Meeting the Challenges of Rehabilitation in California's Prison and Parole System

A Report from
Governor Schwarzenegger's
Rehabilitation Strike Team

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In Phase II of the RST, which unfolded from September 2007 to December 2007, working groups were formed to address the four initiatives described in this report. RST members Valerie Jenness, Ph.D., and Joseph Lehman served as co-chairs the work group on Endorsement and Classification, which benefited immensely from the wise counsel of many CDCR administrators, including: Steve Chapman, Assistant Secretary, Office of Research; Lea Ann Chrones, Associate Director, Reception Centers; John DePue, COMPAS Project Manager; Marilyn Kalvelage, Deputy Director, Division of Adult Parole Operations (DAPO); Scott Kernan, Chief Deputy Secretary, Division of Adult Institutions; Ross Meier, Facility Captain, Classification Services, Division of Adult Institutions; David Runnels, Undersecretary, Operations; Frank Russell, Director, Division of Education, Vocations, and Offender Programs (DEVOP); Wendy Still, Associate Director, Female Offender Institutions and Programs; and Rick Winistorfer, Parole Administrator, DAPO. In addition, Susan Fisher, Crime Victim Advocate, Office of Governor Schwarzenegger, Corinna Martinez, Office of Project Management for the CDCR, and Elaina Jannell, Ph.D., CDCR clinical psychologist, provided useful insight into viable ways of reforming the process whereby offenders are classified, endorsed, and provided rehabilitative services. Philip Goodman, a doctoral student at the University of California, Irvine (UCI) and Tina Coursey, Classification Services, CDCR, skillfully provided research assistance to this work group.

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The Parole Working Group also worked closely with a research team to develop the risk assessment instrument. This team consisted of Barney Barnoski, Ph.D., formerly of Washington State Institute for Public Policy; Sean Hosman and Liz Cass from Assessments.com; Jesse Jannetta, Susan Turner, and Jim Hess at the University of California, Irvine Center for Evidence-Based Corrections; and Larry Carr and Steve Chapman, Ph.D. from CDCR Office of Research. Madeline Carter, Peggy Burke, Leilah Gilligan, and Richard Stroker, from the Center for Effective Public Policy, are developing the parole violation matrix.

To these individuals and the countless others who participated in the RST efforts, we are extraordinarily grateful. We hope our collective energies will help to add the "R" to CDC__ that will once again allow California to be a nationwide leader in providing effective services to prisoners and parolees.

Executive Summary

In May 2007, Governor Schwarzenegger signed into law the Public Safety and Offender Rehabilitation Services Act of 2007, also known as Assembly Bill 900. AB 900 addresses the state's prison crowding crisis by providing $7.7 billion to add 53,000 state prison and county jail beds, the largest prison expansion in a generation. However, AB 900's funding for prison expansion is contingent upon the Department of Corrections and Rehabilitation's (CDCR) meeting specific rehabilitation program benchmarks. For example, AB 900 requires the "proper assessment and placement of offenders in rehabilitation programs when they enter the system, and then again when they are a year away from release to parole," and "increased offender participation in vocational education classes and education programs."

As the Governor said in signing AB 900, "Every bed that we add will include rehabilitation programs and in that critical few months before an inmate is released, our reentry facilities will focus intensely on job training and placement, on education, on anger management, substance abuse, and family counseling and housing placement." The Governor characterized AB 900 as a "seismic shift" in the way that California incarcerates as a result of a newfound emphasis on rehabilitation.

All of this sounds appealing and well-intentioned, but it is no small order. Over the last three decades, California has dismantled most rehabilitation programs. Of the $43,300 spent per prisoner annually, just $2,053 (5%) is spent on rehabilitation programs. The correctional culture is now focused mostly on custody concerns rather than rehabilitation. Because of overcrowding, prisoners now sleep in space previously used for teaching, vocational education, and drug treatment programs. The Governor was correct in noting, "AB 900 is a major step forward, but now the real work begins."

To assist the CDCR in implementing AB 900, the Governor established two strike teams composed of more than thirty experts from universities, community organizations, and state government. The Facilities Strike Team focused on prison construction issues, and the Rehabilitation Strike Team (RST) focused on developing and implementing prison and parole programs. Kathy Jett served as chair of the RST during Phase I, from May through August 2007, when she was appointed CDCR's first Undersecretary of Programs. Joan Petersilia, Ph.D. served as the RST chair during Phase II, from September through December 2007, when the RST activities concluded. This report primarily describes the RST activities during Phase II.

During the first few months (May through August 2007), the RST worked on setting the stage for meeting specific AB 900 benchmarks, for example, expanding substance abuse treatment availability in prison. The RST also drafted technical amendments to AB 900, including the definition of all key terms, and helped expedite contracts to hire consultants to help CDCR improve its prison population projections, develop a risk assessment tool, and improve its parole violation procedures. Importantly, the RST also held five day-long focus groups to assess parole; institutions; classification and endorsements; rehabilitation programming, and secure reentry centers. Over a hundred people participated in these focus groups and they proved essential in focusing the RST's attention in Phase II.

In September 2007, the RST decided to pursue a four-pronged strategy for bringing rehabilitation programs back into the California corrections system. These initiatives are:

- The development of an **Offender Accountability and Rehabilitation Plan (OARP)** designed to assesses inmates' needs at intake (an effort already begun by CDCR), and direct inmates to appropriate rehabilitation programs and services in prison and on parole;
- The identification of **rehabilitation-oriented training curriculum for correctional and rehabilitation staff, and a method of delivering that curriculum** via the California Community College Districts;
- The installment of a **Prison to Employment Program** designed to facilitate offenders' successful employment after release, initially using California's existing Workforce Investment Boards, and eventually installing a comprehensive *New Start* employment program;
- The **implementation of parole reform** anchored in the structural possibility of earned discharge or banked caseloads, and guided by a new risk assessment tool and a parole violation decision-making matrix.

The details of the four initiatives are described in the subsequent chapters of this report. Each chapter includes a discussion of the background motivating the initiative, the details of the proposed changes and their anticipated impacts, a timeline for implementation, and a discussion of implementation challenges. The timelines suggested are the RST's best effort at delineating what needs to happen and by when. Some of the recommendations require partnership agreements, the timing of which is not totally under the control of CDCR. It is intended only as a guide to CDCR as they will need to develop more detailed schedules. More importantly, the CDCR needs sufficient resources to implement the recommendations. The RST was in close dialogue with the CDCR about their current budget and believes it has sufficient resources to begin implementing each of the four initiatives. However, as the programs expand, CDCR and the Legislature will need to reconcile budget issues with new program-oriented priorities.

Other program initiatives also deserve sustained attention (e.g., faith-based collaborations, services for the mentally ill) but considering the expertise and limited time of the RST—along with the perceived contribution that such activities would make to AB 900—these four were prioritized. If implemented, these initiatives will finally put the "R" for Rehabilitation back into the California Department of Corrections and Rehabilitation. Without them, we will just keep filling up the prison beds we have expanded.

Develop Case Management to 'Get the Right Inmate, to the Right Program, at the Right Time'

The CDCR cannot incorporate rehabilitation into its core mission without a new case management plan to systematically identify those prisoners who need and can benefit from different types of treatment. Plans must be behaviorally specific, and prisoners must be assessed, routed to appropriate evidence-based programs, and once released, continuity of treatment must be assured. California does not have a comprehensive case management system. As a result, inmates are often assigned to programs based on factors unrelated to their risk level or when they will be released. Prison program participation is mostly dependent on an inmates' length of stay. Inmates with longer sentences eventually work their way into the more premium program slots (e.g., Prison Industries). This practice virtually ensures that prisoners and available rehabilitation programs are not appropriately matched.

The goal of a case management system is to facilitate and document the assessment of risk and criminogenic needs, and target higher-risk offenders with the appropriate dosage and sequencing of treatment in order to maximize rehabilitation benefits. Reaching these goals requires effectively

linking the reception center, the prison, and the parole region though the development of an individualized plan that follows each offender through the system.

The RST, collaborating closely with CDCR staff, spent considerable time developing a new case management system. Known as the Offender Accountability and Rehabilitation Plan (OARP), it relies upon well-trained personnel, the effective deployment of validated risk and needs assessments, coordination and information sharing between those charged with managing offenders as they move throughout the system, and the provision of appropriate rehabilitative programming—both in correctional facilities and in the community—for inmates who are well-suited to benefit from it. The RST created flow diagrams illustrating how the process would work in reception centers, prisons, and on parole, and also developed the initial template that could constitute the fields in a new computerized CDCR case management system. The OARP begins in the reception centers and extends into the prisons and parole system, effectively linking these three parts of the system through a shared focus on the offender risk, amenability to treatment, and when appropriate, the provision of rehabilitation services.

By relying upon correctional personnel in each of these domains who are tasked with producing, monitoring, and implementing the OARP, offenders can be better assessed, classified, endorsed, and routed to appropriate rehabilitative programs. Their performance can be measured at key points in their institutional history and in the community. The focus is risk-based decision making and programming, with an emphasis on targeting higher risk offenders. The ultimate goal is to reduce recidivism through rehabilitation and successful reentry.

The CDCR has agreed to a demonstration project that is slated to begin in Summer 2008. At that time, all male inmates serving six months or longer in prison will be subject to the new OARP if they are sent to the Reception Center at Deuel Vocational Institution (DVI) in Tracy; endorsed to Facility 3 at the California State Prison, Solano in Vacaville; and released to Parole Region I, with a focus on Sacramento and San Joaquin counties. Evaluators will study the project's costs and benefits and consider revision and statewide expansion.

Identify Rehabilitation Curriculum and Appropriately Train CDCR Personnel

The OARP will not be successful and CDCR will not be able to incorporate rehabilitation into its core mission, if staff are not properly motivated and trained. It would be as if a hospital purchased a state of the art X-ray machine but had no trained staff to interpret the results or provide appropriate treatment. Staff training is a necessary precursor to upgrading CDCR rehabilitation programs—and eventually, changing the entire agency culture to one that embraces its rehabilitation mission.

The staff training challenge is formidable, in large part because of the size and geographical dispersion of the workforce to be trained, insufficient resources for training, and the lack of internal CDCR expertise to conduct the training. CDCR has a total of more than 55,000 employees, representing 16% of the State of California's employees, making corrections the largest employer in the state Civil Service. But the RST, working closely with CDCR's Office of Training and Professional Development (OTPD), believes it has devised an optimal training plan. By partnering with the the California Community College System (CCCS), which operates 109 campuses throughout the State, the CDCR could develop and deliver a set of standardized and customized training courses. Selected staff could be trained on specific rehabilitation program techniques, and staff who wish to might also be able to qualify for various rehabilitation certifications permitting some custody staff to move into more treatment-oriented positions. The CDCR and the CCCS have recently successfully collaborated on new-recruit training, and this expanded collaboration makes good sense. The RST

drafted an Interagency Agreement (IA) to expedite this collaboration between CDCR and CCCS, and this IA should be given highest priority. The RST recommends prioritizing training for the staff involved in the OARP demonstration project, described above. Once that training is implemented and evaluated for its impact, selected curricula can be incorporated into the Academy and expanded systemwide.

Of course it is not just a matter of how to deliver treatment but also of deciding what courses and programs to offer. The RST conducted a preliminary survey of best practices programs nationally and working with the CDCR has now made a series of specific program and curriculum recommendations. Those recommendations include continuing with the Therapeutic Community, as being revamped, implementing the quality programs developed by CDCR's Female Offenders Division, and continuing the ongoing audit of CDCR's educational and vocational programs, improving or discontinuing out-of-compliance classes.

With the assistance of the Undersecretary of Programs and in accordance with the recent California Expert Panel Report, the RST also identified the first set of Core Offender Programs. These programs include: Motivational Interviewing (MI), Motivational Enhancement Therapy (MET), Thinking for a Change (T4C), Control Anger & Learning to Manage (CALM), Aggression Replacement Training (ART), and the Getting It Right life skills programs. The choice of these specific programs was influenced by other states' experiences, some outcome data, and program cost. For the most part, however, rigorous program evaluations were unavailable. If California chooses to implement these programs, they should be accompanied by evaluations of their impacts on recidivism.

Substantial financial and human resources will need to be provided to the OTPD and the Undersecretary for Programs in order to deliver the type and volume of training needed, to have the needed headquarters management infrastructure, and to have sufficient qualified managers, supervisors, and staff providing rehabilitation programs with quality assurance components. This new training effort must be managed centrally, with standardized curriculum and instructor qualifications, also with a quality assurance component. There must be training for correctional and rehabilitation staff, and a very substantial management training program as well to assure that the CDCR leadership is fully educated on the principles of effective rehabilitation.

Assist Prisoners to Prepare for and Obtain Employment after Release

Recidivism reduction efforts cannot end at the prison's gate. Over 95% of California prisoners will eventually be released—and they urgently need a legitimate means of support. Holding a job remains one of the best predictors of parole success. The RST found that the CDCR operates many education and employment programs throughout the state, at a cost of an estimated $233 million annually for core programs only. These programs include the Prison Industry Authority, the Offender Employment Continuum, the Parolee Employment Program, the Parolee Job Program, Parolee Service Centers, Computer Literacy Learning Centers, the Female Offender Treatment and Employment Program, and several others. Some of these programs are good, yet their limited capacity means that the vast majority of offenders fail to participate in them. For example, for the 134,000 prisoners who left California prisons in 2006, just 10% had participated in *any* vocational education, and an additional 18% will have participated in more traditional classroom academic education. And most inmates do not participate in more than one program while in prison, despite the fact that prisoner have multiple needs. Perhaps most alarming is this statistic: fully 50% of all exiting California prisoners did not participate in *any* rehabilitation or work program nor did they have a work assignment, during their entire prison term (which now averages two years).

California parolees do not get much assistance either: just 10% of parolees participate in education or vocational programs while on parole. For example, about 2% of parolees participate in the State's Computerized Literacy Learning Centers, despite the fact that estimates suggest 1 in 5 prisoners are completely illiterate and 40% are functionally illiterate. This lack of training certainly contributes to the 60% to 80% parolee unemployment rate one year after prison release.

The RST also became acutely aware that there is no single entity coordinating the dozens of offender employment programs, nor are the costs and benefits of program participation monitored. There is also no mechanism for assuring the continuity between the CDCR job training and job placement. There is also no review of programs to assure that the training now being delivered is relevant to the labor market demands in the community prisoners are returning to. For example, it makes little sense to train prisoners to milk cows in a dairy when they will be paroled to South Central Los Angeles.

To improve this situation, the RST recommends the appointment of a new Director of Employment at the CDCR. That person would oversee a joint management team responsible for expanding and upgrading the quality of the CDCR education and vocational programs, assuring a continuity between prison and parole programs, and for reviewing the relevance of the programs. They would also continue to hold community Stakeholder Forums to help identify employers around the state who are willing to hiring parolees. Other states have have taken a more proactive stance in identifying willing employers. Texas, for example, has a list of 12,000 employers willing to hire ex-convicts, while California has develop no such list.

Like the recommendation above pertaining to staff training, the RST also recommends that CDCR create a formal working relationship with another State agency to meet its urgent needs. The RST strongly recommends the establishment of a partnership between the CDCR and the California Workforce Investment Board (CWIB). CWIBs assist the Governor in setting and guiding policy in the area of workforce development. The Board partners with 49 local workforce investment boards and more than 200 One-Stop Centers around the State that are authorized by federal law to provide employment assistance to all Californians, including parolees. While they have the authority and mandate to assist parolees with employment, they have never been asked to formally do so. By strategically utilizing this integrated and comprehensive statewide network of One-Stop Centers, the CWIB has the potential to marshal existing resources, including a well-established infrastructure, to support the employment of parolees in their local communities. This partnership would allow for better coordination of existing California employment related programs.

The RST lays out a phased-in approach to working collaboratively with the CWIB. The first phase of can begin as early in 2008 with local workforce investment boards and One Stop Centers coordinating existing employment-related programs in a select group of counties in Northern and Southern California. Several counties have already indicated a willingness to participate, and a CDCR Prison-to-Employment work group has begun to work effectively together. First steps will be taken to enable One Stop Centers to secure employment documents prior to an inmate's release (e.g., driver's license or California Identification, social security card, birth certificate). Once released, CWIB will work with parolees to find a job. CWIB's local expertise and documented success in placing 'hard to employ' people should improve the job prospects for California parolees immediately. Lessons learned from the first phase could then be extended to additional counties.

In the long term, the RST recommends that California install a more comprehensive offender employment system modeled after Project RIO (Reintegration of Offenders), Texas' long-standing and successful ex-offender jobs program. RIO has been operating since 1993 and is credited with

keeping about 40% of those who enter the program employed, compared with 24% for those who do not enroll. And the recidivism rate for RIO participants was one-fifth the rate of those who did not participate.

The RST recommends that the new project *New Start* be piloted as a demonstration project in conjunction with the opening of the Secure Reentry Facility in Stockton in 2008-2009. The local Workforce Investment Boards (WIB) can assist in securing needed employment documents prior to release and transmitting this information to the local One-Stop Centers prior to an inmate's release. Upon release from the reentry facility, parolees will be channeled through the One-Stop Centers for employment assistance and follow-up. An external evaluator will review the *New Start* demonstration project to track ex-offenders and collect outcome data. Training and staff development will continue for WIB and other personnel, as appropriate. *New Start* will also incorporate community and faith-based organizations as an integral part of the system that supports parolee reentry.

Realign Parole Resources with Offender Risk and Needs

About 120,000 inmates get released from California prisons every year. Every one of them is put on parole supervision, usually for one to three years. Because California's prison populations has more than quadrupled in the past twenty years, so too has its parole population. California's parole population now equals about 126,000 persons, and is growing at a faster rate than its prison population (8% in 2007 for parole vs. 0.4% for prisons). The upshot is that California's parole system is so overburdened that parolees who represent a serious public safety risk are not watched closely enough, and those who wish to go straight can not get the help they need. Nearly 17% of all California parolees—more than 20,000 people—are "parolees at large," meaning they have absconded supervision and their whereabouts are unknown. This is the highest abscond rate in the nation and is far above the 7% national average.

About 80% of all California parolees have fewer than two, 15-minute face-to-face meetings with a parole agent each month, and nearly all of them take place in the parole agents' office. And even the most high-risk parolees have little supervision. Current rules require agents who supervise the most dangerous parolees to have the same two face-to-face contacts per month, but one of those visits must take place in the parolees' residence. Parolees may also be drug tested, but in no instance, is the required drug testing more frequent than monthly.

This low level of supervision and programming does not prevent crime. Two-thirds of all California parolees will be returned to prison within three years—twice the national average. Most parolees are returned to prison through the administrative "revocation" process in lieu of a new criminal prosecution. They for will serve an average of just four months back in prison only to be released again, where the revolving door process begins again. California parolees end up "serving a life sentence on the installment plan" because they can never successfully complete parole.

One obvious solution is to better utilize empirically based risk assessment instruments to realign available resources with offender risk and needs. Despite the fact that empirically-based risk instruments have demonstrated their ability to identify high-risk parolees who are four to five times more likely to recidivate than low risk parolees, this knowledge is not routinely used to allocate parole resources in California—unlike practices in nearly every other state. We recommended that California's limited parole resources (about 1/10th of CDCR's overall budget) be more targeted to where they will do the most good. To do that, the RST worked with CDCR's research division to obtain the necessary Department of Justice recidivism data to develop a California validated risk assessment tool. Statistical experts from Washington and University of California, Irvine are now

constructing the first-ever California Validated Risk Assessment Tool. It will be ready for testing in January 2008.

Having a better risk assessment tool will allow CDCR to better manage a parolee's reentry—surveillance can be increased for high-risk offenders, and services can be tailored for others. One element of promoting successful reentry is to engage offenders in efforts at self change. They need to be encouraged and motivated to participate in various activities like drug treatment, job training, and other activities that reduce the likelihood of re-offending. As the Expert Panel noted, "The CDCR treats offenders who successfully complete rehabilitation programs and positively manage their behaviors in roughly the same manner as those who do not."

Parolees have consistently said that one of the strongest motivators to enroll in rehabilitation programs and keep them attending would be the prospect of getting off parole supervision. Today, parolees are successfully discharged from parole if they adhere to their parole conditions (mostly, remain crime-free) for the length of that pre-assigned time period. They have little opportunity to reduce the length of their imposed parole term once it has been imposed. By providing the opportunity for an accelerated release date as an incentive, parole agents can motivate parolees to participate in targeted interventions that will increase their chances of successful transition.

The RST, working, closely with CDCR and Division of Adult Parole Operations (DAPO), developed a small "earned discharge" demonstration project, which was unveiled in September 2007 in Orange and San Bernardino counties. The pilot test permits very low risk offenders to be eligible for parole discharge or placed on a banked (unsupervised) parole caseload, after six months rather than the customary one year. To do this, they must meet a specific set of requirements. In weighing eligibility, officials will consider an offender's complete prior criminal record, as well as evidence such as parolees' employment status, successful completion of rehabilitation programs, and whether they have a stable residence. These criteria, when met, are good predictors of lawful behavior. As these well-performing parolees earn their way off supervision, parole agents can devote more resources to supervising more dangerous parolees. Evaluators will study the impact of the project, and depending on the results, an earned discharge procedure may be expanded throughout California in 2008.

California has the nation's highest return-to-prison rate, mostly explained by its use of prison terms to punish parole violators. If California were to begin diverting some of its less serious parolees to community-based intermediate sanctions, it would have less need for prison beds. In compliance with *Valdivia v. Schwarzenegger,* parole agents have already begun to implement intermediate sanctions, such as electronic monitoring, in lieu of prison for non-serious parole violators. Participation in well-designed intermediate sanctions programs has been shown to reduce recidivism, thereby significantly increasing public safety. Other states effectively use intermediate sanctions to respond appropriately to parole violations, and every report on California's correctional system has urged California officials to adopt these best practices.

CDCR Secretary Tilton prioritized parole reform early in his administration. He called for risk assessment tools, intermediate sanctions, and a parole violation decision matrix. California's recent Expert Panel also recommend that the CDCR develop and implement structured sanctions—based on the seriousness of the violation and offender risk to re-offend—for parole violators returned to prison administratively. The Center for Effective Public Policy (CEPP) is now assisting CDCR to develop such a parole violation matrix, and it will be ready for field testing in April 2008. With the parole violation matrix in hand, California will be able to make better use of its resources by providing a range of interventions for failing parolees.

The status quo on parole is not working. Without these changes to the system, California almost certainly will continue to have the highest recidivism rates in the country. The RST believes these reforms put us on the right path to fundamentally reforming California's parole system.

Can and Will Corrections Reform Happen?

The time for report writing is over. The benefits of these initiatives are beyond debate. Dozens of California officials reviewed the initiatives and attendant implementation plans presented in these chapters and the bipartisan consensus is that they make good policy sense. Indeed, at least three statewide commissions have endorsed similar proposals over the past five years, calling specifically for the detailed plans that comprise this report. And we know that such programs can work. Similar "best practices" proposals have worked in other states to better prepare inmates for reentry, reduce prison returns, protect public safety, and reduce the costs of corrections.

But can CDCR get it done? If we are so well informed, why aren't we more effective? The quick answer is undeniable: It is one thing to know *what* to do, it is quite another to actually *do* it. The "knowing-doing" gap plagues all public agencies, but it is arguably the most problematic in California's corrections. During the last year, in response to organizational challenges faced by CDCR, Secretary Tilton established several high-level administrative positions, including the Undersecretary for Administration and the Undersecretary for Programs. During the same time, aggressive recruitment efforts led to the filling of 51 key managerial vacancies. These efforts are laudable and set the stage for implementing the types of reforms advocated here.

The RST does not underestimate the many difficulties associated with implementing sustained changed in California corrections. But the fact remains: corrections agencies have reformed in other states and in California during previous eras. What does it take? Experts have found that transformational change of the type advocated in this report requires: leadership at the top to create a clear and compelling vision, line-staff participation to build internal support and overcome resistance, political and public support, sufficient resources, and a realistic time frame. Although there are no silver bullets and we should not underestimate the difficulties of implementing reform, aligning these ingredients is arguably our best bet. In the vernacular, all of us—correctional managers and staff, legislative leaders, the public, and offenders themselves—have to pull in the same direction at the same time, something we are not well-rehearsed at doing and, in fact, something we seem unable to do with respect to California corrections. But unless we are able to do so, it is unlikely that we will see any significant change in the horrific conditions inside our State's prisons and rehabilitation will certainly remain beyond the reach of the CDCR.

I. Introduction and Overview

California's prisons house a record number of inmates, making California's prison system the largest state correctional system in the United States, with a total inmate population of more than 170,000. Due to the record number of inmates, California's prisons are so overcrowded that the California Department of Corrections (CDCR) is required to house more than 17,000 inmates in prison areas never intended for inmate housing, including common areas such as prison gymnasiums, day-rooms, and treatment rooms. At the same time, in an attempt to alleviate overcrowding, the CDCR has sent approximately 2,000 inmates out-of-state to serve their time. Overcrowding causes harm to people and property, results in increased risk of transmission of infectious illnesses, leads to inmate unrest and misconduct, threatens the safety of correctional officers and inmates, contributes to gang violence, and reduces the ability to run rehabilitation programs that have been shown to reduce recidivism and thereby protect public safety.

No one debates the exorbitant fiscal, social, and human costs associated with prison overcrowding. There is increasing acceptance of the view that we cannot simply build our way out of this crisis; rather, increased capacity must be accompanied by a move away from simply warehousing offenders toward providing evidence-based rehabilitation services to offenders. If we reasonably expect to reduce incarceration rates in California in the future in a way that simultaneously protects and enhances public safety, it is imperative that we get offenders to the right services at the right time with the right staff, send them back to our communities prepared to live non-criminal lives, and respond to parole violations in a way that focuses attention on high-risk offenders.

In response to California's prison crowding crisis and the CDCR's failure to deliver adequate rehabilitation services, the Governor and CDCR proposed a comprehensive prison and parole reform package in January 2007, which culminated in the passage of the Public Safety and Offender Rehabilitation Services Act of 2007, also known as Assembly Bill (AB) 900. AB 900 provided $7.7 billion to add 53,000 state prison and county jail beds. Rehabilitation services—like substance abuse treatment, mental health services and vocational education—must accompany every new prison bed. AB 900 also funds 16,000 beds in Secure Reentry Facilities, which are 50 to 500-bed secure rehabilitation centers that will give prisoners job training, mental health and substance abuse counseling, housing placement, and other services in the twelve months prior to their release.[1] These and related provisions associated with AB 900 are commensurate with numerous expert reports that detail recommendations for reforming the CDCR. Now the task before CDCR is to effectively implement recommendations commensurate with reaching the goals of AB 900.

To assist with the implementation of AB 900, Governor Schwarzenegger established two Strike Teams. Deborah Hysen, now the CDCR's Chief Deputy Secretary for Facilities, Planning, and Construction Program, served as Chair of the Facilities Strike Team (FST) charged with accelerating

[1] The RST originally intended to include secure reentry centers as part of its work. In July 2007, the RST held a secure reentry facility planning meeting to develop strategies for implementing such community-based facilities. This meeting was co-chaired by Marisela Montes, then Chief Deputy Secretary, Adult Programs, CDCR, and Redlands Police Chief James Bueermann. About forty people attended that productive meeting. In late July 2007, CDCR appointed a Reentry Advisory Committee, a statewide group established through Assembly Bill 3064, and their charter was to advise CDCR on all matters related to reentry programs including the reentry centers. In addition, CDCR began a statewide informational strategy, which included hosting ten regional workshops throughout California to discuss parolee needs and standards for reentry facilities. Given the complexity of funding and designing the secure reentry facilities, CDCR executive management assumed primary responsibility for the reentry centers in August 2007. For more information, visit the CDCR website at wwww.cdcr.ca.gov and click on the secure community reentry link.

the design and construction of new prison beds. Kathy Jett and Joan Petersilia chaired the Rehabilitation Strike Team (RST) charged with assisting with the development and implementation of prison and parole rehabilitation programs. This report describes the activities and accomplishment of the RST.

The activities of the RST proceeded in two phases. The first phase focused on agenda-setting and setting the stage for meeting the AB 900 benchmarks, for example expanding substance abuse treatment availability in prison, increasing inmate participation in academic and vocational education programs by 10%, and decreasing the teacher and treatment personnel vacancy rate. In addition, under the leadership of Kathy Jett, the RST helped generate a number of tangible outcomes in its first few months, including:

- Obtained approval for a non-competitive bid (NCB) to develop a decision-matrix for use by parole agents;
- Assisted CDCR in obtaining 1,800 intermediate sanction drug treatment beds for the *Valdivia v. Schwarzenegger et al.* case;
- Drafted necessary technical amendments to AB 900, including the definitions of key terms;
- Obtained approval of a non-competitive bid (NCB) to hire specialized services for the CDCR to refine its population estimate processes;
- Held five day-long focus groups composed of RST members and CDCR personnel to assess parole; institutions; classification and endorsements; rehabilitation, addiction, vocational education and job training; and secure reentry facilities;
- Delivered numerous presentations explaining the California Logic Model and the other major recommendations of the California Expert Panel Report (EPR);[2]
- Worked with the California Department of Justice (DOJ) to access data on offenders' complete criminal histories, including juvenile records, in order to develop a static risk assessment for parole agents to use when making parole discharge and violation decisions;
- Assisted the CDCR in the production of a complete inventory of definitions of key terms relevant to the implementation of AB 900, specifically Penal Code (PC) section 7021, which enables common understandings of key terms (e.g., rehabilitation, programming) relevant to what must be achieved to meet the AB 900 benchmarks; and
- Provided interface between AB 900 rehabilitation and facilities efforts.

In September 2007, the RST decided to narrow its focus and concentrate its expertise on four major initiatives. Under the leadership of Joan Petersilia, the RST pursued:

- The development of an **Offender Accountability and Rehabilitation Plan** (OARP) designed to assesses inmates' needs at intake and throughout their movement into prisons and on parole, and direct inmates to appropriate rehabilitation programs and services in prison and on parole;
- The identification of **rehabilitation-oriented training curriculum for correctional and rehabilitation staff**, and a **method of delivering that curriculum** via the California Community College Districts;
- The installment of a **prison-to-work program** designed to facilitate offenders' successful employment after release, using California's existing Workforce Investment Boards; and

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[2] *California Department of Corrections and Rehabilitation Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs.* Report to the California State Legislature: A Roadmap for Effective Offender Programming in California, 2007.

- The implementation of **parole reform anchored in the structural possibility of "earned discharge" and guided by a new risk assessment tool and a parole violation decision-making matrix.**

The details of the four initiatives are described in the subsequent chapters of this report. Each chapter includes a discussion of the background motivating the initiative, the details of the proposed changes and their anticipated impacts, a timeline for implementation, and a discussion of implementation challenges. To assist the reader, a glossary of key terms and acronyms is provided in Appendix A.

If successfully enacted in a thoughtful and timely fashion, these four initiatives would fundamentally change the corrections system in California from an offense-driven system to a risk-driven system. These initiatives are viable insofar as they have been devised in collaboration with those charged with running the CDCR. Moreover, they are best practices and evidence-based, meaning that they have been shown to work elsewhere. The time for report writing is over.

We know what to do: we need to get offenders ready to go home, get them home, and get them to stay home living non-criminal lives and contributing to—rather than harming—California's communities. To do so, this report draws on previous reports that have alerted us to the problems confronting California corrections and provided us with detailed recommendations to alleviate the crisis (e.g., the Independent Review Panel, the Little Hoover Commission, and the California Expert Panel). This new report is different from previous ones, however, in that it provides *very specific* implementation plans to move from an offense-based system to a risk-based system, to train relevant personnel to assist in rehabilitating offenders, to help offenders secure employment after release, and to institutionalize parole reform. This report, then, can best be seen as a "how to" guide, complete with initial crucial steps toward reform already taken and "next steps" delineated in detail.

While the burden of implementing these initiatives falls to the CDCR, successful implementation will require more than commitment, diligence, and focus on the part of the CDCR. The CDCR's success depends upon a plethora of stakeholders, including the Governor, the legislature, law enforcement, victims, the public—and the offenders themselves—who all play a decisive role in turning California's prison and parole system into the model correctional system it once was by putting real meaning into the "R" in the Department of Corrections and Rehabilitation.

