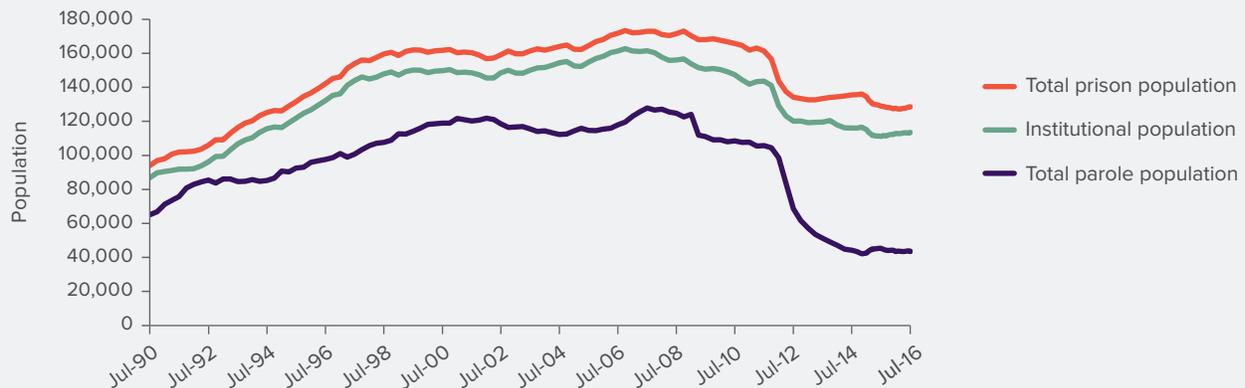


California has reversed its long-term incarceration trend

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.

Two state measures aimed at lowering the number of offenders sent to prison for parole or probation failures began to reduce the prison population. But when the US Supreme Court upheld the population mandate in May 2011, prisons were still operating at 179.5 percent of design capacity and 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, and 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. Along with court-ordered population reduction measures implemented by CDCR, these reforms have reduced the state’s prison population by almost 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 July 2016, the prison population was roughly 128,500, including 113,400 in CDCR facilities; this group is known as the institutional prison population. Another 4,860 inmates were in private facilities in Arizona and Mississippi; about 5,900 were in contract beds in public and private facilities in California; and about 3,600 were in fire camps. Since the passage of Proposition 47 in November 2014, the out-of-state population has decreased by 3,800 inmates, while the in-state contract-bed population has declined by around 600 inmates.
- Under realignment, parole violators no longer go back to prison, but rearrest and reconviction rates remain high.**
 Now that California parole violators are no longer returned to state prison, the two-year return-to-prison rate for released offenders has dropped from around 55 percent to slightly below 17 percent. But the two-year rearrest rate

is 69 percent, similar to the pre-realignment level. The two-year reconviction rate of 42 percent is about 5 percentage points higher than before realignment, but this higher rate may simply reflect the prosecution of offenses that in the past would have been processed administratively.

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

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, a decline of 44,900, while county probation caseloads had increased by 45,700.

- **California relies on imprisonment less than many other states but has the nation’s largest corrections budget.**

Between its peak in 2006 and July 2016, California’s prison incarceration rate dropped 31 percent, from 475 inmates per 100,000 residents to 327, 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, were not the highest in the nation—they both ranked fifth.

Proposition 47 reduced jail population pressures in California

- **The jail population grew under realignment and then declined after the passage of Proposition 47.**

In September 2011, the statewide jail population was about 71,800 inmates. After realignment took effect in October 2011, jail populations rose. In the first three years of realignment, the jail population grew by 14 percent, to 82,000. After Proposition 47 passed, the jail population dropped by 10,000 in two months. As of December 2015, California jails held 72,500 inmates—down 9,500 inmates, or 12 percent, from October 2014.

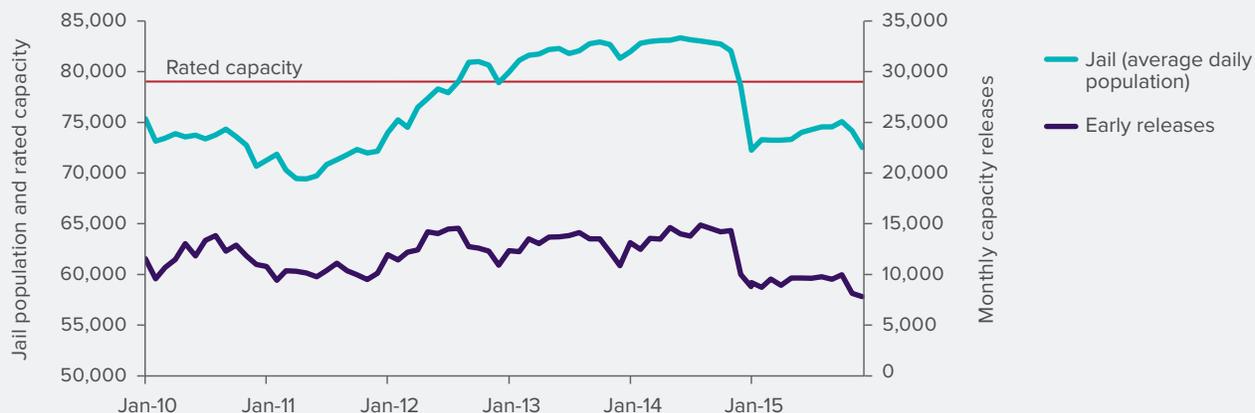
- **County jail systems may face fewer challenges in the future.**

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 due to overcapacity. In December 2015, 7,800 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 \$2.5 billion for county jail construction, funding more than 14,000 jail beds over the next decade.

