



California's Par

Studies from the Justice Policy Center at Washington's Urban Institute have tracked America's dramatic crackdown on criminals in recent years. But California has exceeded the national trends and is remarkably unique in its approach to those newly released from prison. As the Institute's researchers explain here, the California policy is expensive and burdensome without proof of being more effective.

**By Jeremy Travis
and Sarah Lawrence**



A detailed illustration of a hand and forearm in handcuffs. The hand is positioned palm-down, with fingers slightly curled. The handcuffs are metallic and attached to a chain. The background is a textured, light-colored surface. The overall color palette is muted, with shades of teal, grey, and white.

ole Experiment

Our country has embarked on a remarkable social experiment: We have significantly increased the use of incarceration as a response to crime. Over the past 25 years, the per capita rate of incarceration in America has increased four-fold. More than 2 million individuals are now locked up in prison or jail.

The increase has taken on a unique twist in California, particularly in regard to its parole policy. Unlike many other states, nearly every prisoner released in California is placed on parole, and studies indicate the state has an especially tough policy on parole violators. As a result, California is now the national leader in returning parolees to prison and its return rate has increased 30 times between 1980 and 2000.

Today, nearly one in five parolees in America lives in California.

In effect, California has been embarking on an experiment of its own, embedded within the national experience.

This social experiment has profound social consequences in America. A few data points illustrate the breadth of these impacts:

- An African American male now has a 29 percent lifetime chance of serving at least a year in prison.
- In seven states in this country, a quarter of the

California's

African American male population is disqualified from voting for life.

- 1.5 million minor children have a mother or father in prison at any given time, the equivalent of 2 percent of all children and 7 percent of all African American children.

- The penetration of criminal justice involvement on inner-city neighborhoods is extensive. In some Brooklyn blocks, for example, one-in-eight parenting age males goes to jail or prison each year.

In California, the incarceration levels have increased at rates greater than the national average. Between 1980 and 2000, the state prison population increased nearly seven-fold, from 23,264 to 158,117, compared to a four-fold increase nationally during this same period. One primary reason is the state's rapid population growth. Controlling for population reveals that the incarceration rate in California has tracked the national rate fairly closely. California's incarceration rate is 467 per 100,000 population compared to the national average of 432.

More important, California's growth in the numbers of people on parole supervision — and in the numbers whose parole has been revoked — has far exceeded the growth in the rest of the nation.

More than 95 percent of prisoners will be released to the community, so it follows that increases in the number of people going into prison will increase the number of people released from prison. But the number of "releases to parole" (which may include one person being released more than once in a year) has increased even more sharply than the prison population.

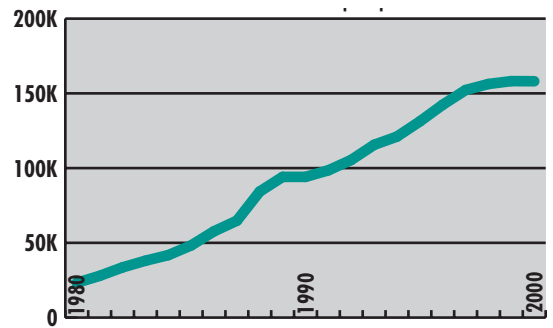
In 1980 there were 11,759 releases to parole, while in 2000 there were 126,117— more than a 10-fold increase. During this same period of time, the number of prisoners released to parole across the country increased only four-fold.

The higher rate of release also has grown California's parole population more rapidly than elsewhere in the nation. The number of parolees in California has increased 10-fold over the last 20 years compared to three-fold nationally. The result is that a disproportionate share of parolees in this country reside in California. Today, 18

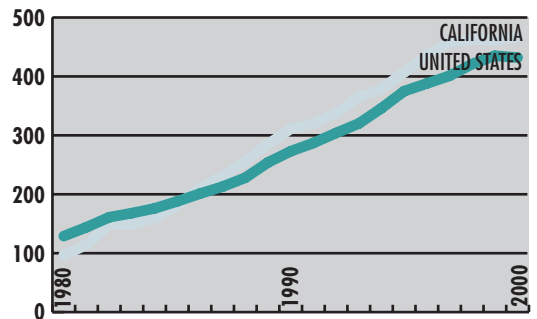
Locking Them Up

The incarceration rate in America has grown four-fold in the past 20 years. California, largely due to its population growth, outpaced the nation with a seven-fold increase. Comparing the per-capita rate for incarceration, California was just slightly ahead of the U.S. with 467 inmates per 100,000 population, compared to 432 nationally.