II. The Offender Accountability & Rehabilitation Plan[3]

This chapter:

- ***describes CA's first comprehensive case management plan. It links prisoners' needs and risks with rehabilitation programs, and assures continuity on parole;***
- ***presents an initial template for developing CDCR's case management information technology (IT) system; and***
- ***identifies the location for the case management demonstration project. Plans are to pilot the new system beginning in Summer 2008.***

When addressing the Rehabilitation Strike Team's (RST's) Endorsement and Classification work group on July 12, 2007, Robert Gore, Deputy Cabinet Secretary in the Office of the Governor, explained what few would contest: "this is the guts of the matter—our ability to put the right bodies in the right place with the right staff is essential." Later in the same meeting, a senior CDCR administrator explained: "getting people in the right program is somewhere around random." Combined, these observations point to the central dilemma and challenge to rehabilitating prisoners. Namely, the CDCR is not getting the right inmates in the right places with the right staff at the right time. There are a plethora of reasons for this, but certainly a major reason is the lack of a case management system designed to first assess and thereafter attend to offenders' risks, needs, and strengths. To quote the 2005 Governor's Reorganization Plan 2, "there is no systematic approach [to the management of offenders] from the time of arrest to the time of reintegration back into the community."[4]

Although CDCR began the use of a risk/needs assessment this year, CDCR still lacks a comprehensive case management system that includes an assessment of both risks and needs for adult offenders in prison and on parole, and provides an informed linkage between the individual offender and the programming needed to reduce the likelihood that he/she will reoffend. Without an Offender Accountability and Rehabilitation Plan (OARP) in place, the move from an offense-based system to a risk-based system, as recommended by the Expert Panel Report (EPR),[5] is seriously—if not decisively—hampered. As a result, the rehabilitation provisions specified by the Public Safety and Offender Rehabilitation Services Act of 2007 (AB 900) are extremely difficult, if not impossible, to deliver.

In particular, the OARP facilitates compliance with AB 900, Article 2.5 Interdisciplinary Assessment of Inmates, Penal Code (PC) section 3020: "The Department of Corrections and Rehabilitation shall conduct assessments of all inmates that include, but are not limited to, data regarding the inmate's history of substance abuse, medical and mental health, education, family background, criminal activities, and social functioning. The assessments shall be used to place inmates in programs that will aid in their reentry to society and that will most likely reduce the inmate's chances of reoffending."

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[3] The chapter was written by Joseph Lehman and Valerie Jenness with assistance from Harry Wexler and Philip Goodman.

[4] *A Government for the People for a Change.* 2005. Governor's Reorganization Plan 2: Reforming California's Youth and Adult Correctional System, p. 23.

[5] *California Department of Corrections and Rehabilitation Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs.* Report to the California State Legislature: A Roadmap for Effective Offender Programming in California, 2007.

This crucial directive is in alignment with The EPR recommendation #4, which states that the CDCR should "determine offender rehabilitation programming based on the results of assessment tools that identify and measure criminogenic and other needs" (p. 5).

To implement the recommendations of the EPR and provisions of AB 900, the linkage between where a prisoners' needs and risks are assessed and rehabilitative programming is provided requires a case planning and offender accountability management system. As CDCR's 2007 Strategic Plan made clear: "we must establish a systematic approach to correctional services from the time of arrest to reintegration into the community."[6] In this context, the RST and CDCR administrators have worked collaboratively to develop the OARP. The OARP is an historic first step toward systematically and effectively providing much-needed rehabilitation services to adult offenders in California's reception centers, prisons, reentry facilities (when available), and on parole.

The OARP begins in the reception centers and extends into the prisons and parole system, effectively linking these three parts of the system through a shared focus on the offender and the provision of rehabilitation services. By relying upon correctional personnel in each of these domains who are tasked with producing, monitoring, and implementing the OARP, offenders can be better assessed, classified, endorsed, and routed to appropriate prisons and rehabilitative programs. Their performance can be measured at key points in their institutional history and in the community. The focus is risk-based decision making and programming, with an emphasis on targeting higher risk offenders. The ultimate goal is to reduce recidivism through rehabilitation and successful reentry.

The key to utilizing a case management system in service to these goals is the implementation of an OARP for adult male offenders (also called an Individual Treatment and Rehabilitation Plan for adult female offenders).[7] The creation and utilization of an offender's plan relies upon well-trained personnel, the effective deployment of validated risk and needs assessments, coordination and information sharing between those charged with managing offenders as they move through the system, and the provision of appropriate rehabilitative programming—both in correctional facilities and in the community—for inmates who are well-suited to benefit from rehabilitation services.

An OARP for adult male offenders is first and foremost designed to accomplish two immediate goals:

- facilitate and document the assessment of risk and criminogenic needs, and
- target higher risk offenders with the appropriate dosage and sequencing of treatment to maximize the offender's ability to benefit from rehabilitation.[8]

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[6] *California Department of Corrections and Rehabilitation: Strategic Plan, 2007-2012,* p. 11.

[7] Recognizing that considerably more progress has been made on the development of a case management system for female offenders, the RST focused attention on a case management system for male offenders.

[8] Research suggests that higher-risk offenders should receive more intensive programming for longer periods of time to reduce recidivism. Equally important, applying intensive treatment to low-risk offenders may actually serve to increase their risk of recidivism (Lowenkamp and Latessa 2005). Andrews and Dowden (1999) found that programs that adhere to this risk principle reduced recidivism by 19 percent but programs that violated the risk principles increased recidivism by 4 percent.

Reaching these goals requires effectively linking the reception center, the prison, and the parole region though the development of an individualized plan that follows each offender through the system.

The OARP begins in reception centers and extends to prison and parole. A CDCR pilot test is scheduled to begin in Summer 2008 at DVI, CSP-Solano, and Parole Region I.

The RST produced an Implementation Plan that begins immediately to install a demonstration project at the reception center at Deuel Vocational Institution (DVI) in Tracy; Facility 3 at the California State Prison (CSP), Solano in Vacaville; and Parole Region I, with a focus on Sacramento and San Joaquin counties. The demonstration project that will be inaugurated in summer 2008 is designed to implement the California Logic Model[9] and to ensure the CDCR complies with all of the rehabilitation components of AB 900 by demonstrating how case management can work in the CDCR. This demonstration project will hopefully serve as a model for the OARP to migrate to other institutional sites throughout the CDCR (i.e., all reception centers, prisons, reentry facilities, and parole regions). In the long term, as the OARP gets institutionalized in all the reception centers, prisons, reentry facilities, and parole regions, even more adult offenders will be routed to rehabilitation services, thus setting the stage for reductions in recidivism. Framed in this way, an OARP can directly contribute to multiple provisions in AB 900, most notably the requirement of PC section 7021(6): "The Department of Corrections and Rehabilitation has implemented an inmate assessment at reception centers, pursuant to PC section 3020, and has used the assessment to assign inmates to rehabilitation programs for at least six consecutive months."

Rehabilitation Strike Team (RST) Activities

The installation of the Governor's RST provided the opportunity for collaboration with CDCR to complete the development of a case management system. Assessment instruments are currently being used to assess offenders' risks and needs in a number of reception centers, prisons, and parole regions. However, what is needed is a system whereby the process can be standardized to ensure that the reception centers, prisons, reentry centers (when available), and parole regions are more tightly linked as offenders traverse each of these domains. In this context, the co-chairs of the Endorsement and Classification work group of the RST, Valerie Jenness and Joseph Lehman, led the RST's effort to develop an OARP and to identify candidate sites—reception centers, prisons, and parole regions—to install a demonstration project for the newly developed OARP.

In the Summer and Fall of 2007, members of the RST met with CDCR personnel with expertise in classification and endorsement, the operation of reception centers and prisons, the structure and workings of parole supervision, and the provision of rehabilitation services in reception centers, prisons, and parole regions. Most notably, a series of lengthy meetings with groups of CDCR administrators were held on July 25, 2007, August 29, 2007, and September 21, 2007. Organized as didactic forums, these meetings created a valuable opportunity for much-needed dialogue among parts of the correctional system that historically developed silos of communication. Indeed, many participants commented that, despite their hectic schedules and pressing demands, they welcomed the opportunity to talk with others who are responsible for offenders in correctional settings outside their sphere of responsibility. In addition to these group meetings, members of the RST, primarily Valerie Jenness, Joseph Lehman, Kathy Jett, and Joan Petersilia, organized and participated in a

[9] For a description of the California Logic Model, see p. 20 of the Expert Panel Report (EPR).

series of smaller meetings with CDCR personnel. Each of these meetings contributed to the information and/or data collection required for the development of an OARP, and most importantly, to "buy-in" for the production and installation of an OARP. Finally, RST members made numerous site visits to reception centers, prisons, and other correctional locations to more fully assess the possibility of enacting an OARP "on the ground."

All of these activities served to facilitate the development of the OARP and the selection of the site for the demonstration project. The parameters of the OARP are codified in this report and the final selection of a reception center, prison, and parole region to serve as demonstration sites was made on November 5, 2007 in a meeting with RST members as well as CDCR administrators.

In short, RST members working most closely on "Endorsement and Classification" reform successfully delivered two products: 1) the initial framework and actual plan for an OARP, and 2) a site at which the protocol can be enacted. Members of the RST worked closely with CDCR personnel who, by virtue of their official professional duties, were well-positioned to inform the content and workings of the OARP. It can not be emphasized enough how much these CDCR officials have already contributed to developing an OARP and site selection for the demonstration project. Likewise, it cannot be emphasized enough how much they (and their delegates) will be needed to continue the effort to bring the implementation of the OARP to fruition within the time frame specified in this report.

An Overview of Key OARP Components

The OARP is designed to capture both static and dynamic information on offenders' assessed risks and needs at various points in their movement through the system[10], link individual offenders to the appropriate services and treatment programming, and provide the documentation that allows for the ongoing measurement of the quality of the treatment and outcomes.

There are five basic components to an effective case management system. They are:

1) training and installing a multidisciplinary team (MDT),
2) developing and utilizing modern information technology,
3) routinely assessing offenders' risk to reoffend and criminogenic needs,
4) providing rehabilitation services to prisoners and parolees, and
5) utilizing ongoing evaluations of the OARP.

Each of these components is discussed briefly below.

Utilize Multidisciplinary Teams (MDTs)

Training and installing MDTs that include correctional and rehabilitation personnel in the reception center, the prison, the reentry facility (when it opens), and the parole region is crucial. Specifically, in the reception center, a correctional counselor (CC) with expertise in classification and endorsement will serve as the team leader of the MDT; in the prison a CC with expertise in treatment programming related to criminogenic needs will serve as the leader of the MDT; and in the parole region a parole agent will serve as the leader of the MDT.

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[10] Risk factors that cannot change, such as criminal history, are *static*. Once a criminal record is obtained, it will always be part of an offender's history. *Dynamic* risk factors, such as drug dependence, can change through treatment or intervention.

Depending upon where the offender is located (i.e., in the reception center, the prison, the reentry facility, or the parole region), the MDT anchors the case management system insofar as it is responsible for determining the offenders' risks and needs, directing where the inmate is housed, determining what programming the inmate receives, and specifying the reentry plan as the offender moves to parole supervision. For example, if a particular offender's substance abuse is not a criminogenic factor and the offender is not experiencing mental health problems, experts in these areas would not be part of the MDT. Likewise, if the prison to employment program is considered key to the offender's success, then experts in these areas would be on the MDT. Seen in these terms, the MDT is dynamic in its structure and agenda. It provides purpose, direction and continuity as the offender moves and participates in programs through the various stages of the system.

Develop and Utilize Modern Information Technology (IT)

By definition, the OARP is a dynamic tool that links the reception center, prison, reentry facility, and parole region. Different staff interact with the offenders at different stages. Without the OARP, there is not continuity or capacity to work collaboratively on services for the offender. Therefore, the development of adequate information technology (IT) designed to facilitate and expedite information shared among members of the MDT at the various stages of incarceration is crucial.

A clinical psychologist at one of the CDCR prisons put it best when s/he expressed the following in response to the EPR:

> We are so far behind in computers, information systems and technology, and our inmate record-keeping system, that in some places it is like delivering services in a third world country. If members of the panel were to take a broad tour of many of the CDCR facilities (beyond Sacramento area), you might be surprised to find that there are small programs that individual clinicians, or groups of clinicians, have put together and have been running for months or years. And nobody knows about them, outside of that institution. And we have little or no data entry, analysis, or outcome data to demonstrate effectiveness, because we have none of the resources required to do so. No matter what programs are in place, or what needs/risk assessments are conducted, or how effective programming is, if there is no information technology and electronic record-keeping, and data collection capability, everything falls apart. As the inmate moves through the system, everywhere s/he goes, no one will know what happened before, unless they believe inmate self-reports. It is as if it never happened, and we start all over again at the beginning.

The OARP described in this report cannot work effectively if "we have to start all over again" with offenders as they move from reception center to prison to parole region. Accordingly, IT is the tie that binds; without the proper IT, the OARP is doomed to failure. Although the CDCR has numerous IT development projects underway,[11] none of them appear to be well-suited to meet the needs of the OARP.

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[11] CDCR has several ongoing information technology projects. One of them is the Strategic Offender Management Systems (SOMS). SOMS is designed to eventually provide an automated system to replace manual paper files and standardize population management practices. It will consolidate multiple existing inmate and parole systems into a single integrated database. The SOMS Information Technology Procurement Plan has been approved by the Department of General Services and the project is now in the procurement phase. CDCR staff estimated that SOMS may be available in five years but more likely it will come on-line in seven to ten years.

Assess Risk of Recidivism and Criminogenic Needs

Fortunately, innovative, cutting-edge, and validated risk and needs assessment tools are available. For example, the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) is a computerized database and analysis system that utilizes advanced statistical analyses on criminogenic factors to inform the decisions regarding the need for treatment in prison and on parole. The COMPAS is already being administered by CDCR at reception centers. Also, it has been introduced in several prisons.[12] The COMPAS is designed to be utilized as an instrument that identifies generic criminogenic needs and points the way to more specific testing by second-order instruments designed to more fully assess the nature of the criminogenic need(s) identified by the COMPAS.

Regardless of which specific instruments are adopted, the point is that by reviewing the OARP on an ongoing basis, CDCR staff and case managers should be able to measure treatment gains and ongoing treatment challenges, and revise inmate and parolee rehabilitation plans as needed. Indeed, one of the defining features of an OARP is its ability to facilitate the offender's progress over time by assessing and responding to changes as offenders reach measurable goals or experience setbacks. Central to the OARP are individualized treatment plans, a contract signed by the offender that specifies incentives for programming and consequences for failure to comply with programming dictates, and CDCR's ability to respond to changes in offender behavior in a timely and appropriate manner.

Provide Rehabilitation Programming

Providing rehabilitation programming to offenders according to the dictates of the OARP is required. Indeed, the first three components of the case management system, as described above, are precursors to providing effective rehabilitation to the right offenders at the right time and under the right conditions. A growing body of research shows that the key to successful reentry is appropriate evidence-based programming, including substance abuse treatment and interventions that change criminogenic thought patterns and behavior, secure employment and housing, provide mental health services, and build and maintain solid non-criminal relationships with family and friends. With the assistance of the CDCR, and in accordance with the EPR, at least one core program in each of the following major offender programming areas is required: academic, vocational, and financial; alcohol and other drugs; aggression, hostility, anger, and violence; criminal thinking, behaviors, and associations; and family, marital, and relationships. The details on specific programming along these lines can be found in Chapter III of this report.

Effective rehabilitation means that the right offender gets to the right program under the right conditions. Minimally, evidence-based education, vocational, substance abuse, mental health, anger management and criminal thinking programs should be offered.

[12] The COMPAS is currently being used and evaluated by various probation departments and corrections departments throughout the United States. The COMPAS program was implemented in California by the DAPO in March, 2006. As described later in this section of the report, the COMPAS "core" is the assessment that optimally will be utilized at the reception center at intake to assess the offenders' risk and needs as they come into the institution, and then at 240 days or less prior to release, the COMPAS "reentry" assessment is administered. The COMPAS "reentry" builds upon the "core" assessment to assist in the determination of the offenders' needs as they reenter the community. Because of the way the COMPAS is designed, the CDCR has the ability to create re-assessment tools that allow the CDCR to conduct updates of the original assessment, thus providing an up-to-date and accurate programming picture of offenders at any given moment in their institutional or parole history.

Assuming the programs described in Chapter III of this report are available for offenders, once an OARP has been developed, offenders will be provided with programming appropriate to their needs with the right dosage and at the right time.[13]

Realistically, sequential programming will be relied upon until integrated programming can be developed and institutionalized. Regardless, the probability of success increases when the treatment environment can be completely separated from the general prison population and continuity of care extends into the community upon parole. Substance abuse and education/vocational training are currently the major organized CDCR programming areas, while criminal thinking and anger management training are provided on a more limited basis within substance abuse programs and sometimes in small isolated instances at institutions and by parole regions. Because an estimated 50-75% of inmates are in need of substance abuse treatment, it makes sense to utilize the Division of Addiction Recovery Services (DARS) to implement and operate substance abuse in-patient programming by qualified contractors. At the same time, it is important to provide stand-alone programming designed to address other criminogenic needs on an "outpatient" basis. In all cases, appropriate process and outcome measures need to be put into place to ensure quality assurance in program delivery.

Continually Evaluate the OARP

The case management system will be designed to enable the system to be evaluated in terms of relevant process and outcome measures. With regard to the former, research should address the type and intensity of services provided, as well as the appropriateness of services received relative to risk and needs identified in the OARP. Outcome measures will include the rate of recidivism of all offenders provided with OARP-designated treatment programming and services, the level and type of improvements made as measured by pre- and post-treatment testing, successful program completion, compliance with laws and regulations within prison, employment performance, job attainment and retention outcomes, educational and vocational outcomes, and measures related to reintegration into family and other support systems. The plan should also document communities' investment in services to offenders being released. Regardless of the specific measures utilized, data collection should allow evaluators to assess the effectiveness of programs on participants, how and why programs are producing the results they produce, and how to improve specific programs as well as the fidelity of the case management system more generally. No data currently exists in the CDCR to measure performance in this manner. We will not be able to improve California corrections until we have a method to routinely collect data on how well we are now doing.

Utilize the OARP from Reception Center to Prison to Parole

The RST developed a preliminary form that can be used to create the final form that officially constitutes the OARP (see Appendix B). Appendix B constitutes a template for the fields that constitute the information technology system that motors case management. The process whereby the OARP is enacted for adult male offenders is presented in Figures 1 through 3. The order in which

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[13] The Expert Panel Report (EPR) calls for sex offender treatment, as there are virtually no sex offender treatment programs in CDCR facilities. To meet this challenge, the California Sex Offender Management Task Force was established in 2005, and works collaboratively with the Center for Sex Offender Management (CSOM) established by the Office of Justice Programs, U.S. Department of Justice. In July 2007, the California Task Force published *Making California Communities Safer: Evidence-Based Strategies for Effective Sex Offender Management,* available at www.cdcr.ca.gov. Because of this comprehensive statewide effort, the RST did not develop recommendations for sex offender treatment programs.

the OARP is developed and utilized in the reception center, prison, and parole region is described below.

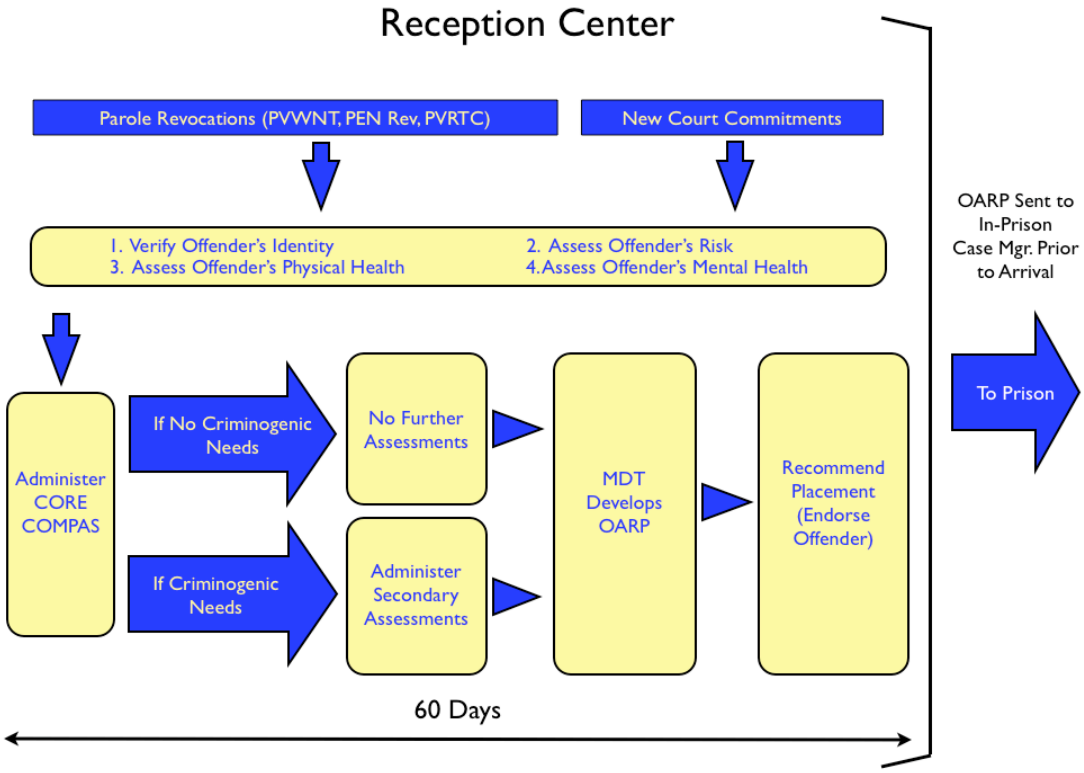

Figure 1: OARP Use in Reception Center

Develop and Use the OARP in the Reception Center

The RST recommends that the OARP be used on all New Commitments (NC), Parole Violators with New Terms (PVNT), and Parole Violators (PV) who have six months or more to serve. Without sufficient time in prison, the intensity of delivered programs would likely be ineffective. As offenders enter the reception center, assessments of both their risks and their needs will be undertaken and codified on the OARP. Consistent with current practices, the information collected to assess risk includes information that can be found on CDCR Form 1882 ("Initial Housing Review"), CDCR Form 128C ("Reception Center Medical Clearance/Restriction Information"), and CDCR Form 839 ("CDC Classification Score Sheet). In addition, information used to evaluate offenders' needs will be gathered by administering the core COMPAS (141 questions) and, if

COMPAS is used as an initial risk and needs assessment, and it signals the need for second-order assesssments. These additional instruments can now been selected by CDCR.

suggested by the findings from the core COMPAS,[14] second-order instruments. These second-order assessment instruments speak more specifically to offender needs in five programming areas: academic, vocational, and financial; alcohol and other drugs; aggression, hostility, anger, and violence; criminal thinking, behaviors, and associations; and family, marital, and relationships. By successfully assessing both risks and needs in the reception center, offenders can be routed to appropriate rehabilitative services in prison.

Although local variation in the assessment process is expected as the OARP moves to institutions beyond the sites in the demonstration project, in general five tasks should be accomplished in the reception center: verification of the identity of the offender, assessment of the offender's risk while in custody, assessment of the offender's physical health status and needs, assessment of the offender's mental health status and needs, and assessment of the offender's criminogenic risk and attendant programming needs. The first four of these tasks are routinely accomplished in reception centers. The final task—assessing the offender's criminogenic profile and programming needs—is the key innovation and most crucial to developing an OARP. Thus, it warrants the most attention in the brief descriptions that follow.

1) Verification of offender's identity. Drawing on available information provided by the county jail, probation report, existing databases (e.g., Offender Based Information System (OBIS) or Distributed Data Processing System (DDPS)), and/or the offender's self-report, document the offender's current and prior CDCR number, name, date-of-birth, place of birth, age, ethnicity, county of commitment and sending jail/institution, arrival status, height and weight, citizenship status, commitment offense, and sentence.
2) Assessment of the offender's custodial risk. Drawing on available information provided by the county jail, probation report, existing databases (e.g., OBIS or DDPS), and/or the offender's self-report, assess the offender's risk status by documenting the offender's escape history, custody level and classification score of last term, gang affiliation or membership/disruptive group/local enemies, safety concerns, history of aggression/ disciplinary action (e.g., in-cell assault history), and previous housing status (e.g., administrative segregation).
3) Assessment of the offender's physical health status and immediate needs. Drawing on available information provided by the county jail, probation report, existing databases (e.g., OBIS or DDPS), and/or the offender's self-report, determine whether the offender has physical health concerns, including disabilities, that require immediate attention and/or prescription medication.
4) Assessment of the offender's mental health status and immediate needs. Drawing on available information provided by the county jail, probation report, existing databases (e.g., OBIS or DDPS), and/or the offender's self-report, determine whether the offender has suicidal tendencies, a history of official diagnoses based on an evaluation completed by a mental health professional, a history of out-patient counseling and/or prescription medication, and whether the offender meets the criteria for inclusion in the Mental Health Treatment Population, such as inpatient services provided by the Department of Mental Health, crisis beds, Enhanced Outpatient Program (EOP), or Correctional Clinical Case Management System (CCCMS). Placement in these programs must be authorized by the Chief of Mental Health.
5) Assessment of the offender's criminogenic profile and programming needs. All inmates should be administered the COMPAS in the reception center. If no criminogenic needs are

[14] The COMPAS "core" is the assessment that will be utilized at the reception center at intake to assess the offenders' risk/ needs as they come into the institution; thereafter, as described later in this chapter, again at 240 days or less to release the COMPAS "reentry" assessment will be administered.

revealed through the COMPAS, then no further second-order needs assessments are required in the reception center. In other words, if the overall risk to recidivate is low, then no additional assessments are needed.

However, if one or more factors on the "Criminogenic and Needs Profile" produced by the COMPAS reveals moderate (a score of 5 to 7 out of 10) or high (a score of 8 to 10 out of 10) risk,[15] then second-order instruments must be administered to more fully assess the nature of the risk(s) and attendant need(s). More specifically:

a) If the COMPAS reveals a moderate to high score on anti-social attitudes, beliefs, and associations, then consider use of Criminal Sentiments Scale-Modified (CSS-M), Criminal Thinking Scales (TCU), How I Think Questionnaire (HIT), or Criminal expectancy Questionnaire (CEQ);

b) If the COMPAS reveals a moderate to high score on tempermental/personality assessment tools, then consider using the Minnesota Multiphasic Personality Inventory (MMPI) to determine if a Pychopathy Checklist-Revised (PCL-R) is appropriate;

c) If the COMPAS reveals a moderate to high score on anger, hostility, and aggression, then consider using the Hostile Interpretations Questionnaire (HIQ) or the Novaco Anger Scale (NAS);

d) If the COMPAS reveals a moderate to high score on batterers/domestic violence then consider using the Propensity for Abusiveness Scale (PAS), Spousal Assault Risk Assessment Guide (SARA), or Domestic Violence Inventory (DVI);

e) If the COMPAS reveals a moderate to high score on educational needs, then consider using the Test for Adult Basic Education (TABE), Wide Range Achievement Test (WRAT), the Pre-GED test, or the General Educational Development (GED) test;

f) If the COMPAS reveals a moderate to high score on vocational needs, then consider using the Career Scope (Interest Inventory), the National Center for Construction Education and Research (NCCER), and/or other recognized industry credential/ certification tests; and

g) If the COMPAS reveals a moderate to high score on substance abuse, then consider using the Texas Christian University Drug Screen II (TCUDS II), Simple Screening Instrument (SSI), Drug Abuse Screening Test (DAST-20), Alcohol Dependence Scale (ADS), or the Addiction Severity Index (ASI).

Final decisions on which specific instruments will be used for second-order assessments have yet to be made by the CDCR. Regardless of which second-order instruments are ultimately selected for use, programming should be prioritized based on the strength of the criminogenic need(s) and time to parole, with the most severe needs being attended to first.

Ideally, an OARP must be developed for each offender in the reception center within sixty days of his arrival. A correctional counselor (CC) will assume primary responsibility for completing an OARP with the assistance of CDCR custodial staff as well as physical and mental health professionals. However, if pressure to reduce the "time to transfer" (i.e., the time elapsing between when an offender enters a reception center and exits that reception center) proves prohibitive, then the administration of second-order instruments will have to occur at the prison to which the inmate is first assigned. In either instance, the full assessment should be completed within sixty days of the offender's arrival at the reception center.

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[15] Once the COMPAS has been validated and statistically "normed" in California, these cut-off points could be revised.

Once an OARP is fully developed, a classification committee will endorse the offender to a prison that offers the custody level and programming services suggested by the OARP, but for the purposes of the demonstration project that prison will necessarily be CSP, Solano. The classification committee will be chaired by the CC charged with developing the OARP and include custodial staff as well as experts in the field most aligned with the criminogenic needs revealed on the COMPAS and, when utilized, second-order assessment instruments. For example, if the COMPAS reveals criminogenic risk associated with substance abuse and a second-order instrument reveals drug addiction, then the classification committee would necessarily include a drug addiction specialist.

After the offender is endorsed by the classification committee, the in-prison case manager to which he will be assigned will be electronically sent a copy of the OARP and notified of the anticipated arrival of the offender as soon as possible. When the offender is moved to permanent housing, responsibility for the OARP will shift from the CC in the reception center to a CC in the prison.

Utilize the Offender Accountability and Rehabilitation Plan in Prison

Led by a correctional counselor (CC) who serves as the in-prison case manager, an in-prison classification committee is charged with implementing the OARP, routinely updating information in the file, monitoring the offender's placement in programming, and assessing the offender's performance.

To accomplish the programming goals the OARP is designed to facilitate, the in-prison case manager will review and document the offender's conduct and programming on a monthly basis. The in-prison MDT will revisit the OARP quarterly at a minimum, and will document programming milestones or significant setbacks, criminogenic needs, and safety and security risks. For each formal review, the case manager must: 1) interview the offender using motivational interviewing (MI) techniques;[16] 2) consult with relevant members of the MDT—for example, the supervisor at the work site and/or the counselor in the substance abuse program—to solicit up-to-date information on the offender's programming performance; 3) collaborate with fellow members of the MDT to update the OARP in accordance with changes in the offender's in-prison status and, when appropriate, to add personnel with appropriate expertise to the MDT; and 4) update the OARP so that it routinely reflects the current needs of the offender, including re-administering the portion of the COMPAS that captures dynamic information at least every year and when milestones in programming or significant behavioral indicators suggest a change in the offender's needs. Each time this occurs, the OARP must be updated to reflect new information.

[16] Details on motivational interviewing (MI) are provided in Chapter III.

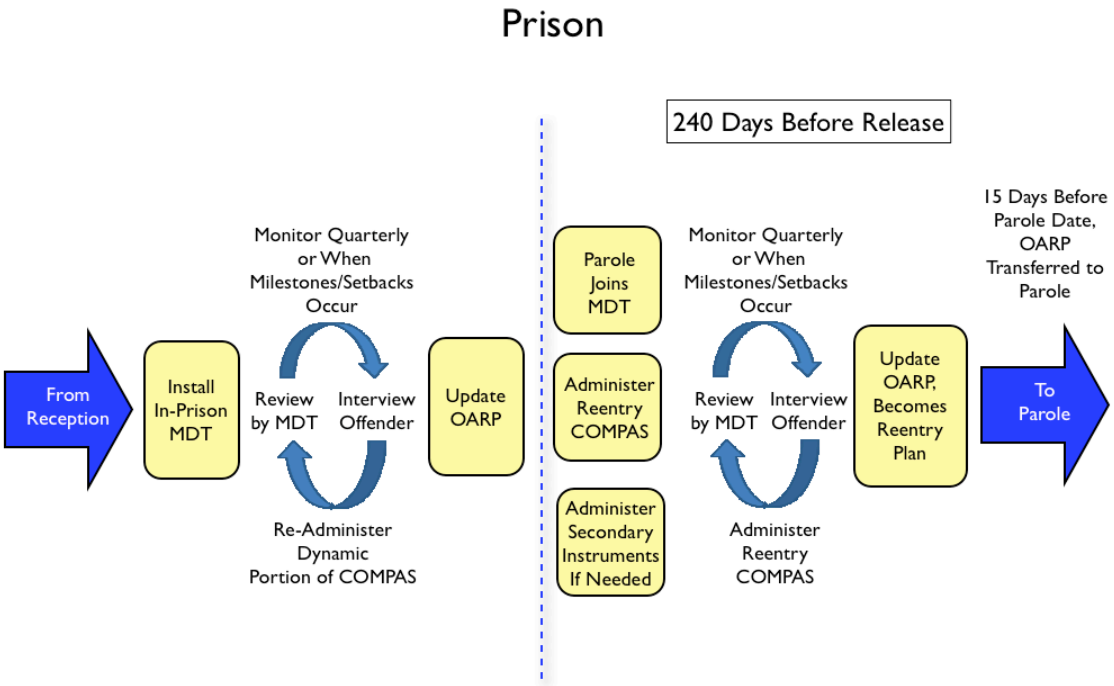

Figure 2: OARP Use in Prison Facilities

This process of revisiting the OARP should, in essence, serve to reconsider the inmate's classification in terms of both risks and needs. It draws on information currently found on the CDCR Form 840 ("CDC Reclassification Score Sheet") as well as information provided by the items on the COMPAS. At this point, however, it is not necessary to re-administer the full COMPAS because the static items already documented in the OARP will not, by definition, have changed. Thus, only the portion of the COMPAS designed to capture dynamic information needs to be administered and updated. If no criminogenic needs are revealed through the COMPAS, then no further needs assessment is required. In other words, if the overall risk of recidivism is low, then no second-order assessments are required.

