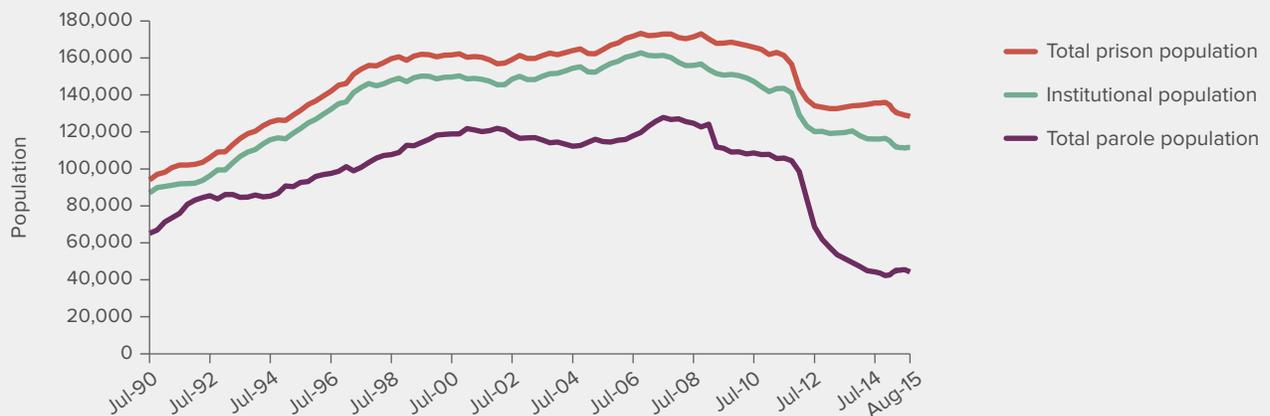


California has reversed its long-term incarceration trend

Over the past 40 years, the California corrections system has gone through remarkable changes. “Tough on crime” policies led to a more-than-sevenfold increase in the prison population between 1980 and 2006. During the same period, expenditures rose dramatically and the corrections share of the state budget tripled. The growth in the prison population led to overcrowding and poor prison conditions, prompting lawsuits alleging inadequate medical and mental health care. In 2009, a federal court ordered the California Department of Corrections and Rehabilitation (CDCR) to cut its institutional population to 137.5 percent of design capacity, a reduction of almost 40,000 prisoners.

That year the state adopted two measures to reduce the prison population: the California Community Corrections Performance Incentives Act, providing financial incentives to counties to reduce the number of offenders sent to prison for probation failures, and non-revocable parole, removing some lower-level offenders from parole supervision. The US Supreme Court upheld the prison population mandate in May 2011, when California’s prison system was operating at 179.5 percent of design capacity. At that time, the state needed a reduction of about 33,000 inmates by June 2013.

CALIFORNIA'S PRISON AND PAROLE POPULATIONS HAVE DECLINED SUBSTANTIALLY



SOURCE: CDCR monthly population reports.

NOTE: “Institutional” refers to the population in CDCR adult institutions in California, excluding inmates in fire camps, community correctional facilities, or facilities outside California.

California responded by enacting public safety realignment, which shifted responsibility for many non-serious, non-violent, and non-sexual offenders to county jail and probation systems. The reform cut the prison population by about 27,400 in its first year, not enough to meet the court mandate. Two voter initiatives further trimmed the prison population: Proposition 36 in 2012 revised California’s three-strikes law and Proposition 47 in 2014 reclassified some drug and property felonies as misdemeanors. California’s prison population has dropped by about 45,000 inmates since its peak in 2006, a 26 percent decline, bringing it to a level not seen since the mid-1990s.

State prison and parole populations are at or below 1990s levels

- **California has 34 state prisons but also houses inmates in contract beds.**

By August 2015, the prison population was 128,300, including 111,400 in CDCR facilities; this group is known as the institutional prison population. Another 6,700 inmates were in private facilities in Arizona, Mississippi, and Oklahoma; about 6,100 were in contract beds in public and private facilities in California; and about 3,800 were in camps. In 2015, the out-of-state population decreased by 3,100 inmates, while the in-state contract-bed population was roughly unchanged.

- **Under realignment, most parole violators are no longer returned to prison, but rearrest and reconviction remain high.**

Now that California parole violators no longer go back to state prison, the one-year return-to-prison rate for released offenders has dropped from around 41 percent to about 8 percent. One-year rearrest and reconviction rates are so far mostly unchanged. However, the proportion of those arrested multiple times has increased about 7 percentage points.

- **County probation departments now supervise most released offenders.**

Since realignment, most inmates released from state prison go to county probation—known as Post-Release Community Supervision—instead of state parole. By September 2014, the parole population had dropped dramatically from 89,200 to 44,300, while county probation caseloads increased by 45,700.

