The California Model

California's Comprehensive Approach to Corrections Reform

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Mental Health Services Oversight and Accountability Commission
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California's Correctional System

State (CDCR) Responsibilities

- Operates 33 prisons
- Supervises approximately 133,000 inmates and 63,000 parolees

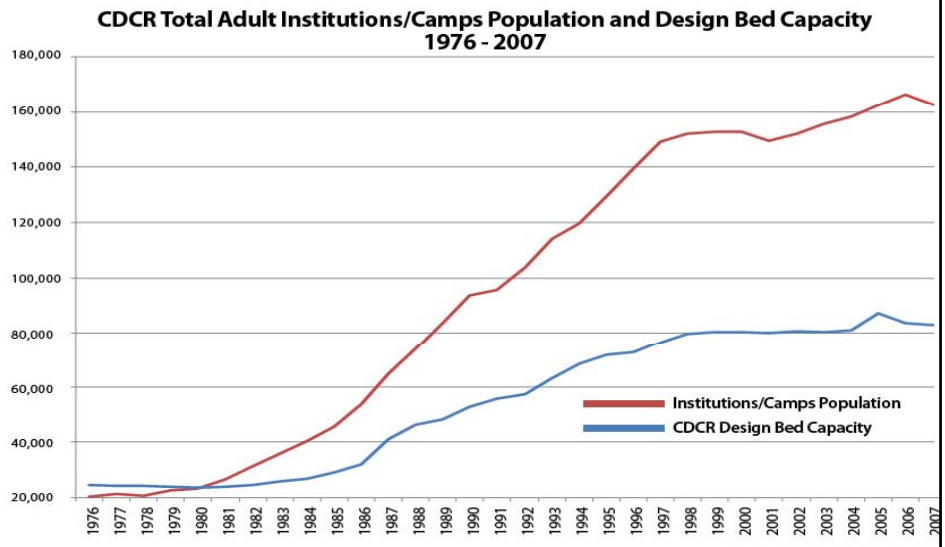
Local (County) Responsibilities

- Sheriffs supervise approximately 77,000 inmates
- Probation supervises approximately 275,000 offenders

Historical Challenges

- Overcrowded prisons
- High recidivism rates
- Federal court oversight
- Growth of the State's corrections budget

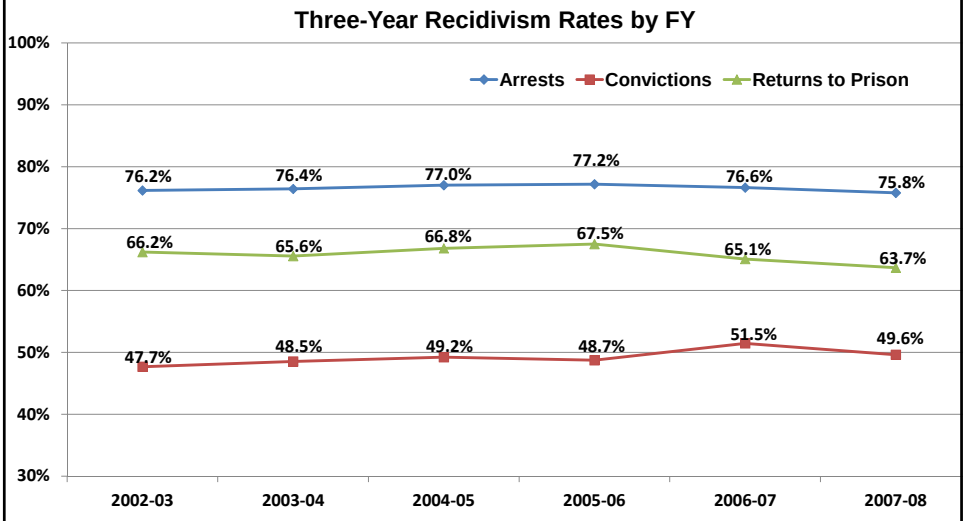
Overcrowded Prisons



1976-1986 data as of June 30; 1987-2011 data as of Dec. 31; 2012 data as of Sept. 30
Data Sources: DAU Historical Trends Report (76-86); California Prisoners and Parolees Report (87-99); DAU Monthly Report of Population (00-10).

