



# *California Department of Corrections and Rehabilitation*

Several Poor Administrative Practices  
Have Hindered Reductions in Recidivism  
and Denied Inmates Access to In-Prison  
Rehabilitation Programs

*January 2019*

**REPORT 2018-113**





**CALIFORNIA STATE AUDITOR**

621 Capitol Mall, Suite 1200 | Sacramento | CA | 95814



**916.445.0255** | TTY **916.445.0033**



For complaints of state employee misconduct,  
contact us through the **Whistleblower Hotline:**

**1.800.952.5665**

*Don't want to miss any of our reports? Subscribe to our email list at*

[auditor.ca.gov](https://auditor.ca.gov)





January 31, 2019  
2018-113

The Governor of California  
President pro Tempore of the Senate  
Speaker of the Assembly  
State Capitol  
Sacramento, California 95814

Dear Governor and Legislative Leaders:

As requested by the Joint Legislative Audit Committee, the California State Auditor presents this audit report concerning the effectiveness of in-prison rehabilitation programs at the California Department of Corrections and Rehabilitation (Corrections).

This report concludes that inmates who completed in-prison cognitive behavioral therapy (CBT) programs recidivated at about the same rate as inmates who did not complete the programs. These results are serious enough to highlight an urgent need for Corrections to take a more active and meaningful role in ensuring that these programs are effective. In particular, Corrections has not revalidated the accuracy of the tools it uses to assess inmates' rehabilitative needs since recent statutory changes caused a major shift in the State's prison population. Inaccurate assessment tools could result in placing inmates in the wrong programs or in no programs at all. Furthermore, Corrections has not ensured that all of its CBT class curricula are evidence based, resulting in a significant portion of inmates that do not receive treatment that has been proven effective in reducing recidivism. Addressing these two problems would help Corrections ensure that rehabilitation programs are meeting their primary purpose of reducing recidivism.

Moreover, Corrections has neither consistently placed inmates on waiting lists for needed rehabilitation programs nor prioritized those with the highest need correctly. This contributed to Corrections' failure to meet any of the rehabilitative needs for 62 percent of the inmates released in fiscal year 2017–18 who had been assessed as at risk to recidivate. One reason inmates may not be receiving needed rehabilitation programs is that Corrections is having difficulty fully staffing its rehabilitation programs at all of its prisons. These various issues have resulted in low inmate enrollment rates when compared to the programs' budgeted capacity at the three prisons we reviewed.

Finally, Corrections has neither developed any performance measures for its rehabilitation programs, such as a target reduction in recidivism, nor assessed program cost-effectiveness. Moreover, Corrections has not analyzed whether its rehabilitation programs reduce recidivism. To perform such an analysis, Corrections needs to collect additional data and take steps to ensure it delivers CBT programs as intended across all of its facilities. Although Corrections plans to coordinate with external researchers to conduct a performance evaluation of the rehabilitation programs over the course of the next two years, Corrections has taken no formal steps to initiate this process. Because the Legislature provided Corrections with a significant budget increase so that it could expand rehabilitation programs to all prisons in the State, it is vital that Corrections demonstrate that the additional investment was worthwhile. To this end, the Legislature should implement new accountability mechanisms related to Corrections' rehabilitation programs, including additional oversight, performance targets, and recidivism evaluations conducted by an external researcher.

Respectfully submitted,

A handwritten signature in black ink that reads 'Elaine M. Howle'. The signature is written in a cursive, flowing style.

ELAINE M. HOWLE, CPA  
California State Auditor

## Selected Abbreviations Used in This Report

board	Board of State and Community Corrections
Corrections	California Department of Corrections and Rehabilitation
DOJ	California Department of Justice
CalPIA	California Prison Industry Authority
C-ROB	California Rehabilitation Oversight Board
EDD	Employment Development Department
Folsom	Folsom State Prison
Inspector General	Office of the Inspector General
PPIC	Public Policy Institute of California
R. J. Donovan	Richard J. Donovan Correctional Facility
San Quentin	San Quentin State Prison
UC Irvine	University of California, Irvine

# Contents

<b>Summary</b>	1
<b>Introduction</b>	5
Corrections' Implementation of Certain Rehabilitation Programs Has Not Resulted in Demonstrable Reductions in Recidivism	13
Corrections Is Failing to Place Inmates Into Appropriate Rehabilitation Programs, Leading to Inmates Being Released From Prison Without Having Any of Their Rehabilitation Needs Met	23
Additional Oversight Is Needed to Ensure the Effectiveness of Corrections' Rehabilitation Programs	35
<b>Appendix A</b>	
Technical Appendix: Data and Methodology	49
<b>Appendix B</b>	
Scope and Methodology	53
<b>Appendix C</b>	
The Number of Inmates on Waiting Lists and the Average Time Spent on the List	57
<b>Responses to the Audit</b>	
California Prison Industry Authority	59
California Department of Corrections and Rehabilitation	61
California State Auditor's Comments on the Response From the California Department of Corrections and Rehabilitation	63
California Rehabilitation Oversight Board	65

Blank page inserted for reproduction purposes only.

## SUMMARY

Although the number of inmates housed in state prisons has decreased in recent years, recidivism rates for inmates in California have remained stubbornly high, averaging around 50 percent over the past decade. The State defines recidivism as when a person is convicted of a subsequent crime within three years of being released from custody. Research shows that rehabilitation programs can reduce recidivism by changing inmates' behavior based on their individual needs and risks. For example, inmates are more likely to recidivate if they have drug abuse problems, have trouble keeping steady employment, or are illiterate. Rehabilitation programs aim to address and mitigate those challenges. In 2012 the California Department of Corrections and Rehabilitation (Corrections) released a report, commonly known as the *blueprint*, that set a number of goals, including increasing access to rehabilitation programs.<sup>1</sup> Since 2012 Corrections has expanded cognitive behavioral therapy (CBT), vocational education, and academic education to all of its 36 prisons, including a corresponding increase in its budget for in-prison rehabilitation programs, from \$234 million in fiscal year 2013–14 to \$298 million in fiscal year 2018–19. Corrections has also begun administering the tools it uses to assess rehabilitative needs for a greater number of inmates, and has created ways to better ensure its CBT vendors are providing services consistently and efficiently. However, since this expansion, Corrections has not undertaken sufficient effort to determine whether these programs are effective at reducing recidivism.

---

### Corrections' Implementation of Certain Rehabilitation Programs Has Not Resulted in Demonstrable Reductions in Recidivism

Page 13

Our analysis of inmates released from prison in fiscal year 2015–16 did not find an overall relationship between inmates completing CBT rehabilitation programs and their recidivism rates. In fact, inmates who completed their recommended CBT rehabilitation programs recidivated at about the same rate as inmates who were not assigned to those rehabilitation programs. One potential reason why our overall analysis did not find that CBT rehabilitation programs are related to reductions in recidivism is that Corrections has not revalidated the accuracy of the tools it uses to assess inmates' rehabilitative needs since recent statutory changes caused a major shift in the State's prison population. Another potential reason is that Corrections has not ensured that vendors provide consistent and effective CBT programs that have been proven through research to reduce recidivism—otherwise known as *evidence based*. Specifically, we reviewed contracts for vendors that provided CBT classes at 10 of Corrections' 36 prisons and found that nearly 20 percent of their respective curricula were not evidence based.

<sup>1</sup> Corrections first released *The Future of California: A Blueprint to Save Billions of Dollars, End Federal Oversight, and Improve the Prison System* in 2012, and updated it in 2016.

---

**Page 23****Corrections Is Failing to Place Inmates Into Appropriate Rehabilitation Programs, Leading to Inmates Being Released From Prison Without Having Any of Their Rehabilitation Needs Met**

Corrections has neither consistently placed inmates on waiting lists for needed rehabilitation programs nor prioritized those with the highest need correctly. This has contributed to Corrections' failure to meet any of the rehabilitative needs for 62 percent of the inmates released in fiscal year 2017–18 who had been assessed as at risk of recidivating. One reason inmates may not be receiving needed rehabilitation programs is that Corrections is having difficulty fully staffing its vocational and academic rehabilitation programs at all of its prisons. These various issues have resulted in low inmate enrollment rates when compared to the programs' budgeted capacity at the three prisons we reviewed.

---

**Page 35****Additional Oversight Is Needed to Ensure the Effectiveness of Corrections' Rehabilitation Programs**

Corrections has neither developed any performance measures for its rehabilitation programs, such as a target reduction in recidivism, nor has it assessed program cost-effectiveness. Further, Corrections has not analyzed whether its rehabilitation programs reduce recidivism. To perform such an analysis, Corrections needs more time to collect data and take steps to ensure that it delivers CBT programs as intended across all of its facilities. Although the Office of the Inspector General and the California Rehabilitation Oversight Board (C-ROB) perform some limited oversight of Corrections' rehabilitation programs, neither is well suited to conduct the analysis needed to determine whether those programs are effective at reducing recidivism or are cost-effective. Although Corrections plans to coordinate with external researchers to conduct a performance evaluation of the rehabilitation programs over the course of the next two years, Corrections has taken no formal steps to initiate this process. Because the Legislature provided Corrections with a significant budget increase so that it could expand rehabilitation programs to all prisons in the State, it is vital that Corrections demonstrate that the additional investment was worthwhile.

## Summary of Recommendations

### *Legislature*

To ensure that Corrections' rehabilitation programs reduce recidivism, the Legislature should require Corrections to establish performance targets, including ones for reducing recidivism and determining the programs' cost-effectiveness, and to partner with external researchers to evaluate the effectiveness of its rehabilitation programs.

### *Corrections*

To ensure that Corrections has reliable tools for assessing the needs of its inmate population, it should validate its assessment tools.

To ensure that its CBT classes are effective at reducing recidivism, Corrections should provide adequate oversight to ensure that its vendors teach only evidence-based curricula.

To ensure that it can meet the rehabilitation needs of its inmates, Corrections should develop and begin implementing plans to meet its staffing-level goals for rehabilitative programming.

To ensure that Corrections effectively and efficiently allocates resources to reduce recidivism, it should partner with a research organization to conduct a systematic evaluation to determine whether its rehabilitation programs are reducing recidivism and if they are cost-effective.

### **Agency Comments**

Corrections agrees with our findings and will address the specific recommendations in a corrective action plan within the timelines outlined in the audit report. C-ROB and the California Prison Industry Authority also agreed with our recommendations.

Blank page inserted for reproduction purposes only.

## INTRODUCTION

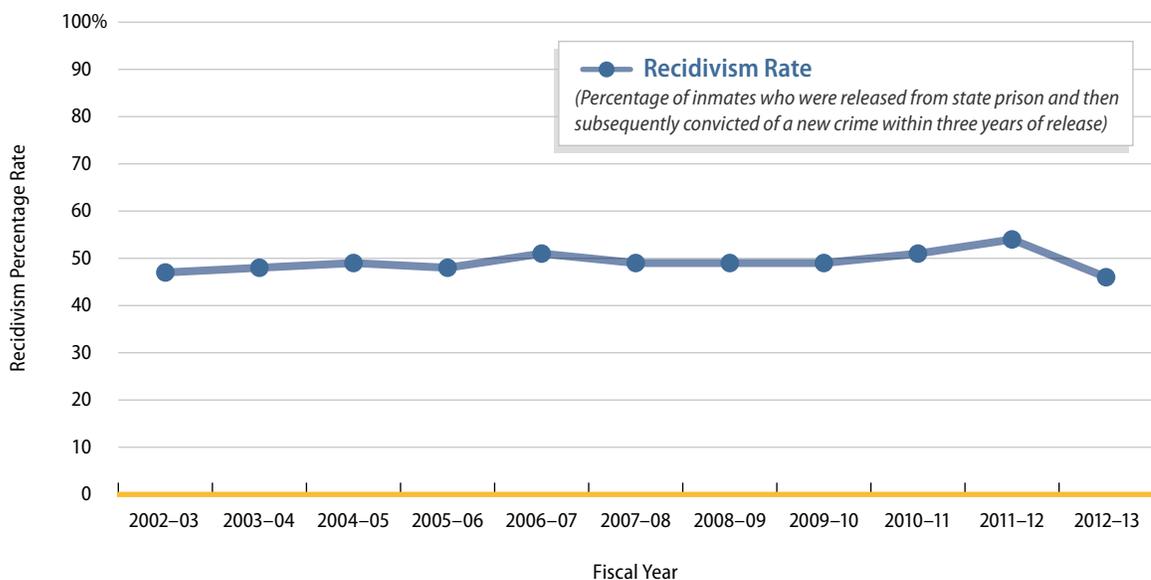
### Background

The California Department of Corrections and Rehabilitation (Corrections) is responsible for protecting the public by safely and securely supervising adult and juvenile inmates, providing effective rehabilitation and treatment, and integrating inmates successfully back into their communities. Corrections operates three adult women’s prisons and 33 adult men’s prisons across the State,<sup>2</sup> and it housed 116,400 male inmates and 5,200 female inmates as of September 2018.

In the early 2000s, California’s prison system faced a crisis due to overcrowding and a budget that was increasing at an unsustainable rate, from \$5 billion in fiscal year 2000–01 to \$9 billion in fiscal year 2010–11. Additionally, in 2011 the U.S. Supreme Court upheld an order requiring Corrections to reduce its inmate population to 137.5 percent of the prisons’ design capacity in an effort to ensure that it provided mental health and medical treatment that met constitutional standards. The Legislature later passed Assembly Bill 109—the 2011 Realignment Legislation (realignment), which generally shifted the responsibility for incarcerating lower-level felons convicted of nonviolent, nonserious, and non-sex-related crimes from the State to the counties.

Although the number of inmates housed in state prisons has decreased since realignment, the recidivism rate for inmates in California has remained stubbornly high, averaging about 50 percent from fiscal years 2002–03 through 2012–13, as shown in Figure 1.

**Figure 1**  
Corrections’ Recidivism Rate Averaged Around 50 Percent From Fiscal Years 2002–03 Through 2012–13



Source: Analysis of Corrections’ 2017 Outcome Report: An Examination of Offenders Released in Fiscal Year 2012–13.

<sup>2</sup> Folsom State Prison (Folsom) houses both adult men and adult women in different prison facilities. Because their rehabilitation programs are separate, we treated the two facilities as separate prisons in our analysis.

### Recent Policy Changes Have Reduced the State Prison Population

In recent years, the Legislature and voters enacted various constitutional and statutory changes that significantly changed the composition of the State's inmate population. Some of the major changes include the following:

- **Realignment (2011):** Realignment limited who could be sent to state prison. Specifically, it required that certain lower-level offenders serve their incarceration terms in county jail. Additionally, it required that counties, rather than the State, supervise certain lower-level offenders released from state prison.
- **Proposition 36 (2012):** Proposition 36 reduced prison sentences for certain offenders subject to the State's existing three-strikes law whose most recent offenses were nonserious, nonviolent felonies. It also allowed certain offenders serving life sentences to apply for reduced sentences.
- **Proposition 47 (2014):** Proposition 47 reduced penalties for certain offenders convicted of nonserious and nonviolent property and drug crimes from felonies to misdemeanors. It also allowed certain offenders who had been previously convicted of such crimes to apply for reduced sentences.
- **Proposition 57 (2016):** Proposition 57 expanded inmate eligibility for parole consideration, increased the State's authority to reduce inmates' sentences due to good behavior and/or the completion of rehabilitation programs, and mandated that judges determine whether youth should be subject to adult sentences in criminal court.

Source: Analysis of state law, regulations, and documents related to propositions.

The National Institute of Justice describes recidivism as a person's relapse into criminal behavior, often after the person receives sanctions or undergoes intervention for a previous crime. In California, state law required the Board of State and Community Corrections (board) to develop the State's definition of recidivism. In 2014 the board defined recidivism as a conviction for a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction. The reduction in recidivism in fiscal year 2012–13 shown in Figure 1 is likely due to the passage of Proposition 47 in 2014, which reduced the classification of certain nonserious and nonviolent property and drug crimes from felonies to misdemeanors, thus reducing the penalties for those crimes. Although the proposition passed in 2014, it likely kept some individuals who were released in fiscal year 2012–13 from returning to prison within three years. Despite the small reduction, recidivism remains a serious issue. According to a study referenced in the National Institute of Justice's website, California has the 13th highest recidivism rate in the country.

As described in the text box, major policy changes, including Proposition 47, have reduced the State's prison population and the amount of time inmates serve, thus increasing the importance of effective rehabilitation programs. As a result of these key policy changes, a greater majority of inmates currently housed in state prisons are now classified as serious and violent offenders. Specifically, according to Corrections' demographic reports, the proportion of inmates in custody for crimes against persons, which tend to be more serious than other crimes, grew from 59 percent in 2010 to 76 percent in 2017.

