



Assembly Sends Senate Reformulated, Scaled-Back Corrections Savings Measure

August 31, 2009

This afternoon, after a several-hour debate, the Assembly approved on a 41-35 vote a scaled-back corrections reform package, contained in SB X3 18 (Ducheny). Recall, of course, that the Senate had delivered to the Assembly a measure containing cost-cutting reforms on August 20 ([AB X3 14](#)), which would have enacted about half of the savings needed to achieve the \$1.2 billion unallocated reduction the Legislature approved in the 2009-10 budget and subsequent revisions. (The other half of the cuts can be implemented through the corrections agency's existing administrative authority and the Governor's powers accorded in the state Constitution.)

However, it quickly became clear that several contentious amendments in AB X3 14 doomed the package upon its arrival in the Assembly. The Assembly has spent the last 10 days reformulating the corrections cost-savings measure and stripped out a number of more contentious elements that potentially will be taken up in one or more stand-alone measures in the coming days. The measure approved by the Assembly today now must go back to the Senate for its consideration and action.

A quick summary of the SB X3 18 approved by the Assembly as we best understand it ...

What's In?

- Increase to property crime thresholds to reflect inflation;
- California Community Corrections Performance Incentive Act of 2009 (provisions of [SB 678](#), Leno and Benoit), which redirects state savings from decreased prison populations back to counties that demonstrate a reduction in new prison admissions from among the felony adult probation caseload;
- Adjustments and enhancements to inmate credit earning, which incentivize the completion of various rehabilitative, educational, and vocational programs;
- Various parole reforms and establishment of summary/banked parole, which direct resources to higher-risk offenders; lower to moderate risk offenders will be placed on banked caseloads, subject to search and seizure, but not eligible for parole revocation;
- Provisions to carry out the Parole Reentry Accountability Program, a parolee reentry court program with enhanced supervision and services for parole violators; funding for this program was dedicated out of the Byrne-JAG federal stimulus grants apportioned in AB X4 1 by the Legislature in late July.

What's Out?

As compared to the Senate plan, the Assembly version of corrections savings **does not** contain the following elements:

- Alternative Custody Proposal
- Conversion of Wobblers to Misdemeanors
- Sentencing commission

Some if not all of these elements may be revisited in a separate or multiple pieces of subsequent legislation coming out of the Assembly.

What's Next?

It is not clear when the Senate intends to take action on the Assembly's corrections measure. Reportedly, the Senate may hold out for additional elements that were not acted upon today, recognizing that the pared-down version of corrections savings falls short of needed reductions by more than \$230 million.

We will keep you apprised of developments as they evolve. Stay tuned ...

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