

# Understanding California Corrections

Joan Petersilia

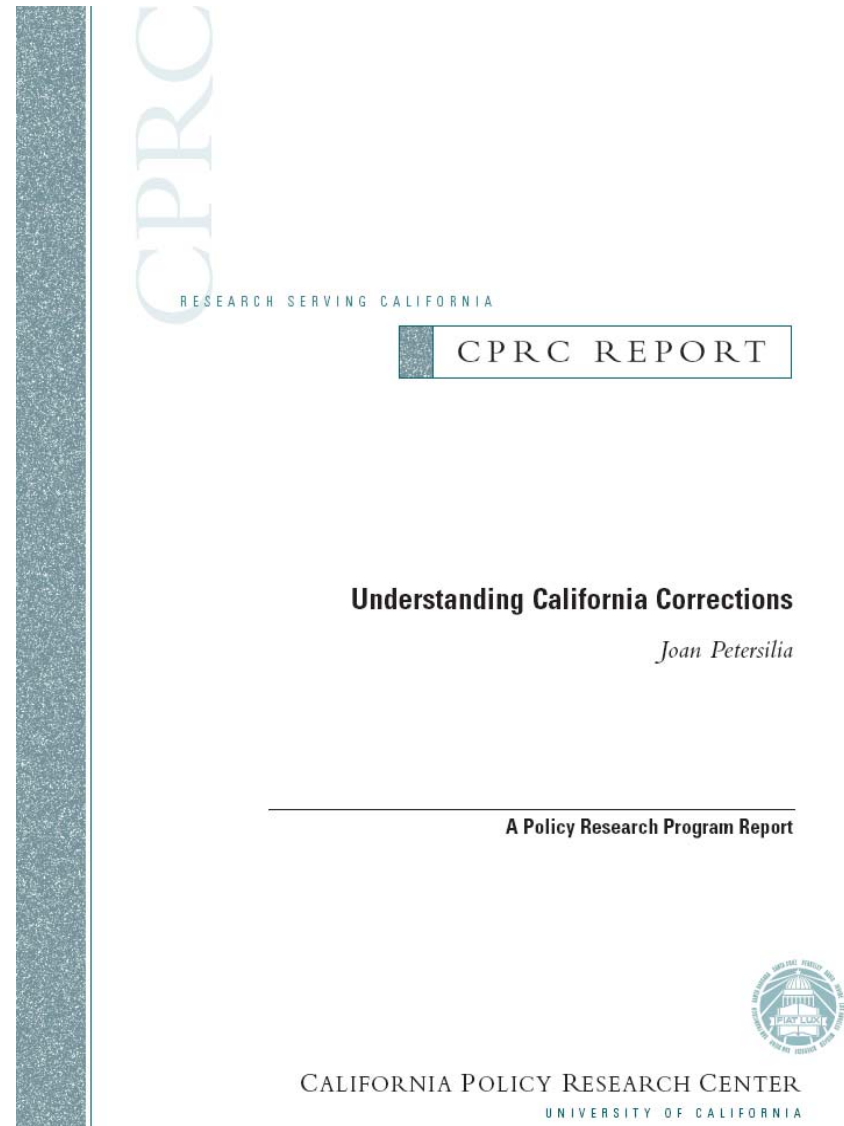


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EVIDENCE-BASED CORRECTIONS

# Why Another Report?

- ❖ Previous reports too narrowly focused on corrections—and often biased
- ❖ Need a comprehensive, policy-oriented primer on the entire CJS
- ❖ Reform should be based on *evidence rather than politics*



# Purpose of Presentation

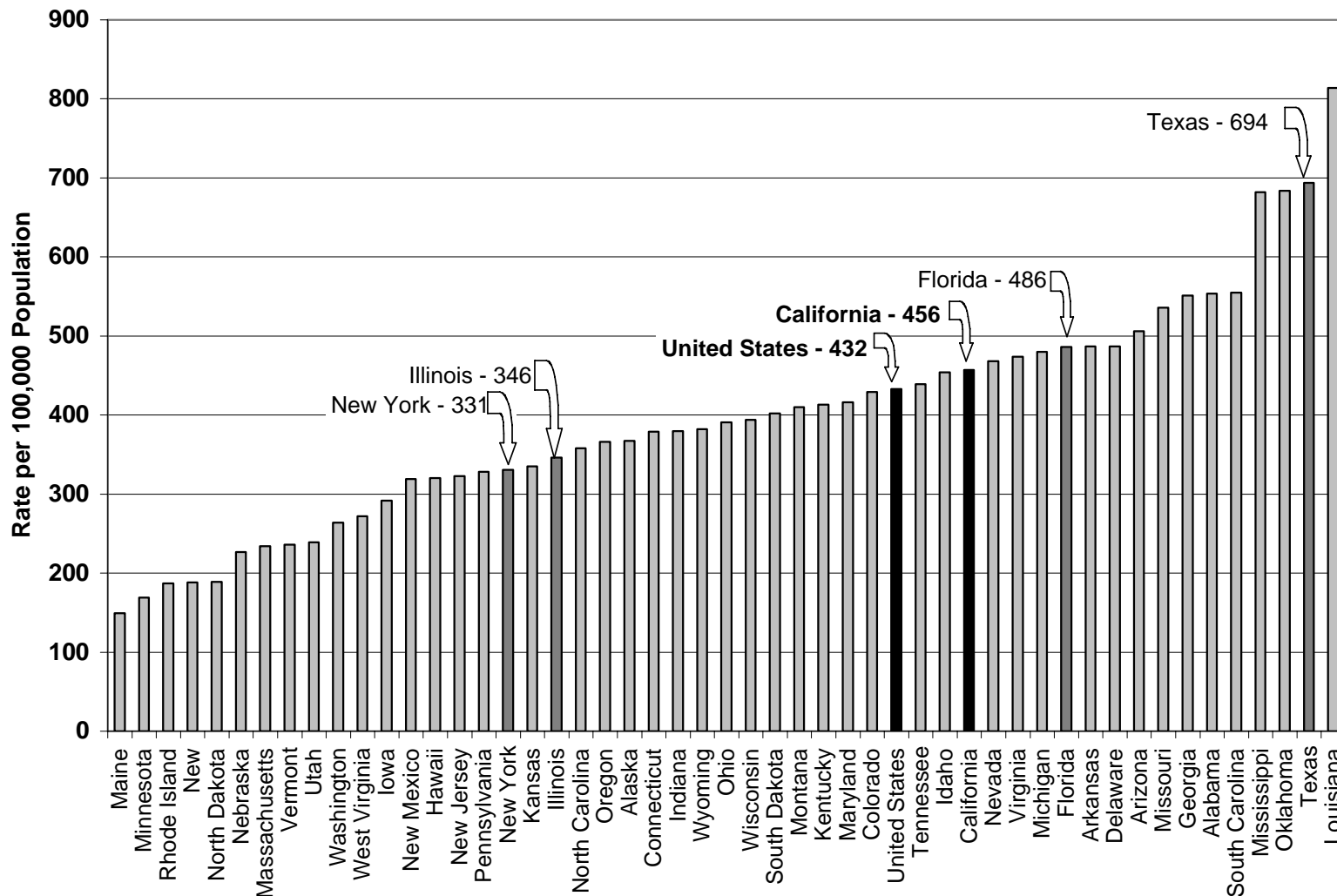
- ❖ Explain 'just the facts'
  - Describe 10 most important aspects of CA sentencing & corrections
    - How do we compare to other states?
  - Identify myths that are leading to misguided policies
- ❖ Given the facts, **what reforms should we be doing?**