High Recidivism Rates

Within three years, almost two-thirds of CDCR parolees returned to prison (45% were for parole violations).



Data Source: 2012 Outcome Evaluation Report.

California's recidivism rates have been historically higher than other states because:

- By law, California put almost all inmates on parole
- There was an over-reliance on the revocation process to address criminal behavior

Federal Court Oversight

Court Oversight

Inmates with Disabilities
- *Armstrong* (1994)

Inmates with Developmental Disabilities
- *Clark* (1996)

Medical Care
- *Plata (2001)*

Mental Health Care
- *Coleman (1991)*

Dental Care
- *Perez* (2005)

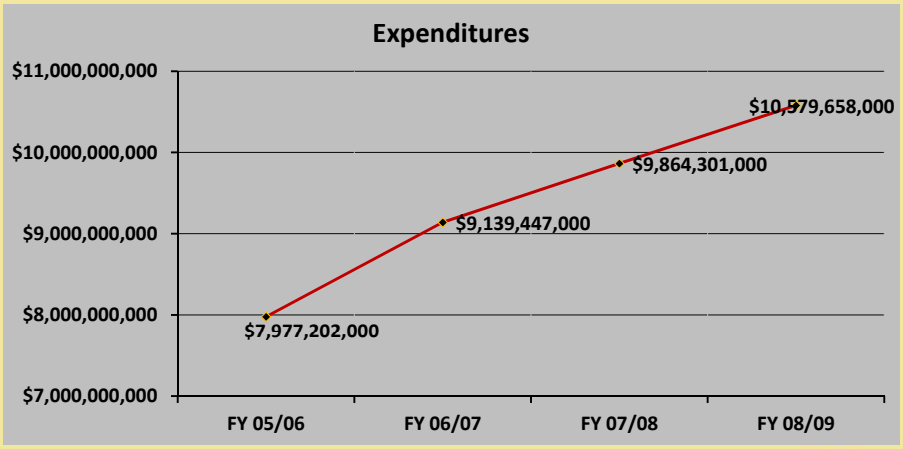
Use of Force and Employee Discipline
- *Madrid* (1995)

Parole Due Process
- *Valdivia (1996)*

Juvenile Justice System
- *Farrell* (2003)

Juvenile Parole Violations
- *L.H. (2006)*

Growth in Budget



Early Reforms

2006-2010

Initial Efforts to Reduce Overcrowding

Emergency Proclamation (2006)

- Former Governor Schwarzenegger ordered CDCR to immediately transfer California inmates to out-of-state facilities.

Implementation of Program Reforms (2007-2008)

- Risk-and-needs assessments
  - COMPAS 2007 and CSRA 2008
- Other evidence-based practices

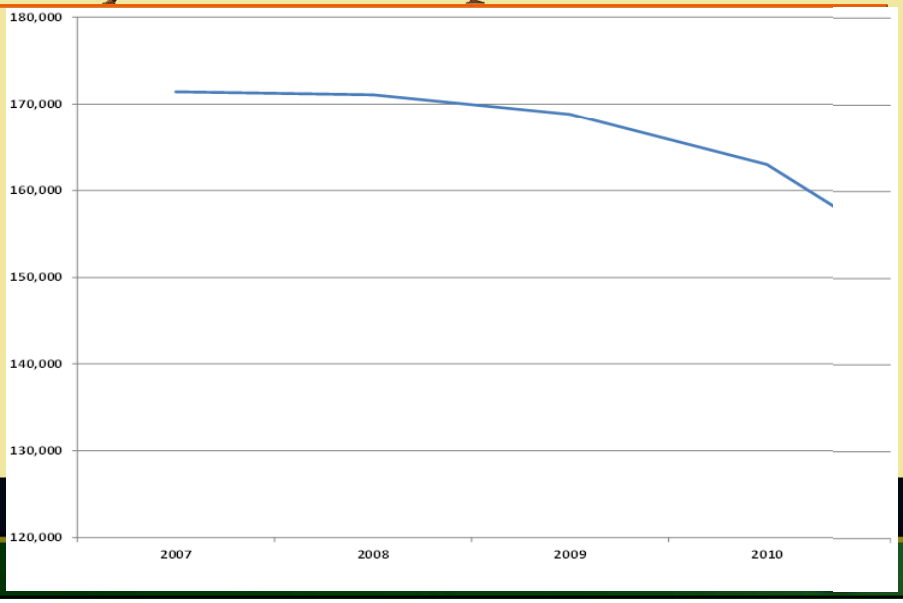
Parole Violation Decision-Making Instrument (2009)

