



# California's Correctional Situation

Presented To

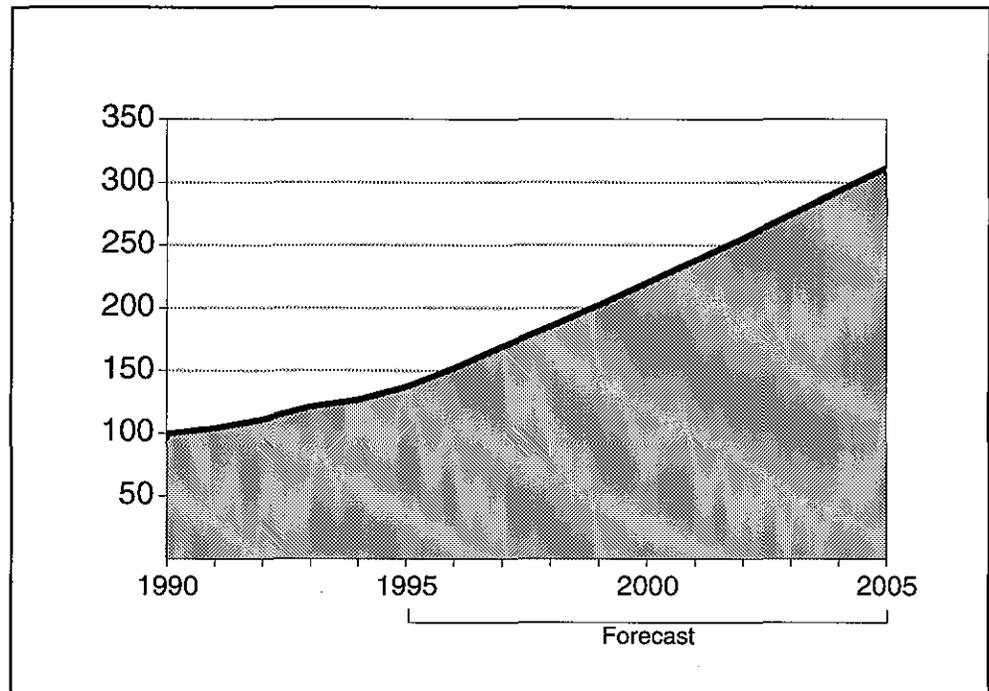
Conference Committee on SB 760 (Lockyer)  
And AB 126 (Rainey)

