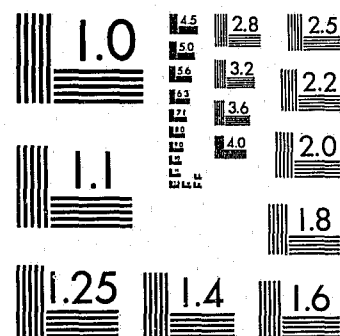


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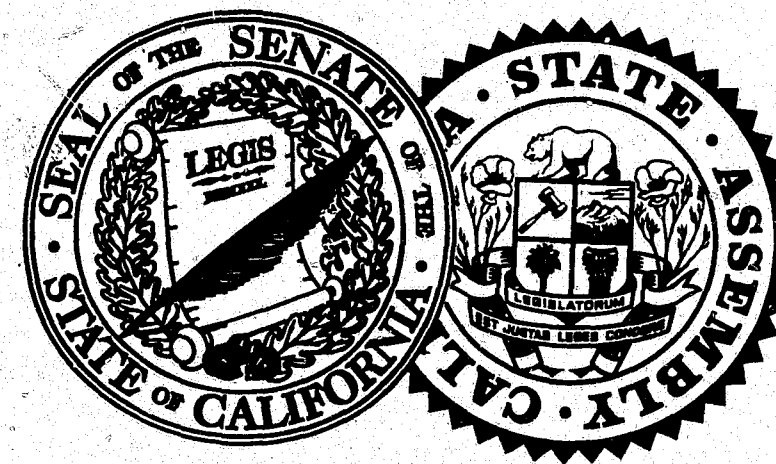
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REPORT OF THE JOINT ADVISORY COMMITTEE  
ON

# STATE PRISON FACILITIES AND INCARCERATION ALTERNATIVES



79492

December 1978

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Senator Alan Sieroty

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VACANCY

# California Legislature

## Joint Advisory Committee on State Prison Facilities and Incarceration Alternatives

ASSEMBLYMAN ART TORRES  
CHAIRMAN

COMMITTEE ADDRESS  
ROOM 6001  
STATE CAPITOL  
SACRAMENTO, CALIFORNIA 95814

COMMITTEE TELEPHONE  
(916) 448-1670

DAVID PERALES  
CONSULTANT

LINDA MACIAS  
COMMITTEE SECRETARY

December 1, 1978

TO: Budget Committees of the California Legislature

During this year, our Committee has taken an active role in meeting the responsibilities specified in Assembly Concurrent Resolution 78 of 1977. Two hearings were held initially in Sacramento and provided an opportunity for Approach Associates, the independent contractor, chosen by the Joint Rules Committee of the Legislature, and the Department of Corrections to present their material on the issues before our Committee.

Hearings were held outside of Sacramento during May. Public officials, interested persons, and community organizations from San Ysidro and San Diego offered testimony in Chula Vista on whether state-owned land in Otay Mesa should be actively considered as an appropriate site for construction of a correctional institution, if found necessary. In Los Angeles, the Committee took public comment on this same issue for land in Chino and Camarillo. A large number of community organizations also presented their views on alternatives to committing individuals to state prison.

Approach Associates submitted their final report on the due date of June 1, 1978. The Committee had the specific charge of evaluating the report. There were two hearings in June and one in October to discuss it.

Although several recommendations came from the Committee itself, the proposals in the Policy Summary were used as the agenda for developing our Committee recommendations. Consequently, the final report relies heavily on the work of Approach Associates. It would be impractical to include here the nearly 700 pages of that report. However, the entire five volumes are available to you in my office, or a copy can be made.

The Legislature established this Committee to provide input into policy development. We have limited ourselves to issues of general policy, so that our recommendations do not include

specific information necessary for legislation. It is my hope that the completed work will provide a policy direction for the Legislature in the years ahead.

Sincerely,

ART TORRES  
Assemblyman

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ACQUISITIONS

## SUMMARY OF RECOMMENDATIONS

Committee recommends that the Central and North Facilities at the California Training Facility (Soledad), the Deuel Vocational Institution (Tracy), the California Medical Facility (Vacaville), and the California Institution for Men (Chino), are all key institutions which can and should be improved to meet current correctional security and program standards.

Committee recommends that written guidelines regarding the substantive criteria to be applied in classification decisions should be developed.

Committee recommends there should be a presumption of eligibility for minimum security placement, unless a contrary showing can be made.