Sgt Joe Friday on *Dragnet*



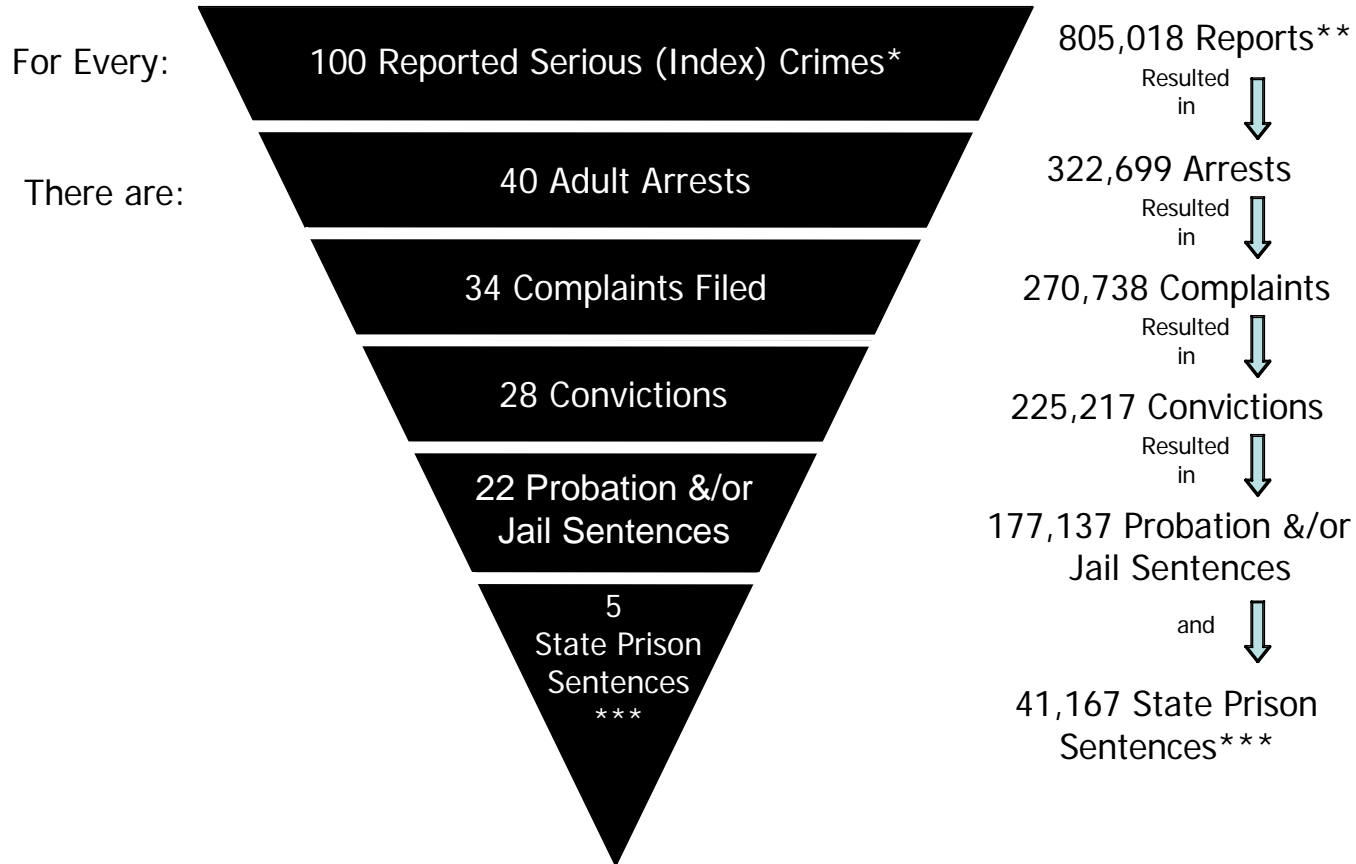
# #1: CA Prison Population is Not High by U.S. Standards



Prison Incarceration Rate by State, 2004



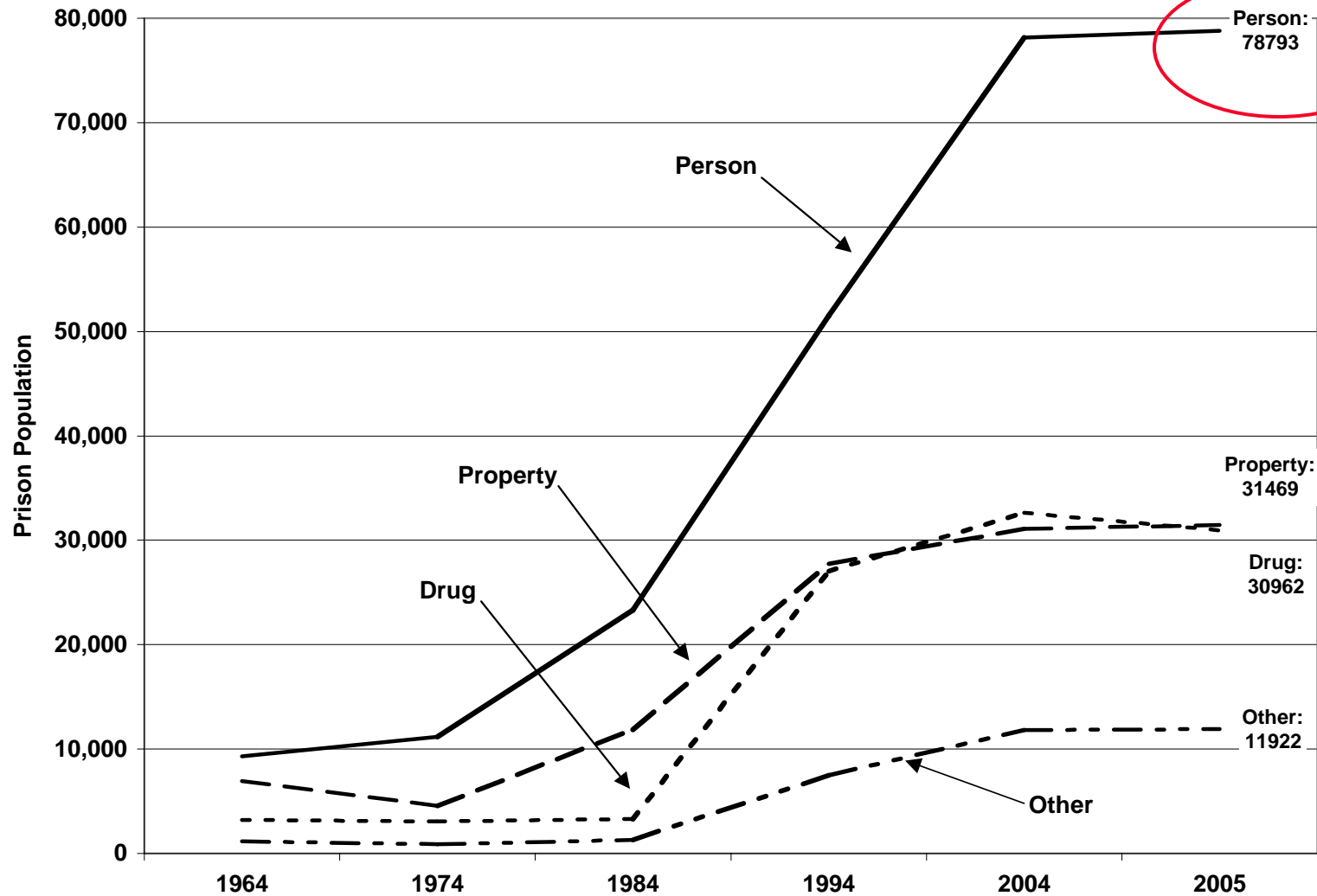
# #2: CA Police and Court Processing Are Not Different



