

California Department of Corrections and Rehabilitation Budget No. 5225

Report No.	Legislative Report Title—Brief Summary of Reporting Requirements	Admin. Justification for Proposed Elimination or Modification	Committee Staff Comments
1	Report on sale of bonds	Delete reporting requirement as this requirement dates back to the beginning of lease-revenue bonds sales for prison projects. CDCR is no longer the source of information to the legislature regarding bond sales, as details regarding anticipated debt service and terms of the sale are more appropriately provided by the State Treasurer's Office and the State Public Works Board. Information regarding the progress of projects funded by the sale of bonds is already contained in the Capital Outlay Quarterly Report and the Master Plan Annual Report provided pursuant to Penal Code §7003.5.	<p>According to the Department of Corrections and Rehabilitation, CDCR is no longer the proper source for information regarding bond sales, as details regarding anticipated debt service and terms of the sale are more appropriately provided by the State Treasurer's Office and the State Public Works Board. The department also asserts that the information is already contained in the Capital Outlay Quarterly Report and the Master Plan Annual Report required by Section 7003.5 of the Penal Code.</p> <p>However, CDCR is also proposing to eliminate Section 7003.5 of the Penal Code in these Administrative proposals. Because of a number of such inconsistencies, the Legislature may want to review the full text of proposed language from the Administration before moving forward with elimination.</p> <p>August 3rd update: Upon reviewing documents, CDCR communicated via the Administration that they want to delete 7003.5 from the proposed elimination list.</p>
2	Preliminary plans for all correctional facilities within Master Plan	Delete reporting requirement. The approval of preliminary plans by the State Public Works Board is a routine event that does not require notification to the Legislature. This requirement only applies to CDCR projects; the legislature does not receive notification of preliminary plans completion for capital outlay projects performed by other state departments.	The Legislative Analyst's Office recommends retaining this reporting requirement because the report contains valuable information on the operational impact of construction projects and removing the report would reduce Legislative control and oversight.

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3	Notification of completion of preliminary plans	Delete reporting requirement. The approval of preliminary plans by the State Public Works Board is a routine event that does not require notification to the Legislature. This requirement only applies to CDCR projects; the legislature does not receive notification of preliminary plans completion for capital outlay projects performed by other state departments.	The Legislative Analyst's Office recommends retaining this reporting requirement because removing it would reduce the Legislature's control and oversight over AB 900 construction projects.
4	An annual report on the effectiveness of in prison and residential aftercare drug treatment programs - (A report that includes recidivism rates of eligible inmates who, as a condition of parole, if the inmate successfully completes 150 days of residential aftercare treatment, shall be discharged from parole supervision at that time.)	Delete reporting requirement. The report was used specifically for Senate Bill 1453 (Chapter 875, Statutes of 2006) to evaluate incentives for the specific program. The changes in the Department since passage of SB 1453 make it no longer relevant. Non-revocable parole, and Realignment, make it difficult, if not impossible, to evaluate this program as an incentive.	According to CDCR, the report is no longer useful as it was specifically required to evaluate incentives for a program in SB 1453 (Chapter 875, Statutes of 2006). CDCR asserts that since the enactment of that bill, non-revocable parole and realignment make it "difficult" to evaluate this program.
5	Status of Pregnant and Parenting Women's Alternative Sentencing Program	Delete reporting requirement. Realignment and alternative custody programs make this reporting requirement outdated.	According to CDCR, realignment and alternative custody programs make this reporting requirement outdated.
6	Report on staffing analysis of all current job classifications assigned to each prison that house only females	Delete reporting requirement as this was a one-time report.	According to CDCR, this was a one-time reporting requirement that was completed. Note that there are two plans described in this section as well as other mandates, so the Legislature may want to see language from the Administration before moving forward with elimination.

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7	Copy of policies and procedures implemented to ensure that all adult prisons employ the same statewide utilization management program established pursuant to Penal Code §5023.2(a)	Delete reporting requirement as this was a one-time report.	According to CDCR, the report required in subdivision (b) was a one-time reporting requirement that has been completed. However, it appears that (d)(1) requires updates to the Legislature regarding the statewide quantitative utilization management performance objectives set forth in the report. Those updates are required every March 1 until the section is repealed on March 1, 2016 (g). There are other mandates in the section in addition to the report, so the Legislature may want to review proposed language from the Administration before moving forward with elimination.
8	Specific quantitative utilization management performance objectives the Department of Corrections and Rehabilitation intends to accomplish statewide in each adult prison during the next 12 months	Delete reporting requirement as this was a one-time report.	According to CDCR, the report required in subdivision (c) was a one-time reporting requirement that has been completed. However, it appears that (d)(3) requires updates to the Legislature regarding the quantitative utilization management performance objectives set forth in the report. Those updates are required every March 1 until the section is repealed on March 1, 2016 (g). There are other mandates in the section in addition to the report, so the Legislature may want to review proposed language from the Administration before moving forward with elimination.
9	Report of actions performed to contract with private profit and nonprofit corporations to provide reentry work furlough programs or reasons for noncompliance	Delete reporting requirement. Realignment makes this reporting requirement outdated.	According to CDCR, realignment makes this reporting requirement outdated.

