



Agenda Pages 304-312, 323-324, Issues 002, 121, 215, 230-238 Items 5225-001-0001, 5225-002-0001, and 5225-101-0001 Department of Corrections and Rehabilitation Proposals to Reduce Inmate and Parole Populations

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(In Thousands)

Pages, Issues	Proposal	Governor (MR)	Senate	Assembly	LAO Compromise	LAO Comments
Sentencing Changes and Credit Reform						
311, 215	Change wobblers to misdemeanors	—	—	-\$75,000	-\$150,000	Makes specified property and drug crimes ineligible for a prison term. Only offenders with no prior serious or violent offense eligible.
311, 236	Property crime thresholds	—	-\$100,000	—	-10,000	Would have significant overlap with wobblers to misdemeanors, resulting in lower savings than Senate estimate. More conservative estimate of savings.
309, 234	Discharge of infirmed inmates	—	-15,000	—	-5,000	Requires early release of medically infirm inmates and placement on parole. More conservative estimate of savings.
310, 235	Inmate credit reforms	—	-150,000	—	-90,000	LAO alternative includes (a) eligibility for day-for-day credits while in jail and (b) additional credits (4 months) for completing in-prison rehabilitation programs. Includes \$10 million in one-time costs for case file reviews of existing inmates.
Parole Changes						
304, 002/121	Summary parole	-\$63,614	—	-63,614	—	Direct and earned discharge (see LAO alternatives below) provide better balance between savings and lesser risk to public safety.
305, 230	Direct discharge	—	-191,000	—	-36,000	LAO alternative limits direct discharge (no parole) to those with no current or prior serious or violent offense and assessed as low-risk to reoffend.
312, 119/238	Corresponding savings	-109,987	-58,066	-109,987	-58,066	Direct and earned discharge would reduce spending for parole revocations, local assistance, and contract jail beds. LAO and Senate approaches retain funding for parole rehabilitation programs.
307, 237	Parole caseload reduction	—	55,000	—	55,000	Increases supervision level of more serious parolees that would remain under direct and earned discharge.

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Earned Discharge from Parole						
N/A	Earned discharge for non-serious, non-violent	—	—	—	-44,000	LAO alternative permits earned discharge after 6 or 12 months for offenders with no current or prior serious or violent offense but assessed as moderate/high risk to reoffend.
306, 231	Earned discharge with a prior	—	-27,700	—	-12,000	LAO alternative permits earned discharge after 4 or 8 or 14 months for offenders with a prior (but not a current) serious or violent offense and assessed as low/moderate/high risk to reoffend.
306, 232	Earned discharge for serious and violent	—	-7,000	—	-12,000	LAO alternative permits discharge at 8,12, or 16 months for offenders with a current serious or violent offense, assessed as low/moderate/high risk to reoffend, and if they show continued good behavior.
Diversion of Parole Violators						
308, 233	Trial court pilot diversion program	—	-20,000	—	—	Recommend pilot court program. Likely to be effective approach to reducing recidivism. However, significant savings unlikely in budget year.
N/A	Alternative sanctions for parole violators	—	—	—	-36,000	LAO alternative mandates use of parole revocation matrix comparing offender risk and type of violation to determine assignment to alternative sanction as appropriate. Could include GPS, community work crews, and short-term incarceration.
Totals		-\$173,601	-\$513,766	-\$248,601	-\$398,066	[LAO Compromise is (A) -\$149,465.]
Difference from Governor's Budget			-\$340,165	-\$75,000	-\$224,465	



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Benefits of LAO Compromise

- Would generate \$398 million in General Fund savings in the budget year. This amount would increase significantly in 2009-10, thereby providing an ongoing budget solution.
- The LAO package includes a series of proposals that are consistent with recommendations of national experts on corrections, such as earned discharge and additional credits for completing rehabilitation programs. Our approach would increase offender accountability and provide incentives for offenders to participate and complete programs designed to reduce recidivism. The LAO package reduces public safety risk compared to early release or the broad use of summary parole or direct discharge.
- The LAO proposals to change wobblers to misdemeanors (excluding those with prior serious or violent offenses) and to provide alternative sanctions to parole violators would remove many short-term offenders from prison. The LAO package would reduce the prison population by about 15,000 inmates in the budget year (growing in the out-years), thereby providing a potential solution to legislative and judicial concerns regarding prison overcrowding.
- Changing wobblers to misdemeanors would significantly impact local corrections, especially jail and probation. Options to mitigate that impact include (1) accelerating the second phase of jail funding approved in AB 900 (Solorio) and (2) providing additional resources through revenue redirection and other alternatives.