Processing of Serious Crime by the CA Criminal Justice System, 2004

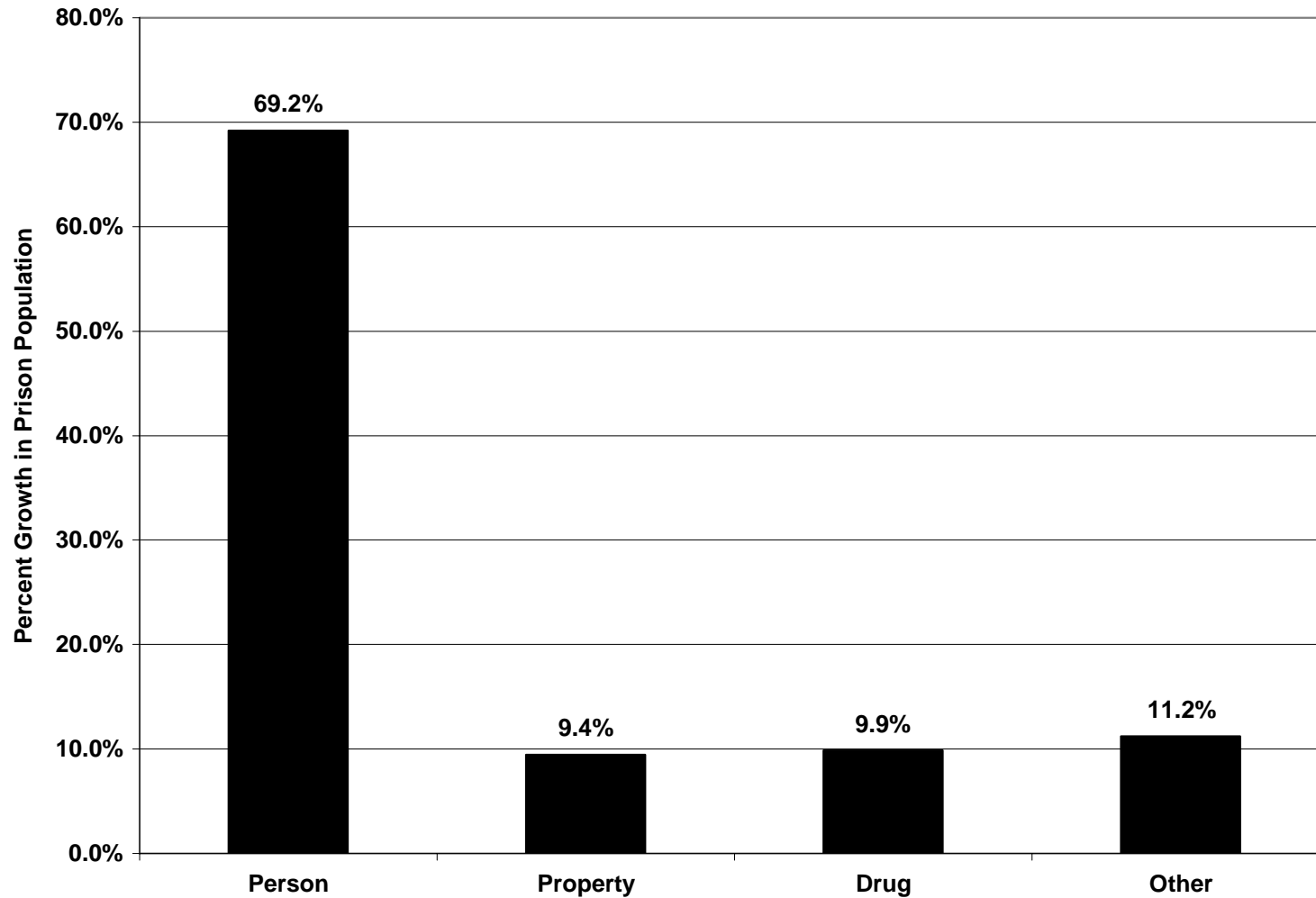


# #3: CA Prison Population Growth Mostly Due to Violent Offenders

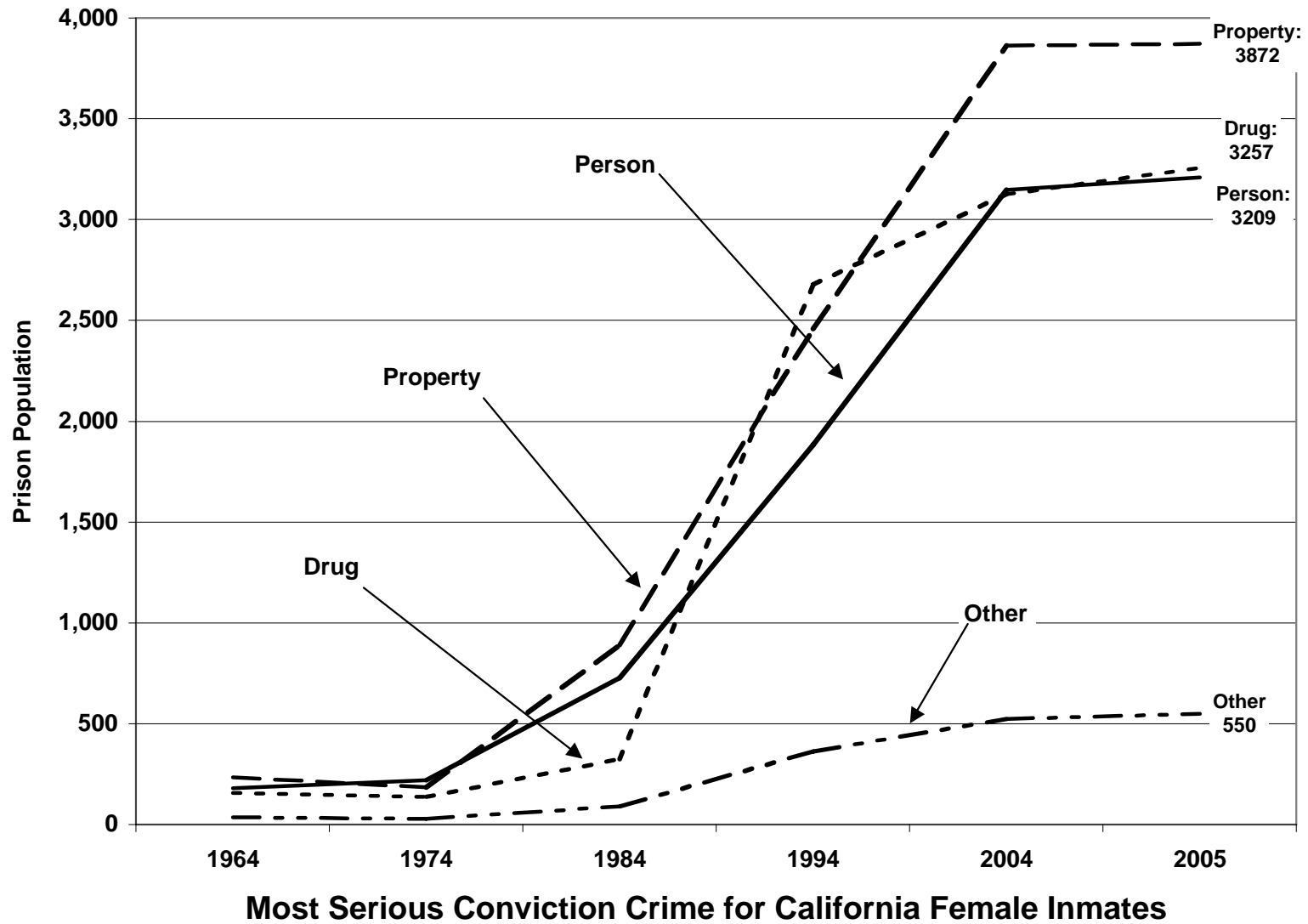


Most Serious Conviction Crime for California Male Inmates

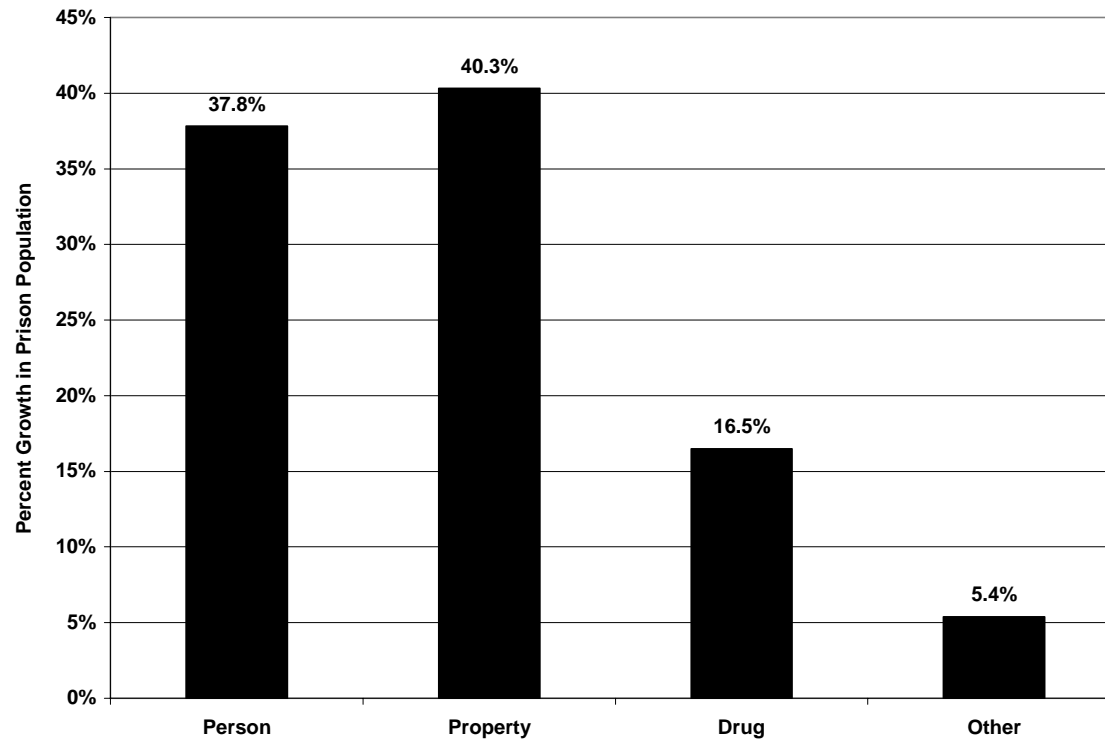
# % CA Growth in Male Prison Population by Crime, 1994–2005