- Determines an appropriate and proportionate response to a violation based on the parolee's risk level and the severity of the offense

Early Legislative Efforts to Reduce Overcrowding

- Created Financial Incentives for Counties to Reduce Probation Revocations (SB 678)
- Adjusted Property Crime Thresholds
- Established Non-Revocable Parole
- Parole Reentry Courts
- Milestone Completion Credits
- Alternative Custody Program
- Medical Parole

Early Reforms: Population Trend



Still Not Enough

More Reforms Needed

- U.S. Supreme Court affirmed order by three-judge panel for California to reduce its prison population

- California's fiscal crisis required major reductions

2011 Public Safety Realignment Act

2011 Public Safety Realignment

- Enacted on October 1, 2011
- Lower-level offenders serve their sentences locally
- Offenders convicted of violent, sex-related, or other serious offenses continue to serve sentences in prison
- Certain offenders released from state prison supervised by local county probation instead of state parole agents
- Parole violators can no longer be returned to state prison

What Realignment Does

County Responsibilities

- Local custody for non-violent, non-serious, non-sex offenders
- Local post-release community supervision
- Enhanced local custody and supervision tools, such as alternative custody; home detention for low-level offenders; and local jail credits
- Responsibility for parole violators

What Realignment Does

Who is Sentenced to State Prison?

- Offender who has a prior or current serious or violent felony
- Offender who is required to register as a sex offender
- Certain excluded crimes

Examples of Excluded Crimes:
- Felony physical abuse of an elder or dependent
- Assault on a peace officer
- Bribing a legislator

What Realignment Does

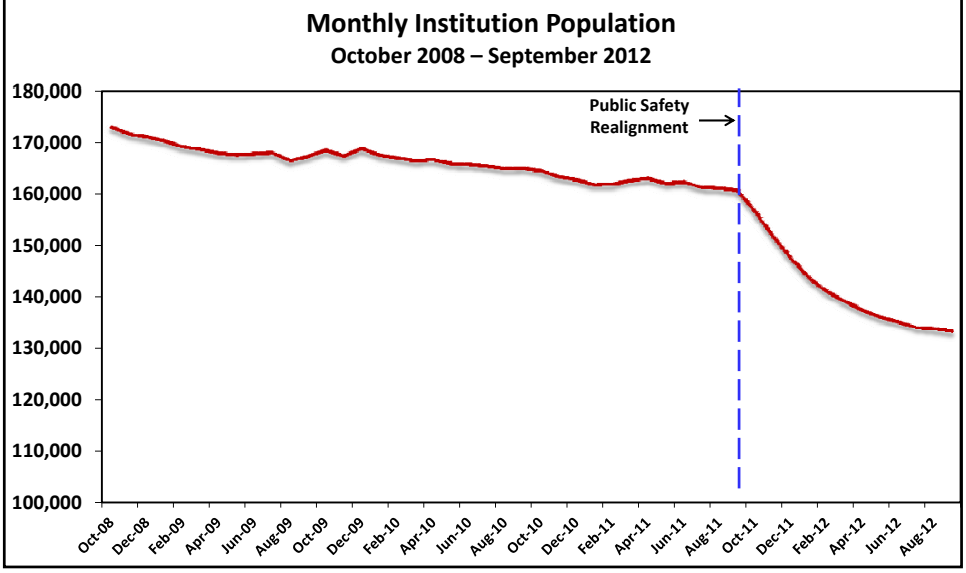
State Parole Supervision

- Whether offender will be subject to state parole supervision is determined by the offender's commitment offense.