Committee recommends the use of risk prediction in classification should be clarified, and inappropriate or invalid predictive considerations should be abandoned.

Committee recommends that in view of the restrictive consequences of denying offenders minimum security placement, all assignments to medium or maximum security housing, especially those made on the basis of risk prediction, should be regularly reviewed.

Committee recommends that external audits of classification decisions should be instituted by a department or agency deemed appropriate by the Legislature. The Board of Corrections should be considered during the selection process.

Committee recommends that the Legislature designate an appropriate entity to monitor all aspects of correctional facilities, and other institutions providing care on a 24-hour basis, for compliance with state law, regulations, or applicable standards.

Committee recommends that the Department of Corrections consider a new designation of low minimum security when it develops written guidelines regarding the substantive criteria to be applied in classification decisions. Prisoners without any current or prior convictions for violent crimes, sale or possession of drugs, or history of drug addiction or escape, should be the basis of this low minimum security classification.

Committee recommends that the CDC contract with private organizations to operate local correctional centers for appropriate state prisoners.

Committee recommends that the CDC begin immediately to develop suitable compensation schemes and contracts with counties to use specialized facilities for appropriate state prisoners.

Committee recommends that public policy should promote the development of re-entry programs in order to provide an opportunity for state prisoners to re-adjust to community life. Whenever possible, the department should place inmates in re-entry programs close to family and their community.

Committee recommends that pre-release placement in local facilities should be a minimum of three months, while still recognizing that the particular need and security classifications will require some prisoners to receive increased or reduced time.

Committee recommends that the Department of Corrections adopt the standards of the American Medical Association and the American Correctional Association as goals for in-patient health services.

Committee recommends that the department consider contracting out these services to community hospitals when it is fiscally proper to do so, and also develop procedures to allow health care personnel from community facilities into correctional institutions.

Committee recommends that the position of Correctional Program Supervisor be re-examined; if the position is found warranted, it is important to clarify the role of the CPS vis-a-vis the correctional counselor.

Committee recommends that a task analysis of the correctional counselor be undertaken (and the CPS position if maintained), and training be developed based on this analysis.

Committee recommends that the state contract with a public or private education system capable of and interested in delivering such a service to the CDC. The contractor should determine the feasibility and cost of developing the service, so that the state would be better able to determine whether to implement such a plan.

Committee recommends that a systematic approach to scheduling and paying sponsors of self-help groups be established to make such groups more accessible to prisoners.

Committee recommends that the department develop a plan for a co-correctional program in an institution when it is feasible to do so in view of the other planning responsibilities specified in SB 1342, Chapter 789, Statutes of 1978.

Committee strongly recommends that a women's facility be considered as a part of the reconstruction at San Quentin in lieu of the department's proposal for a new 400-bed facility.

Committee recommends that a comprehensive disability survey be conducted to guide planning for services to prisoners with physical and learning disabilities. There is no reliable information regarding the number of prisoners with various disabilities currently in the system.

Committee recommends that a living skills program be provided to those prisoners with serious disabilities. Based on available information on the current population, the Committee recommends immediate implementation of this program at CMF, CIM, and CIW.

Committee recommends that a Child Development Center be established for women prisoners at CIW.

Committee recommends the repeal of Penal Code Section 2709 which provides that "all articles, materials, and supplies, produced or manufactured (by inmate labor)...shall be solely and exclusively for public use". This recommendation is made to facilitate a major expansion of Correctional Industries, which should be allowed to become competitive in the private sector.

Committee recommends that the CDC develop an approach to determining the personnel and other requirements which would ensure greater prisoner access to recreation programs and special events.

Committee recommends developing visiting services for children, extending furlough programs, extending visiting hours systemwide to seven days a week (including weekday evening hours), and developing systemwide family/friend days. Additional space should be provided for expanded family visiting.

The Committee finds that lands owned by the State in Otay Mesa, Chino, and Camarillo are not appropriate locations at this time for any potential construction of correctional institutions.

Committee recommends that the Department of Corrections consider the availability of specified resources in its evaluation of site locations for the construction of correctional facilities. They are 1) population capable of meeting staff needs, 2) housing for staff, 3) transportation for staff and facility needs, 4) adequate medical and psychiatric facilities, 5) institutions of higher education, 6) an area of land separating the facility and the community, 7) 30 acres for each 400-bed facility, 8) metropolitan area; Los Angeles and San Diego in particular are recommended.

