



The Scope of Correctional Control in California

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How many people are under correctional control in California? That is, on any given day, how many adults (18 and older) are held in adult county jails and state prisons, or supervised in the community on adult probation or parole? How many young people (ages 12-25) are held in county juvenile detention and state juvenile placement facilities, or supervised in the community on juvenile probation and parole?

According to the federal Bureau of Justice Statistics (BJS), in 2004, California had the largest adult parolee population in the United States, the second largest probationer population after Texas (Glaze and Palla 2005), and the third largest prisoner population after the federal system and Texas (Harrison and Beck 2005a).^{1,2} However, California is also the most populous state in the country. The U.S. Census Bureau reports that in 2004, there were 35.8 million California residents, with 26 million Californians ages 18 or older, and 7.2 million Californians between the ages of 12 and 25 (the ages of jurisdiction for the state juvenile justice system). Given differences in state populations, a more appropriate question to ask is: How do California's *rates* of correctional control compare to national averages?

This research bulletin presents one-day standing counts of Californians under correctional control on December 31, 2004,³ and where possible, compares rates of control to those found in other states. The bulletin considers adult correctional control (consisting of adult prison, adult parole, jail and adult probation populations) and juvenile correctional control (consisting of state Division of Juvenile Justice institution and parole, county juvenile detention and juvenile probation populations) separately, and also notes gender, racial and ethnic differences in correctional control rates.

The purpose of this bulletin is to provide a descriptive overview of the California population over which some form of control is exercised by a state or local criminal justice agency, and situate

this information in a national context. It serves as an extension to data reported annually by the Bureau of Justice Statistics on the prevalence of forms of correctional control, providing additional detail for California. Policymakers will be interested in this bulletin as background in crafting criminal justice policies. It will also be useful to researchers seeking to inform their work around issues of crime, justice and punishment.

HIGHLIGHTS

- On December 31, 2004, there were 813,586 people under correctional control in California, or 2.2% of all California residents. Those under correctional control included people incarcerated in prison, jail or juvenile detention facilities, or under youth or adult parole or probation supervision.
- At year-end 2004, 725,085 people, or 2.8% of Californians over the age of 18, were under some form of *adult* correctional control.
- California's juvenile justice system supervised more than 88,000 people between the ages of 12 and 25 at year-end 2004 – roughly 1.2% of all Californians in this age group.
- California's rate of prison use is slightly higher than the national average, its use of jail slightly lower, and its use of adult probation substantially lower. Only California's use of adult parole is significantly higher than the national average. The analyses presented in this bulletin show that *with the exception of parole supervision, California's adult correctional control rates are not unusually high relative to those in other states.*
- There are considerable gender differences in California's incarceration rates. California men are almost 15 times as likely as women to be incarcerated in an adult prison, and over seven

Status	Total Population	Rate per 100,000 adult residents ^a	Percentage of adult residents
Prisoners	163,939	629	0.63%
Jail Inmates	76,462	293	0.29%
Parolees	133,096	511	0.51%
Probationers	347,442	1,333	1.33%
Other ^b	4,146	16	0.02%
Total	725,085	2,782	2.78%

^aThe number of California residents 18 and over in 2004 was calculated by applying the 2000 U.S. Census percentage of Californians age 18 and over to the 2004 U.S. Census estimated California population.

^bThis figure includes prisoners out to court, escaped, and federal inmates under state correctional jurisdiction.

Table 1: Adult Correctional Control in California, December 31, 2004

times as likely to be incarcerated in an adult jail. Young males in California are five times as likely as young women to be in a juvenile detention facility and almost fifteen times as likely to be under the control of the Division of Juvenile Justice.

- There are also substantial differences in the incarceration rates of racial and ethnic groups in California. Compared to white Californians, black Californians are more than eight times as likely to be incarcerated in an adult prison, and almost seven times as likely to be incarcerated in an adult jail. Hispanic Californians are about twice as likely to be in prison or jail, compared to whites.