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10	Report on status of each prison facility or project that is part of the master plan	Delete reporting requirement. The approval of preliminary plans by the State Public Works Board is a routine event that does not require notification to the Legislature. This requirement only applies to CDCR projects; the legislature does not receive notification of preliminary plans completion for capital outlay projects performed by other state departments.	<p>According to CDCR, this requirement is unnecessary.</p> <p>The Legislative Analyst's Office recommends retaining this annual report because it includes more information that the quarterly reports to help the Legislature assess the Department's ability to deliver projects effectively and efficiently.</p> <p>Also, in many instances, CDCR is citing the information required by Section 7003.5 as the justification for deleting other reporting requirements (see "Comments" in Sections 15819.8 and 7050 for examples). Because of these inconsistencies, the Legislature may want to review proposed language from the Administration before moving forward with elimination.</p> <p>Upon reviewing documents, on August 3, CDCR communicated via the Administration that they want to delete 7003.5 from the proposed elimination list.</p>

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11	Report on the allocations from the appropriation in Section 28 of Chapter 7 of the Statutes of 2007 to fund renovations and improvements of existing prison facilities and the anticipated deficit or savings	Consolidate with other reports because this information is captured under by reports covered by Penal Code §7000, specifically Penal Code §7003.5	According to CDCR, this reporting requirement should be consolidated with other reports because the information is captured by other reports required in Section 7000 and 7003.5 of the Penal Code. However, Section 7003.5 is one of the reports proposed to be eliminated by the Administration. Because of these inconsistencies, the Legislature may want to review proposed language from the Administration before moving forward with elimination. Upon reviewing documents, on August 3, CDCR communicated via the Administration that they want to delete 7003.5 from the proposed elimination list.
12	Reports on the progress of parolees released from the secure substance abuse treatment facility; reports shall include data on the rate of recidivism and relapse to substance abuse of inmates released from the facility	Delete reporting requirement. Data reported in this report is also report in Adult Institutions Outcome Evaluation Report prepared by the CDCR Office of Research. This report includes recidivism data for all facilities. The report was originally required in order to secure initial funding for the construction of the California Substance Abuse Treatment Facility and State Prison (SATF). The data provided is irrelevant because SATF is no longer CDCR's primary substance abuse treatment facility	According to CDCR, the data required in this report is also reported in the Adult Institutions Outcome Evaluation Report prepared by the CDCR Office of Research. According to CDCR, this report was originally required in order to secure initial funding for the construction of the California Substance Abuse Treatment Facility and State Prison (SATF). SATF is no longer CDCR's primary substance abuse treatment facility.
13	Report on prisoners included in specific research programs approved by Board of Corrections	Delete reporting requirement as the requirement dates back to 1974 and is no longer relevant. Penal Code §3049.5 references Penal Code §5079 which deals with psychiatric and diagnostic clinics.	According to CDCR, the report should be deleted as it dates back to 1974 and is no longer relevant.
14	Progress of contracting with counties for substance abuse community correctional detention centers	Delete reporting requirement. Realignment makes this reporting requirement outdated.	According to CDCR, realignment makes this reporting requirement unnecessary.

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15	Progress report on the status of the implementation of the Community-Based Punishment Act of 1994	Delete reporting requirement as no requests have been received.	According to CDCR, they have never received any requests for this information.
16	Report on status of county jail funding including listing of funds allocated to each county	Delete reporting requirement. The report request is over 20 years old and will now be the responsibility of the Board of State and Community Corrections.	According to CDCR, the report should be eliminated based on the fact it is more than 20 years old and is currently the responsibility of the Board of State and Community Corrections.
17	Report on cases the board considered for parole during the previous year pursuant to Penal Code §4801(b) regarding a prison having committed the crime after experiencing intimate partner battering	Delete reporting requirement. It does not appear that a report has ever been filed.	According to CDCR, the report should be eliminated based on the fact that a report has never been filed. This is an annual reporting requirement, so the Legislature may want to consider whether or not they still want information regarding the Board of Parole Hearing's consideration of "intimate partner battering" in making parole decisions.
18	Report providing details of the Council on Mentally Ill Offenders' activities during the previous year, including recommendations for improving cost-effectiveness of mental health and criminal justice programs	Delete reporting requirement. The Council has not been established nor is there funding for the Council.	According to CDCR, the report should be eliminated based on the fact the Council was never established and there is currently no funding to establish it. The committee has heard contrary information that the Council was established; we are still waiting for confirmation.
19	Certification of accounting and administrative internal control systems including recommendations and plans to correct any inadequacy	Delete reporting requirement as the requirement is outdated.	According to CDCR, the report should be deleted because the requirement is outdated. Concern has been raised by various interests that Section 13405 of the Government Code contains a critical audit mechanism that shouldn't be deleted.
20	Annual report on population management and facilities master plan presenting projected population and strategies for treatment and housing of wards over 5-year period	Delete reporting requirement as this data is captured in the departments annual report.	According to CDCR, the information required in this report is already captured in the department's annual report. The Legislature may wish to see the final legislative proposal from the Administration to determine if the annual report is proposed to be amended.