# CA Females More Equally Distributed Between Property, Drug & Person Crimes



# % CA Growth in Female Prison Population by Crime, 1994–2005



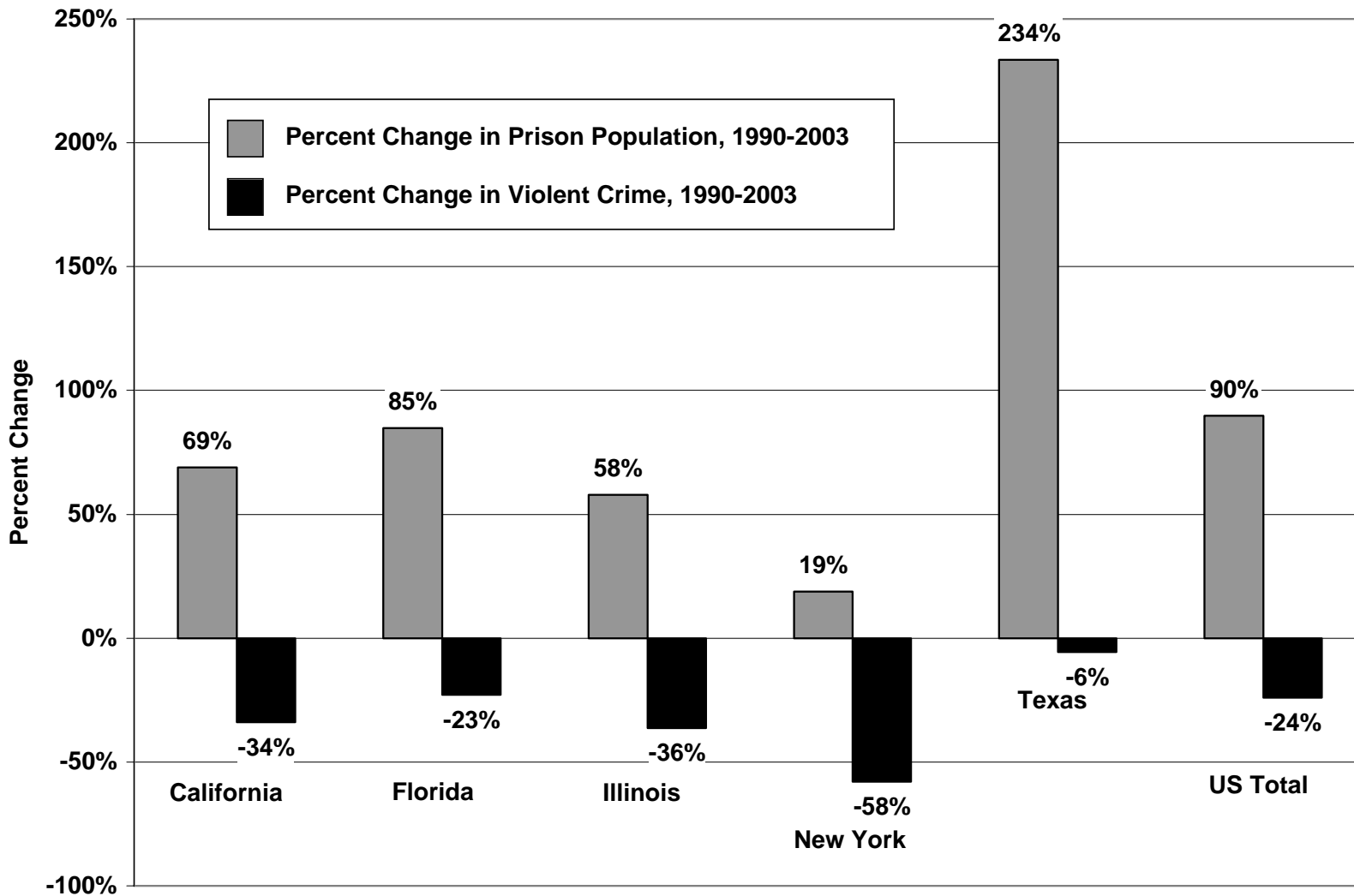


## #4: CA Prison Term Imposed & and *Initially* Served Isn't Longer — Nor is Imposed *Initial* Parole Term

- ❖ Average length of CA prison term imposed is 48 months, served is 25 months—similar to U.S. average.
  - Average length of prison term served before first release is declining for non-3 Strikers.
- ❖ Length of parole supervision initially imposed is not longer
  - 1 to 3 years for most parolees



# #5: Increased Prison Populations Are Associated with Some Reduced Crime



Changes in U.S. Violent Crime and Prison Populations

## Bottom line.....

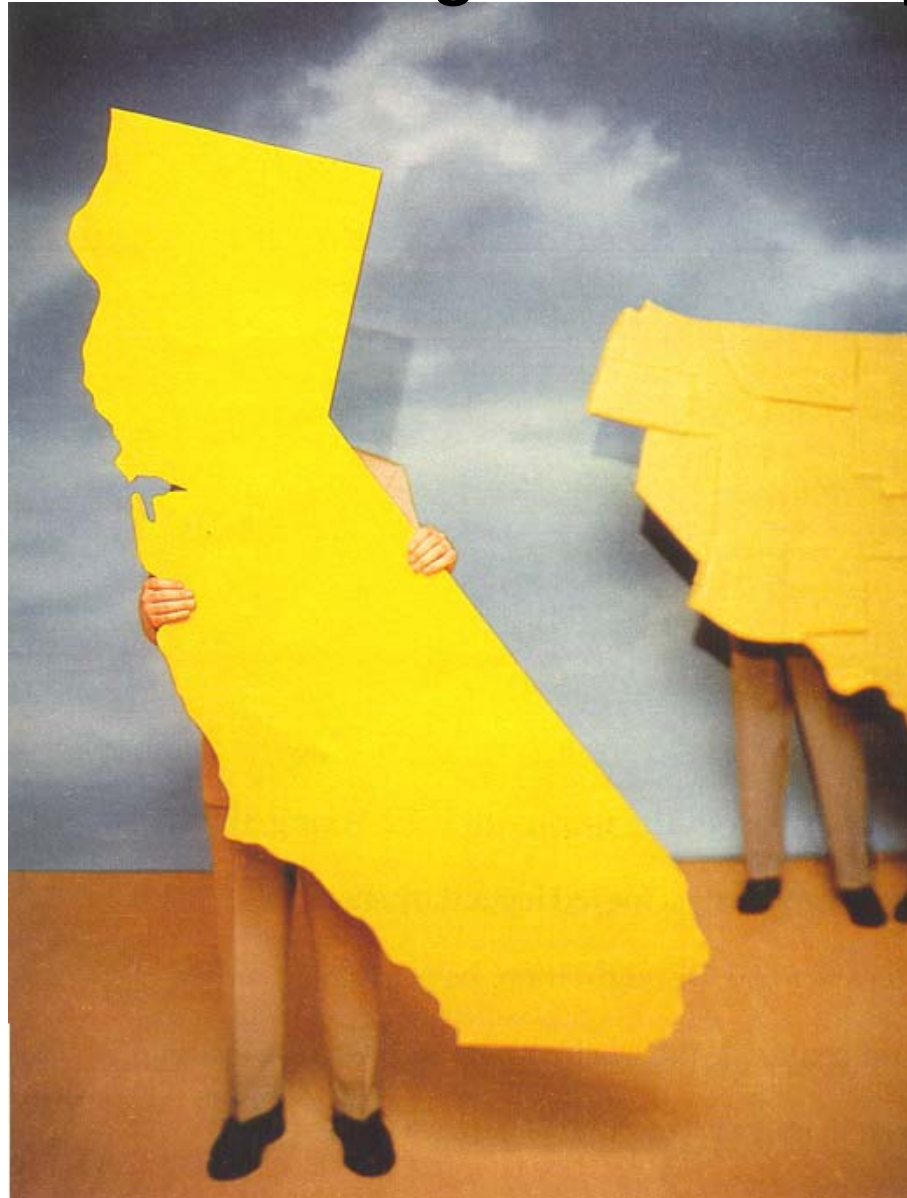
Many see the crisis in CA as one of over-incarceration, caused by huge expenditures on prison construction and the over-imprisonment of non-violent offenders. But these notions misstate the facts.