- **Sheriffs are relying on alternatives to incarceration and expanding reentry services and programs.**

To manage jail populations, county sheriffs are increasingly using alternatives such as electronic monitoring, day reporting centers, community service, and alternative work programs. Most counties are also introducing or expanding inmate needs assessments, as well as mental health and substance abuse services, cognitive behavioral treatment, and employment and housing programs.

THE COUNTY JAIL POPULATION AND CAPACITY RELEASES FELL SUBSTANTIALLY AFTER PROPOSITION 47



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

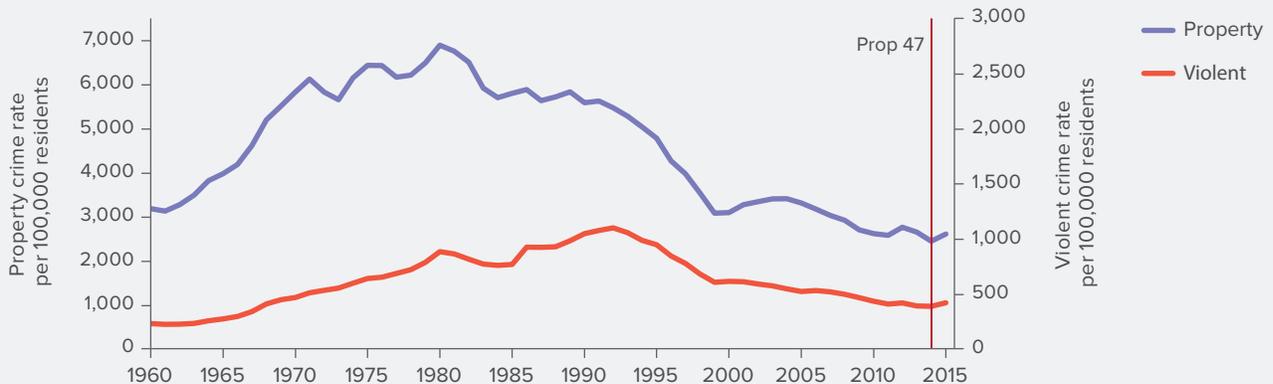
NOTE: As of December 2015, the BSCC sets the statewide rated jail capacity at nearly 80,000 inmates.

Crime rates increased in 2015

- **California's violent crime rate is up from a historic low in 2014.**

After rising slightly in 2012, California's violent crime rate dropped in 2013 and 2014, reaching a 47-year low of 393 violent crimes per 100,000 residents. But in 2015, the violent crime rate increased by 8.4 percent to 426 per 100,000 residents. In the most recent national data from 2014, California's violent crime rate ranked 18th nationwide and was higher than the national rate of 366 per 100,000 residents. In 2015, 59 percent of California's reported violent crimes were aggravated assaults, 32 percent were robberies, 8 percent were rapes, and 1 percent were homicides.

CALIFORNIA'S CRIME RATES ARE AT HISTORIC LOWS, DESPITE INCREASES IN 2015



SOURCE: 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, 2003–15.

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).

- **There was an uptick in property crime in 2015, following declines in 2013 and 2014.**

California's 2015 property crime rate of 2,620 per 100,000 residents is a 6.6 percent increase from 2014. In the most recent national data from 2014, California's property crime rate ranked 30th nationwide. In 2015, 64 percent of California property crimes were larceny thefts, 19 percent were burglaries, and 17 percent were auto thefts.

- **Realignment's impact on crime was limited to auto thefts.**

There is no evidence that realignment affected violent crime, but auto thefts rose as a result of the reform. Overall, California's property crime rate fell in 2013 and 2014—in line with a drop in comparable states—although California's auto theft rate remains higher. The role of Proposition 47 on crime remains unknown, but preliminary data show that compared to other states, California's increase in property crime in 2015 appears to stand out more than the rise in violent crime.

Looking ahead

Changes in California's corrections system have brought progress and new challenges. 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 that do not violate the US Constitution. Since then, the state has lowered the prison population below the mandated target and added health care capacity. But as of June 2016, the federal receiver has turned over management of prison health care to the state at only eight prisons, and the prison population is growing again—suggesting that the state has more to do before it can regain control of prison health care. Corrections spending also continues to grow and is now at a historic high. Meanwhile, Proposition 47 reduced population pressures in county jails. Changes to the bail system and pretrial releases could further relieve population pressures and address ongoing racial disparities. Lower jail populations allow state and county correctional systems to focus more on programming, services, and treatment to help inmates reenter community life. Going forward, the state must also confront a range of longer-term needs.

Address high recidivism rates. Evidence-based programming and services are essential to decrease reoffending and foster successful community reentry. Progress in reducing recidivism would benefit both offenders and communities, and could also reduce corrections expenditures. Proposition 57, which gives CDCR authority to expand sentence-shortening

credits for inmate rehabilitative or educational achievements, provides greater emphasis on programs that help inmates prepare for successful reentry into the community.

Assess county jail needs. Proposition 47 brought relief to statewide jail population pressures, but since realignment, counties have greater responsibilities for programming and services. In the next five years, the opening of new facilities will help support counties with these new responsibilities. Monitoring continued changes in jail populations, population management, and post-release outcomes will be critical 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 levels. However, when incarceration rates are lower, reductions in prison and jail populations can put upward pressure on crime rates. Despite increases in 2015, both violent and property crime rates remain at or below the historically low levels 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. Rigorous and reliable efforts to evaluate county practices would also help counties and the state identify and implement effective strategies to reduce recidivism.

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