### Corrections Has Increased Its Focus on Rehabilitation Programs

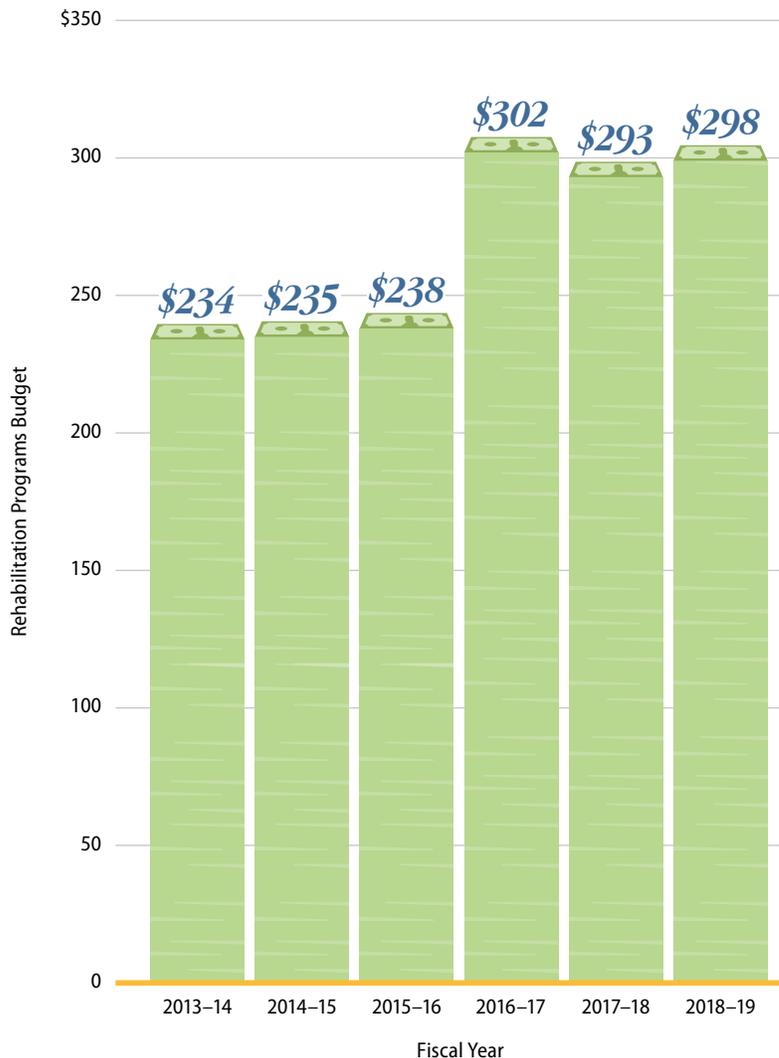
Following realignment, Corrections began increasing inmates' access to in-prison rehabilitation programs to meet their rehabilitative needs. Research shows that rehabilitation programs can reduce recidivism by changing inmates' behavior based on their individual needs and risks. For example, inmates are more likely to recidivate if they have drug abuse problems or have trouble keeping steady employment. Rehabilitation programs aim to address and mitigate those challenges.

In 2012 Corrections released a report, commonly known as the *blueprint*,<sup>3</sup> that set a number of goals, including increasing access to rehabilitation programs in order to meet the needs of inmates before their release. The Legislature subsequently provided

<sup>3</sup> Corrections first released *The Future of California: A Blueprint to Save Billions of Dollars, End Federal Oversight, and Improve the Prison System* in 2012, and updated it in 2016.

Corrections with a significant increase in funding to provide increased inmate access to rehabilitative services. As shown in Figure 2, Corrections' budget for in-prison rehabilitation programs increased by \$64 million, or nearly 30 percent, between fiscal years 2015–16 and 2016–17. Corrections used this increase in funding to expand its cognitive behavioral therapy (CBT) reentry programs—designed to correct an inmate's patterns of thinking and behavior—to all of its 36 prisons, as shown in Table 1 on the following page.

**Figure 2**  
**The Budget for Rehabilitation Programs Increased by \$64 Million**  
**From Fiscal Years 2013–14 Through 2018–19**  
**(In Millions)**



Source: Analysis of fiscal year 2015–16 Governor's Budget, fiscal years 2016–17 through 2018–19 budget acts, and Corrections' budget documents.

Note: We excluded costs associated with Corrections' community-based programming and its administration of rehabilitation programs from this analysis.

**Table 1**  
**Corrections Has Increased Its Rehabilitation Programs to All of Its 36 Prisons**

	NUMBER OF PRISONS THAT PROVIDE REHABILITATION PROGRAMS FOR:*	FISCAL YEAR							
		2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18
	Academic education	33	33	34	35	36	36	36	36
	Vocational education	29	29	33	35	36	36	36	36
COGNITIVE BEHAVIORAL THERAPY	Substance abuse disorder treatment	12	12	12	14	24	24	36	36
	Anger management, family relationships, criminological thinking	0	0	0	12	14	14	36	36

Source: Analysis of Corrections' budget reports for fiscal years 2010-11 through 2017-18.

\* We excluded programs designated for inmates serving lengthy periods of incarceration, such as life with the possibility of parole.

For fiscal year 2018-19, the Legislature appropriated \$298 million for rehabilitation programs, which equates to 2 percent of Corrections' overall budget, as shown in Figure 3. In comparison, rehabilitation funding made up 1 percent, or \$127 million, of Corrections' budget in fiscal year 2011-12. A majority of the funding increase related to the expansion of CBT programs. Specifically, in fiscal year 2016-17, the budget for in-prison rehabilitation programs increased from \$238 million to \$302 million, with 70 percent of this increase going toward in-prison programs, including CBT programs and support. According to Corrections' reports, it had budgeted capacity capable of providing rehabilitation opportunities for up to 130,000 inmates in its academic education, vocational education, CBT, and other programs in fiscal year 2017-18.

#### CalPIA Provides Vocational Training Programs in Nine Different Areas

- Carpentry\*
- Iron working\*
- Construction labor\*
- Commercial diving
- Facilities maintenance
- Computer-aided design
- Computer coding
- Culinary
- Roofing\*

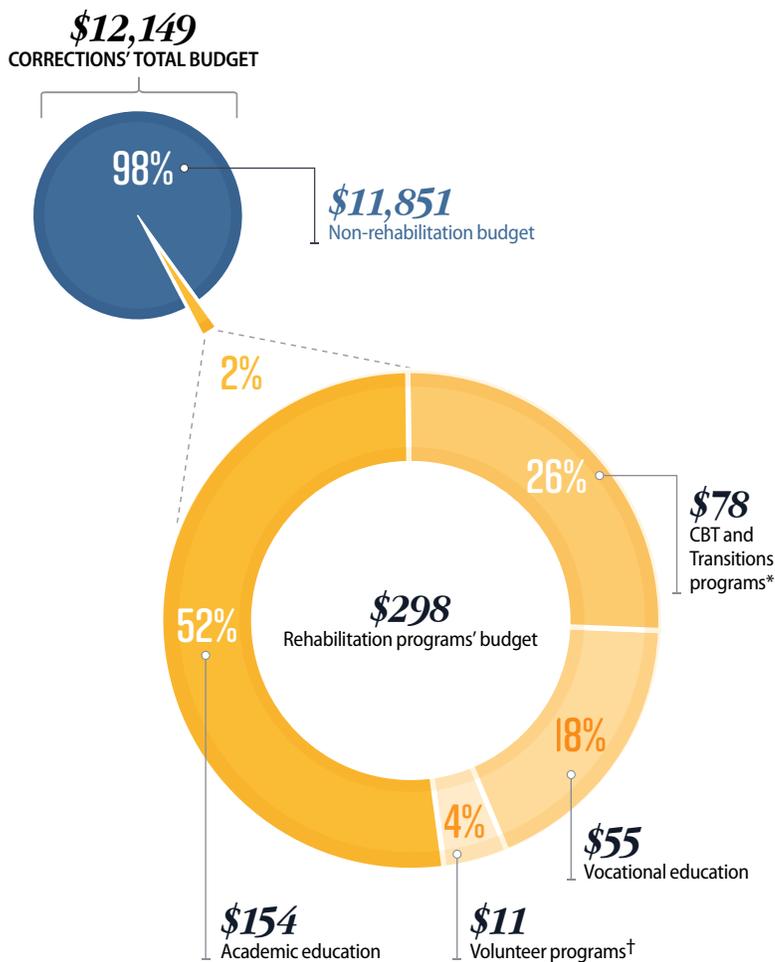
Source: Analysis of the September 2017 and April 2018 agreements between Corrections and CalPIA, CalPIA's union agreements, and CalPIA's *PIA Programs by Institution* report dated June 30, 2018.

\* Union affiliated.

In addition to the training provided by Corrections, the California Prison Industry Authority (CalPIA) provides vocational education to another 580 inmates. A majority of CalPIA's resources are devoted to its prison industry programs, such as manufacturing license plates or furniture, but CalPIA also provides vocational programs in a total of nine fields, as shown in the text box. Inmates are generally eligible for a CalPIA vocational program interview if they are designated as a minimum or medium security level, exhibit good behavior, do not currently have a need for substance abuse treatment, and have not been sentenced to life without parole. Currently, Corrections has contracted with CalPIA to establish and manage vocational

programming through fiscal year 2019–20, at a cost of \$12.4 million. CalPIA partners with unions to provide curriculum and instructors for four of these programs—carpentry, iron working, construction labor, and roofing. After they complete these programs, inmates become eligible for each union’s apprenticeship program upon release.

**Figure 3**  
**Rehabilitation Funds Make Up a Small Portion of Corrections’**  
**Fiscal Year 2018–19 Budget**  
**(Dollars in Millions)**



Source: Analysis of fiscal year 2018–19 Budget Act, and Corrections’ budget documents.

Note: We excluded costs associated with Corrections’ community-based programming and its administration of rehabilitation programs from this analysis.

\* *The Transitions Program* equips inmates with job search skills and financial literacy to help them reintegrate into society once released.

† *Volunteer programs* include educational, social, cultural, and recreational activities provided by volunteers or nonprofits. Programs can include Alcoholics Anonymous, yard time literacy, or yoga.

### Corrections Operates a Variety of Rehabilitation Programs

Within Corrections, the Division of Rehabilitative Programming (division) is generally responsible for administering the rehabilitation programs that Corrections provides to inmates.<sup>4</sup> The division oversees programs at all 36 state prisons, including programs run by Corrections staff, such as adult education and vocational training, and programs such as CBT run by contract staff. Additionally, inmates can participate in programs that Corrections oversees but that are run by volunteers, such as Alcoholics Anonymous and yoga.

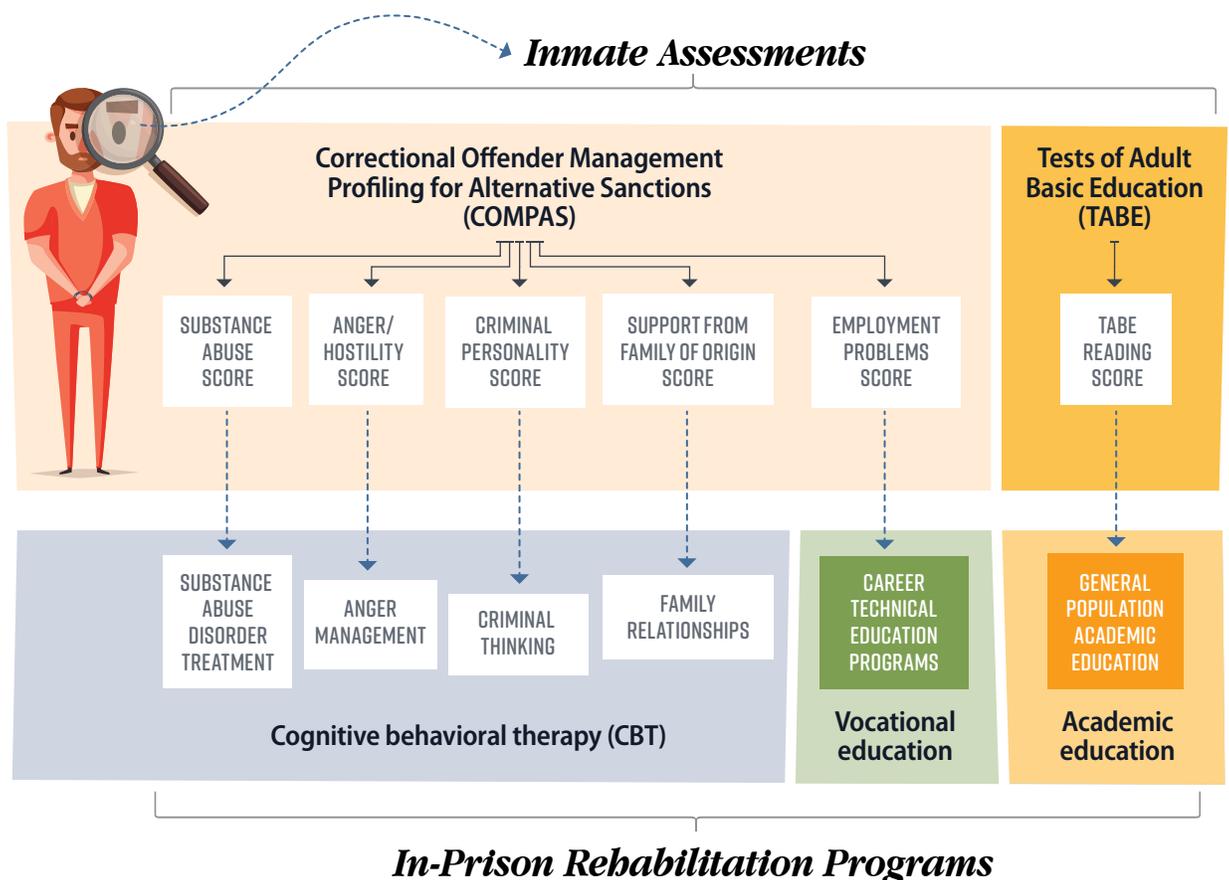
Corrections determines what in-prison rehabilitation programs inmates need through assessments that it requires inmates to take upon entering an institution. As shown in Figure 4, an inmate's score on these assessments indicates the type of rehabilitation program that will address his or her needs. The first assessment, known as Correctional Offender Management Profiling for Alternative Sanctions (COMPAS), measures an inmate's need for CBT and vocational education. A second assessment, known as the Tests of Adult Basic Education (TABE), measures an inmate's need for academic education programs. As shown in Table 2 on page 12, Corrections gives priority for enrollment in rehabilitation programs to inmates who have both a moderate to high risk of recidivating and a moderate to high need for a rehabilitation program. Corrections determines inmates' risk of recidivating according to their California Static Risk Assessment (CSRA) score, which is derived from their prior criminal history. If inmates receive a moderate to high COMPAS score in any of the four CBT categories—substance abuse, criminal thinking, anger management, or family relationships—Corrections places them on a waiting list for the class or classes that address their rehabilitative needs. In addition, state law requires Corrections to offer academic programming throughout an inmate's period of incarceration, focused on increasing the inmate's reading ability to at least a ninth-grade level. Corrections also requires inmates to participate in substance abuse disorder treatment if it determines that they have a history of drug abuse.

Inmates enter the prison system through one of six institutions known as reception centers. Correctional counselors at the reception centers evaluate the inmates through assessments such as COMPAS and TABE, and retrieve the inmate's CSRA score, which is automatically developed based on the inmate's demographics and criminal history using California Department of Justice (DOJ) data. Medical staff also administer medical and

<sup>4</sup> Other departments within Corrections are responsible for administering smaller rehabilitation programs.

psychological evaluations. Corrections' classification staff use the assessments and input from the correctional counselors to assign the inmates to a home institution. Within two weeks of arrival at their assigned prison, inmates meet with a correctional counselor who uses the assessments to recommend a course of treatment to a classification committee. The classification committee evaluates the inmate's case factors, such as the assessments and the counselor's recommendations, and places the inmate on appropriate waiting lists for in-prison work or rehabilitation programs. Inmate assignment officers place inmates who are on waiting lists into in-prison jobs or rehabilitation programs as those opportunities become available. Inmates have a strong incentive to participate because they can earn credits for early release by participating in approved rehabilitation programs or by attaining educational achievements.

**Figure 4**  
Corrections Uses Inmate Assessment Scores to Assess an Inmate's Need for Rehabilitation Programs



Source: Analysis of various Corrections policies and staff interviews.

