saving prison closure recommendations of the state's own [Legislative Analyst's Office \(LAO\)](#). The California Department of Corrections and Rehabilitation announced the closure of 2 prisons, Deuel Vocational Institution (Tracy, CA) and California Correctional Center (Susanville, CA), both to be shut down by 2023. These shutdowns must be permanent closures with plans to re-envision the use of the land, including new jobs, centering the vision of people living in these prison towns.

While there are prisons slated for shutdown, CDCR has proposed nearly \$14 million dollars and \$3 million ongoing to fund construction and refurbishment at Valley State Prison (VSP) to implement so-called rehabilitation improvements that model Norway's system of incarceration. Despite the lack of evidence that this model will work in the US and undermining the structural economic and social differences between the two countries, CDCR continues to fight to keep the failed prison system at the greatest capacity possible, ignoring the will of California voters and the legislature to shift investments in public safety to center care.

CURB is calling on the legislature and Governor Newsom to deny CDCR's proposal for the changes at VSP, direct CDCR to close an additional 8 state-owned prisons by 2025 in response to failing infrastructure and continued public health threats—and cancel any existing prison construction and renovation.

The trend in lower prison populations may be sustained by the retroactive implementation of sentencing reform that has been passed over the last 7 years. In addition, the more aggressive sentencing reform must be pursued by the legislature over the next two years, including repealing the CA 3-Strikes Law and all other sentencing enhancements and the passing of the following policies during the 2021/22 legislative cycle.

- CA Racial Justice Act for All/AB 256 (Kalra)
- Sentencing Reform Act/SB 300 (Cortese)
- RISE Act of 2021 (Allen)

In the interest of public health and safety, Governor Newsom may use his executive authority to grant mass releases and simultaneously propose a budget that supports reentry and community services. **CURB maintains its opposition to any and all forms of prison construction and urges the state to join Californians in setting forward a solid plan that may save thousands of lives and restore communities across the state.**

Population Reduction: While the average daily adult population of people in prison is now projected to increase by nearly 11,000 people due to CDCR reassuming transfers of people from county jails to state prisons, the average daily population of people to be paroled is projected to increase by 5% or 2,345 people.

- **Prop 47 Savings:** An estimated net General Fund savings of \$116.2 million, an increase of \$1.4 million over the estimated savings in 2020-21. 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.
- **Prop 57 Implementation:** \$23.6 million one-time General Fund for county probation departments to supervise the temporary increase in the average daily population of offenders on Post Release Community Supervision (PRCS). This is an increase of \$4.1 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.

Prison Capacity and Closures: The adult prison population is still on a trending decline. CDCR terminated six of seven in-state contracts by October 2020, and the Governor's Budget reflected closing the final in-state contract correctional facility by May 2021.

- 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 announced the closure of 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.
- **CURB is pushing for the Sub5 Committees to submit trailer bill language in the final budget package that directs CDCR to close an additional 8 prisons by 2025.**

Prison Expansion: The May Revision includes \$13.7 million General Fund in 2021-22, and \$3 million ongoing, to undertake prison expansion plans at Valley State Prison (VSP), guided by the Norway model. VSP will serve as a pilot for re-envisioning and transforming the state's correctional system, which means this angle for prison expansion will continue if passed in this year's budget. This Norway model includes:

- **Construction** of two new modular buildings to accommodate additional educational and rehabilitative activities for incarcerated individuals.
- Two new baccalaureate degree programs—one general education program and one focused on Science, Technology, Engineering, and Mathematics (STEM).
- **Construction** of new vocational and career technical training opportunities, including multimedia (video, music, and podcasts) production and construction licensing and certification programs.
- Provide additional laptops, complementary to the Governor's Budget proposal, for the incarcerated population's use to support digital literacy development and access to educational offerings.
- **Construction** of a Youth Rehabilitative Offender Community at VSP costing an additional \$2 million ongoing General Fund, claiming to establish focus on providing enhanced rehabilitative services to youth.
- **Refurbishment** of the existing metal dayroom furniture including the purchase of more comfortable furniture for positive programming and non-designated program facilities and female institutions, costing an additional \$34.8 million one-time General Fund.

Infrastructure: CURB maintains that all spending on infrastructure repairs is wasteful and will not protect incarcerated people nor the public. Closing facilities would allow the State to avoid spending billions of dollars on these projects and invest in providing care and services that people need.

- \$100 million in total funding for CDCR deferred maintenance projects.

Rehabilitative Programming: CURB maintains that wellness is best served in the community. People can't get well in a cell. CDCR has been historically irresponsible with rehabilitation. People should be released and the state budget should shift to support community based organizations that provide necessary wellness services.

- Youth Offender Rehabilitative Communities: \$546.9M in General Fund for rehabilitative programs, a 5.3% increase from last year's budget at \$519.2M
- \$23.2M in 2021-22 and \$18M ongoing General Fund for information technology to enhance access to rehabilitative programming¹ (ongoing funding (\$18M) is equal to \$236 per person (97,950))
 - Purchase of approximately 37,000 laptop computers
- In April 2021, CDCR resumed in-person visiting, which will continue in conjunction with video visiting. To support increased in-person visiting, the May Revision includes \$20.3 million ongoing General Fund 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.