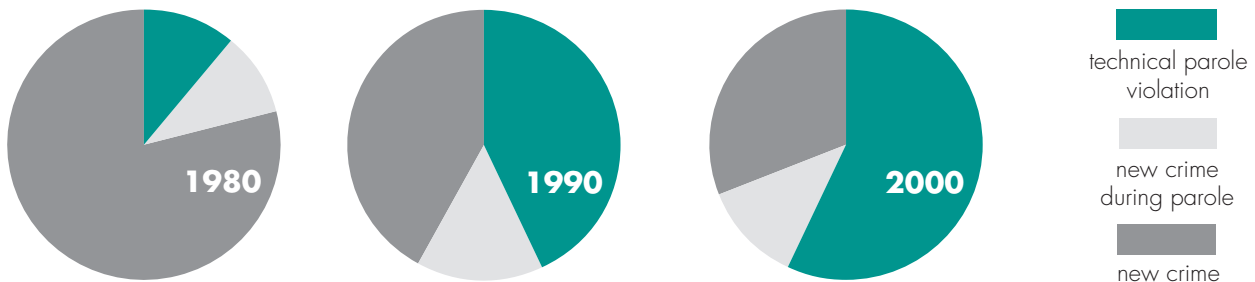
California's inmate population



Per capita incarceration rate, U.S. & California (inmates per 100,000 population)

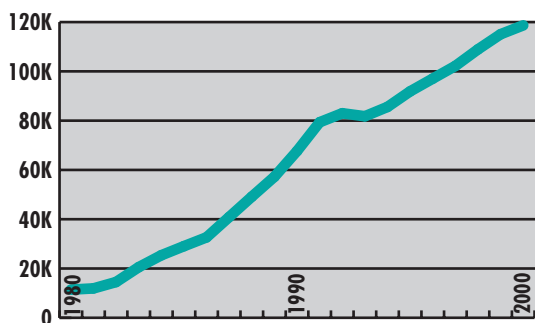


Sources of admission to California prisons

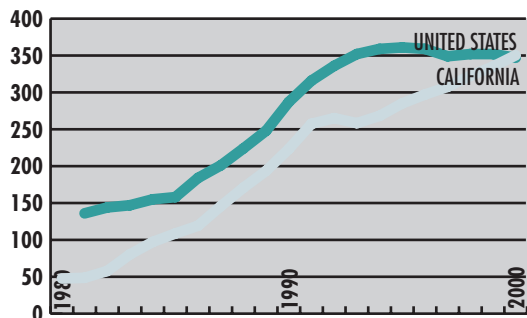


growing parolee problem

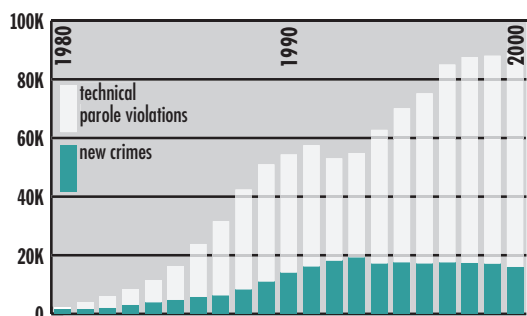
California's parole population



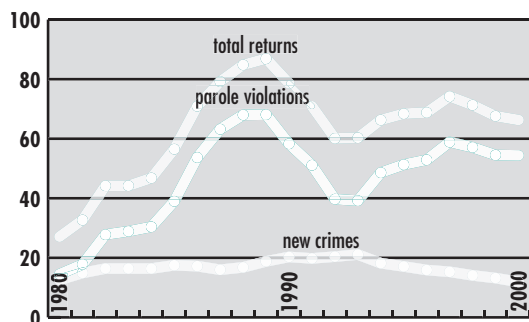
Per-capita parole rate, U.S. & California (parolees per 100,000 population)



