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CLAREMONT MCKENNA COLLEGE

**REDUCING RECIDIVISM IN THE STATE OF CALIFORNIA: AN
EVALUATION OF CALIFORNIA'S PRISON AND PAROLE PROGRAMS**

SUBMITTED TO

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AND

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BY

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FOR

SENIOR THESIS

FALL/2010

NOVEMBER 29, 2010

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CHAPTER I: INTRODUCTION

It is no secret that California's prison system is in dire need of reconstruction. As is expected for the most populated state in the nation, California has the highest prison population in the country. However it also has a penal budget comparable to what the state spends on higher education and strikingly high recidivism rates.¹ A 2009 estimate found that the average prison population in California was 168,286 offenders and the average daily felon parolee population was 127,383.² That is a total of 295,699 individuals under the supervision of the California Department of Corrections and Rehabilitation.

In 2006, troubled by the numbers at hand, Governor Schwarzenegger declared a state of emergency in the prison system.³ At first glance one may not believe that California's prison system is in such a state, for the state's crime rate is significantly lower than in the past and its rate of serious reported index crimes—such as rape, murder, robbery, burglary, aggravated assault, larceny, arson, or theft of an automobile—is similar to the national average.⁴ But it is not the number of crimes but the number of criminals in California prisons that trouble many California policy makers. As will be discussed in the following chapter, California's prisons were not built to house the

¹ "The California Prison Disaster," *The New York Times*, October 25, 2008, <http://www.nytimes.com/2008/10/25/opinion/25sat1.html> (accessed September 20, 2010).

² "Average Daily Prison Population Calendar Year 2009," California Department of Corrections and Rehabilitation, http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Annual/IPOP2/IPOP2d0912.pdf (accessed September 22, 2010).

³ Jennifer Steinhauer, "Prisons Push California to Seek New Approach," *New York Times*, December 11, 2006, http://www.nytimes.com/2006/12/11/us/11prison.html?ref=prisons_and_prisoners (accessed September 20, 2010).

⁴ Joan Petersilia, "Understanding California Corrections: Summary," UC Irvine Center for Evidence-Based Corrections, May 2006, 1-2, ucicorrections.seweb.uci.edu/pdf/cpresummary.pdf (accessed September 20, 2010).

number of prisoners it currently houses. There are a number of factors that have contributed to the overcrowded state, but many researchers feel that the main cause is California's adoption of strict sentencing laws.

In the 1970s California began what is now known as its "tough on crime" phase. During this period California passed The Determinate Sentencing Act (DSL). This act eliminated discretion in handing down prison sentences, which experts in the California Department of Corrections and Rehabilitation panel claim has led to a lower threshold for incarcerations as well as longer terms for many offenders.⁵ Then later, in 1994, California passed Proposition 184, also known as "Three Strikes and You're Out" initiative.⁶ This initiative states that offenders convicted of three felonies are sentenced to life in prison, again leading to longer periods of lockup, and more bodies in the prisons.⁷ However, these were not the only acts. Between 1976 and 2007 California passed a total of eighty tough on crime laws.⁸ This toughening has led to more individuals entering California prisons. Craig Haney, a renowned professor at the University of California Santa Cruz, has said that overcrowding and a lowered threshold of incarceration that have resulted from the "tough on crime" can increase the state's recidivism rates.⁹

As previously stated, the state has succeeded in reducing crime rates, so perhaps the tight rein has accomplished the CDCR's goal. However, with recidivism rates still quite high, it may be time to set a new goal to reduce them. It seems that the state is beginning to look into new options in hopes of doing just this, for on June 1, 2005 the

⁵ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, 4, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Haney, Craig, *Reforming Punishment*, Washington, DC: American Psychological Association, 2006.

Department of Corrections became the Department of Corrections and Rehabilitation (CDCR). This seemingly miniscule and insignificant change marked the return of a strategy and mindset that was erased from the minds of policy makers decades ago.¹⁰

As Alfred Blumstein states in Joan Petersilia and James Q. Wilson's book, *Crime*, "the first two thirds of the 20th century people viewed prison as a vehicle for 'correction' or 'rehabilitation' – people believed when prisoners were released they would be less likely to commit crimes – all release was judged by prison professionals as to whether the inmate was 'rehabilitated.'"¹¹ Though many thought this attitude had long been abandoned, California is once again returning to the model of rehabilitation. This is not only clear through the new title of the CDCR, but also through its mission statement: "to improve public safety through evidence-based crime prevention and recidivism reduction strategies."¹² What is more, surveys show support to fund rehabilitation of inmates in order to reduce recidivism.¹³ The shifting attitudes show the state's heightened interest in reducing recidivism.

If recidivism rates are key indicators of prison success or failure, as many researchers believe they are, then California is clearly failing.¹⁴ High recidivism rates have consistently plagued the state of California. In the 1960s 35% to 46% of prisoners

¹⁰ Joan Petersilia, "Understanding California Corrections: Summary," UC Irvine Center for Evidence-Based Corrections, May 2006, 1, ucicorrections.seweb.uci.edu/pdf/cprcsummary.pdf (accessed September 20, 2010).

¹¹ Alfred Blumstein in James Q. Wilson and Joan Petersilia, *Crime*, (San Francisco, CA: ICS Press, 1995), 395.

¹² "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, 6, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

¹³ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, 6, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

¹⁴ Haney, Craig, *Reforming Punishment*, 71, Washington, DC: American Psychological Association, 2006.

returned to prison within three years, and in the 1970s the recidivism rate was around 51%.¹⁵ According to a study from July 2009, 58.23% of offenders return within three years of release.¹⁶ Thus, the newly structured CDCR, equipped with a newfound attitude, has reducing recidivism as one of its top priorities.

But how does one reduce recidivism? This is the million-dollar question that has been itching state officials, policy makers, and California citizens for years. Numerous studies conducted in the 1970s found that there was no consistent way to rehabilitate prisoners and change their post-release behavior.¹⁷ Robert Martinson was the ringleader of this theory for he was part of a special New York committee that reviewed and reanalyzed studies on correctional programs. After completing the study, he produced a summary stating that, “with few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism.”¹⁸ For years, Martinson’s study led people to believe that “nothing worked,” but that is no longer the case. Just a decade later in 1982 a study found that “there is reasonably solid clinical and research basis for the political reaffirmation of rehabilitation.”¹⁹ More recently, Joan Petersilia, one of the leading researchers on U.S. criminal justice agencies, has stated, “It is no longer justifiable to say that ‘nothing works.’ There is good scientific evidence that prison and parole programs *can* reduce recidivism. It’s not easy. It’s not inexpensive. But

¹⁵ Ibid, 7.

¹⁶ California Department of Corrections and Rehabilitation Research Branch, July 2009, http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Annual/RecidivismByCounty/RecidivismByCountyd2005.pdf (accessed September 22, 2010).

¹⁷ James Q. Wilson and Joan Petersilia, *Crime*, (San Francisco, CA: ICS Press, 1995), 395.

¹⁸ Michael D. Maltz, *Recidivism*. Orlando, FL: Academic Press, 1984.

¹⁹ Cullen, Francis T. and Karen E. Gilbert, *Reaffirming Rehabilitation*, Cincinnati, OH: Anderson Pub., 1982.

it's possible.”²⁰ The research proving that there are indeed successful strategies for reducing recidivism has led to a surge of interest in prison reentry and effective prison programs. The federal government has allocated over one hundred million dollars to support the development of new reentry programs.²¹ Developing programs will be costly, but the department saves money when an inmate completes parole and successfully reintegrates into society, so it is in fact saving money in the long run.²² State governments as well as parole and probation associations have begun creating special task forces in order to determine where the money should go for corrections' systems to be successful. For all the money means nothing if we are unsure of where and how to use it.

Given that renowned researchers such as Joan Petersilia have found scientific evidence that recidivism can be reduced, this thesis will provide an in-depth review of various articles, reports, books, and case studies in order to determine how exactly California can reduce it. Now that California has implemented a new strategy and had a few years to implement it and evaluate its efficiency, I will research the findings of various panels and research teams, as well as program evaluations to come to a conclusion as to whether California has truly found ways to reduce recidivism, or if we are no closer to the answer than we were decades ago.

²⁰ Joan Petersilia, “Prisons Can Be Cages or Schools,” *Los Angeles Times*, October 16, 2005, <http://ucicorrections.seweb.uci.edu/pdf/Prisonscanbecagesorschools.pdf> (accessed October 16, 2010).

²¹ Joan Petersilia, “What works in prisoner reentry? Reviewing and Questioning the Evidence” *Federal Probation*, 62 (2), 1, www.seweb.uci.edu/users/joan/Images/WhatWorks.pdf (accessed October 16, 2010).

²² Fonseca, Cindie, “Written Testimony for the Little Hoover Commission Concerning the Governor’s Reorganization Plan for California’s Youth and Adult Correctional Agency” *California Department of Corrections*, (January 2005), 3, <http://www.lhc.ca.gov/reorg/reorg/FonsecaJan05.pdf> (accessed November 1, 2010).

What is Recidivism and Why Should California be Concerned?

As this thesis is dedicated to investigating whether California can reduce its recidivism rates it is important for readers to have a complete understanding of recidivism. The basic definition of a recidivist is “one who, after release from custody for having committed a crime, is not rehabilitated. Instead, he or she falls back, or relapses, into former behavior patterns and commits more crimes.”²³ (There are various psychological and societal factors that contribute to recidivism, but those will not be considered in this report). Instead I will investigate ways that California can work to reduce the number of offenders who consistently make their way back to prison.

However, before delving into my investigation it is also important to note the difficulty in studying recidivism. I will elaborate on this later, but it is often difficult to completely attribute an offender’s behavior and changed attitude to a program because there could potentially be a number of factors that contribute to it, for instance the offender may wish to impress his parole officer or be overly motivated. Additionally it is nearly impossible to create perfect control or comparison groups because prisoners are protected from being coerced into volunteering for services in experimental programs where they are subject to manipulation by researchers.²⁴ Thus when considering many of the studies I had to keep this fact in perspective.

In 2001 Joan Petersilia published a study profiling 1,000 of the 21,758 released California offenders. While the study was performed in order to determine if certain inmates should qualify for intermediate sanctions, it uncovered valuable data on recidivism. For instance, 61.8% of the sampled inmates were re-arrested during the two-

²³ Maltz, Michael D.. *Recidivism*. (Orlando, FL: Academic Press, 1984), 54.

²⁴ *Ibid*, 21.

year follow-up.²⁵ What is more, 42% of those re-arrests were within three months and 80% were within 12 months.²⁶ She also found that while there was little offense specialization, or little correlation between the offenders' previous arrest and new arrest, those who were convicted of a serious felony or a weapons related crime were more likely to recidivate.²⁷

Studying recidivism rates is particularly difficult because the manner in which they are measured varies by state. Some states measure recidivism rates upon an offender's re-arrest, while other states consider rates based upon an offender being convicted or reincarcerated. Additionally, states often turn to intermediate sanctions instead of parole, leading to a lower recidivism rates than other states. California's 2008 statistic reads that 66% of California's parolees end up back in prison after three years as compared to the national average of 40%.²⁸ While the more recent statistic states that 58.23%²⁹ of parolees end up back in prison after three years, this is still significantly greater than the national average. However, as will be further explained later in the chapter dedicated to the evaluations of parole programs, California is believed to include a number of events that other states do not include when measuring recidivism.³⁰ So, according to statistics in 2003, if only "returned to prison is counted" then California's

²⁵ Joan Petersilia, Susan Turner, and Terry Fain, "*Profiling Inmates in LA County Jails: Risks, Recidivism, and Release Options*," (August 20, 2001), xviii, <http://www.ncjrs.gov/app/publications/abstract.aspx?ID=189733> (accessed September 13, 2010).

²⁶ Ibid, xix.

²⁷ Ibid.

²⁸ "The California Prison Disaster," *The New York Times*, Opinions, (October 25, 2008), <http://www.nytimes.com/2008/10/25/opinion/25sat1.html> (accessed September 20, 2010).

²⁹ California Department of Corrections and Rehabilitation Research Branch, July 2009, http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Annual/RecidivismByCounty/RecidivismByCountyd2005.pdf (accessed September 22, 2010).

³⁰ Joan Petersilia, *When Prisoners Come Home: Parole and Prisoner Reentry* (Oxford: Oxford University Press, 2003), 144.

recidivism rate drops quite a bit.³¹ This demonstrates that recidivism rates often reflect laws and policies of states rather than differences in offenders' criminal behavior.³² But even when these differences were accounted for in the statistics of 2003, California still had, and likely still has, the highest recidivism rate in the nation.

³¹ Ibid.

³² Ibid, 146.

CHAPTER II: THE STATE OF CALIFORNIA PRISONS: THE OVERCROWDING CRISIS

The current overcrowded state of California's prisons was mentioned briefly in the introduction. However, a closer look into the prisons shows why this state has become so detrimental. Thus, before analyzing particular types of programs to decide whether they reduce recidivism, it is important to first consider this issue, as it too is a major contributor to the rising recidivism rates.

Considering all prisoners across the nation, one in seven in the United States is being housed in California. The population of prisoners in California has drastically increased since the 1970s and 1980s. From 1980 until 2007, California's prison population increased by seven times.³³ California prisons were built to house 100,000 prisoners; but the reality is that there are currently 172,385 within the facilities, 72,385 more people than there should be.³⁴ Judicial decisions mandating the accepted number of inmates per cell, issues of illegal aliens, the three-strike law, and the changing demographics and crime structure of the state are all causes of overcrowding.³⁵ But, as previously mentioned, California's period of "tough on crime" has been the largest contributing factor. This overcrowding has led to a number of detrimental effects. For instance, 18,000 excess prisoners have been housed in gymnasiums and other non-

³³ Grattet Ryken Ph.D., Joan Petersilia Ph.D., and Jeffrey Lin Ph.D., "*Parole Violations and Revocations in California*," October 2008, 4, <http://www.ncjrs.gov/app/publications/abstract.aspx?ID=246487> (accessed September 13, 2010).

³⁴ Joan Petersilia, Susan Turner, and Terry Fain, "*Profiling Inmates in LA County Jails: Risks, Recidivism, and Release Options*," August 20, 2001, 9, <http://www.ncjrs.gov/app/publications/abstract.aspx?ID=189733> (accessed September 13, 2010).

³⁵ "Testimony of Leroy D. Baca, Sheriff Los Angeles County," *Little Hoover Commission*, (October 26, 2006), 4, www.lhc.ca.gov/studies/185/sentencing/Baca%20Testimony%202006.pdf (accessed November 1, 2010).

housing facilities, forcing prisons to cut programs because inmates are living in the space where the programs were run.³⁶

Another issue related to overcrowding that is of great concern to the people of California is the rising cost of these prisoners. With costs of housing a prisoner around \$47,000 per year, the corrections budget is now over ten billion dollars per year.³⁷³⁸ The cost of corrections alone takes up nearly eleven percent of general fund, slightly more than the amount the state spends on higher education.³⁹ And with strict sentencing laws such as the three strikes rule, prisoners tend to be serving longer sentences and using up more state funds. Furthermore, the 2008 CDCR Budget Overview stated that the adult parole operations budget was \$809, 195,000.⁴⁰ Because nearly 100% of all inmates serve a parole sentence of three years, the costs do not cease after release.⁴¹⁴²

Another effect of overcrowding is that it creates an unsafe environment for inmates and staff. The use of alternative spaces has led to an increase in infections and violent riots, which have in turn led to an excessive use of lockdowns.⁴³ This is

³⁶ Joan Petersilia, Susan Turner, and Terry Fain, “*Profiling Inmates in LA County Jails: Risks, Recidivism, and Release Options*,” August 20, 2001, 9, <http://www.ncjrs.gov/app/publications/abstract.aspx?ID=189733> (accessed September 13, 2010).

