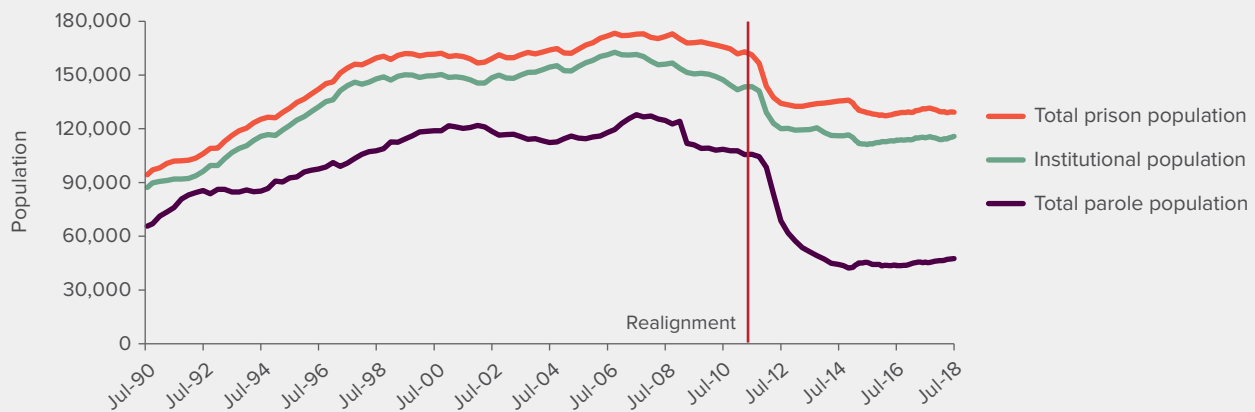


California continues to reshape its criminal justice system

California has reversed a decades-long upward trend in its state prison population, which has fallen by about 48,000 inmates (or 28%) from its 2006 peak. The state has also begun moving its criminal justice system away from incarceration. Since California implemented Public Safety Realignment—the first of several recent reforms—in 2011, statewide violent and property crime rates have remained close to historic lows. However, California’s rearrest and reconviction rates—and its corrections budget—remain the highest in the nation. Identifying and implementing cost-effective rehabilitative programming and services for offenders who are incarcerated, as well as those who have returned to their communities, should remain a high priority at the state and county levels.

CALIFORNIA'S PRISON AND PAROLE POPULATIONS HAVE DECLINED SUBSTANTIALLY



SOURCE: California Department of Corrections and Rehabilitation (CDCR) monthly population reports.

NOTE: “Institutional population” refers to the population in CDCR adult institutions in California; the total population includes inmates in fire camps, community correctional facilities, and facilities outside California.

California must also continue to address concerns about inequities in its criminal justice system. According to the March 2017 PPIC Statewide Survey, only 29 percent of Californians—and 6 percent of African Americans—feel that the system treats whites and nonwhites equally. While racial disparities in arrest rates have lessened since the early 1990s, they remain significant. There are also significant disparities in incarceration. Policymakers have enacted laws that require data collection on arrests, establish statewide standards for police use of force, and replace cash bail with a new pretrial release system. Bail reform is on hold pending the outcome of a November 2020 ballot referendum, and voters may be asked to weigh in on other reforms as well.

Recent reforms have reduced California’s prison population, but costs remain high

- California has 34 state prisons; it also houses inmates in other facilities.**
As of July 2019, the prison population was roughly 125,000. Most inmates (114,900) were in California Department of Corrections and Rehabilitation (CDCR) facilities (this group is known as the “institutional population”) and 2,800 were in state-run fire camps. Another 6,200 inmates were in other public and private facilities around the state (often called “contract beds”). By the beginning of July 2019 the state had stopped using private out-of-state facilities to hold inmates.
- Counties now supervise more released prisoners—and returns to prison have declined.**
Between July 2017 and July 2018, about half of inmates released from state prison (18,000) went to county probation—known as Post Release Community Supervision—instead of state parole (19,200). By July 2019, the parole population was 51,000—a dramatic drop (more than 51%) from 104,800 in September 2011, the month before

