

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: Original
POSITION: Oppose

BILL NUMBER: SB 151
AUTHOR: D. Ducheny

BILL SUMMARY: Reentry Courts: Pilot Program

This bill would establish a pilot program, administered by the Judicial Council, for the operation of a court-based reentry program for parolees who would benefit from community drug treatment or mental health treatment. It would require the Judicial Council to: 1) establish a pilot program to operate up to 10 re-entry courts for parolees participating in a court-supervised drug-treatment or mental health treatment program, develop a competitive process for the selection of 10 re-entry courts, prepare an evaluation of the program, and submit program reports in 2010 and 2013.

FISCAL SUMMARY

According to the Administrative Office of the Courts (AOC), if ten pilot re-entry court projects are launched under the program and the designated re-entry courts operate exclusively and full-time on re-entry-eligible parolees, the estimated annual operating costs to each court would be \$1.3 million General Fund (\$13 million annually in total). In addition, each court would require one-time tenant improvements to prepare leased space to be used for re-entry court purposes, estimated at \$1.9 million each (\$19 million annually in total). Finally, the administrative cost to the AOC to develop the selection process, conduct the evaluation and prepare program reports is estimated at \$800,000 annually (excluding unknown additional costs associated with information system modifications).

The California Department of Corrections and Rehabilitation (CDCR) does not anticipate that there will be any significant fiscal impact as a result of this measure, as this measure merely requires the CDCR to refer parolees to the pilot program. However, the CDCR notes that depending on the required scope of their involvement in the legislative reports that are required by this measure, they could incur some additional costs, the amount of which is not clear at this time.

Finally, we note there are possible savings as a result of this bill, as the parolees who participate in the reentry court programs will no longer be supervised by the CDCR. Any savings generated would depend upon the size of the programs and the number of parolees served. Also, if the programs are successful, then there are potential future savings as a result of decreased recidivism rates. To the extent that this bill decreases the time served in state facilities, it would result in General Fund savings of approximately \$23,000 each year that an inmate is not incarcerated. However, full savings from the bill would not be realized for at least one-year due to layoff and other delays.

COMMENTS

Notwithstanding the potential merit of this measure, the Department of Finance is opposed to this bill because it would result in additional General Fund costs that are not included in the 2009-10 Budget.

Analyst/Principal Date Program Budget Manager Date
(0234) K. Gmeinder Todd Jerue

Department Deputy Director Date

Governor's Office: By: Date: Position Approved
Position Disapproved

BILL ANALYSIS Form DF-43 (Rev 03/95 Buff)

D. Ducheny

Original

SB 151

(Continued)

COMMENTS (continued)

Existing law:

- Provides for a funding and grant process for drug courts, and sets out requirements for drug court plans.
- Provides that the Drug Court Partnership Program shall be administered by the Department of Alcohol and Drug Programs for the purpose of providing assistance to drug courts that accept only defendants who have been convicted of felonies and placed on formal probation.
- Authorizes a trial court to "defer entry of judgment" for eligible drug offenders, provided the offender pleads guilty and completes an approved drug program, as specified.
- Establishes the Substance Abuse Treatment and Crime Prevention Act of 2000 (SACPA), which requires non-violent drug possession offenders and parolees to receive drug treatment instead of incarceration.
- Provides that specified drug defendants and parolees are not eligible for SACPA.
- Authorizes pretrial diversion in misdemeanor cases, as specified.
- Provides for diversion for defendants with cognitive developmental disabilities in misdemeanor cases.

This bill would:

- Establish a pilot project administered by the Judicial Council for up to 10 court-based reentry programs for parolees who would benefit from community drug treatment or mental health treatment, as specified.
- Provide that the Judicial Council, in collaboration with the CDCR, shall design and perform an evaluation of the program's effectiveness in reducing recidivism and parole revocations.
- Provide that a preliminary evaluation shall be submitted to the Legislature and the Governor on or before March 1, 2010, and a final report shall be submitted on or before December 31, 2013.
- Include a January 1, 2015 sunset.

Code/Department Agency or Revenue Type	(Fiscal Impact by Fiscal Year)								Fund Code	
	SO	(Dollars in Thousands)								
	LA	CO	PROP	FC	2008-2009	FC	2009-2010	FC		2010-2011
5225/Corr & Rehab	SO	No			-----	See Fiscal Summary	-----			0001
0250/Jud Branch	SO	No			--	C	\$25,500	C	\$13,800	0001