

STATE OF CALIFORNIA
Budget Change Proposal - Cover Sheet
 DF-46 (REV 08/17)

Fiscal Year 2018-19	Business Unit 5225	Department California Department of Corrections and Rehabilitation	Priority No. 10
Budget Request Name 5225-417-BCP-2018-MR		Program 4540 - Adult Corrections and Rehabilitation Operations- Inmate Support	Subprogram 4540040 - Classification Services

Budget Request Description
 Correctional Counselor I Ratio Adjustment

Budget Request Summary

The California Department of Corrections and Rehabilitation, Division of Adult Institutions, requests \$13.5 million General Fund in 2018-19 and 89.2 positions to adjust the offender to Correctional Counselor I ratio from 150:1 to 135:1 to provide enhanced rehabilitation and program enrollment assistance to the offender population.

Requires Legislation <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Code Section(s) to be Added/Amended/Repealed	
Does this BCP contain information technology (IT) components? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes, departmental Chief Information Officer must sign.</i>	Department CIO	Date

For IT requests, specify the project number, the most recent project approval document (FSR, SPR, S1BA, S2AA, S3SD, S4PRA), and the approval date.

Project No. Project Approval Document: Approval Date:

If proposal affects another department, does other department concur with proposal? Yes No
Attach comments of affected department, signed and dated by the department director or designee.

Prepared By Cassandra Schanz	Date	Reviewed By Eric Swanson	Date
Department Director Kathleen Allison	Date	Agency Secretary Scott Kernan	Date

Department of Finance Use Only

Additional Review: Capital Outlay ITCU FSCU OSAE CALSTARS Dept. of Technology

PPBA Original Signed By: Madelynn McClain	Date submitted to the Legislature 5/11/18
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BCP Fiscal Detail Sheet

BCP Title: Correctional Counselor I Ratios

BR Name: 5225-417-BCP-2018-MR

Budget Request Summary

	FY18					
	CY	BY	BY+1	BY+2	BY+3	BY+4
Personal Services						
Positions - Permanent	0.0	89.2	89.2	89.2	89.2	89.2
Total Positions	0.0	89.2	89.2	89.2	89.2	89.2
Salaries and Wages						
Earnings - Permanent	0	7,937	7,937	7,937	7,937	7,937
Total Salaries and Wages	\$0	\$7,937	\$7,937	\$7,937	\$7,937	\$7,937
Total Staff Benefits	0	5,393	5,393	5,393	5,393	5,393
Total Personal Services	\$0	\$13,330	\$13,330	\$13,330	\$13,330	\$13,330
Operating Expenses and Equipment						
5301 - General Expense	0	119	119	119	119	119
5302 - Printing	0	21	21	21	21	21
5304 - Communications	0	26	26	26	26	26
5306 - Postage	0	10	10	10	10	10
5320 - Travel: In-State	0	23	23	23	23	23
5322 - Training	0	11	11	11	11	11
5340 - Consulting and Professional Services - Interdepartmental	0	8	8	8	8	8
Total Operating Expenses and Equipment	\$0	\$218	\$218	\$218	\$218	\$218
Total Budget Request	\$0	\$13,548	\$13,548	\$13,548	\$13,548	\$13,548
Fund Summary						
Fund Source - State Operations						
0001 - General Fund	0	13,548	13,548	13,548	13,548	13,548
Total State Operations Expenditures	\$0	\$13,548	\$13,548	\$13,548	\$13,548	\$13,548
Total All Funds	\$0	\$13,548	\$13,548	\$13,548	\$13,548	\$13,548
Program Summary						
Program Funding						
4540040 - Classification Services	0	13,548	13,548	13,548	13,548	13,548
Total All Programs	\$0	\$13,548	\$13,548	\$13,548	\$13,548	\$13,548

Analysis of Problem

A. Budget Request Summary

The California Department of Corrections and Rehabilitation Division of Adult Institutions requests \$13.5 million General Fund in 2018-19 and 89.2 positions to adjust the offender to Correctional Counselor I (CCI) ratio from 150:1 to 135:1 to provide enhanced rehabilitation and program enrollment assistance to the offender population.

