

OCTOBER 16, 2019

Improving In-Prison Rehabilitation Programs

PRESENTED TO:

Assembly Budget Subcommittee No. 5 on Public Safety
Hon. Shirley N. Weber, Chair



LEGISLATIVE ANALYST'S OFFICE

California In-Prison Rehabilitation Programs Have Several Shortcomings

- In December 2017, our office released a report identifying several shortcomings in rehabilitation programs administered by the California Department of Corrections and Rehabilitation (CDCR). The State Auditor identified similar shortcomings in an audit released in January 2019.
- In particular, it was found that the programs are:
 - **Not Evidence Based.** Some programs are not evidence based because they are not based on models shown to reduce recidivism. Even in cases where they are, CDCR does not currently evaluate whether they operate with fidelity to those models.
 - **Not Effectively Targeted at High-Risk, High-Need Inmates.** CDCR does not effectively employ the best practice of targeting programs at high-risk, high-need inmates. For example, many inmates are released without receiving any needed programs despite thousands of low-risk and low-need inmates being assigned. Moreover, the assessment tool used to assign inmates might not accurately identify their needs, given that it was created with data over a decade old.
 - **Not Evaluated for Cost-Effectiveness.** Many programs have not been evaluated to determine whether they cost-effectively reduce recidivism. Moreover, the auditor found that some programs appeared to have no effect on recidivism.
 - **Not Always Attended by Inmates.** Despite waitlists, many program slots are vacant due to inmates not being assigned. Moreover, many enrolled inmates do not actually attend classes.
 - **Subject to Flawed Performance Measurement.** CDCR lacks key performance measures such as length of participation before release. In addition, some metrics are misleading such as “meaningful participation”—defined as being enrolled for 30 days, regardless of program length or attendance rate.



Recent Efforts by CDCR to Address Shortcomings

- ***Ensuring Programs Are Evidence Based.*** CDCR indicates that it will require contractors that provide certain programs to use models shown by research to reduce recidivism. CDCR also indicates that it is in the process of implementing measures to ensure that programs are implemented with fidelity to those models.
- ***Better Targeting of Inmate Needs.*** In order to better target inmate needs, CDCR indicates it is taking various actions including (1) providing further guidance to inmate assignment officers, (2) determining whether its assessment tools should be revalidated or replaced, and (3) ongoing efforts to fill vacancies to ensure programs are not shut down due to lack of staff.



Additional Steps to Improve In-Prison Rehabilitation Programs

- ***Require Programs Be Evidence Based.*** We recommend directing CDCR to report whether each rehabilitation program is based on research showing it is effective. The Legislature could make this report a condition for receiving ongoing state funding for each program. Programs should also be independently evaluated by the Office of the Inspector General to ensure they are implemented with fidelity.
- ***Measure Actual Cost-Effectiveness of Rehabilitation Programs.*** We recommend having independent researchers evaluate the cost-effectiveness of rehabilitation programs. We note that the Legislature passed AB 1688 (Jones-Sawyer, Calderon), which would have accomplished this, but it was recently vetoed by the Governor.
- ***More Effectively Target Programs to High-Risk, High-Need Inmates.*** We recommend establishing a review committee, including external stakeholders and experts, to select the assessment tools most effective at identifying high-risk, high-need inmates. To ensure that CDCR prioritizes high-risk, high-need inmates, we recommend passing statute directing it do so.
- ***Improve Efficient Use of Existing Rehabilitation Resources.*** We recommend directing CDCR to assess its facilities to identify the resources required to meet all needs of high-risk, high-need inmates. We also recommend the Legislature consider incorporating actual inmate attendance into program funding decisions to limit the number of slots that are not used efficiently.
- ***Improve Performance Measures to Conduct Regular Oversight.*** In order to enable regular program oversight, we recommend directing CDCR to improve and report on certain performance measures—including the percentage of inmates with unmet needs nearing release.

