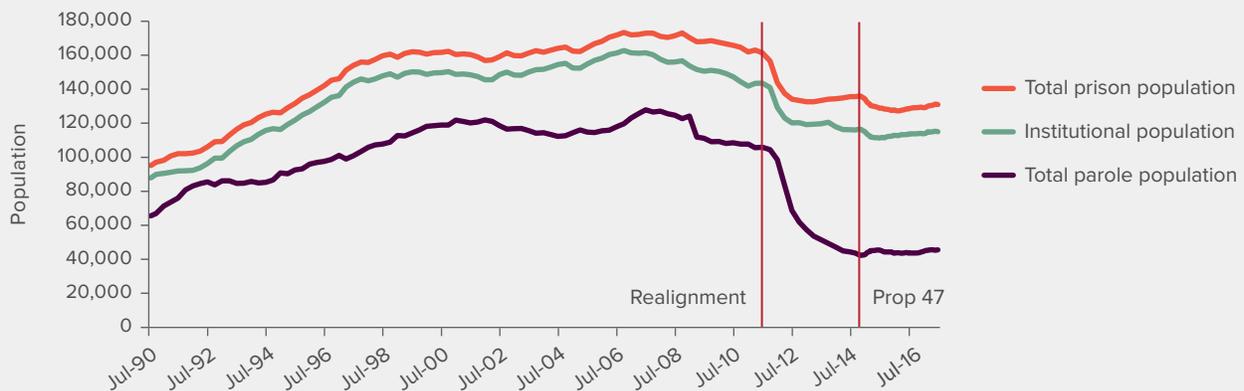


## California has reversed its long-term incarceration trend

California has reversed a decades-long trend of explosive growth in the state prison population that led to severe overcrowding. The population has dropped dramatically since the state enacted public safety realignment in 2011, after the US Supreme Court upheld a federal mandate to ease prison overcrowding. Realignment shifted responsibility for many non-serious, non-violent, and non-sexual offenders to county jail and probation systems. The reform cut the prison population by about 27,400 in its first year, while increasing the jail population. Two voter initiatives further trimmed the prison population and/or eased jail crowding: Proposition 36 (2012) revised California’s three-strikes law and Proposition 47 (2014) reclassified some drug and property felonies as misdemeanors. Altogether, these reforms have reduced the prison population by about 42,300 inmates (or 24%) from its peak in 2006 and significantly lessened the state’s overall reliance on incarceration.

Statewide violent and property crime rates are roughly where they were when California began implementing these reforms. However, corrections spending remains high, as do rearrest and reconviction rates. Ongoing equity issues need attention. And, as county jail systems continue to adjust to their new responsibilities, identifying and implementing cost-effective programming and services should be a high priority.

### CALIFORNIA'S PRISON AND PAROLE POPULATIONS HAVE DECLINED SUBSTANTIALLY



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

NOTE: "Institutional" refers to the population in CDCR adult institutions in California, excluding inmates in fire camps, community correctional facilities, and facilities outside California.

## California relies less on incarceration but spends more on corrections than other states

- California has 34 state prisons but also houses inmates in other facilities.**  
 By July 2017, the prison population was roughly 131,000, including 115,000 in California Department of Corrections and Rehabilitation (CDCR) facilities—this group is known as the institutional prison population. Another 4,400 inmates were in private facilities in Arizona and Mississippi; about 6,600 were in “contract beds” in public and private facilities in California; and about 3,800 were in fire camps. Since the passage of Proposition 47 in November 2014, the out-of-state population has decreased by 4,300 inmates, while the in-state contract-bed population has risen by around 160 inmates.
- Parole violators no longer go back to prison, but rearrest and reconviction rates remain high.**  
 Under realignment, most California parole violators can no longer be returned to state prison. As a result, the two-year return-to-prison rate for released offenders has dropped from around 55 percent to slightly below 17 percent. But the two-year rearrest rate is 69 percent, similar to the pre-realignment level. The two-year reconviction rate