❖ CA's use of prison is not unusual given U.S. standards — it is mostly dictated by our large resident population and their arrests.

But other states are doing better. Requires better diagnosis of the problem.

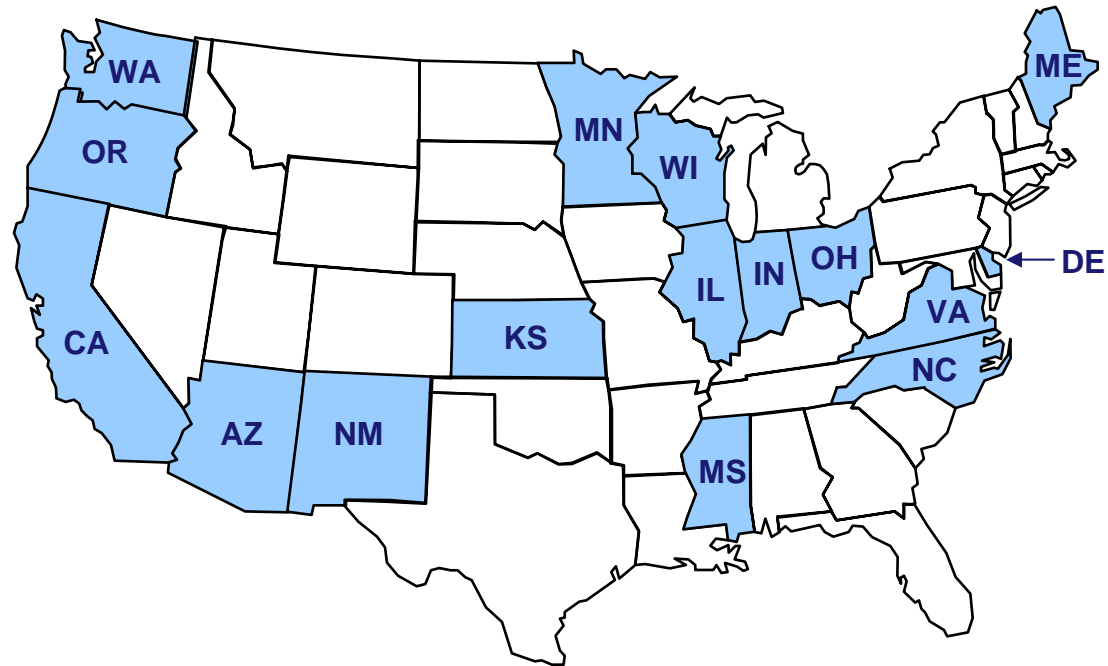


# But California Corrections Stands Alone in Significant Ways



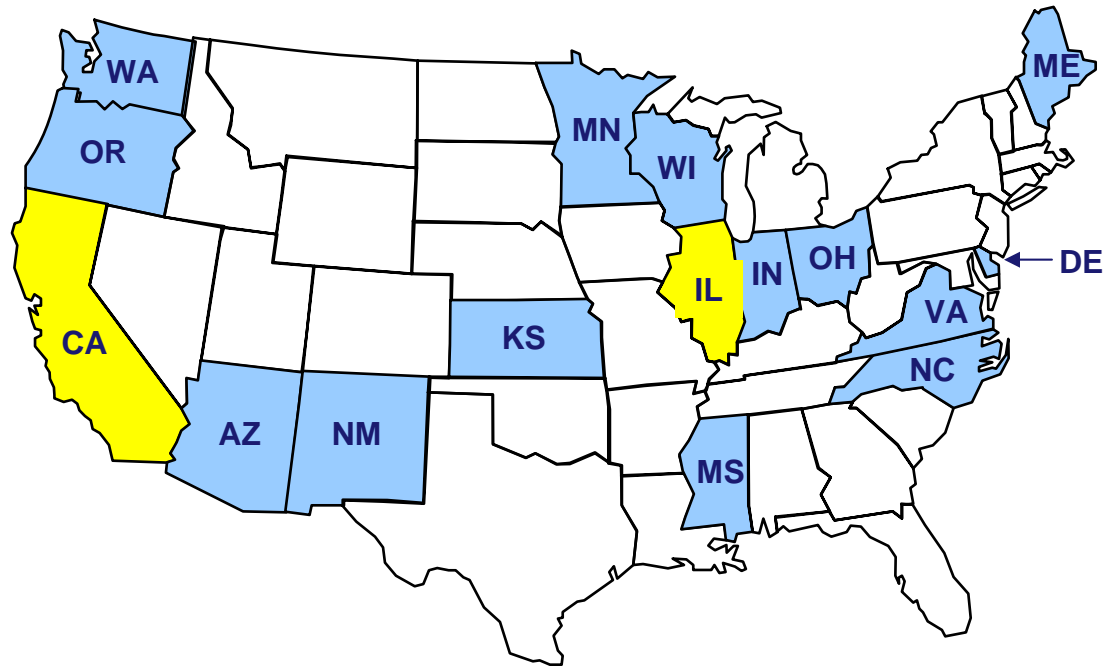


## #6: CA Releases Most Inmates at a Predetermined Date – Without Parole Hearing



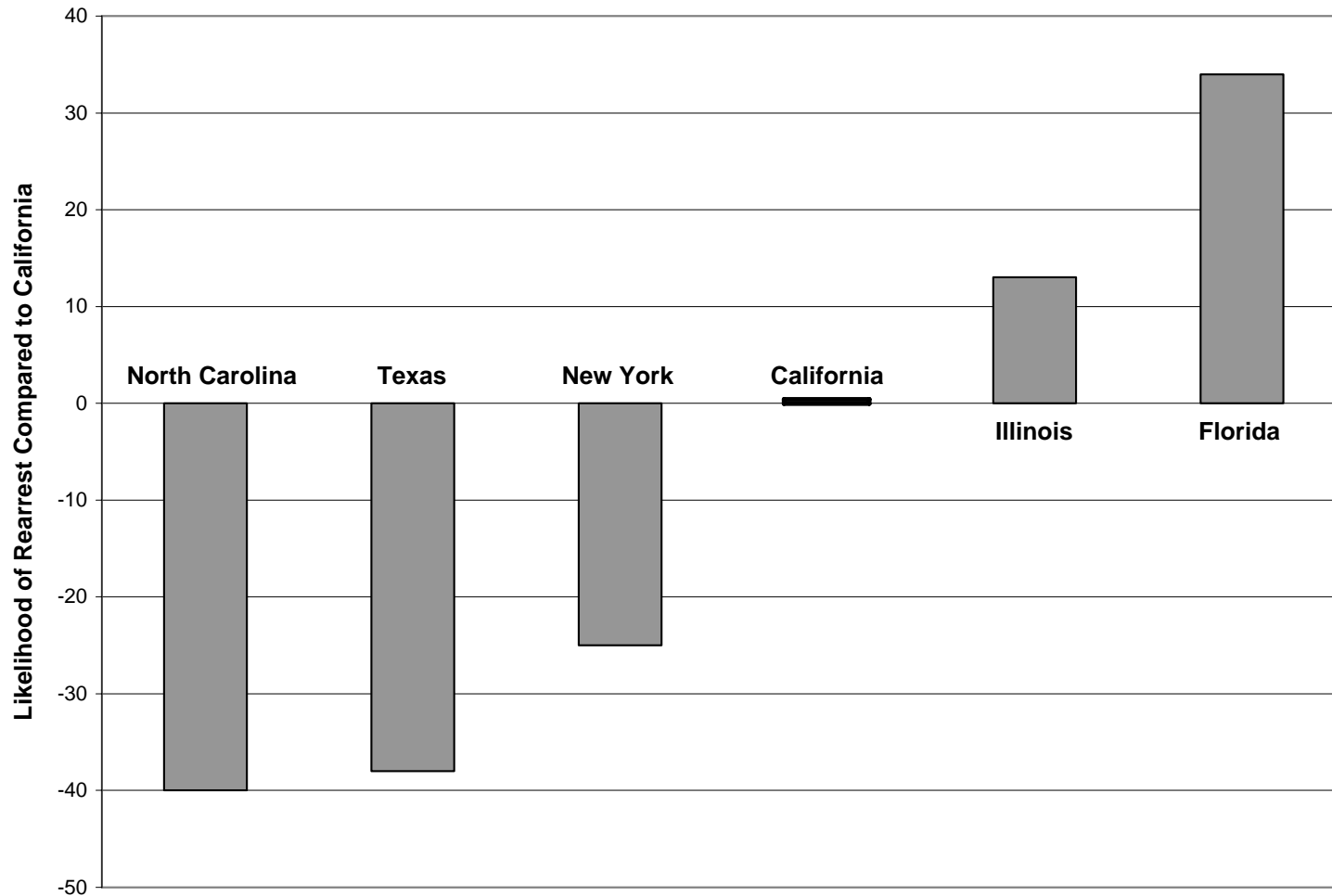