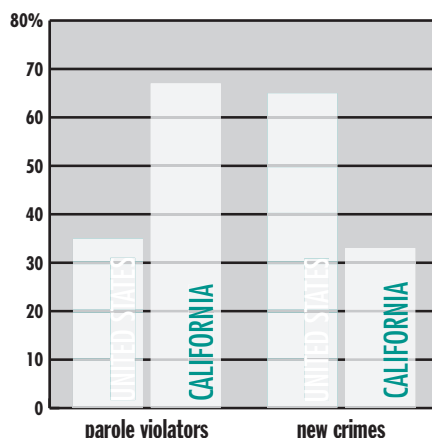
Reasons for return to prison, CA



Rates of return to prison for parolees, CA (inmates returned per 100,000 parole population)



Percent prison admissions in 1999 by type: U.S. & California



The Revolving Door

California's parole policy contrasts sharply with the U.S. Nearly two-thirds of its prison admissions are for parole violations, compared to about one-third nationally. Nationwide, the parole population has tripled in the last 20 years, but California's grew ten-fold. Nearly 1-in-5 parolees in America lives in California. Most striking, California today is returning 30 times more parolees to prison than it was 20 years ago.

percent of the U.S. parole population resides in California (compared to 12 percent of the U.S. population). In other words, nearly one-in-five parolees in America live in California. Even when controlling for population growth in the state, the rate of persons on parole has continued to grow over the last two decades.

Growth in parole violations

A majority of parolees released from California prisons fail to make the transition back to the community and are returned to prison. There were nearly 90,000 parolees returned to prison in 2000, a 30-fold increase from 1980.

A parolee in California can be sent back to prison via two distinct routes — by a court following a conviction for a new crime, or by the parole board for violating the conditions of parole (also referred to as a technical violation). The vast majority of the returns to prison in California are for technical violations, such as missing an appointment with a parole officer or failing a drug test — not for new crimes. It is in this area of policy and practice that California departs most sharply from national trends.

The phenomenon of parole violations can be viewed in a slightly different way. Among those on parole, there has been significant fluctuation in the rate of returns to prison for technical violations, but very little change in the rate of parolees sent back for committing new crimes. The current rate of return to prison for technical parole violations is more than three times higher than 20 years ago.

In California, the number of parole increased 2,884 percent compared

These trends have a significant impact on who is coming in the front door of California's prisons.

In 1980, 79 percent of admissions to California state prisons were for new commitments — court convictions for new crimes that did not involve a person on parole. By 2000, new commitments had dropped to 31 percent of the incoming prisoner population. Meanwhile, technical violations by parolees accounted for just 11 percent of prison admissions in 1980 and 57 percent in 2000.

California is now the national leader in sending parolees back to prison, according to data published by the Bureau of Justice Statistics. In 1999, more than two-thirds of those arriving at prison in California were there because they violated parole — either for technical reasons or new crimes — compared to just one-third of those nationally.

Putting all of these trends together, we get a picture of the magnitude of California's contrast with national trends.

California has far outpaced the national average in all of the measurements presented in this article. The California prison population has increased 580 percent compared to 301 percent nationally. Likewise, prison releases and the parole population in California has also experienced significant growth — increasing by nearly 1,000 percent in the last two decades compared to an increase of under 300 percent nationally. The most dramatic growth, however, has been in the number of parole violators returned to prison. In California, the number of parole violators returned to prison increased 2,884 percent compared to over 600 percent nationally.

Reasons for parole growth and parole failures

Why has California experienced larger than average growth in the numbers and rates of people on parole? And why is California ranked number one in the nation in terms of parole violators? California has clearly made some policy choices that provide the context for this reality.