\* We excluded programs designated for inmates serving lengthy periods of incarceration, such as life with the possibility of parole.

**Table 2**  
**Corrections Uses Assessment Scores to Identify Inmates With the Highest Risk to Recidivate and the Highest Rehabilitative Needs and Places Those Inmates at a Higher Priority**

ASSESSMENT TOOL / RISK OR NEED ASSESSED	INMATE ASSESSMENT SCORES	
	CORRECTIONS PLACES INMATES WITH THE FOLLOWING ASSESSMENT SCORES AT A LOWER PRIORITY FOR REHABILITATION PROGRAMS	CORRECTIONS PLACES INMATES WITH THE FOLLOWING ASSESSMENT SCORES AT A HIGHER PRIORITY FOR REHABILITATION PROGRAMS
<b>CSRA</b> Inmate risk to recidivate	Low risk	Moderate to high risk
<b>+ one of the following:</b>		
<b>COMPAS</b> Inmate behavioral needs	Low need	Moderate to high need
<b>or*</b>		
<b>TABE</b> Inmate education needs	Reading score ninth-grade level or above	Reading score zero to eighth-grade level

Source: Analysis of state law and Corrections policies and staff interviews.

\* Corrections prioritizes inmates for CBT and vocational education programming if they have a moderate to high risk to recidivate based on their CSRA score and a moderate to high need for the program based on their COMPAS score. Corrections prioritizes inmates for academic education programming if they have a moderate to high risk to recidivate based on their CSRA score and a reading score below a ninth-grade level based on their TABE score.

### Two Entities Provide Oversight of Corrections' Rehabilitation Programs

Oversight of Corrections' in-prison rehabilitation programs is provided by two entities. State law requires the Office of the Inspector General (Inspector General) to periodically review Corrections' implementation of the reforms outlined in the blueprint in addition to monitoring Corrections' delivery of medical care for inmates and overseeing its internal affairs investigations into allegations of wrongdoing by Corrections staff. Further, the California Rehabilitation Oversight Board (C-ROB) issues an annual report examining some specific aspects of Corrections' rehabilitation programs. C-ROB's members consist of various agency executives and private professionals with varying expertise and responsibilities related to inmate treatment. C-ROB meets at least twice a year to discuss the effectiveness of Corrections' rehabilitation programs. However, for reasons described later in this report, oversight of Corrections' rehabilitation programs by these entities is limited.

## Corrections' Implementation of Certain Rehabilitation Programs Has Not Resulted in Demonstrable Reductions in Recidivism

---

### Key Points

- Our analysis suggests that inmates who completed their recommended CBT rehabilitation programs recidivated at about the same rate as inmates who did not complete their recommended rehabilitation programs, and we were unable to identify a relationship between completing rehabilitation programs and recidivism rates.
- Corrections needs to revalidate the tools it uses to assess inmates' rehabilitative needs to ensure that they are still accurate, given the change in the State's prison population following realignment.
- Corrections has not conducted sufficient oversight to ensure that its vendors provide evidence-based and researched CBT programs.

### Corrections' CBT Rehabilitation Programs Do Not Appear to Have Reduced Recidivism

Because of the financial cost and societal impact of a recidivating inmate, the State has a vested interest in ensuring that rehabilitation programs are meeting their primary goal of reducing recidivism, particularly in light of the fact that the State has significantly increased its investment in these programs over the past five years, as noted in the Introduction. However, our analysis of data for inmates who received rehabilitation programs suggests that there was no overall significant connection between an inmate completing these programs and the inmate's likelihood to recidivate. These results, although somewhat constrained by data limitations that we will discuss later, are serious enough to highlight an urgent need for Corrections to take a more active and meaningful role in ensuring that these programs are effective.

To determine whether in-prison rehabilitation programs reduced recidivism rates for the inmates who completed them, we began by making three key decisions. First, although the board defines recidivism as a conviction for a new felony or misdemeanor committed within three years of release from custody, we limited our analysis to one- and two-year recidivism rates. We did this because Corrections has accurate data on program participation only beginning in October 2014, when it implemented a new data system. Because CBT programs expanded to 11 male prisons in fiscal year 2014–15, we also gave inmates time to take CBT classes before they were released from prison during fiscal year 2015–16. Second, we focused our analysis on two groups of inmates: those who received four types of CBT programs—substance abuse disorder treatment, anger management, criminal thinking, and family relationships—and those who did not

complete any CBT at the 11 prisons that offered CBT during the period we examined.<sup>5</sup> We focused our analysis on CBT because the majority—70 percent—of the State’s recent expansion of its rehabilitation programs budget was solely for expanding CBT to all prisons. Third, we considered inmates as having their *needs met* if they completed at least half of the CBT programs that Corrections determined they needed. Conversely, we considered inmates as having *no needs met* if they were not assigned to any CBT programs that Corrections determined they needed. Appendix A beginning on page 49 includes the detailed methodology used in our analysis and its results and limitations.

As shown in Table 3, the recidivism rate for inmates in the group who had most of their needs met was similar to that of the group with inmates who had no needs met. In fact, the two-year recidivism rates for both groups of inmates were between 24 and 25 percent. Our review analyzed inmates who were released in fiscal year 2015–16 and, using data from DOJ, determined whether those individuals were subsequently convicted of a misdemeanor or felony within two years of release.

**Table 3**  
**Recidivism Rates Generally Did Not Vary Between the Two Inmate Groups We Examined**

TIME ELAPSED SINCE RELEASE	RECIDIVISM RATE	
	MOST CBT NEEDS MET	NO CBT NEEDS MET
1 year	12%	13%
2 year	25%	24%

Source: Analysis of Strategic Offender Management System (SOMS) and DOJ data.

\* We excluded programs designated for inmates serving lengthy periods of incarceration, such as life with the possibility of parole.

Many factors influence an inmate’s likelihood to recidivate, such as education, race, age, and crime risk.<sup>6</sup> Failing to consider factors such as these when conducting an analysis of recidivism has the potential to undermine the results. For example, Corrections’ *2017 Outcome Evaluation Report* indicates that inmates over age 55 are significantly less likely to recidivate than inmates who are 25 or younger. Thus, a detailed analysis should consider

<sup>5</sup> We excluded programs designed for inmates serving lengthy periods of incarceration, such as life with the possibility of parole.

<sup>6</sup> Corrections assesses crime risk based on an inmate’s CSRA score, which produces a risk number that predicts the likelihood that an offender will recidivate for a certain type of crime.

inmates' ages, because each additional inmate over age 55 decreases the recidivism rate irrespective of the programs those inmates complete. To ensure that our results were not skewed in this manner—either by education, self-identified race, age, crime risk, or prison—we performed additional analyses and found that, even when taking the impact of these factors into account, we identified no significant overall relationship between completing CBT programs and reduced recidivism.

We conducted a more focused analysis of our inmate groups by examining whether completing CBT classes was related to reductions in the two-year recidivism rate within each of the four categories—education, self-identified race, age, and crime risk. For example, in examining the relationship between inmates with different levels of crime risk, we found that the group of inmates that showed the strongest relationship between completing CBT classes and a decrease in recidivism rate were those with a high risk of committing violent crimes. Specifically, for this group, completing assigned CBT classes was strongly related to a 16 percent decrease in recidivism. For other inmate groups in which there appears to be a relationship between completing CBT classes and reduced recidivism, see Table A beginning on page 51.

We also analyzed our inmate groups to determine whether there was a relationship between inmates completing CBT classes in a particular prison and recidivism. Although we did not find a significant relationship in overall recidivism rates across all 11 prisons, our results indicated that inmates incarcerated at one prison had a significantly stronger relationship between completing CBT classes and their risk of recidivating. Specifically, it appears that at the Substance Abuse Treatment Facility, located in Kings County, inmates who completed CBT classes had a recidivism rate that was 18 percent lower than for inmates who did not complete these classes. A prison administrator stated that during the time period of our analysis they were doing several things that may have made their CBT classes more effective. The administrator cited an immersive CBT environment, in which inmates taking CBT classes were housed together, and incentives for the inmates, such as individual cells, as potential reasons for the lower recidivism rates. In addition, the prison offers peer mentoring programs in which inmates with high social standing in the prison act as peer mentors in the CBT classes.

The deputy director of Corrections' Department of Rehabilitation Programs (deputy director) stated that, while disappointing, he accepts the results of our analysis. He believes our results may be a reflection of the fact that in-prison treatment alone does not adequately impact recidivism. He further stated that a statistical model that included other in-prison rehabilitation programs beyond CBT, as well as follow-up post-release treatment in

the community, may yield positive results. Although it is unclear whether a more comprehensive study would definitively show that rehabilitation programs were reducing recidivism, based on our analysis it is evident that Corrections should take substantive actions to help ensure that its programs are effective. As we discuss later in this report, rehabilitation programs need to reduce recidivism by only a small amount to become cost-neutral.

### **Corrections Should Revalidate Its Rehabilitative Assessment Tools and Develop Procedures for Future Periodic Validations**

One potential reason why our overall analysis did not find that rehabilitation programs are related to reductions in recidivism is that Corrections has not recently evaluated how well it is assessing inmates' needs and risks before placing them in rehabilitation programs. Ineffective assessments could result in Corrections failing to place inmates in the programs that would most effectively reduce their risk of recidivating. Inaccurate assessments might place inmates in the wrong programs or no programs at all, increasing their chances of recidivating. State law requires Corrections to examine and study all pertinent circumstances of an inmate's life that caused him or her to violate the law and be committed to prison. State law, regulations, and Corrections' practices further require Corrections to administer assessments to all inmates during the reception process or during their annual review to determine their rehabilitation needs and risk of recidivating.

.....

**Ineffective assessments could result in Corrections failing to place inmates in the programs that would most effectively reduce their risk of recidivating.**

.....

Specifically, Corrections uses COMPAS to assist in determining an inmate's placement in a rehabilitation program and gives a CSRA score to all inmates to determine their risk of recidivating. CSRA is an assessment tool that uses a set of risk factors, including age, gender, and criminal convictions, to determine inmates' recidivism risk. Inmates' COMPAS scores are used in conjunction with their CSRA risk scores to determine what rehabilitation programs are needed. Finally, Corrections uses TABE to assess inmates' general academic ability. Although an outside entity validated TABE to

ensure its accuracy in 2017, COMPAS and CSRA have not been recently reviewed and may no longer accurately assess inmates' rehabilitative needs and risk of recidivating.

Specifically, Corrections has not validated COMPAS since 2010, when it used data for inmates that were released over 10 years ago, from fiscal years 2005–06 through 2008–09, when conducting the validation. Further, CSRA was last validated in 2013 using data for inmates that were released 16 years ago, in fiscal year 2002–03. The validation of COMPAS and CSRA confirmed that they appropriately identified the needs and recidivism risks of inmates who were representative of the inmate population in prison at that time. The validations included Corrections testing whether COMPAS yielded the same rehabilitative needs scale results when given to the same inmate multiple times and whether applying CSRA to released inmates adequately predicted their risk of recidivating. The validations also evaluated whether the needs scale that COMPAS produced—low need, moderate need, and high need—corresponded to inmates' future recidivism rates.

However, because the studies validated the needs and risks of inmates who were in prison at least 10 years ago, COMPAS and CSRA have not accounted for the drastic changes in the prison population since realignment. As discussed in the Introduction, the number of inmates in custody for crimes against persons, which tend to be more serious than other crimes, increased from 59 percent in 2010 to 76 percent in 2017. Statistical researchers have indicated that assessment tools—such as COMPAS and CSRA—may become unreliable and inaccurate if not validated periodically, especially when there is significant change in the target population.

---

**COMPAS and CSRA have not accounted for the drastic changes in the prison population since realignment.**

---

These assessment tools have not been validated on Corrections' more violent inmate population and thus may be failing to place inmates in appropriate programs that reduce their recidivism risk.

Moreover, although the validation studies that Corrections last conducted for COMPAS and CSRA concluded that the assessment tools were generally sufficient, they both highlighted minor issues related to their assessment of violent offenders. Specifically, the results of the COMPAS validation showed that although the assessment was generally adequate to predict recidivism, it failed to meet the

minimum risk prediction threshold for determining the specific likelihood of inmate recidivism by violent crime. Similarly, the results of the CSRA validation showed that although the assessment was generally adequate to predict recidivism, the study identified a relevant percentage of inmates assessed as low risk who ultimately recidivated by committing violent crimes. The minor issues identified in the COMPAS and CSRA validation studies further support the need for Corrections to revalidate them, particularly in light of Corrections' inmate population changes.

According to the deputy director, revalidating COMPAS and CSRA is a priority for Corrections, but Corrections has a number of other initiatives that it wants to complete first, including implementing a tool to ensure that its vendors deliver CBT programs consistently and effectively across all prisons. Furthermore, Corrections convened a workgroup in November 2018 to engage in further discussions on assessment tools other than COMPAS or CSRA to determine whether they would better measure inmates' rehabilitation needs and risks. According to the deputy director, Corrections does not have any formal procedures or guidelines that delineate standards for when assessment tools need revalidation.

On a positive note, Corrections has made strides in administering assessments to a greater number of inmates. According to the *Blueprint Monitoring Report* published periodically by the Inspector General, Corrections has increased the percentage of inmates who have received these assessments from 44 percent of the total inmate population in fiscal year 2012–13 to 93 percent of the inmate population eligible to receive a COMPAS assessment in fiscal year 2017–18. The Inspector General also reported a slight increase in inmates assessed with a CSRA score, from 96 percent in fiscal year 2011–12 to 98 percent in fiscal year 2017–18. Additionally, Corrections recorded a TABE score for 94 percent of the prison population in fiscal year 2017–18. Corrections' increase in administering the COMPAS assessment across the inmate population helps it meet its regulatory requirement to administer COMPAS to all eligible inmates and creates greater opportunity to provide inmates with targeted rehabilitation. Although Corrections still needs to make progress with respect to determining the validity of its assessment tools and ensuring that all eligible inmates receive those assessments, according to Corrections' *Outcome Evaluation Report*, assessment tools alone cannot reduce recidivism. Rather, their results need to be combined with appropriate, evidence-based treatment. However, as we discuss in the next section, Corrections is also failing to ensure that inmates receive evidence-based treatment, thereby increasing their risk of recidivating.

### **Corrections' Lack of Oversight Has Resulted in Vendors Using CBT Class Curricula That Have Not Been Evaluated to Ensure That They Reduce Recidivism**

Another potential reason why we generally did not find a relationship between rehabilitation programs and reduced recidivism is Corrections' failure to ensure that all of its CBT class curricula are evidence based, resulting in a significant portion of inmates receiving a curriculum that has not been proven effective in reducing recidivism. Researchers designate a curriculum as evidence based when it has been evaluated using strong research designs and has been shown to have a positive impact on the program's participants. Corrections recently relied on the Pew Results First Clearinghouse Database (Pew)—a database that contains an extensive list of CBT programs that researchers have designated as evidence based. Corrections contracts all of the teaching of the four elements of its CBT programs we reviewed—anger management, family relationships, criminal thinking, and substance abuse disorder treatment—to vendors. Each prison contracts with a single vendor to provide the CBT programs, and every contract we reviewed requires vendors to identify and use evidence-based curricula for their CBT programs.<sup>7</sup> However, according to the deputy director, the contracts do not require that vendors use CBT programs listed as evidence based in Pew.

Due to a lack of oversight by Corrections, a significant portion of the CBT curricula that have been taught at some of the prisons we reviewed were not evidence based. Specifically, we reviewed contracts for vendors that provided CBT classes at 10 of Corrections' 36 prisons and found that 17 percent of their CBT curricula were not designated as evidence based, either by Pew or by other sources provided by Corrections, as shown in Table 4 on the following page. Moreover, three prisons contracted with vendors that used non-evidence-based CBT curricula in at least one-quarter of their classes, and one prison's vendor did not use evidence-based CBT curricula in over half of its classes.

Furthermore, the number of CBT curricula that were evidence based varied widely among prisons, and Corrections is unable to track whether an inmate received evidence-based curricula. For example, in Pelican Bay State Prison, only one of 32 curricula (3 percent) were not evidence based, while at Richard J. Donovan Correctional Facility (R. J. Donovan) nine of the 16 curricula (56 percent) were not evidence based. We analyzed these data to ascertain whether the portion of evidence-based curricula offered by a vendor had a

<sup>7</sup> Corrections' contracts allow it to require vendors to use curricula that is not evidence based. However, Corrections did not exercise this option for any of the CBT curricula we reviewed or discussed in this report.

relationship to the recidivism rates of the inmates those vendors served, but data limitations precluded us from making conclusions in this analysis. According to the deputy director, Corrections has not historically monitored whether inmates receive evidence-based programs, though Corrections has recently changed that.