ADULT CORRECTIONAL CONTROL

At year-end 2004, 725,085 Californians were under some form of *adult* correctional control, amounting to 2,782 out of every 100,000 California residents ages 18 and older (2.8%; see Table 1).⁴ The most common form of adult correctional control was probation, and the least common form was jail.⁵ On December 31, 2004, 922 out of every 100,000 California adults were incarcerated in prisons and jails, nearly one percent of adult Californians aged 18 or older.

Prison

The California Department of Corrections and Rehabilitation (CDCR) is responsible for felons over the age of 18 who are sentenced to prison.⁶ At year-end 2004, CDCR housed 163,939 inmates, or 20.2% of all Californians under correctional control (see Table 1 and Figure 1).⁷ As shown in Table 1, 629 out of every 100,000 California adults (0.6%) were in prison on this date.

Jail

At year-end 2004, 76,462 Californians were in jail, or 293 out of every 100,000 California adults (0.3%), and 9.4% of all Californians subject to correctional

control. Jails, run by the county sheriff or occasionally by municipal police departments, house both convicted offenders serving sentences of less than one year and individuals awaiting trial or sentencing. Two-thirds of inmates in California jails at the end of 2004 had not been sentenced. (California Board of Corrections 2005). The jail population on December 31, 2004 was much lower than the prison population on the same day, but the *annual* jail population was higher than the annual prison population. The jail population turns over much more quickly than the prison population; the average jail stay is 22 days (California Board of Corrections 2005), the average prison sentence is 25 months (California Department of Corrections and Rehabilitation 2005).⁸

Parole

In California, nearly every offender released from prison must serve a term of parole,⁹ a period of community-based supervision administered by the CDCR. Parole terms are typically one to three years, except for violent offenders, who are given five year parole terms (Petersilia 2006). There were 133,096 adult parolees in California at the end of 2004, amounting to 511 out of every 100,000 adult Californians (0.5%), and 16.4% of all Californians under correctional control. Parolees are accountable to a parole agent for their adherence to conditions of parole, such as obtaining employment, abstaining from drug and alcohol use, and avoiding association with other felons. Failure to comply with these conditions may result in a return to prison. The California parolee total also includes Parolees at Large (PALs), parolees who have absconded from supervision. On December 31, 2004, there were 19,328 parolees with PAL status (14.5% of all parolees).

Probation

At the end of 2004, 347,442 Californians were on probation, or 1,333 out of every 100,000 California adults (1.3%), and 42.7% of all Californians subject to correctional control. Each county administers

