

# NCCD FOCUS

Views from the National Council on Crime and Delinquency

## *California Corrections at the Crossroads*

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### *A System in Crisis*

The California corrections system is at a crossroads. California was once a leader in innovative corrections legislation and programming. However, over the last twenty years, changes in drug policies, the media's coverage of crime, and the contentious relationship between corrections unions and administrators have left California with a huge and dysfunctional criminal justice system in woeful need of reform. Even former governor, George Deukmejian, known for being "tough on crime," reports a badly broken system. The Deukmejian Commission report names abuses of prisoners, failed employee discipline, grossly inadequate treatment services, costly lawsuits, and more.

On January 18, 2005, NCCD convened a summit meeting of leading thinkers in the field to discuss the future of California corrections. The meeting was facilitated by former State Attorney General John Van de Kamp and was attended by major players in the corrections system including current and former representatives from the corrections administration, politicians, news media, academics, advocates, and former prisoners. What follows is an overview of the many issues that together speak to the need for major reforms in the California corrections system and first strategic steps toward achieving those reforms.

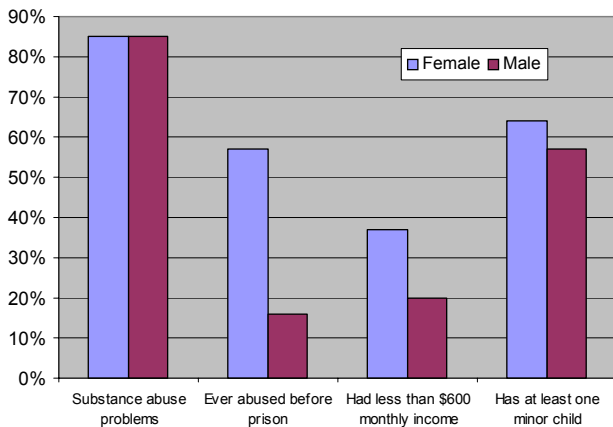
### *Reforms Needed at Every Level*

The strength of the California economy in the past decades allowed us to feed a growing monster of a system. At present, the California corrections system employs 54,000 workers and supervises 300,000 adult inmates and parolees and 8,400 juvenile wards and parolees. From 1980 to 2000, the state built 21 new prisons, but not one new campus of the University of California. Corrections has grown to resemble a large and multi-layered industry—a system that is costly, ineffective, and often dangerous. Many sources indicate extremely high rates of recidivism, which clearly weakens community safety. The governor's current corrections budget is over \$7.2 billion—a significant burden to taxpayers. For a host of reasons, Californians can no longer afford to ignore this problem.

Although prisoners are in dire need of a variety of services, such as substance abuse counseling, mental health treatment, education, and job and life skills training, precious few programs are available to inmates. Even fewer programs are available to support prisoners' transition back into the community. Not only are supportive services not sufficiently available, but what little support prisoners do have is undermined by policy and practice. The majority of California prisons are located in

rural settings, while most prisoners come from far-off cities. Research indicates that strong ties to family and community are important factors in the successful reentry of prisoners into productive and prosocial lives; this distance from home communities often severs the ties between prisoners and their families, causing further alienation and obstacles to reentry. Upon release, instead of services and support, prisoners face significant barriers. Insufficient housing, unresolved drug problems, lack of education, lack of job preparation, and estranged relationships with families often set prisoners up for failure.

**Comparison of Female and Male Offenders in State Prisons**



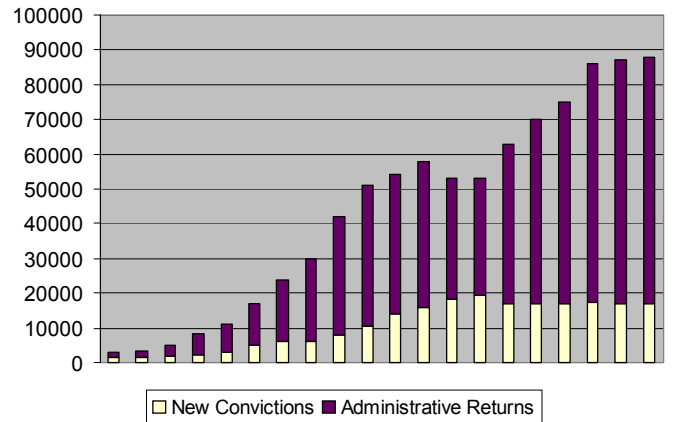
Source: Reproduced from *Breaking the Barriers for Women on Parole*, The Little Hoover Commission, December, 2004.