B. Background/History

Historically, CCI ratio positions have been funded on a ratio formula of 150 inmates to 1 CCI. CCI adjustments are completed biannually based on the inmate population estimates included in the Governor's Budget and Budget Act. For the past 30 years, CDCR has operated under the 150:1 ratio formula; however, the CCI workload has steadily increased based on new workload demands predicated by policy changes, legislative mandates, and court orders, including the implementation of Correctional Officer Management Profiling for Alternative Sanctions (COMPAS) in 2008 as well as the passing of the Public Safety Realignment Act (AB 109) in 2011. Additionally, new inmate rehabilitative programs such as Community Prisoner Mother Program (CPMP), Alternative Custody Program (ACP), Male Community Reentry Program (MCRP), Custody to Community Transitional Reentry Program (CCTRP), Cognitive Behavioral Treatment (CBT) require additional focus from counselors to appropriately assess individual inmate's eligibility based on both the inmate's profile and the unique focus of each program.

Furthermore, CDCR has experienced an increase in participation in inmate work groups as a result of Proposition 57 implementation, as well as increased Interdisciplinary Treatment Team (IDTT) committees held for inmates within the Mental Health Services Delivery System (MHSDS). There are various levels of treatments available within the MHSDS including but not limited to, Enhanced Out-Patient (EOP), Mental Health Crisis Bed (MHCB), and Psychiatric In-Patient (PIP). Anytime a clinician proposes a change in the level of care for an inmate relative to their mental health needs an IDTT is required. IDTTs are comprised of a treatment team which includes health care professionals as well as custody representatives. IDTT requires attendance and participation of all parties, inclusive of the CCI. The CCI is required to inform the IDTT of various case factors as they have direct knowledge of the inmate and their history. Current MHSDS inmate population results in a significant increase in IDTT committees held.

With the passage of SB 394 and AB 1308, CDCR experienced changes to its youth offender population which could allow for different eligibility of board hearings based on age and case factors. Specifically, SB 394 provided a Life Without Parole (LWOP) inmate who committed a crime before 18 years of age eligibility to be considered for release on parole by the Board of Parole Hearings (BPH) during their 25th year of incarceration at a Youthful Offender Program (YOP) hearing. BPH must now complete all hearings for individuals who are or will be entitled to have their parole suitability considered at a YOP hearing by these provisions before July 1, 2020. This requires counselors to create BPH reports for inmates that previously would not have been done due to LWOP status. Additionally, AB 1308 extended the age BPH was required to conduct hearings for YOP inmates to consider their release from 23 years of age to 25 years of age. By January 1, 2020, BPH must now complete all YOP hearings for those sentenced to indeterminate life terms. BPH is also required to complete all YOP hearings for those sentenced to determinate terms by January 1, 2022, as well as conduct specified consultations before January 1, 2019. This requires the counselor to complete additional BPH YOP reports which previously would not have been done due to expanding the YOP age.

In addition, changes to the Prison Rape Elimination Act (PREA) protocols were implemented in August 2017 which increased screening requirements. These changes require counselors to perform additional screening and documentation for each inmate upon transfer.

Automation of Case Work

In 2009, CDCR implemented an integrated Strategic Offender Management System (SOMS), which automated various inmate case work paper processes. SOMS effectively integrated many of CDCR's manual processes and daily tasks for CCIs including intake processes, COMPAS assessments, holds/warrants/detainers, gang tracking, disciplinary infractions, programs, offender classification and parole capabilities. The conversion to electronic records initially streamlined CCI case work; however,

Analysis of Problem

subsequent voter-approved propositions (e.g., Proposition 57) and CDCR's expansion of rehabilitative programs require additional assessments. These assessments increased the amount of case work data input into SOMS by CCIs.