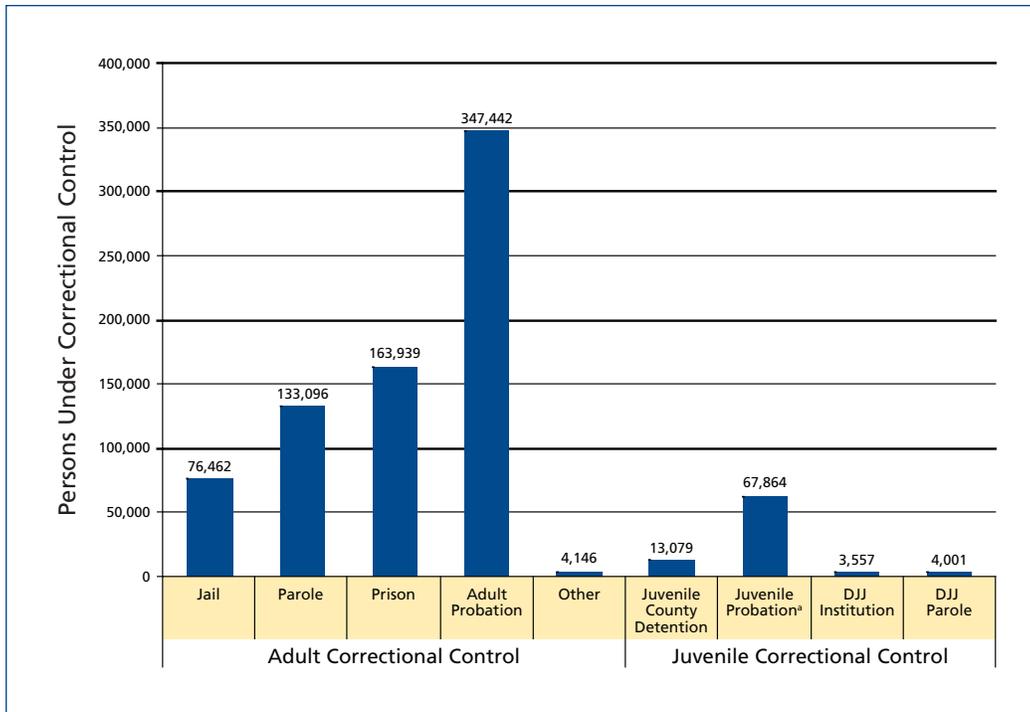


Figure 1. Persons Under Correctional Control in California by Type on December 31, 2004

^a The juvenile probation total is partially estimated. See methodology section for details.

probation, which is a community-based sanction. Probation can be given in lieu of incarceration, or can be served subsequent to a jail term. Probation officers are responsible for holding offenders accountable for adherence to the terms of probation, much like parole agents. Probationers who violate their terms of probation may be sent to jail or prison. In practice, the degree of control exercised over probationers varies greatly, depending on factors such as caseload size and the existence of specialized probation caseloads with intensive supervision.

California Adult Correctional Control in a National Context

In 2004, as mentioned previously, California had

the largest parolee population in the United States, the second largest probationer population after Texas (Glaze and Palla 2005), and the third largest prisoner population, after the federal system and Texas (Harrison and Beck 2005a).¹⁰ However, California's overall rate of adult correctional control fell below the national average. Of every 100,000 adult California residents, 2,766 were in prison, in jail, on probation or on parole (2.8%); the national average was 3,117 (3.1%). See Table 2 below.

As Table 2 indicates:

- California had 629 prisoners per every 100,000 adult residents, slightly higher than the national average of 603 prisoners per 100,000 adult residents, and slightly lower than the average

Status	CA rate per 100,000 adult residents	All states' rate per 100,000 adult residents	Large states' rate per 100,000 adult residents ^b
Prisoners	629	603	640
Jail Inmates	293	327 ^c	NA ^d
Parolees	511	302	434
Probationers	1,333	1,885	1,817
Total	2,766	3,117	Cannot calculate

^a All non-California rates were calculated from Bureau of Justice Statistics and U.S. Census data.

^b Included states were Florida, Illinois, New York, Pennsylvania and Texas.

^c The national jail rate was reported by the Bureau of Justice Statistics for mid-year 2004.

^d Reliable state-level jail rates were not available.

Table 2: California Adult Correctional Control Rates in a National Context December 31, 2004^a

Status	Total Population	Rate per 100,000 California residents ages 12-25 ^a	Percentage of California residents ages 12-25
DJJ institution inmates	3,557	49	0.05%
DJJ parolees	4,001	55	0.06%
Juvenile county detention inmates	13,079	181	0.18%
Juvenile probationers	67,864	937	0.94%
Total	88,501	1,222	1.22%

^a The California population aged 12-25 was estimated by applying the 2000 U.S. Census estimate of Californians falling into that age bracket (20.2%) to the 2004 U.S. Census total California population figure.

Table 3: Juveniles Under Correctional Control in California, December 31, 2004

among the next five most populous states of 640 prisoners per every 100,000 adult residents.

- California had 293 jail inmates per 100,000 adult residents, compared to 327 per 100,000 adult residents nationally.
- California's rate of probation supervision of 1,333 per 100,000 was much lower than the national average (1,885 per 100,000) and the large states' average (1,817 per 100,000), while its rate of parole supervision was higher than both. About 511 adult Californians were on parole per 100,000 adult residents, compared to 302 out of 100,000 nationally, and 434 parolees per 100,000 among other large states.
- Totalling California's prison, probation and parole rates, without jail, we find that California's rate of sanctioning at year-end 2004 (2,473 per 100,000 adult residents) fell below the large states' average of 2,891 per 100,000.