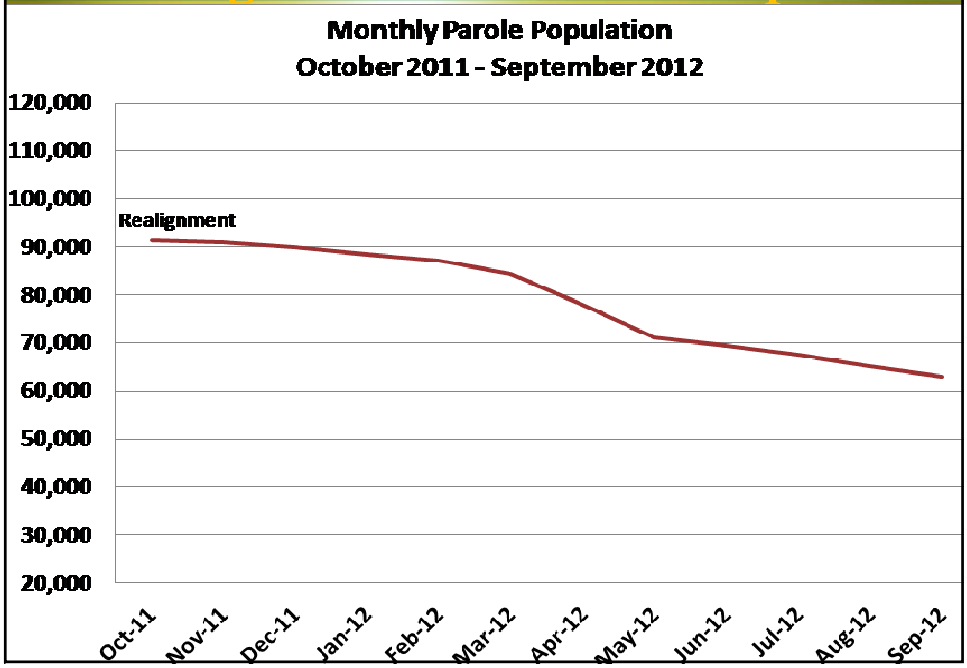
Commitment Offenses with State Parole Supervision

- Current serious or violent felony
- Lifer
- Mentally disordered offender (MDO)
- High-risk sex offender

Realignment: Population Trend



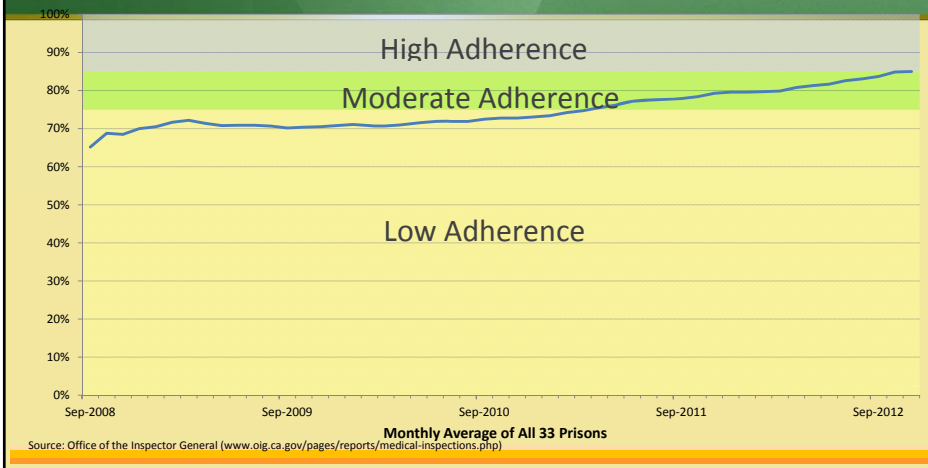
Post-Realignment State Parolee Population



Office of Inspector General (OIG) Medical Inspection Score

- Medical inspections designed to assess whether the care provided to offenders in custody at CDCR institutions meets medical community standards.
- Results are reported by OIG as a percentage of "adherence" score for each institution.
- Inspection team consists of physicians, registered nurses, deputy inspectors general, and analysts.