**Table 4**  
**Number of Evidence-Based CBT Curricula Varies Across Corrections' Prisons**

PRISON	VENDOR	NUMBER OF NON-EVIDENCE-BASED CBT CURRICULA	PERCENT OF NON-EVIDENCE-BASED CBT CURRICULA
R. J. Donovan	Epidaurus <i>dba</i> Amity Foundation	9 of 16	56%
Centinela State Prison	Community Education Centers, Inc.	3 of 11	27
Central California Women's Facility	Epidaurus <i>dba</i> Amity Foundation	2 of 8	25
High Desert State Prison	Phoenix House of California, Inc.	6 of 27	22
California Men's Colony	WestCare California, Inc.	1 of 6	17
San Quentin State Prison (San Quentin)	Center Point Inc.	1 of 7	14
California Institute for Men	Center Point Inc.	1 of 7	14
Kern Valley State Prison	Geo Reentry Services, LLC	6 of 55	11
Folsom	HealthRIGHT 360, Inc.	1 of 11	9
Pelican Bay State Prison	WestCare California, Inc.	1 of 32	3
<b>Total of all 10 prisons</b>		<b>31 of 180</b>	<b>17%</b>

Source: Analysis of Corrections' CBT curriculums and Pew's *Results First Clearinghouse Database*.

Although Corrections collects information on the proportion of curricula vendors offer that are evidence based, it has not imposed sanctions on vendors that did not comply with their contracts. Because these vendors' identified and used CBT curricula that was not all evidence based, the vendors are likely in violation of their contracts. Moreover, Corrections' contract language gives it significant flexibility to sanction vendors for failing to comply with contracts, including termination of the contract. However, the deputy director stated that Corrections wants to ensure that the system is not closed off from new curricula that may be effective. Corrections has provided insufficient oversight to ensure that its vendors at each prison used evidence-based curricula, thereby eliminating its ability to hold them accountable for failing to provide evidence-based curricula.

According to the deputy director, Corrections plans to conduct additional oversight and enforcement in the future. He stated that the next round of CBT contracts will require each vendor to use only curricula that are designated as evidence based by Pew and indicated that Corrections will enforce that standard. He further stated that Corrections will use the data it collects on vendors' CBT curricula, as well as on-site checks, to determine whether vendors are abiding by the terms of their contracts by teaching only evidence-based curricula. If a vendor does not abide by the terms of its contract, Corrections will initiate a disciplinary process, beginning with a 30-day corrective action plan and escalating to a rebid of that contract if the vendor does not fix the issue.

Corrections has already taken some first steps to help ensure that CBT vendors are complying with their contracts by commissioning the University of California, Irvine (UC Irvine) to produce a report that examined various existing industry best practices and identified ways to strengthen Corrections' contract compliance process. The report examined Corrections' oversight of vendors responsible for conducting CBT programs and recommended changes to the Program Accounting Review (program review) used by Corrections to ensure that vendors are complying with their CBT program contracts and that the programs are being delivered as intended. Specifically, UC Irvine recommended that the program review increase the number of group observations and the number of participant interviews, and add questions to measure factors such as the level of trust that class participants demonstrate. These changes also included increasing the amount of time the program analyst spends at the prison and conducting more staff interviews to assess the program. Two prisons piloted the resulting new program review in 2018. Corrections has stated that it agrees with UC Irvine's recommendations for improving contract compliance and has adopted the new program review, beginning in January 2019.

### **Recommendations**

To ensure that Corrections has reliable tools for assessing the needs of its inmate population, it should validate COMPAS and CSRA by January 2020 and revalidate all of its assessment tools at least every five years.

To ensure that Corrections is able to discover and prioritize the most effective CBT rehabilitation curricula, it should begin using its ability to record the individual CBT curricula inmates receive, and then use this information in an analysis of its rehabilitation programs in 2020.

To ensure that its CBT classes are effective at reducing recidivism, Corrections should amend its CBT contracts to require vendors to teach only evidence-based curricula as designated by Pew and should provide adequate oversight, including implementing UC Irvine's contract compliance recommendations, to ensure that its vendors adhere to this standard by January 2020.

## Corrections Is Failing to Place Inmates Into Appropriate Rehabilitation Programs, Leading to Inmates Being Released From Prison Without Having Any of Their Rehabilitation Needs Met

---

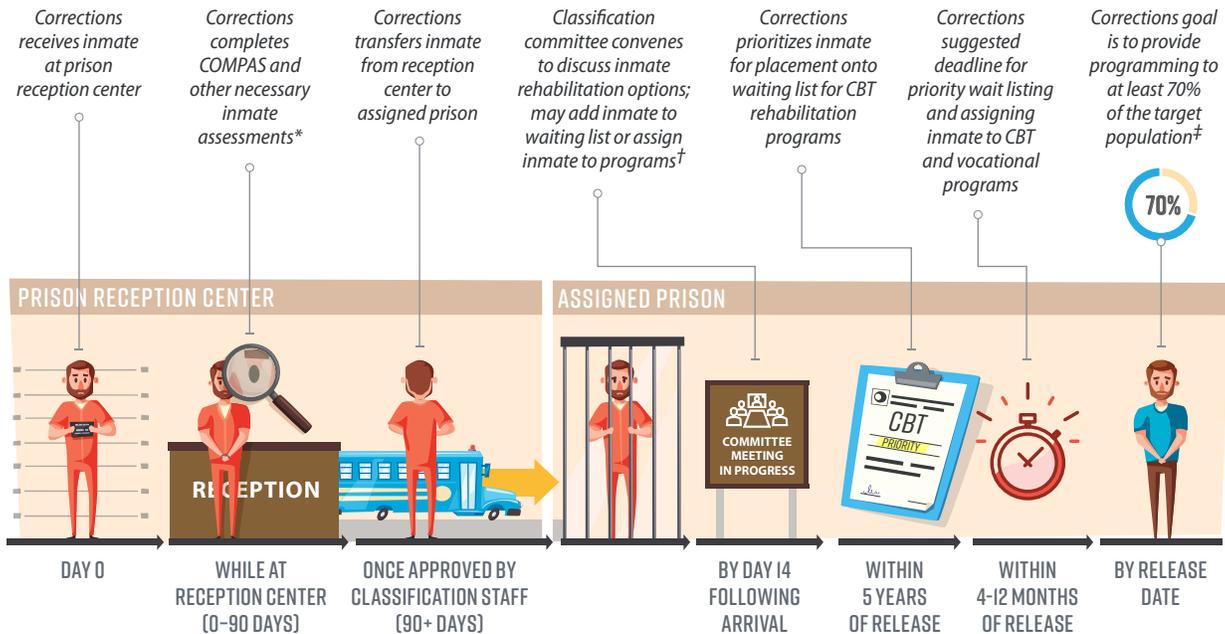
### Key Points

- Corrections has neither consistently placed inmates on waiting lists for needed rehabilitation programs nor prioritized those with the highest need correctly. This has contributed to Corrections' failure to meet any rehabilitative needs for 62 percent of the inmates released in fiscal year 2017–18 who had been assessed as at risk of recidivating.
- Corrections is having difficulty fully staffing its rehabilitation programs at all of its prisons.
- Corrections' rehabilitation programs at the three prisons we reviewed have lower enrollment rates than their budgeted capacity.

### Corrections Has Neither Placed Inmates on Program Waiting Lists Appropriately Nor Assigned Inmates to the Programs Necessary to Address Their Rehabilitative Needs

Using Corrections' inmate data, we determined that during fiscal year 2017–18 Corrections did not meet its goal of providing rehabilitative programming to 70 percent of its target population—inmates who have a moderate to high risk of recidivating and a moderate to high need for rehabilitative programming prior to their release. Specifically, we found that 24,000 of the inmates released during fiscal year 2017–18 had a moderate to high risk of recidivating and a moderate to high need for at least one rehabilitation program. Of those inmates, only 9,000—or 38 percent—completed or were assigned to a program at some point between October 2014, when SOMS went live, and the date the inmate was released from prison. Thus, 62 percent of the inmates released in fiscal year 2017–18 who had been assessed as having rehabilitative needs and having a risk of recidivating were released without any of these needs having been met.

Although Corrections assesses the rehabilitative needs of inmates, it has not consistently placed inmates onto waiting lists for rehabilitation programs or assigned inmates who are on waiting lists to needed classes. Department policies require Corrections to give priority for assignment to programs to inmates who are within two years of their release. Corrections' policies and regulations further require its staff to administer COMPAS rehabilitative assessments to inmates during the reception center process when first incarcerated, or during the annual review process. Figure 5 on the following page depicts the assessment and waiting list process. Corrections' policies require that it place inmates onto rehabilitation program waiting lists generally within five years of their scheduled release, depending on the types of programs an inmate needs.

**Figure 5****State Law and Corrections' Policies Require Prisons to Assess Inmates' Rehabilitation Needs and Attempt to Address Those Needs Before Their Release Dates**

Source: Analysis of state law and Corrections' policies and procedures.

Note: Individual prisons may alter this timeline, if necessary, based on the needs of the prison.

\* Corrections also performs COMPAS assessment during inmates' annual classification committee review process if they have not completed a COMPAS assessment at the reception center.

† Corrections prioritizes inmates for placement into academic programs throughout their incarceration. Additionally, inmates can be prioritized for vocational programs until they are within 12 months of release.

‡ Corrections identifies inmates within its target population as inmates assessed with a moderate to high risk of recidivating and a moderate to high rehabilitation program need.

Our detailed review of records for 60 inmates who were in prison as of September 2018 showed that Corrections had failed to place 20, or 33 percent, of them onto waiting lists within five years of their scheduled release.<sup>8</sup> Of further concern is that 14 of these 20 inmates did not have enough time left to serve before their scheduled release dates to complete their needed classes, making it impossible for these inmates to receive the rehabilitation programs they need.

Although Corrections' policy requires prisons to place inmates onto waiting lists within five years of release, it gives the correctional counselors latitude as to when that placement actually occurs. According to the deputy director, Corrections allows each prison,

<sup>8</sup> We excluded programs designed for inmates serving lengthy periods of incarceration, such as life with the possibility of parole.

through the classification committee and correctional counselors, to independently determine when to place inmates on waiting lists. As a result, some prisons immediately place inmates onto waiting lists during the initial classification committee meeting, and other prisons wait until inmates get closer to their expected release date. However, if inmates are not on waiting lists, assignment officers—local Corrections staff responsible for manually assigning inmates from waiting lists into rehabilitation classes—may not be aware that they are in need of a particular program and may fail to assign them to one when space becomes available. In one example from the 60 inmate records we reviewed, Corrections did not place an inmate with a high rehabilitative need for substance abuse disorder treatment on a waiting list for a substance abuse class, even though the inmate was due to be released from prison in 2018 after being incarcerated for more than three years. Because of Corrections' inadequate oversight of correctional counselors at individual prisons, inmates are not consistently being placed on waiting lists, and as a result, some are not getting assigned to needed programs.

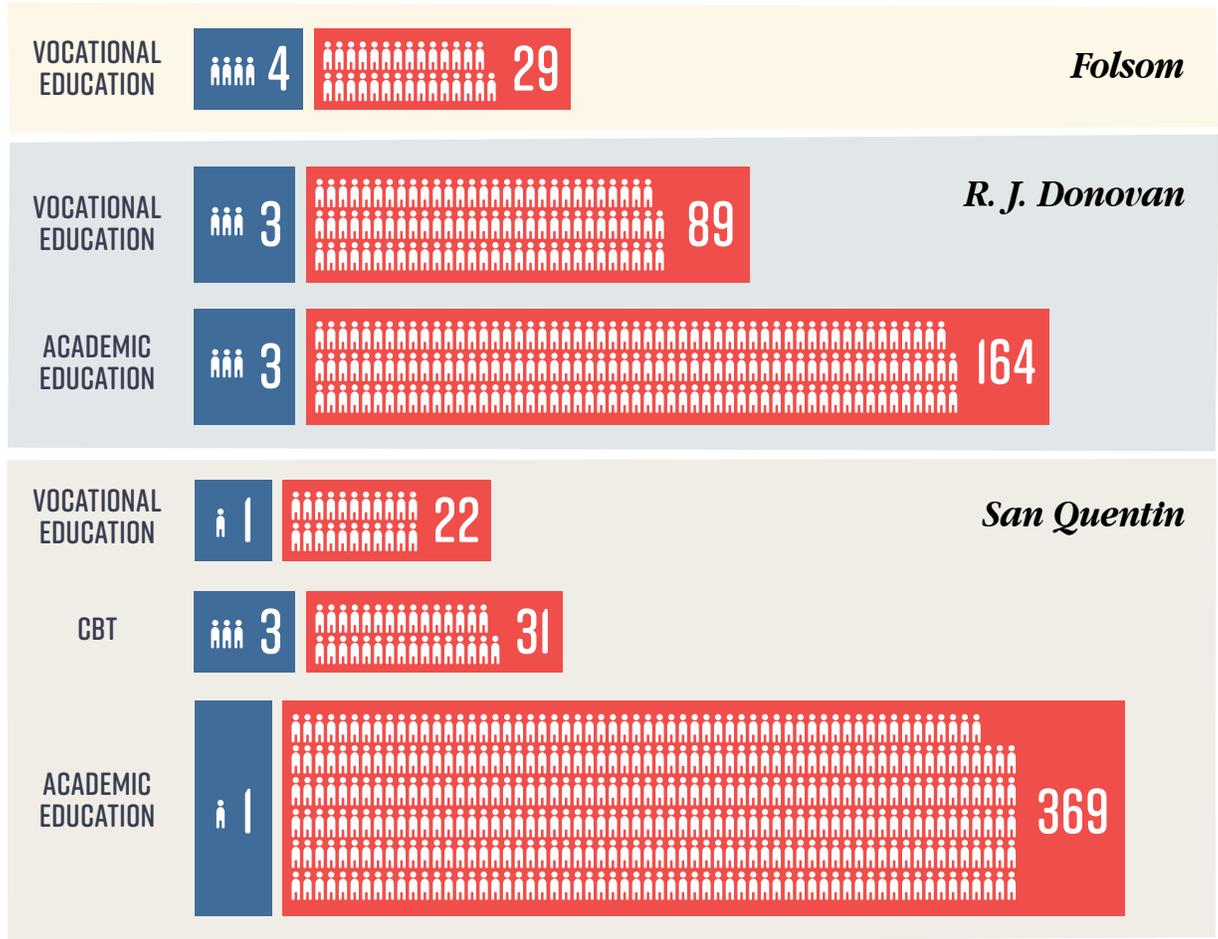
However, even when Corrections followed its own processes and placed inmates on waiting lists for rehabilitation programs within the appropriate time frame, it did not consistently assign all inmates from the waiting lists to necessary rehabilitation classes before their release from prison. Corrections' policy requires prisons to assign inmates to CBT classes within two years of release, and to academic and vocational programs within four years of release, but it gives assignment officers discretion as to when that assignment actually occurs. Our detailed review of the aforementioned 60 inmate records found that Corrections failed to assign six inmates—10 percent—to the classes they needed to meet their rehabilitative needs, even though they were on waiting lists for those classes. Furthermore, at the time of our review none of the six had enough time left in their respective sentences to complete the courses they needed.

Of additional concern is that the CBT programs we reviewed could accommodate additional inmates, as their vacancy rates average 24 percent. In one example, despite a 24 percent vacancy rate for substance abuse programs during fiscal year 2017–18 at Folsom, Corrections did not assign an inmate to the five-month program, even though the inmate was a high risk for recidivating, had a high need for substance abuse programming, and was in prison for more than a year. According to the Folsom correctional counselor III, among the reasons that an inmate with a rehabilitative need may not be assigned to a rehabilitation program are the inmate being assigned to another program and concern that the inmate's enrollment in the class may be a security threat to the staff, other inmates, or the prison.

In addition, the waiting lists that Corrections uses to prioritize inmates' placement into rehabilitation programs do not reflect the priorities that Corrections identified in its blueprint. Specifically, the blueprint prioritizes inmates with a moderate to high risk of recidivating and a moderate to high need for rehabilitation programs. However, in practice, Corrections is not prioritizing inmates with a high risk to recidivate and a high need for the rehabilitation programs. Moreover, when the correct inmates are not assigned to rehabilitative programming, those inmates can be denied the opportunity to earn rehabilitation program credits that reduce their time left to serve.