Average rates of correctional control across states mask significant differences in the "mix" of types of correctional control within individual states. A comparison of the rates of prison, adult parole and adult probation in California and the next five largest states in Figure 2 illustrates this phenomenon. In 2004, Texas used all three forms of correctional control at a higher rate than California, and New York used all three at a lower rate. Florida used probation supervision more than California, prison at nearly the same rate, and barely used parole supervision. Pennsylvania, by contrast, used prison at the lowest rate of any state, while using parole at the highest.

California's overall rate of adult correctional control does not appear to be out of step with national or large state rates. In fact, on average in 2004, California had a lower rate of adult correctional supervision than other states.¹¹ The prevalence of prisoners was slightly higher, and the prevalence of jail inmates slightly lower, than national averages. California is unusual in the extent to which it utilizes probation and parole. In 2004, it utilized probation at a lower rate than the national

average (but more than New York) and parole at a higher rate than the national average (but less than Texas and Pennsylvania.)

Petersilia (2006) explains how unusual features of California's parole system lead to high parole populations and long parole terms. Because nearly everyone released from prison in California is put on parole, and parole revocation rates are very high, offenders tend to cycle between prison stays and parole supervision over long periods of time – a process that some have called "churning." The phenomenon of churning highlights an important distinction in the analytical approach of this brief. We are principally concerned with one-day *counts* of offenders in the California correctional system, but examining offender *movements* may reveal a different story, as such analyses can account for the effects of shorter and longer periods of correctional supervision. For example, investigating the parole "churning" process, or the relative lengths of stay in prisons and jails, will tell us more than standing counts about the dynamics of correctional supervision in California. A future research bulletin will address this issue.

JUVENILE CORRECTIONAL CONTROL

Like adults, young offenders in California may be supervised by state or local criminal justice agencies. The state's Division of Juvenile Justice (DJJ) incarcerates the most serious young offenders in its facilities, and supervises those who are paroled from those facilities. Counties run local detention halls and camps, which hold young people who are sentenced to short terms of custody, those who are detained prior to adjudication and sentencing,¹² and those who violate terms of probation. Counties also supervise young offenders who are sentenced to probation.

At year-end 2004, 88,501 young people, or 1,222 out of every 100,000 California residents between the ages of 12 and 25, were under some form of juvenile correctional control (1.2%; see Table 3). It is critical to note that juvenile correctional control refers to control exercised by state and local juvenile justice agencies, regardless of whether the individu-

