Who Is Being Supervised?
Community Corrections Two Years Into Realignment

A Background Paper for the Second Meeting of the
Stanford Executive Session on Public Safety Realignment

October 28, 2013
The purpose of this paper is to provide background information for the second meeting of the Stanford Executive Session on Public Safety Realignment. The full-day meeting to be held on October 28, 2013 will focus on the operational effects of Realignment on community supervision, which includes county probation supervision and state parole supervision for the purpose of this meeting. To lay the groundwork, this report presents an overview of the supervised populations in California and the extent to which they have changed since the beginning of Realignment. The information presented is a compilation of existing work and primary research was not conducted. Some of the data and analysis included below has yet to be published and, therefore, this document should not be shared outside of the Executive Session meeting attendees.

**Correctional Control in California**

The “reallocation of responsibility” across the four major components of California’s criminal justice system (county probation, county jail, state prison, and state parole) has been nothing short of remarkable since Realignment began in October 2011. This reallocation can be viewed along two dimensions: 1) offenders moving from state-level jurisdiction to county-level jurisdiction, and 2) time under the jurisdiction of the criminal justice system being served in the community rather than in the custody of a correctional facility. A forthcoming report by Lisa Quan, Sara Abarbanel, and Debbie Mukamal of the Stanford Criminal Justice Center provides an in-depth analysis of correctional control in California. In this context, correctional control is a macro-level look at the sum total of individuals who are on probation, in jail, in prison, or on parole. Below are some highlights from that analysis that are related to the community supervision components of correctional control in California.

- The role of probation departments has grown significantly in a relatively short amount of time. At the end of 2012, probation departments were responsible for 60% of adults under correctional control in California compared to 46% in 2010 (see Figure 1).

- The downsizing of parole in California has been equally dramatic. Between the end of 2010 and the end of 2012 the share of adults under correctional control who were on parole declined from 20% to 10%.

- The net effect of these shifts is the criminal justice system’s increased reliance on community supervision. The share of adults under correctional control who were being supervised in the community was 66% prior to Realignment compared to 70% at the end of 2012.

- The magnitude of the changes is even more striking in the context of relatively stability prior to Realignment. Between 2004 and 2010 the composition of adults under correctional control was notably stable with prisoners accounting for 23%, parolees at 20%, individuals in county jail at 11%, and probationers at 46% on average over that six-year period.
A Portrait of Probation

Size of the Probation Population

In the early to mid-2000s, California’s probation population was relatively stable between 345,000 and 350,000, as shown in Figure 2. In 2008 the probation population began to decline hitting a low just under 312,000 in 2010.¹ Since Realignment began the changes in the number of individuals on probation in California have been dramatic both in terms of magnitude and swiftness. During the calendar years 2011 and 2012, the number of probationers in California increased by over 99,000 individuals (or 31.9%).

¹The decline in the probation population between 2008 and the beginning of Realignment is likely in part attributable to fewer arrests. However, an in-depth examination of changes in the probation population in California is beyond the scope of the paper.
An analysis of county budgets and state-mandated plans by the Stanford Criminal Justice Center found that probation departments ranked second behind sheriffs’ departments and other local law enforcement agencies in terms of allocation of Realignment funding. During FY 2011-2012 probation departments received $90.7 million, which accounted for more than one-quarter of all county allocations. According to the analysis, the most frequently reported probation-related expenses were for the hiring of new probation officers and increased officer training. Not surprisingly, the areas in which counties allocated their Realignment dollars varied greatly. For example, in percentage terms San Bernardino allocated the largest share of funding for probation at 63%, while Los Angeles County ranked lowest with 11% going to probation.

**Figure 2. California Probation Population, 2004-2012**

Source: Reproduced from “Reallocation of Responsibility: Changes to the Correctional System in California Post-Realignment,” by Quan, Abarbanel, and Mukamal (forthcoming).

**Felony versus Misdemeanor.** A further disaggregation of the probation population data allows for a closer look at the types of probationers under county-level supervision. Despite a decline in the overall probation population prior to Realignment, the share of probationers who were felons compared to misdemeanants was increasing. Seventy five percent of probationers in 2004 were felons and that increased to 82% at the end of 2012 (Figure 3).