We examined the records for a selection of 19 inmates placed into rehabilitation programs during fiscal year 2017–18 at the three prisons we reviewed—Folsom, San Quentin, and R. J. Donovan—and found that 15 of the 19 should not have received priority for enrollment. Specifically, of the 19 inmates, four had a low risk of recidivating, four had a low need for the rehabilitation program they were placed in, and seven had a combination of both a low risk and a low need. In each of these instances, we found at least 22 other inmates at the prison who were not currently enrolled in another rehabilitation program and who had a moderate to high risk of recidivating, a moderate to high need for the program, and a scheduled release date within the next five years. As shown in Figure 6, Corrections assigned those 15 inmates ahead of a total of more than 700 other inmates with higher risks and needs who were not enrolled in another rehabilitation program. For example, we reviewed the data for three inmates that Corrections placed into vocational education programs at R. J. Donovan on the same day in April 2018. None of them had a moderate to high need for vocational education, and only one had a moderate to high risk of recidivating. Further, when we reviewed the inmate population for R. J. Donovan on that day, we found 89 inmates who should have received higher priority because they were not currently enrolled in another rehabilitation program and had a moderate to high risk of recidivating, a moderate to high need for the program, and a scheduled release date within the next five years.

**Figure 6**  
**Corrections Assigned 15 Inmates at the Three Prisons We Reviewed to Rehabilitation Programs Even Though More Than 700 Other Inmates Had Higher Risks and Needs**



-  Inmates that Corrections assigned to rehabilitation programs
-  Inmates who *should have been* a higher priority for assignment to rehabilitation programs

Source: Analysis of SOMS data.

According to internal documents we reviewed, Corrections is aware that its waiting lists have been ineffective at prioritizing inmates based on their risks and needs. The deputy director noted that the waiting list had been useful for certain purposes, but an internal Corrections document from March 2018 stated that “the waiting list has been useless for assigning inmates to rehabilitative program assignments since implementation because it does not address any rehabilitative case factors.” Specifically, the current waiting lists do not consider rehabilitative case factors when prioritizing inmates for assignment, such as the inmate’s CSRA and COMPAS scores. As of December 2018, Corrections is in the process of developing a

solution to update the waiting list system to one that is more dynamic and will allow Corrections to update the criteria to match its priorities, with an expected completion date of April 2019. Because Corrections has not held prisons accountable for putting inmates onto waiting lists within five years of their scheduled release and has not enforced a consistent process to assigning inmates into classes, it is failing to maximize the number of inmates who receive rehabilitation programs.

### **Corrections Is Not Staffing Rehabilitation Programs at the Levels Needed to Run Them Effectively**

Corrections has yet to staff its rehabilitation programs at levels sufficient to meet its staffing goals for its rehabilitation programs. As part of its blueprint, Corrections committed to an increase in its rehabilitative staff to support its new standardized staffing plan. The new staffing plan redistributed resources to correspond to the reduction in the inmate population due to realignment and the increased need for staff dedicated to inmate rehabilitation programs. It set a goal of providing rehabilitation programming to 70 percent of inmates who have a moderate to high risk of recidivating and medium to high rehabilitation programming needs before their release. Corrections has performed several staffing-level assessments over the past several years, and rehabilitation program staffing levels have increased since the 2012 blueprint. Using inmate data, we verified that Corrections' budgeted staffing levels for fiscal year 2017–18 for its vocational and academic education programs were sufficient for it to achieve its goal of providing rehabilitative services to 70 percent of its target population. Although we found that the staffing assessments that Corrections has performed are reasonable, the programs need to be fully staffed for the rehabilitation programs to have their maximum impact.

Corrections has historically struggled with high staff vacancy rates for its academic and vocational education programs, which are run by its own staff, and this has limited the opportunities for inmates to participate in these two types of rehabilitation programs. For example, according to the Inspector General's 2013 *Blueprint Monitoring Report*, Corrections had vacancies in 20 percent of its rehabilitation staff positions as of August 2013. Although Corrections has improved its staffing levels, these two programs combined still had a 13 percent vacancy rate according to the 2018 *Blueprint Monitoring Report*, as shown in Table 5.<sup>9</sup> The deputy director believes that an appropriate level for rehabilitative programming would be to have vacancies in

<sup>9</sup> Corrections contracts with third-party vendors to provide inmate programming for its CBT programs, which do not use Corrections staff. According to the *Blueprint Monitoring Report*, these CBT programs are largely operational and vendors were operating all but a small number of CBT classes. According to the deputy director, it would be cost prohibitive for Corrections to create and fund state positions for supervision and lower-level facilitators for its CBT programs.

less than 10 percent of budgeted positions. Additionally, the deputy director stated that some reasons the vacancy levels were higher than 10 percent included the large-scale expansion of rehabilitation programs over the last few years and the difficulty of hiring certain educational classifications in remote locations. However, Corrections' inability to meet its rehabilitative staffing requirements means it may not be able to meet its goals of providing rehabilitation programs to those inmates who need them prior to release and maximizing the programs' positive impacts.

**Table 5**  
Corrections Had Vacancies in More Than 10 Percent of Its Budgeted Rehabilitation Program Staff Positions

CORRECTIONS' STAFFED REHABILITATION PROGRAMS*	DECEMBER 2017 TO JANUARY 2018			
	BUDGETED STAFF	ACTUAL PROGRAM STAFF	NUMBER OF VACANT POSITIONS	PERCENTAGE OF VACANT POSITIONS
Academic education	543	491	52	10%
Vocational education	304	250	54	18
<b>Totals</b>	<b>847</b>	<b>741</b>	<b>106</b>	<b>13%</b>

Source: Analysis of the Inspector General's *Ninth Report: Blueprint Monitoring*, dated July 2018.

Note: Actual numbers were identified by the Inspector General's staff during on-site visit reviews of each prison from December 2017 through January 2018.

\* This table does not include staffing levels for CBT, substance abuse, or preemployment Transitions programs because those programs are staffed through third-party vendors. According to the *July 2018 Blueprint Monitoring Report*, these vendor-operated programs had a combined vacancy rate of 7 percent. The table also does not include CalPIA staffing vacancies.

### The Low Enrollment Rates of Corrections' Rehabilitation Programs Reduce Their Benefit to Inmates and the State

High staff vacancy rates and a failure to place inmates on program waiting lists has resulted in Corrections not utilizing all of its programs' budgeted capacity. Although Corrections has expanded its rehabilitation programs to all 36 prisons, prison staff have not enrolled the maximum number of inmates in each rehabilitation class. As shown in Table 6 on the following page, the three prisons we reviewed enrolled inmates to fill 76 percent of their budgeted capacity for academic education programs, 76 percent for CBT programs, and 68 percent for vocational education, on average, during fiscal year 2017–18.<sup>10</sup> We calculated enrollment rates by comparing the number of inmates enrolled in each program category with each category's budgeted capacity. At individual prisons, we found that R. J. Donovan, at 67 percent, had the lowest academic enrollment rate;

<sup>10</sup> We could not calculate the enrollment rates for volunteer programs because Corrections does not adequately track this information.

San Quentin had the lowest CBT enrollment rate, at 67 percent; and R. J. Donovan had the lowest vocational enrollment rate, at 40 percent.

**Table 6**  
The Three Prisons We Reviewed Did Not Enroll the Maximum Number of Inmates in Their Rehabilitation Programs During Fiscal Year 2017–18

	PRISON	MONTHLY AVERAGE BUDGETED INMATE CAPACITY	MONTHLY AVERAGE NUMBER OF ENROLLED INMATES	ENROLLMENT RATE
Academic education	Folsom	537	415	77%
	R. J. Donovan	702	471	67
	San Quentin	319	292	92
	<b>Average</b>	<b>519</b>	<b>393</b>	<b>76%</b>
CBT programs*	Folsom	251	190	76%
	R. J. Donovan	240	206	86
	San Quentin	264	178	67
	<b>Average</b>	<b>252</b>	<b>191</b>	<b>76%</b>
Vocational education	Folsom	351	300	85%
	R. J. Donovan	270	107	40
	San Quentin	162	125	77
	<b>Average</b>	<b>261</b>	<b>177</b>	<b>68%</b>
CalPIA's vocational programs <sup>†</sup>	Folsom	100	26	26%
	San Quentin	56	44	79
	<b>Average</b>	<b>78</b>	<b>35</b>	<b>45%</b>

Source: Analysis of SOMS data for fiscal year 2017–18.

\* We excluded programs designated for inmates serving lengthy periods of incarceration, such as life with the possibility of parole.

† CalPIA does not have any vocational programs at R. J. Donovan.

Prisons have been unable to address the causes of low enrollment, which mainly involve problems in hiring staff and the lack of adequate space. Specifically, the R. J. Donovan principal stated that staff shortages and difficulty filling vacant positions affected its vocational enrollment rate, as four of its nine positions were vacant during fiscal year 2017–18 and had been vacant since 2016. Both R. J. Donovan and Folsom indicated that they have continuously posted the vacancies and have even interviewed people to fill the positions. However, for various reasons, they have each been unable to fill them. The Folsom and R. J. Donovan school principals stated that physical space limitations also have restricted the number of students they

can enroll in their classes, preventing the prisons from filling all of the budgeted slots in their academic and vocational courses. For example, the roof in the building where Folsom held three of its vocational classes needed repairs, causing Folsom to reduce the class size in those programs. The R. J. Donovan school principal stated that the fire marshal limited the capacity in at least three of the prison's academic education classes from 27 to 16, a reduction of 33 slots. While Corrections does use space surveys to identify available space for program expansion and select areas, such as kitchens and closets, that it can retrofit for educational purposes, it does not use these reports to find more permanent space solutions.

CalPIA provides additional vocational courses with unique benefits to inmates, including potentially decreasing recidivism at a higher rate than Corrections' rehabilitation programs. As discussed in the Introduction, CalPIA has partnered with various unions to provide inmates with benefits beyond vocational training. Upon completion of its union-affiliated programs, inmates become eligible for each union's apprenticeship program upon release, and receive tools and their first year of union dues from CalPIA. Additionally, in July 2011 CalPIA reported that the recidivism rate for those inmates who completed its vocational education programs was 7 percent, significantly lower than Corrections' overall recidivism rate of 51 percent for inmates released in fiscal year 2010–11. CalPIA's ability to select inmates with a minimum or medium security level for placement into its programs could be affecting its recidivism rate.

.....  
**In July 2011, CalPIA reported that the recidivism rate for those inmates who completed its vocational education programs was 7 percent.**  
.....

However, CalPIA has not updated this rate in seven years, and in February 2017 it entered into an agreement with UC Irvine to recalculate the recidivism rate. CalPIA estimated that this recalculation will be complete in May 2019. In addition, as noted previously, drastic changes in the prison population, including an increase in the number of inmates in custody for violent crimes, warrant a recalculation of the recidivism rate for inmates that have completed CalPIA's vocational programs.

Despite the potential benefits, CalPIA's vocational programs have low inmate enrollment rates. CalPIA's enrollment rates at all of the nine prisons where it has vocational programs averaged only

48 percent during fiscal years 2014–15 through 2017–18. Further, we found that Folsom used only 26 percent of CalPIA’s vocational programs’ capacity, while San Quentin used 79 percent, for an average of 45 percent across the two prisons. CalPIA’s manager of vocational education programs (CalPIA manager) stated that the process by which Corrections assigns inmates to CalPIA programs has limited the number entering its programs. Once an inmate arrives at a prison, Corrections requires that he or she meet with a classification committee that is responsible for placing inmates into programs based in part on their needs. However, according to the CalPIA manager, CalPIA staff cannot regularly attend these meetings, and as a result the committee is giving priority to Corrections’ rehabilitation and work programs over CalPIA’s programs, thereby limiting the number of inmates CalPIA can select. The deputy director indicated that classification is a local responsibility and that Corrections does not have a statewide policy that requires inmates to take specific rehabilitation courses over others.

Although CalPIA has been working with Corrections to address the low enrollment in its vocational programs, resulting in modest improvements, its programs continue to be underutilized. To better ensure that inmates receive vocational education, CalPIA and Corrections established a pilot program in May 2018 that would automatically enroll inmates into Corrections or CalPIA vocational courses before assigning them to prison jobs. Specifically, at select prisons CalPIA hired representatives to play a more active role in the classification process by attending committee meetings and increasing interaction with inmates and classification staff to encourage enrollment in CalPIA vocational education programs. Corrections began implementing this pilot program at five prisons in August 2018, encompassing 12 CalPIA vocational programs, and thus far the enrollment rate has increased from 44 percent of capacity in July 2018 to 53 percent in October 2018. According to CalPIA’s general manager, it is in the process of expanding the pilot program to all prisons where CalPIA offers vocational education. Although CalPIA’s programs remain significantly underutilized, it is planning to expand from the nine prisons where it currently provides vocational programs to offer opportunities to inmates at 18 prisons in fiscal year 2018–19.

## Recommendations

To ensure that inmates with the highest risks and needs are wait listed, prioritized, and assigned appropriately, Corrections should do the following:

- Require correctional counselors to place inmates onto waiting lists once they have five years or less on their sentences.
- Update its waiting list system to prioritize inmates with rehabilitative needs and risks in its target population.
- Assign inmates to rehabilitation programs in accordance with its policies.

To ensure that it can meet the rehabilitation needs of its inmates, Corrections should develop and begin implementing plans to meet its staffing-level goals for rehabilitative programming by January 2020 and should implement a process to continuously update and monitor these goals.

To increase the space available for rehabilitation programs, by January 2020 Corrections should analyze and report on its current infrastructure capacity compared to its needs for the programs. The report should include the current space available and the square footage needed. If the report indicates that additional space is necessary, Corrections should work with the Legislature to address those needs.

To improve the inmate enrollment rates in CalPIA's vocational education programs, CalPIA and Corrections should require a CalPIA representative to attend all classification committee meetings at all nine prisons where CalPIA offers vocational education. Corrections should also ensure that it enrolls eligible inmates in CalPIA's vocational programs before filling spots in its own vocational programs. In addition, if the CalPIA recidivism study indicates that CalPIA's vocational programs are better at reducing recidivism than Corrections' vocational programs, CalPIA should request funding from the Legislature to expand its vocational training program.

Blank page inserted for reproduction purposes only.

## Additional Oversight Is Needed to Ensure the Effectiveness of Corrections' Rehabilitation Programs

---

### Key Points

- Corrections has neither developed any performance measures for its rehabilitation programs, such as a target reduction in recidivism, nor assessed program cost-effectiveness.
- Corrections has not analyzed whether its rehabilitation programs reduce recidivism, and it needs to collect additional data and take steps to ensure that CBT programs are being delivered as intended across all of its prisons.
- Although the Inspector General and C-ROB perform some limited oversight of Corrections' rehabilitation programs, neither is well suited to conducting the comprehensive analysis needed to determine whether those programs are effective at reducing recidivism or are cost-effective.
- C-ROB is well positioned to oversee Corrections' processes for creating and monitoring rehabilitation programs' performance for cost-effectiveness, and for contracting with an external researcher to analyze the programs' effectiveness at reducing recidivism.

### Corrections Has Neither Established Performance Measures for Its Rehabilitation Programs Nor Measured Their Cost-Effectiveness

Because one of the primary goals of rehabilitation programs is to reduce recidivism, we expected to find that Corrections had established performance measures for its programs—such as a target decrease in recidivism—to ensure that they achieve their intended result and are cost-effective for the State; however, we found that it has not done so. Developing meaningful and accurate targets is a critical step in ensuring that rehabilitation programs are achieving their desired outcomes. The deputy director stated that several barriers have historically inhibited Corrections from setting recidivism goals, including statutory changes for inmate sentencing. However, he noted that if done appropriately, a specific goal for reducing recidivism would be useful. We believe that establishing annual targets for reducing recidivism would be both useful and feasible.

Many other states have set specific goals for reducing recidivism and are receiving assistance in meeting these goals from a federal grant. Specifically, the Statewide Recidivism Reduction Grant (recidivism reduction grant), operated by the U.S. Department of Justice's Bureau of Justice Assistance, requires grantees to focus on specific priorities related to reducing recidivism, including implementing evidence-based practices and focusing on the most at-risk inmates as a condition of receiving up to \$3 million. As an example, Minnesota has set a five-year goal of reducing recidivism by 3 percent with the help of nearly \$3 million in recidivism reduction grant funds. Minnesota is pursuing that goal in a number of ways,

including focusing efforts on the highest-risk inmates and using evidence-based programs. According to the deputy director, he does not believe the division has ever applied for this grant, but it may be interested in doing so in the future.