Correctional Counselor I Job Description

The current California State Personnel Board Specifications for CCI define the CCI job duties as follows: assemble, organize, analyze, and record information necessary for classification and parole planning for prison inmates; to interview and counsel inmates and assist with their adjustment and development or modification of the inmate's program in a correctional setting; to perform peace officer duties as required, and to replace and/or assist custodial staff during emergency situations, such as fights, attempted escapes, or major incidents, such as riots; to maintain order and supervise the conduct of inmates; to maintain the safety of persons and property; and to do other related work.

While this definition includes the interview, counsel, adjustment, and/or modification of an inmate's program plan, the function of these particular duties has expanded to incorporate varying layers of rehabilitative efforts that accompany the various recent regulatory changes, legislative mandates, court orders, etc. versus the pure analysis and case work of an offender. Consistent with these measures and the emphasis on rehabilitative efforts of CDCR, counselor workload demands have increased. An example of the impact legislation has on the CCI workload is the implementation of AB 109 which initiated Post-Release Community Supervision (PRCS). This changed the post release processes for inmates where upon sentence completion, a majority of inmates were discharged from state prisons and placed under county-level supervision versus CDCR Parole. Prior to PRCS, if a parolee violated parole, their return to state prisons resulted in counselors conducting an update of the file to accommodate the parole violation alone in the timeframe since the inmate's parole date. Now, in the event of a re-offense, counties process the offender and when sentenced back to state prison, the offender is sent to a Reception Center as a new intake. Counselors then must complete a full archive file review and initial review of the new offense.

C. State Level Considerations

CDCR incarcerates the most-violent felons, as well as many lower-level offenders who are regularly released back into the community. CDCR has the duty and responsibility to provide effective rehabilitation programs to help eligible incarcerated individuals successfully reintegrate back into the community upon their release. With new legal mandates and rehabilitation opportunities for inmate sentence reductions, CDCR has increased programming available to all institutions across the state. The requested resources will assist with and improve accuracy and timeliness in applying the appropriate case factor reviews to ensure offenders are placed into suitable rehabilitative programs thereby reducing their sentence and preparing them for successful transition back into the community.

D. Justification

CDCR requests to decrease the CCI ratio, thereby increasing the number of CCI positions (see Attachment A). This will enable counselors to provide enhanced assistance to the inmate population. The expectation of counselors to interactively engage with the inmate population via interviews and counseling has evolved from its previous sole focus of adjusting to a correctional setting. The renewed focus of rehabilitation for those incarcerated has demonstrated a heightened responsibility of the counselor's role in assisting the inmate population with the best available rehabilitative programming suited to individual offender's needs. Counselors, by nature of their assignment, are best suited for matching inmates with needed services and programs in order to successfully reintegrate the inmates into the community and reduce recidivism. Counselors are tasked with identifying an inmate's case factors and rehabilitative needs at the onset of their incarceration; completing assessments of current incarcerated offenders on an annual basis; and providing continuous reevaluation through inmate requested appointments and/or changes to their case factors during incarceration.

By decreasing the CCI ratio, CDCR has the ability to increase the time available for one-on-one interaction with their assigned counselor to address individual needs and other various concerns, known as "open line." Currently, counselors are limited to only four hours per week to provide individual attention to all inmates on their caseload. This minimal amount of time is insufficient for

Analysis of Problem

counselors to provide essential rehabilitative services to inmates. Increasing the time counselors are available by two hours each week will allow for improved communication with the inmates on their individual needs and assist them by connecting to available resources. It will allow enough time for counselors to serve as an advocate for participation in programs designed to benefit inmates. This increase in counselors will ultimately result in CDCR effectively communicating available enhanced credit earning opportunities to qualifying inmates.