For both inmates and corrections workers, current incarceration policies are unhealthy at best and dangerous at worst. As recently as January 10, 2005, a prison guard was stabbed to death at the California Institution for Men. Officials with the California Correctional Peace Officers Association (CCPOA) have publicly stated that they fear for the safety of their workers.

Health care provision is increasingly costly, yet inadequate. The California corrections system is currently spending \$1 billion annually on health care. Offenders commonly face a wide range of serious health problems including substance abuse, infectious diseases, mental illness, hypertension, asthma, and diabetes. After serving their sentences, these individuals are released into communities,

with few health resources and with no continuity of care. They place their families and community members at risk by exposing them to contagious diseases such as Hepatitis C and HIV/AIDS.

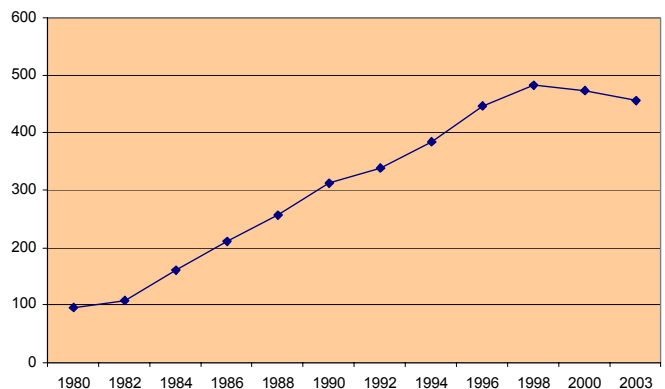
**Parole Violators Returned to Prison 1980-2000**



Source: Reproduced from *Back to the Community: Safe and Sound Parole Practices*, The Little Hoover Commission, November, 2003.

Two major reports released in 2004 speak to the need for reforms in the corrections system, the California Corrections Independent Review Panel's, *Reforming Corrections*, and, with a focus on women in prison, the Little Hoover Commission's, *Breaking the Barriers for Women on Parole*. Both reports highlight the expense of

**Rate per 100,000 of Sentenced Prisoners under Jurisdiction of California Correctional Authorities**



Source: *Sourcebook of Criminal Justice Statistics, 2001*. U.S. Department of Justice, Office of Justice Programs.

the current corrections industry and the lack of positive outcomes. Each called for major reforms, without which, the California corrections system is poised for more cost, less public safety, still greater risk to prison employees, further health deterioration both inside and outside of prisons, a further erosion of the precepts of “justice,” and further legal and ethical dilemmas for the state. If necessity is the mother of invention, then reform should be on its way; and there is reason to be hopeful.

### A Public Ready for Change

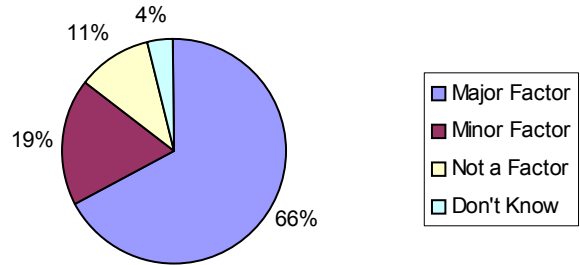
Californians are realizing that they pay an exorbitant price for their correctional system yet are being underserved by it. Recently, Federal Judge Thelton Henderson threatened to appoint a receiver to take over the system.