In addition to setting recidivism targets, Corrections could use other metrics to help improve its performance and to illustrate how effectively it uses state resources. These metrics include the percentages of inmates who enroll in and complete the rehabilitation programs that match their needs. Although Corrections has been increasing the number of inmates it enrolls in its CBT classes, as shown in Table 7, over the time period we reviewed its prisons enrolled only from 16 percent to 22 percent of inmates in their needed CBT courses before they were released. Table 7 also shows that completion percentages for CBT programs ranged from 67 percent to 71 percent over the time period we reviewed. Corrections has a goal of providing rehabilitative services to 70 percent of its target population. However, Corrections does not have specific goals for inmates to complete CBT classes. According to its 2018 annual report, C-ROB emphasized the importance of measuring program outcomes, such as the percentage of inmates completing CBT classes. Until Corrections develops meaningful measures pertaining to program participation and completion, it will not be able to adequately track or evaluate its performance over time.

**Table 7**  
The Number of Inmates Who Enrolled in and Completed at Least One CBT Program Remains Low

FISCAL YEAR OF RELEASE	TOTAL NUMBER OF INMATES RELEASED WITH AT LEAST ONE MODERATE TO HIGH CBT NEED	INMATES ENROLLED IN AT LEAST ONE CBT PROGRAM		INMATES WHO COMPLETED AT LEAST ONE CBT PROGRAM	
		NUMBER	PERCENTAGE	NUMBER	PERCENTAGE
2015–16	25,041	4,006	16%	2,699	67%
2016–17	26,379	4,681	18	3,325	71
2017–18	32,221	7,168	22	4,983	70
<b>Totals</b>	<b>83,641</b>	<b>15,855</b>	<b>19%</b>	<b>11,007</b>	<b>69%</b>

Source: Analysis of SOMS data.

In addition to encouraging better performance outcomes, setting performance targets will also help Corrections and the Legislature ensure that rehabilitation programs are cost-effective. Corrections currently does little to ensure that its rehabilitation programs are cost-effective and has not conducted cost-effectiveness studies. However, Corrections has much of the information needed to do so. For example, Corrections estimated that it cost approximately \$79,000 annually to incarcerate an inmate in fiscal year 2017–18. Based on its rehabilitation budget and the number of inmates who completed

rehabilitation programs during that same fiscal year, we estimate that it cost the State about \$8,500 for each inmate that completed one or more rehabilitation programs. Thus, as shown in the text box, Corrections might be able to demonstrate that its programs are at least cost neutral if they keep just one out of every nine inmates who completed them from recidivating. It is important to note that this example does not include the avoided societal cost for the crime that triggered the reincarceration.

Although Corrections plans to coordinate with external researchers to conduct a performance evaluation of the rehabilitation programs—which may include a high-level cost-effectiveness analysis—over the course of the next two years, Corrections has taken no formal steps to initiate this process. Because the Legislature provided Corrections with a significant budget increase so that it could expand rehabilitation programs to all prisons in the State, it is vital that Corrections demonstrate that the additional investment was worthwhile.

### Corrections Has Not Conducted a Comprehensive Evaluation of Its Rehabilitation Programs to Determine Whether They Are Effective

Corrections has not determined the overall effectiveness of its rehabilitation programs, including whether its programs reduce recidivism. State law encourages Corrections to develop rehabilitation programs designed to promote behavioral change and prepare inmates to successfully reintegrate into their communities. While Corrections has examined the effectiveness of its substance abuse classes, it has not conducted an analysis of the outcomes of its other rehabilitation classes or an analysis to see what classes are most effective at reducing recidivism. Thus, it is unclear how Corrections can demonstrate that its programs promote behavioral change and prepare inmates to successfully reintegrate into their communities. A comprehensive review of the rehabilitation programs' effectiveness is especially important given that our preliminary analysis found little evidence that Corrections' programs as they are currently administered reduce recidivism.

According to the deputy director, although systematically evaluating Corrections' rehabilitation programs would be valuable, this has not yet been possible, as Corrections did not extend its CBT programs to all of the prisons in the system until 2016. Therefore, according to the deputy director, it will not be possible to obtain recidivism

#### Rehabilitation Programs Need to Reduce Recidivism by Only a Small Amount to Be Cost Neutral

- Total annual cost of incarcerating an inmate = **\$79,000**
- Cost to provide one or more rehabilitation courses to an inmate =

<b>\$298 million</b> (rehabilitation budget)	=	\$8,500 per inmate completing one or more rehabilitation programs*
35,000 inmates completing programs during fiscal year 2017–18		

- \$8,500 = 11% of \$79,000 (meaning that an 11% decrease in recidivism will be cost neutral)
- Therefore, if rehabilitation programs keep **11 percent**, or one out of nine inmates who complete them, from recidivating, the programs become cost neutral.

Source: Analysis of the fiscal year 2018–19 Budget Act and Corrections' monthly Rehabilitation Program reports throughout fiscal year 2017–18.

\* We have excluded the cost and number of completions associated with CalPIA vocational education programs from this calculation.

information on inmates enrolled in CBT, vocational, and academic education programs until fiscal year 2020–21 because California calculates recidivism rates by examining whether inmates have been convicted of committing another misdemeanor or felony within three years of their release. He also stated that conducting such a study of Corrections' rehabilitation programs would be costly and would require a good deal of time. Further, Corrections never conducted this type of study in the past because, according to Corrections' SOMS user project manager and data integrity group lead, before the implementation of SOMS in October 2014 Corrections did not have reliable rehabilitation program data. With the implementation of SOMS, Corrections now centrally tracks program information, such as enrollment and outcomes, which will make a future recidivism study possible. A rehabilitation program administrator at one of the prisons we examined stated that outcome data for CBT programs would be very valuable in comparing the effectiveness of programs from year to year. However, until Corrections both analyzes its existing data and enough time passes to ascertain inmates' recidivism rates, details on the effectiveness of its rehabilitation programs will continue to be lacking.

.....

**Corrections now centrally tracks program information, such as enrollment and outcomes, which will make a future recidivism study possible.**

.....

Although Corrections has never conducted an analysis to determine the effectiveness of its rehabilitation programs, it has taken some initial steps to ensure that it gathers program-related data consistently at all of its prisons and that vendors conduct CBT programs in the same manner statewide. Specifically, it has contracted with UC Irvine to examine ways to improve the uniformity of some of its CBT classes and the data gathered from those classes. UC Irvine produced a report for Corrections that provides recommendations to ensure that vendors implement CBT programs consistently across all prisons. Although this evaluation by UC Irvine tested only a small number of CBT classes, and its review did not attempt to determine their overall effectiveness, it was an important first step to ensure that Corrections is gathering data and implementing CBT programs appropriately and consistently across its prisons.

UC Irvine's report examined how Corrections could improve measurements of program fidelity in CBT programs. Program fidelity concerns the degree to which a program is delivered as intended.

Ensuring that these programs are delivered as intended is vitally important, as the UC Irvine report states that program fidelity in evidence-based CBT programs is strongly correlated to reduced recidivism. The report recommends that Corrections adopt a program fidelity checklist (checklist) to help ensure that its CBT programs are being taught in a similar manner across its prisons. The checklist—which UC Irvine created for Corrections—would integrate measures such as adherence to the type of treatment, the amount of time inmates spend in class, and the quality of teaching. The deputy director stated that historically a lack of program fidelity has made it difficult to assess program performance and the performance of vendors across its facilities. According to the deputy director, Corrections has not had time to implement the checklist, as UC Irvine released the report at the end of June 2018, but it plans to do so by the end of fiscal year 2018–19. Until Corrections implements the checklist across all of its prisons, the vendors may not be implementing CBT programs as designed. Therefore, Corrections will be unable to ensure that the programs are as effective as possible at all of its prisons.

Additionally, the deputy director stated that Corrections intends to measure the effectiveness of its vocational education programs in both reducing recidivism and increasing the ability of inmates to find employment after release, but it has had difficulty in doing so. Corrections uses an agreement with the California Workforce Development Board and Employment Development Department (EDD) to track employment and the type of employment for former inmates who received vocational education programs. For example, Corrections could track whether inmates who received plumbing classes eventually became plumbers. However, according to EDD’s privacy and disclosure program coordinator, its system uses Social Security numbers to identify individuals. According to a work group report issued by the Prison to Employment Initiative—a state-funded group created to improve inmates’ employability—the Social Security numbers in SOMS come from DOJ “rap sheets.” State regulations restrict Corrections’ ability to provide inmates’ Social Security numbers, permitting it to do so only on a need-to-know basis to persons or agencies specifically authorized to receive the information, which, according to Corrections’ assistant general counsel, is preventing EDD from getting the data it needs to track inmate employment.

.....

**Corrections has had difficulty measuring the effectiveness of its vocational education programs in both reducing recidivism and increasing the ability of inmates to find employment.**

.....

To attempt to correct this issue, representatives from DOJ, Corrections, and EDD stated that they have made recent efforts to change state law to explicitly allow them to share the Social Security numbers, but thus far they have been unsuccessful. According to the deputy director, Corrections would like to conduct this analysis of vocational education outcomes, but it has no plans to do so until the issue of using inmates' Social Security numbers is resolved. Additionally, a former prison warden now involved in efforts to assist inmates with finding employment after release noted that some inmates claim to have multiple Social Security numbers, which would further complicate tracking inmate employment post-release. The inability of Corrections to track inmates' employment after release means that it is very difficult to know how effective its education and job training programs are at preparing inmates for the workforce.

Although Corrections has expanded its volunteer programs to underserved locations and increased the number of volunteer program opportunities for inmates, it has not yet determined whether any of its volunteer programs are effective at reducing recidivism or produce other positive effects. Provided by nonprofits and volunteers, the programs include substance abuse support groups, animal therapy, parenting classes, and health and wellness programs. Corrections staff do not teach or participate in the programs, but rather oversee them and perform administrative tasks related to these programs. In fiscal year 2017–18, volunteer programs had a budget of over \$11 million and enrolled an average of 61,000 inmates per month.<sup>11</sup> The significance of these programs increased in 2016 with the passage of Proposition 57, which provided the opportunity for inmates to receive time off their sentence if they completed some of these volunteer programs. However, according to a SOMS user project manager and data integrity group lead, Corrections is not required to report on the outcomes of these volunteer programs, and according to the deputy director, it has only recently begun to contemplate how best to define the effectiveness of these programs.

.....

**Corrections has only recently begun  
to contemplate how best to define the  
effectiveness of its volunteer programs.**

.....

<sup>11</sup> This amount includes \$3 million for innovative grants and \$8 million for programs associated with the California Arts Council.

Although Corrections is planning to measure the effectiveness of some of its volunteer programs, it has not made sufficient progress in doing so. The deputy director noted that it is considering partnering with the Public Policy Institute of California (PPIC), with a focus on determining how to measure the effectiveness of the 192 volunteer programs that receive grants from Corrections.

Corrections or PPIC could expand the research to include all volunteer programs, which total approximately 3,800. However, as of November 2018, they had yet to reach a formal agreement and had not yet defined the research scope. Without measuring the effectiveness of these programs, Corrections will not know which volunteer programs are working well and should be expanded to other prisons and which it should shut down because they provide no positive outcome.

#### **Entities Responsible for Providing Oversight of Corrections' Rehabilitation Programs Have Limited Resources to Determine Whether the Programs Reduce Recidivism**

Although the Legislature has tasked the Inspector General and C-ROB with evaluating elements of Corrections' rehabilitation programs, these entities do not have sufficient resources to conduct an analysis of whether the programs reduce recidivism or are cost-effective. The Legislature gave the Inspector General responsibility for conducting oversight of Corrections' implementation of the blueprint but, as described below, eliminated its authority to self-initiate reviews not specifically requested by the Governor or state lawmakers. Within its current authority and resources, the Inspector General reviews unaudited Corrections rehabilitation program data and performs site visits to determine whether Corrections is meeting the goals set forth in the blueprint. For example, the Inspector General reviewed rehabilitation program data and found Corrections deficient in meeting its blueprint goal to provide programming to at least 70 percent of the target inmate population.

A second entity, C-ROB, has been tasked by the Legislature with conducting reviews of designated rehabilitation programs operated by Corrections, including reviewing "the effectiveness of treatment efforts." However, C-ROB is not structured or staffed adequately to determine whether these programs are effective at reducing recidivism. C-ROB is an 11-member board that includes state officials, such as the inspector general serving as chair, the secretary of Corrections, and the state superintendent of public instruction, as well as university faculty members and local law enforcement representatives. State law requires C-ROB to meet at least twice a year and to examine the various Corrections rehabilitation

programs for inmates and report its findings and recommendations to the Legislature, including the effectiveness of treatment efforts and the assessed rehabilitation needs of the inmates, among other topics. Although state lawmakers provided initial funding of \$517,000 to the Inspector General to support C-ROB, which allowed the Inspector General to hire two C-ROB support staff, they discontinued this funding in 2011.

Officials from the Inspector General's office explained that, despite the loss of designated resources, the Inspector General has continued to support C-ROB by absorbing certain administrative expenses into its own budget and by having its staff work on C-ROB initiatives. According to these officials, Inspector General staff work on behalf of C-ROB to conduct site visits to prisons and gather rehabilitation program data, which they use to create an annual report given to C-ROB for approval. For example, Inspector General staff collected data for C-ROB on Corrections' rehabilitation programming enrollment and capacity from June 2016 through June 2018 to analyze how effectively Corrections fills spots for its rehabilitation programs. Similar to our own analysis, the Inspector General found low inmate enrollment. However, with a recent 42 percent budget reduction in the Inspector General's budget, we do not believe it would be reasonable to assume that the Inspector General could support an effort by C-ROB to use its authority to examine whether Corrections' rehabilitation programs are effective. Rather, as outlined in the next section, C-ROB—with limited support from Inspector General staff—could provide oversight of Corrections' efforts to complete and report the results of a comprehensive analysis of the effectiveness of its rehabilitation programs.

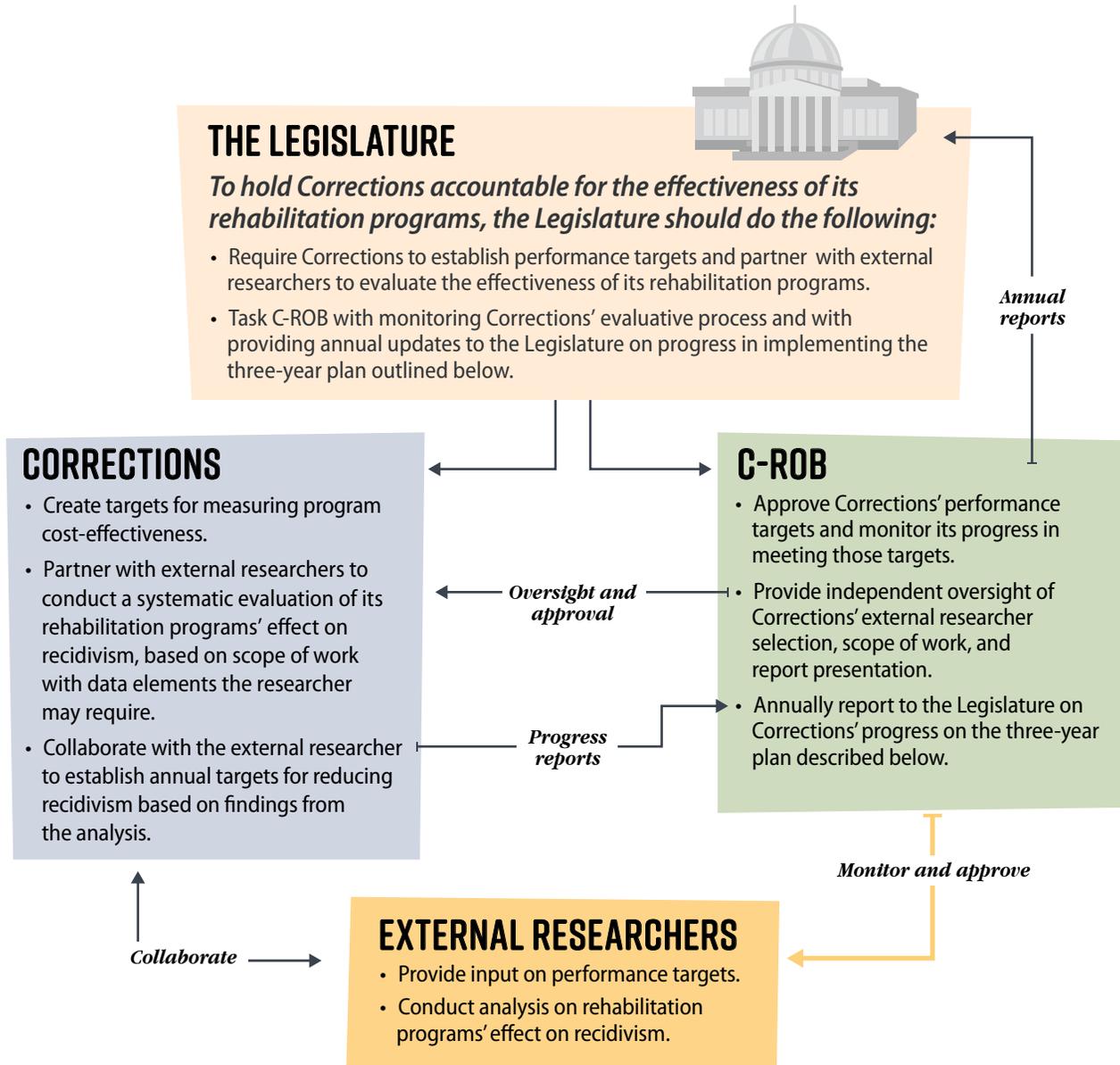
### **Oversight Is Necessary to Ensure That Corrections Evaluates the Effectiveness of Its Rehabilitation Programs**

The Legislature, Corrections, and C-ROB must work in concert to determine the extent to which rehabilitation programs are reducing recidivism and are cost-effective. We did not identify any law or regulation requiring Corrections to establish performance measures, track how well it meets those goals, or conduct any analysis to determine whether its adult, in-prison rehabilitation programs are effective at reducing recidivism. Further, there is no executive branch oversight entity specifically responsible for ensuring that Corrections performs any of these activities. However, the Legislature can require Corrections to undertake these endeavors and report on its progress annually. In addition, C-ROB has the expertise to oversee Corrections' rehabilitation

programs to ensure that Corrections contracts with an external researcher, develops appropriate targets for its rehabilitation programs, and issues reports about its progress on an annual basis. As noted earlier, because Corrections began to offer programs in all prisons in fiscal year 2016–17, the recidivism data necessary to conduct an analysis will not exist until fiscal year 2020–21. Thus, we believe a three-year plan—beginning in fiscal year 2019–20—would provide ample time for Corrections and its external researcher to collect, analyze, and report on whether its programs are effective. Figure 7 on the following page summarizes our recommendations in this area.