Additionally, an adjusted CCI ratio will also allow counselors to provide increased assistance to inmates related to the following:

- Recommend unique programs which the inmate may qualify for and assist them with the process to be considered for admittance.
- Recommend specific self-help and other programs available at the institution based on the inmate's criminogenic needs and to facilitate positive programming. These include programs eligible for Rehabilitative Achievement Credits which result in reduced time to serve for inmates.
- Review available education or vocational programs and support service jobs benefiting the inmate during incarceration and equipping them for reentry to the community by ensuring the inmate is assigned to the appropriate wait lists.
- Identify individual inmate's plans and needs upon release by facilitating inmate meetings with the appropriate liaisons whether it be the Division of Rehabilitative Program's Parole Services Associate for California Identification Card program, or the Division of Adult Parole Operations, or Post Release Community Supervision for assistance on transitional planning, housing, resources in the community, and advocacy for veterans.
- Allows for counselors to be present in general population Institution Classification Committees and for counselor participation in IDTTs within mental health units, as they are the most familiar with the inmate's unique programming needs and case factors. Participation by the counselor in these processes is pivotal, because the counselors are most knowledgeable on the inmate's individual case factors and needs.

In an effort to address the evolving workload of the CCI classification associated with the enhanced rehabilitative efforts CDCR now provides, CDCR requests an adjustment to the CCI ratio from 150:1 to 135:1. CDCR has conducted a work study relative to the current functions at the 150:1 ratio and the anticipated increase in services with the proposed 135:1 ratio (Attachments B and C). This increase in CCI positions will provide ongoing assistance and additional rehabilitative services to the inmate population.

E. Outcomes and Accountability

Approval of this request will allow DAI to proficiently meet various mandates and expectations including but not limited to the Three-Judge Panel decision, AB 109 – Public Safety Realignment Act, and Proposition 57, which have placed additional responsibility on CDCR to rehabilitate incarcerated individuals so they can successfully integrate back into society, thereby reducing recidivism. CDCR is responsible for maintaining the inmate population below the court ordered 137.5 percent while providing rehabilitative services and programming opportunities to inmates consistent with the various legislative mandates, court orders, etc.

F. Analysis of All Feasible Alternatives

Alternative 1: Approve \$13.5 million General Fund in 2018-19 and ongoing and 89.2 positions to amend the CCI ratio to 135 inmates to 1 CCI.

Pros:

- Provides relief of open line assistance
- Provides increased focus on essential services for rehabilitative efforts to enhance credit earning opportunities
- Provides for increased participation of counselors in various institutional committees for assigned inmates

Analysis of Problem

- Provides improved assessment of essential services available for reentry programming options
- Provides increased assistance for post release transitional planning

Cons:

- Additional General Fund resources

Alternative 2: Approve \$24.3 million General Fund in 2018-19 and ongoing and 160 positions to amend the CCI ratio to 125 inmates to 1 CCI.

Pros:

- Provides for relief in CDCR to provide enhanced rehabilitative services to the inmate population

Cons:

- Additional General Fund resources
- Provides for more position resources than CDCR requires for the current and immediately foreseen workload as well as the anticipated increased focus of services

Alternative 3: Approve \$10.7 million General Fund in 2018-19 to provide an additional 2 CCI positions per 35 institutions totaling 70 positions statewide.

Pros:

- Provides improvement of ratio allocation levels
- Provides limited relief at some institutions for assistance of essential rehabilitative services and open line access
- Provides limited relief at some institutions for evaluation of eligibility for reentry programming options
- Provides temporary assistance for post release transitional planning

Cons:

- Additional General Fund resources
- Inconsistent distribution of CCI positions due to varied needs based on inmate population type and institution mission
- Potentially misaligns the inmate population with CCI position need per ratio as the population fluctuates.
- Inability to sustain long term focus on rehabilitative efforts, evaluation for reentry programs, and assistance for post release transitional planning
- Solution does not address true need

Alternative 4: Approve \$1 million General Fund in 2018-19 to fund a workload analysis of CCI workload.

Pros:

- Would identify the proper staffing for the CCI workload.

Cons:

- Additional General Fund resources
- Does not provide for immediate improvement of ratio allocation levels
- Does not allow for CDCR to provide the enhanced rehabilitative services immediately

G. Implementation Plan

If approved, CDCR will begin implementation of the ratio distribution July 1, 2018. Positions will be established and advertised, interviews will be conducted, and positions will be filled with qualified staff. These resources will be assigned to the Division of Adult Institutions, who will have the responsibility to

Analysis of Problem

monitor ratio allocations on a bi-annual basis. Adjustments would continue to occur based on the approved new ratio standard and inmate population projections via the May Revision budget process.