Senator Bill Lockyer, Chair



## State Prisons Face Rapid Inmate Population Growth

*Inmates (In Thousands) as of June 30*

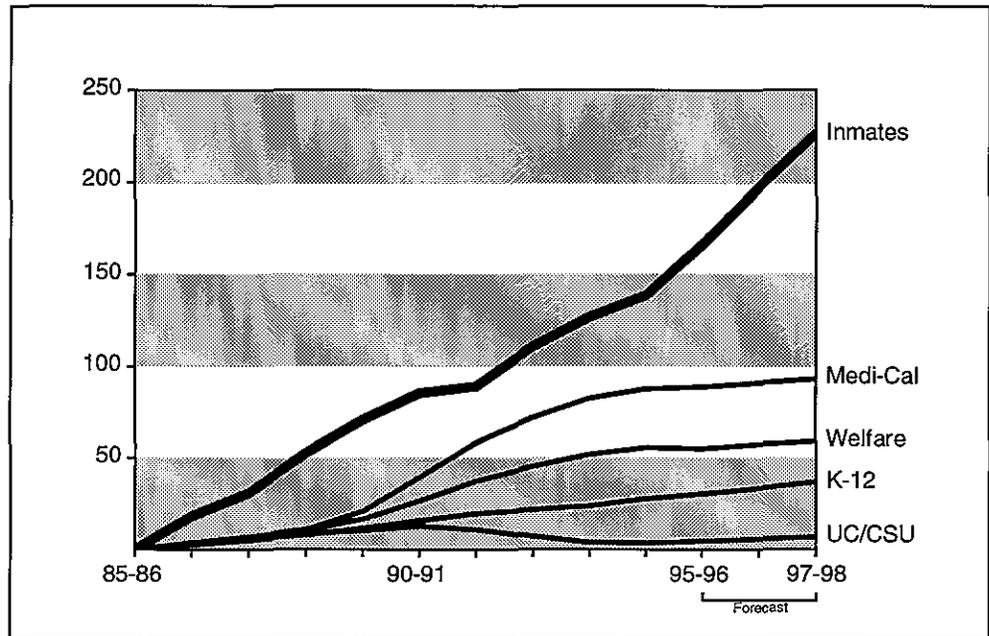


- ☑ The prison population, now at about 135,000, is expected to reach almost 180,000 by June 1998, and climb to 306,000 by June 2005. These projections assume no changes to current sentencing laws by legislation or initiatives.
- ☑ The rapid growth in prison inmates continues the historic trend begun in the early 1980s.
- ☑ The principal reasons for the growth include tougher sentencing laws (particularly the "Three Strikes and You're Out" law), stricter law enforcement, and demographic shifts.



## Prison Population Growing Much Faster Than Other Caseloads

*Percent growth since 1985-86*

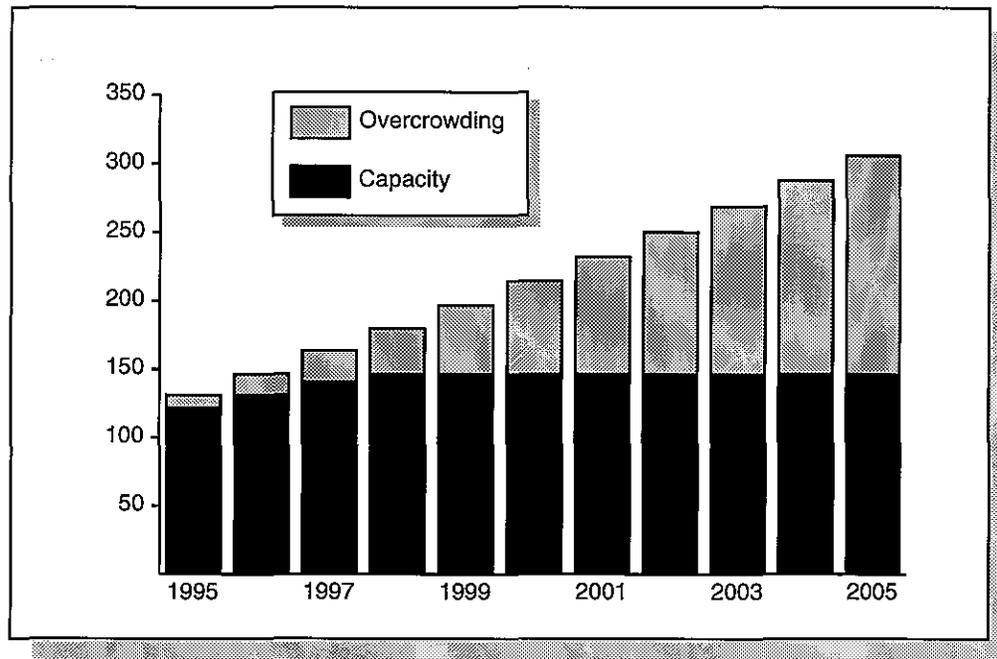


- ✓ The state's prison population has increased by about 150 percent since 1985-86 and is expected to have cumulative growth of about 225 percent by 1997-98—more than twice the rate of increase of other major caseload programs.
- ✓ Although caseloads in some programs, such as Medi-Cal, AFDC, and SSI/SSP, are expected to level off in the next few years, prison caseload growth is expected to accelerate.



## Inmate Growth Projected to Exceed Growth in Prison Capacity

*Inmates (In Thousands)*



- ✓ When all funded prisons are completed in 1997-98, the system capacity will be about 147,000.
- ✓ This capacity total does not include an additional 30,000 inmates that could be kept in nonpermanent housing, such as gymnasiums and dayrooms, bringing the maximum capacity of the prison system to 177,000. The inmate population will exceed the maximum capacity in 1998.
- ✓ In order to accommodate this level of inmate population, the Legislature will need to consider *all* options, including:
  - Adopting legislation to divert nonviolent, nonserious, and/or short-term offenders to other forms of punishment.
  - Construction of new facilities.
  - Additional contracting out.



