

COMMONWEAL **The Juvenile Justice Program**

California Budget Report

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California Governor Releases May Budget Revision— For juvenile justice programs “No news is good news”— Plus proposed changes at the Board of State and Community Corrections

California Governor Jerry Brown released his May Budget Revision in a Tuesday morning news conference. The headlines dominating his announcement were:

- While California took in \$4.5 billion more in tax revenues than projected in the last quarter, the net windfall for FY 13/14 shrinks to about \$3 billion when portions of the “surplus” are assigned to other fiscal years and other adjustments are made.
- The Governor urged caution in presuming that California is fully recovered from its revenue and debt worries, given the “wall of debt” still faced, a slow economic recovery and continuing economic contraction across the globe. He urged lawmakers to exercise restraint as they make budget and spending decisions ahead.
- The bulk of new revenues—about \$3 billion—would go to education under the Governor’s plan, with \$1 billion earmarked for schools to convert to Common Core achievement standards. Community colleges, Cal State University and the University of California would get funding boosts providing potential tuition relief to students. With the proposed increases in K-12 spending, per-student funding would rise from \$7,175 per pupil in 2012 to nearly \$10,000 per pupil projected for 2016.
- The Governor wants to shift how the Affordable Health Care Act would be administered in California, with the state taking over responsibility from counties for Medi-Cal expansion and related payments under Obamacare.
- Notably not singled out for budget augmentation: California courts. Chief Justice Tani Cantil-Sakauye has issued multiple calls for increased funding to keep the state’s courts operating at even minimal levels of efficiency, but the May Revision did not go there.

Corrections and Rehabilitation: steady as she goes

There were no big surprises in the corrections and criminal justice realm. Perhaps the biggest news was a proposed sentence swapping scheme whereby local sheriffs would be able to trade prisoners with CDCR, exchanging an offender with a long local jail sentence for a couple of state prisoners with shorter sentences. In addition, the May Revision proposes new guidelines (presumably legislative changes) to mandate more split sentences (jail with release supervision) under prison realignment; this is intended to discourage local inmates from serving jail-only sentences with the expectation they will exit crowded jails more quickly than they would graduate from supervision conditions. The state’s challenge to federal court orders to reduce the state’s prison population by another 9,500 inmates is on-going with a planned appeal of the inmate reduction mandate to the U.S. Supreme Court.

On the appropriations side, the Governor does propose to increase SB 678 probation funding (to support local programs for felony probation violators in lieu of return to prison) by \$ 72 million in FY 13/14.

On the juvenile justice front, little will change. The Governor proposes a modest reduction in Division of Juvenile Justice (DJJ) funding based on recalculated population levels. The Department of Finance now projects that the DJJ population will settle below 700 inmates during the FY 13/14 fiscal year. California's major juvenile justice grant programs remain locked into realignment spending plans adopted in 2011, with funding further secured by the 2012 passage of Proposition 30, increasing sales and income taxes. For FY 13/14 the Governor and the Legislature are lined up to support major juvenile justice grants at the following projected levels:

- Juvenile Justice Crime Prevention Act (JJCPA): \$ 107 million
- Youthful Offender Block Grant (YOBG): \$ 103 million, plus \$ 6 million for DJJ parole realignment payments to counties.
- Juvenile Probation Camp Fund (JPCF): \$ 181 million

Governor appoints former Fresno Probation Chief Linda Penner to the top post at BSCC, proposes changes in the makeup of the BSCC Board

A new development closely following the May Revision is the Governor's announcement today that he has appointed retired Fresno Chief Probation Officer Linda Penner to the open Executive Director position at the Board of State and Community Corrections (BSCC). BSCC---created last July as an independent department under the Governor---has important mandates related to adult prison realignment, jail and juvenile facility standards and the funding and oversight of multiple state and federal grant programs. Former Chief Penner has served on the BSCC Board, and on the predecessor Corrections Standards Authority Board, for many years. She is the chair of the Fresno County Community Corrections Partnership and is a member of the State Advisory Committee on Juvenile Justice and Delinquency Prevention. She is widely recognized as a close-to-the-Governor spokesperson for California probation chiefs in past and present negotiations on the roll-out of AB 109 prison realignment. Chief Penner will start in September. In the meantime, former San Benito County Sheriff Curtis Hill has been appointed as the BSCC interim Executive Director, effective immediately. Sheriff Hill served previously on the state Board of Corrections and is currently a lobbyist for state sheriffs with the Sacramento firm of Warner and Pank.

In a related move, the Governor has submitted a request to the Legislature to adopt budget trailer language that would add the BSCC Executive Officer to the BSCC Board as Chair, bringing the BSCC total board membership to 13. The Penal Code currently assigns the chair position to the Director of the Dept. of Corrections and Rehabilitation (who is presently CDCR chief Jeff Beard). Under the proposed change, the CDCR Director would remain on the Board as a member (no longer chair) while Ms. Penner would serve in both capacities as Board chair and as the staff Executive Officer.