Source: "Medical Inspection Results: Comparative Summary and Analysis of the First and Second Medical Inspection Cycles of California's 33 Adult Institutions" (July 2012).



Source: Office of the Inspector General (www.oig.ca.gov/pages/reports/medical-inspections.php)

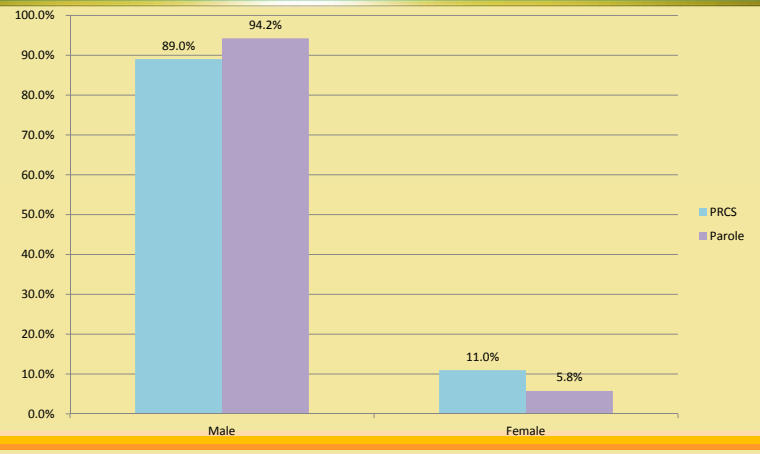
OIG Prison Medical Adherence Scores

Adherence scores Post-Realignment for all 33 institutions are notably above the 75% minimum / moderate adherence cutoff.

Post-Realignment Release Demographics

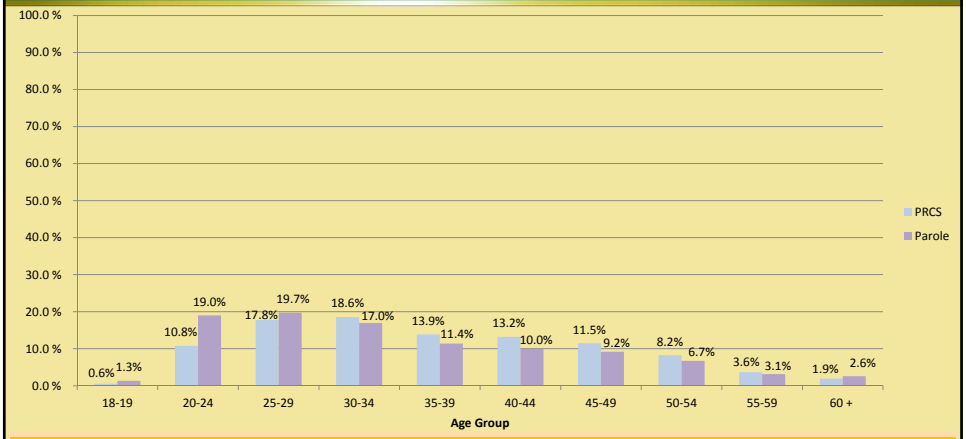
- Examination of post-Realignment demographics for offenders released to either PRCS or State Parole:
  - Gender
  - Age at Release
  - Race/Ethnicity
  - Commitment Offense Category
  - Release Type
  - California Static Risk Assessment (CSRA) Score at Release
  - Serious and/or Violent
- Release period: October 1, 2011 through September 30, 2012