³⁷ Grattet Ryken Ph.D., Joan Petersilia Ph.D., and Jeffrey Lin Ph.D., “*Parole Violations and Revocations in California*,” October 2008, 4-5, <http://www.ncjrs.gov/app/publications/abstract.aspx?ID=246487> (accessed September 13, 2010).

³⁸ Randal C. Archibald, “California, in Financial Crisis, Opens Prison Doors,” *The New York Times*, March 23, 2010 http://www.nytimes.com/2010/03/24/us/24calprisons.html?ref=prisons_and_prisoners (accessed September 20, 2010).

³⁹ Ibid.

⁴⁰ “California Department of Corrections and Rehabilitation Budget Overview 2007-2008,” (January 10, 2009) http://www.cdcr.ca.gov/Budget/Budget_Overview.html (accessed November 8, 2010).

⁴¹ California Corrections Independent Review Panel, “*Reforming California’s Youth and Adult Correctional System*,” 17, <http://www.ncjrs.gov/App/Publications/abstract.aspx?ID=206039> (accessed September 13, 2010).

⁴² Grattet Ryken Ph.D., Joan Petersilia Ph.D., and Jeffrey Lin Ph.D., “*Parole Violations and Revocations in California*,” October 2008, 4-5, <http://www.ncjrs.gov/app/publications/abstract.aspx?ID=246487> (accessed September 13, 2010).

⁴³ “California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective

problematic for two reasons. The first is that a 2002 study found that “harsher prison conditions induce not only increased but systematically worse crimes.”⁴⁴ These riots also hinder program success because when wardens implement security lockdowns they usually shut down all programming in the effected areas.⁴⁵ Statistics from 2006 show that for general population prisons of levels II and III there were 169 lockdowns, with a typical lockdown lasting for twelve days, but six of the lockdowns lasted for over 60 days. As for general population levels III and IV prisons, there was a total of 114 lockdowns averaging 18 days per lockdown, and five lockdowns lasting over 60 days. In California’s high security prisons the results were similar: 134 lockdowns averaging at seven days per lockdown, but these prisons had 17 lockdowns lasting over 60 days.⁴⁶ It seems that there is a lockdown a good portion of the time inmates are in prison, meaning that programs are often shut down during their time. Aside from the difficulty placed on inmates to succeed in programs due to lockdowns, the sheer number of offenders in jail makes it tough for those who need to attend programs to even attain a spot. These are the very programs that are said to help reduce recidivism, yet inmates have trouble accessing them.

As this thesis is dedicated mainly to analyzing the effectiveness of programs aimed at reducing recidivism, it is important to keep the detrimental effects of overcrowding in the back of one’s mind. While programs may be able to reduce

Offender Programming in California,” June 29, 2007, 9, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

⁴⁴ Keith Chen and Jesse Shapiro, “ Does Prison Harden Inmates? A Discontinuity-Based Approach,” Unpublished Manuscript, 238n109, Yale University, 2002.

⁴⁵ “California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California,” June 29, 2007, viii, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

⁴⁶ Ibid, 101.

recidivism, ending the period of overcrowding may as well. Furthermore, as previously stated, overcrowding hinders the success of many programs. Overcrowding means that money typically used on programs will be used on inmates and new prisons.⁴⁷

Additionally the overwhelming number of prisoners reduces the chance of admittance to programs for individuals in need of services and leads to the termination of programs due to lack of space. “For programming to succeed [...] the system must free up programming space.”⁴⁸

⁴⁷ Joan Petersilia, “When Prisoners Return to the Community: Political, Economic, and Social Consequences,” *Sentencing and Corrections*, No. 9 (November 2000), 6, www.ncjrs.gov/pdffiles1/nij/184253.pdf (September 30, 2010).

⁴⁸ “Testimony of Leroy D. Baca, Sheriff Los Angeles County,” *Little Hoover Commission*, (October 26, 2006), 3, www.lhc.ca.gov/studies/185/sentencing/Baca%20Testimony%202006.pdf (accessed November 1, 2010).

CHAPTER III: THE CHANGING TIDES IN THE NATION'S ATTITUDE TOWARDS PROGRAMMING

The structure of the correctional system was built upon a foundation of specific practices and beliefs, particularly the state's use of indeterminate sentencing and parole release and the belief that inmates were capable of turning their lives around through rehabilitation.⁴⁹ Up until around the 1960s the government and the rest of the nation believed that this belief and its practices were beneficial. However, the research that Robert Martinson published in 1974 turned all of this upside down.

As mentioned in the introduction, Martinson's research stated that the efforts that the correctional system had put forth had no effect on reducing recidivism. This research was a debilitating blow for the correctional system. Beginning around the 1970s a new attitude emerged throughout the country. People began to believe that prison was meant for fairness and justice.⁵⁰ They were more concerned with controlling crime and punishing criminals who they believed *deserved* to be in prison than helping them get back on their feet. Thus, this newfound attitude coupled with Martinson's research led to an upheaval of the correction system. Determinate sentencing and hostility towards rehabilitation and programming were new developments during the next few decades. People were unwilling to support programming and parole because they were convinced by Martinson's study that it was worthless.

⁴⁹ Joan Petersilia, *When Prisoners Come Home: Parole and Prisoner Reentry* (Oxford: Oxford University Press, 2003), 63.

⁵⁰ Doris Layton MacKenzie, *What Works in Corrections: Reducing the Criminal Activities of Offenders and Delinquents* (New York: Cambridge University Press, 2006), 5.

Though the National Research Council backed Martinson's research in 1979, a closer look illuminates some of the major flaws in his research. One blinding problem with Martinson's research was that he simply tallied reports of programs with no consideration of sample size or methodological rigor.⁵¹ According to Petersilia, his study would not pass for science using today's higher standards. For example, Martinson generalized his facts on parole on only 25 studies when he examined 289 studies in total.⁵² Additionally, the majority of the studies were poorly implemented – one would not expect such positive results from such poorly designed studies.⁵³ But Martinson's study was not the only reason individuals were hesitant to support the correctional system. There was doubt in the mind of many because for years early release had been based upon inmates' participation in programs and their in-prison behavior, but corresponding research found little correlation between these and reductions in recidivism.⁵⁴ Many were also reluctant to offer support because they thought that the autonomy of discretion used in releasing inmates led to decision-making based upon race and social class.⁵⁵ Thus, during this time a number of states eliminated parole and indeterminate sentencing. All of these factors forced corrections to struggle through a few decades, trying to determine "what works" and renew hope and faith in Americans.

However, researchers in the last few decades have come to find that Martinson's theory that "nothing worked" could not be more wrong. Research starting as early as 1982 has found that rehabilitation programs *do* reduce recidivism. However, not *all*

⁵¹ Joan Petersilia, *When Prisoners Come Home: Parole and Prisoner Reentry* (Oxford: Oxford University Press, 2003), 246.

⁵² *Ibid.*, 63.

⁵³ Doris Layton MacKenzie, *What Works in Corrections: Reducing the Criminal Activities of Offenders and Delinquents* (New York: Cambridge University Press, 2006), 9.

⁵⁴ Joan Petersilia, *When Prisoners Come Home: Parole and Prisoner Reentry* (Oxford: Oxford University Press, 2003), 63.

⁵⁵ *Ibid.*

programs do. Specific principles within programs help to reduce recidivism for specific offenders. Perhaps Joan Petersilia words this better; there is “scientific evidence that prison programs *do* work, for *some* people, in *some* settings.”⁵⁶

It is not only Petersilia who has come to this revelation. There has been a resurgence of interest in the effectiveness of prison programs and reentry in recent years. A handful of individuals have studied this very issue and come to this same conclusion. Cullen (1985), Seiter and Kadela (2003), and MacKenzie (2005) are just a few names of individuals who, like Petersilia, have found evidence that programs work. But what they are more interested in is *which* programs, principles, and locations specifically work, or are effective in reducing recidivism.

There is a plethora of evidence that suggests that well-designed and implemented programs can reduce recidivism,⁵⁷ but this is a broad statement. Thus, I will compile, evaluate, and analyze a number of studies and try to determine which programs and principles are effective in reducing recidivism in California.

⁵⁶ Joan Petersilia, *When Prisoners Come Home: Parole and Prisoner Reentry* (Oxford: Oxford University Press, 2003), 175.

⁵⁷ *Ibid*, 179.

CHAPTER IV: EVALUATING CALIFORNIA'S IN-PRISON PROGRAMS

To preface this chapter it is important to explain the weaknesses of conducting research and experiments on prisoners and parolees. The first weakness to consider is that scientific knowledge is always evolving, or as Lawrence W. Sherman and his colleagues state, “scientific knowledge is provisional.”⁵⁸ Generalizing from a number of reports, or even drawing from a number of tests can sometimes lead to uncertain or flawed results, like those of Martinson. What is more, knowledge and studies are always being refined, so no conclusion or result is set in stone.⁵⁹ Additionally, a major obstacle that many do not consider is that it is very difficult to mandate offenders to participate in programs. Thus, most studies are based on programs where offenders voluntarily participate. As Doris L. McKenzie states,

The general positive findings may result from differential characteristics of the offenders that existed prior to the program and not as a positive effect of program participation itself. That is, participating offenders may be more motivated to change and would have lower recidivism even if they didn't have a opportunity to participate in a program.⁶⁰

This issue is known as the selection effect.

Because studies are typically conducted on programs where the offenders *select* the program voluntarily, many researchers believe that this selection proves that the individual differs from other inmates in an important way. More specifically, those who volunteer and stay in the program are believed to be more motivated. They are

⁵⁸ Lawrence W. Sherman and others, eds, “Preventing Crime: What Works, What Doesn't, What's Promising,” 3, College Park, MD: University of Maryland, 1997.

⁵⁹ Ibid.

⁶⁰ Doris Layton MacKenzie, “Structure and Components of Successfully Education Programs,” Reentry Roundtable on Education, (March 31- April 1, 2008), 7, <http://www.urban.org/projects/reentry-roundtable/upload/Mackenzie.pdf> (accessed October 22, 2010).

participating because they want to change themselves. Thus, the differences exhibited in recidivism could be due to these initial differences. These specific offenders may have had a lower probability of recidivating regardless of their participation in the program studied.⁶¹ Nearly all studies performed on prison and parolee programs use previously existing groups or selection groups for comparison with those who do not volunteer for the program. Thus in evaluating these studies one must constantly keep the selection effect in mind, and evaluate the studies with a critical eye.

The Different Categories of Programs

There are six different programming areas for offenders: academic vocational and financial, alcohol and other drugs, aggression hostility anger and violence, criminal thinking behaviors and associations, family marital relationships, and sex offending.⁶² While all of these areas are vital to affecting the recidivism rates of criminals, I will not be considering programs for sexual offenders. Most programs for sexual offenders are offered in hospitals or by civil community programs, and I did not study this area.⁶³ Additionally, while researching a variety of programs I found it easier to break down the programs into broader categories. Specifically, the CDCR report and other studies that will be extensively evaluated later in the chapter broke down programs into categories of education, vocational or work, multi-service or life skills and counseling, and substance abuse. I will briefly explain the purpose of each of these programs and what they

⁶¹ Doris Layton MacKenzie, "Reducing the Criminal Activity of Offenders," (January 2005), 11, 16, http://www.ccjs.umd.edu/corrections/ccjs461/CHAPTER%205_Education%20and%20Life%20Skills.pdf (accessed October 22, 2010).

⁶² "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, xiii, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

⁶³ Ibid.

typically entail before considering the effectiveness of specific programs within these categories.

Education programs have existed for years, even throughout the “tough on crime” period. This is because of the strong correlation between education levels and criminal activity.⁶⁴ According to researchers Andrews and Bonta, “prison inmates are, on average, less educated and have fewer marketable job skills than the general population.”⁶⁵ Thus, the hope of many was, and to some degree still is, that raising levels of education will help keep criminals out of prison. Education programs range from primary to secondary to post secondary in order to accommodate the varying educational levels of the inmates.⁶⁶ Some programs focus on literacy, others help inmates to earn their GEDs, and the more advanced ones offer college courses.

There has been a substantial amount of evidence stating that educational programs have a positive effect on recidivism rates and prison reentry.⁶⁷ “In general participants in prison based educational, vocational, and work related programs are more successful – that is, they commit fewer crimes and are employed more often and for longer periods of time after release – than are non-participants.”⁶⁸ But this is a broad statement. Ohio, Minnesota, and Maryland conducted a study that gave tangible, specific results. The study found that recidivism rates dropped from 31% to 21% if inmates participated in education programs while in prison.⁶⁹ Most of the research seems to point to the fact that

⁶⁴ Doris Layton MacKenzie, *What Works in Corrections: Reducing the Criminal Activities of Offenders and Delinquents* (Cambridge: Cambridge University Press, 2006), 70.

⁶⁵ Ibid.

⁶⁶ Ibid.

⁶⁷ California Corrections Independent Review Panel, “*Reforming California's Youth and Adult Correctional System*,” 8, http://cpr.ca.gov/Review_Panel/Inmate_Population_Management.html (accessed September 13, 2010).

⁶⁸ Ibid.

⁶⁹ Ibid.

educational programs are effective in reducing recidivism, but it was still of interest to the CDCR to determine whether some of the current programs in California implement the necessary design and practices in order to produce these positive effects. Thus, a couple of education programs were considered in their study, which will be presented later in this thesis.

Work and vocational education programs started years ago when people started to realize the detrimental psychological and physical effects that solitary confinement had on the inmates.⁷⁰ In order to provide time out of confinement, prisons began instating periods of the day in which inmates were put to work, either alone or in groups. Now, nearly all prisons across the nation have these programs. In fact, a study conducted in 1995 found that 94% of all federal and state adult correctional facilities offered these programs.⁷¹ Work programs are provided for a variety of reasons aside from keeping the inmates busy and out of their cells. They reduce costs, supply governments with needed goods, serve as retribution for their crimes, and help maintain the institution. But perhaps most importantly, they help to rehabilitate the prisoners.⁷² Because research has consistently found an association between crime and unemployment,⁷³ prisons have offered a number of different work and vocational programs to help prepare inmates for release.

These programs run services from classroom-based education, apprenticeships in areas from electrical, to carpentry, or basic job training.⁷⁴ Some are classes covering math

⁷⁰ Doris Layton MacKenzie, *What Works in Corrections: Reducing the Criminal Activities of Offenders and Delinquents* (Cambridge: Cambridge University Press, 2006), 90.

⁷¹ *Ibid.*, 91.

⁷² *Ibid.*

⁷³ *Ibid.*, 92.

⁷⁴ *Ibid.*, 95.

skills, while others are hands-on training sessions learning how to build homes or helping to gain experience in specific trades.⁷⁵ A couple of studies in the 1980s and 1990s found that when young adult males are unemployed they have higher offending rates than when they are employed.⁷⁶ Thus, if the correctional department can help provide work programs that will make inmates more marketable and more likely to get a job, there may be a reduction in crime. However, the research to support this theory is mixed.

A study conducted by Seiter and Kadel in 2003 found that vocational training and work release programs, along with a number of other programs, were effective in reducing recidivism.⁷⁷ Additionally, the same study that was conducted in Ohio, Minnesota, and Maryland that looked at educational programs, also found that participating in vocational programs reduced crime by 13%.⁷⁸ However, some feel that the research on vocational programs is slightly more mixed than other types of programs. In MacKenzie's book, written in 2006, she notes that looking into a meta-analysis (a research method in which studies are compiled for an overall finding) she found that while some vocational education programs, community employment programs, and multicomponent industry programs are effective in reducing criminal activities of offenders, other transitional employment programs, community vocational training, work ethics, halfway houses, and in-prison work programs are not as successful.⁷⁹ This

⁷⁵ Ibid, 95.