Throughout the duration of the offender's stay in prison, this process will occur in predictable intervals and appropriate programming will be provided to the offender such that the right dosage is delivered at the right time. At least one core program in each of the following programming areas will be available in the prison: academic, vocational, and financial; alcohol and other drugs; aggression, hostility, anger, and violence; criminal thinking, behaviors, and associations; and family, marital, and relationships. Details on the specific programs that have been selected to provide programming in these areas are provided in the next chapter of this report.

When the prisoner is within six months of release from prison, a parole agent must be assigned to the inmate and an in-prison Parole Services Associate (PSA) serving on behalf of the assigned parole agent will join the MDT charged with monitoring and revising the offender's in-prison treatment. At

this point, the in-prison PSA will administer the reentry COMPAS and, if appropriate, second-order instruments designed to further assess needs indicated by the COMPAS. Once this information is collected, the in-prison case manager and PSA must work collaboratively to ensure a successful transition from prison to parole, which requires:

8 to 12 months prior to prison release, a reentry assessment should be completed and the in-prison case management must collaborate with the parole agent and community resources.

1) interviewing the offender using MI techniques designed to solicit information from the offender;
2) consulting with relevant members of the MDT, including the parole agent to which the offender has been assigned, to solicit up-to-date information on the offender's programming performance, and develop a plan for parole supervision, aftercare treatment, and community reintegration;
3) collaborate with fellow members of the MDT to update the OARP with a focus on successful reentry and, when appropriate, add personnel with appropriate expertise to the MDT;
4) update the OARP such that it constitutes the parole supervision and community reentry plan for the offender; and
5) indicate the community partners who have agreed to provide reentry services in the community.

The reentry plan developed by the PSA, in consultation with the in-prison case manager and the parole agent to whom the offender has been assigned will be presumptively accepted. However, with written justification from the parole unit supervisor, the parole agent can alter it.

Fifteen days prior to the inmate's release onto parole, the OARP will become the responsibility of the parole agent to which the offender has been assigned. The assigned parole agent will officially become the MDT team leader when the offender becomes a parolee.

Utilize the OARP in the Reentry Facility, Parole Region, and Community

To accomplish the programming goals specified in the OARP in the community, the parole agent and a PSA in the parole region will revisit and, when necessary, revise the OARP on a schedule commensurate with currently established requirements for parole case review: every 90 days for high control parolees, every 90 days for high service parolees, every 180 days for control services parolees, every year for minimum services parolees, every 90 days for second striker parolees, and every 90 days for high risk sex offenders (for more details along these lines, see Table 6 in Petersilia, 2006). In addition, the parole agent and a PSA will revisit and revise the OARP if/when programming milestones are met or significant setbacks, including a parole violation, occur. On each occasion in which the OARP is revisited, the parole agent or the PSA must: 1) interview the parolee using MI techniques; 2) consult with relevant members of the MDT—for example, the director of the community reentry center or the counselor charged with delivering substance abuse treatment in the community—to solicit up-to-date information on the parolee's performance; and 3) update the OARP such that it routinely reflects the current needs of the offender, including re-administering the portion of the COMPAS that captures dynamic information at least once a year. Each time this occurs, the OARP must be updated to reflect new information and be approved by the parole unit supervisor.

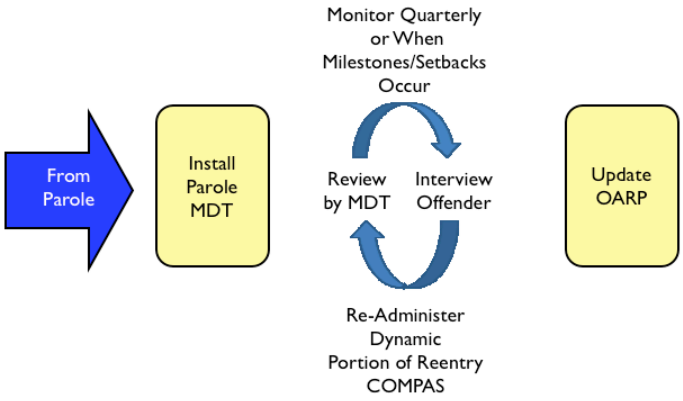

Figure 3: OARP Use in Parole

Site Selection for OARP Demonstration Project

As members of the RST, Valerie Jenness and Joseph Lehman worked closely with CDCR administrators on the development of the OARP described above. In the process, they also worked with Kathy Jett, former Chair of the RST and now Undersecretary for Programs in the CDCR, to select a site for the demonstration project associated with the OARP: The Reception Center at DVI in Tracy; California State Prison, Solano, Facility 3 in Vacaville; and Parole Region I, with a focus on Sacramento and San Joaquin counties.

These sites were selected in consultation with CDCR officials charged with administering reception centers, prisons, and parole regions; a review of existing audits and reports on the performance of CDCR reception centers, prisons, and parole regions; existing institutional data, and multiple interviews with CDCR administrators uniquely situated to comment on the possible sites. As numerous sties were considered, the following criteria were utilized to guide deliberations:

If the OARP demonstration is successful, it will link the reception center, prisons, and parole for the first time, and fundamentally change CDCR from an offense-based to a risk-based system.

- *Managerial Preparedness:* to what degree is the management staff prepared—by virtue of training, commitment, past experiences, leadership qualities, etc.—to step-up and take the lead on the demonstration project and, in the process, install it in a way that ensures success?
- *Inmate Demography and Trafficking Patterns:* to what degree are inmate demography and trafficking patterns associated with the reception center/prison/parole region compatible with implementing a successful OARP? That is, are the right type of inmates passing through the reception center/prison/parole region in a way that is conducive to implementing needs assessments and providing appropriate services? Equally important, do the inmate traffic patterns associated with the site provide the opportunity to assess inmate needs and provide services?
- *Program Availability/Capacity:* Does the site provide—or have the capacity to provide—at least one core program in each of the five major offender programming areas recommended by the EPR: academic, vocational, and financial; alcohol and other drugs; aggression, hostility, anger, and violence; criminal thinking, behaviors, and associations; and family, marital, and relationships. Related, do the reception center and the prison associated with the site report comparatively low levels of violence, lockdowns, and other disruptions to programming?
- *Parole Region/Community Receptivity:* Does the parole region/community to which the inmates in the demonstration project are released have the capacity to provide continued needs assessment and a continuity of care for parolees?

With these criteria in mind, no ideal sites emerged, thus deliberation focused on the assessment of tradeoffs prior to making final site selection. DVI, CSP, Solano, and Parole Region I were ultimately selected for two reasons. First, collectively they rated most favorably along the dimensions above. Second, as a constellation of locations, they have the added benefit of being strategically connected to a county without a reentry facility (Sacramento) and a county that will soon open a reentry facility (San Joaquin), which allows for a systematic empirical assessment of how the reentry facility plays a role in both case management and recidivism reduction.

A Timeline for Implementation

The timeline for implementing the OARP is fundamentally contingent upon the CDCR's ability to enact the training recommendations specified in the next chapter. Indeed, without accomplishing these staff training objectives, the OARP cannot be successfully implemented. With this disclaimer fully disclosed, the following benchmarks comprise the suggested timeline for implementation of the OARP, assuming that the ST report is adopted in January 2008:

- By week two (mid-January 2008), the CDCR Secretary, the CDCR Undersecretaries for Operations, Programs, and Administration, and the Director of the Division of Adult Parole Operations will join the Governor's Office to formally endorse the recommendation to develop, install, and institutionalize an OARP in the CDCR. The announcement will identify the demonstration project at the reception center at DVI in Tracy; Facility 3 at CSP, Solano in Vacaville; and Parole Region I, with a focus on Sacramento and San Joaquin counties.
- By week three, the Secretary and the Undersecretary for Programs, after consulting with all the Undersecretaries, will announce the appointment of a Project Manager, i.e., Implementation Team Leader, charged with primary responsibility for overseeing the day-to-day work involved in implementing the demonstration project.
- By week three, the Secretary, in consultation with the Undersecretary for Programs, will install a Demonstration Project Implementation Team charged with implementing the OARP. This

Team will include, but is not limited to: the CDCR officials who are well-versed on classification and endorsement protocols and processes, policies and regulations, and contract services; experts (both within and outside the CDCR) on the assessment instruments and offender programs that anchor the OARP; outside consultants with expertise on case management systems; and IT specialists with expertise in developing a relational database that can be utilized to successfully link the reception center, prison, and parole region comprising the sites for the demonstration project. The Team will directly and routinely interface with the following as the implementation unfolds: two captains working in reception centers (including one from the reception center at DVI), two wardens (including the warden at DVI and the warden at CSP, Solano), two parole administrators (including one administrator from Region I) and two CDCR mental health professionals, including one from DVI and one from CSP, Solano.

- From month one through month five, the Undersecretary for Programs will advise the Implementation Team as it pursues six crucial objectives, including:

    1. Recognizing that the OARP detailed in this report is a first step rather than a last step toward a fully developed case management system, the Team will produce a more detailed model of the OARP, including constructing the official form required to document the assessment, classification, endorsement and programming of offenders.
    2. The Team will identify the specific staff recruitment and training needed to implement the OARP, including curriculum, policies, procedures, and related manuals as well as the program development and information technology needed to make the OARP a reality.
    3. The Team will undertake training exercises designed to ensure that relevant upper-level management fully understand the purpose, content, and workings of the OARP; the instruments being utilized to engage in systematic needs assessments; and the detailed plan for implementing the demonstration project.
    4. The Team will collaborate with the Office of Training and Professional Development (OTPD) to ensure that appropriate curriculum for training personnel responsible for enacting the OARP in reception centers, prisons, and parole regions (i.e., CCs, PSAs, and Parole Agents, respectively) is developed.
    5. The Team will ensure that all the core offender program services required by the OARP are in place at CSP, Solano, Facility 3 by month seven. Specifically, the Team will ensure that the core programs selected by the Undersecretary for Programs, for this demonstration project (see Chapter III) are available at CSP, Solano by month seven.
    6. The Secretary will ensure that dialogue about the implementation of the OARP permeates all levels of the CDCR such that traditional silos of communication do not minimize the probability of successful “cross-silo” implementation.

- From month five through to month seven, under the supervision of the Undersecretary for Programs and the Implementation Team, the CDCR personnel responsible for the enactment of the OARP on the ground (i.e., in the reception center, prison, and parole region) will be trained via programs developed by the Training and Implementation Team and the OTPD. The CDCR personnel most proximate to implementing the OARP “on the ground”—CCs, PSAs, and Parole Agents—will receive the most intense and sustained training.
- Seven months after adoption of the ST recommendations, the OARP will be officially enacted at the reception center at DVI. First, offenders will be subjected to the OARP in the reception center at DVI; thereafter, they will be subjected to the OARP at CSP, Solano, the reentry facility

in Stockton (when it opens), and ultimately in Sacramento and San Joaquin Counties in Parole Region I.

- At the beginning of month seven, the CDCR Secretary, and the CDCR Undersecretaries for Operations, Programs, and Administration will join the Governor's Office to publicly announce 1) the inauguration of a case management system in the CDCR at the demonstration sites, and 2) the next three demonstration sites to which the OARP may be implemented.

Implementation Challenges

To support the successful development of an OARP with the features described above, the following resources are required:

- Additional personnel to develop, and thereafter staff, the case management system as it is described in this report;
- Additional financial support to develop or, in the case of preexisting programs, enhance programming in the five major offender programming areas identified by the EPR and summarized in this report;
- Financial support for the development of IT needed to ensure the case management system will be documented in a way that enables CDCR personnel to capitalize on validated needs and risks assessment, service provision, and collaborative information sharing between the reception center, prison, and parole region;
- Financial support for consultants who are experts on case management systems and thus able to contribute to the development and implementation of case management systems in the selected demonstration sites;
- Assistance with staff training, as summarized above and more fully described in Chapter III; and
- Continued funding for the demonstrate site for at least three years (contingent upon performance).

III. The CDCR Staff Education and Training Plan[17]

This chapter:

- ***discusses the critical CDCR staff training needs on the fundamentals of rehabilitation programming;***
- ***identifies and recommends specific nationally-recognized core program curriculum for CDCR employees; and***
- ***describes how a new collaboration between CDCR and the California Community Colleges can be used deliver quality and cost-effective CDCR staff training on rehabilitation techniques.***

The successful implementation of the Offender Accountability and Rehabilitation Plan (OARP) described in Chapter II will rely upon the California Department of Corrections and Rehabilitation's (CDCR's) ability to train personnel to effectively assess the risks and needs of offenders and provide offenders with the appropriate rehabilitation services. If CDCR's executives, managers, and staff do not receive the training necessary to develop the knowledge and skills to effectively plan, implement, and deliver new rehabilitation services, the CDCR cannot succeed in meeting their new Strategic Plan, the statutory mandates connected to AB 900, the recommendations contained in the Expert Panel Report (EPR), or the concrete efforts that have been initiated by the Rehabilitation Strike Team (RST).

The challenge is formidable, in large part because of the size of the workforce, its geographical dispersion, and the fact that so many employees are new to CDCR. During the last calendar year, in response to organizational challenges faced by CDCR, Secretary Tilton established several high-level administrative positions including the Undersecretary for Administration, the Undersecretary for Programs, as well as Chief Deputy Secretary positions for Health Care Services, and Facilities Management and Construction. During the same time, aggressive recruitment efforts on behalf of the Secretary led to the filling of 51 key managerial vacancies with another 38 additional positions for appointment consideration.

The CDCR now has more than 55,000 employees, mostly working in prisons and parole. The focus of training, as would be expected and as measured by expenditures of time and money, is now largely geared toward peace officer classes. Peace officers make up the largest group of employees. The EPR noted that the departmental focus has been "largely 'institutional'—focused on incarceration rather than rehabilitation" (p. 119). The provision of rehabilitative programs has not been a major CDCR focus, nor a focus of CDCR's Office of Training and Professional Development (OTPD). The RST recommends focusing first on training the staff and management involved in the OARP project, described in Chapter II. Once evaluated, those courses can be revised and expanded, as appropriate, to CDCR throughout the organization.

With new statutory and policy direction emphasizing rehabilitation, OTPD and the other entities uniquely situated to play a role in training personnel are facing a major challenge that will require significant rethinking of how CDCR trains employees in the fundamentals of rehabilitation, such as represented in the California Logic Model. Put simply, if the CDCR has no effective rehabilitation

[17] The chapter was written by Kevin Carruth with assistance from Peg Ritchie.

training program, it will be unable to implement the OARP described in Chapter II. Therein lies the central challenge taken up in this chapter.

Fortunately, the Expert Panel Report (EPR) provides much-needed detail for the CDCR to begin delivering evidence-based rehabilitation programs and AB 900 mandates the CDCR to implement rehabilitation for adult offenders including specific benchmarks and performance measures. Consider the following:

- The EPR, Recommendation 6: "Select and deliver in prison and in the community a core set of programs that covers the six major offender programming areas—(a) Academic Vocational, and Financial; (b) Alcohol and other Drugs; (c) Aggression, Hostility, Anger and Violence; (d) Criminal Thinking Behaviors, and Associations; (e) Family, Marital and Relationships; and (f) Sex Offending. Because the introduction of evidence-based programming is a complex objective, we recommend the following approach: (1) initially put in place one core program from each of the six major offender programming areas."
- AB 900—Penal Code (PC) section 2062 (a). The Department of Corrections and Rehabilitation shall develop and implement a plan to obtain additional rehabilitation and treatment services for prison inmates and parolees. The plan shall include, but is not limited to, all of the following:… (4) Plans to enter into agreements with community colleges to accelerate training and education of rehabilitation and treatment personnel…."

To meet these crucial objectives, the CDCR needs to develop and implement training programs designed to ensure that:

- the case management system designed to utilize the OARP and the second-order needs assessments are well supported by trained employees charged with implementing the OARP in reception centers, prisons, reentry facilitates, and parole regions; and
- rehabilitation programs in the six areas recommended by the EPR are routinely implemented by well-trained professionals charged with providing key services to offenders in reception centers, prisons, reentry facilities, and parole regions.

As described in this chapter, these objectives can be accomplished by directing the OTPD to focus on providing relevant training in rehabilitation techniques, and partnering with the California Community College system to develop and deliver a set of standardized rehabilitation training courses to a wide array of audiences, including peace officer and non-peace officer classes. The RST recommends training the staff involved in the OARP demonstration first, and based on that experience, considering how best to train and educate the remaining CDCR employees.

Rehabilitation Strike Team (RST) Activities

Regularly scheduled meetings were held from June through September 2007 with three RST members, including one representing the California Community College Chancellor's Office (CCCCO) and one from the CDCR, chaired by Dr. Harry Wexler and co-chaired by Jose Millan. The meetings focused on identifying priorities, resources, and potential barriers for implementing training and education programs that would enhance the CDCR's rehabilitation mission. From mid-October through mid-November, Kevin Carruth, RST member, joined the group and chaired a series of one-to two-hour weekly meetings with approximately 15 staff from the CCCCO and CDCR representatives from the OTPD, the Office of Correctional Education (OCE); the Division of Addiction

and Recovery Services (DARS); the Division of Adult Institutions, Female Offenders Programs and Services; the Division of Education, Vocations and Offender Programs (DEVOP), and the Reentry and Recidivism Reduction Unit. Mr. Carruth also held a series of separate meetings with several OCE managers, the DARS Acting Director, and the OTPD staff. Since June, the CCCCO clearly and repeatedly expressed their willingness and desire to partner with the CDCR in the training of its staff and to assist the CDCR in complying with the requirement for an agreement called out in PC section 2062(a)(4). As a result, the recommendation to move this partnership forward as soon as possible is central to larger efforts to meeting training objectives.

Partnering with the California Community College System

Recent experience suggests CDCR's Office of Training and Professinal Development could successfully collaborate with the California Community Colleges to deliver customized training. An Interagency Agreement should be executed.

The California Community College System (CCCS) provided educational and vocational programs to more than 2.5 million students during academic year 2005-2006. CCCS is the largest system of higher education in the world, and is comprised of 109 campuses, 64 approved educational centers, and 20 separately reported district offices. The CCCS has campuses near most, if not all, CDCR institutions and parole offices as well as in the communities where CDCR employees reside. Each Community College is a relatively independent entity; that is, for the most part, community colleges in California develop their own curriculum, set instructor qualifications, and select their own instructors.

As the largest provider of workforce training in the state, community college programs must be aligned with state and local workforce development needs. The CCCS's Strategic Plan, Goal C 1 states: "Coordination of Statewide Workforce Programs and Policies Ensure that Community College programs are aligned and coordinated with state and local economic and workforce development needs."[18] Strategy C 1.3 stipulates that in conjunction with CDCR they will train CDCR personnel in a collaborative effort to reduce recidivism.

The CCCS and the CDCR have successfully formed partnerships in the past. A current successful experience for both parties is the 2006 $1 million grant from the CDCR to pilot the Basic Correctional Officer Academy (BCOA) at three community colleges—Napa, Santa Rosa, and Fresno. This pilot ended in early 2007 but there are plans to continue using community colleges for the BCOA in 2008 at as many as six campuses. For a number of years, the CCCCO System Office and the CDCR have maintained an Interagency Agreement (IA) for the Career and Technical Training of Inmates. Experience gained by both organizations through these recent interactions may assist the implementation of a new IA as called for in PC 2062(a) (4). The new agreement will require coordination at the state level and the provision of technical assistance at the local level.

Venues for Forming a Partnership between the CDCR and the CCCS

There are two basic ways the CCCS delivers training and education: Off-the-Shelf and Contract Education. Off-the-Shelf training consists of existing credit programs and courses that have already been reviewed and approved, i.e., the standard curriculum pursuant to Education Code (EC) section 70901 (b) (10). Approval is required for all degree majors and all certificates that require at lease 18

[18] See: http://strategicplan.cccco.edu.

semester units or 27-quarter units. These courses are funded by student fees and state level Full Time Equivalent Students (FTES) funding. All of these courses are open to the public and subject to cancellation if enrollment is insufficient.

In contrast, Contract Education is used when a community college district contracts with a public or private entity, for example with the CDCR, for purposes of providing instruction or services or both, pursuant to EC section 78020(a). Any community college, or consortium of community colleges, may establish contract education programs to provide specific training to meet specific needs of organizations such as the CDCR (EC section 78022 (a). Contract Education provides flexibility to customize a particular training program to reach specific objectives. It is not open to the public because the training is targeted at an organization's specific needs. Contract Education also does not require a minimum number of students and is not cancelled for lack of sufficient enrollment. If the entire cost of the course is paid by the CDCR there is no student fee and the college cannot receive FTES funding. Community colleges are precluded from collecting FTES funding when all costs are covered by another source (EC section 84752 (a).

At the present time, courses needed by the CDCR are not available via the off-the-shelf method. California community colleges do not have a specific CDCR curriculum approved and ready to present with instructors possessing the requisite knowledge and abilities. In a few years, after the training becomes institutionalized as a part of the community college's standard curriculum, off-the-shelf training may become the CDCR's and the CCC's preferred method of obtaining this training. For the present time Contract Education is clearly the best approach for the CDCR and the community colleges.

The CDCR needs a uniform rehabilitation program statewide with standardized community college curriculum and consistent instructor qualifications across community college districts. The CDCR's OTPD will need to work with the CCCCO to include these requirements in the IA being developed (see Appendix C and D for suggested Scope of Work). The CDCR must work with the community colleges, through their curriculum approval process, in order to have college credits provided for training curriculum discussed in this chapter.

If courses are delivered for college credit through contract education, instructors who have the knowledge needed by CDCR can be hired as adjunct instructors. Adjunct instructors will need to meet minimum requirements in the instructional area and the colleges' faculty contract. Some courses will require Masters Degrees, while others in vocational areas will require equivalent certifications. If the courses are being offered for credit or noncredit, even if they are paid for by the CDCR, instructors must meet the same requirements as those teaching other credit or noncredit courses at the college. Community colleges will need to work closely with the CDCR to certify the CDCR's approved instructors in a timely manner.

If a community college is offering contract training for an organization that is not-for-credit, as defined in EC section 78020, the college can hire instructors that have the expertise to meet the required skills and knowledge for the employees being trained. These instructors can be hired as independent contractors (provided that they meet the IRS requirements for independent contractors), temporary employees, or adjunct faculty. Hiring can be done directly through the contract education office in accordance with contracting policies of the local community college human resources department. Given the fact that the CDCR needs to have standardized subject matter and instructor qualifications across all training locations, it is recommended that CCCCO develop a consortium of interested community colleges to participate in developing and providing contract education at the designated training sites for subjects the CDCR will require. The

community colleges can provide training using either on-site instruction or distance learning modalities, or a combination of both. In the current circumstance, on-site instruction is probably most appropriate.

Regardless of the particulars of how training is developed and provided, at the end of the day, the goal is to create a workforce that is well prepared to implement the OARP and the core offender program areas delineated in the EPR. In other words, the goal of training is to install evidence-based programming first in the OARP demonstration sites and, thereafter, across the system.

Taking Action to Connect CDCR Staff Training to Rehabilitation Programming

Until recently, the CDCR did not have an Undersecretary for Programs position and it is generally acknowledged that the CDCR has very little evidence-based programming in its prison and parole operations. Without an Undersecretary for Programs in place until mid-September, and with new rehabilitation programs undeveloped, the initiation of training activities has been difficult. CDCR Secretary Tilton wrote Senator Denise Ducheny and Assemblyman John Laird advising them of his decision to formally adopt the EPR, including 10 of the 11 major recommendations,[19] thus recently confirming a commitment to proceed with efforts to provide programming in the core offender areas identified by the EPR. In this context, the following steps must now be taken.

In November 2007, CDCR released the first issue of a new 20-page publication from the Office of Public and Employee Communications. It is aptly titled, "Reform and Inform: Moving Forward with Prison Reform in California." It is principally about AB 900, the EPR, and the focus of two Strike Teams. This is an excellent next step in getting the word out about CDCR's new direction and such publications should be continued.

It is now important for the Secretary to send a letter to executives and managers of the CDCR to formally advise them of the dramatic change of direction the department is now undertaking to implement AB 900, the EPR, and now the RST Report. The letter should be an affirmative call to action that clearly describes how the department will be approaching short- and long-term goals, including emphatic support for the OARP demonstration project; the need for all those who will be involved in the OARP to make the extra sacrifice required for success; the high expectations for all executive and headquarters staff to explore and understand how these changes will affect their organization and the rest of the CDCR as implementation occurs; and the mandate for executive level staff to engage in on-going dialogue with their managers to determine how they should be adjusting their work plans and resources to reflect the new emphasis on rehabilitation. Finally, the Secretary should clearly express that executives and managers are expected to become familiar with the EPR and this report.

Fully Utilize CDCR's Office of Training and Professional Development (OTPD)

The OTPD advised the RST that program-specific training is typically designed, managed, and delivered by the program itself, particularly when it applies to a limited number of staff and/or requires specialized knowledge to develop and deliver. In contrast, the OTPD is primarily responsible

[19] Secretary Tilton withheld support for the recommendation to reduce the prison population pending a CDCR review of the data used by the EPR to arrive at that recommendation.

for programs that have stringent controls and standards that must be maintained (Basic Correctional Officer Academy [BCOA] and PC 832) and for programs that are department wide.

Seen in these terms, the rehabilitation services and program training fits squarely within the responsibilities of the OTPD. As the EPR noted, "programs must demonstrate fidelity to the evidence-based principles to achieve the desired outcomes. Maintaining quality standards in the implementation and on-going operations is key to achieving the desired outcomes." Maintaining quality standards in programs includes providing the training needed to implement the programs and the training necessary to maintain and/or enhance staff skills over time.

With this in mind, the OTPD must begin plans to develop and implement training along the lines discussed in this chapter. OTPD has already begun work to include general information about AB 900 reforms and the CDCR's Strategic Plan in leadership training. OTPD should now pursue rehabilitation training involving specific offender rehabilitation programs, and case planning. Where funding is necessary to complete specific training, OTPD should begin the process of insuring that funding requests be presented to the Administration and the Legislature for inclusion in future years' budgets as necessary. CDCR and the Administration should give priority to funding requests for training in order to insure staff all all levels are appropriately trained to carry out the goals outlined in AB 900, the Expert Panel Report, and other important recommendations designed to improve offender outcomes designed to enhance public safety.

Reactivate Advisory Committees Related to Training

The RST has been informed that the Secretary is reactivating the Departmental Training Advisory Committee (DTAC). Chaired by a warden, the DTAC was active in the 1980s and 1990s and was primarily composed of training staff and wardens. The OTPD has developed a draft of a proposal to reinstate a training governance structure with much broader representation than the former DTAC. The RST supports the establishment of such a governance model for the OTPD as a way of ensuring that programs staff have significant representation given the new departmental direction.

Identify, Assess, and Recommend Core Rehabilitation Programs

The RST initiated its work with the intention of obtaining a very general interagency agreement between the CCCCO and the CDCR, with the CDCR and the community colleges developing the details of a plan in FY 2008-09. However, because training is critical to every aspect of rehabilitation program implementation, very little can happen until targeted program training is delivered. Existing staff do not have the required knowledge and abilities required to train other staff in the new rehabilitation programs. Rehabilitation program training cannot be presented either by the OTPD, community colleges, or any other training provider without a specific understanding of the *content* of the new rehabilitation programs. A conceptual agreement devoid of specific training "content" would not be helpful to the CDCR precisely because it could not provide specific guidance to the community college system.

Therefore, in October 2007, the focus of the RST's effort shifted from "enter into agreements" to "accelerate rehabilitation program training and education." This shift in focus accelerated the CDCR rehabilitation program policy decision-making process. The shift acknowledged that the fundamental legislative intent of AB 900, PC 2062(a)(4) was to implement new rehabilitation programs and to

provide the requisite training in an expeditious manner. The shift required a set of critical programmatic policy decisions to be made by the CDCR.

Taking Stock of Existing Core Offender Programs

According to EPR, "the CDCR does offer a large amount of programs and activities to its adult offenders but not enough of these are evidence-based rehabilitation programs" (p. 2). For example, it is increasingly well recognized that cognitive-behavioral treatments are more effective than any other form of correctional intervention, yet the CDCR has few such programs. At the same time, many of the CDCR programs currently being offered have not been adequately assessed for their ability to produce desirable outcomes, most notably a reduction in recidivism.

The RST determined that a multi-state survey of evidence-based and promising programs was necessary to better inform CDCR decision-making. This survey, coupled with consultations with experts on the RST, in the CDCR, and in other states was relied upon to begin the labor intensive process of determining which existing programs should remain in place "as is," which programs should be altered and invigorated, and which programs should be built anew.[20] The RST began this process by reviewing the list of Core Offender Programs in the EPR (see p. 85).

To begin, the first set of decisions relates to existing programs and can be summarized as follows:

- *Division of Addiction and Recovery Services (DARS).* The DARS Director, Thomas Powers, advised the RST that DARS is actively revamping the current Substance Use Disorder Treatment Program in order to effectively deliver what had once been a highly regarded CDCR evidence-based substance abuse treatment program. The DARS is considering the critical "In-Prison Substance Abuse Programs Managed by the California Department of Corrections and Rehabilitation" report by the Office of the Inspector General[21] as well as guidance from well-respected and nationally recognized programmatic experts. The experts include Harry Wexler, Ph.D., Chair of the DARS' Treatment Advisory Committee. Using the California Program Assessment Process (CPAP), the EPR gave the CDCR's Substance Abuse Treatment Facility Therapeutic Community (TC) Program its second highest score for Effective Interventions (84 of 100 points) and its highest score for Research Based Findings (67 points) (pp. 61-62).[22] According to the EPR, "the Therapeutic Community Treatment model, which uses cognitive-based treatment strategies, is a highly effective method for treating alcohol and other drug dependencies"(p. 19). Providing evidence-based treatment for inmates in prison followed with continuing community treatment for parolees has been found to be effective in reducing recidivism. Intensive TC, when followed up with aftercare, is considered to be an effective evidence-based program. For these reasons, an assessment of drug and alcohol programs by other states was not conducted and the RST recommended that the CDCR continue with the TC program, as revamped.

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[20] This preliminary survey was conducted by Peg Ritchie, formerly with the California Legislative Analyst's Office and the National Institute of Corrections. These programmatic policy decisions are now the responsibility of the Undersecretary of Programs, Kathy Jett.

[21] The California Office of the Inspector General completed a special review of CDCR's substance abuse programs in February 2007 and concluded that most of them were ineffective in reducing recidivism (Cate 2007).

[22] CPAP is a program assessment tool, however, at the present time, the ability of the CPAP to predict recidivism rates for programs has not been established. For a complete description of the CPAP instrument, go to CPAP Training Manual by Grattet, Jannetta, and Lin, (2007) at http://ucicorrections.seweb.uci.edu/pubs.