- **California relies on imprisonment less than many other states but has the nation’s largest corrections budget.** Between 2009 and August 2015, California’s prison incarceration rate dropped 28 percent, from 459 inmates per 100,000 residents to 331, well below the national average. In 2012, the most recent year for which comparable data are available, California’s General Fund corrections budget of about \$8.5 billion was more than twice what Texas spent and roughly as much as the corrections spending of Texas, New York, and Florida combined. However, California’s per-capita and per-prisoner expenditures of \$224 and \$63,134, respectively, are not the highest in the nation—they both rank fifth.

Proposition 47 reduced jail population pressures in California

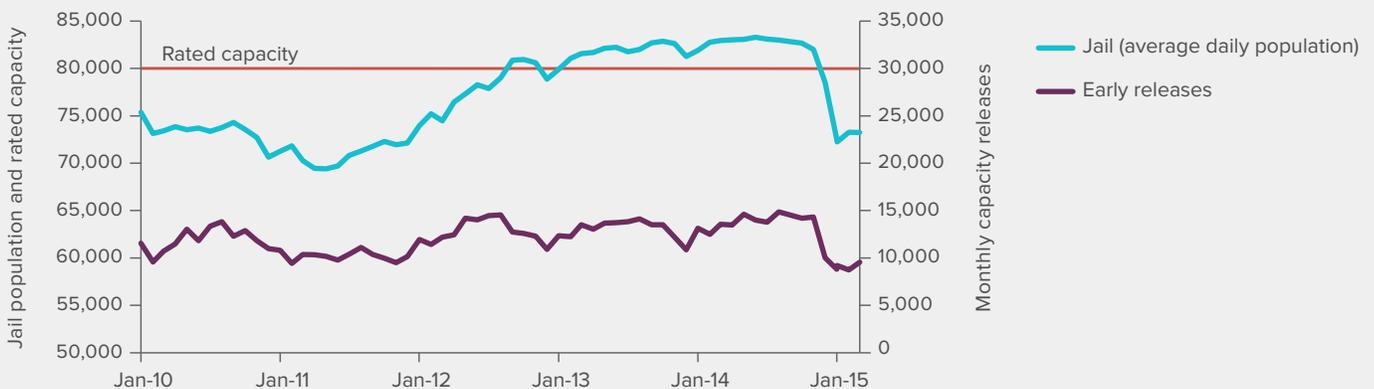
- **After a period of growth following realignment, the jail population declined after the passage of Proposition 47.**

In May 2011, the statewide daily jail population was 69,406 inmates, a recent low. However, after realignment took effect in October 2011, jail populations increased. In the first three years of realignment, the jail population grew by 9,714 inmates, or 13.4 percent, to 82,005. After Proposition 47 passed in November 2014, the jail population dropped. In March 2015, California jails held 73,227 inmates, down almost 9,000 inmates, or 10.7 percent, from October 2014.

- **County jail systems may face fewer challenges in the future.**

Proposition 47 brought the jail population below the statewide rated capacity of around 80,000 beds for the first time since March 2012. Nevertheless, counties continue to release inmates for capacity reasons. In March 2015, 9,547 inmates were released early. With no limit on the amount of time realigned felons can serve in jail, counties now need to provide services and programs in facilities that were not designed to hold long-term inmates. The difficulties are especially acute in older facilities. To address these challenges, the state has earmarked \$2.2 billion for county jail construction, funding more than 14,000 jail beds over the next decade.

THE COUNTY JAIL POPULATION HAS DECREASED BUT EARLY RELEASES CONTINUE



SOURCE: Board of State and Community Corrections (BSCC) monthly Jail Profile Survey.

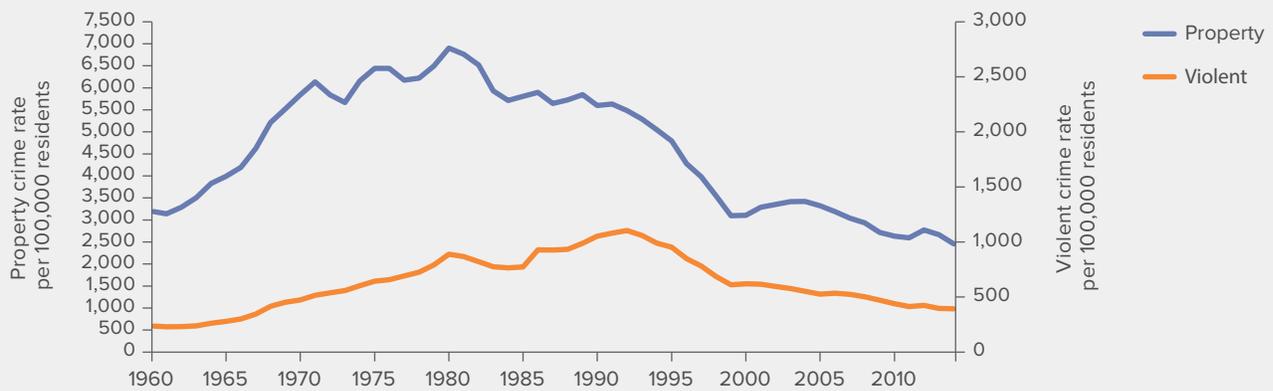
NOTE: As of September 2015, the BSCC sets the statewide rated jail capacity at nearly 80,000 inmates.