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1 “Out of the Starting Gate: A Look at Year One Spending,” Stanford Criminal Justice Center, Realignment in Review, Volume 1 (September 2013).
**Traditional Probationers versus Realigned Probationers.** The total probation population increased significantly between December 2010 and December 2012. A disaggregation of the population reveals that only 10% of the probation population is the “realigned population,” meaning is on probation as an 1170(h) offender or a Post Release Community Supervision (PRCS) offender (Figure 3). Notably, a large increase in the number of traditional probationers occurred over this two-year period, as an additional 51,000 individuals were under traditional probation supervision at the end of 2012 compared to the end of 2010. While the factors behind an increase in traditional probation cannot be known with certainty, there is some indication based on a recent survey of judges for a preference for a traditional probation sentence over an 1170(h) sentence, which has a finite period of time under which an individual can be supervised in the community (Figure 4).³

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**Figure 3: Adults by Type of Probation, 2004-2012**

![Figure 3: Adults by Type of Probation, 2004-2012](image)

*Source: Reproduced from “Reallocation of Responsibility: Changes to the Correctional System in California Post-Realignment,” by Quan, Abarbanel, and Mukamal (forthcoming).*

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Post Release Community Supervision and Mandatory Supervision. AB 109 established additional types of probation under county supervision; namely, Post Release Community Supervision and Mandatory Supervision, which is the portion of a split sentence served under community supervision after time served in county jail. As depicted in Figure 5, both groups have been increasing steadily since the beginning of Realignment in October 2011, but the growth in the PRCS population has slowed in recent months. At the end of 2012 there were 33,762 under PRCS supervision and 4,795 under Mandatory Supervision. PRCS offenders are 90% male, an average of 36 years old, and served an average of one year in prison prior to release to PRCS.4

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Figure 5: Active 1170(h) and PRCS Populations, October 2011-December 2012

Source: Reproduced from “Reallocation of Responsibility: Changes to the Correctional System in California Post-Realignment,” by Quan, Abarbanel, and Mukamal (forthcoming).

Risks and Needs of Probationers

Given the high-profile nature of Realignment’s effects on communities, a better understanding of who is being supervised, by probation and parole, can help lead to better informed conversations about the future of Realignment. The following discussion is intended to provide insight on the risks and needs of probationers in this post-Realignment world. Data on these issues is far from comprehensive and what follows is a compilation of data that was readily available from existing sources.

Risk Assessment. The Chief Probation Officers of California (CPOC) recently released an Issue Brief, “Assessing Risks and Needs of Realigned Populations: Post-Release Community Supervision and Services,” that presents data on the risk levels of the PRCS population. CPOC did an analysis of California Department of Corrections and Rehabilitation (CDCR) data comprised of nearly 36,000 records of California State Risk Assessment scores. The risk assessments were administered in prison to 98% of the individuals to be released to PRCS during the 15-month period January 2012 through March 2013. CPOC’s analysis found that 53% of PRCS offenders were at high risk to recidivate, 27% at moderate risk to recidivate, and 17% at low risk to recidivate.

The active 1170(h) and active PRCS data is from the CPOC Realignment Dashboard and represents the total number of offenders on probation at the end of each month.

For the full report go to: http://www.cpoc.org/assets/Realignment/issuebrief4.pdf.
**Figure 6: Percent of PRCS COMPAS Risk Assessment Scores at Release from CDCR (N=35,728)**

![Bar chart showing percent of PRCS COMPAS Risk Assessment Scores at Release from CDCR (N=35,728).](chart)

*Source: Reproduced from Chief Probation Officers of California, “Assessing Risks and Needs of Realigned Populations: Post-Release Community Supervision and Services” (Fall 2013).*

**Needs Assessment.** The CPOC Issue Brief also includes an analysis of the needs of individuals who would be released to PRCS. It presents the extent to which the high risk to recidivate and moderate risk to recidivate PRCS population had various criminogenic needs as determined by CDCR’s COMPAS needs assessment scores. As shown in Figure 7, CPOC’s analysis indicates significant need along several dimensions including 71% with cognitive needs, 68% with education needs, 60% with substance abuse needs, 56% with employment needs, and 59% with financial needs. Lastly, another CPOC analysis of CDCR’s mental health assessment data found that one in five of PRCS offenders were deemed to have mental health needs including, but not limited to, post-traumatic stress disorder, depression, schizophrenia, and bipolar disorder.7