⁷⁶ Ibid, 93.

⁷⁷ Joan Petersila, "What Works in Prisoner Reentry? Reviewing and Questioning the Evidence," *Federal Probation*, 62, no. 1, (September 2004), 3, http://www.caction.org/rrt_new/professionals/articles/PETERSILIA-WHAT%20WORKS.pdf (accessed October 16 2010).

⁷⁸ California Corrections Independent Review Panel, "Reforming California's Youth and Adult Correctional System," 8, http://cpr.ca.gov/Review_Panel/Inmate_Population_Management.html (accessed September 13, 2010).

⁷⁹ Doris Layton MacKenzie, *What Works in Corrections: Reducing the Criminal Activities of Offenders and Delinquents* (Cambridge: Cambridge University Press, 2006), 93-94.

research supports Joan Petersilia's conclusions that *some* programs work for *some* people in *some* locations. So, vocational programs as a whole should not be discounted, but it is true that some are more effective than others. However, when considering her own research, where she evaluated 26 studies and compared vocational and work program participation to non-program participation, she found that *overall* vocational education programs work to significantly reduce recidivism.⁸⁰ None of the research considered for this thesis stated that vocational programs were detrimental for inmates, which is reassuring, but as MacKenzie stated, results seem to be mixed. A few vocational programs, as well as programs that offer vocational services, were evaluated in detail by the CDCR based on a number of criterion in order to determine whether these specific California programs are implementing recidivism reducing practices and reducing inmates recidivism rates.

Life skills programs are not as hands-on as most vocational and work programs, but they do cover a broad range of needs. Some life skills programs act more as counseling programs by offering classes on managing anger and how to make decisions, while other life skills programs address more practical skill sets such as how to balance a checkbook or search for a job.⁸¹ Life skills programs vary greatly and seem to be researched less than other types of programs. When MacKenzie evaluated a handful of programs she found that most did not use statistical testing to determine the effectiveness, and of the two that did, neither found differences in recidivism rates when comparing

⁸⁰ Ibid, 94.

⁸¹ Doris Layton MacKenzie, *What Works in Corrections: Reducing the Criminal Activities of Offenders and Delinquents* (Cambridge: Cambridge University Press, 2006), 72.

control groups and offenders.⁸² It seems that more research is necessary to evaluate whether life skills programs in general are effective in reducing recidivism. This thesis does not specifically address the effectiveness of solely life skills programs as research was difficult to find, but it does consider a few programs that offer life skills services as well as some family reunification programs.

Finally, the last and perhaps most necessary type of program is substance abuse. Covering all addictions ranging from drugs to alcohol, these programs are readily available to inmates and parolees around the nation. Offered both in the community and in prison, substance abuse programs provide a number of services including detoxification, methadone maintenance, outpatient drug-free programs with counseling, and therapeutic communities.⁸³ (However, methadone maintenance is rarely used in prisons, and sometimes requires clearance from doctors in order to partake). Additionally, offenders can attend Alcoholics Anonymous and Narcotics Anonymous while on parole or while in jail. While many studies show that participating in these programs helps to reduce recidivism, it is often difficult for inmates and parolees to participate because of limitations set by the programs. For instance, many parolees are excluded from the Substance Abuse Treatment Control Unit program because they are registered sex offenders or have crimes listed under Penal Code Sanctions 667.5 and 1192.7 – for “serious” and “violent” crimes, even though studies show that this type of program can help them.⁸⁴ A number of substance abuse programs are considered in this thesis, some

⁸² Doris Layton MacKenzie, *What Works in Corrections: Reducing the Criminal Activities of Offenders and Delinquents* (Cambridge: Cambridge University Press, 2006), 77.

⁸³ *Ibid*, 243.

⁸⁴ California Corrections Independent Review Panel, “*Reforming California's Youth and Adult Correctional System*,” 18, http://cpr.ca.gov/Review_Panel/Inmate_Population_Management.html (accessed September 13, 2010).

evaluated by the CDCR and others evaluated by independent researchers in order to determine whether California is implementing designs and practices that reduce recidivism, and if certain current programs have been proven to reduce recidivism. Now that the types of programs have been explained, the CDCR's research can be presented.

The Evaluation of California's In-Prison Programs
by the CDCR and Independent Researchers

In 2006 the California Department of Corrections and Rehabilitation (CDCR) devised a panel of specialists to conduct a comprehensive study of the California prison and parole programs. The study should be considered an unbiased study, for it was conducted for an audience of policy makers in the legislative and executive branches of California government as well as practitioners both in and out of the CDCR.⁸⁵ Thus, unlike individuals who conduct research on their own programs, the panel did not have motives to overstate positive results as many self-evaluated programs often do. Over a year period the panel investigated five prison programs and six parole and community programs. Their study compared each program to a list of 20 criteria, which have previously been proven to reduce recidivism, in order to evaluate whether the programs implement the criteria and are effective in reducing recidivism.⁸⁶ Reviewing this study brings to light the necessary practices that reduce recidivism, whether current California programs enact them, and what improvements need to be made by the programs. (Other programs that were not evaluated by the CDCR are included in both the in-prison

⁸⁵ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, vii, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

⁸⁶ *Ibid*, x.

programs chapter and the parole programs section, as a few other evaluations were considered to determine what is effective in reducing recidivism).

The following page lists the criteria, most of which have been previously proven to reduce recidivism, that the CDCR used to evaluate the selected California programs.

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. Assesses risk and targets high risk 2. Assesses criminogenic needs and delivers services accordingly 3. Theoretical model clearly articulated 4. Has program manual and/or curriculum 5. Uses cognitive-behavioral or social learning methods 6. Enhances intrinsic motivation 7. Continuum with other program and community support networks 8. Program dosage varies by risk level 9. Responsive to learning style, motivation and culture of offenders 10. Uses positive reinforcement 11. Staff has undergraduate degrees | <ol style="list-style-type: none"> 12. Staff has experience working with offenders 13. Staff recruitment and retention strategy 14. New staff training 15. Program director qualifications 16. Program data collected and analyzed 17. Rigor of evaluation studies 18. Best practices and/or expert panel recommends 19. Evaluation study appeared in peer-reviewed publication 20. Extent and consistency of evaluation results. |
|--|--|

The panel developed specific requirements that the programs had to attain in order to receive credit for each of the twenty areas. While the CDCR study states and outlines the criteria, they do not provide proof that the criteria will in fact reduce recidivism. So how did they decide to use these twenty criteria and how did they determine that they would reduce recidivism? By investigating previous studies and experiments it becomes clear that many of the criteria listed have been proven to be effective in reducing recidivism by other studies.

For instance, the first criterion is *assessing risk and targeting high needs*. In a study conducted by D.A. Andrews and his colleagues, it was found that appropriate correctional services and unspecified correctional services will yield an average estimate

of impact on recidivism that is positive which exceeds the impact of solely criminal sanctions and inappropriate service.⁸⁷ The researchers used 45 out of the 50 studies that Whitehead and Lab (1989) reviewed to analyze the content and perform a meta-analysis.⁸⁸ (For this meta-analysis, researchers examined a wide range of interventions in order to identify general *principles* of effective treatment).⁸⁹ What is appropriate service, or what were the principles determined to be effective? According to the researchers the type of appropriate service that “works,” or leads to reduced rates of recidivism, includes *delivery of service to higher risk cases, targeting of criminogenic needs, and the use of styles and modes of treatment that are matched with client need and learning styles* also known as responsivity of styles.⁹⁰ Researchers found that this type of treatment was more effective in *all* settings, but less so in residential settings and institutions than in community settings.⁹¹ These three factors that contribute to lowered rates of recidivism are three of the criteria that the panel used to evaluate programs in California. Exactly how much do these factors cut recidivism rates? Why was it so important for the panel to include these criteria into their assessment? Andrews and his colleagues found that “[o]n average, appropriate treatment cut recidivism rates by about 50% (in fact, the mean reduction was 53.06%.”⁹² This is a significant positive effect.

⁸⁷ D.A. Andrews and others, eds, “Does Correctional Treatment Work? A Clinically Relevant and Psychologically Informed Meta-Analysis,” *Criminology*, Volume 28, no. 3, (1990), 383, <http://onlinelibrary.wiley.com/doi/10.1111/j.1745-9125.1990.tb01330.x/pdf> (accessed October 22, 2010).

⁸⁸ *Ibid*, 377.

⁸⁹ Doris Layton MacKenzie, “Structure and Components of Successfully Education Programs.” Reentry Roundtable on Education, (March 31- April 1, 2008), 6, <http://www.urban.org/projects/reentry-roundtable/upload/Mackenzie.pdf> (accessed October 22, 2010).

⁹⁰ D. A. Andrews and others, eds, “Does Correctional Treatment Work? A Clinically Relevant and Psychologically Informed Meta-Analysis,” *Criminology*, Volume 28, no. 3, (1990), 369, <http://onlinelibrary.wiley.com/doi/10.1111/j.1745-9125.1990.tb01330.x/pdf> (accessed October 22, 2010).

⁹¹ *Ibid*, 384.

⁹² *Ibid*, 385.

Another criterion that is scientifically proven to reduce recidivism is number five: *Uses cognitive-behavioral or social learning methods*. Various studies have found that the use of cognitive-behavioral treatment and social learning methods is effective in reducing recidivism. In 2003 Richard P. Seiter and Karen R Kadela reviewed evaluations of prisoner reentry programs in North America and Canada, using the Maryland Scale of Scientific Method, and found that cognitive-behavioral therapy significantly reduces recidivism.⁹³ “The study indicated that the completion of cognitive behavioral therapy does reduce the offenders’ return-to-custody rate by 11%, as compared to offenders who did not complete therapy.”⁹⁴ They also found that this particular type of therapy is most effective for inmates who have a moderate level of risk of recidivism, again showing the importance of assessment. D.A. Andrews and his colleagues found that behavioral treatment was more significant in reducing recidivism than non-behavioral treatment, but they also stated that this finding was overshadowed by their previous important factors of risk, need and responsivity.⁹⁵ So while behavioral treatment is important, the other factors tend to be more important.

But the most powerful study in defense of this criterion was conducted in 2002. Frank S. Pearson and others evaluated programs which focused on treatment that was either behavioral or cognitive behavioral. They considered both behavior cognitive treatment and behavioral therapy and broke them in to two sub categories: behavioral modification or behavior therapy, and treatment that focuses on emotional and cognitive

⁹³ Richard P. Seiter and Karen R. Kadela, “Prisoner Reentry: What Works, What Does Not, and What is Promising,” *Crime and Delinquency* Volume 49, Issue 3 (July 2003), 365, <http://cad.sagepub.com/content/49/3/360.full.pdf+html> (accessed September 20, 2010).

⁹⁴ *Ibid*, 377.

⁹⁵ D. A. Andrews and others, eds, “Does Correctional Treatment Work? A Clinically Relevant and Psychologically Informed Meta-Analysis,” *Criminology*, Volume 28, no. 3, (1990), 384-85, <http://onlinelibrary.wiley.com/doi/10.1111/j.1745-9125.1990.tb01330.x/pdf> (accessed October 22, 2010).

processes.⁹⁶ As for behavioral modification this was any program arranging contingencies of positive reinforcement to develop and maintain appropriate behavior, but it also included programs that offered positive incentives like tokens, which are given to inmates who demonstrate desirable behavior and which can be exchanged for privileges or goods.⁹⁷ The second category is just as it is explained, but it includes a number of other treatments such as social skills training (which includes modeling, role-play practice, and feedback), social problem-solving training, rational-emotive therapy, the cognitive skills program, and the relapse prevention model.⁹⁸ In reviewing and evaluating all these programs Pearson and his colleagues found that “cognitive-behavioral programs can reduce recidivism rates by significant amounts.”⁹⁹ Three studies found that cognitive-behavioral treatment or skills, rehabilitation and reasoning programs, as many are called, effectively reduce recidivism.

Research supporting every criterion was not provided by the CDCR and I was not able to uncover evidence proving every criterion. Thus the criteria that were not cited as reducing recidivism by either the CDCR or an independent researcher is weaker than the others. However it is likely that the researchers had good reason to include each criteria if it was not already proven. At the very least, it seems safe to assume that the researchers did not include criteria that are detrimental or ineffective in reducing recidivism, as the participants on the panel are experts whose jobs are to seek ways to reduce recidivism. Thus the criteria should be viewed as having a positive effect on participants.

⁹⁶ Pearson and others, eds, “The Effects of Behavioral/Cognitive-Behavioral Programs on Recidivism,” *Crime and Delinquency*, Volume 48, no. 3, (July 2002), 479, <http://cad.sagepub.com/content/48/3/476.full.pdf+html> (accessed October 25, 2010).

⁹⁷ Ibid.

⁹⁸ Ibid, 480.

⁹⁹ Ibid, 490.

Here I summarize each criterion and what was required of the programs to be judged to have met the criterion.

1. Assesses risk and targets high risk. The risk principle of California Department of Corrections and Rehabilitation states that “programs should target offenders who are the greatest risk to re-offend.”¹⁰⁰ By utilizing risk assessment tools, programs can adequately determine what *stage of risk* the offender is at, and can then target those offenders who are considered high risk and help those offenders enroll in necessary programs. It is important for the CDCR to allocate resources to those who are the most in need, or who would pose the greatest threat to the public.¹⁰¹ This is not only for safety purposes, but also as stated before, assessing risk and targeting high-risk individuals is effective in reducing recidivism. In order for a program to receive credit in this area, it had to assess offender risk by means of a *validated* risk assessment instrument, not just a checklist created by the program, and then also target program services to the high-risk offenders.¹⁰²

2. Assesses criminogenic needs and delivers services accordingly. In order to effectively reduce recidivism the panel believes that programs should conform to the needs principle that states, “programs should address criminogenic needs.”¹⁰³ This criterion is similar to the previous one, except programs needed to use a *validated needs*

¹⁰⁰ “California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California,” June 29, 2007, 64, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

¹⁰¹ Ibid.

¹⁰² Ibid.

¹⁰³ Ibid, 64-65.

assessment tool to determine *criminogenic needs* of participants and use the results to deliver appropriate services and treatments in order to receive credit.¹⁰⁴

3. Theoretical model clearly articulated. The panel instated this criterion because a theoretical model puts forward a cause and effect relationship between program activities and a reduced likelihood of recidivism.¹⁰⁵ It proves that a program has a structured approach and a specific mission that will help to achieve its goal and reduce recidivism. In order to receive credit, programs needed to have a model that identified a criminogenic need and link the program intervention to addressing that specific need.¹⁰⁶ In other words, the program must have a model that signifies its specific services and provides those services, such as SAP, which is specifically for substance abusers and provides cognitive-behavioral therapy specifically for this need.

4. The program has a manual and or a curriculum. This element of the criteria is self-explanatory; in order to receive credit a program had to have a written manual and curriculum so that all the skills could be transferred to the staff.¹⁰⁷

5. Uses cognitive-behavioral or social learning methods. Using these particular methods brings success in reducing recidivism. (Cognitive-behavioral methods will be explained later when discussing a particular program that utilizes this method, but it was already stated that this type of program reduces recidivism). In order to obtain credit for this criterion programs had to utilize either of the two methods.¹⁰⁸

6. Enhances intrinsic motivation. The panel found this factor important because it is believed that a degree of intrinsic motivation is necessary in realizing lasting

¹⁰⁴ Ibid.