# Limiting Corrections' General Fund Budget to the Level Of Growth of General Fund Revenues

(In Billions)

	CDC General Fund Budget		Difference <sup>a</sup>
	Full Caseload Funding	Limited Rate of General Fund Revenue Growth	
1995-96	\$3.0	\$3.0	—
1996-97	3.5	3.1	\$0.4
1997-98	3.8	3.3	0.5
1998-99	4.2	3.5	0.7
1999-00	4.6	3.7	0.9
2000-01	5.1	3.9	1.1

<sup>a</sup> Amount required to cut in order to stay within General Fund revenue growth rate.



# What Is the Potential Impact Of SB 760 on the Caseloads And Expenditures Of the Department of Corrections?

(Dollars in Millions)

	Reductions in Caseload		Savings to CDC Budget	Sales Tax Shifted to Counties	Net Savings To State
	Inmates	Parolees			
1996-97	5,174	36	\$110.6	\$110.5	\$0.1
1997-98	22,816	9,449	520.5	499.6	20.9
1998-99	24,886	25,441	619.3	561.3	58.0
1999-00	27,126	27,658	697.1	632.0	65.1
2000-01	29,296	29,152	776.7	666.7	110.0



## The State-County Linkage in Corrections



### State and Local Systems Are Linked

- Legislature establishes *broad policies* (for example, sentencing laws).
- Local government actions affect the *state's workloads* (through local criminal justice agencies) that the state pays for (in CDC and Youth Authority).
- There are *strong linkages* between the criminal justice system and the local health, mental health, social services, and education systems.



### Implementation of the "Three Strikes and You're Out" Law Provides Example of Linkage Between the State and Counties

- Legislature and voters enacted "Three Strikes" law.
  - Control exercised by state (Legislature's decision) and voters.
- Thousands of cases prosecuted under the law.
  - Control exercised by counties.
- Because of fewer guilty pleas, "Three Strikes" cases are crowding the courts, pushing some cases out of court, requiring additional court resources.
  - Impacts on both counties and state, which fund the courts.
- With more cases in courts, counties need more prosecutors and public defenders, as well as more jail beds and heavier jail security.
  - Impacts on counties. Potential impacts on state, to extent state is asked to finance additional jail construction.
- Thousands of inmates in state prison for much longer periods (although impacts are realized more slowly because of crowding of cases at the local level).
  - Impacts on state.



## The State-County Linkage in Corrections

(continued)



### Legislature Should Consider “Realigning” State and County Responsibilities for Corrections

- Because local governments actions affect the state's caseloads and are on the “frontline,” they should be given a greater fiscal incentive to treat and punish offenders *early* in their lives in order to reduce long-term criminality.
- Local communities should have the ability to express their preferences and exercise greater control over correctional programs, and should pay for them.
- Local communities should be encouraged to provide more *integrated* services to treat the multiple problems of offenders, including drug treatment, education, job training, and mental health.



# Who Exercises Discretion in California's Criminal Justice System?

These Criminal Justice Officials ...	Who Are Subject to the Control of ...	Must Often Decide Whether or not or how to ...
Police/Sheriffs	Cities/Counties	<ul style="list-style-type: none"> <li>• Enforce laws</li> <li>• Investigate crimes</li> <li>• Search people, premises</li> <li>• Arrest or detain people</li> <li>• Supervise offenders in local correctional facilities (primarily county sheriffs)</li> </ul>
District Attorneys (prosecutors)	Counties	<ul style="list-style-type: none"> <li>• File charges</li> <li>• Reduce, modify, or drop charges</li> </ul>
Judges	State	<ul style="list-style-type: none"> <li>• Set bail or conditions for release</li> <li>• Accept pleas</li> <li>• Determine delinquency for juveniles</li> <li>• Dismiss charges</li> <li>• Impose sentences</li> <li>• Revoke probation</li> </ul>
Probation Officials	Counties or Judges	<ul style="list-style-type: none"> <li>• Recommend sentences to judges</li> <li>• Supervise offenders released to probation in the community</li> <li>• Supervise offenders (especially juveniles) in probation camps and ranches</li> <li>• Recommend probation revocation to judges</li> </ul>
Correctional Officials	State	<ul style="list-style-type: none"> <li>• Assign offenders to type of correctional facility</li> <li>• Supervise prisoners</li> <li>• Award privileges, punish for disciplinary infractions</li> </ul>
Parole Officials	State	<ul style="list-style-type: none"> <li>• Determine conditions of parole</li> <li>• Supervise parolees released to the community</li> <li>• Revoke parole and return offenders to prison</li> </ul>