Gender



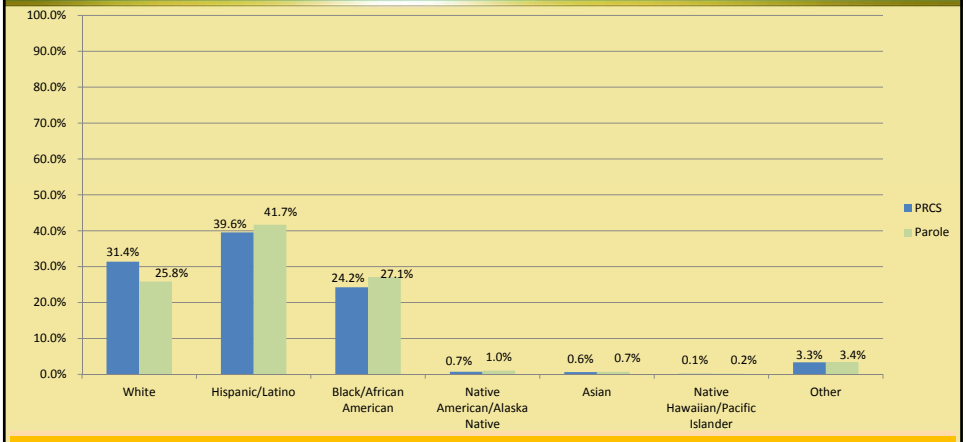
- **More male than female offenders were released.**
- **There are slightly more male offenders under State supervision than there are under PRCS.**
- **In contrast, there are more female PRCS offenders than there are female State Parolees.**

Age at Release



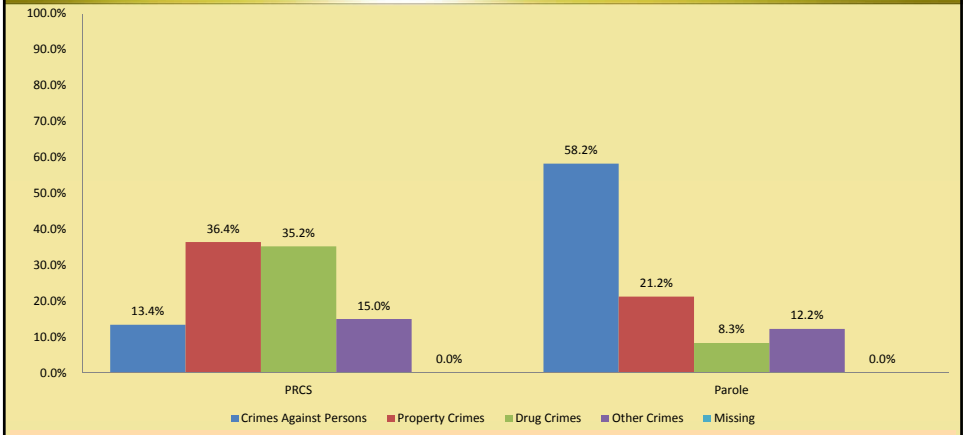
- **The age groups from 18 to 29 and those over 60 are represented by more State Parolees than PRCS Offenders.**
- **From age 30 to 59, there is a greater percentage of PRCS offenders than State Parolees**

Race/Ethnicity Distribution of Released Offenders



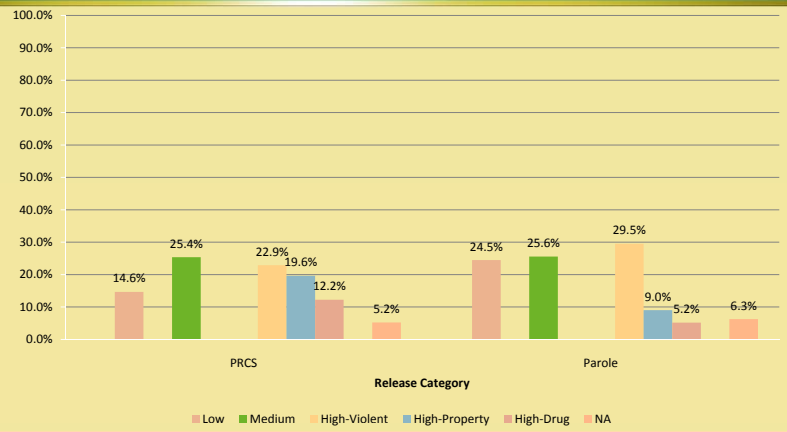
- **Most Post-Realignment releases were Hispanic/Latino, White, or Black/African American.**
- **There are 2.1% more Hispanic/Latino and 2.9% more Black/African American State Parolees than PRCS Offenders.**
- **There are 5.6% more White PRCS Offenders than State Parolees for the same racial/ethnic group.**