¹⁰⁵ Ibid, 65.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Ibid, 65.

behavioral change.¹⁰⁹ Programs that used motivational interviewing received credit because motivational interviewing is a goal-oriented type of counseling that elicits offender ambivalence about change, allowing counselors to assist offenders in resolving their dispositions against change.¹¹⁰

7. Continuum with another program and community support networks. Programs received credit for continuities with community support networks, offender families, and other pro-social support programs because this helps support and reinforce the offenders' desirable behaviors.¹¹¹

8. Program dosage varies depending on risk level. Credit was awarded to programs that offered different amounts of program exposure to different offenders based on their risk level: for example higher risk offenders should be offered more hours of programming.¹¹²

9. Responsive to learning style, motivation and culture of offenders. Most successful programs align with the responsivity principle that states that "programs should be responsive to the temperament, learning style, motivation and culture of offenders."¹¹³ If programs matched need to a specific type of learning style, incorporating responsivity elements into the program, then they received credit.¹¹⁴

10. Uses positive reinforcement. Programs that use incentives and positive reinforcements received credit.¹¹⁵

¹⁰⁹ Ibid, 65.

¹¹⁰ Ibid, 66.

¹¹¹ Ibid, 67.

¹¹² Ibid.

¹¹³ Ibid.

¹¹⁴ Ibid.

¹¹⁵ Ibid.

11. Staff had undergraduate degrees. Programs received credit if 75% of the staff delivering program services had undergraduate degrees in helping professions.¹¹⁶

12. Staff has experience working with offenders. Programs received credit if 75% of the staff had two years of experience working with offenders.¹¹⁷

13. Staff recruitment and retention strategy. Programs received credit if they had an explicit strategy for recruiting and retaining staff.¹¹⁸

14. New staff training. Programs received credit if they not only provided training for the new staff, but if they included a written training manual.¹¹⁹

15. Program director qualifications. Programs received credit if the director was involved in the development of the program. The theory behind this is that if the director developed the program, then he or she will have extensive knowledge of the model. The director also needed to have prior experience with offenders and a degree in social work or a related field for the program to receive credit.¹²⁰

16. Program data collected and analyzed. In order for a program to receive credit it was necessary for the employees to collect data to monitor the performance, to include individual level data on participation of offenders, to identify the population of offenders eligible for the program, and to forward that data for analysis to a non-program entity.¹²¹

17. Rigor of evaluation studies. The panel looked at the breadth of the research basis program, or how many times the program was evaluated, as well as whether evaluations met the standards of published peer-reviewed journals, and if the outcomes of

¹¹⁶ Ibid, 68.

¹¹⁷ Ibid.

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ Ibid, 69.

¹²¹ Ibid.

the evaluations were positive or mixed. They also assessed the rigor of the program's research and whether the program had successful outcomes that were due to the program itself.¹²² If programs were evaluated and met the standards of a peer-reviewed journal and had positive results they received credit.

18. Best practices and recommendation by expert panel.¹²³

19. Evaluation study appeared in a peer-reviewed publication.¹²⁴

20. Extent and consistency of the evaluation results.¹²⁵

The programs that were evaluated by the CDCR, as well as those evaluated by independent researchers, are outlined below along with explanations of the specific focuses of each program. Whether each program successfully received credit for each criterion, and how the program scored in overall *effective intervention ratings* and *research basis ratings* will also be explained. The programs' effective intervention scores were calculated in a different manner. Research staff were assigned to conduct ratings of the programs and they were trained and given a copy of the California Program Assessment Process (CPAP). (The CPAP is an instrument that measures how well programs conform to research-derived principles of effective programming and how much research has been conducted on the program itself).¹²⁶ They were informed of the

¹²² Ibid, 69-70.

¹²³ Ibid.

¹²⁴ Ibid.

¹²⁵ Ibid.

¹²⁶ "CPAP Assessment of CDCR Recidivism-Reduction Programs," 4-5, Center for Evidence-Based Corrections University of California, Irvine
<http://ucicorrections.seweb.uci.edu/files/CPAP%20Assessment%20of%20CDCR.pdf> (accessed November 18, 2010).

theoretical basis of the CPAP, and they were also given instructional materials.¹²⁷ With all these resources the researches conducted a mock rating of a CDCR operated program to practice before they were broken into five teams of two to review the eleven programs.¹²⁸ (Each team evaluated two or three programs). Each researcher first reviewed the information in the surveys as well as additional information provided by the programs, in order to make an individual assessment. Then the two team members compared their ratings, contacted programs to clear up any questions, and came to a consensus on the final rating.¹²⁹ Research basis ratings, on the other hand, were based upon whether programs had internal evaluation requirements or methods.¹³⁰ All processes were carried out for each of the programs in order to provide relevant and accurate information for legislators, policy makers, and program employees, and directors.

As previously stated, there were five in-prison programs that were considered; however, one of the programs was specifically for youthful offenders, and thus it will not be considered. The first of the four programs is the CDCR's **Substance Abuse Program (SAP)**. While this program provides treatment to offenders while in prison in order to prepare them for successful reentry, it also places participants into aftercare programs upon their release. Additionally, the program intervenes with individuals who participated in the program and have relapsed while on parole.¹³¹ SAP is offered in 21 California adult institutions and can serve up to 9,000 offenders.¹³² Any offender who has

¹²⁷ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, 60, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

¹²⁸ Ibid, 60.

¹²⁹ Ibid, 61.

¹³⁰ Ibid, 62.

¹³¹ Ibid, 181.

¹³² Ibid.

a substance abuse program and has 6 to 36 months left on his or her sentence can participate in the program.¹³³ However, if an offender has been placed in a secure housing unit (SHU) due to a serious incident within one year, or if the offender is a known member of a gang, then he or she is not eligible to participate in the program.¹³⁴ It is typical for programs to have certain eligibility constraints, and this program's constraints are quite lenient in comparison to others. The program practices cognitive-behavioral substance abuse treatment in a therapeutic community setting.¹³⁵

Before continuing with the SAP program, it is important to explain what cognitive-behavioral therapy is. It is modeled on the theory that it is our thoughts and mental stimuli that lead to our feelings and behaviors, not our environment or external factors.¹³⁶ This method stresses the importance of organized values, structure, rules, roles, responsibility, and accountability.¹³⁷ Thus, the program attempts to change offenders' reasoning and methods of thinking in order to attack their substance abuse problems.

It is also important to explain what a therapeutic community setting entails. Therapeutic communities that exist within prisons are usually isolated from the rest of the prison population and run by graduates of the program offered.¹³⁸ The cognitive-behavioral program paired with the therapeutic community provides a more holistic approach to the offenders, allowing them to curb their abuse by adopting new attitudes,

¹³³ Ibid.

¹³⁴ Ibid.

¹³⁵ Ibid.

¹³⁶ National Association of Cognitive Behavioral Therapists, "Cognitive Behavioral Therapy," <http://www.nacbt.org/whatiscbt.htm> (accessed October 17, 2010).

¹³⁷ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, 65, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

¹³⁸ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, 32, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

behaviors, and values in an isolated prison environment.¹³⁹ In their study Seiter and Kadela note that when in-prison therapeutic community programs are paired with aftercare they are effective in reducing recidivism.¹⁴⁰

An offender participates in the program from 6 to 36 months and will only successfully complete the program if he or she continues through the final phase of the program and “paroles from the program.”¹⁴¹ In order to effectively reach offenders, the program works with aftercare providers such as the Substance Abuse Coordinating Service Agency (SACSA).¹⁴² This partnership is particularly crucial; for offering and providing aftercare programs for reentry, such as those run by SASCA, can reduce recidivism by as much as two to three times compared to individuals who participated solely in the in-prison program.¹⁴³ Thus, SAP is capitalizing on the amount of services it provides and working to ensure that they provide all possible paths for offenders so that they do not recidivate. The panel found that although SAP was the “most thoroughly” evaluated and showed positive results for in-prison therapeutic community, they also found that overall SAP is *not* very effective unless it is followed by post-release care.¹⁴⁴

The Substance Abuse Program received credit for fifteen out of the twenty criteria, and partial credit for three.¹⁴⁵ Thus, there were only two areas of assessment

¹³⁹ Ibid.

¹⁴⁰ Richard P. Seiter and Karen R. Kadela, “Prisoner Reentry: What Works, What Does Not, and What is Promising,” *Crime and Delinquency* Volume 49, Issue 3 (July 2003), 374, <http://cad.sagepub.com/content/49/3/360.full.pdf+html> (accessed September 20, 2010).

¹⁴¹ “California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California,” June 29, 2007, 181, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

¹⁴² Ibid.

¹⁴³ Ibid, 11.

¹⁴⁴ Ibid, 69-70.

¹⁴⁵ Ibid, 63.

where the criteria were not met: program dosage and staff with undergraduate degrees.¹⁴⁶ As for program dosage, no SAP program received credit because programs did not perform assessments. This may seem confusing because the SAP program did receive credit for element one which states that programs must use assessment tools. But SAP only assessed offender's risk of violence *within the CDCR institution*, not risk to the public.¹⁴⁷

For the *Effective Intervention Ratings*, the Substance Abuse Program had the second highest rating of all the programs evaluated, and the highest of the in-prison programs.¹⁴⁸ SAP received 84% of the total possible points valued by the team members.¹⁴⁹ This means that SAP has developed more *evidence-based practices in its program design*.¹⁵⁰ As for its ratings for research basis, it may appear that SAP did not fare as well, however, it had the highest rating of all the eleven programs with a score of 67%. This shows that SAP did conduct research and evaluations, but they were not up to the optimistic standards of the panel.

The **Family Foundations Program (FFP)** is a type of counseling program that is centered on family reunification and is solely for females who have specific criminogenic risk factors and needs.¹⁵¹ Like SAP, it is built on a therapeutic community model, but it also allows children under the age of six to live with their mothers.¹⁵² This is a particularly important program because nearly two-thirds of the women in prison have young children. What is more, it is typical for those women to have *two* dependent

¹⁴⁶ Ibid.

¹⁴⁷ Ibid, 64.

¹⁴⁸ Ibid, 61.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ Ibid, 173.

¹⁵² Ibid.

children, not just one. Having programs that particularly target women is becoming increasingly more important because even though women are only 7% of the prison population, their incarceration rates are increasing faster than those of men. Thus, the number of children whose mother is incarcerated will rise.¹⁵³ Though the program is listed along with other institution programs, FFP is an alternative to prison. The women are still considered offenders, but they live and serve their sentences in a community setting instead of in prison.¹⁵⁴

The program does have a few qualifications. In order to be eligible, one must be a female who is either pregnant or has a child under six, has had a history of substance abuse, and has a prison sentence of 36 months or less.¹⁵⁵ Also, if the offender was convicted of murder, rape, kidnapping, mayhem or sodomy by force, then she is ineligible for the program.¹⁵⁶ The program lasts for twelve months and has a required one-year intensive parole. It offers substance abuse treatment, vocational services, and parenting and child development services to help lead offenders away from their abuse problems and on to becoming better parents.¹⁵⁷ The offender can only successfully pass the program if she actively participates and stays in the program for twelve months, while abstaining from substance abuse, threats, criminal behavior, and violence.¹⁵⁸ FFP encourages its offenders to attend Alcohol Anonymous and Narcotics Anonymous

¹⁵³ Joan Petersilia, "When Prisoners Return to the Community: Political, Economic, and Social Consequences," *Sentencing and Corrections*, No. 9, (November 2000), 4, www.ncjrs.gov/pdffiles1/nij/184253.pdf (September 30, 2010).

¹⁵⁴ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, 173, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

¹⁵⁵ Ibid.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

¹⁵⁸ Ibid.

meetings, and it also interviews offenders prior to completion in order to admit them to transitional housing and outpatient counseling.¹⁵⁹

There have not been any formal evaluations of this California program aside from this panel's investigation.¹⁶⁰ The CPAP assessment summary verifies that FFP passed 12 criteria, failed 7 criteria, and partially met 1 criterion.¹⁶¹ The criteria that FFP failed were mainly associated with evaluating and assessing the offenders, or having the program itself evaluated. Additionally, like the Substance Abuse Program, the Family Foundations Program did not have 75% of the staff with graduate degrees. On the effective intervention scale, the FFP was rated fairly well with 74%, the second highest of the in-prison programs, showing that it is a decently effective intervention.¹⁶² However, on the scale for research basis, the FFP scored zero points.¹⁶³ As previously mentioned, the Family Foundation Program did not assess their offenders or provide dosage based on assessments. Additionally, the program itself was not evaluated and entered in a peer-reviewed journal. Thus, it is clear that the research necessary to receive credit was not performed.

Reentry Education is an in-prison counseling program that is geared specifically toward providing inmates with sessions in life skills, anger management, and transition preparation.¹⁶⁴ Reentry Education is offered at every CDCR adult institution and can hold a maximum of 1,107 offenders who are within 180 days of their release. However, if the

¹⁵⁹ Ibid.

¹⁶⁰ "CPAP Assessment of CDCR Recidivism-Reduction Programs," 40-41, Center for Evidence-Based Corrections University of California, Irvine
<http://ucicorrections.seweb.uci.edu/files/CPAP%20Assessment%20of%20CDCR.pdf> (accessed November 18, 2010).

¹⁶¹ Ibid, 63.

¹⁶² Ibid, 61.

¹⁶³ Ibid, 62.

¹⁶⁴ Ibid, 177.

offender has been on immigration hold (INS) then he or she is not eligible to participate.¹⁶⁵ The program is conducted in a classroom, where most of the curriculum is carried out, and cognitive-behavior and preparation curriculum is offered.¹⁶⁶ The duration of the program differs depending on gender; males participate for three weeks, but females participate for six weeks. The only way to complete the program is for the offender to complete all eight certifications and demonstrate proficiency in each area.¹⁶⁷ Reentry Education partners with the CDCR's Reentry Community Liaisons to offer released individuals services, but this program is only offered in Alameda, Sacramento, and Fresno counties.¹⁶⁸ Similar to FFP, no additional evaluations have been performed.

The Reentry Education program did not receive ratings as high as the previous programs. As for the criteria, it only successfully passed five elements, while it partially passed two, and failed thirteen.¹⁶⁹ Reentry Education fared the worst of all the in-prison programs, only completing the criteria for having a program manual, responding to the learning style of offenders, experienced and educated staff, and providing training for new staff. Additionally, it was one of two programs that did not draw a clear relationship between their services and their participant population, thus not effectively providing services for specific needs.¹⁷⁰ However, its ratings may seem a bit harsh, for in some instances the program was on the path to passing many elements and fell short. For instance, it did employ *some* elements of a cognitively based curriculum, but its overall framework does not sufficiently institute the methods.¹⁷¹ Likewise, Reentry Education

¹⁶⁵ Ibid.

¹⁶⁶ Ibid.

¹⁶⁷ Ibid.

¹⁶⁸ Ibid.

¹⁶⁹ Ibid, 63.

¹⁷⁰ Ibid, 65.

¹⁷¹ Ibid.

partnered with a few community liaisons but only in three cities, which the panel felt was too limiting to receive credit.¹⁷² The program's effective intervention ratings are similarly poor, marking the lowest effectiveness rating of the in-prison programs and tying for the least effective of all eleven programs with 32% of the total points.¹⁷³ The CDCR can certainly improve this program's effectiveness, as well as its ability to deliver programs in accordance with evidence-based principles and practices; for like the FFP Reentry Education also received 0% for its research basis rating.¹⁷⁴ Having internal evaluation requirements was a recommendation that the panel clearly stresses throughout their report. And Reentry Education had no form of internal evaluation requirements or methods.

The fourth and final in-prison program that the CDCR panel evaluated is the **Transitional Case Management Program (TCMP)**. Though there was no specific description of this particular program, most case management programs entail a social or mental health worker securing and coordinating services for offenders.¹⁷⁵ What many case management programs offer are opportunities for clients to connect with community service agencies that will allow clients to use their services upon release, as well as monitor their behavior.¹⁷⁶ Transitional programs act as liaisons; they supply necessary resources and opportunities for successful reentry. Because the CDCR did not provide sufficient information on TCMP it can only be inferred that it offers these types of services.