Although C-ROB does not currently conduct extensive oversight to determine the effectiveness of Corrections' rehabilitation programs, with additional resources and statutory authority, it could be well positioned to conduct this oversight. As noted earlier, the Inspector General currently provides the staff support for C-ROB. Thus, under a similar staffing model, C-ROB could work with the Inspector General's staff to monitor Corrections' evaluation of the effectiveness of its rehabilitation programs, including monitoring Corrections' contract with an external researcher tasked with conducting a systematic evaluation of all rehabilitation programs. In addition, C-ROB could work with the Inspector General's staff to monitor Corrections' efforts to develop and meet annual recidivism targets. According to the C-ROB chief counsel, C-ROB could monitor Corrections' progress in meeting its performance targets and Corrections' contracting process with an external researcher, but would require additional statutory authority. State law also currently requires C-ROB to issue an annual report to the Legislature that includes findings on the effectiveness of treatment efforts; however C-ROB's chief counsel noted that additional resources for the Inspector General would be necessary for its staff to report the results of the monitoring to C-ROB for inclusion in its annual legislative report. Regardless of the entity given funding and authority, Corrections requires oversight to ensure that it takes necessary steps to evaluate the effectiveness of its rehabilitation programs at reducing recidivism.

**Figure 7**  
These Actions Will Improve the Oversight and Accountability of Corrections' Rehabilitation Programs



**THREE-YEAR PLAN**

***Fiscal year 2019–20***

Corrections drafts scope of work, selects external researcher to conduct analysis, defines what data elements the researchers may require, and creates targets.

***Fiscal year 2020–21***

External researcher conducts recidivism analysis and Corrections takes corrective action as necessary.

***Fiscal year 2021–22***

Corrections reports to the Legislature and creates new targets and policies given the results of the recidivism analysis. Depending upon the results of the analysis, Corrections eliminates or modifies programs that prove ineffective.

## Recommendations

### *Legislature*

To ensure that Corrections' rehabilitation programs reduce recidivism, the Legislature should require Corrections to do the following:

- Establish performance targets, including ones for reducing recidivism and determining the programs' cost-effectiveness.
- Partner with external researchers to evaluate the effectiveness of its rehabilitation programs and implement the three-year plan described below.
- Issue an annual report beginning in fiscal year 2021–22 that shows the percentage reduction in recidivism that can be attributed to the rehabilitation programs.

#### **Year One: Fiscal Year 2019–20**

Corrections drafts scope of work, selects an external researcher to conduct the analysis, defines what data elements the researchers may require, and creates targets.

#### **Year Two: Fiscal Year 2020–21**

External researcher conducts recidivism analysis and Corrections develops and begins implementing a corrective action plan.

#### **Year Three: Fiscal Year 2021–22**

Corrections modifies as necessary and continues implementing its corrective action plan. It also reports to the Legislature and creates new targets and policies given the results of the recidivism analysis. Depending upon the results of the analysis, Corrections eliminates or modifies programs that prove ineffective.

To ensure that Corrections and its external researcher conduct a comprehensive analysis of the rehabilitation programs' effect on recidivism, the Legislature should provide authority and funding for C-ROB to monitor the contracting process and provide progress updates to the Legislature in its annual report.

To ensure that Corrections remains on track to complete its analysis and develop performance targets, the Legislature should require C-ROB to monitor Corrections' progress in developing appropriate recidivism targets and meeting those targets, and to provide annual updates on Corrections' progress in implementing the three-year plan.

To ensure that Corrections and EDD can collaborate effectively to track whether inmates that received vocational training found work in a related field after release, the Legislature should amend state law to explicitly allow Corrections to provide inmates' Social Security numbers to EDD.

### **Corrections**

To ensure that Corrections effectively and efficiently allocates resources and reduces recidivism, it should do the following:

- Partner with a research organization to conduct a systematic evaluation during fiscal year 2020–21 to determine whether its rehabilitation programs are reducing recidivism and if they are cost-effective. In addition, the external researcher should provide input on the development of performance targets, including recidivism reduction. Depending upon the results of the analysis, Corrections should then eliminate or modify programs that prove ineffective.
- Partner with an external researcher to help it quantify the effect volunteer programs have on inmate outcomes and consider expanding those programs if they prove effective or ceasing them if they are not effective.
- Collaborate with C-ROB to establish annual targets for reducing recidivism and determining the cost-effectiveness of the programs. Corrections should also request federal grants tied to setting targets for recidivism reduction.

To ensure that it has reliable tools to measure program fidelity in its CBT programs, Corrections should implement UC Irvine's recommendation by June 2019.

To ensure that its vocational training programs are effectively preparing inmates for the workforce upon their release and reducing recidivism, Corrections should collaborate with EDD to track the employment and the industry of employment for former inmates by January 2020.

**C-ROB**

To ensure that Corrections is taking steps to reduce recidivism, C-ROB should monitor whether Corrections is developing appropriate recidivism targets and, in its annual report, should evaluate Corrections' progress toward meeting those targets.

We conducted this audit under the authority vested in the California State Auditor by Government Code 8543 et seq. and according to generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives specified in the Scope and Methodology section of the report. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Respectfully submitted,



ELAINE M. HOWLE, CPA  
California State Auditor

January 31, 2019

Blank page inserted for reproduction purposes only.

## APPENDIX A

### TECHNICAL APPENDIX: DATA AND METHODOLOGY

Our analysis of the effect of Corrections' CBT rehabilitation programs on recidivism rates for inmates released in fiscal year 2015–16 drew on data from Corrections and DOJ. During fiscal year 2014–15, Corrections offered all four CBT programs at 11 men's prisons. We compared recidivism rates and other data for inmates that received CBT classes to the data for those that did not. Our analysis examined inmates who completed CBT programs but excluded inmates who completed programs for long-term offenders, defined as inmates with an indeterminate sentence with the possibility of parole. We used a regression analysis to control for many observable characteristics between the test and control groups in an effort to isolate the effect on the recidivism rates of inmates completing at least half of their assigned CBT classes. Due to limitations in Corrections' data, we were able to examine only the one- and two-year recidivism rates. In developing our methodology we consulted with the director of the Center for Evidence-Based Corrections at UC Irvine, and a statistician reviewed our statistical model and its results.

#### Data

Our analysis used data from both SOMS and DOJ. Corrections implemented its SOMS inmate database statewide in October 2014. It was designed to consolidate existing databases and replaced multiple manual paper processes to standardize adult inmate data and inmate population management practices. SOMS includes personal information on individual inmates, such as their date of birth, education level, and current location within the prison system. SOMS also includes information on the programming inmates received, such as when an inmate is enrolled in or completed a rehabilitation class. We also obtained conviction data from DOJ to determine whether an inmate recidivated within two years of his release from prison.

#### Methodology

We obtained SOMS data to calculate recidivism rates for inmates released in fiscal year 2015–16. Corrections began using SOMS to track whether inmates completed CBT classes in October 2014. Due to this data limitation, we were able to select only inmates that completed CBT classes from October 2014 through their release in fiscal year 2015–16 to determine whether the inmates recidivated

within two years.<sup>12</sup> Thus, inmates released in fiscal year 2015–16 are the earliest release group our analysis could examine and still calculate the one- and two-year recidivism rates.

Our analysis required inmates to have completed CBT classes for at least half of their needs as the minimum before being considered to have had their rehabilitative needs met. Corrections assessed inmate needs in four CBT categories (anger management, substance abuse, criminal thinking, and family relationships). Inmates who take classes that address at least half of their assessed needs should have reduced their likelihood to recidivate because Corrections' contracts require vendors to use only evidence-based programs, meaning that the classes have been shown to be effective. We used half, rather than all needs met, due to the limited number of prisons that offered CBT classes during the time period we examined. If we had focused only on inmates who had all of their needs met, it would have severely limited the sample size for our analysis.

To create the control and test groups for our analysis, we split the cohort from the 11 prisons that were released in fiscal year 2015–16 into inmates who had at least half of their CBT needs met and inmates who had not been assigned to CBT classes. Corrections' policies prioritize inmates' assignment to any CBT classes based on a combination of their COMPAS and CSRA scores. Our analysis examined inmates who were rated as having a moderate to high need in at least one of the CBT categories. Given that our test and control groups represented subsets of the prison population, we took three steps to adjust for the potential differences in characteristics between the two groups. First, we grouped inmates within the test group by the total number of their CBT needs and their level of need for each of the four CBT categories. Second, we matched a selection of inmates from the control group with each member of the test group based on their CBT needs combination. We did this to ensure that we compared inmates who had the same CBT needs and who differed in whether or not they completed at least half of the classes they were assigned. Finally, we controlled for important observable differences between the control group and the test group, including age, self-identified race, education (as measured by the inmate's most recent TABE reading score and whether or not the inmate had a verified high school diploma or equivalency), crime risk (as measured by the inmate's CSRA score), and prison assignment with variables in our regression analyses, as discussed below.

<sup>12</sup> Individual CBT classes generally last three to four months and no longer than six months. Inmates would have had the opportunity to take multiple classes before their release during fiscal year 2015–16.

We calculated the overall recidivism rates between the control and test groups with a regression analysis of the correlation between inmates completing at least half of their assigned CBT classes (treatment) and recidivism rates using probit regressions. Our regressions examined the entire sample of the control and test groups to determine the relationship between completing CBT classes and inmates' one- and two-year recidivism rates while controlling for prison location, age, self-identified race, education, and crime risk. We examined the correlation between completing CBT classes and the one- and two-year recidivism rates for each subset of our control variables. This means that we conducted individual regressions for prison, self-identified race, education level, age, and crime risk. Table A shows the results of these regressions, including the percentage change in recidivism for inmates completing CBT classes and the probability (p-value) that the results could be caused by chance. The likelihood of obtaining a result that appears to be significant, but actually occurs by chance, increases with the total number of regressions performed. Nonetheless, we are confident in our analysis that did not find an overall relationship between inmates completing CBT rehabilitation programs and their recidivism rates.

**Table A**  
P-Values for Our Analysis of Inmates Who Completed CBT Classes for at Least Half of Their Needs

FACTOR	CATEGORY	P-VALUE*	PERCENTAGE DECREASE OR INCREASE IN ONE-YEAR RECIDIVISM	P-VALUE	PERCENTAGE DECREASE OR INCREASE IN TWO-YEAR RECIDIVISM
<b>Overall</b>		0.285		0.228	
<b>Prison</b>	Avenal State Prison	0.806		0.671	
	California City Correctional Facility	0.288		0.821	
	California Institution for Men	0.894		0.656	
	California Men's Colony	0.636		0.136	
	Correctional Training Facility	0.411		0.789	
	Chuckawalla Valley State Prison	0.936		0.162	
	High Desert State Prison	0.471		0.677	
	Ironwood State Prison	0.750		0.162	
	California State Prison, Los Angeles County	0.086 <sup>†</sup>	-15%	0.063 <sup>†</sup>	-18%
	California Substance Abuse Treatment Facility	0.016 <sup>‡</sup>	-10%	0.000 <sup>§</sup>	-18%
Valley State Prison	0.319		0.732		
<b>Self-Identified Race</b>	Black	0.049 <sup>‡</sup>	-5%	0.027 <sup>‡</sup>	-7%
	Hispanic	0.672		0.776	
	White	0.379		0.974	
	Other	0.554		0.583	

continued on next page...

FACTOR	CATEGORY	P-VALUE*	PERCENTAGE DECREASE OR INCREASE IN ONE-YEAR RECIDIVISM	P-VALUE	PERCENTAGE DECREASE OR INCREASE IN TWO-YEAR RECIDIVISM
<b>CSRA</b>	Low Risk	0.145		0.915	
	Moderate Risk	0.969		0.857	
	High Risk - Drug	0.086 <sup>†</sup>	11%	0.199	
	High Risk - Property	0.106		0.794	
	High Risk - Violence	0.002 <sup>§</sup>	-13%	0.001 <sup>§</sup>	-16%
<b>Education</b>	No education	0.129		0.357	
	Elementary School	0.530		0.992	
	Middle School	0.314		0.245	
	Freshman/Sophomore	0.051 <sup>†</sup>	-6%	0.006 <sup>§</sup>	-11%
	Junior/Senior	0.807		0.456	
	High school diploma/GED	0.278		0.083 <sup>†</sup>	-6%
	No High school diploma/GED	0.452		0.592	
<b>Age</b>	18 to 29 years old	0.255		0.269	
	30 to 39 years old	0.090 <sup>†</sup>	-5%	0.324	
	40 to 49 years old	0.458		0.604	
	50+ years old	0.707		0.958	

Source: Regression output based on SOMS and DOJ data.

\* The p-values test the null hypothesis that inmates' assignment to at least half of their needed CBT classes has no effect. The lower the p-value, the more likely you are to reject the null hypothesis. A higher p-value indicates that you cannot reject the hypothesis. In other words, a low p-value is likely to be meaningful. Therefore, we only present recidivism increases or decreases for p-values of 0.10 or less.

<sup>†</sup> p < 0.1

<sup>‡</sup> p < 0.05

<sup>§</sup> p < 0.01

## APPENDIX B

### SCOPE AND METHODOLOGY

The Joint Legislative Audit Committee (Audit Committee) directed the California State Auditor to perform an audit to examine the effectiveness of in-prison rehabilitation programs at Corrections. Table B on the following page outlines the Audit Committee's objectives and our methods for addressing them.

#### Assessment of Data Reliability

The U.S. Government Accountability Office, whose standards we are statutorily required to follow, requires us to assess the sufficiency and appropriateness of computer-processed information that we use to support our findings, conclusions, and recommendations. In performing this audit, we obtained Corrections' inmate information to identify inmates' demographics, rehabilitative needs, locations, and program participation. Additionally, we obtained DOJ's statewide conviction information to identify inmates who recidivated. To evaluate these data, we performed electronic testing of the data, reviewed existing information about the data and systems, and interviewed agency officials knowledgeable about the data. However, during our review we identified data limitations. Specifically, program participation information was not centrally tracked until the current system was implemented in October 2014. Additionally, we were unable to identify the needs of some inmates because Corrections does not perform assessments on all inmates. Therefore, we found these data to be of undetermined reliability for the audit purposes. Although this determination may affect the precision of the numbers we present, there is sufficient evidence in total to support our findings, conclusions, and recommendations.