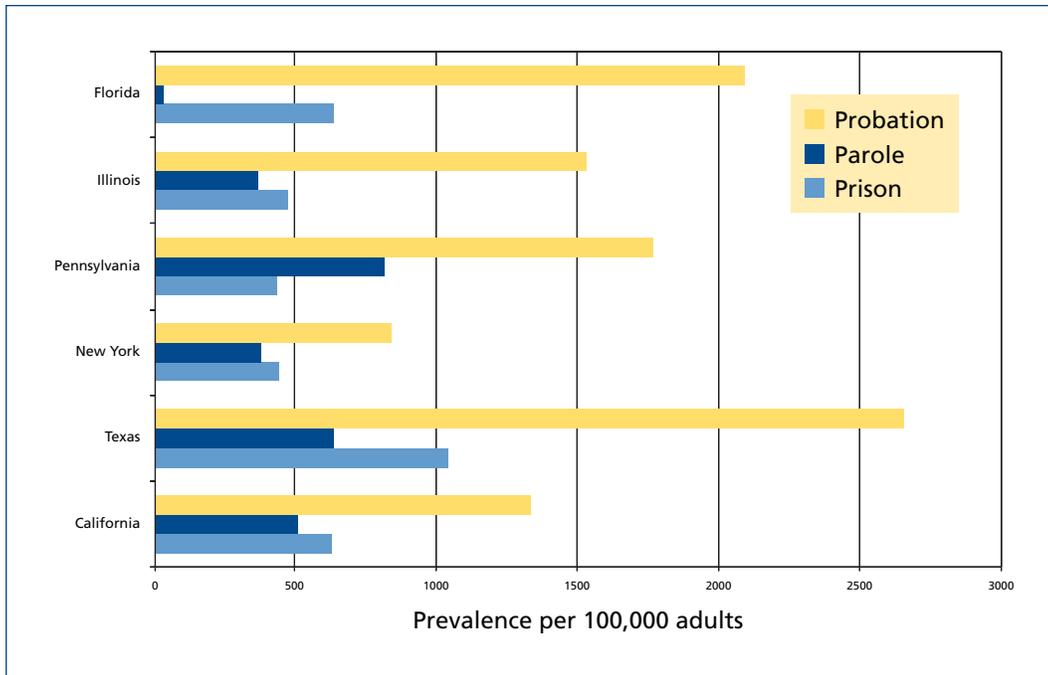


Figure 2. Distribution of Adult Correctional Control in Large States December 31, 2004^a

^a All non-California rates were calculated from 2004 Bureau of Justice Statistics and 2004 U.S. Census data.

als under supervision are legally adults. Many of the individuals under juvenile correctional control in California are over the age of 18. At year-end 2004, 76.2% of wards in DJJ institutions were 18 or older, as were 97.8% of DJJ parolees. In addition, 11.9% of inmates in county juvenile detention facilities were 18 and over. Age breakdowns for juvenile probationers were not available.

Juvenile probation was by far the most common form of supervision, accounting for 76.7% of individuals under juvenile correctional control. Fifteen percent were held in juvenile detention facilities operated by the counties, and 8.5% were under the control of the DJJ, split roughly evenly between incarcerated and parolee status.

At year-end 2004, DJJ managed 3,557 youths incarcerated in state juvenile institutions, as well as 4,001 who had been paroled from these institutions (see Table 3). At the same time, California counties housed 13,079 young people in juvenile detention facilities, and supervised 67,864 on juvenile probation.¹³

States differ considerably in the structure of their juvenile correctional control mechanisms, and in the age and other eligibility requirements for being placed under juvenile correctional control. Due to the difficulties in generating meaningful comparisons, we did not attempt an analysis of juvenile correctional control across states.

CORRECTIONAL CONTROL BY GENDER, RACE AND ETHNICITY

The prevalence of correctional control varies widely by gender and by race and ethnicity. In California at year-end 2004, males were five times as likely as females to be in juvenile detention, over seven times as likely to be in an adult jail, almost nine times as likely to be on adult parole, and nearly 15 times as likely to be under DJJ control or in an adult prison.¹⁴

As Table 4 shows, males were substantially more likely than females to be under all forms of correctional control in California, but these gender differences do not appear to be out of step with national

	Prisoners per 100,000 adults (within gender)	Parolees per 100,000 adults (within gender)	Jail inmates per 100,000 adults (within gender)	Juvenile county detention rate per 100,000 age 12-25 (within gender)	DJJ control rate per 100,000 persons age 12-25 (within gender) ^a
Male	1,189	921	518	295	191
Female	80	106	71	59	13

^a The DJJ control rate includes both institutional and parole populations.

Table 4: Prevalence of California Correctional Control by Gender, December 31, 2004

	California	United States ^a
Male prisoners per 100,000 men	1,189	1,159
Female prisoners per 100,000 women	80	82
Male parolees per 100,000 men	921	563
Female parolees per 100,000 women	106	72
Male jail inmates per 100,000 men	518	594
Female jail inmates per 100,000 women	71	78

^a United States rates were calculated from Bureau of Justice Statistics and U.S. Census data.