¹⁷² Ibid, 67.

¹⁷³ Ibid, 61.

¹⁷⁴ Ibid, 62.

¹⁷⁵ Kerry Murphy Healey, "Case Management in the Criminal Justice System," *National Institute of Justice: Research in Action* February (1999), 1, <http://www.ncjrs.gov/pdffiles1/173409.pdf> (accessed October 19, 2010).

¹⁷⁶ Ibid.

As for the ratings of TCMP, it successfully received credit for ten criteria and received partial credit for program director qualifications and data collection and analysis. It failed to receive credit for seven criteria, and did not have enough data to even be considered for credit for the element of staff members previously working with offenders.¹⁷⁷ The Transitional Case Management Program rated decently well on its effectiveness intervention rating, with 70% of the possible points.¹⁷⁸ As for research basis, it received only 27%.¹⁷⁹ Although it seems low, TCMP tied for the third highest rating, thus, like the other programs TCMP needs to evaluate its participants and deliver services that are in accordance with CDCR principles and practices.

In reviewing the research of the CDCR panel it seems that there is no direct evidence proving that these programs effectively reduce recidivism. The typical manner of proving a program's effectiveness in reducing recidivism includes the use of statistical evidence. They use percentages to demonstrate the number of program graduates who stay out of prison. However, the CDCR instead evaluated them based on the proven principles. One possible reason for this is that many individuals criticize hard data because of the selection effect. They feel that the numbers cannot be directly attributed to the program alone. (The implications of the selection effect on the success of reducing recidivism will be elaborated on in the conclusion of this thesis). So, it is possible that the CDCR evaluated each program based on its adherence to these principles because they

¹⁷⁷ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, 63, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

¹⁷⁸ Ibid, 61.

¹⁷⁹ Ibid, 62.

are proven to reduce recidivism on their own. However, there are California programs that present these hard facts.

One such program is the **Inmate Employability Program**. Another in-prison program, the Inmate Employability Program was not chosen as one of the eleven programs to be evaluated by the CDCR. Because it does not focus on changing offenders' thinking, attitudes, or behaviors and this is what the CPAP tool assesses, the CDCR did not analyze this program along with the eleven.¹⁸⁰ Yet it is important to recognize it. The California Prison Industry Authority (CALPIA) developed this program in 1982¹⁸¹ to help inmate workers obtain meaningful jobs when they reenter the community, helping to reduce recidivism and criminal activity.¹⁸² The work assignments provided by CALPIA, which allow participants to gain industry accredited certificates in welding, optical technician, laundry or linen management, cooking, metal working, and much more,¹⁸³ provide inmates with the opportunity to gain valuable skills and experience in a real work environment. But the program goes a step further, for CALPIA requires the factory supervisors to prepare and evaluate the jobs skills, experience, work habits, and education that each offender gained during his specific experiences with certain enterprises.¹⁸⁴ Although this program was not evaluated by the CDCR, it does implement one of their

¹⁸⁰ "CPAP Assessment of CDCR Recidivism-Reduction Programs," 9, Center for Evidence-Based Corrections University of California, Irvine <http://ucicorrections.seweb.uci.edu/files/CPAP%20Assessment%20of%20CDCR.pdf> (accessed November 18, 2010).

¹⁸¹ California Corrections Independent Review Panel, "*Reforming California's Youth and Adult Correctional System*," 12, http://cpr.ca.gov/Review_Panel/Inmate_Population_Management.html (accessed September 13, 2010).

¹⁸² CALPIA: Building Better Lives for a Safer California, "Inmate Employability Program" <http://www.pia.ca.gov/IEP.html> (accessed November 9, 2010).

¹⁸³ California Corrections Independent Review Panel, "*Reforming California's Youth and Adult Correctional System*," 12, <http://www.ncjrs.gov/App/Publications/abstract.aspx?ID=206039> (accessed September 13, 2010).

¹⁸⁴ CALPIA: Building Better Lives for a Safer California, "Inmate Employability Program" <http://www.pia.ca.gov/IEP.html> (accessed November 9, 2010).

key criteria that have been proven to reduce recidivism: assessing the participants. Whether it was because of the assessment, or the accountability that the program enforces, or just the overall design, the program has proved a success. Since 2001, 2,346 inmates have participated in the program, receiving certificates in 13 different fields of work.¹⁸⁵ Individuals who completed the program and received certificates had a recidivism rate of only 13%.

What is more, inmates who complete 6 months or more in their specific job program and were paroled have a 60% employment rate as compared to other parolees who did not participate in the program and have employment rates of 20% to 30%.¹⁸⁶ Because the program was not professionally evaluated, it is difficult to determine the exact cause of these positive findings, such as whether the assessments helped or the relationship between the staff and the inmates or the selection effect. However, it is clear that the program produces a significantly lower rate of recidivism than the state average, and promotes employment.

A rather new program for California, the Amity/Pima County Jail Program (**Amity Program**), provides a therapeutic community in which inmates receive intensive treatment and work every day to receive day for day credit off of their sentences.¹⁸⁷ The program originally started in Arizona. It first received recognition when John Ratelle, a warden at the Richard J. Donovan Correctional Facility (RJD), was asked by his director to visit Arizona's Pima County Adult Detention Facility in Tucson to investigate the

¹⁸⁵ Ibid.

¹⁸⁶ Ibid.

¹⁸⁷ Rod Mullen and John Ratelle, "California Program Reduces Recidivism and Saves Tax Dollars," *Corrections Today* Volume 58, Issue 5 (August 1996), 3, <http://web.ebscohost.com/ehost/detail?vid=4&hid=119&sid=5dc1c369-7219-483a-a8a0-d5ab8b420cc0%40sessionmgr13&bdata=JnNpdGU9ZWwhvc3QtbGl2ZQ%3d%3d#db=aph&AN=9608163752> (accessed September 20).

program and decide if it was appropriate for RJD. He and Chief Deputy at the time, Tom Hornung, witnessed the Amity/Pima County Jail Program. After witnessing a few group sessions, he knew there was something different about Amity. In the fall of 1990 Ratelle implemented the program at RJD in San Diego, dedicating a building to house the 200 inmates who would participate.¹⁸⁸ Using staff from the original program in Arizona, mainly ex-addicts, Ratelle succeeded in helping inmates curb their addictions. Even though the program included a few “old timers” who Ratelle had known for 20 years, when he tested their sobriety by surprising the men with a urine test two years into the program, only one of the 200 men tested positive for drugs – marijuana.¹⁸⁹ Additionally, a five-year study of the Amity Program shows that 63% of inmates who did not receive treatment were reincarcerated while those who completed the Amity Program had a recidivism rate of 46.2%. Furthermore, of those who complete the program and continued to engage in the Amity Program residentially when they were released, only 26.2% were reincarcerated.¹⁹⁰ Although the research must be looked at with a skeptical eye, for the staff chose the participants, the positive results are promising for the future. If it can work in one California prison, why not expand it?

¹⁸⁸ Ibid, 2.

¹⁸⁹ Ibid.

¹⁹⁰ Ibid.

CHAPTER V: EVALUATING CALIFORNIA'S COMMUNITY-BASED AND PAROLE PROGRAMS

Parole in California

When officials in the state of Washington asked their constituents why they thought parole and prison exists, they found that the public wants to be protected from dangerous crimes and criminals.¹⁹¹ There is no reason to think that Californians think any differently. In the 1970s, parole agents, who monitor the activities of the parolees, assist them with finding programs, and ensure that the parolee abides by his or her conditions, typically supervised caseloads of around 45 parolees.¹⁹² Now, with 100% of prisoners transitioning into the community through parole,¹⁹³ the number of parolees being supervised in California is startlingly high. On any given day in 2008, California supervised about 120,000 parolees, which accounts for 15% of the parolee population in the United States.¹⁹⁴ The increase in the number of criminals on parole has led to a typical caseload of around 70 parolees.¹⁹⁵

¹⁹¹ California Corrections Independent Review Panel, “*Reforming California's Youth and Adult Correctional System*,” 18, http://cpr.ca.gov/Review_Panel/Inmate_Population_Management.html (accessed September 13, 2010).

¹⁹² Craig Haney, *Reforming Punishment*, (Washington, DC: American Psychology Association, 2006), 73.

¹⁹³ California Corrections Independent Review Panel, “*Reforming California's Youth and Adult Correctional System*,” 17, http://cpr.ca.gov/Review_Panel/Inmate_Population_Management.html (accessed September 13, 2010).

¹⁹⁴ Ryken Grattet Ph.D., Joan Petersilia Ph.D., and Jeffrey Lin Ph.D., “*Parole Violations and Revocations in California*,” (October 2008), 5, <http://www.ncjrs.gov/app/publications/abstract.aspx?ID=246487> (accessed September 13, 2010).

¹⁹⁵ Joan Petersilia, “When Prisoners Return to the Community: Political, Economic, and Social Consequences,” *Sentencing and Corrections*, No. 9 (November 2000), 3, www.ncjrs.gov/pdffiles1/nij/184253.pdf (September 30, 2010).

“California’s parole system is simply too big. ... California puts virtually everyone on parole, typically for three years.”¹⁹⁶

“California is the only state that places all prisoners on parole at release no matter what the offense”¹⁹⁷

These are just a few quotes from the writers of *The New York Times* that illuminate the unique and dire state of California’s parole system. The state’s parole authority found that the fact that there was such a drastically high number of parolees per officer, often 70 parolees, “significantly diminished the quality of parole supervision, as evidence by the reduced number of monthly contacts between agents and parolees.”¹⁹⁸ This does not come as a surprise; for how can an officer make time for so many individuals? A statistic from the 1990s found that 65% of parolees saw their parole officer no more than two times every three months. Additionally, 23% see their officer only *once* every three months. A more recent finding stated that each parolee receives fewer than two fifteen-minute appointments per month.¹⁹⁹ Even high-control and high-risk sex offenders only have two face-to-face meetings per month.²⁰⁰ Though the statistics vary slightly, it is clear that the time officers spend with parolees could be improved. However, dozens of studies have shown that decreasing the caseload of the agents *alone* is not enough to improve recidivism rates.²⁰¹ With this knowledge, one cannot help but wonder if the size of the caseloads truly does have an effect. As stated, the more parolees an officer is responsible for the lower the quality of supervision, but if

¹⁹⁶ “California Reinvents the Wheel,” *The New York Times*, Opinions, April 16, 2004, <http://www.nytimes.com/2004/04/16/opinion/16FRI4.html?th> (accessed September 20, 2010).

¹⁹⁷ Randal C. Archibald, “California, in Financial Crisis, Opens Prison Doors” *The New York Times*, March 23, 2010, http://www.nytimes.com/2010/03/24/us/24calprisons.html?ref=prisons_and_prisoners (accessed September 20, 2010).

¹⁹⁸ *Ibid.*

¹⁹⁹ “The California Prison Disaster,” *The New York Times*, Opinions, (October 25, 2008), <http://www.nytimes.com/2008/10/25/opinion/25sat1.html> (accessed September 20, 2010).

²⁰⁰ James Q. Wilson and Joan Petersilia, *Crime*, (San Francisco, CA: ICS Press, 1995), 3.

²⁰¹ *Ibid.*, 427.

changing this alone does not help reduce recidivism then there must be more significant problems with the parole system that affect recidivism because the rate is still high.

In 2001, 41% of the 55,321 who were paroled from California prisons returned to prison within one year of their release. This number increased to 55% after two years.²⁰² Statistics such as these prove that there is much work to be done by the CDCR to improve the parole system. But perhaps what is most telling is how many parolees return to prison because of parole violations or revocations. The Board of Prison Terms revoked the parole of over 74,400 parolees in 2001.²⁰³ “The state has perhaps the most counterproductive and ill-conceived parole system in the United States. More people are sent to prison in California by parole officers than by courts.”²⁰⁴ While this quote, from a writer at *The New York Times*, is based on personal opinion, there is truth to the latter statement. A 2007 CDCR statistic states that 46,987 felons were readmitted to prison from the court, while 92,628 parolees returned to incarceration for a parole violation.²⁰⁵ This can further be backed by Joan Petersilia’s 2006 comprehensive evaluation of California’s corrections data, in which she states that California has a significantly higher rate of parole violations than any other state in the nation.²⁰⁶ She notes that in 2006 alone,

²⁰² California Corrections Independent Review Panel, “*Reforming California's Youth and Adult Correctional System*,” 14, http://cpr.ca.gov/Review_Panel/Inmate_Population_Management.html (accessed September 13, 2010).

²⁰³ Ibid.

²⁰⁴ “The California Prison Disaster,” *The New York Times*, Opinions, (October 25, 2008), <http://www.nytimes.com/2008/10/25/opinion/25sat1.html> (accessed September 20, 2010).

²⁰⁵ “Historical Trends 1987-2007,” July 2008, 4a-5a, California Department of Corrections and Rehabilitation Offender Information Services Branch Data Analysis Unit http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Annual/HIST2/HIST2d2007.pdf (accessed November 22, 2010).

²⁰⁶ Joan Petersilia, “Understanding California Corrections: Summary,” UCIrvine Center for Evidence-Based Corrections, May 2006, 1, ucicorrections.seweb.uci.edu/pdf/cprsummary.pdf (accessed September 20, 2010).

64% of all prison entries were parole violators.²⁰⁷ And while the national number of parole revocations has risen by six fold over the past twenty years, California's number of parole revocations has increased by *thirty fold*.²⁰⁸

This is in part due to the type of system that California has for sending parolees back into prison. Instead of having the decision made by a judge, as many states have, California has the deputy commissioner decide at the Board of Parole Hearings. What is more, the type of evidence used to send a parolee back is much lower than a typical first conviction. Because the individual is still in legal custody of CDCR, it is only required that a "preponderance of the evidence" is found instead of "beyond a reasonable doubt."²⁰⁹ Further, many believe that parole in California is much stricter than other states, so this would lead to more revocations.

However, while Joan Petersilia's statement is true that California has a large number of parole violators, there is one big difference between California's definition of parole violations and other states definitions. Unlike other states, the term "technical violations" has also been used in California to classify *new charges* of serious crimes. Other states prosecute these crimes as new criminal cases. Thus, this small difference has made numbers appear worse than they truly are. The number of parolees returned to prison in California for *purely administrative*, non-criminal matters (what most states consider technical violations) is only around 20%.²¹⁰

²⁰⁷ Ryken Grattet Ph.D., Joan Petersilia Ph.D., and Jeffrey Lin Ph.D., "*Parole Violations and Revocations in California*," (October 2008), 5, <http://www.ncjrs.gov/app/publications/abstract.aspx?ID=246487> (accessed September 13, 2010).

²⁰⁸ Ibid, 6.

²⁰⁹ Ibid, 7.

²¹⁰ Joan Petersilia, "Understanding California Corrections: Summary," UC Irvine Center for Evidence-Based Corrections, May 2006, 4, ucicorrections.seweb.uci.edu/pdf/cprcsummary.pdf (accessed September 20, 2010).

Turning back to the quotes from *The New York Times*, it is also a fact that prisoners are sentenced to parole regardless of their crime, and for a period of three years. The Determinate Sentencing Law not only changed sentencing to include mandatory parole for all, but also established a typical three year parole sentence, and increased the length of time a person will serve in prison if parole is violated.²¹¹ Further, before the Determinate Sentencing Law inmates were sentenced to parole for one year, but now it's typically three years.²¹² Again, these changes may differ from other states. Not all states have mandatory parole or a three-year sentence; thus, it is difficult to compare numbers of parolees and parole violations because of differing laws. However, the previously stated statistics, specifically the 2001 statistic stating that 55% of parolees released in that year returned to prison within two years, as well as the 2009 statistic stating that 58.32% of California parolees return within three years, should not be ignored. Parole programs should be evaluated and considered to see if they have an effect on reducing recidivism and if so how?