Blue = 16 Determinate Sentencing States

CA & Illinois the only large states  
*without* discretionary parole release &  
*with* universal parole supervision





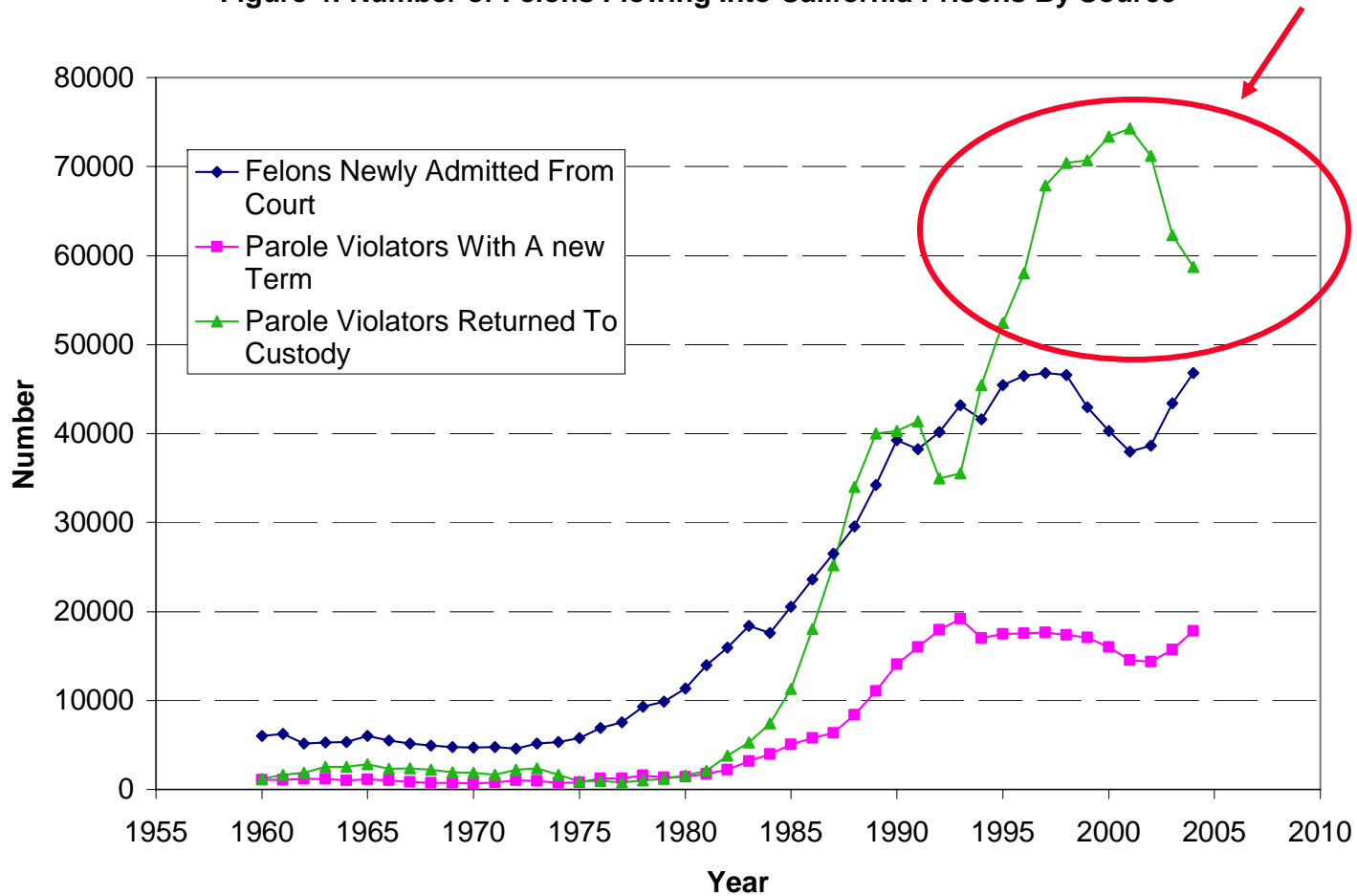
# #7: WE DO NOT HAVE THE HIGHEST RATE OF RE-ARREST



**Parolee Rearrest Within 3 Yrs of Release,  
Controlling for Demographic and Criminal Record**

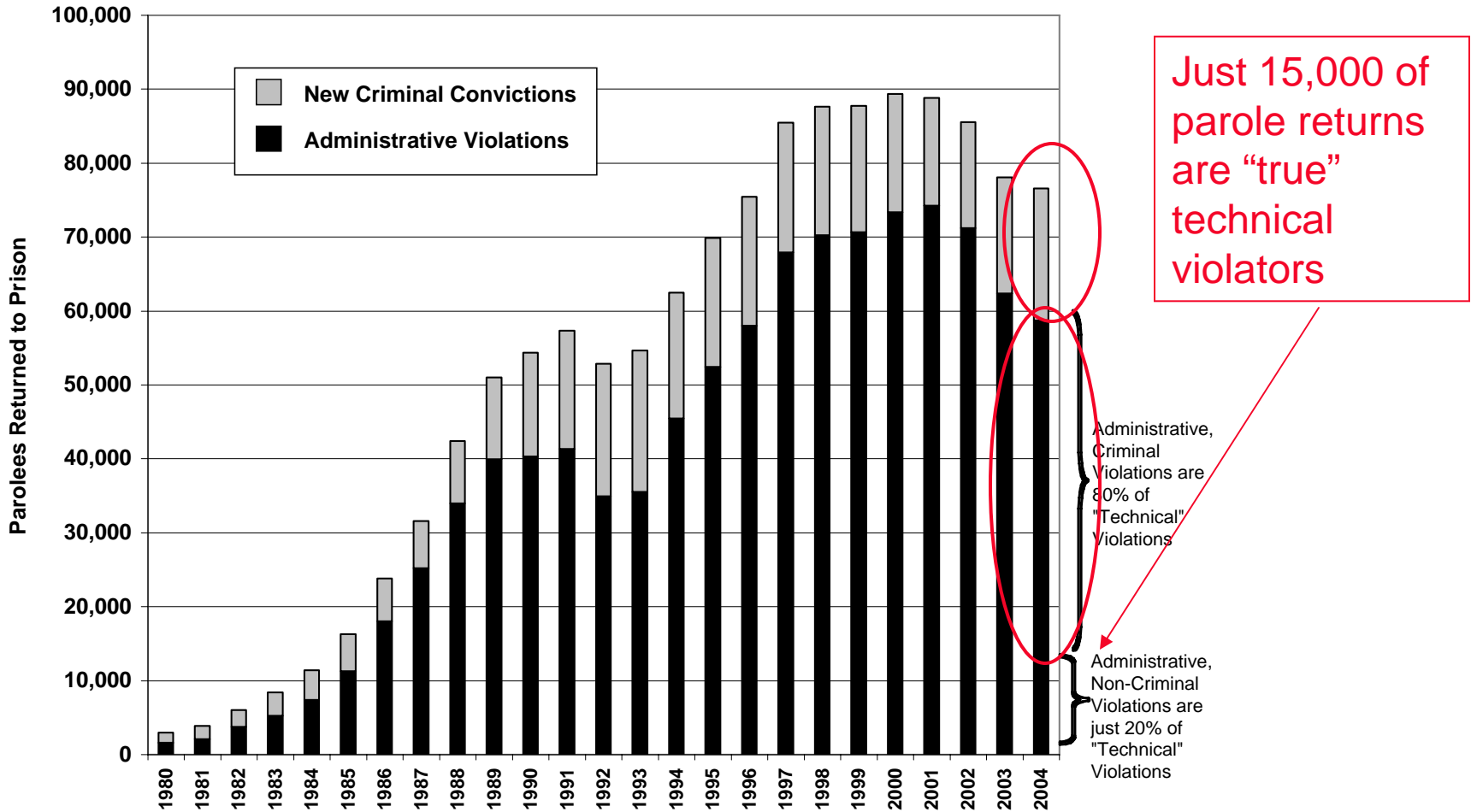
# #8: We Do Have the Highest Return-to-Prison Rate – Caused by Parole Violators