Table 5: California Adult Correctional Control by Gender in a National Context, 2004

rates. Table 5 above compares gender differences in California adult corrections to national averages. The ratio of male to female prisoners in California is very close to the national ratio (14.9:1 and 14.1:1, respectively), as is the ratio of male to female jail inmates (7.3:1 and 7.6:1, respectively). The ratio of male to female parolees in California (8.7:1) is slightly higher than the national ratio (7.8:1).

Racial and ethnic groups experience very different rates of correctional control in California as well. At year-end 2004, black Californians were almost seven times as likely to be in jail or on adult parole as whites, over eight times as likely to be in prison, and ten times as likely to be subject to DJJ control as whites. Hispanics were approximately twice as likely as whites to be in an adult prison, jail, or on adult parole, and they were about three times as likely to be subject to DJJ control. See Table 6 and Figure 3. Adult and juvenile probation and juvenile detention figures were not reported by racial/ethnic categories.

In addition to racial and ethnic differences in rates of correctional control, the absolute numbers are themselves striking, particularly for black

Californians. At the end of 2004, fully 3% of black adults in California were in prison (i.e., 3,048 out of 100,000), almost 2% were on parole, and 1% was in jail. Adding these percentages together, roughly 6% of black Californians were incarcerated or on parole at year-end 2004. In comparison, only 1.7% of Hispanic adults and 0.8% of white adults were incarcerated or on parole on this date.

Black and Hispanic adults are disproportionately represented in the California correctional system relative to their share of the overall population, but California is not unique in this regard. Table 7 on the next page compares California's rates of correctional control, by race and ethnicity, to national rates. Figure 3 illustrates these comparisons graphically. At year-end 2004, black Californians were 8.3 times as likely as white Californians to be in prison, while the national ratio was 7.6 to 1. Similarly, the ratio of black adult Californians to white adult Californians on parole was 6.6 to 1; the national ratio was very similar at 6.5 to 1. The ratio of black adult Californians to white adult Californians in jail was 6.6 to 1, while the national ratio was 5.5 to 1. In sum, differences between black and white rates of adult correctional control in California were slightly greater than the national rates.

Hispanic adults in California were under correctional supervision at higher rates than white adult Californians, but again, these patterns were not unusual relative to national averages. At year-end 2004, adult Hispanics in California were twice as likely to be in prison as adult whites, but nationally, adult Hispanics were over three times as likely to be in prison. The

ratio of adult Hispanic to white parolees in California was 1.9 to 1; the national ratio was 2.5 to 1. Finally, the ratio of adult Hispanic to white jail inmates in California was 2.2 to 1; the national ratio was 1.9 to 1. Differences between Hispanic and white rates of adult correctional control in California were actually slightly less pronounced than the national rates.

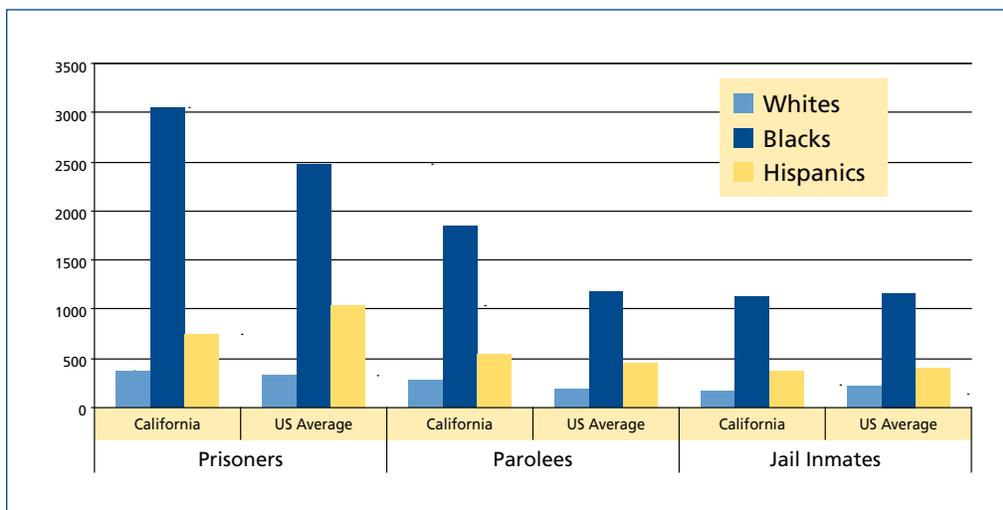


Figure 3. Prisoners, parolees and jail inmates per 100,000 adults in 2004, by race and ethnicity