The Evaluation of California's Parole and Community Programs by the CDCR and Independent Researchers

The first parole program that the CDCR panel evaluated was the **Female Offender Treatment and Employment Program (FOTEP)**. Like the FFP, FOTEP is another counseling program with a focus on family reunification; but unlike FFP, which

²¹¹ Ryken Grattet Ph.D., Joan Petersilia Ph.D., and Jeffrey Lin Ph.D., "*Parole Violations and Revocations in California*," (October 2008), 5, 9, <http://www.ncjrs.gov/app/publications/abstract.aspx?ID=246487> (accessed September 13, 2010).

²¹² *Ibid*, 9.

is an alternative to incarceration, FOTEP is specifically for parolees.²¹³ The program provide for 409 female offenders who have completed an in-custody substance abuse program. In fact released participants of FFP often use it.²¹⁴ Inmates with histories of serious violence, sexual offense, arson, and willful child cruelty or endangerment are ineligible for the group.²¹⁵ FOTEP offers a wide array of programs to help the women back onto their feet. It offers substance abuse programs, as expected, but it also offers vocational services, case management, and other gender responsive treatment and services.²¹⁶ If a participant can complete all aspects of the treatment plan, and acquire a stable job and savings within the five to six month duration of the program, then she has successfully completed the program.²¹⁷ The program has a strong partnership with in-prison programs such as various substance abuse programs and FFP. Additionally FOTEP has a strong referral relationship with other community services.²¹⁸ UCLA ISP has previously evaluated the FOTEP and this committee found that parolees who did not complete FOTEP treatment were twice as likely to return to custody as those who did complete the program.²¹⁹ The evaluation also stated that offenders who participated in FOTEP had a lower rate of substance and alcohol use as well as higher rates of employment than other parolees who were eligible for FOTEP and did not participate.²²⁰

²¹³ “California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California,” June 29, 2007, 173, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

²¹⁴ Ibid.

²¹⁵ Ibid.

²¹⁶ Ibid.

²¹⁷ Ibid.

²¹⁸ Ibid.

²¹⁹ Ibid.

²²⁰ Ibid.

The Female Offender Treatment and Employment Program met thirteen of the twenty criteria, but it failed seven, not even partially completing any.²²¹ Of the seven that the community program failed, three were associated with performing assessments and adequately providing dosages of service based on the assessments. Two others were associated with evaluations by an expert panel or peer-reviewed journal, and the last two incomplete criteria were staff qualifications and recruitment and retention strategy.²²² As for its overall effectiveness rating, FOTEP received 65%, putting it near the bottom of the effectiveness scores when considering all eleven programs, and fourth out of the six community programs.²²³ This tells legislators and policy makers that the program was not designed in total accordance with the principles of effective intervention in mind. Though the program received 65%, it is still an indicator to the CDCR that there are programs that are in need of a new design strategy. However, when considering the research basis ratings, the FOTEP fared a bit better. It received a score of 33%, which is undoubtedly not adequate, but it scored the second highest of all eleven programs.²²⁴ So, although the program could definitely use some reconstructing, it had more of an internal evaluation process than nearly all of the programs evaluated and proved to be well aligned with evidence-based principles and practices

The next community program that was considered was the **Substance Abuse Treatment and Recovery** program (**STAR**). STAR is a substance abuse program that is offered to 568 offenders in parole offices in 19 counties across California.²²⁵ The program is offered to any individuals on parole and lasts for a total of one month. In order

²²¹ Ibid, 63.

²²² Ibid.

²²³ Ibid, 61.

²²⁴ Ibid, 62.

²²⁵ Ibid, 182.

to successfully complete the program, one must complete 20 days of the classes that are structured by a cognitive-behavioral substance abuse curriculum and take place within a classroom. Additionally participants must complete the Community Transition Plan.²²⁶ This plan assists offenders by identifying and locating community-based agencies that can continue to assist them with their needs while they remain in the community.²²⁷

The STAR program had mixed results when considering how many of the criteria it passed. Though it successfully received credit for ten areas, it failed six and received partial credit for four.²²⁸ The six missed criteria were similar to other programs in one way and dissimilar in another. Like other programs, most of the missed criteria were due to lack of assessment and the ability to provide dosages based on the assessment, as well as evaluations and recommendations by journals or panels. However, it differed from all other programs except PEP in that it did not offer a *responsive* or *motivational* learning style.²²⁹ The program could certainly integrate responsivity in order to provide the right services and type of learning. As for the ratings of the effective intervention scale and the research basis scale, STAR was ranked fifth of all eleven programs in both categories. With a score of 71% for effective intervention, and 13% for research basis, it was ranked mediocre next to the other evaluated programs. As previously stated, it is clear from the research basis rating of STAR and the ratings of other programs that the CDCR needs to work on implementing and reconstructing current programs so that they are delivered in accordance with evidence-based principles and practices.²³⁰

²²⁶ Ibid.

²²⁷ Ibid.

²²⁸ Ibid, 63.

²²⁹ Ibid.

²³⁰ Ibid, 61-62.

Sheldon X. Zhang and his colleagues evaluated the STAR program when researching the effectiveness of the Preventing Parolee Crime Program (PPCP). Zhang found that of the substance abuse programs offered in the PPCP, STAR was the least advantageous. However, the recidivism rate of participants of STAR was 40.4% while the comparison group had a recidivism rate of 52.8%.²³¹ So while Zhang states that STAR is the least advantageous, the program still proved to be beneficial in reducing recidivism. A different evaluation conducted by the San Diego State University group on Preventing Parolee Crime Program found that if offenders completed the program there was a reduced likelihood of re-incarceration, but if an offender participated and did not complete the program then he or she would see an increased likelihood of incarceration.²³²

Previously mentioned was the **PEP** program, or the **Parolee Employment Program**. PEP is a vocational or employment program that works to facilitate employment for offenders after they are released into the community. The program offers certifications in a wide array of vocational training areas such as auto repair.²³³ In addition, the program helps to prepare offenders by providing employment readiness and job search services such as mock interviews, employment counseling, job seeking workshops, resume preparation, and referrals to specific employers.²³⁴ PEP is offered to

²³¹ Zhang, Sheldon X., Robert E.L. Roberts, and Valerie J. Callanan, "Preventing Parolees From Returning to Prison Through Community-Based Reintegration," *Crime and Delinquency* 52, no. 4 (October 2006), 564, <http://cad.sagepub.com/content/52/4/551.full.pdf+html>.

²³² Ibid.

²³³ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, 170, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

²³⁴ Ibid.

any 240 offenders who are searching for employment.²³⁵ The program runs for six months in nine different parole complexes, and there are no special criteria for completion.²³⁶ However, one would view the ultimate goal of the program to be attaining a job, or at least boosting an offender's skills and providing referrals so that he or she can more readily obtain a job. Aside from providing vocational and employment services, PEP also helps offenders by referring them to food, clothing, and shelter services.²³⁷

The Parolee Employment Program failed or only partially completed nearly all the criteria assessed by the CDCR Panel. The only criteria that the program received credit for were providing a clear and articulate theoretical model, providing a manual and/or curriculum, and having staff that had previously worked with offenders.²³⁸ Of the remaining 17 criteria, PEP failed 14 and received partial credit for the other 3. It is clear from the lack of credits that PEP was not set up in a manner that will assist offenders in reentry. The scores of the effective intervention rating and research basis rating are similarly poor. For effective intervention the Parolee Employment Program scored 32%, tying for last of the eleven programs.²³⁹ The research basis score was 0%, indicating that the program had no internal evaluation requirements or methods, and was not delivered in accordance with evidence-based principles and practices.²⁴⁰ Both of these scores reflect the program's lack of commitment to the CDCR's principles and their dedication to helping its clients.

²³⁵ Ibid.

²³⁶ Ibid.

²³⁷ Ibid.

²³⁸ Ibid, 63.

²³⁹ Ibid, 61.

²⁴⁰ Ibid, 62.

The **In-Custody Drug Treatment Program (ICDTP)** is an *in-custody* program offered to 288 offenders in San Francisco county, Chula Vista City jails, and four other counties.²⁴¹ However this program differs from the previous community programs because it is *in-custody* and only offered to *parole violators* with substance abuse problems.²⁴² If an offender is a sex offender, has a history of violence, has less than 120 days on parole, or is a resident of a county with no aftercare serves, then he or she cannot participate in ICDTP.²⁴³ (This last requirement is due to the fact that the program is a sequence continuum from in-custody treatment into SASCA contracted residential aftercare programs). The total length of the program is 150 days and all three phases must be completed: 60 days of in-custody cognitive-behavioral substance abuse treatment, 30 days of residential aftercare, and 60 days of participation in community-based substance abuse program.²⁴⁴

ICDTP was credited 14 of the 20 criteria and only failed 5, partially receiving credit for 1. Of the five criteria that it failed, most of which the other programs failed, two were due to lack of assessment and appropriate dosage apportionment, and the other three from not being evaluated by journals and panels.²⁴⁵ Its good accreditations are paralleled by good results in its effective intervention and research basis ratings. ICDTP received the highest effective intervention rating at 87%.²⁴⁶ This proves that the program was designed and run with the principles of effective intervention in the forefront of the designers' and directors' minds. However, its research basis rating did not match.

²⁴¹ Ibid, 180.

²⁴² Ibid.

²⁴³ Ibid.

²⁴⁴ Ibid.

²⁴⁵ Ibid, 63.

²⁴⁶ Ibid, 61.

Receiving only a 7% rating, ICDTP was ranked the lowest of the rated scores, beating PEP, FFP, Reentry Education, and the youth program, which all received scores of zeros.²⁴⁷ So, while it attempted to deliver programs in accordance with evidence based principles and practices, it had very little internal evaluation requirements or methods of its own.

Finally, the last parole program that the panel evaluated was the **Day Reporting Center (DRC)**. A multi-service program targeting 100 offenders with an increased risk of returning to custody, this program is only offered in Fresno.²⁴⁸ Any offender that is recommended by the CDCR is enrolled in the program.²⁴⁹ DRC lasts for approximately five months, but it varies depending on the clients' specific needs. Regardless of an offender's length of stay the program requires participants to report regularly and participate in cognitive-behavioral treatment and services linked to assessed needs.²⁵⁰ It provides services from a variety of the typical program categories, tailoring the services to the participant. The completion requirements are much stricter than other programs, requiring participants to pass all drug tests for nine months, find stable housing and employment, and complete MRT Step 16.²⁵¹ This is Moral Reconciliation Therapy is a cognitive behavior treatment system and its final step, step 16, requires participants to confront themselves and develop goals that involve others; it is the step of grace.²⁵² DRC

²⁴⁷ Ibid, 62.

²⁴⁸ Ibid, 175.

²⁴⁹ Ibid.

²⁵⁰ Ibid.

²⁵¹ Ibid.

²⁵² Boston, Clariner M. and Alison L. Meier, "Changing Offenders' Behavior: Evaluating Moral Reconciliation Therapy (MRT®) in the Better People Program," (2001), 11-12, <http://www.alaskachd.org/justice/offender/documents/Better%20People%20MRT.pdf> (accessed October 20, 2010).

established a relationship with representatives in the community of Fresno in order to offer a Weekly Community Correction Program session.²⁵³

Day Reporting Center was evaluated in Chicago and was found to produce lower returns to custody than a comparison group, but there was no information on the comparison of similar offenders who did not participate in the program.²⁵⁴ As for the evaluation by the CDCR panel, DRC fared decently well. It received credit for 13 of the criteria, failed 5, and received partial credit for 2.²⁵⁵ The five that DRC failed were similar to other programs in that the program did not assess and target risk or offer appropriate dosages based on these assessments. However, DRC did assess offenders' criminogenic needs and deliver services according to them.²⁵⁶ DRC failed to be recommended or reviewed by a panel or journal, and it did not have consistent evaluation results.²⁵⁷

The Day Reporting Center received the third highest effectiveness of intervention rating of all eleven programs with a score of 77%, proving that its design is in accord with evidence-based practices.²⁵⁸ Similarly, it tied for the third highest research basis rating with 27%.²⁵⁹ Again, though it is the third highest rating, it may not be a score to boast about as it means that the program only received 27% of the total points when considering whether the program delivered services in accordance with evidence-based

²⁵³ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, 175, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

²⁵⁴ Ibid.

²⁵⁵ Ibid, 63.

²⁵⁶ Ibid.

²⁵⁷ Ibid.

²⁵⁸ Ibid, 61.

²⁵⁹ Ibid, 62.

practices and principles. If it ranked third of all eleven programs with this score, it is clear the CDCR has some reconstructing to do within its programs.

It may appear that CDCR programs are not closely following the proven principles, but there is evidence that the California Department of Corrections and Rehabilitation is taking steps in the right direction. In 2006 Sheldon X. Zhang and two other researchers evaluated one of the CDCR's programs Preventing Parolee Crime Program (PPCP).²⁶⁰ The CDCR did not elaborate on why they did not evaluate the program themselves, but it is possible that it is because PPCP is not a typical program. It is one set program that is made up of a number of different programs offering different service such as drug abuse treatment, education and job training and placement services, and math and literacy training in the community and residential environment.²⁶¹ However, this program is included in this study because it is one of the few that has been professionally evaluated and, in addition, it has shown promise.

The PPCP offers two community job-programs, the first of which is the Jobs Plus program. It consists of twelve subcontractors who developed listings of employers, in nine different districts, that are willing to hire parolees.²⁶² The main focus of the program is the job preparation workshops. These one or two day events help parolees write resumes, teach them appropriate interview attire, and help them strategize and practice for interviews.²⁶³ The second program offered by the PPCP was the Offenders

²⁶⁰ Zhang, Sheldon X., Robert E.L. Roberts, and Valerie J. Callanan, "Preventing Parolees From Returning to Prison Through Community-Based Reintegration," *Crime and Delinquency* 52, no. 4 (October 2006), 552, <http://cad.sagepub.com/content/52/4/551.full.pdf+html>.

²⁶¹ Ibid.

²⁶² Ibid, 554.

²⁶³ Ibid.

Employment Continuum (OEC) that consists of six subcontractors in a number of counties who offered mandatory 40-hour workshops to improve parolees' aptitude and motivate them to find jobs or vocational training.²⁶⁴

The PPCP also uses two substance abuse programs, one of which, STAR, has already been discussed and evaluated. The other program, the Parolee Services Network (PSN), provides short term detoxification, long term residential drug treatment, "sober living" support which included 90 days of substance free community-based housing, and also outpatient services.²⁶⁵

The Computerized Literacy Learning Center network (CLLC) was another program included within the PPCP and is a more personally motivated program. Not much information is given regarding the services it provides, but it is a "self-paced, computer-assisted instructional program designed to increase parolees' literacy and mathematic skills."²⁶⁶ It is possible that this program was included to offer a wider array of services to those who participate in the PPCP, as this program offers educational services.

Additionally the CDCR included a number of Residential Multi-Service Centers (RMSCs) in its Preventing Parolee Crime Program. These centers provide homeless parolees with employment, mathematic, and literacy skills, substance abuse services, and assist in the development of reasoning and communication skills in order to ease the transition to independent living in the community.²⁶⁷

²⁶⁴ Ibid.

²⁶⁵ Ibid.

²⁶⁶ Ibid.

²⁶⁷ Ibid, 555.