**Figure 4: Number of Felons Flowing Into California Prisons By Source**



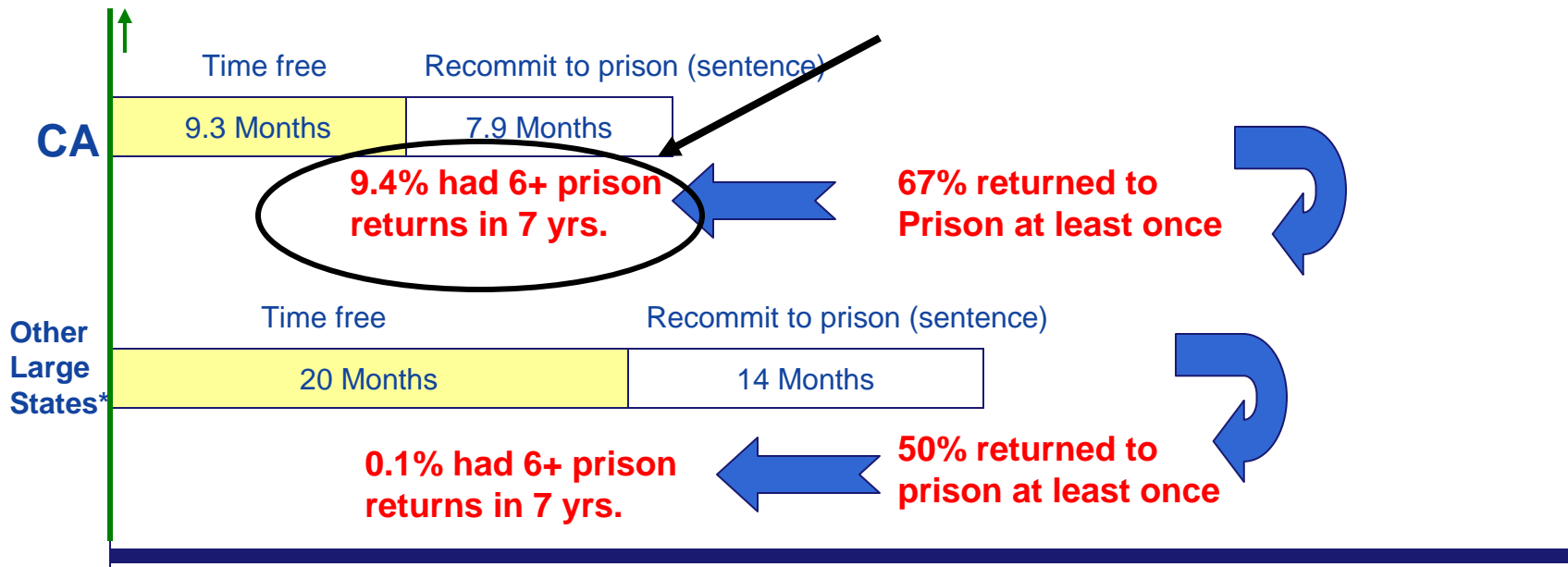


# #9: But 80% of Parole Violations Involve New Criminal Behavior



# CA Prisoners Return to Prison Repeatedly-- Months Free and Months Re-Incarcerated Shorter than Elsewhere

Released From Prison in 1995, Followed Through 2002



\*NY, Illinois, Florida. Analysis based on all 1995 prison releasees in each state. Source: Blumstein and Beck (2005).

# Bottom line...

- ❖ Most prisoners spend their lives cycling in and out,

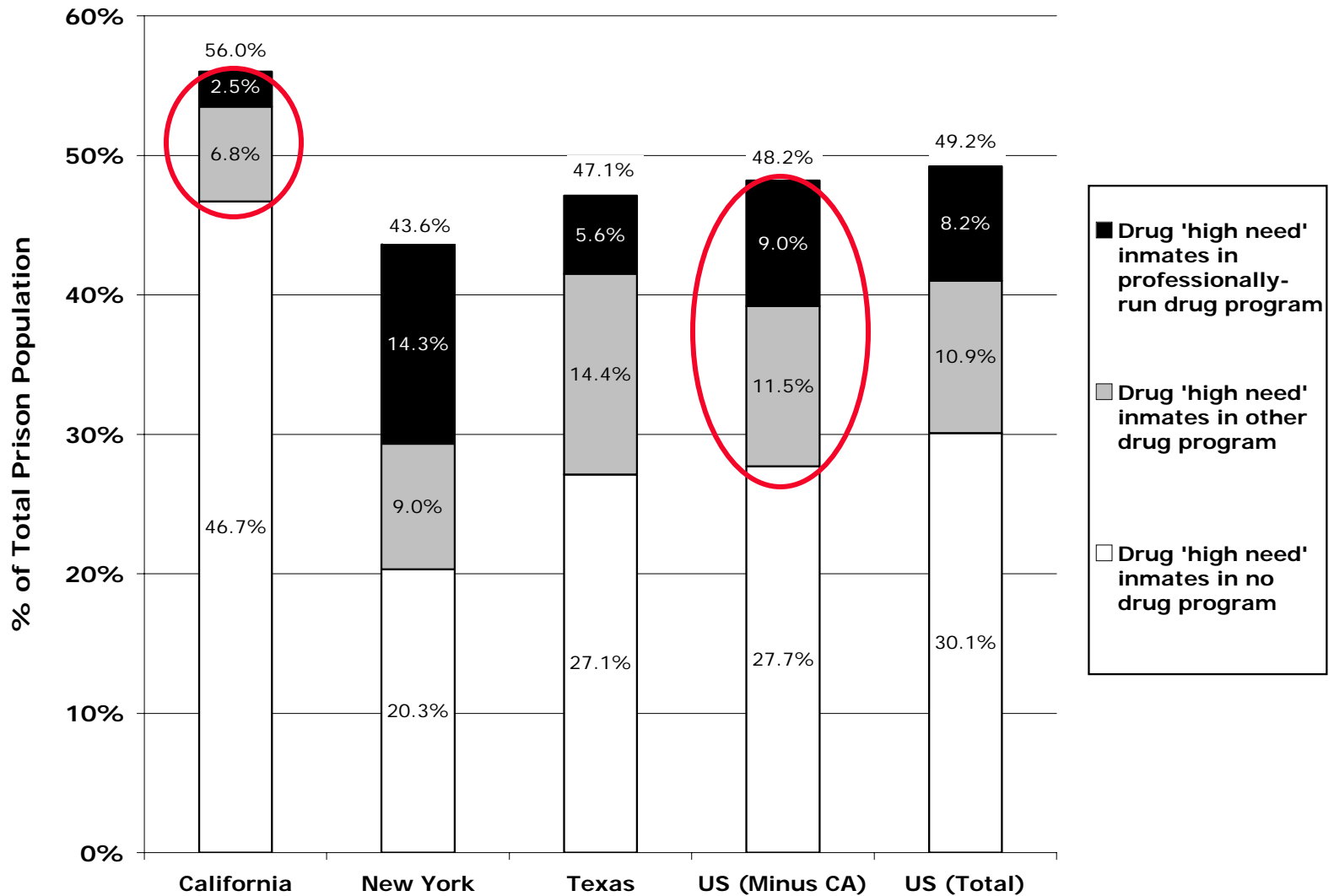
“doing life on the installment plan”