	Prisoners per 100,000 adults (within racial/ethnic group)	Parolees per 100,000 adults (within racial/ethnic group) ^a	Jail rate per 100,000 adults (within racial/ethnic group) ^b	DJJ control rate per 100,000 persons age 12-25 (within racial/ethnic group) ^c
White	367	283	171	43
Black	3,048	1,854	1,131	432
Hispanic	751	541	368	126
Other	245	145	198	50

^a CDCR reports racial/ethnic composition of the active parolee population only. Individuals on Parolee at Large (PAL) are not included.

^b The racial/ethnic composition of the jail population was not reported. We utilized the 2001 racial/ethnic composition data for the California jail population reported in the Bureau of Justice Statistics Annual Survey of Jails, and assumed that racial/ethnic proportions of the jail population were the same in 2004.

^c Includes both institutional and parole populations.

Table 6: Prevalence of California Correctional Control by Race and Ethnicity

METHODOLOGY

This analysis was conducted using publicly available information from the state of California and the federal government. Race, ethnicity, gender and age sub-groups of the California and other state populations were calculated by applying relevant percentages from the 2000 U.S. Census to the Census Bureau's estimated California population on July 31, 2004.

Adult prevalence rates were calculated by dividing the number of individuals under a form of correctional control by the Census estimate of the California resident population over the age of 18. Juvenile prevalence rates were calculated by dividing the number of individuals under a form of juvenile correctional control by the Census estimate of the California resident population between the ages of 12 and 25.

Prison and Parole

All prison and parole data were abstracted from the California Department of Corrections and Rehabilitation's *California Prisoners and Parolees 2004*. Correctional and parolee population figures were total numbers as of December 31, 2004. Prison sub-population figures, such as race breakdowns, were reported as average daily population figures for the year. We applied the racial proportions within the 2004 average daily populations to the December 31, 2004 total population.

Jail

Jail data were abstracted from the California Board of Corrections' Jail Profile Survey for the 4th quarter of 2004. Numbers represent the average daily population for the 4th quarter.

Adult Probation

Adult probation data were obtained from the Criminal Justice Statistics

Center in the California Attorney General's Office.

Figures were standing numbers on December 31, 2004.

Division of Juvenile Justice

All DJJ data were abstracted from the Division of Juvenile Justice's *Quarterly Characteristics Report* for the 4th quarter of 2004. Figures were standing numbers on December 31, 2004.

Juvenile Detention

All juvenile detention data are taken from the Corrections Standards Authority's *Juvenile Detention Profile Survey, Fourth Quarter, 2004*. Figures represent the average daily population for the 4th quarter.

Juvenile Probation

All juvenile probation data are from the Criminal Justice Statistics Center, California Attorney General's Office. Figures for 52 out of 58 counties were standing numbers on December 31, 2004. Juvenile probationer counts for Ventura and Riverside counties were taken from 2003 reports. Figures for Del Norte, Plumas, San Joaquin and Sierra counties

	California	United States ^a
White prisoners per 100,000 white adults	367	329
Black prisoners per 100,000 black adults	3,048	2,484
Hispanic prisoners per 100,000 Hispanic adults	751	1,038
White parolees per 100,000 white adults	283	181
Black parolees per 100,000 black adults	1,854	1,179
Hispanic parolees per 100,000 Hispanic adults	541	458
White jail inmates per 100,000 white adults	171	212
Black jail inmates per 100,000 black adults	1,131	1,172
Hispanic jail inmates per 100,000 Hispanic adults	368	408

^a United States rates were calculated from Bureau of Justice Statistics and U.S. Census data.