The researchers compared the parolees who enrolled in the PPCP program to parolees who did not enroll in the program. They found that as a whole, the PPCP program reduces recidivism by 8%, with the most advantageous outcomes resulting from receiving at least one full dose of services.²⁶⁸ For those individuals, recidivism rates were 20.1% lower than the comparison group. Even more impressive was that if parolees met more than one treatment goal their reincarceration rate was 47.1% less than the comparison group.²⁶⁹ These results are extremely positive and give hope to the idea that the CDCR is making progress. The only unfortunate finding they uncovered was that inmates cannot simply show up for the programs and see the same results. For those who did not complete any goals, their rates of reincarceration were the same as the comparison group.²⁷⁰ Thus, it appears that dedication and motivation are necessary for parolees to fully succeed and to keep out of prison.

That concludes the evaluations of the parole and community based programs.

²⁶⁸ Ibid, 562.

²⁶⁹ Ibid.

²⁷⁰ Ibid.

CHAPTER VI: OVERALL RECOMMENDATIONS OF THE CDCR AND INDEPENDENT RESEARCHERS

In evaluating both the in-prison and parole programs, the CDCR panel noticed a multitude of beneficial practices, as well as a variety of areas that need improvement. One of the most prominent results that the CDCR uncovered was the overall lack of assessments in programs. In reviewing the analysis, none of the eleven programs received full credit for assessing offenders' risks and targeting those who pose a high risk. The lack of assessment then led programs to fail yet another criterion: offering appropriate dosages of service to offenders based on their assessments. Though some programs used an intake checklist to evaluate needs, this type of assessment cannot accurately provide program staff with accurate ratings of offenders' risk to the community, nor does it indicate offenders' specific needs.²⁷¹

The CDCR stressed that programs should not be providing programs based on a "one size fits all" strategy because the needs of the offenders differ drastically.²⁷² Programs need to assess and pay careful attention to the needs of the offenders if they wish to be successful. They cannot provide the same services to women as they provide to men because they have different needs such as dealing with family relationships. Additionally other individuals may have experienced trauma or have co-occurring

²⁷¹ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, 64-65, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

²⁷² Ibid, 17.

disorders that require other services.²⁷³ In fact the panel had specific recommendations for low-risk-to-re-offend inmates, as well as short-term prisoners. As for the low-risk prisoners, the panel believes that programs that are focused on work, life skills, and personal growth would benefit inmates more than treatment programs.²⁷⁴ In fact, studies have shown that when intensive rehabilitation programs are used on low-risk offenders there was very minimal reduction in recidivism, and even an increase in recidivism in some cases.²⁷⁵ And for the short-term offenders, identified by the CDCR as technical violators and technical violators reinstated who have stays from .6 months to 4 months and who compose of nearly 70,000 inmates in the California system, it is important that they receive reentry services as well as reintegration skills training.²⁷⁶ This is because short-term offenders not only need different services, but also because nearly 8% only remain in the prison for around three weeks and do not have the time to complete full treatment programs.²⁷⁷ Because of the differing needs and sentences of the inmates, it is extremely important to assess individuals when they enter prison, or at the very least when they wish to begin a program, in order to understand their needs and learning style. The CDCR panel is not the only team that recommends providing inmates with classes and services based on assessments of needs and risk, the California Corrections Independent review panel²⁷⁸ also recommends evaluating with risk and needs assessment instruments. (This panel was created by Governor Schwarzenegger, and headed by former Governor George Deukmejian in order to investigate the correctional system. The

²⁷³ Ibid.

²⁷⁴ Ibid, 23.

²⁷⁵ Ibid.

²⁷⁶ Ibid, 23-24.

²⁷⁷ Ibid, 24.

²⁷⁸ California Corrections Independent Review Panel, “*Reforming California's Youth and Adult Correctional System*,” 1, http://cpr.ca.gov/Review_Panel/Inmate_Population_Management.html (accessed September 13, 2010).

former governor and a “staff of 36 from the Department of Corrections, the California Youth Authority, the Office of the Inspector General, the Board of Prison Terms, the California Highway Patrol, and the Labor and workforce Development Agency” spent four months conducting interviews and reviewing reports in order to better understand the issues with the Department and raise public sentiment.)²⁷⁹

Both the CDCR panel and California’s Independent Review Panel recommend selecting and utilizing a specific tool to assess such risks and needs. The Correctional Offender Management Profiling Alternative Sanctions (COMPAS) assessment tool is used in four prisons for moderate to high-risk offenders. The COMPAS tool provides inmates with a series of questions that determine overall risk and receive data on the inmates’ history of substance abuse, family background, criminal activity, education, and social functioning.²⁸⁰ Using a validated tool such as the COMPAS tool ensures that the risk assessment is correct, which is not necessarily true of self-created checklists which many programs develop and use. A list of all the validated and available assessment tools, as well as what they should be used to test, is included below.

²⁷⁹ California Corrections Independent Review Panel, “Executive Summary,” http://cpr.ca.gov/Review_Panel/Executive_Summary.html (accessed November 22, 2010).

²⁸⁰ California Department of Corrections and Rehabilitation Fact Sheet, “COMPAS Assessment Tool Launched” [1-3], http://www.cdcr.ca.gov/Adult_Programs/docs/FS_COMPAS_Final_4-15-09.pdf (accessed November 1, 2010).

Table 1

A General Risk Assessment Tools (examples)	B Criminogenic Needs Assessment Tools (examples)										
<p>Salient Factor Score (SFS) (static prediction)</p> <p>Level of Service Inventory (LSI-R), (LS/CMI), & (LSI-R:SV)</p> <p>Risk of Reconviction Scale (ROC) - New Zealand</p> <p>Correctional Assessment and Intervention System</p> <p>Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) - Northpointe Inst for Public Mgt, Inc.</p> <p>Offender Intake Assessment (Motiuk/CSC '97)</p> <p>Statistical Information on Recidivism (SIR) - Nuffield '82</p> <p>Wisconsin Risk/Need Assessment Scale - Arling & Lerner '79</p> <p>Community Risk/Needs Management Scale</p> <p>Client Management Classification System (NIC '83)</p>	<p>Anti-social Attitudes, Beliefs, & Associations Assessment Tools:</p> <p>Criminal Sentiments Scale-Modified (CSS-M) Beliefs Inventory</p> <p>Criminal Thinking Scales (TCU) Pride In Delinquency</p> <p>How I Think Questionnaire (HIT) Criminal Neutralizations</p> <p>Phoenix Opinion Survey (POS) Psych Inventory of Crim</p> <p>Criminal Expectancy Questionnaire (CEQ) Thinking Styles (PICTS)</p> <p>Temperamental/Personality Assessment Tools:</p> <p>Psychopathy Checklist-Revised (PCL-R) & (PCL-R:SV)</p> <p>Minnesota Multiphasic Personality Inventory (MMPI)</p> <p>California Personality Inventory Socialization (So) Scale</p> <p>Eysenck Personality Inventory</p> <p>Porteus Maze Test</p> <p>Multi-dimensional Personality Questionnaire</p> <p>GRAS MICK</p> <p>Anger, Hostility, Aggression Assessment Tools:</p> <p>Hostile Interpretations Questionnaire (HIQ)</p> <p>Novaco Anger Scale</p> <p>Batterers/Domestic Violence Tools:</p> <p>Propensity for Abusiveness Scale (PAS)</p> <p>Spousal Assault Risk Assessment Guide (SARA)</p> <p>Domestic Violence Inventory (DVI)</p> <p>Educational Assessment Tools:</p> <p>General Education: TABE, WRAT, Pre-GED, & GED Tests</p> <p>Special Education:</p> <p>Woodcock Johnson</p> <p>Brigance</p> <p>Vocational Assessment Tools:</p> <p>Career Scope (Interest Inventory)</p> <p>NCCER, ICDL, NOTI - recognized industry credentials/certification tests</p>										
<p>Violent Risk Assessment Tools (examples)</p> <p>Violence Risk Appraisal Guide (VRAG) - Quinsey et. al.</p> <p>Violence Risk Scale (VRS) - Wong & Gordon '06</p> <p>Dynamic Risk Appraisal Scale (DRAS) - Quinsey et. al.</p> <p>Proximal Risk Factor Scale (PRFS)</p> <p>Historical Clinical Risk-20 (HCR-20)</p> <p>Short Term Assessment of Risk & Treatability (START)</p>	<p>Substance Abuse Screening & Clinical Assessment Tools:</p> <p>Texas Christian University Drug Screen II (TCUDS II)</p> <p>Simple Screening Instrument (SSI)</p> <p>Drug Abuse Screening Test (DAST-20) - drug use</p> <p>Alcohol Dependence Scale (ADS) - alcohol use</p> <p>Leeds Dependence Questionnaire (LDQ) - substance use</p> <p>Cut Down, Annoyed, Guilty, Eye-opener (CAGE)</p> <p>Addiction Severity Index (ASI) & SA-ASI</p> <p>Offender Profile Index (OPI)</p> <p>Diag & Statistical Manual of Mental Disorders (DSM IV)</p> <p>Internal Classification for Diseases (ICD-10)</p> <p>Substance Abuse Questionnaire (SAQ)</p> <p>Substance Abuse Subtle Screening Inventory (SASSI-2)</p> <p>Global Appraisal of Individual Needs (GAIN) - Dennis '98</p> <p>Sexual Offending Risk &/or Needs Assessment Tools:</p> <p>Static-99 & Static-2002</p> <p>Sex Offender Needs Assessment Rating (SONAR)</p> <p>Stable-2000 & Acute 2000</p> <p>Rapid Risk Assessment for Sex Offense Recidivism (RRASOR)</p> <p>Sexual Offender Risk Appraisal Guide (SORAG)</p> <p>Minnesota Sex Offender Screening Tool-Revised (MnSOST-R)</p> <p>Sexual Violence Risk-20 (SVR-20)</p> <p>California Actuarial Risk Assessment Tables (CARAT)</p> <p>Sexual Adjustment Inventory (SAI)</p>										
<p>B Criminogenic Needs (dynamic risk factors)</p> <p>Anti-social/procriminal attitudes/beliefs/cog-emotional states</p> <p>Anti-social associates, social support for crime & isolation from anti-criminal others</p> <p>Temperamental and personality factors conducive to criminal activity:</p> <table border="0" data-bbox="349 1291 852 1417"> <tr> <td>Psychopathy</td> <td>Egocentrism</td> </tr> <tr> <td>Weak socialization</td> <td>Below ave. verbal intell.</td> </tr> <tr> <td>Lack of empathy, callousness</td> <td>Taste for risk</td> </tr> <tr> <td>Impulsivity, poor self-control</td> <td>Decision-making skills</td> </tr> <tr> <td>Restless/aggressive energy</td> <td>Problem-solving skills</td> </tr> </table> <p>Low levels of educational, vocational, financial achievement</p> <p>Familial/Marital/Relationship Factors affection, quality of relationships, supervision/monitoring</p> <p>Substance abuse</p>	Psychopathy	Egocentrism	Weak socialization	Below ave. verbal intell.	Lack of empathy, callousness	Taste for risk	Impulsivity, poor self-control	Decision-making skills	Restless/aggressive energy	Problem-solving skills	
Psychopathy	Egocentrism										
Weak socialization	Below ave. verbal intell.										
Lack of empathy, callousness	Taste for risk										
Impulsivity, poor self-control	Decision-making skills										
Restless/aggressive energy	Problem-solving skills										

Table from "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California," June 29, 2007, 85, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

In order to remain effective for their population, these tools will have to be validated every five years.²⁸¹ Additionally, it is important that when programs use these tools they target the high and moderate risk to re-offend inmates first, providing them with slots in the programs before low risk offenders, because they achieve the greatest gains in recidivism reduction.²⁸² The current, first-come-first-served strategy must be eliminated.

Results also demonstrate that programs were much more likely to assess offenders' criminogenic needs before assessing their risks. However, only six of the eleven programs received credit for assessing criminogenic needs and delivering services based on those needs. The other may have used arbitrary checklists, or nothing at all, but they did not receive credit. In its study the panel has found that in most CDCR programs assessments are typically performed in order to target *ineligible* offenders. In other words, the programs perform risk assessments in order to restrict a program strictly to a low-risk offender, when in fact high-risk offenders are usually the ones most in need of the services.²⁸³

One positive finding the CDCR came across was that most of the programs developed relationships with other community services and programs in order to offer clients more aftercare and services. While some programs worked in a "sister" relationship, like FFP and FOTEP, others connect their clients with Alcoholics Anonymous or Narcotics Anonymous.²⁸⁴

²⁸¹ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature : A Roadmap for Effective Offender Programming in California," June 29, 2007, 22, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

²⁸² Ibid.

²⁸³ Ibid, 64.

²⁸⁴ Ibid, 66.

Another area that the panel was impressed by was the use of *positive* reinforcements within the programs. Seven of the programs had positive reinforcements built into their curriculum such as an earned privilege system, verbal praise, encouragement, or extra curricular activities.²⁸⁵

One of the main issues that the panel uncovered was that the CDCR treats offenders who have successfully completed rehabilitation programs “roughly the same” as those who have not.²⁸⁶ In fact, in some ways California discourages offenders from participating in programs; for they offer a small pay for *work assignments* given to offenders in prison, but not to individuals who complete programs.²⁸⁷ Additionally, California only awards sentence reduction credits to offenders who the CDCR assigns to conservation camps to perform public service tasks such as fighting fires as part of the California Work Incentive Program.²⁸⁸ What is more, offenders who participate in the Bridging Educational Program, which provides education in reception centers and reentry programs,²⁸⁹ receive sentence-reduction credit; but offenders who complete rehabilitation programs do not. In other states such as Pennsylvania, Ohio, and Washington, rewards are given to offenders who complete any program, not just work.²⁹⁰ Furthermore, California offers Work Incentive Program (WIP) credits, but the program only has the capacity for a small number. Thus, the panel believes that these credits should be

²⁸⁵ Ibid, 67.

²⁸⁶ Ibid, 11.

²⁸⁷ Ibid.

²⁸⁸ Ibid, 12.

²⁸⁹ California Corrections Independent Review Panel, “*Reforming California's Youth and Adult Correctional System*,” 8, http://cpr.ca.gov/Review_Panel/Inmate_Population_Management.html (accessed September 13, 2010).

²⁹⁰ “California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California,” June 29, 2007, 11, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

replaced by other more fair and attainable credits such as statutorily based good-time credits where the offender can earn as much as day-for-day “good time” credits to help reduce his or her sentence. If other states are rewarding offenders and creating incentives and they are seeing good results, then why shouldn’t California? The panel believes it should. And what better way to create incentives for program participation than awarding credits to offenders who complete respectable rehabilitation programs?²⁹¹

As compared to other states, fewer inmates in California participate in programs, even though they have higher needs for alcohol and drug abuse programs.²⁹² A 2006 study found that 42% of the inmates in California prisons have a “high need” for alcohol as compared to the nation statistic of 43%.²⁹³ However, only 7.5% of these individuals participate in alcohol treatment while in prison, as compared to the national average of 18%.²⁹⁴ In comparison 56% of California prisoners have a “high need” for drug treatment as compared to the national average of 49%, but only 9% of the individuals will participate, while nationally 19% of individuals with a high need of drug treatment will participate in programs.²⁹⁵ Given that California has a higher need for certain programs, perhaps a system of incentives to try to encourage inmates to participate in those programs will help raise the rate of participation, not only preparing them for reentry, but also benefiting the state by keeping the public safe and saving money when the inmate does not return.

²⁹¹ Ibid, 12.

²⁹² Joan Petersilia, “Understanding California Corrections: Summary,” UC Irvine Center for Evidence-Based Corrections, May 2006, 3, ucicorrections.seweb.uci.edu/pdf/cprcsummary.pdf (accessed September 20, 2010).