## Causes:

- ❖ determinate sentencing
- ❖ universal parole supervision
- ❖ processing new crimes as parole violations
- ❖ lack of in-prison and post-prison programming
- ❖ the continuing criminality of the prisoner



# #10 California Inmates Have Greater Unmet Treatment Needs. E.g., Drugs

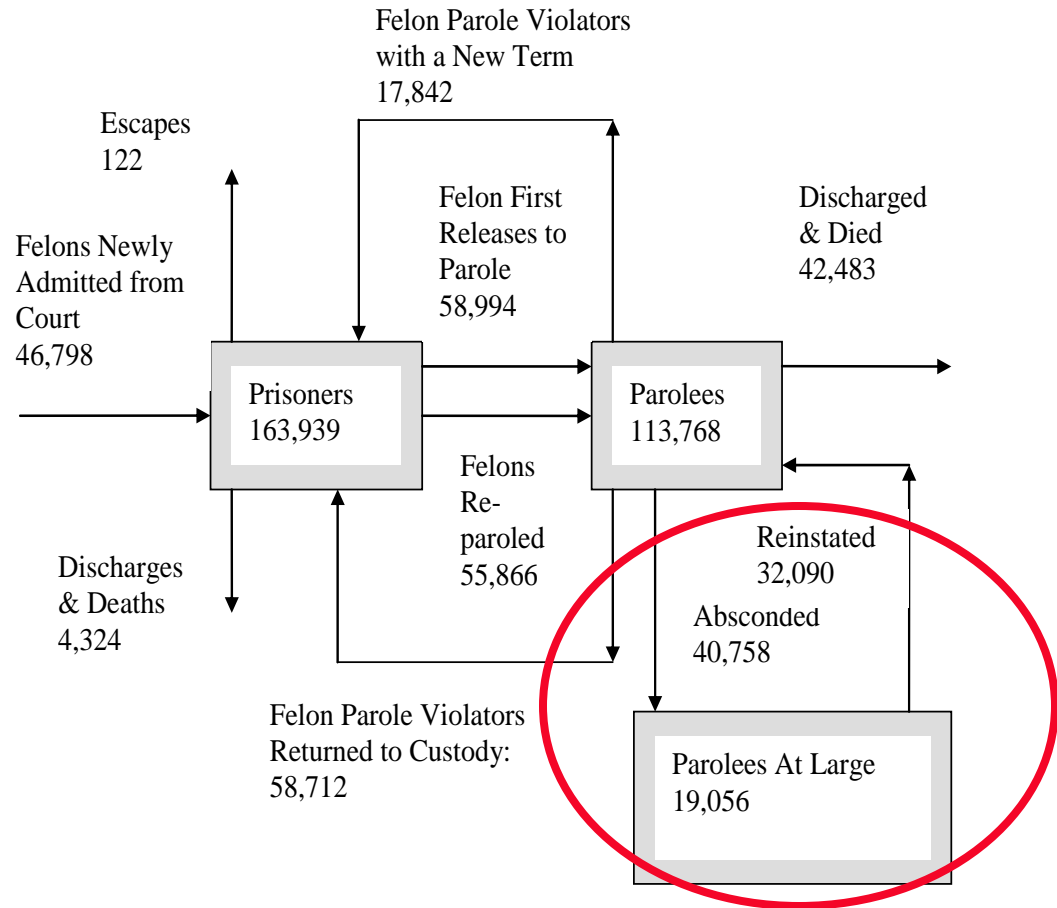


# Nearly 1 in 5 CA Parolees at Large



“Just one more thing.....”

Figure 2: Schematic of Prison & Parole Stocks and Flows: 2004



# Put it all together....

## Unrehabilitated and Ready for Release

<http://www.latimes.com/news/local/la-me-stomping10may10,1,1997230.story>  
From the Los Angeles Times

### Woman Stomped to Death on Skid Row

Parolee is held. Case highlights risk posed by concentration of freed felons, officials say.

By Cara Mia DiMassa and Richard Winton

Times Staff Writers

May 10, 2006

A 49-year-old woman died after being viciously stomped by a homeless man on skid row in a case that city officials said Tuesday in a district.

Authorities are trying to determine the relationship between the suspect and his alleged victim, Kristi Morales. Witnesses said he kno near 5th and San Julian streets and stomped her for several minutes.

Police said a passerby attempted to intervene three times, but each time, the suspect, 52-year-old Gregory Hampton, knocked the ( Morales.

Eventually, the passerby flagged a passing police officer, who arrested Hampton.

But it was too late for Morales, who was brain dead, according to authorities.

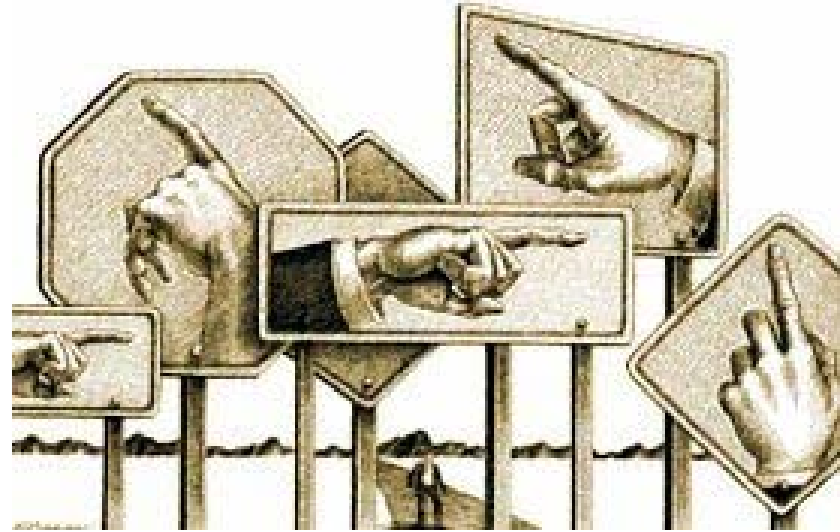
The department of corrections did not return calls Tuesday seeking comment, and police officials said that they have been frustrated by the dep investigation of Morales' death.

At a news conference Tuesday, Bratton called Hampton "a career criminal preying on society."

"He should not have been on the street," Bratton said.

# Who is Responsible?

- ❖ CDCR only partly responsible
  - Those motivated to change, didn't get treatment
    - Yes, make available evidence-based programs.
    - But crowding, gangs, staff and funding impede.
- ❖ Legislature equally to blame since they decide who gets released, when
  - Those unmotivated to change are released regardless of dangerousness



- Police and Parole agents trying to fix what they see wrong with the 'catch-and-release' system
- Current debate hasn't recognized the Legislature's role

# What to do?



# Petersilia's Reform Agenda

- ❖ Restore more discretion to sentencing and prison release decisions
  - inmates should gain value for program participation
  - State should be able to deny release to dangerous inmates

Requires Legislature

- ❖ Discontinue universal parole supervision
  - Low risk inmates having served less than 2 years not supervised unless high-need

- ❖ All new crimes by parolees prosecuted as new crimes not parole violations

Requires Police, DA, Community

- ❖ Transition inmates who have served 5-yr or more through reentry centers, halfway houses, or work furlough

- ❖ **Low and medium risk parolees can participate in 'earned parole discharge'--earn their way off parole at end 12 months through good acts and behavior**

- ❖ **High risk parolees—identified with validated risk prediction instrument—supervised more closely. GPS used when justified**

Requires CDCR

- ❖ **Use intermediate sanctions to punish new technical violations. Combine with a parole violation grid to control disparities**

- ❖ **Deliver proven work, education, and substance abuse programs to selected inmates with 1 year left to serve**

# Minimally, We Should Debate the Facts

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**THANK YOU**  
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