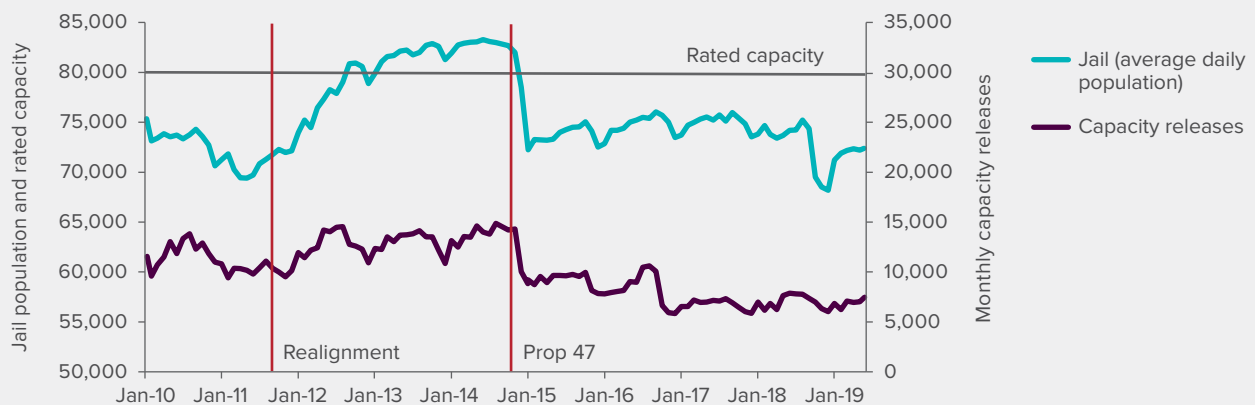
realignment was implemented. Once it was no longer possible to return most California parole violators to state prison, the three-year return-to-prison rate dropped from nearly two-thirds to less than one-quarter. However, these data do not capture offenders sentenced at the county level. CDCR also reports declines in rearrests and reconvictions for those released from prison.

- **The state’s incarceration rate is below the US average; its corrections budget is the nation’s largest.** Between 2006 and July 2019, California’s prison incarceration rate dropped from 475 inmates per 100,000 residents to 314; it is well below the 2017 national average of 390. In 2017, the most recent year of comparable data, California had the highest corrections expenditures in the nation—at nearly \$9 billion, state spending exceeded the combined expenditures of Texas and New York, the second- and third-biggest spenders.

Proposition 47 eased jail population pressure

- **The jail population declined under Proposition 47.** After rising in the first years of realignment, the jail population fell under Proposition 47 (2014), which reclassified some felony drug and property offenses as misdemeanors. It has remained below statewide capacity (around 79,000) since early 2015. County sheriffs are using alternatives such as electronic monitoring, day reporting centers, community service, and alternative work programs. Nevertheless, some counties continue to release inmates to ease crowding. In June 2019, almost 7,500 inmates were released early due to capacity constraints.

PROPOSITION 47 LOWERED THE COUNTY JAIL POPULATION AND THE NUMBER OF CAPACITY RELEASES



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

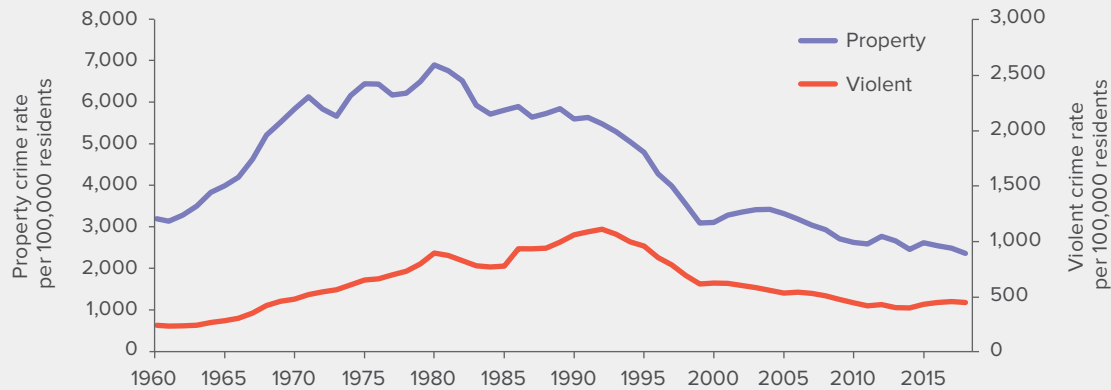
NOTES: As of October 2018, the BSCC sets the statewide rated jail capacity at nearly 79,000 inmates. The large drop in the statewide jail population that occurs after July 2018 is caused by inconsistent data reporting from several counties.

- **Sheriffs are expanding reentry services and programs, but many jails are not designed for them.** Counties are introducing or expanding inmate needs assessments as well as mental health and substance abuse services, cognitive behavioral treatment, and employment and housing programs. Prop 47 has shifted some funding to evidence-based programs to reduce recidivism and incarceration. In the first four years, \$256 million was redirected to mental health and substance abuse programs, K–12 education, and services for crime victims. But counties are providing services in facilities that were not designed for long-term inmates. The difficulties are especially acute in older facilities. The state has earmarked \$2.5 billion for county jail construction, funding more than 15,500 jail beds over the next decade.

