The workday on Tuesday officially kicked off with a breakfast buffet of Attorney General confirmation hearings. First to the table was the 6:30 AM confirmation hearing of US Attorney General-Nominee Jeff Sessions, an event that continues to play out during the writing of this communication. A much shorter confirmation hearing for California Attorney General-nominate Xavier Becerra was held at the California Capitol at 9:00 AM.

While Sessions’ broad support from law enforcement was lauded in the hearing, he received sharp criticism over his past handling and vote record of issues concerning the LGTBQ community and voting rights. Sessions strongly reiterated that in his new position his role would be to enforce and uphold the law; not shape or develop personal opinions for the law. This distinction is important as coverage of his hearing focused on his previous vote record as a veteran Senator.

Becerra’s California hearing was notably less controversial and confirmed many of our suspicions that his appointment was to position California as an objector to potential federal policies. As some journalists have opined, California is the new Texas when it comes to being a thorn in the federal government’s side. Assemblymember Lackey, who served on Becerra’s confirmation panel, inquired about drugged driving and the impacts of Prop 47- two issues on Cal Chief’s legislative platform. We look forward to working with Assemblymember Lackey to encourage proactivity on the part of Becerra in these issue areas.

The day, however, was not over. At 11 AM Governor Brown introduced his 2017-18 budget proposal. While the budget still needs to pass through the budget committees and bodies of both houses, the January 10th budget sets a clear tone for the year to come.

**Prop 57: Savings and New CDCR Regulations**

Proposition 57 is estimated to reduce the average daily adult inmate population by approximately 2,000 in 2017-18, growing to an inmate reduction of approximately 9,500 in 2020-21. Overall, the Budget estimates that Proposition 57 will result in net savings of $22.4 million in 2017-18, growing to net savings of approximately $140 million in 2020-21. The budget proposes $11.3 billion for CDCR. As explained to Cal Chiefs leadership in a meeting with CDCR last week, many of the departmental policy proposals for the implementation of Prop 57 are consistent with a February 2014 federal court order. The February 10, 2014 order required the Department to: Increase prospective credit earnings for non-violent second-strike inmates as well as minimum custody inmates; Allow non-violent second-strike inmates who have reached 50 percent of their total sentence to be referred to the Board of Parole Hearings for parole consideration; Release inmates who have been granted parole by the Board of Parole Hearings but have future parole dates; Expand the Department's medical parole program; Allow inmates age 60 and over who have served at least 25 years of incarceration to be considered for parole (the "elderly parole" program) and; Increase its use of reentry services and alternative custody programs.

In addition to the court-ordered changes, CDCR will make several changes under the new authorities granted by Prop 57. These regulations will:
- Increase and standardize good-time credit earnings
- Allow all inmates, with the exception of life-term inmates without the possibility of parole and condemned inmates, to earn milestone credits. Milestone credits are earned when an inmate completes a specific education or training program that has attendance and performance requirements
- Increase the amount of time an inmate can earn for milestone completion credits from 6 weeks per year to 12 weeks
- Create new, enhanced milestone credits for one-time significant earned academic and vocational achievements, such as the earning of Associate of Arts and Bachelor's degrees, high school diplomas, the Offender Mentor Certification Program, and Career Technical Education certifications. Enhanced milestone credits will be applied retrospectively for those credits earned during the inmate's current term
- Establish new achievement credits for inmates that have sustained participation in other rehabilitative programs and activities. Inmates will be able to earn up to four weeks of achievement credits in a 12-month period.

These regulatory changes were discussed in confidence with our leadership last week. While many of these proposed policies appear to bring promising changes within CDCR and encourage self-improvement and change among inmates, there is great concern about if these positive changes will continue after an inmate is released. Upon release, the institutionalized incentive scheme will no longer be an integrated part of the parolee’s daily life. We are working with CDCR to develop strategies to strengthen the likelihood of good behavior after a prisoner is released into a California community. To this end, the budget includes $440 million for the Division of Rehabilitative Programs which prepares offenders for their release - a promising step in the right direction, but not a complete solution to our concerns of reoffending parolees.

**Prop 47: Savings Don’t Include Costs Associated with Crime Increase**
Proposition 47 is expected to reduce the 2016-17 adult inmate average daily population by 4,425, compared to 5,247 in 2015-16. The Department of Finance currently estimates net savings of $42.9 million when comparing 2016-17 to 2013-14, an increase of $3.5 million over the estimated savings in 2015-16.

**Fines, Fees and Assessments: Change on the Way**
The State Penalty Fund revenues have decreased significantly over the past several years, due largely to a significant decrease in traffic citations. Consequently, POST will need to reduce the amount available to reimburse local agencies for travel, lodging and subsistence costs related to out of area training courses; the Board of State and Community Corrections will need to reduce the amount of funding provided on a per-position basis for correctional training commensurate with the overall reduction; and the Office of Emergency Services will need to reduce the total dollar amount associated with Victim Witness Assistance grants across the state.

The following programs are proposed to be eliminated: CHP Motorcyclist Safety Program, Local Public Prosecutors and Public Defenders Training Program, Internet Crimes Against Children Task Forces, and the California Gang Reduction, Intervention, and Prevention Program. The elimination of the latter is especially concerning considering the signing of AB 2298 (Cal Gang) last year, which greatly increased the costs affiliated with the use of Cal Gang for local agencies.
Lastly, the Budget proposes to eliminate the statutory provisions related to suspending driver’s licenses for failure to pay fines and penalties, a change that has been a priority policy for the California State Senate.

**Cannabis**

The budget confirms our suspicions that the administration will advocate for a single system to regulate both medical and recreational marijuana. This public position will drive this Spring’s Prop 64 clean-up efforts and Cal Chiefs will work with our local government partners to advocate for a system that reflects the medical marijuana system, not the system created under Prop 64.

The Budget includes $52.2 million for the regulation of cannabis in 2017-18 to fund regulatory activities, processing of licenses, and enforcement. Since cannabis license fees will not be collected until January 1, 2018, the General Fund provided loans to the Marijuana Control Fund to cover the initial implementation and regulatory costs for cannabis-related activities.

As the 2017-18 legislative session kicks off, we encourage all of you to visit our real-time bill tracking list [here](#) for up-to-date positions on the latest bills.

As always, if you have any questions, please do not hesitate to contact us!