- *Female Offenders Programs and Services Division (FOPS).* The RST noted that AB 76 (Chapter 706, Statues, 2007) specifically directs the CDCR to develop gender responsive programs for women offenders. Assembly Bill 76 is in alignment with the EPR's recommendation "that the CDCR develop rehabilitation programming for female offenders that responds to their particular needs" (p. 34). The RST recognized the valuable expertise and labor contributed to the larger efforts undertaken by the Female Offenders Programs and Services Division within the CDCR, especially the work done by Barbara Bloom, Ph.D., Expert Panel and RST member. The RST recommended that the CDCR continue with the programs developed through these efforts without making significant changes at this time.
- *Academic and Vocational Educational Programs.* Currently the CDCR's largest and primary Core Offender Programs are in academic and vocational education programs. The entire education program is accredited by the Western Association of Schools and Colleges, Accrediting Commission for Schools. The CDCR's OCE indicates awareness and concern that some classes are not in compliance with the CDCR's programmatic standards. The OCE independently initiated an audit of the entire educational system in September 2007. The OCE is committed to restoring out-of-compliance classes back into adherence with standards. For these reasons, the RST recommended continuation of existing education programs.

Training won't be enough; a cultural shift is required. Line level staff participation must be combined with top-management support and commitment.

Recommend New CDCR Core Programs

The next step was to provide information on potential new programs for offenders that would meet core recommendations of the EPR. The RST identified evidence-based programming that other states and the Federal Bureau of Prisons (BOP) are providing. The RST compiled the information such that various programs could be assessed by the Undersecretary of Programs along the following dimensions:

- Meets AB 900 mandate for rehabilitation programs;
- Meets CDCR's mission statement for implementing evidence-based rehabilitation programs;
- Research shows the program is evidenced-based or promising;
- Cost;
- Referenced in EPR as evidence-based;
- Reflects national trends; and
- The feasibility of implementation and training strategies.

As suggested by the EPR, the RST recommended that the CDCR select only one or two new evidence-based programs in each program area to develop and implement at this time. This recommendation was intended to foster focused implementation of standardized programming across the department. Core areas selected for programming focus on four key areas: Motivational Programming; Criminal Thinking Behaviors and Associations; Aggression, Hostility, Anger and Violence; and Family, Marital and Relationships. They are discussed below. In each of these areas, the Undersecretary of Programs concurred with the preliminary program selection.

1) *Motivational Interviewing.* Organizational culture is one factor in the successful implementation of new programs for offenders within the CDCR. Motivational Interviewing

(MI) can contribute to the organizational culture shift and assist with successful implementation of offender programs and interventions. MI historically comes from research in the substance abuse field in which "get tough" treatment did not appear effective with clients (Miller et al. 1995). Staff at any level in the correctional field that interface directly with offenders have an opportunity to motivate offenders if they understand the risk, needs, and responsivity issues of the offender and communicate through MI concepts. Staff must also understand the offender's readiness or lack of readiness to change. The basic manner in which staff communicate with offenders impacts outcomes in offender behavior. The case management process (OARP) recommended by the RST in the previous chapter is an example of an opportunity to communicate with offenders using MI concepts.

Two MI programs were recommended to assist staff in focusing on offender behavior change. The reason that two MI programs were recommended is that the RST deemed that MI was a critical area for staff training with different expertise and educational levels. One MI curriculum, **"Motivational Interviewing…An Introduction," was recommended for staff working and interacting directly with offenders**, such as correctional staff, teachers, Parole Hearings Division Board members, and Deputy Commissioners. "Motivational Interviewing: An Introduction" is a 10 hour curriculum available at no cost from the National Institute of Corrections (NIC) website.[23] The curriculum has a 24-hour training for trainers (T4T) component.

The **second MI curriculum recommended by the RST is Motivational Enhancement Therapy (MET), which is more intensive and clinically-oriented;** it is appropriate for degreed treatment practitioners who provide counseling and therapy to offenders. In the future, as the CDCR implements enhanced core programs, the MET could meet the needs of other practitioners. MET was also recommended for degreed clinical staff who work in therapeutic milieus with offenders. This program has an 80-hour T4T and costs about $875.00 per person to train.[24]

2) *Criminal Behavior, Thinking, and Associations.* Cognitive-behavioral programs are targeted toward changing distorted or dysfunctional cognitions. Cognitive-behavioral programs teach new cognitive skills and involve therapeutic techniques such as structured learning experiences that are designed to affect cognitive processes. These cognitive processes may include interpreting social cues, monitoring one's own thought processes, identifying and compensating for distortions and errors in thinking, reasoning about right and wrong behavior, generating alternative solutions, and making decisions about appropriate behavior. Some studies indicated a 20-30% reduction in recidivism (Landenberger and Lipsey 2005). Whether California can expect a 20-30% reduction in recidivism rates is unknown, but research has shown that positive results can be expected if the program is delivered appropriately.

Thinking for a Change (T4C), a cognitive-behavioral curriculum developed through the NIC, was recommended for implementation in the CDCR. This program is evidence-based and demonstrates effectiveness (Landenberger and Lipsey 2005). Components of this program include anger management and communication skills. The curriculum supports the concepts of MI as staff interact with offenders. Nationally, 11 states are using this curriculum in adult prisons. T4C curriculum is being re-designed by different jurisdictions nationally for use with juveniles, substance abusers, and sex offenders. There is no charge for this curriculum. NIC supports T4C training through technical assistance grants

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[23] See: NIC's website http://www.nicic.org.

[24] These costs are extrapolated from the Division of Juvenile Justice (DJJ) contract with the University of California, San Diego, and do not include staff relief.

and a T4T workshop. The NIC's T4T is a 32-hour training program for staff. The T4C inmate program has 22 sessions that average about 40 hours of treatment, depending on the facilitator. The NIC has developed supportive facilitation training strategies through distance learning and expanded curriculum to address sustainability. The NIC's website also includes a special Forum for practitioner using T4C.

3) *Hostility, Aggression, Anger, and Violence.* Evidence-based programs that address hostility, aggression, anger and violence that were recommended in the EPR include **Control Anger & Learning to Manage (CALM)**[25] originally developed by Marilyn Van Dieten, Ph.D. and **Aggression Replacement Training (ART)**,[26] which is also being used by the CDCR's Division of Juvenile Justice (DJJ). CALM teaches male participants to understand emotions in order to prevent and control problematic behaviors. Key components of CALM include activities such as modeling, role-play, and teamwork. The cost of CALM for a combined set of six group leader guides and 10 offender workbooks and one audio-tape is $370.00; additional workbooks are $1.86 per offender and leader guides are $38.00 each. ART uses social skills training, anger control training, and moral reasoning as intervention strategies. ART is used in several states and Canada. In the state of New York, ART is used for all violent felony offenders that enter the system. ART materials range from a program guideline for $25.95, a CD-ROM with activities and handouts for $16.95 and a DVD for $125.00, which includes the program guideline book.

   The RST recommends that CALM will be used for Level I to Level III inmates and that ART be targeted for Level IV and Security Housing Unit (SHU) inmates whose criminogenic needs assessment and OARP indicates a need for more intense programming in this area. Given that T4C has a module on anger management, offenders going through that program will be provided basic treatment skills in anger management. The RST recommended and the Undersecretary for Programs concurred with the use of CALM and ART as described. The Undersecretary of Programs also indicated that ART should be considered for all violent felony offenders who enter the CDCR, but since the final decision for programming with Level IV and SHU inmates involves additional safety concerns, the participation of the Undersecretary of Operations is critical.

CA has few evidence-based programs (EPP). A national survey identified EPP programs applicable to CDCR, and we recommend that relevant curriculum for these courses can now be developed for staff and inmates.

4) *Family, Marital, and Relationships.* Life Skills programs usually contain modules on family and relationships. Different approaches to Life Skills are being developed and piloted in several states based on the reentry paradigm that has swept through the country. This idea is entirely consistent with the OARP protocol detailed in the previous chapter.

   Offender Life Skills programs in the field are still under-going change. For example, several states have piloted the free U.S. Department of Justice (DOJ) curriculum called "Metamorphosis." This program was received with mixed results. States that have piloted this program have subsequently moved to copyrighted materials by the Change

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[25] CALM and CALMER are programs re-designed by Marilyn Van Dieten, Ph.D. et al. for Correctional Services of Canada; this program has been implemented in Canada, the United States, England, and Australia. Importantly, the CALM module currently provided to offenders in the CDCR's Life Skills program is not the same program, and it was not recommended for continuance as it has not been validated.

[26] ART was developed by Goldstein, Glick and Gibbs (1998).

Companies. The BOP requested that the Change Companies develop a Life Skills program called "Challenges" targeted at soon-to-be released high-risk offenders.

The CDCR's current Life Skills program is not evidence-based, including the current component CALM (mentioned earlier). **The RST recommended the CDCR follow in the footsteps of several states and adopt the "Getting It Right" program with the transitional pocket document called "Passport."** The "Getting It Right" program reinforces cognitive restructuring concepts, family relationships, communications, relapse prevention, and other areas to prepare offenders for reuniting with their families and communities. The program materials will cost about $25.00 per offender. The RST mirrored the EPR's specific recommendation that **the financial component of Life Skills be the curriculum called Money Smart, free through the Federal Deposit Insurance Corporation.** The Undersecretary of Programs concurred with the recommendations, but stipulated that the Changes Companies customize the "Getting It Right" program to meet CDCR's unique offender needs such as demographics and cultural sensitivities. Future decisions on instruments that can be used for family violence and parenting will be made by CDCR management.

As noted previously, the RST did not work with CDCR to select sex offender treatment programs because California's Sex Offender Management Task Force is addressing that issue. Future planning should incorporate treatment for sex offenders, as well as consider the role of faith-based, family focused, and community organizations in the implementation of AB 900. In fact, Michael Carrington, Director of CDCR's Office of Policy, Analysis and Planning (OPAP) has developed a program policy proposal to implement transformative programming concepts using public-private partnerships with faith-based and community-based organizations and providers that is being discussed within CDCR. The RST welcomes the incorporation of such programs into CDCR's newfound rehabilitation focus.

Utilizing the DARS to Incorporate Core Programming Decisions

The RST reviewed the DARS Core Offender Programs that were incorporated by their contract treatment providers into the existing therapeutic community (TC) program. The Director of DARS, Thomas Powers, supported the RST recommendation that Core Offender Programs for adult male programs selected by the Undersecretary of Programs should replace the current TC vendors' cognitive behavioral components and that other TC programs be augmented with the newly selected rehabilitation programs. Where the decisions are different or go beyond what the DARS vendors are currently providing, the vendors will be directed to change/add those components to their TC program. This will improve CDCR rehabilitation program quality and ensure standardized program implementation.

The Challenge of Implementing Staff Training for Program Delivery

It must be kept in mind, as the EPR wisely noted, "improving rehabilitation programs to reduce recidivism is not simply a matter of identifying those evidence-based programs that produce results. Rather, the greater challenge lies in changing existing systems to support the programs so that they can be effectively implemented. This requires energetic leadership that is willing to place equal focus on: Evidence-based principles in program and service delivery, organizational reengineering, and collaboration within and between organizations" (p. 14).

The interagency agreement (IA) is the foundation on which to build much, if not all, of the training required for rehabilitation program implementation. The decisions about Core Offender Programs described above will guide the selection of programmatic training content so that the OTPD and the community colleges can flesh out the details in a meaningful interagency agreement. Appendices C and D include drafts of Scope of Work statements. These program decisions will also enable more expeditious implementation of the demonstration project associated with the OARP. Without the necessary training for the implementation team and the program delivery personnel, the demonstration project cannot be initiated; indeed, the training, quality control and assurance, and evaluation associated with these programs is crucial to the larger effort to engage in effective rehabilitation in corrections.

At this point, the challenge facing the CDCR is to train appropriate and qualified staff, complete detailed program planning, and ensure successful implementation. The EPR, in the section aptly entitled "Next Steps," calls for the establishment of "high powered" teams "comprised of leaders from diagonal slices" of the CDCR (p. 73). Affirming this call, the RST recommends that the Secretary immediately establish well-staffed cross-functional implementation teams. Cross-functional teams are needed because of the complexity of the tasks and what the EPR (p. 14) and the RST believe to be a history of structural "silos" or organizational boxes hindering successful implementation strategies.

Develop and Utilize Cross-Functional Teams, Monitor Quality Assurance

Cross-functional teams composed of Adult Programs, Adult Operations, and Administration staff should be established. Specific Implementation Teams should be charged with major projects including:

- The planning, development, and implementation of the demonstration project associated with the OARP described in Chapter II because this will be the CDCR's first effort at implementing a systemic core of evidence-based rehabilitation programs across a reception center, prison, reentry facility (when operational) and a parole region.
- The planning, development, and delivery of new and modified training to support the rehabilitation programming, including the demonstration project.

The cross-functional Implementation teams should be charged with full responsibility to ensure implementation efforts unfold in an expeditious, thoughtful, and ultimately successful manner. Given the importance of their success, Team Leaders (i.e., project managers) and other key implementation personnel should meet regularly to report on the following: schedule and budget status; issues to be addressed to maintain the implementation schedule; plans to solve identified problems before they hinder progress; and issues that may require future executive action to resolve.

As the EPR succinctly explained, "Quality management principles dictate that tasks should be 'done right the first time.' An effective quality assurance plan can serve as a road map for maintaining fidelity to the principles" and is "an invaluable tool in implementing evidence-based practice" (p. 121). Moreover, quality cannot be assured without the investment of well-organized and well-delivered staff training. Quality principles align with the CDCR's Strategic Plan, Strategy 3.1.4, Process Improvement, "Develop and implement a system for continuous process review and improvement of operations throughout the organization" (p. 8).

In order for the Implementation Teams to be fully prepared for their new assignment, they should first be trained on program implementation and quality assurance as a group. This initial training will

formally operationalize the concept of quality assurance/continuous improvement for the department and provide participants with basic knowledge and skills that will be needed to implement these major projects. The quality training process can also function as "team-building," which is a very important additional benefit at the beginning of complex and important projects.

Obviously, this is only the first cohort of staff who will need to receive all of the subject matter training. The first group of staff will become a valuable feedback mechanism to the OTPD and the community colleges allowing continuous improvement/quality assurance to be applied from the very beginning of the implementation of the demonstration project for the OARP. The Implementation Team may also attend T4T in some of the specific courses and then provide the training to others. Before the CDCR staff are trained as T4T trainers, it is imperative that the OTPD have in place a fully functional quality assurance program to assure the efficacy of the training.

Transform Culture and Practice Through Training

To provide training to implement evidence-based programs along with necessary quality assurance, the Training Implementation Team may need to contact outside training providers and work with community colleges to have the programs delivered by the community colleges with college credits. This training will require expeditious efforts by the CDCR to not only determine training content and trainers, but to develop contract scope and negotiate cost. If sufficient funding is not available, then funding will need to be identified for the OTPD to accomplish these project specific tasks. Funding will also need to be identified for the broader departmental rollout at a later date.

Using the information the RST has provided from the internet and other resources, the OTPD should be able to identify training providers in all content areas, determine scope of work (e.g., course content, course duration, intended audience, training dates, etc.), and negotiate price. While this work by the RST provides a significant head start to Programs and the OTPD, there is still significant work to be done between the OTPD and community colleges to determine scope, timing, location, and so forth.

It is imperative that training be seen as one of the first steps toward implementing correctional reform with the installation of rehabilitation as a "cultural value." The value of rehabilitation must become a part of the culture of programs in reception centers, prisons, reentry facilities (when available), and parole regions. Departmental trainers and courses must be brought into alignment with the correctional reform policy of the Administration and the CDCR. If this alignment does not occur, training ranging from academies and new employee orientation to in-service updates, as well as through supervisory, management, and leadership programs, will continue to reproduce the current culture. In turn, the current culture will continue to foster the same knowledge, skills, and abilities that were important when the departmental mission did not include rehabilitation.

Executive and Management Overview and Staff Training

Training must start at the top of the CDCR and cascade down so that each subsequent level is aware of the new direction and what the changes mean for everyone in the organization. As the EPR stated, "The CDCR's senior managers must understand and agree with the Panel's key recommendations, especially the underlying principles and practices…[including] a

The dedication and commitment by CDCR leadership is imperative to the success of CDCR's change of mission and training is a principle means to create the change.

shared organizational vision…." (p. 119). Given this recommendation, the RST recommends an executive and management overview of key components of the California Logic Model, including the background of evidence-based practices in corrections. The executive and management overview will be, at minimum, required training for all managers at the level of CEA I, Exempt K, Associate Warden/Correctional Administrator, Parole Administrator and above (and equivalent Civil Service pay and/or responsibility levels) throughout the organization. The overview can build on the PowerPoint presentation developed by Steven Chapman, Ph.D., Assistant Secretary, Office of Research. This PowerPoint presentation, entitled "The 'What Works' Approach and the California Logic Model," has been presented by Dr. Chapman primarily to CDCR headquarters personnel and has been greeted with very positive reviews. This basic overview needs to be expanded and provided to all staff in some form to meet different needs.

The Secretary should expect that everyone designated to take the overview training will have completed it by June 30, 2008. The overview should be offered on a regular basis until the Core Offender Programs have been institutionalized throughout the department. This overview should be required of all CDCR personnel promoted to the levels described above after hire.

The RST has identified only a few CDCR employees, in addition to Dr. Chapman, who might have sufficient expertise to provide this training. Therefore, delivering this management overview in a timely fashion will require hiring outside trainers/consultants with relevant correctional management and program experience. The RST has provided a list of possible trainers, names and contact information, with experience in other states and Canada to the OTPD. Knowledgeable trainers with credible experience managing and/or providing direct service in evidence-based programs will be critical for this training to have face validity.

The basic overview, while not making managers and executives evidence-based program experts, will provide what is hopefully the second step in their learning about the new CDCR mandate. The first step should be carefully reading AB 900, the EPR, and the RST report and demonstrate basic knowledge and understanding of the content and principles. By sharing common training, executive staff and managers will develop a common vocabulary and knowledge of the concepts necessary to communicate and manage effectively in a changing correctional environment and culture. Moreover, executives and managers will have a better understanding of the changes taking place in the CDCR. With an in-depth understanding of changes, executive and managers should be better able to support the following: the OARP demonstration project, new ideas and skills learned by staff in training, and the eventual rollout of rehabilitation services and programs to all reception centers, prisons, reentry facilities, and parole regions.

While the basic overview discussed above is being delivered to managers and executives, the RST recommends that CDCR conduct several focus groups. The focus groups should include Wardens, Parole Administrators, and Executive Staff. To begin eroding silos, a good strategy would be to mix members from each group so there is cross-fertilization in dialogue and approach to the issues systemically. At a minimum, the purpose of the focus groups should be to identify the members':

- Personal level of commitment to correctional reform, specifically rehabilitation programs, and the new direction paved by AB 900, the EPR and RST report;
- Perceived level of commitment to the concept of rehabilitation of offenders, including the level of commitment of others at their level, and the levels of commitment of those above and below in the chain of command;

- Perceived barriers and solutions to implementing rehabilitation in prisons, reentry facilities, and parole regions;
- Assessment of leadership needs relevant to supporting significant rehabilitative changes; and
- Assessment of the capacity and willingness to achieve what they are currently not achieving, and what they need to do to support the Secretary in the implementation of new rehabilitation programs.

Management Commitment and Involvement

CDCR executives and key management staff should be encouraged to give public presentations on some or all of the basic overview material. Public presentations can be internally arranged through the CDCR's Communications Office or the prison public information officers if the executives and managers are not able to independently secure a venue. Suggested venues include:

- Community service clubs and religious organizations;
- Political bodies, such as school boards, city councils and boards of supervisors;
- Community forums established for this purpose;
- Schools, community colleges, and/or universities; and
- Crime victim groups.

To prepare for community presentations requires considerable time and effort devoted to mastering the subject matter. Mastering the subject matter will result in executives and managers becoming much more familiar with specific aspects of this correctional reform. Executives and managers can access the OTPD, Communications, the Implementation Teams (if the Teams have the time), as well as the world wide web to obtain on-line information. The National Institute of Corrections (NIC), universities, and other criminal justice agencies within the U.S., Canada, and the United Kingdom provide resources on their websites. Gaining more knowledge will drive staff to ask more questions and as a result become better prepared as leaders of rehabilitation and correctional reform. Having staff speak in the communities across the state will also greatly expand the voice of the Secretary. Employees throughout the organization will take note that their leaders are openly committing to correctional reform and they are taking the message "beyond the walls" of the CDCR.

The CDCR may need to recruit nationally to identify and hire skilled professionals from the ranks of current or retired correctional management and direct service, to manage and implement the California Logic Model. If the necessary expertise does not become a permanent part of the CDCR workforce, it will reinforce the cultural message that the "rehabilitation focus is another temporary change that can simply be waited out." CDCR will have a continuing demand for national experts as it continues to rollout evidence-based practices in prisons, reentry facilities, and parole while the CDCR develops its own "internal experts" over the next several years.

OTPD should be directed to set aside all non-critical projects. Projects identified as critical must be re-evaluated and prioritized against the training that is needed to implement rehabilitation services and programming. The Training Implementation Team, supported by the OTPD, needs to be dedicated to develop and present the training and course revisions listed below. Training in these subject matter areas must be under contract and delivered within the next few months, presented under the auspices of the community college system, and structured to provide college credits. Without the aforementioned requirements, the demonstration project cannot be initiated and implemented.

Academy Culture Shifts

The RST acknowledges the critical importance of training and recognizes that Academy administrators and instructors guard a key gateway to the culture of the CDCR as they teach and coach newly hired and newly promoted correctional peace officers. Academy staff teach "how we do it here," a cornerstone of an organization's culture. The same cultural influence is true for trainers in Basic and Advanced Supervision, Sergeants, Lieutenants, etc. All Academy staff play a critical and important role and should be expected to be full-time advocates and role models for the department's new direction. Academy staff should be in the first wave of those trained in the new subject matter areas including Criminogenic Needs Assessment, the OARP, and Core Offender Programs. Academy staff should be trained in the first wave despite the fact that these programs will not be implemented department-wide until sometime later, and should be included in all of the program content training with the demonstration project. Academy staff should be included in training of the Implementation Team and/or the prison and parole staff who will be working in the demonstration project. The Academy Administrator and the OTPD should coordinate the training of Academy personnel and trainers in other standardized courses listed above, along with the Demonstration Project Implementation Team leader. The training of all these personnel should be completed by the time the demonstration project starts. Once the training is completed, the Academy Administrator and the OTPD should certify that all of the instructors and administrators have successfully completed all required training (detailed by course, date, etc.) and submit that certification to the Undersecretaries.

Assuming that the CDCR is contracting with the Community College system for the BCOA, the CDCR should similarly require those instructors and course administrators be similarly trained. This may prove a bit more problematic since they are hired by the local community colleges, and paid by those colleges for this work. The CDCR and the community colleges providing the BCOA course will need to resolve this problem very quickly and the community colleges should have those instructors fully trained, equivalent to the CDCR Academy staff, before they continue teaching the CDCR's BCOA training. The community college should provide certification of all BCOA instructors to the Training Implementation Team, which will then forward the certifications to the Undersecretaries, that all BCOA instructors have completed the required training.

CDCR and community college administrators should select training staff who can fully commit to CDCR's new rehabilitation program direction. CDCR's training programs are vital to the development of staff and the organizational culture, and as such, educators and administrators need to be in full alignment with CDCR's new direction.

Training Personnel Before They Work With Inmates in New Programs

The training schedule and who should attend which training classes should be coordinated between the Implementation Team Leaders, the community colleges and the OTPD. All required training must be completed before demonstration project staff begin their duties with inmates in the demonstration project. The Warden, the Regional Parole Administrator, and the Team Leader should certify that the training of each staff member is completed before they begin working with inmates in the demonstration project. The Implementation Team will need to develop a plan to train all new staff who transfer into the demonstration project before or as they come into the rehabilitation program because the expectations and the job itself are substantially different from all their prior CDCR assignments. The Wardens and Regional Parole Administrator should be responsible for the execution of that plan, once the demonstration project is operational.

This amount of staff training may seem excessive at first glance. However, it is important to consider how important training is in all aspects of the CDCR's operations. For instance, the basic correctional officer academy (BCOA) is 16 weeks long and it does not include any of the new subject matter discussed in this section. The BCOA must be successfully completed, which includes passing tests on the content, before an officer reports to work in a prison. In the rehabilitation services arena, an example of the importance of extensive training is FACT (Forensic Addictions Corrections Treatment). FACT is a drug treatment counselor certification program approved by the California Department of Alcohol and Drug Programs. The University of California San Diego's FACT classroom training is 155 hours in six courses. FACT is followed by another 160 hours of on-site counseling training under the supervision of a licensed or certified counselor, and another 2080 hours of counseling substance abuse offenders is required to be certified. The DARS requires FACT certification of their contract vendor's substance abuse counseling staff. Having properly trained staff is critical to successful performance on the job.

It is reasonable to expect that the CDCR staff will require considerable training and coaching in order to fully develop the necessary skills for them to implement and deliver the needed rehabilitation services and programs in an effective manner since this is entirely new terrain. If the appropriate foundation of staff knowledge and skill is not developed, they will not have the abilities necessary to create and maintain effective evidence-based programs and the demonstration project will fail.

Both Implementation Teams should be trained in Program Implementation and Quality Assurance. This is foundation on which their entire effort rests. They will also be the first staff cohort to receive all of the subject matter training in the rehabilitation services and programs. They need to take all the courses to fully understand the expectations of program staff, to be able to lead the development of all of the policies and procedures necessary to implement and operate all components of the new rehabilitation programming, and, to help prepare the staff who will actually work in the new programs to assume their duties, after those staff have received their job specific training.

A Timeline for Implementation

There are a plethora of schedule assumptions associated with the training objectives discussed thus far. The detailed assumptions and schedule below are the RST's best effort at delineating what needs to happen and by when. It is intended only as a guide to CDCR as they develop a more detailed schedule for the demonstration project. The training schedule also isn't totally under the control of CDCR since other partnering agencies (e.g., the Community Colleges) have their own timetables. More importantly, the CDCR needs sufficient resources to complete the training. The RST was in close dialogue with CDCR about funding needs and believes CDCR has sufficient resources to begin staff training but systemwide staff training is beyond the scope of their current budget. As CDCR reviews its many competing priorities, it will need to reconcile its budget. Beyond these most basic assumptions, the following assumptions apply:

- The RST report is released in January 2008.
- The Secretary appoints the Team Leader and Team members for the Rehabilitation Training Team in month one.
- The Secretary appoints a Demonstration Project Implementation Team leader in month one, which begins to work with the Rehabilitation Training Implementation Team to select training providers.

- The Rehabilitation Training Implementation Team identifies training providers, agrees upon curriculum, target audience, negotiates costs, completes non-competitive bids (NCBs) as needed, obtains training provider signed contracts, and processes all to CDCR Contracts by the end of month one, or six weeks before a course is to be first delivered.
- The Secretary appoints the Demonstration Project Implementation Team by month two, who then reports at designated intervals, no later than month three.
- The Rehabilitation Training Implementation Team and the community colleges need to finalize everything necessary for the delivery of the first training courses and obtain college credits by the start of month three, and all subsequent courses will have this completed at least 14 calendar days before the first presentation is scheduled to allow trainers to confirm travel arrangements, etc.
- The CDCR and the Department of General Services (DGS) process and sign training contracts and training providers are notified they have signed contracts for the first course(s) to be delivered by month two, so they can begin training as scheduled in month three for the Demonstration Project Implementation Team. No less than two weeks before their first class is to be presented, training provider contracts shall be signed and training providers notified of the approved contract.
- Training will begin for the Demonstration Project Team by month three and be completed on a schedule that they develop with the Training Implementation Team.
- Training will be completed for the Demonstration Project staff by end of month six.
- The Demonstration Project will be operational, accepting its first inmates by month seven.
- Training for the Training Implementation Team and the community college BCOA instructors, and the Basic and Advanced Supervision, Sergeants, Lieutenants; etc. will begin by month three and be completed by end of month six.

The training schedule should unfold as follows:

- The Demonstration Team Leader will provide individualized training schedules to all Team members by month three (note: these schedules will require regular updating as contracts are finalized with training providers and more courses are scheduled).
- The Demonstration Project Implementation Team training classes begin by month three and are completed by month six.
    - Program Implementation and Quality Assurance training start by month three.
    - MI training begins immediately following Program Implementation and Quality Assurance training.
    - Motivational Enhancement Therapy (MET), in lieu of training in MI, begins immediately following Program Implementation and Quality Assurance training.
    - The following can be presented in a sequence determined by the Implementation Team Leaders: Criminogenic Needs Assessment Tools training; Case Planning and Management—OARP training; Core Offender Programs training, with Thinking For Change (T4C) as the first core training.
- The Training Implementation Team Leader will provide all Team members with an individualized training program that requires and enables them to complete all new training courses provided to the Demonstration Project Team as soon as possible. Similar training plans need to be provided to academy and OTPD administrators and instructors, and the others detailed in this chapter by their respective managers. They need to complete all of the training between month three and month six.

- Demonstration Project staff training classes must be completed as soon as possible, with the Demonstration Project Implementation Team leader providing all demonstration project staff with an individualized training program tailored to their assignment, possible assignments, and role(s) in the demonstration project. This training schedule will require multiple trainers for many of the courses in order to complete the training for all staff before the demonstration project receives its first inmates.
- Program Implementation and Management Team will require quality assurance training targeted first at managers and supervisors and including in the following in the order in which they are listed:
    - MI training for case management and core program staff.
    - MET in lieu of training in MI for all staff specifically selected for this training.
    - Demonstration project policies and procedures (note: this course should be scheduled as late as possible in the training schedule, while still allowing time to complete all training before accepting the first inmates into the demonstration project. It needs to be last because of the time required to develop/revise the policies, procedures and post orders, obtain the necessary management approvals, etc.
    - Criminogenic Needs Assessment Tools, Case Planning and Management and Core Offender Programs training on: T4C; CALM; ART; and Getting it Right, Passport, and SMART Money (Life skills).

CDCR may be able to tighten these schedules in order to start and end the demonstration project training sooner. Shortening the schedule will depend on the adequacy of funding, the ability to identify qualified training personnel, and the ability to execute the requires contracts expeditiously. It will be particularly beneficial for the demonstration project to start receiving inmates as soon as possible, but after all staff are fully trained in accordance with their individualized training plans. If an accelerated training schedule can be developed early enough, then the schedule for receiving the first inmates can be moved up as well.

The Training Implementation Team should have the first Basic Executive/Management Overview Course begin by month four and everyone required to take it should have done so by month six. The Training Implementation Team should develop and publish a schedule by month six to present the Basic Executive/Management Overview Course throughout the state at regular intervals through mid-2009.

There are many standardized departmental training courses that require significant modifications to reflect the new department mission and focus. Some of these courses are in need of updating and this is the time to complete that work since it is more cost effective to do it all at once. Some courses, like the BCOA, have been partially updated but do not include the changes necessary in light of AB 900, the EPR, and the RST report.

The following schedule reflects a combination of priority coupled with the recognition that the time necessary for revision varies dramatically by the length and complexity of the course curriculum. The Training Implementation Team and the OTPD should revise the following courses and have them approved by management, especially the Undersecretary of Programs, for delivery:

- By month ten, revise the Sergeant's Academy, Lieutenant's Academy, Basic and Advanced Supervision, and Supervisory Skills Development.

- By month one revise the Executive Leadership Training, Public Safety Leadership and Ethics, the Leadership Challenge Workshop, Management Skills Development, and Leadership Development.
- By Spring 2009 revise the Basic Correctional Officer Academy and the Correctional Counselor I course (include the Classification Services Unit in this revision process).
- By Summer 2009 revise the Basic Parole Officer Academy.

It may be possible to complete the revision of these courses sooner, which would be ideal because the sooner the new curriculum can be implemented the sooner the CDCR is using training to reinforce the organizations operational changes and the new culture. On the other hand, the CCCCO has its own timeframes for approving course content and faculty so that CDCR may experience delays that are outside of CDCR control.

Implementation Challenges

The Secretary and the Undersecretary of Programs should assess the need for staff and key management personnel. Implementation Teams will also need to be created by the Undersecretary of Programs, in addition to the above referenced staff, in order to implement the recommendations in the RST report. The Training Implementation Team will need to develop scope and negotiate the costs with the training providers needed to implement this plan. They may need to have completed and approved non-competitive bid (NCB) documents. They will need contracts for all the providers prepared and expeditiously processed with the assistance of CDCR contracts.

