

CALIFORNIA CORRECTIONAL SUPERVISORS ORGANIZATION

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“Supervisors Representing Supervisors”

WEEKLY UPDATE FOR SEPTEMBER 18, 2008

Statement from CDCR Secretary Matt Cate: CDCR Secretary Matt Cate issued the following statement Wednesday, September 17th, on the budget package passed by the Legislature, (Governor has not signed budget yet) which did not contain a public safety trailer bill containing needed clean-up language to AB 900:

“I am deeply disappointed that the Legislature chose not to pass the public safety trailer bill as part of their budget proposal. There will be very negative and long lasting public safety repercussions if this bill is not passed. For 16 months the California Department of Corrections and Rehabilitation has worked with public safety and local stakeholders from across the state to implement the landmark corrections reforms contained in AB 900, which was passed on a bi-partisan basis. The clean-up language would have provided funds to reduce overcrowding, and build much needed rehabilitation space in our prisons. It also would fund inmate reentry facilities designed to reduce recidivism. Finally, it would have provided local communities with funding to build much needed jail expansion projects. Without this trailer bill the state will be unable to pay for county jail reentry or infill bed construction projects, and will face a major setback in our strategy to reduce overcrowding. Local governments also lost important mentally ill offender crime reduction grants designed to provide treatment services for offenders. This administration will continue to work with the Legislature and local law enforcement to ensure that the initiatives authorized by AB 900 are funded, and that the prison reform movement continues.”

CCSO State Board Member Lt. Chris Gold made a public comment on CCSO’s position by reiterating CDCR’s concerns regarding the Legislators not passing the safety trailer bill for AB 900. Gold said that without funding the reforms to address overcrowding is in jeopardy.

Budget: Well it appears that California Legislators, on Tuesday September 16th, in the wee hours of the night passed a budget. Unfortunately, the Governor along with many financial analysts are claiming legislators in their rush to pass a budget have “violated every principle of fiscal responsibility by conjuring up billions of dollars in sham revenues – basically money borrowed from corporate and personal taxpayers that would have to be paid back later.”

The budget proposal includes \$7.1 billion in spending cuts and fills the remaining gap by moving up tax collection deadlines and closing some tax loopholes. Those maneuvers will generate \$9.3 billion, leaving a small reserve for unanticipated expenses. A portion of the revenue depends on increasing state income tax withholdings by 10 percent for working Californians. Tax experts said the result of higher withholdings would mean less take-home pay for many workers, and it will come out of people’s take-home pay. Basically, a person’s net income will go down by 10% and the state will pay you back later. It also would require those who pay estimated taxes – including corporations and wealthier Californians - to pay 30 percent of their taxes in each of the first two quarters of the fiscal year instead of 25 percent.

Governor Schwarzenegger says, “He will veto this budget, as this budget borrows billions from taxpayers that only leads to an even larger budget deficit next year. I know that we have gone through some hard times these last three months and a lot of people have been suffering. People aren’t getting paid and hospitals are in danger of closing. Nursing homes, daycare centers and schools have been hurt also. But I

will not sign a ‘get out of town budget’ that punishes taxpayers, pushes the problem into the next year and includes fake budget reform.”

Overriding The Budget Veto: Lawmakers who assumed an override of the Governor's budget veto would be easy have learned differently. Complications surfaced Wednesday, September 17th, because the attempt to raise nearly \$4 billion by accelerating tax payments – was passed in separate legislation using a procedural maneuver that required only a majority vote. That allowed Republicans to sidestep an action that political opponents could call a tax increase. Not all of the entire budget “trailer bills” passed with the required two-thirds votes necessary to override the Governor’s veto. To override, Republicans will have to cast votes on that measure that they did not support the first time around. The tax-acceleration bill opposed by Republicans calls for raising billions this fiscal year by advancing collection of income taxes, then refunding overpayments later. The state essentially would receive a short-term, interest-free loan from taxpayers. Schwarzenegger called the measure a smoke screen that cuts paychecks. "It's really increasing the taxes, and they're putting a burden on taxpayers," he said at a Capitol press conference Tuesday. Senate Republican leader Dave Cogdill of Modesto, who voted against the tax-acceleration bill Tuesday, is willing to help line up GOP votes for it if necessary for an override of the Governor’s veto.

In summary, CCSO quotes Assemblyman Alberto Torrico who said it is an “absolute mess.”

State Rejecting Healthcare Receiver’s Demands: Attorney General Jerry Brown has asked a federal judge to reject a request by the overseer of prison healthcare to seize \$8 billion from the state treasury for a construction plan that is shrouded "under a veil of secrecy."

Brown, in a filing with U.S. District Judge Thelton Henderson said, “the order sought by court-appointed federal Receiver J. Clark Kelso to raid the state treasury would violate California's sovereign rights.”

He said it also would transgress other provisions of the U.S. Constitution and federal law governing prisons, and would have a catastrophic effect on the state's already shaky finances.

Kelso has asked Henderson to hold Brown's clients, Gov. Arnold Schwarzenegger and Controller John Chiang, in contempt of court for failing to provide the funding.

Brown said Kelso had offered "woefully inadequate justification" that a court order for so much spending, to fund medical facilities with 10,000 beds, was needed to bring healthcare in prisons up to constitutionally required levels. He said in a separate filing that Kelso's aides threatened state lawyers with court sanctions if they revealed specifics of his plan to the public. "The \$8 billion consists of a gigantic plan that has never been disclosed to the public, and I think that is completely inconsistent with . . . the right of the people to know how their money is going to be spent," Brown told reporters in Sacramento.

Battle of the Badges: Battle of the Badge is a charity-boxing event taking place on October 4, 2008 at the historic Memorial Auditorium in downtown Sacramento. This annual boxing event known as "THE SMACKDOWN" BATTLE OF THE BADGES" consists of Police Officers, Correctional Officers, and Firefighters all contributing in a fun way to the Washington Neighborhood Center located in downtown Sacramento, the Firefighters Burn Institute and the Sacramento Sheriff’s Toy Project.

Go online to: www.smackdown-battleofthebadges.com and learn more. Come and enjoy watching boxing matches while making a difference in someone’s life on Saturday, October 4th. All General Admission tickets are \$20.00.

Take Care—Be Safe