## INTRODUCTION

One of the most significant issues before this Committee was an examination of the methods for projecting the population of correctional institutions in future years. The contractor, Approach Associates, analyzed the work of the Department of Corrections, then developed their own projections. Based on this, the contractor recommended:

- 1) That CDC's projections should not be used as the basis for planning decisions, particularly when costly new prisons are involved.
- 2) That their own population projection methodology should be used when calculating future projections. Actual population levels should be compared with the limits of the probability envelope at quarterly intervals.

Before selecting its own method for population projections, the contractor made an assessment of the method used by the department. They made the finding in their Inventory Report of March 1978 that the department had a median error rate of 19 percent in its projections. Two different methods were developed to determine if population projections could be more accurate.

One method was the regression technique which is based on a historical pattern of institutional population. To test the validity of this technique, a simulated projection was made for the years of 1973-77 using the population history until 1972. These regression predictions were then compared in accuracy to the projections by the department made in 1972. The regression projections were more accurate in four of the five years than were the projections by the department. In fact, as of Mid-May 1978, the actual population level of 20,132 was very close to the regression line projection of 20,337.

The department has consistently questioned whether this is an appropriate method. Information received from the National Clearinghouse for Criminal Justice Planning and Architecture, a nationally recognized agency with extensive experience in the field of projection methods, supports the position taken by the department. They state:

As applied directly to historical prison population data, linear regression analysis leads to extremes in projected population whether high or low, and thus, does not form a suitable basis for reliable prison population projection. (Letter to Assemblyman Art Torres, May 29, 1978, Appendix I)

However, the contractor notes the limitation of this method in its own report and only uses it as the lowest end of a range of projected population.

The other method was the modified flow analysis. In this method, the corrections population is broken up into specified groups and then tracked over time. Although the department utilizes a similar flow model with the assistance of computer programming, the lumping together of the entire 18-49 age group as an input into its projection system does not reflect differences of activity within smaller age groups. For example, the commitment rate for the 20-24 age group is four times that of the 40-44 age group.

The contractor broke down the 18-49 age group into eight smaller groups. The clearinghouse states:

If, however, no differentiation was made by age, the procedures suggested by Approach Associates (specifically, breaking up the population base into age cohorts having widely differing prison admission rates) is clearly superior, in my opinion. (Ibid.)

Additional discussion on the long-term effects is contained in Appendix 2.

According to the department, the breakdown of specific age groups only reduces their projection for male felons in 1983 by 450. However, as shown in Table I, there is a gap of approximately 4,500 between the "worst case" by the contractor and the revised projections of the department by 1983 for male felons.

Table I

Population Projections by Approach Associates and the Department of Corrections for Male Felons in 1983

Approach Associates		Department of Corrections	
Best Case	Worst Case	Initial August 1977	Revised June 2, 1978
17,538	19,416	22,205	24,055

One of the significant reasons for this difference lies in the assumptions adopted by the department and the contractor. The contractor held constant the admission-to-prison rate for 1977 per 100,000 population for each of the age groups when projecting for each year through 1983. The department assumes the admission rate for male felons will continue to rise until 1982 and then level off.

However, it is difficult to determine what the admission rate will likely be when the Determinate Sentencing Law has only been in effect for nearly one year and a half. The contractor states:

It is still too early to predict the long-term effect of DSL (Determinate Sentencing Law); however, at this point in time, the transitional effects of the change-over in sentencing systems should be weakening rapidly. Specifically, the pool of prisoners with retroactive parole eligibility should be almost exhausted, and the majority of new commitments should be receiving sentences under DSL. Corrections population flow and sentencing during the next six months to a year should provide a much better basis for the estimation of long-term trends. (Policy Summary, pp. 17-18)

There are additional problems in analyzing the projections of the department and the contractor because, with the enactment of SB 709, Chapter 579, Statutes of 1978, the disparity between them is even greater. This law extends the terms of imprisonment to state prison for a number of specified felonies. There is a display of those projections in Table 2.

Table 2

Comparison of Population Projections for Male Felons in 1983  
by the Department of Corrections and Approach Associates  
for Commitments to State Prison, SB 709, and Bed Needs

Department of Corrections Revised Population Projection	
24,055	
95% of Capacity	Beds Needed
19,804	4,474
Projection of Additional Population from SB 709	Beds Needed
2,337	6,934
Approach Associates Projected Population	
19,416	
95% of Capacity	Surplus Beds
19,804	388
Additional Population Resulting from SB 709 (As Amended on April 27)	Beds Needed
1,249	905

In view of the limited information available now on the impact of both the Determinate Sentencing Law and SB 709, it may be inappropriate to determine which method for projecting population is more accurate.