The CDCR and DGS have reputations, deserved or not, for being very slow at processing contracts, and for not being customer-oriented. In their control role, they are the gatekeepers of process and not responsible for production. CDCR is now expected to produce. The CDCR and the DGS leadership will need to jointly find ways to achieve the proposed schedules. Steve Alston, the Director of Support Services, is aware of the difficulties and appears to be making steady progress at expediting contracts and being more responsive to customer needs.

There may be other administrative issues that will prove problematic for the demonstration project, but it is not anticipated that either of these possible hurdles should disrupt the CDCR's and the DGS's ability to process necessary contracts. Working with the CDCR, the community colleges will need to quickly develop and present contract courses and provide college credits to course participants. These activities will require close coordination with the OTPD and the Implementation Teams. There must be considerable coordination with the various community colleges to make it happen within the anticipated schedule.

For curriculum to be developed, approved, and presented with trainers acceptable to the community colleges and the CDCR in the time allocated, individual community colleges will be required to expedite their internal processes. This action may require special attention and intervention from the CCCCO on behalf of the CDCR. CCCCO should establish a means of determining if the community colleges are moving expeditiously and on schedule so that the CDCR can progress with certainty on their schedule. The CCCCO must establish a reporting system to the CDCR as well.

The OTPD, like all other departmental functions within CDCR, needs to focus beyond their silos and organization chart boxes on the new systemic expectations of AB 900, the EPR, and RST report. It is incumbent upon the CDCR executive management to continually reinforce this focus by repeating over and over again the importance of the new direction. The Secretary should direct everyone to

read AB 900 and the EPR and RST reports from front to back—certainly more than once to begin to internalize them—and management should ensure that this happens. CDCR leaders, executives, and managers at every level and location need to demonstrate their leadership and support of CDCR's new mission. For the current CDCR leadership to be successful, the organization must be proactive. Training is a principle means to reinforce necessary cultural change at all levels in the organization. CDCR's executive leadership should use training to the maximum degree possible to reinforce the cultural change message.

IV. The Prison to Employment Plan[27]

This chapter:

- ***surveys CDCR's major inmate employment programs and finds limited capacity, little coordination between programs, and a failure to target programs to inmates most likely to benefit from them;***
- ***recommends hosting community stakeholder forums to identify employers willing to hire ex-convicts, and a labor market survey to assure job training is tied to labor market conditions;***
- ***recommends a new partnership between CDCR and CA's Workforce Investment Board, and Project New Start, a comprehensive offender employment program.***

The empirical and theoretical relationship between crime and unemployment is well documented. Among parolees, higher arrest rates are associated with both higher levels of job instability and lower levels of wages (Solomon, Johnson, Travis and McBride 2004). Numerous statistical studies demonstrate that "a parolee who finds and maintains a steady job—and who also has stable housing and avoids substance abuse—is more likely to avoid subsequent offenses and to successfully complete his term on parole" (California Legislative Analyst's Office 2007).

Employment not only correlates with successful reentry outcomes, it casually contributes to those outcomes. There is support for the proposition that legal income is a direct substitute for funds that would be derived from illegal sources. Beyond fulfilling the need for money, a steady job signals that an individual has embraced a pro-social lifestyle. Moreover, the connections people make at work can serve as social controls that prevent criminal behavior. Accepting these theoretical underpinnings of the relationship between criminality and employment, it is clear that if ex-offenders leave prison with enhanced skills and legitimate job prospects, the prospect for positive outcomes could be improved.

Given the plethora of education and employment programs provided by California's corrections system (see Figure 4), and the fact that the California Legislative Analyst estimated that the "core" programs alone cost taxpayers $232.7M in 2006, one hopes that some prisoners leave with necessary skills and job prospects.[28] Unfortunately, most do not. Estimates run from 60% to 80% parolee unemployment one year after release from prison. There is no single entity in CDCR to coordinate job programs or to provide continuity to labor market demands outside the prisons. This lack of coordination inhibits the positive outcomes that might otherwise occur. Without collaboration, it is difficult to optimize the effect of the money spent on education and employment programming.

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[27] The chapter was written by Mimi Budd with assistance from Matt Powers and Barbara Halsey.

[28] Figure 4 identifies the majority of the academic, vocational, and employment related programs discussed in this chapter, but there are other employment related programs that do not appear on the map. For example, the Prison to Employment work group has identified at least 18 additional programs under the management of the CDCR, including Supportive Services. Various divisions within the CDCR manage different programs with different eligibility standards, program content, and funding sources. These include the Division of Education, Vocations and Offender Programs (DEVOC), the Office of Correctional Education (OCE), the Division of Adult Parole Operations (DAPO) and the Division of Community Partnerships (DCP).

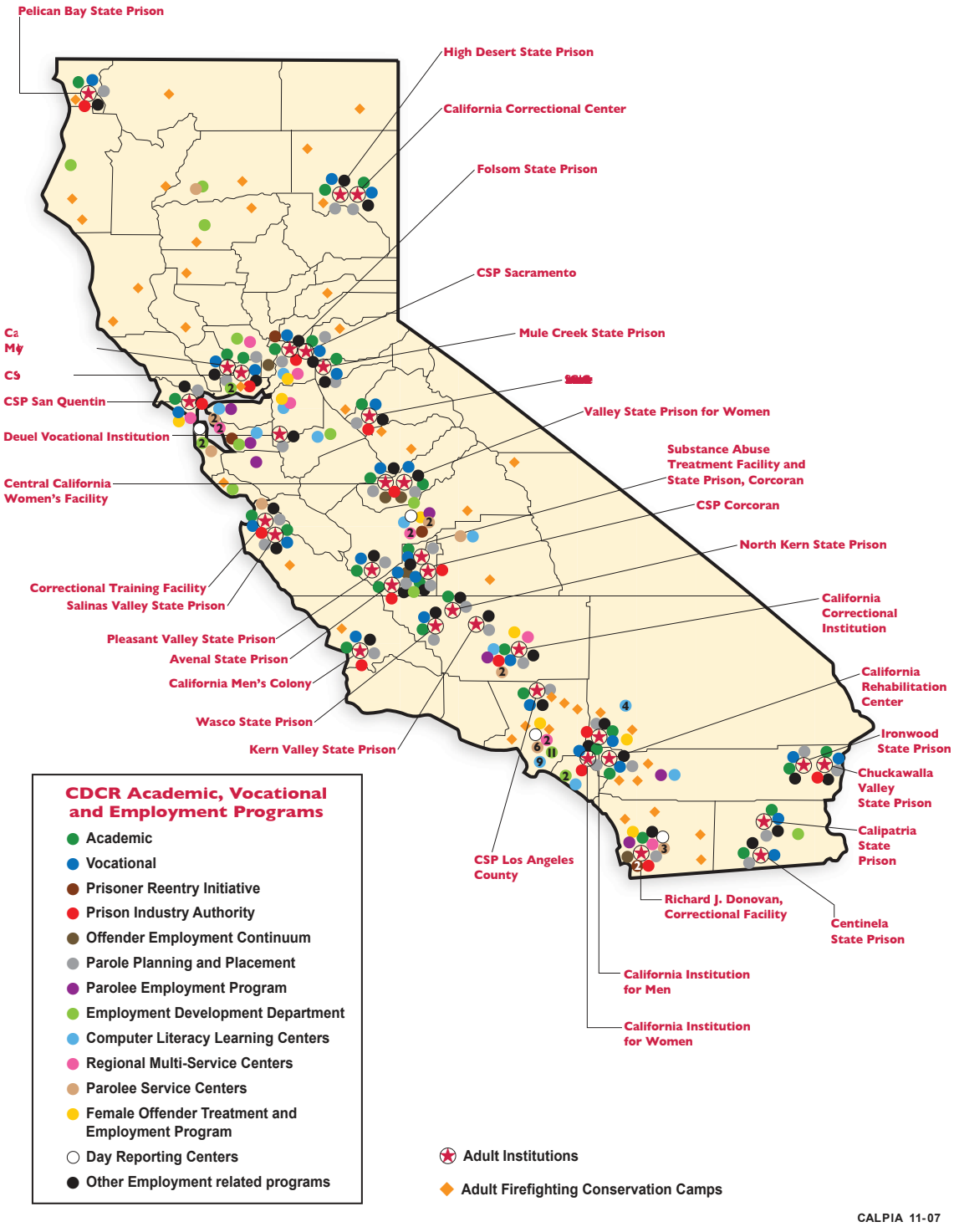

Figure 4: CDCR Academic, Vocational, and Employment Programs

Despite the impressive number of programs, participation by inmates in these numerous programs is limited. This lack of inmate participation in these programs is often attributed to the severe overcrowding and frequent lockdowns in the prisons that interfere with an inmate's ability to participate. To complicate matters further, the infrastructure between the prisons and local

employment entities in the communities is under-systematized and under-informed. Likewise, training programs inside the prisons are not sufficiently correlated to local economic demands and performance measures need to be applied more consistently to determine which programs are effective. Additionally, the California Legislative Analyst's Office (LOA) analysis of the 2007-2008 budget bill notes that employment-related programs are beset by a number of problems including lack of capacity, limited program evaluation, problems with the mix of programs available, a lack of incentives, and weakness in casework management.

Types of Employment Programs in the CDCR

The primary employment-related programs available in California prisons are academic, education, and vocational training. In 2006, these programs received $138.5M, nearly 60 percent of the $232.7M allocated to employment programs (California Legislative Analyst Office 2007). These programs are managed by the CDCR's education office, which employs 1,152 academic teachers and 450 vocational teachers. The primary goal of the academic programs is to provide offenders with basic skills in reading, writing, mathematics, and other general core competencies, as opposed to vocational education programs, which provide skills relevant to particular professions.[29] However, the Expert Panel Report (EPR) found that vocational education has no formal mechanisms to connect participation in its courses with post-release employment, although it does have a reliable employment pipeline for graduates of some of its highly specialized courses, most notably eyewear manufacture.

The Prison Industries Authority (PIA) provides work assignments to inmates to produce goods sold mainly to government agencies. The PIA is a self-funded program that covers its costs from the sale of its goods and services rather than from a General Fund appropriation. For example, inmates graduating from the new PIA pre-apprenticeship program at Folsom State Prison (FSP) and the California Institute for Women (CIW) are eligible to enroll in a full-scale apprenticeship program offered through the Carpenters' Training Committee for Northern California which leads to jobs with construction companies that employee organized labor. The PIA also has an underwater diving construction training program at the California Institute for Men (CIW). There are also 40 Conservation Camps statewide whose inmates provide fire fighting the State's wildfires; indeed, in the most recent fires that ravaged California approximately 25% of the firefighters working to save lives and property were CDCR firefighters.

Pre-release programs include classes for inmates in the months prior to release that are intended mainly to provide them skills such as job interviewing as well as realistic expectations about the job market. One pre-release program is operated by the CDCR's education office. Another in-prison program, known as the Offender Employment Continuum (OEC) is operated by the parole division. These programs are open to a small number of inmates at any one time and allow 13,000 inmates to participate annually, meaning that these programs are offered to just one in ten inmates before release (California Legislative Analyst Office 2007).

Transitional programs that include a pre-release and post-release component include the Parole Planning and Placement (PPP) program operated by the parole division. In 2006, the CDCR began utilizing the COMPAS system to assess the risk and needs of participating parolees prior to their

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[29] All academic and vocational programs are accredited by the Western Association of Schools and Colleges (WASC). The accreditation process validates the integrity and viability of the educational programs to ensure they meet an acceptable level of quality. Additionally, the OCE's Audits and Compliance unit is currently reviewing all academic and vocational programs to ensure that they meet the requirements set forth by the CDCR rules and regulations and legislative mandates.

release from prison (as discussed in Chapter II). The purpose of COMPAS is to identify the appropriate level of supervision for the parolee as well as the types of services the parolee needs once released, such as housing assistance, anger management counseling, or job referrals. Parole agents are supposed to use the information provided by the COMPAS risk and needs assessment to make appropriate referrals to jobs and other programs and to provide other assistance to parolees once they are released.[30] The PPP program also provides social workers in parole offices to assist those parolees identified as having the highest need for services and assistance.

Another transitional program operated by the CDCR requires parolees to attend a Parole and Community Team (PACT) meeting, typically within one to six weeks after release from prison. Local service providers, including those that can help parolees secure employment, are invited to these meetings, providing an opportunity for parolees to connect with those services shortly after release from prison. Day Reporting Centers (DRC) in four locales across the State offer an array of services designed to increase the success of the parolee's adjustment to parole.

The CDCR offers a number of parole programs not specifically targeted to transitional needs, including, for example, two job referral programs for unemployed parolees. The Parolee Employment Program (PEP) and the Parolee Job Program (PJP) refer parolees to local organizations or the state Employment Development Department (EDD), respectively, for job assistance.[31] These programs served about 12,000 parolees in 2006, resulting in 4,000 job placements. The DAPO also operates Computerized Literacy Learning Centers (CLLCs) in parole offices throughout the state to assist parolees to achieve a sixth-grade reading proficiency level that would make them more employable. The program provided literacy training to about 3,000 parolees in 2004.

Additionally, the CDCR offers several residential programs for parolees in which job preparation is often one component. These include Residential Multi-Service Centers (RMSCs) for homeless parolees, Parole Service Centers (PSCs) that are used for parole violators, and the Female Offender Treatment and Employment Program (FOTEP) for female parolees with substance abuse problems. These three programs accounted for a significant $60M of the total employment budget in 2006 and provided 2,000 beds and housing to 6,000 parolees.

Finally, the CDCR's Division of Community Partnerships (DCP) oversees two small umbrella programs to develop a more collaborative service delivery system to assist parolees in successfully reintegrating back into their communities. It is estimated that half of the grantees under these two programs have an employment focus. For example, funded by the U.S. Department of Justice (DOJ) and the U.S. Department of Education (DOE), the Prisoner Reentry Initiative (PRI) focuses on job placement and collaborates with community-based organizations to deliver pre-release assessments and services that incorporate housing, mentoring, job training and other services. In September 2006, DOJ awarded CDCR $1.8M to support four community-based organizations located in Oakland, Fresno, Sacramento and San Diego that provide services to link ex-offenders from prison to employment.

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[30] The California LAO's analysis of the 2007-08 budget bill notes that while the CDCR operates a number of employment-related programs, their limited capacity and their unavailability in many parole regions means that much of the responsibility for job assistance to parolees falls upon parole agents. Yet, the CDCR policy—the department's regulations and operations manual—is largely silent on a parole agent's case management responsibility in assisting a parolee to find and maintain employment. The OARP described in Chapter II delineates this role more fully.

[31] The CDCR is currently in the planning stages of developing a new program called E-Centers to replace the existing PEP/EDD job assistance program in 2008.

A Story of Unmet Needs

Despite these programs, the story for most California inmates has been one of unmet needs, as the system fails to accommodate the job training needs of all but a small minority of the total prison population. The California Expert Panel found that only 18% of prisoners had participated in academic education at any time before their release dates in 2006 and 10 percent participated in any vocational education program (EPR 2007). The largest percentage of prisoners participated in the Support Services activity (37%), which theoretically offers inmates an opportunity to learn skills through on-the-job or vocational training, although it is questionable whether these work assignments always add to an inmate's repertoire of marketable skills. Support Services assignments enable the prison to operate more efficiently and include positions like porter, food server, and yard crew worker, but these jobs have not been classified according to the North American Industry Classification System (formerly the Standard Industrial Codes) to correlate with labor market demands on the outside. The failure to systematically classify this work essentially undermines its value as evidence of a recent work history.

Even though employment has been found to be a significant predictor of reduced recidivism, the jobless rate for California inmates remains as high as 60% to 80% one year after release from prison (California Legislative Analyst's Office 2007). This is undoubtedly part of the reason approximately two-thirds of all California parolees return to a California prison within three years of their release. Alarmingly, some estimates place the number of parolees who lack regular employment at any given time between 70,000 and 100,000.

Estimates of pre-prison employment indicate that roughly four-fifths of these same individuals had jobs prior to prison commitment. But even if those inmates are employed, their wages tend to be 10 to 20 percent lower than persons without criminal records (California Legislative Analyst's Office 2007). In light of these factors, it is not surprising that only 1 in 5 California parolees supported themselves primarily through money earned from employment during their first year after prison release (Petersilia 2007), especially given that few have significant savings or any entitlement to unemployment benefits (Solomon 2004).

Rehabilitation Strike Team (RST) Activities and Recommendations

Given the situation described above, it is not surprising that every major report on the California corrections system since the early 1980's has recommended better education and job training programs for prisoners and more viable partnerships between state and local agencies to enhance rehabilitation services and strengthen local reentry systems. The Rehabilitation Strike Team (RST) reviewed these reports, with a particular focus on the recently released Expert Panel Report (EPR), and convened a one-day meeting with key stakeholders to discuss how best to move these recommendations out of reports and into practice as a way of meeting the provisions of AB 900.

Under the leadership of Matt Powers, M.S., and Dr. José Millan, RST members who served as co-chairs of the Prison to Employment work group, the first RST meeting focusing on employment was held on June 20, 2007. Ten individuals were in attendance, including representatives of the California Workforce Investment Board (CWIB), the California Community Colleges (CCC), the Employment Development Department (EDD), the Division of Education, Vocations and Offender Programs (DEVOP), the Office of Correctional Education (OCE), and the Division of Adult Parole (DAPO).

Between June and December 2007, weekly meetings of the core committee of the Prison to Employment work group were held to solicit input from an array of stakeholders, including individuals representing the Governor's Senior Consultant on Education, the National Development and Research Institutes (NDRI), the OCE, the PIA, the DAPO, the CDCR's Office of Research, local workforce agencies, local correctional education programs, and employers and community based non-profit service providers.

RST members also toured several ex-offender employment related programs including 5 Keys Charter School Program, a San Francisco County Jail education project; PIA at Folsom prison; the Center for Employment Training (CET), a non-profit community based organization providing vocational education and training; and Sacramento Works, a One-Stop Center in Sacramento County.

In collaboration with the California Workforce Investment Board (CWIB), the Prison to Employment work group convened the first in a series of Stakeholder Forums in San Bernardino County on September 19, 2007. The main purpose of this forum was to build employer relationships to broaden hiring opportunities for parolees. Employers at the forum described the benefits of hiring ex-offenders and recommended numerous changes that could enhance parolee job opportunities. Interestingly, this group of employers did not favor more incentives to hire ex-offenders (e.g., bonding and tax credits), but instead preferred the removal of certain disincentives. For example, they suggested legislation to limit liability and reduce financial exposure of businesses that hire ex-offenders.

As these meetings unfolded, a consensus emerged that California's "system" for educating and training inmates for employment is not uniform or integrated, and is, at best, only marginally effective. Many existing programs, including the ones described earlier in this chapter, possess important component parts recommended by successful reentry models. However, as a constellation of programs, they do not constitute a uniform and integrated system. That is, there is no mechanism whereby all the CDCR job-training programs are incorporated into a meaningful system of service delivery to ensure a positive relationship to market needs. As a result, the CDCR is not fully capitalizing on these individual programs to reduce recidivism.

CA has several offender employment programs, but programs are uncoordinated, unevaluated, capacity is limited, and there are few mechanisms to connect training to post-prison jobs. Training often does not reflect labor market conditions.

The RST strongly recommends the establishment of a partnership between the CDCR and the California Workforce Investment Board (CWIB). This partnership would allow for better coordination of existing California employment related programs. In the long term, the RST recommends the installment of a streamlined offender employment placement delivery system, *New Start*, to enable the CDCR to partner with an external workforce provider such as the CWIB and its One-Stop Centers to provide a uniform and integrated system for offender placement. Recognizing that CDCR's core competency is not employment placement, a partnership with the CWIB is crucial to maximizing the benefits of the CDCR's efforts to render offenders employable.

The CWIB's mission is to develop policy for the employment for all Californians, including parolees. The CWIB was established by Executive Order in response to the mandate of the Federal Workforce Investment Act (WIA) of 1998. The Board assists the Governor in setting and guiding policy in the

area of workforce development. The Board collaborates with 49 local workforce investment boards and 200 One-Stop Centers around the State (see Figure 5) that are authorized by federal law to provide employment assistance to all Californians, including parolees. By strategically utilizing this integrated and comprehensive statewide network of One-Stop Centers, the CWIB has the potential to marshal existing resources, including a well-established infrastructure, to support the employment of parolees in their local communities. These One-Stop Centers are uniquely positioned as an existing link to the workforce for returning parolees as they reintegrate into their home communities as productive citizens.

Figure 5: CDCR Local Workforce Investment Areas and One-Stop Locations

The RST also strongly recommends that an assessment of existing CDCR academic and vocational programs be performed, with a particular focus on the ability of any given program to deliver job training that is relevant to current labor market demands. Job training is particularly valuable if it is related to economic demands in the parolee's home community.

The CDCR should continue to sponsor Stakeholder Forums throughout California. A list of employers willing to hire this population was begun as a result of the first Stakeholder Forum in September in San Bernardino County. Adding to this list via additional stakeholder forums can serve as a springboard for the institutionalization of an integrated network of employers around the state who are committed to hiring parolees. Accordingly, the Secretary of the CDCR recommended that the forums be held in the locales where reentry facilities are likely to be sited to bolster employer support for parolees returning to those communities from the reentry facilities. *New Start* will also seek to incorporate the services of community-based and faith-based organizations as an integral part of the system that supports parolee reentry.

Along with AB 900 and the EPR, the RST fully endorses the following recommendations:

- *Develop a Prison to Employment Plan to employ parolees.* AB 900 section 3105 directs the CDCR to "develop [a]…Prison to Employment Plan…to evaluate and recommend changes… regarding current inmate education…and rehabilitation programs to determine whether the programs provide sufficient skills to inmates… [to] result in their successful employment in the community, and reduce their chances of returning to prison after release to parole…" with status reports to the Legislature and Governor on October 1, 2007,[32] January 15, 2008 and a final report on April 1, 2008.
- *Develop core prison programs in academic, vocational and financial education.* "Select and deliver in prison and in the community a core set of programs that covers the six major offender programming areas including Academic, Vocational, and Financial…" within the California Logic Model description (EPR Recommendation 6).
- *Evaluate academic programming.* "Focus on Academic programming…spend more time evaluating and commenting on the CDCR's academic program offerings…" (EPR Next Steps and Conclusion).
- *Ensure that community services assist parolees to obtain employment.* "Modify programs and services delivered in the community…to ensure that those services:…assist all returning offenders…obtain employment…" (EPR Recommendation 9).
- *Improve the quality and delivery of programs in the community for parolees.* Look at parole system and provide additional recommendations to the department on … "ways for improving the manner in which programs are delivered in the community" (EPR Next Steps and Conclusion).
- *Create incentives.* Create incentives to increase inmate participation and completion of academic and vocational programs by a minimum of 10% as required by AB 900 (sections 2054.2 and 7021 (a) (11)). The EPR also recommends that incentives be provided to "… expand its [CDCR's] system of positive reinforcements for offenders who successfully complete their rehabilitation program requirements…." (Recommendation 2).

The RST believes that only a comprehensive initiative like *New Start* will sufficiently respond to the recommendations of the Expert Panel to advance broad and enduring improvements in the post-release employment outcomes for ex-offenders. It is important to note that CDCR convened a Pre-

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[32] The progress report was delivered to Honorable John Laird, Chair of the Assembly Budget Committee, on October 1, 2007. In a letter signed by CDCR Secretary James Tilton, he indicates that CDCR is "making progress in the area of inmate treatment and offender programs," and is implementing an assessment system to better evaluate inmates' educational and employment needs, reviewing employment and education curriculum, and developing an expanded system of incentives to encourage prisoners to enroll and complete academic and vocational education. The details of the expanded program incentive system are due by March 31, 2008.

Release Task Force in 2004 that endorsed changes of a similar nature.[33] This proposal, when developed and initiated, will fulfill the statutory obligation of AB 900 as stated in section 3105.

Installing Project New Start: A Statewide Employment Placement Program

Once the RST concluded that a unified and integrated system will increase parolee employment, RST members considered several national 'best practices' models. The RST learned that all of the successful models incorporate four key factors: Skills development while in prison to help make the inmate employable; pre-release planning and preparation; job placement services after release; and job retention and follow-up services. It was determined that these elements must be included as component parts of *New Start*.

Examples of Successful National Offender Employment Programs

The RST examined successful programs in other states, such as the Center for Employment Opportunities (CEO) in New York City. This program places ex-offenders in work crews that provide day labor immediately upon release. The immediacy of the placement upon release avoids any slack time and is critical to the success of that program. Similarly, Chicago's Safer Foundation reaches many offenders while they are still incarcerated by operating both a private school in the Cook County Jail in Chicago and a work release center for the Illinois Department of Corrections. The foundation uses a small-group, peer-based approach in its in-prison and post-prison basic education skills program, and it provides special case managers to help clients address transitional problems for us to a year after they have secured employment (National Institute of Corrections 1997). Transitional Educational Program (TEP) in Ohio acts a bridge between institutional programming and community aftercare offering pre- and post- release assistance to parolees through a staff of uniquely qualified and committed teachers (Roberts and McClone 2007).

The RST also reviewed the Texas Project RIO (Re-Integration of Offenders) program and concluded that it provides the best model for developing California's own unique *New Start* program, in large part because of its statewide scope and success and because Project RIO parallels the Offender Accountability and Responsibility Plan (OARP) discussed in Chapter II of this report.

Project RIO is a comprehensive, evidenced-based prison to employment program that has been operating successfully in Texas since 1993. It is well supported by private sector employers and has enjoyed bipartisan support for years. Project RIO reflects a collaborative effort by the Texas Department of Criminal Justice (Corrections) and the Texas Workforce Commission (analogous to the CWIB). Eighteen to thirty-six months prior to release, Project RIO participants are assessed and an Individual Employment Program is created for each inmate. Consistent with that plan, inmates are provided a variety of educational, vocational, and job related services. Prior to release, an electronic record of the participant's employment documents is transmitted to the appropriate release facility. The record is also made available to the Texas Workforce Center staff who will work with parolees and employers at the local One-Stops. A hard copy is provided to the inmate prior to release. Project RIO services are fully integrated with the Texas Workforce Center's service delivery system and currently maintains relations with literally thousands of employers. Texas' system can be

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[33] *Pre-Release Strategy Task Force Report: Summary of Key Recommendations* (2004), chaired by Matthew C. Kramer, then warden of Sierra Conservation Center, now warden of Folsom State Prison, unpublished document, CDCR, Sacramento, CA.

adapted to California's system by using California's One-Stops as the pipeline to channel parolees from prison into jobs.

The RST strongly recommends that a joint partnership between the CDCR and the CWIB be established to create and install *New Start*. This partnership between the Employment Director at the CDCR and the Executive Director at the CWIB will ensure the cross-fertilization and coordination of reentry services recommended by the EPR and the CDCR's Pre-Release Strategy Task Force. The CWIB will oversee the efforts of the local workforce investment boards and One-Stop Centers, which are uniquely situated to provide employment assistance to this population. We propose a phased-in process, which is summarized below.

Installing *New Start*: Phase I (Month 1 to Ongoing)

The goal of Phase I activities is to develop and establish linkages with existing workforce programs and systems that will require minimal ramp-up time and yield immediate and tangible employment results. One solution that can be implemented with relative ease is to more effectively link parolees to employment services that currently exist in their home community. This effort can be jointly managed by the Employment Director at the CDCR (which the RST recommends appointing) and the Executive Director of the CWIB in a way that is consistent with an agreement between the Secretary of the CDCR and the Secretary of Labor. Phase 1 counties optimally should include San Diego, San Bernardino, San Joaquin, Sacramento, Solano, and the Northern California Consortium of Counties-Lake, Colusa, Glenn, Sutter, and Yuba. These counties represent a broad geographical and population component of the State, and the Executive Directors of the six local Workforce Investment Boards have all expressed enthusiasm about participating. Meetings can be convened with the Workforce Investment Boards (WIBs) in the selected counties as early as January 2008. The RST recommends utilizing the CWIB as the convener of meetings between the WIBs, One-Stop Centers, and the Employment Development Department (EDD) in order to develop a "stop-gap" system for linking parole agents, parolees, and the employment and training community. The Workforce Services Branch of the EDD will also be included as an integral partner in the design of program linkages.

We recommend CDCR establish a joint partnership with the CA Workforce Investment Boards (WIBs) to implement *New Start*, modeled after Texas' successful Project Rio.

The Employment Director at the CDCR will recommend representatives from impacted programs that already contain promising components of pre-release and post-release employment planning such as FOTEP, PPP, the PRI, the proposed E-Centers, and the PIA. The Office of Research at the CDCR will advise and assist with regard to capturing appropriate data necessary to track success of program participants at all phases of the process. The Enterprise Information Services advise with regard to the development of the computer technology that will ultimately be needed to support *New Start*.

During this entire process, all of California's remaining WIBs will be kept informed of the initiative's progress. Proposed new processes for both the local WIBs and their One-Stop Centers and the CDCR will be documented and related policy documents will be advanced for joint adoption by the CDCR and the CWIB.

Part of phase one will be devoted to identifying the processes and costs associated with providing parolees with standard "pre-employment" documents as soon as possible in order to expedite their eligibility for employment (e.g., social security card, birth certificate, California driver's license or

identification, tuberculosis test, etc.) and concurrently providing the earliest possible notification of soon to be released inmates to the WIBSs to facilitate early success in securing post-release employment.[34] The CDCR has, over the years, tacitly acknowledged the value of securing the type of needed pre-employment documents regularly made available to participating Texas Project RIO inmates. For example the workgroup understands that California State Prison (CSP), Solano and San Quentin State Prison (SQSP) had or have an arrangement with the California Department of Motor Vehicle (DMV) whereby their staff uses a portable camera and processes inmates for a California Identification and/or a California Driver's License prior to release.

In addition, the Inmate Employability Program at the PIA presently secures some of the documents secured by Project RIO, especially those related to evidence of in-custody employment and some other needed employment documents. In a recent discussion with the General Manager at a graduation of pre-apprentice carpenters and welders, it was revealed that PIA is looking at Project RIO as a model for PIA prison to employment programs. To this end, the General Manager has met with the current Director of the Department of Motor Vehicles (DMV) to explore the use of a mobile ID processing system. One of the impediments to their progress will be funding, as PIA is self-funded and this is not a normal business expense.

Because there is significant reluctance on the part of most California employers to openly acknowledge that they hire ex-offenders, it is recommended that this short term “triage” phase focus on inmates who show marketability and are more likely to garner the goodwill and interest of the employer communities. Populations such as PIA inmate employees, the CDCR Conservation Camp inmate firefighters, and successful graduates of vocational education programs should be targeted for this short preliminary phase. Early employment successes of ex-offender should then be communicated effectively to the local labor market via existing WIB channels.

Best practices and effective partnerships developed as part of the triage effort will be used to inform the structure of a demonstration project to be installed at the end of Phase II. It is expected that the demonstration project will be incorporated as a part of the operations of the first reentry center that will be sited in Stockton in San Joaquin County, which aligns with the OARP described in Chapter II of this report. Best practices and partnerships from Phase I will also assist in developing cost information for budget purposes. In addition, it is expected that those involved in service delivery will be called upon to recommend the development of tools, supports and system enhancements that will make the demonstration project more successful.

Costs for Phase I are anticipated to include support for the CWIB to hire at lease one full-time coordinator, one clerical and two part-time consultants who will assist both the CWIB and the CDCR in developing this immediate implementation plan prior to the Spring of 2008, final report date deadline for the Prison to Employment Plan required by AB 900. Moreover, funding should also be provided to assist each locally participating WIB to hire at least one or two new employment specialists to bolster efforts in counseling and placing parolees. This position will be similar to the Project RIO Case Manager. AB 900 provides a $50M appropriation to supplement funds for rehabilitation and treatment of inmates and parolees that the employment workgroup recommends

[34] Needed pre-employment documents are secured in Texas for Project RIO voluntary inmate participants prior to release and have been confirmed by EDD and local One-Stop Centers representatives as critically needed to get a job in California. In contrast, the usual practice in California is to give inmates a list of agency addresses in reentry communities where they may apply for and secure documents upon their release. Texas makes better use of the period of incarceration and pre-release by collecting these documents prior to an inmate’s release.

be used to support these critical costs for the implementation of the "triage" phase of *New Start*, the Prison to Employment plan required by AB 900.