H. Supplemental Information

Attachment A: CCI Ratio Proposal

Attachment B: CCI Workload Task Analysis_Current 150:1 Ratio

Attachment C: CCI Workload Task Analysis_Proposed 135:1 Ratio

I. Recommendation

CDCR recommends Alternative 1 which would provide \$13.5 million General Fund and 89.2 positions in 2018-19 and ongoing to update the ratio to 135:1. This would provide resources to support the enhanced rehabilitative services of CDCR.

The increased services and focus counselors will be able to provide with the additional positions will have a significant and positive impact to the rehabilitation of inmates incarcerated within CDCR and will therefore create better opportunities for them to successfully reintegrate into the communities of California and reduce recidivism. This increased focus on these efforts cannot be achieved without additional funding to support appropriate staffing levels of CCI positions.

**CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
CCI RATIO CHANGE PROPOSAL**

	Current Ratio w/ 18/19 May Revise Population Projections			Proposed Ratio	
	18/19 May Revise Population	Ratio	Budgeted CCI	Ratio	Budgeted CCI
DOF Budgeted	120,403	150	802.7	135	891.9
Position Increase w/ Proposed Ratio				89.2	
Cost Increase				\$13,548,000	

PROJECTED WORKLOAD - CURRENT RATIO
 (150:1)

ACTIVITY TASK	HOURS TO COMPLETE TASK WEEKLY	NUMBER OF TASK PER YEAR	NUMBER OF HOURS PER YEAR
<i>Specific Task</i>			
Conducts the initial assesment of an inmate upon incarceration by compiling and evaluating the inmate's criminal records, life histories, medical, dental, physiological and mental health histories, and social histories. Interviews inmates and evaluates their potential adjustments to incarceration. Determine individual inmate's classification score, identify any specific placement needs, and make recommendations as the appropriate institutional placement. Initiate and maintain individual inmate's profile in various systems such as COMPAS, SOMS, ERMS, etc.	2.00	315.00	630.00
Conducts evaluations of information from a variety of sources to assist in classification adjustments of an inmate. Provides recommendations as to the level and institutional assignments and program placement on an ongoing basis. Gathers, verifies, and evaluates information in regards to enemy/gang affiliations between inmates, incidents, and requests made by the courts, etc. Records observations or contacts with inmates, families, outside agencies, confidential information, etc. Responds to written correspondence or verbal requests from individual inmates. Review/update SOMS/ERMS files, update required documents, prepare and complete classification chronos.	2.00	450.00	900.00
Screen individual inmates specific case factors and custody determinents for eligibility into various programs, classification indicators, potential non-institutional placement or program, etc. Conducts case reviews in preparation for individual inmates annual reviews and other various reveiws. Review for approval an inmate's request for family visiting, correspondence and Temporary Community Leaves.	0.50	450.00	225.00
Review correspondence, answer phone calls, act as staff assistant for other counselors, perform other peace officer duties such as alarm response as required. Review and complete inmate files for Release Program Studies, Notice and conditions of Post release Community Supervision, or special conditions of parole and submission to appropriate Parole office or County office. Review pertinent information from Archives, CYA files, police reports, arrest histories, Probation Officers Reports, COMPAS reports, and other community agency contacts as appropriate.	1.00	45.00	45.00

PROJECTED WORKLOAD - CURRENT RATIO
 (150:1)

ACTIVITY TASK	HOURS TO COMPLETE TASK WEEKLY	NUMBER OF TASK PER YEAR	NUMBER OF HOURS PER YEAR
<i>Specific Task</i>			
Summarizes all data relative to individual inmates and prepares reports for committees and/or board hearings. Appears with and/or represent the inmate at a disciplinary, classification, or parole hearing to discuss/present findings and recommendations. Participate as a member of the Institutional and/or Facility Inter Disciplinary Treatment Team (IDTT) and Institutional Classification Committee (ICC).	2.00	45.00	90.00
Hold open-line for at least four (4) hours per week to provide inmates direct access to the assigned counselor to discuss various matters including but not limited to inmate concerns, rehabilitative goals and programming options, etc.	4.00	45.00	180.00
TOTAL HOURS PROJECTED ANNUALLY			2,070.00
TOTAL POSITIONS			1.17