The Committee did not take action on several other proposals by the contractor. The proposal to set aside planning funds for the reconstruction of San Quentin was not necessary because provisions of SB 1342, Chapter 789, Statutes of 1978, required it. This statute appropriated \$7.6 million for planning to also include an additional maximum security facility or facilities.

There was a recommendation to establish a community-based residential program for women prisoners with children. However, AB 512, Chapter 1054, Statutes of 1978, was recently enacted to accomplish this. Another recommendation was in response to a proposal by the department to construct an additional psychiatric facility. The contractor had recommended against it because a need had not been shown. During the hearings, the department had not provided information to the Committee to support its proposal.



COMMITTEE RECOMMENDATIONS

Recommendation 1

Committee recommends that the Central and North Facilities at the California Training Facility (Soledad), the Deuel Vocational Institution (Tracy), the California Medical Facility (Vacaville), and the California Institution for Men (Chino), are all key institutions which can and should be improved to meet current correctional security and program standards.

This recommendation was made by the contractor and adopted by the Committee. The contractor made it after determining compliance with applicable standards and codes in the following areas:

- 1) environmental quality
  - 2) organization of the institution
  - 3) operational requirements
  - 4) security
  - 5) structural and seismic safety
  - 6) fire and life safety
  - 7) energy conservation.
- Each institution was also rated and compared to each other in Table 3.

SB 1342 also provided that the planning funds be used for the renovation of existing facilities, but does not specify any particular institutions to receive priority. The department had recommended in its Program Planning Report that architectural studies be conducted for the institutions named by the contractor, except the California Rehabilitation Center was added and the Institution for Men at Chino was omitted. The contractor proposed that Folsom be reconstructed in a phased process after work on San Quentin had been completed. The department recommended an additional study be performed.

Table 4 has the general cost estimates made by the contractor to bring the particular institutions up to standard.

Table 3

SUMMARY RATING OF EXISTING CDC PRISONS

INSTITUTION NAME	Total Bed Capacity	Subinstitutional Mainline Population	# Special Population Units	Adequacy Program/Service Facilities	Capacity Typical Housing Unit	Condition of Housing	General Condition Physical Plant	Score	Rank
San Quentin	5	4	3	4	5	5	5	31	(1)*
Folsom	4	4	1	4	5	4	4	26	(2)*
CTF-Central	3	2	4	3	3	3	3	21	(3)*
DVI	3	3	3	1	3	3	2	18	(4)*
CRC-Men	4	1	0	4	1	4	4	18	(4)
CMF	4	3	3	2	1	2	2	17	(5)*
CIM-Main	2	2	0	2	3	4	3	16	(6)*
CTF-North	2	1	0	2	3	2	2	12	(7)*
CIM-RCC	1	1	1	2	3	2	2	12	(7)
CCI-Minimum	1	1	0	2	1	3	3	11	(8)
CRC-Women	0	0	0	3	1	4	3	11	(8)
CIW	2	1	3	1	0	1	2	10	(9)
CMC	5	1	0	1	0	1	1	9	(10)
CIM-RCW	1	1	0	2	1	2	2	9	(10)
CTF-South	0	0	0	3	1	1	2	7	(11)
CCI-Medium	1	1	0	1	1	1	2	7	(11)
SCC	3	1	0	1	0	1	1	7	(11)
CCC	3	1	0	1	0	1	1	7	(11)
CIM-East	0	0	0	1	0	1	1	3	(12)

\* Priority institutions selected by Contractor

Table 4

	Current Capacity	Reduction in Capacity	Final Capacity	Estimated Cost
San Quentin	2,686	1,282	1,404	\$ 68.9 M
CTF-Central	1,371	189	1,182	7.5
CTF-North	1,200	144	1,056	11.4
DVI	1,523	189	1,333	5.6
CMF	1,959	400	1,559	4.7
CIM-Main	987	151	836	10.4
	9,726	2,355	7,371	\$108.5 M

2. Committee recommends that written guidelines regarding the substantive criteria to be applied in classification decisions should be developed.
3. Committee recommends there should be a presumption of eligibility for minimum security placement, unless a contrary showing can be made.