In tandem with the efforts outlined in Phase I, successful model offender employment placement systems in other states, particularly Project RIO in Texas, will be evaluated for applicability to California's workforce reentry model. Successful programs include four component parts: 1) early post-release job acquisition; 2) job retention; 3) wage gain and or employment upward mobility; and 4) reduced recidivism. These component parts will be modeled in California's *New Start*. Meetings will be coordinated by the CWIB and the CDCR in early 2008 with appropriate representatives of the Texas system invited to participate.

CDCR should sponsor Stakeholder Forums to identify employers willing to hire ex-convicts, and to tie training to current labor market conditions. Other states do this successfully, assuring that prison training is translated to relevant jobs upon reentry.

Installing New Start: Phase II (Months 2 to 12)

During Phase II, the second wave of WIBs will begin adopting the improved integrated and coordinated processes developed by the CWIB and the CDCR (e.g., City of Los Angeles, County of Los Angeles, Fresno, San Jose, Orange County, and San Francisco) to culminate in the installation of the improved employment services delivery system as a demonstration project for *New Start* in the first reentry facility anticipated to open in Stockton, San Joaquin County in 2008. The learning that has occurred as a result of Phase I will inform the system installed as a demonstration project. Tasks will include:

- Identify technology solutions required to support the new model;[35]
- Identify necessary legislation and funding needs and advance proposals for authorization;
- Build capacity at the CDCR and the local level;
- Train staff to implement *New Start* and familiarize job placement personnel about incentives available to employers who hire parolees; [36]
- Identify benchmarks and standards California will pursue to measure the efficacy of the "triage" efforts and *New Start*;[37]
- Identify community based resources essential to the implementation of *New Start* (e.g. community-based and faith-based organizations, Chambers of Commerce, organized Labor); and
- Continue Stakeholder Forums to further engage business and continue identifying and eliminating employer barriers

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[35] Automated system improvements will be identified for implementation in Phase III or Phase IV. Creating safe and secure but easily accessible linkages to on-line job engines such as Monster and Career Builders will be considered to bolster this program. If necessary, a non-automated or low cost automation alternative will be put into use to support Phase I and Phase II WIB and One-Stop Center participants.

[36] The National Institute of Corrections (NIC) provides competency based training for practitioners who assist individuals who have criminal records with making informed decisions relative to job and career choices based on their abilities, aptitudes, and interest and information relevant to today's job market (e.g., occupational, educational, and labor market information). The NIC training should be provided to all staff, including all partner staff and parole agents who are assigned to this effort.

[37] Project RIO evaluates the ability of parolees to secure post-release training-related employment, wage gains of released adult ex-offenders, employment retention, and the effect of service provision on recidivism rates.

With regard to the last item, employers and organized labor will be identified and promoted as willing to hire ex-offenders. Support from the Office of the Governor is envisioned as necessary to give appropriate support and well-crafted public recognition to employers and organized labor that are willing to publicly hire ex-offenders. The purpose is create in California what Texas already enjoys, an extensive list of employers willing to hire ex-offenders and thus surmount the current stigma that impedes a successful transition from prison to employment. Meetings with employers and labor are envisioned to identify interests and needs related to breaking down California's historic resistance to hiring from this severely underemployed population. Experts from Texas' Project RIO will be involved to explain how Texas achieved employer and organized labor support.

As a separate but integral part of Phase II, an outside consultant will complete an assessment of correctional academic and vocational programs statewide for validity and quality assurance. Additionally, all these programs will be aligned to the outside labor market as follows: to convert prison skills to a national job standard; to match the standards for vocational training in the prison with those required by colleges to facilitate credit transfer; and to perform a data match to relate training programs to labor demand in California markets. A cost-benefit analysis of education, vocational and employment programs will be performed to enable funding better prioritization of funding resources. Ineffective programs should be discontinued; strong programs should be supported and coordinated; and new programs should be added if necessary to better prepare inmates for the job market.

By the end of Phase II, additional California's WIBs and their locally operated One-Stop Centers will be actively involved in a better integrated and uniform process to assist parolees in securing employment, including effective processes that promote earlier acquisition of needed employment documents. Costs and processes will be identified to provide automated support for the implementation of the improved system. Assuming that all of these tasks have been completed and positive performance outcomes have been measured, this integrated system will be launched as a demonstration project for *New Start* in conjunction with the opening of a selected reentry site at the end of 2008.

Installing *New Start*: Phase III (Months 12 to 24)

Phase III foresees the rollout of a *New Start* demonstration project in conjunction with the opening of the reentry facility in Stockton, San Joaquin County. The balance of the 49 WIBs will have been included in the integrated employment services system and will have well-documented process and performance measurements for both the CDCR and all WIBs and will be able to support the early acquisition of needed employment documents. A means for transmitting this information to local One-Stop Centers prior to an inmate's release will be in place. Upon release from the reentry facility, parolees will be channeled through the One-Stop Centers for employment assistance and follow-up. An external evaluator will review the *New Start* demonstration project to track ex-offenders and collect outcome data about employment at set intervals following discharge. Training and staff development will continue for WIB and other personnel, as appropriate.

Installing *New Start*: Phase IV (January 2010 to Ongoing)

Project *New Start* will roll out statewide in January 2010, after any modifications are made, as necessary, in accordance with the evaluative findings. All the necessary steps have been taken for California to meet the performance of Texas' Project RIO and any other relevant state-of-the-art prison to employment system in operation. At this stage, the cost of expanding this initiative should be incorporated into State budget proposals and costs and benefits should be well articulated. A

fully supported automated system should be in place to facilitate joint support by the CDCR, the CWIB and local WIBs for *New Start*.

The goal will be to significantly reduce the 60% to 80% estimated unemployment figure for California parolees. The core measure of effectiveness will be One-Stop Centers in California supporting the successful transition of inmates from prison into employment with a long and growing list of California employers willing to hire ex-offenders, so as to contribute to reductions in recidivism. Academic and vocational programs will be assessed and aligned with labor market demands. Community, family, and faith-based organizations will be involved in reentry employment efforts.

Key Personnel and a Timeline for Implementation

The "triage" effort will be the joint responsibility of Barbara Halsey, Executive Director of the CWIB and the Employment Director of the CDCR. Key personnel include the local workforce investment boards of the designated counties and the One-Stop Centers in those counties. Personnel at the CDCR will include directors or representatives of the divisions that manage employment related programs including DEVOP, OCE, DAPO, PIA and CBP. Research and information services personnel will also be involved. Staff for the CWIB will include one full-time coordinator, one clerical staff, and two part-time consultants to liaison with both the CWIB and the CDCR in implementing the workgroup recommendations. The CDCR will evaluate the need to add or re-allocate staffing resources as *New Start* programming advances.

The timeline for installing and institutionalizing *New Start* is summarized as follows:

- Joint Team Management: A joint management team between the CDCR and the CWIB and its local workforce investment boards and One-Stop Centers will immediately be created to oversee the phased in implementation of *New Start*. The Secretary of Corrections and Labor will provide guidance with all parties responsible to the Governor.
- Phase I: Month one and on-going: Meetings should be convened beginning in month one for Phase I of *New Start*. This initial implementation phase will seek to coordinate and streamline existing employment-related programs and collect necessary employment documents pre-release to create an improved delivery system in the participating WIBs that represent the counties of San Diego, San Bernardino, San Joaquin, Sacramento, Solano, and the Northern California consortium of counties-Lake, Colusa, Glenn, Sutter, and Yuba.
- Project Rio meeting: Simultaneously, a meeting of Project RIO representatives and key California stakeholders will also be scheduled during month one to model elements of the Texas program in the implementation of the "triage phase" of *New Start* and ongoing during program development.
- *New Start* demonstration project (Phase II: Months two to twelve): Phase II will begin in month two and during the year linkages developed in Phase I will be refined and expanded into additional WIBs and their locally operated One-Stop Centers (e.g., City of Los Angeles, County of Los Angeles, Fresno, San Jose, Orange County, and San Francisco). By month twelve, all participating WIBs and One-Stop Centers will be integrated into this improved service delivery process that will rollout as the *New Start* demonstration project in conjunction with the opening of the Stockton reentry facility in San Joaquin County.
- Assessment of academic and vocational programs: As early as possible during Phase II, a consultant will be secured by the CDCR and the CWIB to assess and align the academic and vocational programming in the correctional system to determine their effectiveness and

relevance and to better align them with labor market demands. The completion of this task will depend on the time required to identify and hire the appropriate consultant through the contracting process, as well as the time necessary to perform the requirements of the contract. Funding for the assessment must be secured.

- Stakeholder Forum: During Phase II, the CDCR and the CWIB will convene an additional Stakeholder Forum with local employers in one of the "triage counties".
- *New Start* demonstration project (Phase III: Months twelve to ongoing). The *New Start* demonstration project will be installed and operating in the reentry facility. The prison to employment system will be informed by lessons learned during Phases I and II. The system will channel inmates through the One-Stop Centers for assistance in securing employment equipped with the necessary employment documents in hand before leaving the facility. An evaluation tool to assess the effectiveness of the new model will be developed including the indicators of success in the Project RIO model: ability to secure a job, wage gains, employment retention and effect on recidivism rates. Modifications will be made in the system as dictated by findings of the evaluation.
- *New Start* Statewide Rollout (Phase IV: 2010 to on-going). Assuming that performance measures indicate that the demonstration project results in an increased number of ex-offenders who secure and retain employment and that adequate funding is in place, a statewide rollout of *New Start* is anticipated beginning January 2010.

Implementation Challenges

While minor start up costs can be funded out of the AB 900 appropriation, there are ongoing costs that will require budgetary appropriations. The Department of Finance (DOF) has already announced a 10% across the board cut for Fiscal year 2008-2009. On the other hand, a prudent strategy would be to conduct a cost benefit analysis of existing education and vocational programs as recommended by the employment workgroup. Findings should enable the department to reallocate funds from less effective programs to those that are more effective, perhaps alleviating the need for new funding.

Other possible challenges include:

- Actions that affect teachers, parole agents, and correctional counselors may raise labor concerns.
- Appointment of a new Director of Employment at the CDCR is critical to forming a "cross-silo" team with the CWIB to implement recommendations of the RST.
- Classification practices in accordance with the OARP described in Chapter II will need to change to maximize the benefit of the prison to employment services to parolees.
- The CWIB will need financial support for staffing this new effort.
- Legislation will be necessary authorizing the establishment of *New Start*.
- *New Start* will need to be supported by information technology (IT) that is currently nonexistent.
- Demands of existing lawsuits may compete with *New Start* for space, funding and staffing within the CDCR.

V. Realigning Parole Resources with Offender Risk[38]

This chapter:

- ***recommends fundamental parole reform to realign parolee risk with available resources;***
- ***explains "earned discharge" parole, wherein certain low risk, exemplary parolees are permitted to earn their way off parole (or be placed on banked caseloads) at the end of six months; and***
- ***describes the development of the California validated risk-of-recidivism assessment tool and the parole violation decisionmaking matrix. Both will be ready for field testing in Winter 2008.***

If the goal of CDCR is to reduce recidivism and improve public safety, the process does not stop at the prison door. Efforts must continue, via parole, for the formerly incarcerated person who is transitioning from prison to community.[39] The reentry process must be a structured one, largely defined by a validated risk assessment tool, caseloads that are small enough to permit supervision and services, uniform responses to technical violations, and incentives to reward exemplary parole performance.

California's parole system is the largest in the nation, probably the world. About 120,000 people are released from California prisons each year, and every one of them is put on parole regardless of their conviction crime. This is not true in other states. In Ohio, Massachusetts and Florida, for example, just 40% of offenders released from prison get parole supervision. Those 40% are deemed to be the highest risk, and they get more attention. CA is one of only two states that put everyone on parole supervision for at least one year.[40]

The Division of Adult Parole Operations (DAPO) provides services and supervision for all California parolees. But they have not been given the resources or mandate to provide comprehensive services to all parolees. DAPO has an annual budget of about $810 million (about 1/10th of CDCR's annual budget), which supports 2,300 parole agents in the field dispersed among 190 parole units in 84 locations, across four parole Regions.[41] Parole also has parole outpatient clinics and 150 clinical social workers serving the mentally ill and sex offenders. According to the CDCR, it currently costs about $4,300 per year to supervise a parolee, compared to $43,200 to incarcerate a person in state prison. Policymakers agree that most parolees do not receive the assistance they need at release. They

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[38] This chapter was written by Joan Petersilia.

[39] Parole is a period of supervised release that follows a prison term. Prisoners may be released to parole either by a parole board (discretionary parole) or by law or statute (mandatory parole). California does not have discretionary release for prisoners other than persons sentenced to life terms with the possibility of parole (about 12% of California's prison population). California's determinate sentencing law, passed in 1977, requires that prisoners are released after serving all or a portion of their original sentences minus any good time credits earned. About half of everyone entering parole in the U.S. was released from prison by this method.

[40] The other state is Illinois, but they have recently altered their practices. Illinois reported that 13% of all prisoners released in 2006 did not go to post-prison parole supervision (American Correctional Association 2007). At the other end of the spectrum, two states—Maine and Virginia—have eliminated post-prison supervision altogether. There is widespread variation among states in their use of post-release parole supervision.

[41] DAPO also operates 19 reentry centers and 2 restitution facilities. Most of these facilities are operated by public or private agencies under contract to CDCR.

receive a small amount of "gate" money (maximum is $200); a bus ticket, usually to their county of commitment; and whatever funds they have accumulated in their accounts from institutional jobs or work assignments. Prisoners are largely uneducated, unskilled, often without family support, and with the stigma of a prison record hanging over them. Many, if not most, will experience serious social and psychological problems after release.

The California Expert Panel (EP) found that fully 50% of all exiting CA prisoners did not participate in *any* rehabilitation or work program, nor did they have a work assignment, during their *entire* prison term. They didn't get the help they needed on parole either: the EP reported that 56% of parolees didn't participate in any formal (i.e., non-volunteer) program while under parole supervision. Bottom line: most prisoners and parolees leave CDCR with their literacy, substance abuse, and employment needs unmet. In other words, they are unprepared for success.

California parolees often don't get the surveillance and supervision they need either, as high caseloads often preclude close contact. The dramatic growth in California's parole population—a nearly 8% growth from last year (prisons increased just 1% over the same time period), has stretched parole agents to the maximum. Michael Jacobson (2005) recently wrote that parole agents "work with few resources and experience constant pressure, including anxieties about whether someone on their caseload will be the next murderer of a Polly Klass. Indeed, a combination of high caseloads, few internal resources, and frequent political condemnation makes their job one of the most difficult and stressful in the criminal justice system." Members of the RST agree.[42]

California adult parole caseloads average 70:1 (70 parolees for every 1 parole agent) for purposes of determining the Division's budget but caseloads are often greater than 100:1. The implications of the growing parolee population, Jessica's Law and other issues have resulted in many caseloads exceeding 90-100 to one agent. About 80% of all California 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 personal oversight: Current rules require the same two monthly meetings for "high control" and "high-risk sex offenders," but one visit must take place in the parolees' residence. Parolees also may be drug tested, but the most stringent drug testing requirement imposed upon California parolees at release is monthly drug testing.

This low level of interaction with parolees does not prevent crime. Two-thirds of all California parolees (67%) will be back in prison within three years**,** twice the national average. In Texas, the state most comparable in the size of its prison population to California, the figure is about 20% (Petersilia 2006). Due to their high failure rate, parolees account for the bulk of California prison admissions. In 2006, 68,000 parolees were returned to California prisons for parole violations, serving an average prison term of about four months each for those violations (Expert Panel Report 2007, p. 24)

It is important to understand that the maximum term for a parole violation for adult offenders in California is twelve months in prison. If a parolee is sentenced to that maximum term, there is a 1 for 1 day credit for time served in prison or in jail awaiting case disposition (except for persons convicted

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[42] This reality is compounded by the fact that there is virtually no field level supervision, training or day-to-day mentoring of the work force. The DAPO field structure provides for 8 to 11 Agents, each supervising up to 100 parolees, being supervised by a PA III, who is assisted by one PA II Specialist. The PA II Specialist cannot supervise, discipline or evaluate the performance of the Units' Agents. He/she merely provides administrative support to the PA III. This structure creates an environment in which the working Agents have little contact with the PA III, other than when meeting the administrative responsibilities of their caseload. PA III's rarely, if ever, leave the office and have virtually no time to train and mentor the work force. At a time when significant cultural and operational change is required, this structure fails to provide the support and guidance required of the field Agents.

of specified violent offenses). The inmate earns that time off the imposed sentence unless he/she violates prison rules and is disciplined. The upshot is that the parole violator who is not convicted of a new crime—equaling nearly 70,000 prison commitments in 2006—will spend, on average, 4.2 months in custody. Due to the complexities of the inmate reception process and the number of inmates moving through the State's eleven reception centers, prisoners spend an average of 90 days (sometimes much longer) in one of these reception centers before to being transferred to his/her assigned prison. By the time the parole violator is transported from the local county to the State reception center, is 'processed' and then 'endorsed' to a specific prison, that parole violator may have served the required prison sentence and simply be paroled (again) right out of the reception center. And of course, not everyone gets the maximum twelve months sentence. Data analyzed from CDCR's Revocation Scheduling and Tracking System (RSTS) and displayed in Table 1 shows that of all parolees returned to a prison in 2004, 20%—one if five parole violators—serve less than one month in a CA prison (they may have served additional time in local jail awaiting disposition). Fully 77% serve less than 5 months in prison.

Since the reception center process takes an average of 90 days, tens of thousands of parole violators discharge directly from the CDCR reception centers. The upshot is that more than 25,000 parole violators annually go through the arduous parole violation process—which includes a formal revocation hearing with a parole commissioner, court reporter, parole officer, attorney representing the parolee, and often law enforcement and witnesses. If the parole violation charges are sustained at this hearing (and they almost always are), the parolee is then transported by bus to a reception center, his/her "C" (corrections history) file requested from CDCR center records storage (which can take weeks to retrieve), and the reception center begins the process of assessing—physical, mental, gang affiliations, sensitive needs—and recommending that the inmate be "endorsed" to serve time in a specific prison. At some point during that routine processing of parole violators, many prisoners will be released, having served the required sentence before the reception process is complete. They will parole right out of the reception center, and the State will again pay for their transportation back to their county of commitment.

Table 1: CA Parolees Returned to Prison in 2006 for Administrative Parole Violations

Months Served in CDCR prison	Number of Parolees	Percent
Less than 1 month	15082	21.8
1 to 2 months	5621	8.1
2 to 3 months	11721	16.9
3 to 4 months	11601	16.8
4 to 5 months	9327	13.5
5 to 12 months	14311	20.7
Longer than 12 months	797	1.2
Total	69228	100

NOTE: Parole violators who are convicted in court of a new crime are excluded from this analysis. This analysis was provided by Jeff Lin, Ph.D., UCI. There were 768 cases with missing data.

This system of 'catch and release' makes little sense from either a deterrence, incapacitation, treatment, or economic standpoint. Parolees quickly learn that being revoked from parole doesn't carry serious consequences, and the State will have paid thousands of dollars to classify, assess, test, and endorse inmates to prison who will not be there long enough to serve a prison term.

Moreover, parolees who were enrolled in treatment programs, are constantly having that treatment disrupted for what, in many treatment providers' views, are predictable and minor rule violations (e.g., testing positive for drug use). Treatment specialists recognize that obtaining sobriety is a long and difficult journey, and relapse is expected. The RST heard much frustration from treatment providers who say that parolees are often yanked out of programs, sent back to prison for a few weeks or months, and then re-released—and CDCR expects treatment providers to adapt to these constant breaks in the treatment regimen. The legalistic stance of parole is not well aligned with the principles of evidence-based rehabilitation programs, and these continuing tensions are partly to blame for the lack of community treatment beds for CDCR clients (which of course need to expand under AB 900). These tensions will also impact CDCR's ability to establish the array of intermediate sanctions required for the technical violation matrix described below. The RST also heard from parolees who reported losing jobs and stable housing when they were re-incarcerated for a few weeks or months for minor parole infractions.

And we can't help but note how the intake of 60,000 (now nearly 70,000) parole violators to the State's reception centers each year adds to the bottleneck in records-keeping. This undoubtedly contributes to the recently publicized situation wherein up to 33,000 prisoners have not had their correct sentences recalculated as a result of a series of recent court rulings. Corrections officials say they are unable to calculate the sentences properly because of staffing shortages and outdated systems that force analysts to do the complex work by hand. CDCR proposes to hire 85 more

analysts to begin working on the problem (Rothfeld 2007). Although parole violators cycle through the system quickly, they further burden an already stressed intake system and add to California's prison overcrowding crisis. Because the parole system contributes so heavily to prison crowding, improved parole practices could have an immediate and lasting impact on the need for prison beds in California.

Rehabilitation Strike Team (RST) Activities

Every major report on the California corrections system since the early 1980s has recommended fundamental parole reform. In fact, in nearly all of these reports, parole reform is the major recommendation. The RST reviewed these reports and began its work by convening a one-day meeting with key stakeholders to discuss how best to prioritize these recommendations and address the AB 900 benchmarks. Joan Petersilia, RST member, chaired the first meeting, which was held on June 29, 2007. About thirty individuals were invited to represent the perspectives of victims, organized labor (representing prison and parole agents as well as teachers, medical staff, and social workers), DAPO management, Board of Parole Hearings (BPH), law enforcement, CDCR management and legal affairs, community members, elected officials, and non-profit service providers. More than a dozen follow-up meetings were held with subsets of the original attendees between June-December, 2007 as the RST worked on specific issues, as discussed below.

A consensus quickly emerged from these meetings that California is using resources to send individuals in and out of prison rather irrespective of the risk posed by any given person. As a result, a large percentage of nonviolent criminals accumulate extensive criminal records as a souvenir of the catch-and-release system. Despite their records, they may not be any more dangerous than their counterparts in other states who are successfully handled through an array of community-based intermediate sanctions. The key to reducing the number of parolees who return to prison lies in matching the risks and needs of individual parolees to evidence-based rehabilitation and work programs, providing incentives and rewards to parolees to enroll and complete those programs, and when parole violations do occur, using structured parole violation guidelines to impose intermediate community-based sanctions rather than prison if appropriate. AB 900 and the EPR report endorses these recommendations as well, calling for:

- The use a California validated risk-of-recidivism assessment tool to match parolee risks with available resources.
  - "The CDCR shall conduct assessments of all inmates that include….criminal activity… which shall be used to place inmates in programs that will aid their reentry to society and that will most likely reduce the inmate's chances of reoffending." (AB 900 SEC. 2.5, Section 3020)
  - Select and utilize a risk assessment tool to assess offender risk to reoffend. (EPR recommendation 3)
- Incentives and rewards to encourage parolee progress and success:
  - "The Department of Corrections and Rehabilitation shall determine and implement a system of incentives to increase inmate participation in, and completion of, academic and vocational education…" (AB 900 (SEC.6. Section 2054.2)
  - "Enact legislation to expand … positive reinforcements for offenders who successfully complete their rehabilitation program requirements and fulfill their parole obligations in the community." (EPR recommendation 2)

- "Implement an earned discharge parole supervision strategy for all parolees released from prison after serving a period of incarceration for an offense other than those listed as serious and violent under CPC §1192.7(c) and §667.5(c). (EPR recommendation 2c)

- Policy-driven approaches to parole violations using a decision-making matrix and graduated community-based sanctions:
  - "CDCR will develop and implement a plan to obtain additional rehabilitation and treatment services for prison inmates and parolees." (AB 900 Section 2062)
  - "Reentry program facilities shall provide programming to inmates and parole violators tailored to the specific problems faced by this population when reintegrating into society." (AB 900 Section 6272)
  - "Develop structured guidelines to respond to technical parole violations based on the risk to re-offend level of the offender and the seriousness of the violation." (EPR recommendation 11)

Use Risk Assessment Tool to Match Parolee Risks, Needs, and Resources

Parole reform and accountability requires, as a matter of public safety, a validated risk assessment tool to evaluate an individual's risk of recidivism. Parole decisions are now often being made based on a subjective determination of an individual's circumstances and correctional judgment. Research has repeatedly demonstrated that experiential judgments are subject to unreliability, low validity, and much variability among decision makers. Guidelines that structure but do not eliminate discretion have been shown to be superior in recidivism prediction (Petersilia 2007).

CDCR Secretary Tilton has directed that a statistically validated static risk assessment tool be developed as quickly as possible. With serious offender needs and limited parole resources, it is imperative that California officials identify those offenders with the highest probability of committing new crimes so they can then target rehabilitation and monitoring resources on them.[43]

Empirically-based risk instruments have repeatedly demonstrated their ability to sort the offender population into sub-groups that have very different probabilities of recidivism. Using details of an individual's criminal history and other personal characteristics (e.g., age and gender), it is possible to identify a group of high-risk offenders who are four to five times more likely to recidivate than low-risk offenders (National Council on Crime and Delinquency 2006). Risk and needs assessment tools are now used by nearly 500 correctional agencies worldwide, and such a tool is a precursor for the fundamental parole reforms being recommended by the RST. With such a tool, DAPO will be able to:

- Assign caseloads and supervision levels so that offenders are 'matched' to type of programs and services most appropriate for them. Resources can be focused on higher-risk parolees, and very intensive (and expensive) programs reserved for the most dangerous offenders;
- Services and surveillance should be 'front loaded' to focus on a parolee's first 180 days after release, when the risk of recidivism is the highest (National Research Council 2007);

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[43] The Division of Adult Parole Operations (DAPO) has already implemented a risk and needs assessment tool in each of the 33 prisons, the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS). COMPAS is a risk and needs assessment tool for criminal justice practitioners to assist them in placement, supervision, and case management of offenders in community settings. Since January 2006, DAPO has completed over 87,000 pre-release assessments of inmates to be released from the institutions and placed on parole. In Fall 2007, CDCR contracted with Professors David Farrabee and Sheldon Zhang to statistically validate COMPAS and determine if the assessments are producing accurate and effective parole placement recommendations. CDCR is also currently piloting the COMPAS instrument in its receptions centers. COMPAS does not yet contain sufficient California recidivism data to use it as a recidivism prediction tool.

- The duration of an imposed parole term should reflect an offenders' risk level or accomplishment of individual benchmarks. Low risk offenders might not be assigned parole supervision at all or those who adjust well could be released after six months of supervision. Moderate risk offenders might be assigned a year or two of parole, whereas high-risk offenders might serve two years or more, and very high risk (e.g., repeat sex offenders) might be assigned life time parole;
- Respond to parole violations differently, using a well-developed range of intermediate sanctions. The response would reflect the original risk level of the parolee coupled with a proportionate response to the seriousness of the violation.

Despite the urgent need for a validated risk assessment instrument, California does not have one. While it is true that there are dozens of risk assessment instruments in existence, and similar factors generally predict recidivism (e.g., seriousness of criminal record), each state needs to develop and validate its own risk assessment tool to assure that the individual items are weighted appropriately for that states' offender population. For example, gang affiliation or commitment to a state-level juvenile facility may mean something different in California. Researchers have been urging CDCR to develop a risk assessment tool for decades but the recommendation took on urgency as the State moved to implement significant parole reform, much of which relies upon a validated risk assessment tool.

RST member Joe Lehman and Steven Chapman, Ph.D., Assistant Secretary, CDCR Office of Research, contacted the Washington State Institute for Public Policy (WIPP) for assistance. The WIPP has extensive experience developing well-regarded risk assessment tools and Barney Barnoski, Ph.D. of WIPP agreed to help CDCR. Developing an accurate tool requires detailed data on prior criminal record and statistical knowledge of how to build such an actuarial tool. Dr. Barnoski was the lead researcher on Washington's risk assessment tool and had work closely with Mr. Lehman when he was director of the Washington Department of Corrections. Susan Turner, Ph.D., University of California, Irvine, was brought into the research team to analyze the data in collaboration with Dr. Barnoski.

An accurate risk assessment tool cannot be developed without the requisite offender criminal history data. CDCR has no routine method to access a prisoner's complete criminal record. CDCR data sets are limited to prior California prison commitments only, a severe limitation that ignores out-of-state prison commitments and any jail, probation, or juvenile sentences. This limitation has been a major stumbling block to previous risk assessment efforts. Secretary Tilton contacted the California Department of Justice (DOJ) and requested their help, which they provided on a one-time basis. DOJ maintains a more complete computerized 'rap sheet' for each offender. In addition, a number of other data sources containing offender information were merged, as discussed below.

The project uses a sample of approximately 103,000 inmates released to parole in FY 2002-2003. Multiple data systems were used to abstract data for the development of the risk assessment tool. CDCR automated databases provide information such as demographics and some offense history

data. Automated "rap sheet" data have been provided by the California Department of Justice (DOJ) began recording juvenile court dispositions on rap sheets five years ago as a result of Proposition 21 and enactment of Welfare and Institutions Code section §602.5. CDCR also provided risk assessment data from their COMPAS database if it was available. California's Division of Juvenile Justice (DJJ) provided a limited set of juvenile prior record information.

CA's unusual practice of sending all prisoners to parole means that caseloads have reached unmanageable levels. Serious offenders aren't closely watched, and those motivated to go straight, can't get the help they need.

Using this combined prior record information; the methodology is designed to predict three-year follow-up recidivism utilizing a stepped model development process. First, available data will be used to replicate the Washington Risk Assessment tool developed by Barnoski and Drake (2007). A second step will introduce available items that CDCR has provided from the COMPAS scale to determine whether predictive accuracy can be improved. Finally, a third step will add available proxy items that CDCR has provided from the Level of Service Inventory (LSI). LSI items include dynamic factors such as substance abuse. The goal is to produce a scale that has the highest predictive accuracy for determining which California offenders will recidivate within three years.

Key Personnel

This effort required the collaboration of CDCR's research division, the California Department of Justice, researchers at the University of California, Irvine, and staff from the Washington Institute of Public Policy. The project is lead by DAPO Director Tom Hoffman. Steven Chapman, Ph.D. and RST members Joe Lehman and Joan Petersilia are advisors to the project. Robert Barnoski, Ph.D., formerly with the Washington Institute for Public Policy serves as a project consultant. Susan Turner, Ph.D., at the UCI Center for Evidence-Based Corrections is responsible for the analyses and production of the risk assessment tool.

A Timeline and Implementation Challenges

The California Risk Assessment instrument should be available for testing by CDCR by the end of January 2008. A final research report will also be published by CDCR's Research Division and will contain the final risk assessment instrument, data analysis and findings, and any recommendations for future refinement of the model.

This is now a one-time activity, requiring a special data request from the CA Department of Justice to secure complete criminal records. Once the tool is developed, staff will need to be trained to code an individual's criminal record so that it appropriately weights the factors shown to predict recidivism. Policymakers at all levels of the justice system will need to consider how they wish to utilize an empirically based risk tool.

Provide Incentives to Encourage Parole Success and Accelerate Parole Discharge for Exemplary Parolees

Having a better risk-assessment tool is but a first step. It is important to use that information to manage programming following release and to create incentives for successful reentry. One element of promoting successful reentry must be to engage offenders in efforts at self-change. They need to

be encouraged and motivated to participate in various activities like drug treatment, job training, educational programs, and other activities that reduce the likelihood of re-offending.

Parole agents are uniquely situated to create incentives and foster the engagement of offenders in the process of change. As the EPR notes (p. 11), "The CDCR treats offenders who successfully complete rehabilitation programs and positively manage their behaviors in roughly the same manner as those who do not."

Parolees have consistently said that one of the strongest motivators to enroll in rehabilitation programs and keep them attending would be the prospect of getting *off* parole supervision. Today, parolees are successfully discharged from parole if they adhere to their parole conditions (mostly, remain crime-free) for the length of that pre-assigned time period. Basic parole supervision is for three years, maximum is four years for most, but non-violent, non-serious (as defined in 1992.7 and 667.6 PC) parolees can be discharged after one year of lawful behavior. They have little opportunity to reduce the length of their imposed parole term once it has been imposed. By providing the opportunity for an accelerated release date as an incentive, parole agents and the Board of Parole Hearings (BPH) can motivate prisoners to participate in targeted interventions and behavior that will increase their chances of successful transition into society.