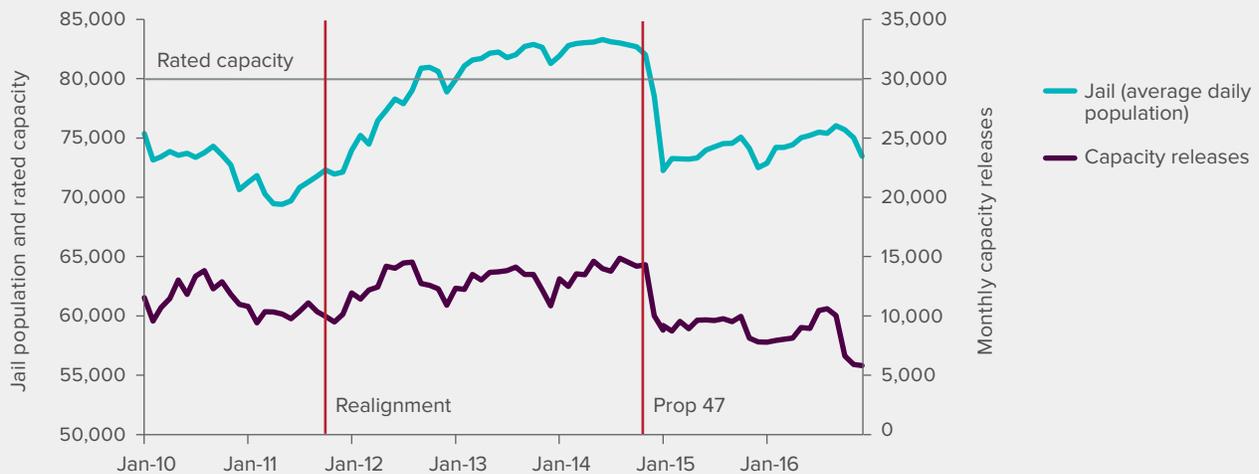
of 42 percent is about 5 percentage points higher than before realignment, but this may simply reflect the prosecution of offenses that in the past would have been processed administratively.

- **County probation departments now supervise a large number of offenders released from prison.**  
In 2016, about half of all inmates released from state prison (16,865) went to county probation—known as Post-Release Community Supervision—instead of state parole (17,003). By July 2017, the parole population was 45,500—a dramatic drop from 104,800 in September 2011, and a decrease of almost 57 percent.
- **California is less reliant on imprisonment than many other states, but its corrections budget is the nation’s largest.**  
Between 2006 and July 2017, California’s prison incarceration rate dropped 30 percent, from 475 inmates per 100,000 residents to 334; this is well below the 2015 national average of 402. In 2015, the most recent year of comparable data, California had the highest corrections spending as a share of total state expenditures. The state’s General Fund corrections budget (about \$9.9 billion) was almost three times that of Texas, the second-highest spender; in fact, California spent \$1.3 billion more than Texas, New York, and Florida combined.

## Proposition 47 reduced jail population pressure, but challenges remain

- **The jail population grew under realignment but declined after Proposition 47 passed.**  
The jail population grew from 71,800 to 82,000 during the first three years of realignment. After Proposition 47 passed in 2014, the jail population dropped to about 73,500; it is below the statewide capacity of around 80,000 for the first time since March 2012. In addition, county sheriffs are using alternatives such as electronic monitoring, day reporting centers, community service, and alternative work programs. Nevertheless, some counties continue to release inmates due to overcapacity. In December 2016, almost 6,000 inmates were released early.

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



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

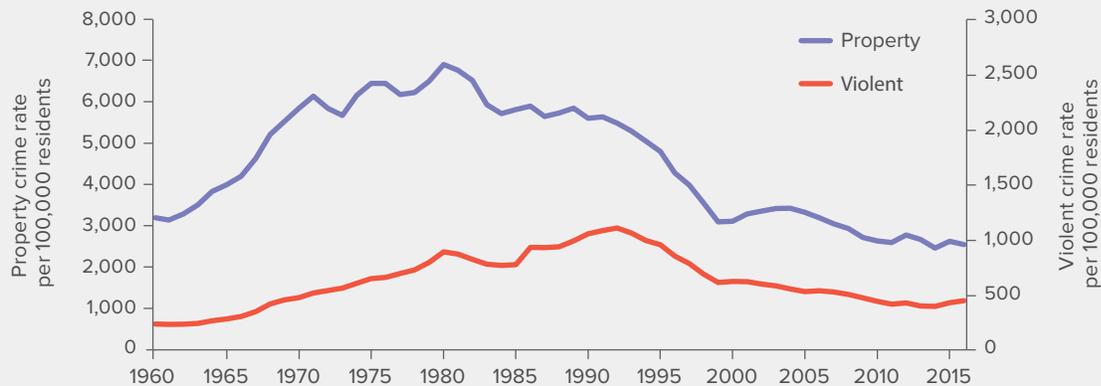
NOTE: As of December 2016, the BSCC sets the statewide rated jail capacity at nearly 80,000 inmates.

- **Longer jail sentences present challenges.**  
Now that many offenders are serving long sentences in jail, counties are providing reentry and health services in facilities that were not designed to hold long-term inmates. The difficulties are especially acute in older facilities. To address these challenges, the state has earmarked \$2.5 billion for county jail construction, funding more than 16,000 jail beds over the next decade.
- **Sheriffs are expanding reentry services and programs.**  
Counties are introducing or expanding inmate need assessments as well as mental health and substance abuse services, cognitive behavioral treatment, and employment and housing programs. Money not spent on state prisons in the wake of Proposition 47 is likely to go toward increasing evidence-based programming to reduce recidivism and overall incarceration. The state savings (\$67 million in 2016–17 and \$46 million in 2017–18) will be redirected to local mental health and substance abuse programs, K–12 education, and services for victims of crime.