Table 7: California Adult Correctional Control by Race in a National Context, 2004

were estimated by applying juvenile probationer rates per 100,000 for all other counties to the 2004 reported U.S. Census population for these counties.

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¹ State-level jail statistics are unavailable. However, in 2004, Los Angeles County reported the largest average daily jail population among all American counties. Of the twenty counties nationwide with the largest average daily jail populations, seven were in California (Harrison and Beck 2005b).

² State-level juvenile correctional control statistics are also unavailable for 2004. However, the federal Office of Juvenile Justice and Delinquency Prevention reports that in 2003, California had more juveniles in custody (16,782) than any other state (Snyder and Sickmund 2006).

³ We selected year-end 2004 as our measurement point because most California correctional agencies have released population reports for this point in time, but have not yet reported their 2005 populations.

⁴ Some people under correctional control in California are undocumented immigrants. For the most part, the number of undocumented immigrants under correctional control is unknown, although the California Board of Corrections (2005) reports that 11% of its inmates are undocumented immigrants. Therefore, undocumented immigrants are included in correctional agency counts (the rate numerator), but are not included in Census population estimates (the rate denominator). Unfortunately, it is

impossible to count the exact number of undocumented immigrants in California. We can only say that if this number were known and included in our calculations, the reported rates of correctional control would decrease by some amount.

⁵ It is important to keep in mind that these statistics are *one day standing counts*. They do not account for the total number of offenders who fall under each sanction each year. For example, on any given day, California prisons house many more offenders than California jails. But because jail stays, on average, are substantially shorter than prison stays, more Californians spend time in jails each year than in prison.

⁶ The California Division of Juvenile Justice also houses some young offenders who are between the ages of 18 and 25.

⁷ The number of prisoners now held in CDCR facilities is 171,121 (CDCR weekly population report, September 5, 2006.) <http://www.cya.ca.gov/ReportsResearch/OffenderInfoServices/WeeklyWed/TPOPIA/TPOPIAd060830.pdf>.

⁸ Twenty-five months is the average length of stay in prison for first releases to parole in California.

⁹ In 2004, 4,125 inmates were discharged from California prisons without parole supervision, against 120,598 offenders released to parole supervision. (California Department of Corrections and Rehabilitation 2005)

¹⁰ Again, state-level jail statistics are unavailable. However, in 2004, Los Angeles County reported the largest average daily jail population among all American counties. Of the twenty counties nationwide with the largest average daily jail populations, seven were in California (Harrison and Beck 2005b).

¹¹ While California is not anomalous compared to other U.S. states, it is important to note that, as a whole, the U.S. has much higher rates of control than other industrialized democracies (see, for example, Lynch 2002).

¹² At the end of 2004, 41.5% of California's juvenile detainees had not been sentenced.

¹³ Sixty-six percent of juvenile probationers are subject to wardship probation, by which a juvenile becomes a ward of the court throughout the duration of their term of probation supervision. Sixteen percent are subject to informal probation, by which a youthful offender is not a ward of the court, but instead supervised by a probation officer under a contractual agreement with the minor's parent or guardian, for a period not to exceed six months. Five percent are subject to non-ward probation, which is similar to informal probation, but without the contractual agreement. Nine percent have diversion status, meaning that probation maintains responsibility for the minor, but has referred or delivered that minor to a contracted provider of diversion services, in lieu of active probation supervision. Four percent have deferred entry of judgment status, through which a juvenile ward receives supervision much like a formal ward, but will have the case against him or her dismissed after one year if there is no violation of probation activity.

¹⁴ California adult and juvenile probation figures are not available by gender.

¹⁵ This report was published by the California Youth Authority, which was renamed the Division of Juvenile Justice in 2005.

¹⁶ This report was published by the California Board of Corrections, which was renamed the Corrections Standards Authority in 2005.