Staff Oversight: The May Revision includes a total of \$212.3 million General Fund over three years, and \$11 million ongoing, 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. Specific prisons named in the full budget summary.

- \$3.7 million General Fund in 2020-21, \$89.3 million in 2021-22, and \$36.8 million ongoing to support these efforts.

Medical Care for people imprisoned: CURB maintains that people can't get well in a cell. It is detrimental to the lives and health of incarcerated people to rely on CDCR for treatment. Prisons must close and centers for wellness and rehabilitation must be the key investment for public safety and public health in California.

- The 2017-18 Budget realigned \$250.4 million and 1,977.6 positions from the Department of State Hospitals to CDCR to support the shift of responsibility from three Psychiatric Inpatient Program (PIP) facilities, which primarily served CDCR patients, from the Department of State Hospitals to CDCR.
- The May Revision also includes \$37.7 million General Fund in 2021-22, and \$35.9 million ongoing, and 264.1 positions to standardize staffing models across the five CDCR-operated PIPs and including resources to add clinicians, nurses, custody staff, and administrative staff to provide the comprehensive suite of services necessary to best serve PIP patients.
- An additional \$3.7 million ongoing General Fund to add supervisory capacity within the Statewide Telepsychiatry Program.

Board of Parole Hearings: \$3.1 million ongoing General Fund 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. CURB maintains that this is wasteful spending. This proposal is intended to address the backlog in BPH hearings but does not address the need to increase parole grants. Any allocations to the BPH should center strategies to address the systemic racism and roots of disproportionate denials to people across CDCR.

COVID-19 Expenditures: In December 2020, CDCR reported as many as 10,600 active incarcerated adult COVID-19 cases and 3,250 active staff COVID-19 cases. As of May 6, 2021, CDCR was tracking 17 active incarcerated adult cases and 183 active staff cases.

- As of April 2021, there were no reported active cases in the Division of Juvenile Justice (DJJ).
- During 2019-20 and 2020-21, CDCR has incurred costs of approximately \$840.4 million to support direct and indirect COVID-19-related response activities.
- By the end of 2020-21, CDCR expects to spend approximately \$326.3 million more to support response operations.
- The May Revision includes \$407.9 million one-time General Fund in 2021-22 to continue COVID-19 activities and fund related contracts and purchases.

Local Corrections Spending: As of March 15, 2021, the state has provided approximately \$121.1 million General Fund to county sheriffs for reimbursements due to the suspension of intake of incarcerated persons being held in county jails. This reflects payments for individuals held in county jails from March 2020 through December 2020, and reimbursements will continue until such time that all incarcerated individuals are transferred to state prison. Current projections suggest a total of \$98.3 million in additional reimbursements will be issued by June 30, 2021, and \$97.5 million will be issued in 2021-22 as the backlog is gradually reduced and then eliminated.

Youth Corrections Departments: Division of Juvenile Justice (DJJ) will stop the intake of youth on June 30, 2021, with limited exceptions.

- Estimated average daily population of 732 youth in 2020-21 and 613 in 2021-22, which represents a decrease of 68 and 116 youth in 2020-21 and 2021-22, respectively, as compared to the Governor's Budget estimates.
- Estimated savings of \$10.1 million General Fund in 2021-22.
- The Board of State and Community Corrections is in the process of distributing \$9.6 million in one-time funds in 2020-21 for the Regional Youth Programs and Facilities Grant Program as authorized by SB 823 to facilitate the realignment of incarcerated youth from the state to counties. The Block Grant Program, which will result in annual appropriations to be allocated to counties to serve realigned youth, including \$45.7 million in 2021-22 growing to \$211.9 million in 2024-25 and annually thereafter.

Related Judicial Branch Allocations: Expansion of California Probation-based pretrial systems would allocate \$70mm in 2021-2022 to bolster existing pretrial services, and \$70mm for expansion of new probation courts in 16 counties. This budget also shows \$70mm in investments to pretrial systems ongoing in 2022-23, and beyond.

- CURB agrees with the Care First Coalition: The presumption of innocence is a basic right provided by our Constitution and the budget must reflect this mandate. The Governor's \$140mm proposed spending on probation-led pretrial programs is antithetical to that fundamental tenant and the will of California voters, who rejected Prop 25. The pilot programs are essentially the same as the system proposed by Prop 25, with its use of biased risk assessment tools (RATs) and unchecked power to probation departments. Probation Departments are law enforcement agencies that should not be supervising or engaging with individuals in the pretrial phase of presumed innocence. Law enforcement supervision of legally innocent people compromises their right to a fair trial and perpetuates over-incarceration. It is fiscally irresponsible to expand pilots that lack a proven track record of effectiveness, quality review, and longer-term benefit. What the Governor and the state legislature should be funding are community-based pretrial services, which do have a proven track record of supporting an individual's return to court and addressing the root causes of incarceration.

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