One reason is that when the state abandoned indeterminate sentencing in 1977, it kept in place a system of parole supervision for everyone getting out of prison. Other states made different choices.

Less clear, but as important, are the day-to-day policies of the parole apparatus in California. In a 1998 report examining the issue of parole violations in California, the Legislative Analyst's Office pointed to the tough policies of the Bureau of Prison Terms (the agency that conducts parole revocation hearings) that have resulted in more technical violations and longer prison terms. In the world

of parole, where so much discretion is exercised outside of public view, it is difficult to pinpoint the levers of the California approach to parole violations.

Perspectives on the California experiment

How should we evaluate the California experiment in incarceration and reentry management? We see three key dimensions of analysis.

First, this form of punishment is very expensive. Professor Michael Jacobson of the City University of New York calculates that California spends \$900 million a year to house parole violators — who spend an average of five months in prison when they are returned. He calculates that if California brought its policies in line with the rest of the country — and saw only a third of its prison admissions as parole violators, the state would save \$500 million a year.

Second, California puts nearly everyone released from prison on parole supervision. Across the country, there is a great variation in that policy. At the other end of the spectrum, Ohio, Massachusetts and Florida only release about 40 percent of prisoners on parole. There is a simple maxim here: You can't violate someone who is not on parole. So, the decision to use parole and use it extensively, as California does, forms the predicate for the policies regarding parole violations.

The rates of parole violation have changed dramatically in short periods of time, as observed in the 1980s and early 1990s. Presumably this reflects changes in parole policy and management, not dramatic changes in underlying behavior of parolees. In short, policymakers could decide to experiment with new approaches and see results quickly.

Third, the benefits of the current policies are uncertain. It must be acknowledged that the rates of recidivism for released prisoners are very high across the country. Nationally, two-thirds of them will be rearrested within three years and 40 percent will be returned to custody. Yet there is virtually no research documenting the link between revocation policies like those seen in California and reductions in recidivism. That is not to say there is no public safety benefit from the state's high rate of parole revocations. On the contrary, removing 90,000 convicted felons from the streets undoubtedly reduces crime. But we do not know the extent of the crime control benefits of these policies.

Recently, California policy makers have begun to focus on the state's unique parole issues, and there are a number of questions that might be asked. What are the

violators returned to prison to over 600 percent nationally.

risks posed by the individuals leaving prison? What alternative strategies and resources can be applied to reduce those risks? What is the lowest level of deprivation of liberty that would be required to reduce those risks?


Paul Seave, special assistant attorney general and director of the Crime and Violence Prevention Center within the California Attorney General's Office, said the first order of business is to "address the enhanced public safety concerns that newly released prisoners present to their communities." But he also takes a broader view, asking why California relies on incarceration as the answer to this public safety risk and suggesting that other strategies for managing the newly released prisoners might be less costly and equally protective of public safety.

Elsewhere, the state's Little Hoover Commission voted at a recent meeting to conduct an inquiry into the practices of parole supervision in California, with particular emphasis on parole revocation policies. This examination, undertaken by the nonpartisan watchdog office, is likely to spotlight these issues on the state policy agenda.

Around the country, there is a renewed interest in innovations in this area of criminal justice policy. Some jurisdictions are investing significant resources in managing the transition from prison to community better, particularly the first few months after prison. These investments include transitional housing, work requirements,

drug testing and close monitoring of a small number of enforceable conditions. Others are creating community based re-entry coalitions including law enforcement, parole, service providers, faith institutions, community leaders, and organizations of ex-offenders.

Still others are experimenting with "re-entry courts" that oversee the process of reintegration. In these courts, conditions of supervision are openly agreed to and openly enforced. If a new crime is committed, all bets are off and the parolee is prosecuted for the new crime. But violations of the conditions of parole — the technical violations that now fill up the state's prisons — are handled more along the lines of drug courts, with appropriate support services, close judicial monitoring, graduated sanctions for failure to meet conditions, and local detention where needed to enforce the orders of the court.

Our educated guess, based on experiences around the country, is that these approaches might also make sense for California. 

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