Commitment Offense Category



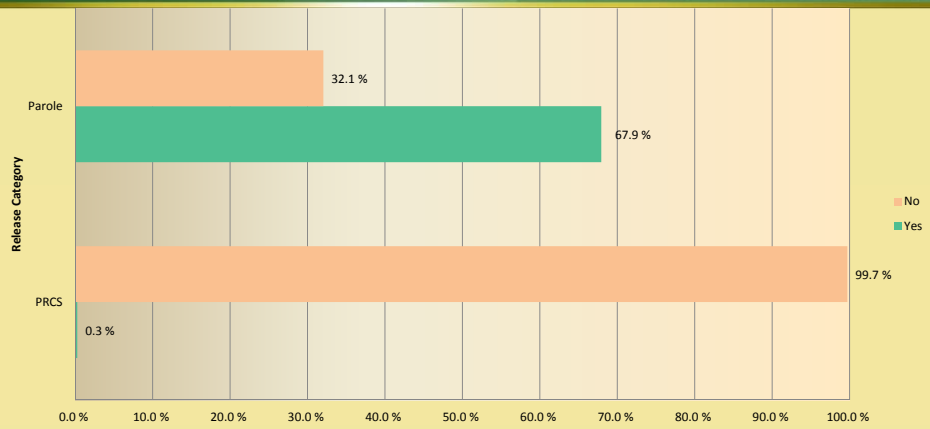
- **State Parolees are much more likely than PRCS Offenders to have been committed to CDCR for "Crime Against Persons.**
- **By comparison, PRCS Offenders are much more likely to have been committed for "Property Crimes" or "Drug Crimes".**

CSRA Scores



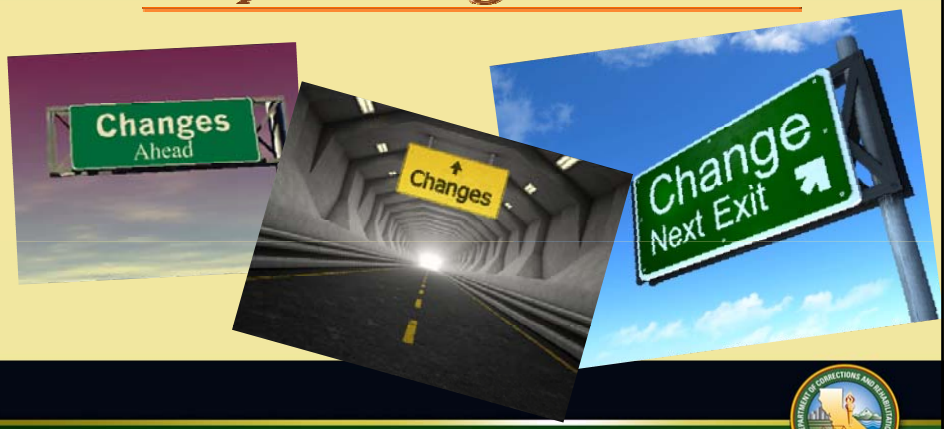
- **The CSRA measures risk of reconviction.**
- **State Parolees are more likely to have a "Low" CSRA score, whereas PRCS Offenders are more likely to have a "High" score.**

Serious and/or Violent Classification



The greatest percentage of offenders classified as serious and /or violent remain under the supervision of CDCR.

Changes Enabled by Realignment



Post-Realignment

- Reduction in CDCR's Budget
- Constitutional level of health care to end costly lawsuits and court oversight
- Improved prison operations
  - New staffing standards
  - Improved classification system eliminates need for 12,000 celled beds
  - Improved gang management
- Expanded rehabilitative programs to help reduce recidivism and save long-term costs

Thank You!

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