The earned discharge strategy is an evidence-based practice that is based on principles of effective treatment (Petersilia 2007) and was also one of the recommendations in the EPR, as noted earlier. Moreover, the California Independent Review Committee of 2004, chaired by former Governor Deukmejian recommended earned discharge, writing: "Discharge parolees who are determined to be very low risk from parole three months after they are released from prison."

Joan Petersilia, Ph.D., member of the Expert Panel and the RST, in collaboration with Tom Hoffman, Director of DAPO, took the lead in developing a small 'earned discharge' pilot project unveiled in September 2007. The pilot test will permit very low risk offenders to be eligible to be released from parole after six months rather than the customary one-year. To do this, they must meet a specific set of requirements. In weighing eligibility, officials will consider an offender's complete prior criminal record, as well as evidence such as parolees' employment status, successful completion of rehabilitation programs, and whether they have a stable residence. These criteria, when met, are good predictors of lawful behavior. As these well-performing parolees earn their way off supervision, parole agents can devote more resources to supervising more dangerous parolees.

The next section describes the details of the Earned Discharge pilot project, including eligibility criteria, geographical location of the pilot, and timetable. It is important to note at the outset that section §3000 of the California Penal Code (PC) authorizes the Board of Parole Hearings (BPH) to discharge a parolee at *any* time during the parole period. The penal code mandates that non-violent, non-serious offenders (as defined in California Penal Code (PC) Sections §1192.7 and §667.5) be discharged from parole 30 days after serving 12 continuous months of violation-free parole. Serious and violent offenders (as defined by PC Sections §1192.7 and §667.5) are eligible to be discharged 30 days after serving 24 months of continuous, violation free parole. Violation free is defined as no Board of Parole Hearings (BPH) actions have been taken against the parolee within the first twelve months of parole, or twenty-four months for offenders classified in §1192 or §667.5 P.C.

But as Scott Kernan, Chief Deputy Secretary, CDCR, noted in his *Plata et al, v. Schwarzenegger, et al.*, declaration, "Current organizational practice within DAPO results in fewer parolees being discharged from parole at the 13th and 25th months than is authorized in California Penal code

§3001. Departmental databases identify 7,642 parolees who potentially meet the requirement for discharge after 12 months of successful parole, but were nonetheless retained on parole during the past 12 months. CDCR electronic databases do not quantify the reasons for retention."[44] Annually, DAPO discharges an average of 13,800 parolees at the 13th month and approximately 5,000 at the 25th month under this statute.

If case factors warrant an early review, the Agent of Record (AOR) may submit a discharge packet to the BPH for review recommending discharge prior to the completion of one year of continuous parole supervision. Although a permitted process, this organizational practice rarely occurs based on the wide spread perception that it is a more defensible position, in the event the parolee re-offends after being discharged, for the AOR to wait until the 13th month to recommend discharge. Today virtually every parolee serves a full year under DAPO supervision. The earned discharge proposal is intended to address this organizational practice.

Eligibility for Earned Discharge or Banked Caseload Consideration

Parolees considered for earned discharge or banked caseload will be reviewed in a seven-step process.

Step 1: Only parolees who are currently in the two lowest-risk levels of active supervision, **those classified as Minimum Supervision (MS) and Controlled Service (CS) are eligible for earned discharge** consideration. As of September 4, 2007, there were 27,851 cases classified as minimum supervision, and 58,694 cases classified as requiring controlled service.

Step 2: MS and CS individuals will have their parolee file electronically reviewed for referral to Step 3. **Any parolee with a current or prior conviction for a serious or violent crime is excluded** from further consideration, as are parolees assigned to the United States Immigration and Customs Enforcement (ICE), state mental hospitals, and a few select others. Parolees with poor parole performance are also excluded. Specifically, the following parolees are excluded:

- Registered sex offenders (PC §290 registrants);
- Parolees whose current commitment offense is either Serious or Violent (PC §1192.7 or §667.5);
- Parolees who have been on active parole for a period of 6 months or longer, with a documented break in supervision as a result of:
    - Parolee at Large/Suspend status
    - Parole Violation – listed either in CalParole and/or Revocation Scheduling Tracking System (RSTS)

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[44] See complete Kernan declaration at http://www.cdcr.ca.gov/News/CourtDocuments.html. Mr. Kernan and DAPO created additional parameters for discharge that will provide parole agents with necessary administrative direction and clear expectations. The parameters are as follows: all parolees who have successfully completed a 12-month consecutive period of parole without revocation and who meet the following criteria will be discharged in accordance with Penal Code section §3001: (1) no serious or violent controlling or non-controlling offense (as defined in Penal Code §667.5 or §11.92.7); (2) no conviction for serious or violent offense in the preceding 10 years; (3) no conviction for any offense requiring registration under Penal Code §190; and (4) not classified as a gang member (see Declaration of Scott Kernan, *Plata et. al. v. Schwarzenegger*, May 16, 2007).

- Parolees currently assigned to the United States Immigration Service (INS), state mental hospitals (Atascadero State Hospital, Patton State Hospital, Coalinga State Hospital), and Interstate and Narcotic Numbers (I and N).

CA should use a validated risk assessment tool to align parole resources with the recidivism risk of the offender. CDCR is now developing such a tool, ready for testing in January 2008.

Following the electronic review of those cases, the remaining cases will be referred to Step 3.

Step 3: All eligible Step 2 cases will be referred to designated staff at either Case Records North or Case Records South for Step 3. This phase will require that the designated staff pull and review the parolee's entire criminal record, including the juvenile record, as contained in the Central File (C-File). A review of the C-File will be conducted and a risk assessment will be conducted utilizing the Phase One assessment instrument. For the pilot project, DAPO will use the 26-item Static Risk Assessment Tool developed and tested by the Washington State Institute for Public Policy (Barnoski and Drake 2007). The risk assessment instrument has been developed to quantify the history of violence of the reviewed offender and assess the level of risk this history represents to the community when compared to other similarly assessed offenders in Washington State. Robert Barnoski, Ph.D., who developed the tool is assisting the CDCR Research Division to apply the tool to California. The validated California risk assessment tool should be ready for field testing in late January 2008.

During a review of the C-File the staff will identify any additional exclusionary criteria contained therein which will prohibit the offender from being referred to Phase 3. Such exclusionary criteria will include:

- Parole violations not captured in CalParole or Revocation Scheduling and Tracking System (RSTS);
- Prior convictions for Serious and Violent (PC Section 1192.7 or 667.5) cases;
- Active cases in local custody and not in revocation status;
- Gang affiliations;
- Any other identified exclusionary factors as determined by CDCR.

The risk assessment tool produces a risk score, and these scores are then used as cutoff scores to classify offenders into low, moderate, and high risk for re-offense. Only parolees identified as low risk for violent re-offending are considered for step 4.

Step 4: All remaining cases will be referred to the respective parole unit for final review. During this review the Agent of Record (AOR) will review the case utilizing the same criteria listed in Step 2 and Step 3. If a case has been identified as excluded, it will be noted on the review documents. In addition to the AOR, the Unit Supervisor (US) and District Administrator (DA) will note concurrence on the review sheet, at which time the offender will be removed from consideration. All remaining cases will have their current parole adjustment assessed. The emergency regulations adopted by BPH on September 18, 2007 specify that parole adjustment will assessed as follows:

> The parolee has remained violation-free; has secured employment earning wages that cover a substantial portion of his or her needs, attends school on at least a part-time basis, or some combination or employment and school attendance, or

implemented other plans indicating law-abiding integration into the community' developed reasonable stable relationships with others; secured a stable residence that may include permanent residential treatment such as a board-and-care facility when appropriate; is complying with special conditions of parole; participated in volunteer activity and/or self-help programs available in the community; is in substantial compliance with any restitution fines and order in accordance with Penal code section §3000(a)(3).[45]

Step 5: **Parole supervisors must concur to move forward.** Those control service (CS) and minimum supervision (MS) cases that have met all of the above requirements and have been violation free for six months, will be recommended for earned discharge unless parole agents exercise an override. If parole agents and their supervisors concur, the case will be forwarded to the Board of Parole Hearings (BPH) for discharge action – since only the BPH has the authority in California to discharge parolees at the end of six months. But before that case is forwarded to BPH, a newly formed local Law Enforcement Advisory Committee (LEAC) will be notified of DAPO's intent to forward a recommendation for discharge to the BPH for a specific parolee and their input considered and noted for the record.

Step 6[46]: Before DAPO forwards information to the BPH for discharge consideration, **local law enforcement representatives will be notified of the name and other identifying information of each parolee is being recommended for discharge.** A local Law Enforcement Advisory Committee (LEAC) has been established specifically to collaborate with the earned discharge pilot project. The LEAC will review each case prior to submission to the BPH and they will be provided the opportunity to provide additional information that may only be available to local law enforcement (e.g., the parolee is involved in an open criminal investigation, or the parolee has had frequent contacts with law enforcement personnel). This additional information may impact DAPO's recommendation for discharge (e.g., and result in an override at Step 5), or if the case goes forward from DAPO, the LEAC documentation will be also be submitted to the BPH, and may impact the BPH's final discharge decision. Also being discussed is a 'banked caseload" (that is, unsupervised) option. Although the parole division has the option available of placing low risk parolees on banked caseloads, it has chosen to do so only for undocumented aliens who have been deported from the United States upon their release on parole. If parolees were placed on a banked caseload (rather than being discharged), they would continue to be subject to state law which provides that, as a condition of parole, a defendant is subject to searches by a police officer at any time of the day or night, with or without a search warrant or suspicion.

Step 7: **The Board of Parole Hearings (BPH) must concur** after considering all of the information and give its final approval for parole discharge or assignment to a banked caseload.

This seven-step process is quite stringent and is likely to affect only a very small percentage of active parolees. Parole experts who are managing the pilot project estimate that the number of parolees surviving this seven-step process and ultimately be recommended for discharge or banked caseloads at six months will be 5 to 10%. It was purposely decided to implement the earned discharge policy in a very conservative fashion. The accompanying research evaluation should reveal

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[45] Emergency Regulation Adopting §2536.1 of Title 15, Division 2, "Review of Parole Discharge Recommendation After 180 Days of Parole Supervision," BPH Memorandum dated September 7, 2007.

[46] This step was added after the earned discharge proposal was discussed at a meeting on October 16, 2007 with local officials, including representatives from the district attorney's office, law enforcement, probation, elected officials, and victim's representatives.

how many parolees are impacted and what factors weighed heavily at different stages in the process. This information, along with the California validated risk assessment tool, will be used to consider expansion and revision to the earned discharge parole program statewide.

Key Personnel and a Timeline for Implementation

Joan Petersilia, RST member, and Tom Hoffman, Director of DAPO have been collaborating closely to bring this project to fruition. In addition, Secretary Tilton, Scott Kernan, and staff from the Governor's Office have been working closely to assure implementation success. Marty O'Neil, Regional Administrator in Region IV, and Jill Brown, District Parole Administrator, West End District in Orange County, are the project directors. Sean Hosman and Liz Cass, from Assessments.com have received a contract to train parole staff to correctly interpret an offenders' rap sheet and enter this information into an electronic format so that it can produce the weighted risk assessment score required by Step 2 above.

The Earned Discharge pilot project is proceeding as follows:

- Develop the earned discharge qualifications (completed August 2007);
- Develop the regulations that will permit the earned discharge (completed August 2007);
- Develop the earned discharge instrument, incorporating the static and parole performance measures (completed September 2007);
- Get regulations approved by the Board of Parole Hearings (BPH) (completed September 15, 2007);
- Work with the Washington Institute on Public Policy to develop the static risk assessment tool to be used in the pilot (completed September 2007);
- CDCR conducting a small (200-case) simulation of the policy in Orange County (begin October 1, 2007);
- CDCR holds stakeholder meeting with local representatives impacted by the pilot project (October 16, 2007). Agrees to form law enforcement advisory board and incorporate their recommendations regarding specific individuals eligible for discharge.
- Train officers (November 2007);
- Design the 3-month Earned Discharge pilot demonstration in Orange County San Bernardino Counties (begin November 15, 2007);
- Design evaluation (September to January 2008);
- Collect data and analyze results (December 2007 to April 2008);
- Law Enforcement Advisory Committee, DAPO, and CDCR discuss and reach agreement on banked caseloads versus earned discharge (December 2007 and ongoing).
- Modify Earned Discharge policies based on evaluation and the new CA Validated Risk Assessment Instrument (January and February 2008).

DAPO Agents in the Orange County West District began administering the risk assessment instrument for the identified population in December 2007. All other activities for the Earned Discharge parole project are currently on schedule.

Implementation Challenges

There are two immediate challenges to implementation of the earned discharge proposal. The first is the BPH concurrence. BPH has historically not concurred with the majority of parole discharge

recommendations made by the DAPO staff and recent figures show a growing disparity. During 1995-96, BPH went along with DAPO recommendations to discharge offender from parole status about half the time. During 1996-97, BPH concurred with DAPO discharge recommendation only 39% of the time.[47] In 2006-07, BPH concurred with DAPO's recommendation for discharge just 20% of the time. Thus, a parolee who might have spent 18 months under state parole supervision now could remain on the parole caseload for the maximum three years. This practice contributes significantly to parole caseload growth—a 25% increase during the last five years—which in turn, diminishes the quality of parole supervision, as evidenced by the reduced number of monthly contacts between agents and parolees. If CDCR is to successfully discharge or bank low-risk parolees at six months or transfer them to banked caseloads, the BPH will have to more fully endorse the policy change.

Unknown to most who study California parole operations, the BPH has sole power when it comes to controlling most parole revocations and parole discharge decisions. This authority is largely found in the Section 2616 of Division II of the California Regulations and section 667.5 of the California Penal Code. These documents stipulate that all persons convicted of serious or violent commitment crimes (which is about a third of all parolees) have the vast majority of parole violation decisions taken only by the BPH (i.e., they assume jurisdiction). This means that if a violent offender (by current commitment offense) violates a minor term or condition of his/her parole (e.g., using alcohol or committing a petty theft), the parole agent does not have authority to decide which revocation response to impose. That action can only be taken by the BPH. Similarly, only the BPH can discharge a parolee other than those that are discharged by law at the 13th and 25th month. So, again, if BPH is not supportive of the direction that CDCR and DAPO wish to pursue, none of these parole reforms can happen.

The second, and as difficult, challenge is to get the support of local law enforcement and the district attorneys to support the change. There was opposition from some law enforcement executives to the proposal to discharge inmates at six months. Penal Code Section §ß3067 governs parolee searches and states that "any inmate who is eligible for release on parole pursuant to this chapter shall agree in writing to be subject to search or seizure by a parole officer or other peace officer at any time of the day or night, with or without a search warrant and with or without cause. If parolees discharge formal supervision, law enforcement loses its search capabilities. Some law enforcement urged the use of "banked" caseloads as opposed to a recommendation for discharge from parole to the Board of Parole Hearings. After a meeting to discuss the issue, Secretary Tilton appointed a Law Enforcement Advisory Committee (LEAC) to work on a satisfactory plan that would meet everyone's objectives. It is clear and appropriate that parole reform be "co-produced" by CDCR and its law enforcement stakeholders, but the political context that has always surrounded parole policy means that reform may be significantly stalled. The first meeting of the DAPO leadership and the LEAC is scheduled for the end of December 2007.

It is currently unclear whether any new staff are required to implement the earned discharge initiative. In some instances, this may simply be an additional task that parole agents will do within their regular job duties. Clerks may be able to do much of the original data coding and collection. If parole agents need to get very involved, it might be a "workload" issue; this, in turn, would need to be built into the California Correctional Peace Officers Association's (CCPOA) contract.

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[47] See Legislative Analyst's Office, http://lao.ca.gov/analysis_1998/crim_justice_crosscutting

The earned discharge policy, as currently proposed, requires no new laws or regulations other than the emergency Division II regulation already in place. Current law actually allows for a much more dramatic policy, namely, the BPH can choose to not place any parolee coming out of prison on parole at all. DAPO and BPH also currently have the authority to handle parole violations with community intermediate sanctions.

It is also important to work closely with CCPOA and victims. Accelerating parole discharge or assignment to banked caseloads might be labeled "soft on crime" if it is not coupled with an education campaign. A well-conceived and executed plan for explaining all of these parole reforms will be required. This campaign should emphasize that: 1) only non-violent, low-risk, and well performing parolees are even eligible for consideration for earned discharge or banked caseloads; 2) more dangerous parolees will be supervised more intensively; 3) those who are currently on abscond status will be found and held accountable; and 4) every law enforcement agencies priorities its resources to focus on the most dangerous.

One very clear resource that is needed for both the earned discharge initiative and the parole violation matrix (discussed below) is the expansion of community-based programs (e.g., job training, substance abuse, day reporting) that motivated parolees can enroll in and that can be used as alternatives to prison for parole violators who qualify. Parolee services require local community support and approval. Specifically, DAPO contracts with private vendors for many of the community based services the State provides. If local communities do not approve conditional use permits for these sites in their communities, the services simply cannot be provided. CDCR/DAPO has reached out to communities across California in the last year to educate and develop more collaborative relationships. Although some progress has been made, changing the 'Not In My Back Yard' (NIMBY) mindset remains a challenge for CDCR.

The new Secure Community Reentry Centers can be used to house parole violators as those Centers become operational, but the first one is not scheduled to be operational until December 2008. Of course, intermediate sanctions can be implemented outside of a Secure Reentry Center, and the current *Valdivia* parole revocation compliance procedures are permitting the greater use of intermediate sanctions for nonviolent parole violators. Finally, if the CDCR is to deliver on its promise to evaluate these new programs, research staff and budgets need to be allocated.

Adopt Policy-Driven Approaches to Parole Violating Using Decision-Making Matrix

Most parolees will not meet the stringent conditions for an earned discharge or banked caseload recommendation. Many have long criminal histories, few employable skills, and drug and alcohol problems that will make parole compliance difficult, if not impossible. Standard parole conditions include no drug use, having a permanent address, having or actively pursuing employment, and keeping all reporting and treatment appointments. Parole violations are common and if a policy-driven approach is not adopted in response to those violations, prison crowding is exacerbated and public safety is compromised. This is exactly the situation that California faces today.

California has the nation's highest return-to-prison rate, explained primarily by its use of prison terms to punish parole violators.[48] If California were to begin diverting some of its less serious parolees to community-based intermediate sanctions, it would have less need for prison beds. Moreover, participation in well-designed intermediate sanctions programs has been shown to reduce recidivism, thereby significantly increasing public safety. Other states effectively use intermediate sanctions to respond appropriately to parole violations, and *every* report on California's correctional system has urged California officials to adopt these best practices. The recent California Expert Panel recommended a structured approach, writing:

> We recommend that California develop and implement structured sanctions—based on the seriousness of the violation and offender risk to reoffend—for technical parole violators. The sanctions should address the offenders' criminogenic needs and ensure that offenders are engaged in services and controls appropriate to those needs. We recommend that the CDCR create a matrix that incorporates graduated responses in the parole supervision process that support supervision goals and facility successful reentry. (EPR, p. 49)

The National Institute of Corrections, in collaboration with the Center for Effective Public Policy, has assisted a number of other states with the implementation of a policy-driven parole model including the decision-making matrix. All of those states report that they have improved organizational decision-making consistency and have reduced return-to-prison rates. For example, Georgia reported an 11% reduction in the first year following implementation of a parole violation matrix and its related components. Similarly, Kansas reported a 6% reduction in prison admissions following implementation of their matrix (Burke 1997). As Scott Kernan recently wrote: "If California's efforts resulted in even a 6% reduction in violations, that would amount to 5,840 fewer violations and a reduction in 1,920 prison bed days."[49] Of course, the implementation of a successful parole violation matrix is heavily dependent on agreed upon, clearly delineated, policy direction, a validated risk assessment instrument, and an array of intermediate sanctions to be used in lieu of prison.

Strike Team Activities

California is moving forward to develop and test a structured decision-making approach to handling parole violations. Developing a new approach to parole violators was one of the first initiatives announced by Secretary Tilton when he was Acting Secretary in 2006. In July 2007, DAPO contracted with the Center for Effective Public Policy (CEPP) to develop and test a decision-making matrix for parole violators. The matrix will take into account the severity of the violation—combined with the offenders' risk level—to determine the severity of sanction. The goal is to assure that the

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[48] Parole violators are those who have committed one of two kinds of parole violations. The first is a violation that ensues because of a new criminal conviction while on parole. Here, parolees are sent back to prison because of a new sentence related to a new criminal case. These new sentence can be fairly long since such parolees have at least one prior felony conviction for which they were already sent to prison and released on parole. The other type of violation is a technical violation of the rules or conditions of parole. These violations do not involve new convictions (although they can involve a new arrest for which there is no conviction). The decision-making matrix is used to decide how to punish rule violations not new criminal convictions.

[49] See http://www.cdcr.ca.gov/News/CourtDocuments.html, May 16, 2007.

system's response to a low-risk offender who violates parole is very different from its response to a high-risk parole violator. Joan Petersilia, RST member, has been consulting with the CEPP team and the parole violation matrix has been a central focus of the various parole meetings held throughout the last six months.

CA has the highest return-to-prison rate in the nation, caused by parole violators. CDCR is developing a parole violation matrix so that violators can be dealt with based on crime and risk. The matrix will be available for testing in Winter 2008.

Key Personnel and a Timeline for Implementation

Madeline Carter, Peggy Burke, Richard Stroker, Gary Kempker, and Leilah Gilligan form the team from CEPP. DAPO Director Tom Hoffman, Deputy Director Marilyn Kalvelage, Associate Director Robert Ambroseli, and all the four regional Parole Administrators are active partners. Joan Petersilia and Ryken Grattet (UC Davis) are providing additional data on the CA parole violation process to the CEPP team. CEPP's contract runs from July 1, 2007-June 30, 2008. Their contract contains the following timeline and deliverables, and all activities are on schedule:

- Mapping the process, reviewing data, and focus group meeting (completed July 2007);
- Develop detailed system map (completed by December 2007);
- Analyze current policy and practice around parole violations (completed by December 2007);
- Construct draft parole violation matrix (completed by January 2008);
- Pilot matrix at four regional parole units (completed by March 2008);
- Refine and finalize matrix (completed by April 2008);
- Develop proposed statewide implementation plan (completed by May 2008);
- Conduct a training seminar for trainers (completed in June 2008).

Implementation Challenges

Developing and implementing the parole violation decision matrix will be the most difficult of all the parole reforms discussed in this report. It also has the most potential to positively affect thousands of offender's lives. The challenge is to make certain that the right people are being diverted from prison terms and that those individuals are participating in well-researched and well-implemented treatment and work programs.

A significant barrier to success is attaining the agreement of the CCOPA and their aligned victims groups. The last time parole reform was tried in 2004, these groups successfully labeling the proposed reforms "soft on crime." A well-conceived and executed plan for explaining the parole reforms will be required. The public also will need to be informed via a broader public education campaign discussing parole reform, which should be undertaken immediately. This campaign should emphasize that: 1) only lower risk parolees who have violated the rules of parole or committed misdemeanor crimes will be allowed to remain in the community; 2) more dangerous parolees who violate parole will more systematically be returned to prison or prosecuted for a new crime (and likely resulting in longer prison sentences if convicted); and 3) the expansion of intermediate sanctions should both reduce recidivism and save expensive prison beds for the most violent criminals.

VI. Conclusions and Next Steps

As this report was being completed, the *U.S. News and World Report* summarized the state of correctional affairs in the U.S. in an article aptly titled "The Ex-Con Next Door: How Communities are Preparing for the Largest Exodus of Prisoners in American History":

> Getting cons to stay ex-cons has long been one of the most vexing challenges of the criminal justice system. One out of every 31 American adults is in jail, on parole or on probation, and the central reality is this: Nearly everyone who enters the prison system eventually gets out. The problem is, most of these ex-offenders quickly find themselves back inside. Today, the ending cycle of recidivism has become an increasing urgent problem as communities nationwide are forced to absorb record numbers of prisoners who also often struggle with addiction and other illness (Kingsbury 2007).

At the national level, over 1,700 prisoners are returning to their neighborhoods on any given day, and in California about 350 prisoners are coming home on any given day. This constitutes the largest exodus of prisoners in California and U.S. history.

California Corrections in Crisis (Still)

Like national trends, California prison populations and attendant parolee numbers have swelled at an exorbitant rate since the 1970s, resulting in decades of fiscal, social, and human damage to California communities. Furthermore, the size of the population behind bars or on parole continues to grow, with no end it sight. Without measures to reverse this alarming and costly trend, the current "crisis in corrections" can only worsen. To quote the most recently published assessment of California corrections, tellingly titled "California's Correctional Paradox of Excess and Deprivation":

> California's prison system can best be described as a "paradox of excess and deprivation." Corrections expenditures are among the highest in the nation—per inmate, per staff, and as a share of the overall budget. Yet a federal court is threatening to take over the entire prison system in response to claims that conditions there violate the constitutional rights of prisoners. Nearly 50% of all prisoners released in 2006 sat idle—meaning they did not participate in any work assignment or rehabilitation programs—for the entire time they were in prison. They return to communities unprepared for reentry, and two-thirds are returned to prison within three years, nearly twice the average national rate. No other state spends more on its corrections system and gets back less. California's prison system is in crisis. It has deteriorated from being one of the best systems in the country to being dysfunctional (Petersilia 2008, in press, p. 5).

At a moment in which California's Governor, legislators, and citizens confront what some are estimating to be a $10 to $14 billion dollar deficit (12% of the state's general fund), continuing to spend billions of dollars on a system that is clearly not working is irresponsible and unacceptable. Beyond fiscal concerns, California faces enormous challenges in reforming its corrections system to more effectively manage the reintegration of increasing numbers of individuals who are leaving state prisons. It is time to do the hard work of developing more effective responses to these challenges. We should do this not only because it will be good for prisoners returning home, but because it will ultimately be good for their children, their neighbors, and the community at large.

The Passage of Assembly Bill 900

Fortunately, measures to reverse these hazardous trends and current state of affairs are being undertaken in California. As a result of the reorganization of the California Youth and Adult Correctional Agency (YACA) in July 2005, and shortly thereafter with the addition of the word "Rehabilitation" to the organizational title, the state correctional agency became the California Department of Corrections and Rehabilitation (CDCR). On May 3, 2007, Governor Schwarzenegger signed the Public Safety and Offender Rehabilitation Services Act of 2007 (Assembly Bill 900), effectively immediately. AB 900 is designed to address two interrelated issues: 1) new prison and jail capacity to address prison overcrowding, and 2) the need for rehabilitation programs to reduce recidivism.

The passage of AB 900 takes for granted what many reports have documented and (now) very few would contest: California's prison system is in deep crisis and we must create enough prison space to incarcerate those who are truly violent and continue to represent a threat to public safety while also providing work, education, and substance abuse programs for inmates motivated to change. Most importantly, the passage of AB 900 emphasized what many experts, including those on the Governor's Rehabilitation Strike Team (RST) believe: namely, it is a false dichotomy to argue that tough law enforcement and investing in rehabilitation programs are mutually exclusive approaches to crime control. The choice is not one or the other; it must be both.

The CDCR's Efforts to Advance the Implementation of AB 900

In this context, the CDCR has taken many positive steps toward successfully implementing the rehabilitation-oriented components AB 900 (they also report progress on expanding prison construction). According to CDCR's December 6, 2007 Policy Brief on AB 900, they have:

- Increased California out-of-state correctional placements
  - Established contracts at five out-of-state facilities totaling 7,772 beds.
  - Currently, 2,064 inmates in out-of-state facilities (December 1, 2007).
  - Meeting projections of 4,464 inmates out-of-state by June 2008.
- Increased parole alternatives
  - Currently, 5,000 Division of Addiction and Recovery Services (DARS) and Division of Adult Parole Operations Community Treatment beds filled.
  - Increase drug treatment capacity to add 1,500 beds by July 2008, for a total of 6,500.
- Developing secure reentry facilities
  - Two counties (Contra Costa, and San Diego) interested in establishing stand-alone reentry facilities, not contingent upon receiving jail bond funds.
  - Nine counties (San Bernardino, Kern, Stanislaus, Shasta, Butte, Santa Barbara, Monterey, Merced, and Madera) willing to site reentry facilities contingent upon award of jail bond funds.
  - Initiated the 500 bed reentry conversion of San Joaquin County facility on October 23, 2007. Groundbreaking projected for June 19, 2008, with first inmate occupancy and full programming to begin December 24, 2008.
  - Contract negotiations in progress with San Francisco County officials for a 48 bed reentry facility in San Bruno.

- Expanding rehabilitation programming
  - Added 39 new vocational programs last year, and increased vocational program enrollment capacity by 1,000.
  - Division of Addiction and Recovery Services (DARS) in-prison substance abuse treatment programs operating at 91 percent capacity.
  - Established 2,000 substance abuse treatment expansion sites. Prison sites identified; aggressive schedule which includes hiring contractors to provide the services, building modulars, and classifying inmates to be transported to the program sites.
  - Increased teacher workforce from 1,217 to 1,392 over the prior year.
  - Successfully negotiated teacher pay parity equal to school districts.
  - Develop and begin to implement inmate program incentives & disincentives
  - Adopted the COMPAS risk and needs assessment tool at all reception centers.
  - $50M authorized in 06/07 expanded to $90M 07/08 for rehabilitation program spending. Plan complete.

The Rehabilitation Strike Team's Efforts to Advance the Implementation of AB 900

Recognizing that the CDCR has taken significant positive steps toward implementing AB 900, this report is designed to further facilitate the implementation of the AB 900 provisions related to the provision of rehabilitation services to offenders in prison and on parole. As discussed in detail in the previous chapters, the RST's contribution is most demonstrably manifest in the four-pronged blueprint for bringing rehabilitation programs back into the California corrections. The following initiatives comprise the four-prongs:

- In order to move from an offense-based system to a risk-based system an Offender Accountability and Rehabilitation Plan (OARP) is developed and slated to be demonstrated in a reception center, prison, and parole region in Summer 2008.
- The CDCR Education and Training Plan, a system whereby community colleges can more fully contribute to the educational and vocational training of correctional officers and program providers involved in providing rehabilitation services, has been developed.
- The Prison to Employment Plan, which is designed to optimize the way offenders are prepared to work in prisons and benefit from job placement in the community, is developed.
- To realign parole resources with offender risk, the implementation of an Earned Discharge and Parole Accountability Plan and the development of a Technical Parole Violations Matrix is underway.

Each of these initiatives is entirely consistent with the recommendations in the Expert Panel Report (EPR, 2007), including the parameters of the California Logic Model in particular.

As a way of optimizing the viability of these initiatives, each of these initiatives has been developed in a collaboration between RST members and line-level CDCR staff, executive level CDCR management, outside experts and consultants, victims an their advocates, and community stakeholders. In addition, the RST has developed detailed plans and a suggested timeline for furthering these initiatives. The hope is that these efforts can be synchronized such that the CDCR can move from an offense to a risk-based system, many different social and correctional services can effectively be provided, and offenders can receive a continuity of care from point-of-entry (reception center) to point-of-exit (parole) in the correctional system.

Understood in these terms, the benefits of these initiatives are beyond debate. Dozens of California officials reviewed the initiatives and attendant implementation plans presented in the previous chapters over the past six months and the consensus is that they make good policy sense. Indeed, numerous statewide commissions have endorsed similar proposals over the past five years, calling specifically for the detailed plans that comprise this report. And, perhaps most importantly, we know that such programs can work. Similar "best practices" proposals have worked in other states to better prepare prisoners for reentry into their communities, reducing prison returns, protecting public safety, and reducing the costs of delivering corrections.

Can and Will Reform Happen? Where Good Intentions Meet Hard Realities

Recognizing what needs to be done is now well-known (written in this report and many reports that came before it), but that begs the nagging question: Can CDCR get it done? If we are so well-informed, why aren't we more effective? The quick answer is undeniable: It is one thing to know *what* to do, it is quite another to actually implement systems and programs to *do* it. The "knowing-doing" gap plagues all public agencies, but it is particularly acute in the field of corrections and arguably most problematic in California corrections. Most of the CDCR's employees are hard-working, decent, and talented people with good intentions. However, in the aggregate, their actions have not been sufficient to achieve transformational change.