- **Sheriffs are turning to a variety of programs, reentry services, and alternatives to incarceration.**
To manage jail populations, California sheriffs increasingly are using alternatives such as electronic monitoring, day reporting centers, community service, and alternative work programs. Realignment provided counties with additional tools, such as sentences split between incarceration and community supervision. Most counties are introducing or expanding inmate needs assessment, as well as mental health and substance abuse services, cognitive behavioral treatment, and employment and housing programs.

Crime rates are at or near historic lows

- **California’s violent crime rate is at its lowest level since 1967.**
After increasing slightly in 2012, California’s violent crime rate dropped in both 2013 and 2014, reaching a 47-year low of 393 violent crimes per 100,000 residents. Since peaking in 1992, violent crime has declined substantially. Still, in 2013, California’s violent crime rate ranked 18th nationwide and was higher than the national rate of 368 per 100,000. In 2014, 61 percent of California’s violent crimes were aggravated assaults, 32 percent were robberies, 6 percent were rapes, and 1 percent were homicides.

CALIFORNIA HAS EXPERIENCED A LONG-TERM DECLINE IN CRIME RATES



SOURCES: Author calculation based on FBI Uniform Crime Report 1960–2002 and the California Department of Justice’s Criminal Justice Statistics Center, California Crimes and Clearances Files, 2003–2014.

NOTE: Violent crime includes homicide, rape, robbery, and aggravated assault. Property crime includes burglary, motor vehicle theft, and larceny theft (including non-felonious larceny theft).

- **After a noticeable uptick in 2012, property crimes decreased in 2013 and 2014.**
California’s 2014 property crime rate of 2,459 per 100,000 residents represented a 50-year low. In 2013, California’s property crime rate ranked 27th in the nation. In 2014, 63 percent of California property crimes were larceny thefts, 21 percent were burglaries, and 16 percent were auto thefts.
- **Realignment’s impact on crime was very limited and modest.**
Analyses of both county and state data reveal no evidence that realignment affected violent crime rates, but auto thefts rose as a result of the reform. Overall, California’s property crime rate fell in 2013—in line with a drop in comparable states—although California’s auto theft rate continues to be higher.

Looking ahead

In 2005, a federal court put California’s prison health care in the hands of a receiver who oversees efforts to improve medical care in the state’s prisons to standards of care that do not violate the US Constitution. The recent reduction in California’s prison population provides the state an opportunity to regain control of prison health care. To do so, California must keep its prison population below the mandated target and show that it is providing adequate health care. Meanwhile, Proposition 47 has reduced population pressures in county jails. State and county correctional systems can now focus more on programs, services, and treatment that can help inmates reenter community life. Going forward, the state must also confront a range of longer-term needs.

Address high recidivism rates. Evidence-based programs and services are essential to decreasing recidivism and fostering successful community reentry. So far, no evidence indicates that realignment has decreased California's high recidivism rates. Progress in reducing recidivism would benefit both offenders and communities, and could also reduce corrections expenditures—especially important given that this spending is at an all-time high in California.

Assess county jail needs. Proposition 47 brought relief to statewide jail pressures but since realignment, counties have greater responsibilities for programs and services. In the next five years, the opening of new facilities will help counties with these new responsibilities. Monitoring continued changes in jail populations, population management, and post-release outcomes will be essential to understanding the long-term effects of realignment and Proposition 47.

Analyze crime rates. Research shows that putting offenders behind bars was not a cost-effective way to prevent crime at pre-realignment incarceration rates. However, it does indicate that reductions in prison and jail populations when incarceration rates are lower can put upward pressure on crime rates. Violent and property crime rates are now at or below levels last seen in the 1960s. Still, it is essential to closely watch crime rates given California's substantial reduction in incarceration.

Carry out thorough evaluation. It will be difficult to assess what California's recent criminal justice reforms have achieved without extensive monitoring and evaluation. The state could decide to fund evaluation, either requiring or incentivizing counties to collect relevant data. Reliable efforts to evaluate county practices would make it easier to implement effective recidivism reduction strategies.

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