²⁹³ Ibid.

²⁹⁴ Ibid.

²⁹⁵ Ibid.

It is true that California has already instated some incentives besides the few mentioned in the panel's evaluation. For instance, in May 2007 AB 900 was enacted to determine and implement incentives in order to increase inmate participation in and completion of academic and vocational programs.²⁹⁶ AB 900 also allows CDCR to discharge offenders after they have successfully completed an in-prison drug treatment program followed by 150 days of residential drug treatment in the community.²⁹⁷ However, the panel believes that more incentives are necessary. Particularly, the panel recommends introducing certain incentives that do not require any legislative enforcement such as extended visitation privileges, locating prisoners closer to their homes, providing long distance phone calls, and issuing vouchers for the prison canteens.²⁹⁸ These awards could be given to offenders who completed programs, or simply for abiding by the rules and fulfilling obligations.²⁹⁹ The panel has a number of additional ideas for how to create incentives like creating bonus sentence-reduction credit to supplement existing credits, for instance adding an additional 90-day reduction for completing a college-level course.³⁰⁰ Although there are few studies that specifically study the use of incentives, it seems to be a common theme that incentives can increase retention in the programs and reduce recidivism. Thus, by creating these incentives, more offenders might participate in the programs and we may see a lower rate of recidivism. What is more, California could use incentives to make parole officers' time more

²⁹⁶ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature : A Roadmap for Effective Offender Programming in California," June 29, 2007, 11 , CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

²⁹⁷ Ibid.

²⁹⁸ Ibid.

²⁹⁹ Ibid.

³⁰⁰ California Corrections Independent Review Panel, "*Reforming California's Youth and Adult Correctional System*," 6, http://cpr.ca.gov/Review_Panel/Inmate_Population_Management.html (accessed September 13, 2010).

effective. Joan Petersilia states that you cannot just have a system of sticks, as California does. Carrots are a necessity. “If in fact you can show us stable housing and drug treatment program for six months, you are off parole. The benefit of that is self-selection. Inmates who are low risk and who are motivated will do it, and then we reduce caseload size and let officers target very violent offenders.”³⁰¹

Another finding of the CDCR panel that was surprising was the qualifications and experience of the staff and directors. It is clear that staff that have previously worked with inmates and understand the program structure could greatly affect inmates participating in the programs. All but one of the ten programs had staff with at least two years of experience working with offenders, showing that the CDCR values their staff having significant experience.³⁰² In fact, the CDCR has recently developed a new and innovative way for experienced staff to work with participants. August of 2009 marked the first graduation of participants in the Offender Mentor Certification Program (OMCP). These men and women endured a 36-week curriculum and took an international test all while incarcerated in order to become drug and alcohol counselors for other inmates.³⁰³

“This program has not only had a positive effect on the substance abuse program here at Solano, but on the institution as a whole,” said Sol Irving, Correctional Counselor III at CSP-Solano. “Other inmates see that these lifers are trying to accomplish something and are being trained to help them,” he said.³⁰⁴

³⁰¹ Jennifer Steinhauer, “Prisons Push California to Seek New Approach,” *The New York Times* December 11, 2006, http://www.nytimes.com/2006/12/11/us/11prison.html?ref=prisons_and_prisoners (accessed September 20, 2010).

³⁰² “California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature: A Roadmap for Effective Offender Programming in California,” June 29, 2007, 68, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

³⁰³ “Forty-Seven Lifer Inmates Graduate from Peer Alcohol and Drug Counselor Program at California State Prison, Solano,” (California Department of Corrections and Rehabilitation, August 28, 2009), http://www.cdcr.ca.gov/News/2009_Press_Releases/Aug_28.html (accessed November 2, 2010).

³⁰⁴ Ibid.

When inmates interact with men and women like themselves who have successfully completed their program and beat a never-ending battle with drugs and alcohol, it provides a sense of hope and motivation.

On the other hand, the CDCR seems to be doing less to ensure that staff and directors are *well educated*. Only five of the programs received credit for staff having undergraduate degrees, and what is worse, only three programs received credit for program directors' qualifications.³⁰⁵ Although there was not a single program that did not meet at least one aspect of that criterion, it still shows that the CDCR has room for improvement. It should be looking to hire more educated and qualified staff at all levels.

Finally, the last overall finding of the CDCR panel was that there was a general lack of programs appearing in publications, being evaluated, and having a research basis of their own on which to base their services.³⁰⁶ Four programs had no research basis whatsoever, and only one program was evaluated, SAP. In 2004 Petersilia commented on the fact that there are so few rigorous evaluations upon which to base general knowledge about what works.³⁰⁷ While the CDCR has made improvements, this is another area that needs attention. The importance of programs researching and tracking their services and being evaluated cannot be stressed enough. These are the necessities that allow the state to understand what works and implement changes. Without these

³⁰⁵ "California Department of Corrections and Rehabilitation Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature : A Roadmap for Effective Offender Programming in California," June 29, 2007, 68-69, CDCR Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (accessed October 5, 2010).

³⁰⁶ *Ibid*, 69-70.

³⁰⁷ Joan Petersilia, "What Works in Prisoner Reentry? Reviewing and Questioning the Evidence" *Federal Probation*, 62 (2), pg. 7, http://www.caction.org/rrt_new/professionals/articles/PETERSILIA-WHAT%20WORKS.pdf (accessed October 16 2010).

evaluations and studies, programs will continue to struggle to help inmates overcome recidivism.

CHAPTER VII: ANALYSIS AND CONCLUSION

After reviewing various studies and analyzing the research of experts in prisons reform and recidivism, it is clear that California can reduce recidivism. Furthermore, by researching various studies I have uncovered specific programs and principles that will help California accomplish a reduction in recidivism. Then I will explain the practices and principles that were found to be effective in reducing recidivism and explain why they are important to recognize. Following that discussion I will state which programs have been proven successful in reducing recidivism. Finally, the implications of all of these findings will be explored.

There were a handful of principles and practices that have been proven to reduce recidivism. The one principle that was continually addressed was assessment. The assessment of inmates' and parolees' risks and needs is pertinent to successful administration of services and effective programming. The CDCR stressed not only assessing inmates, but also targeting them based on these assessments. If programs use validated assessment tools and provide services to the highest risk inmates, then recidivism rates should drop. Programs also need to base their services on evidence-based or researched practices. The CDCR report unveiled that many programs did not base their design on validated practices, nor were the programs themselves evaluated. In order to continue to learn about the practices and programs that reduce recidivism, programs need to do both of these things.

Additionally, programs should employ staff that are both qualified and educated. While the CDCR report found that a handful of programs had *experienced* staff, it is clear that programs are lacking in *educated* staff. Staff who have degrees in helping areas can

provide much more insight into how to best help inmates, whether it is through teaching specific skills or counseling. This is certainly an area that the CDCR can easily improve by screening applicants and checking their previous job history. Participation is another area that the CDCR needs to improve, for California inmates participate in programs at a lower rate than elsewhere. However, this may not be as easy. It may be possible to use incentives to boost participation, but I was unable to find research solely on this. If the CDCR could increase the number of participants in effective programs, then recidivism rates could be reduced.

In some instances, steps have already been taken in implementing these principles and practices. One of the CDCR's other recommendations was for in-prison programs to develop strong relationships with parole and community programs. SAP implemented this principle by forming a SAP's relationship with SASCA, helping inmates to find aftercare and allowing them to continue their work towards successful reentry. If other programs can partner with aftercare programs and extend the length of time that inmates receive services and treatment, then recidivism rates would decline. Yet another practice that was stressed was for the staff in many of the programs to have previous experience with offenders. Whether an individual has worked with offenders, or is an ex-addict, these are valuable traits. The programs, that I evaluated, that employ ex-addicts, proved to be very successful.

It may seem as though a number of programs were evaluated in this thesis and only a minute amount of valuable information was uncovered. In other words, only a handful of programs were proven to be successful, as will be discussed shortly. But the extensive research, which included reviewing a number of unsuccessful programs, has

proven just how invaluable the principles are. Why are these principles so important to recognize? In many studies and summaries, such as that of Lawrence W. Sherman and his colleagues, researchers group programs and practices into three groups: what works, what does not work, and what is promising.³⁰⁸ With this knowledge of what works, these principles, the stepping stones to creating successful programs has been laid out. When new programs are being developed, directors can look towards these practices as guidelines. Many have been scientifically proven to reduce recidivism and thus can ensure the creation of an effective program.

But what is more, the principles can continue to be used for evaluation purposes by programs, the CDCR, and independent researchers. With these proven principles can identify whether a program is completely unsuccessful and wasting the time and money of the CDCR, or whether it has implemented some of the practices and can be restructured to be successful. Many of the programs evaluated in this thesis were not proven to directly reduce recidivism, *however* they succeeded in following the criteria that has been proven to reduce recidivism. These programs were included in this thesis because they are, in my opinion, just as valuable to the future of California's Department of Corrections and Rehabilitation.

It would be extremely costly for the CDCR to use these principles to create new programs. However, because many of these programs possess these beneficial practices the CDCR could instead dedicate time and investments into helping existing programs align with the rest of these principles. Programs such as the Family Foundations Program and the Day Reporting Center received credit for a number of these practices and could

³⁰⁸ Lawrence W. Sherman and others, eds, "Preventing Crime: What Works, What Doesn't, What's Promising," College Park, MD: University of Maryland, 1997.

be restructured to include *all* of the criteria. This type of work might prove as valuable as creating an entirely new program, while spending less money. This seems to be the best option for the CDCR, for why eliminate funds or close a program that is not by researchers evaluations “perfect?” The CDCR can always create a new program if this is unsuccessful, but when there are programs that are hopeful, why not work to improve them if we know how? Thus, all though it may seem that this thesis turned up only a marginal amount of evidence in what programs reduced recidivism, it was successful in uncovering invaluable principles, which help us to find programs that are promising. With this knowledge, one has a paved path towards the future. This, in my opinion is more valuable than the programs that have been proven to reduce recidivism. I will explain this further, but first I will briefly discuss those few programs that were proven successful in reducing recidivism.

An accumulation of research has proven that there are a handful of California in-prison programs that are successful in reducing recidivism. Of the programs that I was able to review there were three such programs: the Inmate Employability Program, the Amity Program, and, to a degree, the Substance Abuse Program. The Inmate Employability Program effectively assists inmates in developing employment skills and receiving certificates in specific industry areas. Although it is a relatively new program, inmates who have graduated from it have an average recidivism rate of 13% and a 60% employment rate. These numbers alone prove its effectiveness. The Amity Program, which was developed in Arizona and later adopted by a prison in San Diego California, helps inmates overcome substance abuse addictions by placing them in a therapeutic community setting, requiring them to work, and providing intensive classes run by ex-

addicts. A relatively recent addition, the use of ex-addicts, seems to have a positive effect on inmates. Those who received treatment had an average recidivism rate of around 46% as compared to the recidivism rate of 63% for those who did not. Additionally, if participants continued the program after their release, while in the community, their reincarceration rate dropped to only 26.2%. Yet another substance abuse program, the Substance Abuse Program, produced slightly positive results. Researchers found that when SAP participants continued participating in aftercare programs upon release SAP proved to be effective in reducing recidivism. In evaluating the program, it was clear that there was a well-established relationship between SAP and the Substance Abuse Coordinating Agency. However, as has been previously discussed, inmates and parolees cannot be forced into certain programs, unless the court has sentenced them to particular programs. Thus, it may be difficult to say with perfect certainty that SAP is effective because one cannot know if the participants will receive the further services that ensure successful reentry.

There were two additional programs that were found to be effective in reducing recidivism: the Female Offender Treatment and Employment Program as well as the Preventing Parolee Crime Program. Both programs are for parolees and offer a variety of different services. The FOTEP was evaluated by the CDCR and proven to have a lower rate of substance and alcohol use as well as higher rates of employment than other parolees who were eligible for FOTEP and did not participate. While it was not directly stated that this program reduced recidivism, it produced positive effects that other programs strive for, and thus I have included it as a successful program. Independent researchers evaluated the PPCP program and found that the program reduced recidivism

rates by 8%. What is more, the more services inmates participated in, the lower the rates of recidivism. For instance, parolees who met more than one treatment goal had reincarceration rates that were 47.1% less than the comparison group. These two California programs were well developed and well implemented, for they both produced highly positive results, and the PPCP was particularly successful in reducing recidivism.

In coming to a conclusion I cannot help but ask, do these programs truly work? Sure, there are statistics that politicians and researchers point to claiming that there is proof of program success, but there is still a cloud looming over this vast field of evidence: the selection effect. The selection effect was briefly mentioned as a weakness in researching prison and parole programs, but it requires closer consideration. In many instances prisoners cannot be forced to participate in programs, thus it is the motivated individuals who decide to enroll. Many believe that these inmates had previously made up their minds to change and stay out of prison and this is why they participated in the programs. Following from this is the belief that because of this personal motivation there is a chance that they may have stayed out of prison regardless of their participation. Or, because their willingness to participate in the activities of the program would be much higher than other inmates who may not be as motivated the results are skewed. Thus, when considering the success rate of programs one cannot truly know whether recidivism rates decline due to the program itself, or the people who decide to enter the program.

Consider it briefly, does it not seem probable that a program with voluntary participants would produce better effects than one with inmates who are mandated to participate? The participants who choose would probably be more involved and likely put in more effort than those who are forced and would simply put in the minimum effort

necessary. With voluntary participants there is a personal investment and motivation that mandated prisoners do not have. Furthermore, some programs develop their own selection process, such as the Amity Program. It is true that the program boasts successful statistics, but could it not be possible that the most motivated and willing inmates of that facility were selected? The selection effect casts a dark shadow upon those once gleaming numbers. But there is not yet a way to curb the selection effect. Randomly assigning inmates to programs would give researchers much more accurate results because it is likely that both motivated and unmotivated individuals would be randomly selected to participate. This would provide an unbiased review of whether the success should be attributed to the program itself. It would prove that the structure, activities, staffing, etc is the cause for reductions in recidivism, not the people. But, as stated, this is not a possibility, at least not yet. So, in the end, it could simply be the inmates' personal motivations that keep them from recidivating.

With this knowledge, I must concede that the evidence proving the effectiveness of the programs does not seem quite so strong. The selection effect is undoubtedly debilitating to the research conducted, but not all is lost. I have still been able to answer my main questions. The first is that it is now quite clear that California is capable of reducing recidivism and this is quite a victory. People are not longer committed to the theory that nothing works. Instead, the overwhelming evidence stating that rehabilitation programs work has led to an abundance of support from Californians. It may seem to be a simple answer, but it took years of expert research to overcome the obstacle that Martinson created. The second question also has been answered: California has found ways to reduce recidivism. It is true that the selection effect makes it difficult to

determine whether program success is due to the people or the program itself. But the programs can still be used. They have been proven to reduce recidivism, for one reason or another, and if they are not detrimental then why not continue to use them? Conceding that the programs alone may not be the cause for success is a slightly depressing conclusion to come to, but it does not mean that California has not successfully found ways to reduce recidivism, which is the main question of this thesis.

It is true that individuals need to work to eliminate, or find a way to scientifically hold constant, the selection effect in order to evaluate the program itself. It is also true that the selection effect leads to the conclusion that more research must be done. But with knowledge of proven principles researchers know exactly where to enlist their resources. They can evaluate programs based on these principles, just as the CDCR did. Then, they can inform policy makers and the California government as to how programs can improve. These principles are the key to program reform and perhaps someday a greater reduction in recidivism. All of this research has provided us with hope for the future. With new goals set to curb the selection effect, evaluation guidelines in check, and hopeful programs identified, the path towards reducing recidivism has been paved. Now all that is left to do is follow it.

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