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7 As cited in CPOC Fall Issue Brief, PRCS Monthly Dashboards: [http://www.cdcr.ca.gov/realignment/PRCS_Health_Care_Information.html](http://www.cdcr.ca.gov/realignment/PRCS_Health_Care_Information.html) and CDCR Mental Health Services Delivery System: [http://www.cdcr.ca.gov/dchcs/docs/mental%20health%20program%20guide.pdf](http://www.cdcr.ca.gov/dchcs/docs/mental%20health%20program%20guide.pdf).
Figure 7: Criminogenic Needs of High and Medium Risk PRCS Offenders, Jan. 2012–March 2013


Probation Performance Measures and Outcomes

PRCS Failure to Appear. Post Release Community Supervision probationers’ failure to appear rate is one of the measures available on CPOC’s data dashboard. A relatively low and stable percent of the PRCS population failed to appear within their ordered timeframe after release from prison, averaging approximately nine percent between December 2011 and March 2013.

Figure 8: Percent of PRCS Releases Failing to Appear, October 2011 – March 2013

Source: Chief Probation Officers of California, California Realignment Data Dashboard.
Caseloads. Data on the caseloads of probation officers is complex and not centrally compiled and, therefore, painting a state-level picture of probation caseloads since the beginning of Realignment is not possible. However, a survey of a select number of counties was conducted by the Countywide Criminal Justice Coordination Committee (CCJCC) of Los Angeles County and provides some insight into what is happening in a handful of California’s urban counties.

Initial results were published in a September 2013 report to the Los Angeles County Board of Supervisors and early analysis has found wide variation across counties in terms of supervision ratios, as well as the manner in which cases are assigned to probation officers. The caseloads in these urban counties for PRCS probationers averaged 40-60:1, with a low of 20:1 and a high of 135:1. In terms of case assignment, survey responses reported caseloads based on risk level, as well as caseloads that included a mix of risk levels. Caseload assignment that combined traditional probation, mandatory supervision, and PRCS was reported by one county.

PRCS Completions within One Year. The CPOC data dashboard also includes monthly data on the percent of PRCS probationers who completed their term of supervision within one year. CPOC defines this group as “offenders who were closed by operation of law at 1 year as they had no custodial violations - PC 3456 (b) - in their last 12 months of supervision.” Figure 9 shows a moderate but steady increase in the percent of PRCS offenders whose cases were closed within one year as a result of no violations. During the last six months for which data is available, the percent of PRCS completing supervision within one year was 73% (Figure 9).

Figure 9: Percent of PRCS Probationers Completing Supervision within One Year

Source: Chief Probation Officers of California, California Realignment Data Dashboard.
**PRCS Completions with Felony Conviction.** CPOC uses a measure of recidivism defined as the share of PRCS terminations or closures in a month “who were convicted of a new felony law violation at some point in their term of supervision. The new law violation could have happened at any point in their PRCS supervision.” As shown in Figure 10, this measure of recidivism experienced notable fluctuations since the beginning of Realignment, ranging from a high of 46% in March 2012 to a low of 13% in November 2012.\(^\text{10}\)

![Figure 10: Percent of PRCS Probationers Completing Supervision with Felony Conviction](source: Chief Probation Officers of California, California Realignment Data Dashboard)

**A Portrait of Parole**

**Size of the Parole Population**

Realignment’s effect on the size of the parole population was as significant, if not more, than on the size of the probation population. In just 15 months (September 2011 to December 2012) the parole population was essentially cut in half, declining from 126,806 to 65,931. It is worth noting, however, that since June of 2007 the parole population had been on the decline, long before Realignment began.

\(^{10}\) This range does not include the first four months of Realignment.
Figure 11: California Parole Population, June 2004 – December 2012


Offense Type of Parole Population

A look at the parole population by the controlling offense provides clear evidence that the parole population in a post-Realignment world is increasingly serious and violent. Figure 12 presents the parole population in June 2011, June 2012, and June 2013. Between June 2011 and June 2013 the share of parolees who were on parole for a violent crime increased from 30% to 53%. At the same time, the share of parolees with property crimes decreased from 30% to 21%.

Figure 12: Parole Population by Controlling Offense, June 2011, June 2012, June 2013

Source: California Department of Corrections and Rehabilitation, Parole Census Data for June 2011, June 2012, and June 2013.