Crime rates have fluctuated slightly but remain near historic lows

- **California’s violent crime rate fell slightly in 2018.** After three years of increases, California’s violent crime rate decreased by 1.5 percent in 2018 (the most recent year of available data), to 444 per 100,000 residents, which is nearly 13 percent higher than the recent historical low of 393 in 2014. California’s violent crime rate ranked 15th nationwide and was higher than the national rate of 369 per 100,000 residents. In 2018, nearly 60 percent of California’s reported violent crimes were aggravated assaults, 31 percent were robberies, 9 percent were rapes, and less than 1 percent were homicides.

CALIFORNIA'S VIOLENT AND PROPERTY CRIME RATES ARE STILL AT HISTORIC LOWS



SOURCES: Author calculations based on FBI Uniform Crime Report, 1960–2002, and the California Department of Justice's Criminal Justice Statistics Center, California Crimes and Clearances Files, 2003–18.

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

- **The property crime rate reached a new low in 2018.**

California's property crime rate decreased by 5.1 percent in 2018, to 2,363 per 100,000 residents. This was a 50-year low, but it ranked 22nd among all states and was higher than the national rate (2,200 per 100,000 residents). Of all reported property crimes in California in 2018, 66 percent were larceny thefts, 17.5 percent were burglaries, and 16.5 percent were auto thefts.

- **The impact of recent reforms on crime is limited to auto thefts and larceny.**

There is no evidence yet that realignment or Prop 47 has affected violent crime, but the reforms have affected thefts of motor vehicles and larceny thefts. Realignment is estimated to have led to an increase of about 17 percent in the auto theft rate (approximately 60 more thefts per 100,000 residents), while Prop 47 has led to an increase of roughly 9 percent in the larceny theft rate (about 135 more thefts per 100,000 residents). Crime data show that thefts from motor vehicles account for about three-quarters of the latter increase.

Racial and economic equity remain areas of concern

Racial and economic inequities are long-standing issues in California's criminal justice system—as they are in other states. There has been some progress, but disparities in arrests and incarceration persist.

- **California might end cash bail.**

Senate Bill 10 (SB 10), aimed at addressing concerns about racial and economic inequities in California's bail system, was signed into law in August 2018. But implementation is on hold until November, pending the outcome of a voter referendum. If SB 10 is implemented, it will eliminate cash bail and dramatically reform pretrial detention with the use of risk-assessment tools to weigh the public safety risk of releasing arrestees before and during court proceedings. It would also limit pretrial detention for most misdemeanors.

- **Racial disparities in arrests have become less extreme but are still significant.**

In 1980, the adult arrest rate for African Americans was 16,653 per 100,000 residents, compared with 9,294 among Latinos and 5,553 among whites. Arrest rates grew for all groups in the 1980s, but the African American rate in the late '80s was about four times the rate among whites. Since the early '90s, arrest rates have declined most for African Americans. In 2016, the African American arrest rate was 9,765, the Latino rate was 3,606, and the white rate was 3,235.

- **African American men remain overrepresented in the prison population.**

At the end of 2016, 29 percent of the male inmates in state prisons were African American; only 6 percent of the state's male residents are African American. The incarceration rate for African American men is 4,180 per 100,000. White men are imprisoned at a rate of 420 per 100,000, and imprisonment rates for Latino men and men of other races are 1,028 and 335 per 100,000, respectively.

Looking ahead

California's reforms have eased prison and jail overcrowding, and statewide crime rates are close to historic lows. Programming and services that help inmates reenter communities and minimize returns to jail or prison should continue to be high priorities. Addressing racial and economic disparities in our criminal justice system is also important.

Monitor crime rates. Given California's high pre-reform incarceration levels, the state's approach to putting offenders behind bars was not a cost-effective way to prevent crime. With lower incarceration rates, however, reducing prison and jail populations can put upward pressure on crime rates. It is essential to watch these rates across regions as well as in particular crime categories. According to the May 2019 PPIC Statewide Survey, 27 percent of Californians say violence and street crime is a big problem in their local community.

Identify and implement cost-effective interventions to reduce recidivism. Recent reforms heighten the importance of cost-effective, evidence-based programming and services that reduce recidivism. To identify effective and successful interventions, the state will need to support programming evaluation and the collection of high-quality, integrated data from both state and county correctional systems.

Address equity issues. California policymakers have adopted and/or enacted some reforms designed to identify and address criminal justice disparities. State and local stakeholders should monitor the impact of these reforms and continue to determine at what points and in what forms inequities occur.

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