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Parole, the right way

October 08, 2007 | Joan Petersilia | Joan Petersilia, professor of criminology at UC Irvine, chaired the governor's Rehabilitation Strike Team.

About 120,000 inmates are released from California prisons every year. Nearly every one is put on parole, usually for from one to three years, regardless of whether they were convicted of check fraud or attempted murder, drug possession or aggravated assault.

This isn't true in other states. In Ohio, Massachusetts and Florida, for example, just 40% of offenders released from prison get parole supervision. But those 40% are the most high risk, and they get more attention.

It may seem counterintuitive, but putting fewer people on parole makes our streets safer. That fact is at the heart of fundamental reforms that will be tested for three months beginning in November by parole agents in Orange and San Bernardino counties. With approval from the state parole board, the changes could be rolled out across the state throughout 2008.

I led the governor's "strike team" on parole reform and led the research behind these reforms, so I want to be sure that the public understands them.

The reforms, which were adopted by the California Department of Corrections and Rehabilitation, are based on three principles. First, the primary goal of parole is public safety. Second, limited parole resources must be focused where they'll do the most good. And third, any parole reforms must reduce the chance that offenders will commit new crimes, because new crimes mean new victims.

For years, California's shotgun approach to parole has resulted in a situation in which parole agents can manage only minimal contact with the men and women they are supposed to supervise. About 80% of parolees have fewer than two 15-minute face-to-face meetings with a parole agent each month, nearly all of which take place in the agent's office. Even the most dangerous parolees get little oversight: Current rules require the same two monthly meetings, but one must take place in the parolees' residence. Parolees also may be drug tested, but only monthly.

California parolees don't get the help they need, either. A recent report found that just 20% participate in substance-abuse, education or job-training programs while on parole.

This low level of interaction with parolees does not prevent crime. Two-thirds of all California parolees will be back in prison within three years -- twice the national average. Most commit administrative violations and will serve five months, be released, and the revolving-door process begins again. Many California parolees end up serving a life sentence on the installment plan.

California can do better -- and we will -- by concentrating on the bad guys, those most likely to commit new crimes. Even after completing a lengthy prison sentence, some offenders remain a danger to society. A check forger is different than a murderer -- you don't need to be a criminologist to know that.

But how will the corrections system sort out the high- and low-risk parolees?

The new policy uses a meticulous and well-tested screening process, one that is used by nearly 500 correctional agencies worldwide. As they leave prison, parolees have their entire juvenile and adult criminal record evaluated, looking at 26 specific factors. This assessment gives California parole officers -- for the first time ever -- a numeric estimate of each offender's potential for success or failure.

Those at the low-risk end of the scale are eligible for "earned discharge" of their parole supervision at the end of six months in the community. During those six months, they must demonstrate that they can find stable housing, be successful in drug and alcohol rehabilitation, be financially self-sufficient, pay victim restitution and remain arrest-free -- in essence, prove that they're able to lead law-abiding lives.

But the final decision to discharge a parolee still rests with parole officers and their supervisors. Even if the statistical assessment and six-month behavioral review recommend discharge, agents can override that. No assessment can fully replace the instincts of officers who work directly with offenders.

Violent criminals, gang members, those about to be deported and sex offenders are not, under any circumstances, eligible for earned discharge.

By reallocating existing resources, the state should be able to concentrate more effectively on the more dangerous felons. Other states supervise high-risk parolees with weekly -- not monthly -- home visits and drug tests.

The status quo on parole hasn't worked. Without these changes, California almost certainly will continue to have the nation's highest recidivism rate. These reforms put us on the right path. They empower parole officers and the parole board with the best scientific information available. They motivate low-risk, nonviolent parolees to rehabilitate instead of re-offend. They respect the experience and wisdom of parole officers. And most important, they go to the heart of why we have parole in the first place: to protect the public.