PROJECTED WORKLOAD - PROPOSED RATIO
 (135:1)

ACTIVITY TASK	HOURS TO COMPLETE TASK WEEKLY	NUMBER OF TASK PER YEAR	NUMBER OF HOURS PER YEAR
<i>Specific Task</i>			
Conducts the initial assesment of an inmate upon incarceration by compiling and evaluating the inmate's criminal records, life histories, medical, dental, physiological and mental health histories, and social histories. Interviews inmates and evaluates their potential adjustments to incarceration. Determine individual inmate's classification score, identify any specific placement needs, and make recommendations as the appropriate institutional placement. Initiate and maintain individual inmate's profile in various systems such as COMPAS, SOMS, ERMS, etc.	2.00	315.00	630.00
Conducts evaluations of information from a variety of sources to assist in classification adjustments of an inmate. Provides recommendations as to the level and institutional assignments and program placement on an ongoing basis. Gathers, verifies, and evaluates information in regards to enemy/gang affiliations between inmates, incidents, and requests made by the courts, etc. Records observations or contacts with inmates, families, outside agencies, confidential information, etc. Responds to written correspondence or verbal requests from individual inmates. Review/update SOMS/ERMS files, update required documents, prepare and complete classification chronos.	2.00	405.00	810.00
Screen individual inmates specific case factors and custody determinents for eligibility into various programs, classification indicators, potential non-institutional placement or program, etc. Conducts case reviews in preparation for individual inmates annual reviews and other various reveiws. Review for approval an inmate's request for family visiting, correspondence and Temporary Community Leaves.	0.50	405.00	202.50
Review correspondence, answer phone calls, act as staff assistant for other counselors, perform other peace officer duties such as alarm response as required. Review and complete inmate files for Release Program Studies, Notice and conditions of Post release Community Supervision, or special conditions of parole and submission to appropriate Parole office or County office. Review pertinent information from Archives, CYA files, police reports, arrest histories, Probation Officers Reports, COMPAS reports, and other community agency contacts as appropriate.	1.00	45.00	45.00

PROJECTED WORKLOAD - PROPOSED RATIO
 (135:1)

ACTIVITY TASK	HOURS TO COMPLETE TASK WEEKLY	NUMBER OF TASK PER YEAR	NUMBER OF HOURS PER YEAR
<i>Specific Task</i>			
Summarizes all data relative to individual inmates and prepares reports for committees and/or board hearings. Appears with and/or represent the inmate at a disciplinary, classification, or parole hearing to discuss/present findings and recommendations. Participate as a member of the Institutional and/or Facility Inter Disciplinary Treatment Team (IDTT) and Institutional Classification Committee (ICC).	3.00	45.00	135.00
Hold open-line for at least six (6) hours per week to provide inmates direct access to the assigned counselor to discuss various matters including but not limited to inmate concerns, rehabilitative goals and programming options, etc. Provide assistance to individual inmates by connecting them to available resources, as well as serve as an advocate of programs that would benefit the individual inmate.	6.00	45.00	270.00
Identify and recommend current programs that individual inmates can participate in and identify what available programs may be best suited based on the individually identified rehabilitative case plan to facilitate positive programming by using the rehabilitative case plan system designed in SOMS. Review available education or vocational programs, and support service jobs that would benefit the inmate during incarceration while also equipping for reentry to the community by ensuring the inmate is assigned to the appropriate wait lists. Assist individual inmates by coordinating meetings with appropriate liaisons for the Cal ID program, or DAPO, or Post Release Community Supervision for assistance on transitional planning, housing, resources in the community, Veterans advocacy, etc.	1.00	45.00	45.00
TOTAL HOURS PROJECTED ANNUALLY			2,137.50
TOTAL POSITIONS			1.20