

March 16, 2016

L E G I S L A T I V E A N A L Y S T ' S O F F I C E

LAO
75
YEARS OF
SERVICE

Programs and Services for Long-Term Offenders

Presented to:
Assembly Budget Subcommittee
No. 5 on Public Safety
Hon. Nora Campos, Chair





Background



Number of Long-Term Offenders Released Has Increased

- Long-term offenders are individuals who have been sentenced to a life term in prison with the possibility of parole, with the Board of Parole Hearings (BPH) making the determination whether parole is ultimately granted.
- The number of long-term offenders granted parole increased from 541 in 2009 to 902 in 2014.



Rehabilitative Programs Exclusively Target Long-Term Offenders

- According to the California Department of Corrections and Rehabilitation (CDCR), due to the nature of their commitment offense, long-term offenders spend a significant amount of time in prison and thus may have challenges adjusting to life outside of prison.
- In order to alleviate these challenges, CDCR has established rehabilitative programs that specifically target long-term offenders:
 - ***Long-Term Offender Program (LTOP)***. The LTOP provides rehabilitative programming on a voluntary basis to long-term offenders at three state prisons.
 - ***Offender Mentorship Certification Program (OMCP)***. The OMCP trains long-term offenders as substance use disorder counselors. Graduates are employed by CDCR to deliver counseling services to their fellow inmates. Currently, two sessions are offered annually, allowing up to 64 offenders to be certified each year.

**Other Rehabilitative Programs**

- In addition, CDCR offers various other rehabilitative programs that are generally available to offenders, including long-term offenders, such as education, substance use disorder treatment, and cognitive behavioral therapy.
- The Governor's budget proposes expanding some of these programs including:
 - **Parole Service Centers (PSCs).** The PSCs provide residency, employment, and other support services to parolees. There are currently 136 beds in PSCs dedicated to long-term offenders.
 - **Transitions Program.** The Transitions Program utilizes contract providers to provide various life and job skills training to help offenders transition back into their communities. Under the program, which is located at 13 prisons, inmates are eligible to participate if they (1) have been assessed as a moderate-to-high risk to reoffend, (2) have been assessed as having a moderate-to-high need for employment training services, and (3) have between five weeks and six months left on their sentence.
 - **Community College Programs.** Chapter 695 of 2014 (SB 1391, Hancock) required CDCR to enter into an interagency agreement with California Community Colleges to expand community college programs offered in prisons. There are currently 14 community colleges offering courses to around 7,500 inmates. The CDCR estimates 38 percent of inmates currently enrolled in college programs are long-term offenders.



Governor’s Proposal To Expand Programs and Services for Long-Term Offenders

Governor’s Long-Term Offender Proposal			
<i>(In Millions)</i>			
Program	2016-17	2017-18	2018-19
Long-Term Offender Program	\$3.4	\$1.3	\$1.3
Parole Service Centers	3.1	3.1	3.1
Transitions Program	3.1	3.1	3.1
Community College Program	0.5	0.5	0.5
Offender Mentor Certification Program	0.4	0.4	0.4
Transitional Housing Program	—	5.1	7.8
Totals	\$10.5	\$13.5	\$16.2



2016-17. The Governor’s budget for 2016-17 proposes a \$10.5 million General Fund augmentation for the following rehabilitative programs:

- **LTOP (\$3.4 Million).** Expand LTOP to a fourth prison yet to be determined.
- **PSCs (\$3.1 Million).** Double the number of PSC beds dedicated to long-term offenders—from 136 beds to 272 beds.
- **Transitions Program (\$3.1 Million).** Expand the Transitions Program to the remaining 21 state prisons that do not currently offer the program, as well as terminate existing contracts and instead hire 53 civil service teachers to deliver services.
- **Community College Programs (\$480,000).** Support overtime for custody staff to monitor inmates participating in community college courses.
- **OMCP (\$423,000).** Double the number of annual OMCP training sessions from two to four and potential annual program graduates from 64 to 128.



Governor's Proposal To Expand Programs and Services for Long-Term Offenders

(Continued)



2017-18 and 2018-19. As shown in the figure, the proposed augmentation would increase to \$13.5 million in 2017-18 and \$16.2 million in 2018-19. This increase would support the establishment of the Transitional Housing Program for long-term offenders while they are on parole. The requested funding would allow CDCR to contract for residency and rehabilitative services for 400 long-term offenders upon full implementation.

- Targeting Higher-Risk Offenders Yields Greater Public Safety Benefits.** Research shows that programs designed to reduce recidivism are most effective when they target offenders who have been assessed as a moderate-to-high risk to reoffend. This is because lower-risk offenders are much less likely to reoffend irrespective of whether they receive programming, resulting in little public safety benefits.

- Long-Term Offenders Are Typically Lower-Risk Offenders.** Long-term offenders are typically considered less likely to reoffend because they are (1) subject to an exhaustive review by BPH and are not granted release if they are deemed to pose a high risk to reoffend and (2) on average older than most inmates who are released. Research has demonstrated that as offenders age they become less likely to commit crimes.

- Only Portion of Proposed Funding Targets Higher-Risk Offenders.** Only three programs proposed for expansion would increase programming for higher-risk offenders. Specifically, the (1) expansion of the OMCP, (2) expansion and modification of the Transitions Program, and (3) custody overtime needed to support community college programs.

- Many Higher-Risk Offenders Not Currently Receiving Needed Treatment.** In 2014-15, 44 percent of higher-risk offenders were released without having any of their rehabilitative needs met, despite having been assessed as having a need for programming. This is in large part due to limited resources.



LAO Recommendations



Approve Proposed Expansion of Programming for Higher-Risk Offenders

- We recommend that the Legislature approve the portion of the proposal—totaling \$4 million—that would expand rehabilitative programming opportunities for higher-risk offenders that are consistent with programs shown to be cost-effective methods for reducing recidivism.
- Specifically, we recommend providing the requested funding to support (1) the expansion of the OMCP, (2) the expansion and modification of the Transitions Program, and (3) custody overtime needed to operate community college programs.



Reject Remainder of Proposal

- We recommend that the Legislature reject the remainder of the Governor’s proposal to expand programs for long-term offenders. While we acknowledge that these programs may provide some benefit to long-term offenders, research suggests that the department could achieve greater benefits to public safety by instead targeting higher-risk offenders.
- To the extent that the Legislature is interested in further expanding rehabilitative programming, we recommend that it direct the department to come back with a proposal that targets higher-risk offenders.