We should not underestimate the many difficulties associated with implementing and sustaining change in California corrections. In fact, in a book entitled *Impossible Jobs in Public Management*, a group of public management specialists identified the Director of Corrections and corrections agencies as the most difficult job and agency to administer, respectively, in public management (Hargrove and Glidewell 1990). An impossible job was defined by: agency goals that are multiple, contradictory, and non-operational; strong political cross-pressures by competing external constituencies who favor one or another of the agency's goals to the exclusion of the rest; a lack of public confidence in the professional expertise of agency workers; and clients whose mental and behavior characteristics make them difficult to serve. With this in mind, it becomes entirely understandable that corrections would find a home at the top of the list of public agencies most difficult to reform.

But, the fact remains: corrections agencies have reformed in other states and in California during previous eras. So, the question becomes: what would it take to incite and sustain meaningful reform? Those who have studied what it takes to successfully reform public institutions (e.g., Kotter, 1995; Ostroff 2006) cite the following five ingredients as necessary:

- The presences of leadership at the top to create a clear and compelling vision of the change process. The reform is portrayed as an intentional process that is managed, rather than a chaotic process that is imposed from the outside.
- The reliance on lower-level and line-staff participation to build internal support for change and overcome resistance.
- Consistent and continual external support from both political overseers and public constituencies.
- The presence of dependable sufficient resources.
- The provision of time to enact the change without new agendas being imposed or current agendas losing support as well as realistic expectations about the speed of change.

Tellingly, some of these ingredients are internal to the organization (i.e., leadership and staff participation), some of these ingredients are external to the organization (i.e., support from political overseers and sufficient resources), and one is both internal and external (i.e., time). If California is going to truly implement the correctional reforms outlined in this report, it will need to create an environment incorporating the five ingredients above. Indeed, in the past multiple configurations of these ingredients have been present; but, unfortunately, one is hard-pressed to identify a situation in which all five ingredients were simultaneously present. Although there are no silver bullets and we should not underestimate the difficulties of implementing reform, aligning these ingredients is arguably our best bet. In the vernacular, all of us—correctional managers and staff, legislators, the public, and offenders themselves—have to pull in the same direction at the same time, something we are not well-rehearsed at doing and, in fact, something we seem adverse to doing with respect to California corrections. But unless we are able to do so, it is unlikely that we will see any significant change in the horrific conditions inside our State's prisons and rehabilitation will remain beyond the reach of CDCR.

Appendix A: Glossary of Key Terms and Acronyms

Abbreviation	Definition
AB 900	Assembly Bill 900, formally titled the Public Safety and Offender Rehabilitation Services Act of 2007
BCOA	Basic Correctional Officer Academy
BPH	Board of Parole Hearings
CCC	California Community Colleges
CCCCO	California Community College Chancellor's Office
CCPOA	California Correctional Peace Officers Association
CDCR	California Department of Corrections and Rehabilitation
CET	Center for Employment Training
C-File	Central File
CLLC	Computerized Literacy Learning Centers
COMPAS	Correctional Offender Management Profiling for Alternative Sanctions
CWIB	California Workforce Investment Board
DAPO	Division of Adult Parole Operations
DARS	Division of Addiction and Recovery Services
DEVOP	Division of Education, Vocations, and Offender Programs
DGS	Department of General Services
DJJ	Division of Juvenile Justice
DOE	Department of Education
DOF	Department of Finance
DOJ	Department of Justice
EDD	Employment Development Department
EOP	Enhanced Outpatient Program
EPR	California Expert Panel Report
FOTEP	Female Offender Treatment and Employment Program
GED	General Educational Development
IT	Information Technology
LAO	California Legislative Analyst's Office
LEAC	Law Enforcement Advisory Committee
MDT	Multidisciplinary Team
MI	Motivational Interviewing
NIC	National Institute of Corrections
OARP	Offender Accountability and Rehabilitation Plan
OBIS	Offender Based Information System
OCE	Office of Correctional Education
OTPD	Office of Training and Professional Development
PC	Penal Code
PIA	Prison Industries Authority
PPP	Parole Planning and Placement
Project RIO	Project Re-integration of Offenders
RST	Rehabilitation Strike Team
SOMS	Strategic Offender Management System
TC	Therapeutic Community
WIA	Workforce Investment Act

Appendix B: Preliminary Version of the OARP

The Offender Accountability and Rehabilitation Plan (OARP)

Unofficial/Preliminary Draft Developed by the Rehabilitation Strike Team

I. RECEPTION CENTER

Verification of Identity (Demographic and Background Information)[1]

CDC#, Current	Name of Inmate (Last, First, Middle)			Receiving Institution
CDC#, Prior		Date of Birth		Place of Birth
Ethnicity	Age	County of Commitment		Sending Jail / Institution
Arrival Status	Weight lbs	Height ft in	Citizenship Status	
Commitment Offense/Parole Violations(s)		Release Type & Date	Sentence	
Does the Inmate Claim to Be a Foreign National YES NO		CSR Endorsement	PS/CLASS Score	
C-File Available for This Review YES NO		Out to Court Return YES NO	Date of Arrival	
Screener's Printed Name		Title	Signature	Date

Risks[2]

Escape History YES NO	Custody Level of Last Term	Classification Score of Last Term	Did the Inmate Parole Out of Administrative Segregation? YES NO N/A (New Commitment)
Local Enemy(ies) or Safety Concerns Documented Inmate Claims None			Gang Affiliation or Membership in Disruptive Group(s) Affiliation

[1] Information drawn largely from current CDCR 1882.

[2] Information drawn largely from current CDCR 1882.

Summarize Inmate's Enemy/Safety claim and/or list applicable documents (type and date). CDC#, Name, and Housing of known enemies at this institution	□ Northern □ Southern □ Bulldog □ Crip □ Blood □ White □ Other: _____ □ Non Affiliated AKAs: Specify affiliation, if known:

History of Aggression (check applicable items) □ Towards Staff □ Towards Inmates □ Use of Weapon □ Unknown □ None List inmate's act(s) of aggression, as well as supporting documentation (type and date) □ Inmate Claims □ Documented	Disciplinary Action, Including In-Cell Assault History □ As a Victim □ As an Assailant □ Unknown □ None Summarize inmate's claim and/or list all documents (type and date) reflecting in-cell assaults □ Inmate Claims □ Documented

Previous Housing Status

□ ASU/SHU/PHU/PSU □ GP □ SNY □ BMU □ DMH □ RC

Source: □ OBIS □ DDPS □ Documentation/C-File

Integrated Housing Ask inmate: While incarcerated (jail/prison), have you ever been in a race based incident(s): (Check applicable items. Explain and/or give details of checked items below) □ As a Victim □ As an Assailant □ Part of a Race Riot □ None Explanation/Details/Inmate Comments: □ Inmate Claims □ Documented	Restricted Ethnic Group(s) (check applicable codes) □ WHI □ BLA □ HIS □ AMI □ CAM □ CHI □ COL □ CUB □ FIL □ GMN □ GUA □ HAW □ IND □ JAM □ JPN □ KOR □ LAO □ MEX □ NIC □ OA □ OTH □ PI □ PR □ SAL □ SAM □ THA □ VIE □ NONE Note: Restricting an ethnic group should be based on inmate interview and individual case factors DDPS IHC CODE: _____ Entered By: _____ □ RR □ RT

In-Prison Sexual Assaults

Inmate Interview: While incarcerated (jail/prison), have you ever been involved in a sexual related assault, i.e., pressured, fondled, raped? (Check applicable items. Explain and/or give details of checked items below)

□ As a Victim □ As an Assailant □ None □ Inmate Claims □ Documented

Explanation/Details/Inmate Comments:

Prior Single Cell Status	Housing Status Information	Single Cell Status Approval

(check if applicable and explain)	(check applicable item)	Authority (Lieutenant or Above)
□ Documentation □ Inmate Claims □ Jail Personnel	□ Double Cell □ Single Cell □ Dorm Single cell status justification:	□ Approved □ Disapproved Signature: _____ Title: _____ Printed Name: _____

Screener's Printed Name	Title	Signature	Date

Physical Health Status[3]

Medical Eligibility	Medical Conditions	
□ Full Duty □ Camp □ CCF □Restricted/Light Duty □ Medically Unassigned □ Short Term □ Long Term □ Well Handicapped (Program Eligible) Food Handling: □ Cleared □ Not Cleared	□ Hearing Impaired □ Has Hearing Aid □ Needs Hearing Aid □ Serious Vision Problem □ Blind □ Medication Allergies □ Yes □ No Chronic Disease:	□ Mobility Impaired □ Paraplegic □ Quadriplegic □ Wheelchair □ Walker □ Cane □ Amputee □ Legs □ Left □ Right □ Arms □ Left □ Right □ Prosthesis □ Full □ Partial
Medical Restrictions		
□ Communicable Disease □ Seizure Disorder Date of last seizure: _____ □ Chronic Infectious Disease Group I, II, III & IV □ Communicable Disease (i.e., TB, Hepatitis, Syphilis) □ Routine Follow-Up Needed □ Urgent Follow-Up Needed	□ Medication Required □ Diabetic □ Oral □ Injection □ Respiratory (e.g., asthma) □ Medication Required □ Heart Disease/Hypertension □ Medication Required □ Orthopedic Problem (Debilitating) □ Lower Bunk Needed □ Lower Tier Needed	□ Dental Priority Classification □ 1A □ 1B □ 1C □ 2 □ 3 □ 4 □ 4 □ 5 □ Patient Refused Screening

Type of Housing Due to Physical Health Needs

□ Lower/1st Tier □ Lower/Bottom Bed □ Asthma □ None Noted
□ Wheelchair Accessible Bed □ Diabetic
□ Seizures □ Dialysis □ Other _____

[3] Information drawn largely from current CDCR 128-C-1.

Physician's Printed Name	Title	Signature	Date

Disability Placement Program[4]

Reason for Initiation of Form	Disability Being Evaluated
□ Inmate self-identifies to staff □ Observation by staff □ Third party evaluation request □ Medical documentation or Central File information	□ Blind/Vision Impaired □ Deaf/Hearing Impaired □ Speech Impaired □ Mobility Impaired

Permanent Disabilities (must be completed by Physician)

Impacting Placement	Not Impacting Placement
1. Full time wheelchair user	1. No corresponding category
2. Intermittent wheelchair user	2. No corresponding category
3. Mobility impairment	3. □ Mobility impairment (lower extremities) –DNM Walks 100 yards without pause with or without assistive devices □ No housing restrictions □ See housing restrictions in additional medical information □ Requires relatively level terrain and no obstructions in path of travel (do not place at CCI, CMC-E, CRC, CTF-E, FSP, SCC I or II, SOL, or SQ)
4. Deaf/Hearing Impaired	4. □ Hearing Impairment – DNH. With residual hearing at a functional level with hearing aid(s):
5. Blind/Vision Impairment	5. No corresponding category
6. Speech impairment	6. □ Speech impairment – DNS. Does not communicate effectively speaking, but does when writing.

Additional Medical Information

CSR Alert:
□ Requires relatively level terrain and no Obstructions in path of travel
□ Complex medical needs affecting placement
□ CDC 128-C

Heath Care Appliance/Identification Vest:
□ Cane □ Crutch □ Walker □Leg/arm prosthesis
□ Vest □ Other: ____ CDC 128-C(s) dated: _____

Other Designations:
□ None □ Code _____, Date _____
Code _____, Date _____

Assistance Needed With Activities of Daily Living:
□ Feeding or Eating □ Bathing □ Grooming
□ W/C transferring □ Toileting □ Other: _____

Housing Restrictions:
□ Lower bunk □ No stairs □ No triple bunk CDC 128-C(s) dated: _____

Exclusions

[4] Information drawn largely from current CDC 1845.

□ Verification of claimed disability not confirmed: my physical examination or other objective data does not support claimed disability □ Removal from a DPP code: Removal from previous DPP code: _____ (explain in comments section and CDC 128-C dated: _____) □ Removal from the entire program: Removal from DPP code(s): _____ (explain in comments section and CDC 128-C dated: _____)
Effective Communication Factors □ Uses sign language interpreter (SLI) □ Reads Braille □ Communicates with written notes □ Requires large print or magnifier □Reads lips □ No effective communication issues observed or documented in unit health record

Physician's Name (print)	Physician's Signature	Date Signed
Heath Care Manager's /Designee's Name	Heath Care Manager's/ Designee's Signature	Date Signed

Mental Health Status[5]

Evidence of Suicidal Tendencies □ No □ Yes: _____	History of Official Diagnoses			
History of Out-Patient Counseling	History of Mental-Health Related Prescription Medication			
Eligible For Inclusion in Mental Health Treatment Population □ None/GP □ Inpatient DMH □ Crisis Bed (MHCB) □ EOP □ CCCMS				GAF Score
DDP Code: _____ _____ Clark Date	DDP Code: _____ _____ Armstrong Date			
Victimization Concerns □ No □ Yes: _____	TB Code:			
Clinician's Printed Name	Signature Date	Chief Psychiatrist or Designee's Signature Date		

The Full COMPAS (141 Questions)

[5] Drawn largely from current CDC 128-C.

Name of Person Administering COMPAS	Title of Person Administering COMPAS	Date

A. Anti-Social Attitudes, Beliefs, and Associations		
Criminal Thinking	Decile Score	Comments
Criminal Associates Peers	Decile Score	Comments
Criminal Involvement	Decile Score	Comments
History of Non-Compliance	Decile Score	Comments
Social Environment	Decile Score	Comments
B. Temperament/Personality		
Criminal Personality	Decile Score	Comments
Social Adjustment Problems	Decile Score	Comments
Socialization Failure	Decile Score	Comments
C. Anger, Hostility, and Aggression		
History of Violence	Decile Score	Comments
Current Violence	Decile Score	Comments
D. Vocational and Educational		
Vocational/ Educational Problems	Decile Score	Comments
E. Substance Abuse		
Substance Abuse	Decile Score	Comments
F. Other COMPAS Scales		
Financial Problems/	Decile Score	Comments

Poverty		
Family Criminality	Decile Score	Comments
Leisure and Recreation	Decile Score	Comments
Residential Instability	Decile Score	Comments
Criminal Opportunity	Decile Score	Comments
Social Isolation	Decile Score	Comments

Override Reasons, Concerns and Comments

Areas of Concern Subject to Second-Order Assessment

Area of Concern	COMPAS Scores	Secondary Instrument(s) Administered and Score(s)
Anti-social attitudes, beliefs, and associations		
Temperament/Personality		
Anger, hostility, and aggression		
Educational/Vocational		
Substance Abuse		
If more secondary instruments needed, continue on reverse side		

Override Reasons, Concerns and Comments

Administer CDC Form 839 (Classification Score Sheet) as currently formulated, using official procedures.

Summary of Classification Score Sheet (839)

Background Factors, Total Score (Section B)	Prior Incarceration Behavior, Total Score (Section D)	Placement, Total Score (Section E)
Special Case Factors and Overrides (List any relevant information from Section F)	Reasons For Administrative Or Irregular Placement	

Using Information from COMPAS and Second-Order Assessments to Determine Programming, Recommend Endorsement, and Set Goals

Identify Areas of Need, In Order of Severity	Institutional Placement Recommendations Based on Programming Risks/ Needs	Treatment Goals
1) 2) 3) 4) 5)	First Choice: Second Choice:	

Signatures of the Multi-Disciplinary Team (MDT) Members

Print Name (Last, First)	Title	Signature	Date
Correctional Counselor:	CC		

* If more members of the MDT, continue on reverse side.

I have reviewed and understand the content of my OARP (Reception Center)			
Inmate's Name	CDC #	Signature	Date

Institution Inmate Endorsed To*			
Date of Endorsement	Date of Transfer	Was the OARP Completed Within 60 Days of Inmate's Arrival? □ YES □ NO	If Not Completed Within 60 Days, Provide Explanation

* For purposes of the demonstration project, the endorsement will necessarily be to California State Prison, Solano.

II. PRISON

Updating the OARP

Date the OARP Sent to In-Prison Case Manager	In-Prison Case Manager's Name, Title	Prison Case Manager's Signature of Receipt of the OARP
Date the OARP Received by In-Prison Case Manager	Was the OARP Received Prior to Arrival of Inmate at Prison? □ YES □ NO	If Not, Provide Explanation:

Composition of the In-Prison MDT

Print Name (Last, First)	Title	Signature	Date

Print Name (Last, First)	Title	Signature	Date
Correctional Counselor's Name:	CC		

Meeting of the MDT*

Date	Was this a full meeting of the MDT? If not, who was involved?	What milestones/ setbacks have occurred	Changes in COMPAS scores from last administering	Describe changes made to programming plans	Comments

Recommended changes to personnel serving on the MDT in light of changes to programming

Additions (name, title, and signature):

1)

2)

3)

Subtractions (name, title, and signature):

1)

2)

3)

* Note: every time the MDT meets (i.e., quarterly, or when a setback or milestone occurs) this table should be completed anew.

Signatures of the revised MDT			
Print Name (Last, First)	Title	Signature	Date

Correctional Counselor's Name:	CC		

I have reviewed and understand the content of my OARP (Prison)			
Inmate's Name	CDC #	Signature	Date

Pre-Release Planning (Timing and Personnel)

Inmate's Parole Date	Date 240 days before Inmate's Parole Date	
Parole Service Associate's (PSA's) Name Parole Agent's Name	Parole Service Associates Signature Parole Agent's Signature	Date Signed Date Signed
Date Copy of the OARP Sent to PSA Date Copy of the OARP Sent to Parole Agent:	Date Copy of the OARP Received by PSA Date Copy of the OARP Received by Parole Agent	Was Copy of the OARP Received By Both Agent and PSA At Least 240 Days Before Inmate's Parole Date? □ Yes □ No If no, explain:

The Reentry COMPAS

Name of Person Administering Reentry COMPAS	Title of Person Administering Reentry COMPAS	Date

A. Anti-Social Attitudes, Beliefs, and Associations		
Criminal Thinking	Decile Score	Comments
Criminal Associates Peers	Decile Score	Comments
Criminal Involvement	Decile Score	Comments
History of Non-Compliance	Decile Score	Comments
Social Environment	Decile Score	Comments
B. Temperament/Personality		
Criminal Personality	Decile Score	Comments
Social Adjustment Problems	Decile Score	Comments
Socialization Failure	Decile Score	Comments
C. Anger, Hostility, and Aggression		
History of Violence	Decile Score	Comments
Current Violence	Decile Score	Comments
D. Vocational and Educational		
Vocational/ Educational Problems	Decile Score	Comments
E. Substance Abuse		
Substance Abuse	Decile Score	Comments
F. Other COMPAS Scales		
Financial Problems/ Poverty	Decile Score	Comments
Family Criminality	Decile Score	Comments
Leisure and	Decile Score	Comments

Recreation		
Residential Instability	Decile Score	Comments
Criminal Opportunity	Decile Score	Comments
Social Isolation	Decile Score	Comments

Override Reasons, Concerns and Comments

Areas of Concern Subject to Second-Order Assessment

Area of Concern	Reentry COMPAS Scores	Secondary Instrument(s) Administered and Score(s)
Anti-social attitudes, beliefs, and associations		
Temperament/Personality		
Anger, hostility, and aggression		
Educational/Vocational		
Substance Abuse		
If more secondary instruments needed, continue on reverse side		

Override Reasons, Concerns and Comments

Using Information from Reentry COMPAS and Second-Order Assessments to Determine Programming, Recommend Endorsement, and Set Goals

Identify Areas of Need, In	Community Placement	Treatment Goals

Order of Severity	Recommendations Based on Programming Risks/ Needs	
1) 2) 3) 4) 5)	First Choice: Second Choice:	

Signatures of the MDT Members

Print Name (Last, First)	Title	Signature	Date
Parole Service Associate's Name:	PSA		

* If more members of the MDT, continue on reverse side.

I have reviewed and understand the content of my OARP (Preparing for Parole)			
Inmate's Name	CDC #	Signature	Date

Formal Transfer of the OARP From In-Prison Case Manger to Parole Agent

Offender's Parole Date	Date 15 Days Prior to Parole Date	Was the OARP Formally Transferred to Parole Officer 15 Days Prior to Offender's Parole Date? ☐ Yes ☐ No If no, explain:

Parole Officer's Name, Title	Parole Officer's Signature, Confirming Formal Possession of the OARP	Date

III. ON PAROLE

Composition of the Parole MDT

Print Name (Last, First)	Title	Signature	Date
Parole Agent's Name: Parole Service Associate's Name:	PA PSA		

Meeting of the MDT*

Date	Was this a full meeting of the MDT? If not, who was involved?	What milestones/ setbacks have occurred	Changes in COMPAS scores from last administering	Describe changes made to programming plans	Comments

Recommended changes to personnel serving on the MDT in light of changes to programming	
Additions (name, title, and signature):	Subtractions (name, title, and signature):
1)	1)
2)	2)
3)	3)

* Note: every time the MDT meets (i.e., quarterly, or when a setback or milestone occurs) this table should be completed anew.

Signatures of the revised MDT			
Print Name (Last, First)	Title	Signature	Date
Parole Agent's Name:	CC		
Parole Service Associate's Name:	PSA		

I have reviewed and understand the content of my OARP (On Parole)			
Inmate's Name	CDC #	Signature	Date

Appendix C: Suggested Scope of Work for CDCR Staff Professional Certification

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
CALIFORNIA COMMUNITY COLLEGE, SYSTEM OFFICE

Professional Certification

The System Office will provide educational opportunities for California Department of Corrections and Rehabilitation (CDCR) staff to change or advance their careers through licensing and certification as the Department moves toward developing and supporting improved rehabilitation and community reentry programs.

A. Program Goals

The System Office will create a staffing structure to support the process of providing a comprehensive listing of licensing and certification programs from all California Community Colleges and California State Universities to include:

- Designated point of contact
- Coordination between CDCR and System Office
- Project Timeline
- Costing

The goals of this effort will include, but not be limited to the following:

- Provide the opportunity for CDCR staff to obtain licensing and certification in various areas as determined by the Department's change in mission as well as provide career ladder opportunities for staff.
- Provide CDCR staff the opportunity to stay current in their fields or satisfy license renewal requirements.
- Provide staff the opportunity to enhance their existing skills.
- Provide the opportunity to foster cross organizational networking with other professionals in their field.
- Provide staff the opportunity to revitalize their commitment to their profession through professional learning opportunities of the highest academic quality.
- Provide educational opportunities to staff for developing a strong foundation in subject matter and professional knowledge.

B. Program Components

System Office will provide the following services:

Licensing and Certification Programs

a. Develop a comprehensive listing of all California Community College licensing and certification programs to include:
    i. Program location
    ii. Admission and registration process
    iii. Prerequisites
    iv. Transferability
    v. Total units required for each licensing and certification program
    vi. Recommended course sequence
    vii. Duration of each program
    viii. Delivery methodology
b. Develop a comprehensive listing of all California State University licensing and certification programs to include:
    i. Program location
    ii. Admission and registration process
    iii. Prerequisites
    iv. Total units required for each licensing and certification program
    v. Recommended course sequence
    vi. Duration of each program
    vii. Delivery methodology
c. Develop a comprehensive listing of all licenses processed by the Department of Consumer Affairs in the major offender programming areas to include :
    i. Academic, Vocational, and Financial
    ii. Alcohol and Drug
    iii. Criminal Thinking Behaviors, and Associations
    iv. Aggression, Hostility, Anger and Violence
    v. Family, Martial and Relationships
    vi. Sex Offense
d. Provide information packets on all California Community College licensing and certification programs selected by CDCR.
e. Provide information on selected programs available through the California State University system that lead to licensing in disciplines associated with AB 900.
f. Provide marketing materials for programs selected by CDCR.
g. Produce all materials.
h. Meet with CDCR, Office of Training and Professional Development personnel as necessary.
i. Notify CDCR of new licensing and certification programs as they are developed.
j. Identify alternative training modalities appropriate for full time employees to include:
    i. Part time classes
    ii. Evening classes
    iii. Weekends classes
    iv. Distance learning
    v. Online learning
    vi. Accelerated programs

C. Program Delivery

Phase 1

Provide list of licensing and certification programs at all California Community Colleges.

Phase 2

Determine areas of study appropriate to meet the need of the AB 900 and the Department's rehabilitation efforts.

Phase 3

Rollout of rehabilitation licensing and certification programs to CDCR staff.

D. Modification of Scope

Additional language will be added to this section.

Modification of scope must be agreed to via a written agreement, signed by the Chief Learning Officer, Office of Training and Professional Development for CDCR and an authorized representative from the System Office. All other changes will require a formal contract amendment.

E. Program Cost

To be determined.

F. Contact Information

Contacts for CDCR and the System Office during the course of this agreement are listed below. Any changes to the contact information for System Office and CDCR during the course of the agreement will be provided in writing to all affected parties.

G. Cancellation of Programs

Additional language will be added to this section.

Appendix D: Suggested Scope of Work for CDCR Contract Education Courses

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION
CALIFORNIA COMMUNITY COLLEGES, SYSTEM OFFICE

Contract Education

California Community Colleges System Office (System Office) will be responsible for providing assessment and training to California Department of Corrections and Rehabilitation (CDCR) staff to support the training of individuals and rehabilitation teams while providing education and professional development.

A. Program Goals

The System Office will create a project management structure to support the process for the development and delivery of curriculum and training by the Community College System for the CDCR. Project phases will include, but not limited to:

- Development of Point of Contact
- Coordination between CDCR and Community College Service provider
- Delivery methodology
- Resource identification
- Curriculum development
- Project timeline
- Scheduling
- Costing

The curriculum and/or training will be customized to meet the objectives of Assembly Bill 900 and other departmentally mandated requirements and program needs. Themes and topics aligning with organizational goals and values will be woven into all elements of content and delivery. Training programs will primarily focus on the delivery of rehabilitation services to inmates. Training programs will include information on the core set of programs that cover the six major offender programming areas: (1) Academic, Vocational and Financial; (2) Alcohol and other Drugs; (3) Aggression, Hostility, Anger, and Violence; (4) Criminal Thinking Behaviors, and Associations; (5) Family, Marital, and Relations; and (6) Sex Offending.

Training programs will provide skills-specific training to assist with the change in the manner and style of staff development training to reinforce CDCR's mission, as well as to provide career ladders opportunities to enable staff to grow professionally and advance into other related professions and trades. Courses will be designed to be highly interactive and provide participants with hands-on experiences including behavioral feedback and yield useful tools for immediate use in the workplace.

The goals of the program will include, but not be limited to the following:

- Providing the Department the opportunity to administer consistent training to various levels

- Providing staff the opportunity to develop essential skills in Motivational Interviewing (MI), Anger Replacement Therapy (ART) and Thinking for Change (T4C)
- Providing overview of the California Logic Model
- Increasing awareness of participants' strengths, challenges, and opportunities
- Implementing strategies and plans to facilitate rehabilitation across CDCR
- Fostering continuous improvement strategies
- Developing better coordination and communication between institutions and support functions (e.g. medical, dental, education, etc.)
- Enhancing organizational culture
- Fostering cross organizational networking
- Improving alignment of participants' daily work with organization goals

B. Program Components

The System Office will develop a strategic plan, transition management plan, implementation plan, and timetable of program delivery.

The System Office will manage the delivery of contract education to CDCR employees. The System Office will provide technical support for the development of courses that will educate CRCR employees to focus on rehabilitation services to inmates as well as specialized skill development required for the unique working environment of the CDCR to include:

- A project manager or project management team to work closely with CDCR in the implementation and management of the training programs as they evolve and change overtime
- In concert with CDCR program and training management, a list of deliverables, timelines, and estimated costs
- Monthly meetings
- A master schedule of training to be provided to CDCR staff statewide.
- Training supported by the availability of education units
- Overall coordination with all California community colleges to provide uniform and consistent curriculum and program delivery (fidelity) to CDCR employees within communities served by CDCR reception centers, institutions, reentry facilities, and parole regions.
- Assistance in providing training to CDCR Executive staff and Proof Project teams at CDCR Headquarters, the Office of Training and Professional Development and within local communities.
- Uniform training for community college instructors and project administrators.
- Instructor immersion activities to ensure a thorough understanding of the unique correctional environment.
- A standard curriculum for each training course required by CDCR
- The curriculum may be a combination of Off-the-Shelf Training and/or Contract Education.

Content topics will include, but are not limited to the following:

- Motivational Interviewing
- Anger Replacement Therapy

- Thinking for Change
- Program Overview (includes California Logic Model)

The System Office will ensure an effective program is in place to provide the feedback needed to promote sustained success. Additionally, a comprehensive assessment tool will be used to assess the needs and aptitudes of all participants. Participants will be assessed before they enter into the training program and after completion.

Courses will be given a Taxonomy of Program (TOP) code.

The statewide Inventory of Approved and Projected Programs may be used by the System Office.

Project Deliverables

The System Office, working independently or through local community college districts, will be responsible to deliver the following services:

1) Program Preparation
   a) Provide project timelines
   b) Manage training program development process
   c) Design, develop, and revise course curriculum including lesson plans, course outlines, learning objectives, a facilitator handbook, and participant materials
   d) Obtain CDCR approval from the Office of Training and Professional Development of revised curriculum and course materials.
   e) Provide training delivery schedule
   f) Identify, create, and purchase all course-related and classroom materials.
   g) Produce all materials, handouts, etc. necessary for training.
   h) Meet with CDCR, Office of Training and Professional Development personnel as necessary for successful revision of curriculum.
   i) Provide marketing materials and materials to promote training opportunity to CDCR employees.
   j) In concert with CDCR, create instructor emersion activities

2) Classroom Training Delivery
   a) Provide training facilities, audiovisual equipment, and set-up. Classes will be conducted at California community college campuses (TBA). Locations will be easily accessible and mutually agreed upon.
   b) Conduct the training program incorporating elements such as structured discussion, assigned reading, experiential exercises, behavioral feedback, lecture, small group consultation, oral presentations and case studies.
   c) Provide education units to participants who successfully complete the coursework.
   d) Provide documentation to participants upon successful program completion.

3) Evaluate Training Effectiveness and Continuous Improvement Efforts / Reports:
   a) Survey participants' perceptions of training through a Level 1 assessment at the conclusion of each course.

b) Measure skill/knowledge gain by conducting Level 2 pre and post tests at the beginning and conclusion of each course.

c) If warranted, conduct group discussion of lessons learned and program and presenter strengths and weaknesses at strategic intervals during the training cycle.

d) Present a reporting structure to share with CDCR participant feedback of the Level 1 and Level 2 evaluations and suggested efforts to improve the program's elements and delivery.

e) As needed, participate in a "lessons learned" meeting with improvement and revision suggestions.

f) Implement course revisions and updates based upon feedback from the "lessons learned" meeting.

4) Training Materials

a) The System Office will ensure the delivery of a complete electronic master set of all curricula and course materials for each course to CDCR.

b) The curricula developed under this agreement will be the property of CDCR.

c) Any copyright infringement issues will be addressed and resolved on a case by case basis.

C. Program Delivery

1) Phase 1 Execution
The System Office project staff will oversee the implementation and execution of the full curriculum for the courses.

2) Program Schedule
A master schedule be developed and maintained by the System Office in cooperation with CDCR program and training management.

D. Modification of Scope

Adjustments to the curriculum or course delivery that do not affect the scope or total number of agreed upon hours of training, the volume of courses offered, the schedule of courses, or the operational delivery of courses may be necessary during the term of the contract. These changes may be agreed to via a written agreement, signed by the Chief Learning Officer, Office of Training and Professional Development for CDCR and an authorized representative of the System Office. All other changes will require a formal contract amendment.

E. Program Cost

Costs based on the System Office's ability to follow the college's standard operating procedures in revision and delivery of training. Any customization to services and/or delivery of training is defined in this scope of work.

Attach costs (Need Budget from System Office)

F. Contact Information

To be specified.

G. Cancellation of Sessions

The System Office will schedule dates of training sessions in consultation with CDCR. If CDCR should cancel a session after it has been scheduled, the System Office will bill CDCR for costs incurred up to the cancellation. Costs may include, but are not limited to staff time, materials printed, purchased, or duplicated, and instructor fees. The System Office will bill CDCR for instructor fees for cancelled classes on the following schedule:

1) More than sixty (60) days in advance of the scheduled class – no charge.
2) Thirty-one (31) to sixty (60) days in advance of the scheduled class – the cost of the actual preparation time expended, not to exceed fifty (50) percent of the instructor fee.
3) Thirty (30) days or less in advance of the scheduled class – the cost of the actual preparation time expended, not to exceed 100 percent of the instructor fee.

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