**Table B**  
**Audit Objectives and the Methods Used to Address Them**

AUDIT OBJECTIVE	METHOD
<p>1 Review and evaluate the laws, rules, and regulations significant to the audit objectives.</p>	<p>Identified and reviewed the laws, rules, and regulations for the Inspector General, C-ROB, Corrections, and CalPIA that were applicable to Corrections' in-prison rehabilitation programs.</p>
<p>2 Identify the roles and responsibilities of Corrections and any other parties related to the oversight of state-funded rehabilitation programs and assess the adequacy of their oversight, including the extent to which they ensure appropriate and consistent implementation across institutions.</p>	<ul style="list-style-type: none"> <li>• Documented the Inspector General and C-ROB's efforts in reviewing Corrections' rehabilitation programs. In addition, we identified the statutorily mandated oversight responsibility of the Inspector General and C-ROB and found they were generally complying with those requirements.</li> <li>• Reviewed a selection of 10 academic education programs and determined they were accredited with the Western Association of Schools and Colleges.</li> <li>• Evaluated the adequacy of oversight of prison rehabilitation programs by Corrections, Inspector General, C-ROB, CalPIA, and the Prison Industry Board.</li> </ul>
<p>3 Determine whether Corrections has conducted an assessment to determine the level of resources required to meet the rehabilitative needs of inmates in all of Corrections' facilities.</p>	<p>Obtained and evaluated assessments conducted by Corrections from 2012 through 2018 to determine if Corrections is meeting its resource allocation goals and whether those goals are adequate to meet the rehabilitative needs of its inmates.</p>
<p>4 Review and evaluate the effectiveness of the rehabilitation programs by determining the following:</p> <p>a. Corrections' justification for the program's use and whether the program is based on evidence and research.</p> <p>b. Corrections' method for evaluating the cost-effectiveness of the program and whether it has considered investing in an independent oversight entity to perform this function.</p>	<ul style="list-style-type: none"> <li>• Reviewed and documented the process used by Corrections when procuring CBT services. Reviewed 10 CBT vendor contracts to determine if Corrections procured those services appropriately.</li> <li>• Selected 10 contracts to determine whether the vendors were using evidence-based curricula. In addition, we tested three vendors' contracts to determine whether the curricula being taught at the prisons were the same as the curricula maintained in Corrections' database.</li> <li>• Interviewed Corrections staff and reviewed policies and procedures to evaluate the methodology for assessments Corrections and CalPIA have conducted regarding the cost-effectiveness of their rehabilitation programs.</li> <li>• Reviewed and evaluated best practices from other state and federal entities to determine an appropriate methodology for Corrections and CalPIA to follow for determining the cost-effectiveness of its rehabilitation programs.</li> <li>• Interviewed Corrections and CalPIA staff to determine if they have considered using an independent oversight entity to evaluate the cost-effectiveness of their rehabilitation programs.</li> <li>• Evaluated the objectives and methodology of the proposed study that UC Irvine is conducting on the impact of Corrections' rehabilitation programs on recidivism.</li> </ul>

AUDIT OBJECTIVE	METHOD
<p>5 Determine whether Corrections maintains adequate data on its rehabilitation programs—such as enrollment, attendance, and outcomes, by facility—to allow stakeholders to compare the effectiveness of rehabilitation resources across facilities.</p>	<ul style="list-style-type: none"> <li>• Obtained a complete list of the rehabilitation programs offered at all prisons, and interviewed staff to determine how long the agency has offered the programs, and how Corrections measures program completeness (Corrections operates 36 prisons at 35 locations; the Folsom location houses two prisons, a men's prison—Folsom State Prison—and a women's prison—Folsom Women's Facility).</li> <li>• Obtained SOMS data for all inmates incarcerated from October 2014 through September 2018 and determined the number of inmates enrolled, attending, and completing rehabilitation programs.</li> <li>• Obtained all rehabilitation program vendor contracts for fiscal year 2017–18 and determined the budgeted capacity for all programs offered by Corrections.</li> <li>• Compared the number of enrolled inmates to the budgeted capacity for each program during fiscal year 2017–18 at the three prisons we reviewed.</li> <li>• Determined that Corrections maintains adequate data on rehabilitation programs, including enrollment, attendance, and outcomes, by facility to allow stakeholders to compare effectiveness of rehabilitation resources across facilities.</li> <li>• Analyzed CalPIA data from July 2014 through October 2018 to determine its vocational programs' capacity, enrollment, and vacancy rate.</li> </ul>
<p>6 Determine whether Corrections effectively assesses inmates' risks and rehabilitation needs and reviews and evaluates how it ensures that the tools used to identify the needs and risks are valid. Assess the adequacy of Corrections' policies, procedures, and practices for selecting and prioritizing inmates for participation in rehabilitation programs.</p>	<ul style="list-style-type: none"> <li>• Interviewed Corrections staff and reviewed policies, procedures, and practices regarding the assessment and prioritization of inmates' needs.</li> <li>• Reviewed and evaluated assessments (COMPAS, CSRA, and TABE) used by Corrections and determine whether the tests have been validated.</li> <li>• Selected 60 inmates incarcerated by Corrections from fiscal years 2015–16 through 2016–17 to determine whether Corrections followed established policies and procedures to place inmates into appropriate rehabilitation programs.</li> <li>• Examined how Corrections prioritized inmates for rehabilitation programs for 19 inmates during fiscal year 2017–18 at the three prisons we selected to determine if the inmate assignments into their respective rehabilitation programs were appropriate.</li> </ul>
<p>7 Identify and assess Corrections' performance measures—such as whether inmates' rehabilitative needs were met prior to their release and whether inmates are progressing in their programs—to evaluate the effectiveness of rehabilitative services.</p>	<ul style="list-style-type: none"> <li>• Obtained all policies and reports regarding performance measures, including historical documents.</li> <li>• Determined the recidivism rate for inmates that Corrections released from prison in fiscal year 2015–16 and compared the rate of recidivism for those inmates that had at least half of their rehabilitation needs met to those that had none of their needs met.</li> <li>• Identified best practices for performance measures used by other states, federal agencies, and countries applicable to California.</li> <li>• Determined what issues are preventing Corrections from working with EDD to track inmates' employment outcomes post-release.</li> <li>• Reviewed whether Corrections' policies are tracking academic educational performance through academic testing. Although Corrections does track inmates' academic performance, it does not set performance measures or determine whether inmates' rehabilitative needs were met prior to release.</li> </ul>
<p>8 Determine whether Corrections maintains a waiting list for rehabilitative programs, the number of inmates on the waiting list, how long they have been on the waiting list, their risks, and their needs.</p>	<ul style="list-style-type: none"> <li>• Interviewed correctional counselors at the three prisons we selected and determined how staff place inmates on waiting lists at each institution.</li> <li>• Determined if Corrections' waiting list process effectively prioritizes inmates with a moderate to high risk of recidivating and a moderate to high need into rehabilitation programs.</li> <li>• Determined the number of inmates on waiting lists for academic, vocational, and CBT programs, how long they have been on the waiting list, and their risks and needs.</li> </ul>
<p>9 Review and assess any other issues that are related to the audit.</p>	<p>Interviewed Corrections staff and obtained a complete list of all volunteer programs and determined whether Corrections evaluated these programs for their effectiveness.</p>

Source: Analysis of Audit Committee's audit request number 2018-113, planning documents, and analysis of information and documentation identified in the table column titled *Method*.

Blank page inserted for reproduction purposes only.

## APPENDIX C

### THE NUMBER OF INMATES ON WAITING LISTS AND THE AVERAGE TIME SPENT ON THE LIST

We reviewed Corrections' waiting list data, and we present the number of inmates on waiting lists as of July 2018 in Table C. This table shows that there were between 18,000 and 31,000 inmates on waiting lists as of July 2018, and that those inmates were on waiting lists for an average of between 211 and 351 days. However, these data are presented for informational purposes only because, as we discuss on pages 23 through 28, we identified significant flaws with Corrections' waiting lists.

**Table C**  
The Number of Inmates on Waiting Lists and the Average Time Spent on the List

WAITING LIST THAT ADDRESSES THE NEED FOR: <sup>a</sup>	NUMBER OF INMATES ON WAITING LIST	AVERAGE NUMBER OF DAYS ON WAITING LIST
<i>Academic education</i>		
Target population <sup>†</sup>	7,178	230
Not target population	10,820	338
<b>Totals</b>	<b>17,998</b>	<b>295</b>
<i>Vocational education</i>		
Target population <sup>†</sup>	6,702	285
Not target population	23,008	351
<b>Totals</b>	<b>29,710</b>	<b>336</b>
<i>Anger management</i>		
Target population <sup>†</sup>	10,951	217
Not target population	19,983	268
<b>Totals</b>	<b>30,934</b>	<b>250</b>
<i>Criminal thinking</i>		
Target population <sup>†</sup>	9,554	215
Not target population	21,524	261
<b>Totals</b>	<b>31,078</b>	<b>247</b>
<i>Substance abuse disorder treatment</i>		
Target population <sup>†</sup>	12,796	211
Not target population	18,172	289
<b>Totals</b>	<b>30,968</b>	<b>257</b>

continued on next page . . .

WAITING LIST THAT ADDRESSES THE NEED FOR:*	NUMBER OF INMATES ON WAITING LIST	AVERAGE NUMBER OF DAYS ON WAITING LIST
<b><i>Family relationships</i></b>		
Target population†	15,733	212
Not target population	13,313	295
<b>Totals</b>	<b>29,046</b>	<b>250</b>

Source: Analysis of SOMS data as of July 24, 2018.

\* We excluded programs designated for inmates serving lengthy periods of incarceration, such as life with the possibility of parole.

† Corrections defines its target population as inmates with a moderate to high risk of recidivating and a moderate to high need for the program.

January 2019



Department of Corrections and Rehabilitation

January 10, 2019

Elaine M. Howle  
State Auditor  
California State Auditor's Office  
621 Capitol Mall, Suite 1200  
Sacramento, CA 95814

Dear Ms. Howle,

Attached is the California Prison Industry Authority's (CALPIA) response to the findings and recommendations in the California State Audit draft report titled "California Department of Corrections and Rehabilitation: Its Poor Administrative Practices Have Hindered Reductions in Recidivism and Denied Inmates Access to In-Prison Rehabilitation Programs."

CALPIA's program goal is to support the California Department of Corrections and Rehabilitation (CDCR) public safety mission, by providing offenders job skills, good work habits, basic education and job support in the community, so that, when they are released, they never return to prison.

We are pleased that the California State Auditor's (CSA) office recognizes the benefits of CALPIA's Career Technical Education Programs, which have some of the lowest recidivism rates in the country. CALPIA's offender programming saves taxpayers money through lower recidivism along with keeping prisons and communities safer.

We appreciate the recommendations the CSA has made regarding improvements to low inmate enrollment in CALPIA vocational programs. We want to ensure more inmates benefit from the real-world job skills and nationally recognized accredited certifications CALPIA programs provide. Their success is our success. We are grateful for the extended time the CSA has taken to conduct the audit.

If you have any questions or need for additional information, please contact me at (916) 358-2699.

Sincerely,

A handwritten signature in cursive script that reads "Charles L. Pattillo".

CHARLES L. PATTILLO  
General Manager

cc: Prison Industry Board  
Kathleen Allison, Undersecretary, Operations  
Diana Toche, Undersecretary, Health Care Services  
Kenneth J. Pogue, Undersecretary, Administration & Offender Services

Blank page inserted for reproduction purposes only.

January 2019

STATE OF CALIFORNIA — DEPARTMENT OF CORRECTIONS AND REHABILITATION

GAVIN NEWSOM, GOVERNOR

**OFFICE OF THE SECRETARY**P.O. Box 942883  
Sacramento, CA 94283-0001

January 11, 2019

Ms. Elaine M. Howle, State Auditor \*  
 California State Auditor  
 621 Capitol Mall, Suite 1200  
 Sacramento, CA 95814

Dear Ms. Howle:

The California Department of Corrections and Rehabilitation (CDCR) submits this letter in response to the California State Auditor's (CSA) audit of CDCR's in-prison rehabilitation programs.

CDCR considers rehabilitation one of its highest priorities. In the most recent fiscal years following California's historic recession, CDCR placed significant focus on re-establishing rehabilitative programs statewide. CDCR continues to champion a culture focused on rehabilitation that addresses the critical needs of the Department's population. CDCR's rehabilitation efforts go beyond the in-prison Cognitive Behavior Therapy (CBT) programs which are the main focus of the CSA's report. As stated in the report, CBT programs comprise just 26 percent of all rehabilitative programs; the remaining 74 percent comprise academic and career technical education. CDCR believes that robust in-prison rehabilitation opportunities followed by aftercare are essential to holistically addressing the criminogenic needs of the offender population and truly impacting recidivism. ①

CSA's report on CDCR's in-prison programming highlights areas where CDCR is already taking action to improve. Moreover, CDCR's significant efforts in recent fiscal year go beyond those raised in the report. These current efforts include: ②

1. *Creation of in-prison cognitive behavioral treatment program accountability and fidelity tools.*

In collaboration with external researchers, CDCR has developed and is currently implementing program accountability and fidelity tools. Research shows that fidelity can significantly impact the efficacy (recidivism effects) of programming. CDCR believes that ensuring vendors adhere to the fidelity of the implemented models will produce reductions in recidivism.

2. *Modification to in-prison CBT contracts.*

CDCR is already in the process of finalizing future treatment contract language to ensure that CDCR vendors are delivering treatment programming consistent with the highest likelihood for positive outcomes.

\* California State Auditor's comments appear on page 63.

Ms. Elaine M. Howle, State Auditor

Page 2

3. *Development and implementation of technology tools aimed at improving offenders' engagement in rehabilitative programs.*

In the previous fiscal year, data analytic tools were developed and implemented to ensure that CDCR staff have the ability to prioritize offender placement into programming. Additionally, weekly and detailed monthly reports have been developed to further monitor performance expectations at the local level. These tools, combined with planned technology initiatives in 2019, will help ensure that the right offenders are getting into the right programs at the right time.

4. *Expansion and development of career technical education.*

CDCR will continue to work in collaboration with Prison Industry Authority to establish career technical education programs that best prepare inmates for employment and success upon reentry.

5. *Conduct research on CDCR rehabilitative programs.*

CDCR will continue the development of partnerships with external researchers to allow for output and outcome-based research opportunities that demonstrate the full impact of programming on the offender population. As noted in the audit, because of recent expansions, CDCR has continued to focus on a number of priority issues critical to robust research, including data collection, data extraction, and program accountability and fidelity.

CDCR welcomes the insights provided by the auditors and would like to thank CSA for their work on this report. CDCR will address the specific recommendations in a corrective action plan within the timelines outlined in the report. If you have further questions, please contact me at (916) 323-6001.

Sincerely,



RALPH M. DIAZ  
Secretary (A)

## COMMENTS

### CALIFORNIA STATE AUDITOR'S COMMENTS ON THE RESPONSE FROM THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

To provide clarity and perspective, we are commenting on the response from Corrections. The numbers below correspond to the numbers we have placed in Corrections' response.

The main focus of the audit report was not Corrections' CBT programs. We discussed its academic and vocational education programs on pages 28 through 31, and its volunteer rehabilitation programs on pages 40 and 41. Furthermore, we analyzed Corrections' wait-list process for all program types, including academic and vocational education, beginning on page 23. We also reviewed Corrections' policies and procedures as they pertained to all types of rehabilitation programs. CBT was the main focus of only a portion of our analysis. Specifically, as we state on page 14, we analyzed whether CBT programs reduced recidivism rates because the majority—70 percent—of the State's recent expansion of its rehabilitation programs budget was solely for expanding CBT to all prisons.

We acknowledged in the audit report many of the steps Corrections has taken to improve its rehabilitation programs. Specifically, we discuss the program accountability tools it developed in conjunction with UC Irvine and the modifications it plans to make to its CBT contracts on page 20. We also discuss the program's checklist it plans to implement on page 39.

①

②

Blank page inserted for reproduction purposes only.

January 2019



January 10, 2019

Elaine M. Howle, CPA  
California State Auditor  
621 Capitol Mall, Suite 1200  
Sacramento, CA 95814

*Re: California Department of Corrections and Rehabilitation: Its Poor Administrative Practices Have Hindered Reductions in Recidivism and Denied Inmates Access to In-Prison Rehabilitative Programs*

Dear Ms. Howle:

Thank you for including the California Rehabilitation Oversight Board (C-ROB) in your recent audit of the California Department of Corrections and Rehabilitation's (CDCR) rehabilitative programming. We appreciate the work your office has done in preparing this audit. We also appreciate that you realize this board lacks the resources, funding and legislative authority necessary to implement the recommendations set forth in the audit report.

Sincerely,

Roy W. Wesley  
Chairman

cc: C-ROB Board

Gavin Newsom, Governor