The California public is looking to its state leadership to make changes in the operation of the Department of Corrections that will enhance the connected goals of public safety and offenders’ chances at successful entry to society. The public is overwhelmingly in support of an overhaul of the corrections system. In a recent poll of attitudes of Californians towards correctional policies, NCCD found that the majority of Californians believe that the experience of being in prison itself is a major factor in subsequent offending and returning to prison. Further, 66% believe that a lack of life skills is a major factor in recidivism.

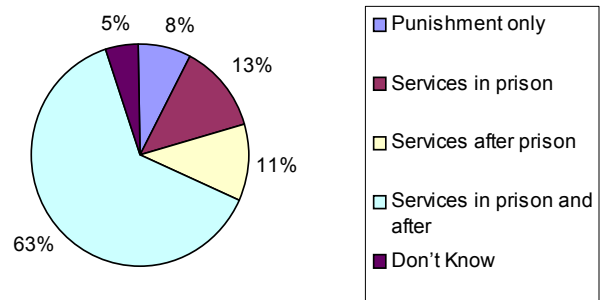
In addition, by almost an 8 to 1 margin (63% to 8%), Californians prefer using state funds to rehabilitate prisoners both during incarceration *and* after their release

from prison, as opposed to punishment only. The financial cost of the state system is a burden that taxpayers neither want nor can afford to bear.

*Is the lack of life skills a factor in recidivism?*



*What kind of system should California have?*



Source: *Attitudes of Californians toward Effective Correctional Policies*, National Council on Crime and Delinquency, 2004.

In 2000, Californians overwhelmingly endorsed Prop 36, which diverted minor drug offenders from prison and jail and into treatment. Furthermore, Prop 66, a reform of the Three Strikes law, lost by a narrow margin in 2004; it will likely be revised to gain broader public support.

The summit meeting on California Corrections at the Crossroads was hosted by Professor Robert Weisberg of the Stanford Law School, with generous support from the Roney Family Foundation.

## We Can Fix This

The tone of the January, 2005, summit was overwhelmingly optimistic. Excited by an openness to reform in the Administration that has not been present for decades, this seasoned group of leaders discussed a number of issues around reform and strategies to make it happen. This summary is by no means a consensus of the diverse group of attendees. Rather, the following is an overview of key issues that materialized during the conference and directions for combined future efforts.

- **Seize the moment.** Both the public and the current administration are open to trying new approaches to corrections. Now is the best opportunity for substantive change in many years.
- **Build constituencies.** For too long, the public has been unaware of the depth of the problem. Business, legal, and community leaders, and the general public need education about the problems and solutions so they can support lasting change.
- **Take advantage of our existing experts.** Create an advisory council to provide best practices in the design, evaluation, and implementation of effective rehabilitation programs.
- **Expand what is working.** Develop strategies for expanding successful services within prisons and communities. Include improvements in Probation, a key component of sanctions at the local level.
- **Prepare for obstacles.** The strength of the prison guard's union is often cited as an obstacle to reform efforts. Certainly the relationship between CCPOA and administration officials is contentious, often due to competing interests. Support structures should be put into place for reform to take place.
- **Focus on reentry.** Unprecedented numbers of individuals will be released by 2010. We know that rehabilitation is possible and that it can dramatically influence the nature of reentry.
- **Start with the "do-able."** Perhaps the most logical place to start with meaningful change is to target efforts on those inmates convicted of non-violent and drug-related crimes.

The California Youth Authority has embarked on a radical and difficult reform mission. Changing the adult system will be even more challenging due to its size and complexity. Governor Schwarzenegger has acknowledged publicly that the system must be fundamentally restructured and has appointed leaders that want to move to a new model, one that includes participation from a broad range of community groups. Moreover, the citizenry of California has a great deal at stake in the success of corrections reform; a more effective corrections system contributes to safer communities. The public and the current administration agree that reform is necessary. All stakeholders must take this unprecedented opportunity to begin a thorough overhaul of the system.

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### Source information

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