## Crime rates have fluctuated slightly but remain near historic lows

- **California's violent crime rate is historically low, but it increased in 2015 and 2016.**  
After rising slightly in 2012, California's violent crime rate dropped in 2013 and 2014, reaching a 47-year low of 393 violent crimes per 100,000 residents. But the violent crime rate increased over the next two years, to 444 per 100,000 residents in 2016. California's violent crime rate ranked 15th nationwide and was higher than the national rate of 386 per 100,000 residents. In 2016, 60 percent of California's reported violent crimes were aggravated assaults, 31 percent were robberies, 8 percent were rapes, and 1 percent were homicides.

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



SOURCE: Author calculation based on FBI Uniform Crime Report 1960–2002 and the California Department of Justice's Criminal Justice Statistics Center, California Crimes and Clearances Files, 2003–16.

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

- **The property crime rate is close to an historic low.**  
After increasing in 2015, California's property crime rate decreased by 3.3 percent in 2016, to 2,545 per 100,000 residents, about 3.5 percent above its 50-year low in 2014. California's property crime rate was above the national rate (2,450 per 100,000 residents) and ranked 27th among all states. Of all reported property crimes in California in 2016, 64 percent were larceny thefts, 19 percent were burglaries, and 17 percent were auto thefts.
- **Realignment's impact on crime was limited to auto thefts.**  
There is no evidence that realignment affected violent crime, but auto thefts rose as a result of the reform. While California's property crime rate in 2013 and 2014 was in line with rates in comparable states, its auto theft rate remained higher. Compared to 2010, the year prior to the implementation of any of California's significant criminal justice reforms, the violent crime rate went up slightly, by 1.1 percent, while the property crime rate was down by 3.2 percent. The effects of post-realignment reforms, including Proposition 47, remain unknown.

## Looking ahead

Changes to California's corrections system have succeeded in many ways. Prison and jail overcrowding has decreased over the past few years and the state has not experienced a significant increase in the crime rate. But corrections spending continues to grow and is now at an historic high. Identifying and implementing cost-effective programming and services to help inmates reenter their communities should be a high priority, as recidivism rates remain high. Racial disparities in the criminal justice system and tensions between law enforcement and minority communities also need to be addressed.

**Address high recidivism rates.** Evidence-based programming and services are essential to decrease reoffending and foster successful community reentry. Reducing recidivism would benefit both offenders and communities, and could also reduce corrections expenditures. Proposition 57 (2016), which authorizes CDCR to expand sentence-shortening credits for inmate rehabilitative or educational achievements, aims to help inmates prepare for reentry into the community.

**Assess county jail needs and practices.** Proposition 47 relieved statewide jail population pressure, but counties are still adjusting to new responsibilities. The completion of new facilities over the next five years will help many counties provide programming and services. Monitoring jail population changes, population management, and post-release outcomes will be critical to understanding the long-term effects of realignment and Proposition 47. Changes to bail and pretrial release systems could further relieve population pressure, decrease local corrections costs, and address ongoing racial disparities.

**Analyze crime rates.** At pre-realignment incarceration levels, putting offenders behind bars was not a cost-effective way to prevent crime. When incarceration rates are lower, however, reductions in prison and jail populations can put upward pressure on crime rates. Although violent and property crime rates are still at historically low levels, it is essential to watch them closely in the context of California's substantial reduction of its incarcerated population.

**Examine issues of equity in policing and sentencing.** The March 2017 PPIC Statewide Survey finds that only 29 percent of respondents—and only 6 percent of African Americans—feel that whites and non-whites are treated equally in the criminal justice system. California should determine at what points in the process and in what forms inequities occur.

**Address tensions from increased federal immigration enforcement.** The January 2017 PPIC Statewide Survey shows that 85 percent of Californians support allowing undocumented immigrants to stay legally; it also finds that many are concerned about negative effects of increased federal immigration enforcement. Changing federal immigration enforcement presents a destabilizing element to immigrant communities and the economy and poses additional challenges to local law enforcement. While the recently signed California Sanctuary State Bill (SB 54) may address some of the disruptive impact, counties and cities should look for ways to increase communication and cooperation between law enforcement and immigrant communities to ease tension, improve relationships, and enhance public safety.

**Ensure access to data and support ongoing research and evaluation.** It will be difficult to assess the impact of California's recent criminal justice reforms without extensive monitoring and evaluation. The state should ensure that the relevant data are collected and made available for research and evaluation. The state could decide to fund evaluation, either requiring or incentivizing counties to collect relevant data. Rigorous evaluation of state and county practices would also help identify and implement effective strategies to reduce recidivism.

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