The contractor found that there are extensive procedural guidelines regarding classification and appeals, but not explicit written statements regarding the characteristics of prisoners which are pertinent to classification. The lack of criteria allows a prisoner to be placed in a higher security classification than is necessary. The contractor describes the effects of this when its report states:

Prisoners in such instances feel unjustly punished, since they have actually committed no illegal acts...Overclassification is, in short, one instance of the concept of "Labeling" - in which the prisoners become what others have "labeled" the prisoner as being. (Vol. 2, p. 120)

Reasons for overclassification were also discussed. The report states:

...The tendency to avoid risks is rooted in the structure of organizational incentives and perceptions. Errors on the side of too little caution - as when a prisoner escapes from a minimum security institution or when a prisoner commits a violent assault in the mainline population - receive far more attention, and are remembered far longer, than are other cases. Public and political attention to these failures has created a perhaps understandable caution on the part of prison officials... (Vol. 2, p. 111)

The contractor also proposed to establish a presumption of eligibility for minimum security placement as an additional procedure to prevent a sense of unfairness among prisoners who get a higher security classification upon their immediate entry into state prison. As in a trial where innocence is presumed until guilt is proven, so should eligibility for minimum security be presumed appropriate until there is a sufficient showing of facts to the contrary. Referring to language in Wright v. Enomoto (ND Cal., Sept. 30, 1976, No. C-73-1422 SAW), the contractor states:

Implementation of fair procedures decreases tensions in prisons and eases the work of prison administrators. The reason for this is the existence in all of us of a sense of justice, which, if violated, diminishes our respect for societal institutions and causes us in various ways to settle our differences outside the normal channels created to resolve disputes. (Vol. 2, p. 121)

The contractor suggested that to the degree possible, classification decisions should be based on prior, rather than predicted conduct. Specifically, the report recommended that classifications which result in medium or maximum security custody should be based on actual misconduct or a risk of illegal activity which is demonstrably present and represents an actual threat.

The department agreed that the classification system should be modified in the light of current conditions. To accomplish this, they have submitted a request to the National Institute of Corrections to fund a study of the classification system and how it can be improved.

The Committee recommends the use of risk prediction in classification should be clarified, and inappropriate or invalid predictive considerations should be abandoned.

Risk of misconduct, such as escape or violence, is a factor in classification. In discussing the process of risk prediction of violent behavior, the department states:

This will involve not just prior history, but evidence of gang affiliation and any information about the inmate's behavior in the institution and his associations with other inmates. It is admittedly an inexact process. We will continue to err on the side of conservatism since our mistakes may result in the loss of human life. (Program Planning Report, Vol. 2, p. 74)

After performing extensive research into the literature on predicting violent acts, the contractor concluded that, "Predicting the commission of violent crimes is considerably more difficult than predicting recidivism in general. Neither statistical or clinical methods have been very effective to date". (Vol. 2, p. 116). When discussing the clinical effort the contractor states:

There are a number of studies which amply demonstrate that the prediction of dangerousness by psychiatrists are unreliable. Professor Bernard Diamond, a noted psychiatrist in this field, writes that "One can only conclude that psychiatrists who make such judgments tended to overpredict dangerousness greatly by a factor somewhere between 10 and 100 times the actual incidence of dangerous behavior". (Vol. 2, p. 117)

The statistical methods have not been any more successful. The report refers to several studies by the department in which violence was greatly overpredicted. When a "high risk" group was

identified in one study, 86% did not commit a violent offense while on parole. In another one, there were 326 incorrect predictions of a potentially aggressive individual for every correct one. (Vol. 2. p. 118)

In view of the inexact nature of predicting violent behavior, it is appropriate for the department to reassess its methods.

Committee recommends that in view of the restrictive consequences of denying offenders minimum security placement, all assignments to medium or maximum security housing, especially those made on the basis of risk prediction, should be regularly reviewed.

Committee recommends that external audits of classification decisions should be instituted by a department or agency deemed appropriate by the Legislature. The Board of Corrections should be considered during the selection process.

Committee recommends that the Legislature designate an appropriate entity to monitor all aspects of correctional facilities, and other institutions providing care on a 24-hour basis, for compliance with state law, regulations, or applicable standards.

The contractor proposed several procedures to check abuses in the classification process. Periodic self-review enables the department to determine if the basis for prior classification still exists. The audit samplings of classification records by an external agency would ensure that reasonable guidelines are being followed and that classification decisions are consistent and equitable.

Although the Legislature will select this agency, the Board of Corrections should be considered because its authority is independent from the department while having expertise and prior background in monitoring the activities of other correctional

facilities.

The Committee on its own recommended that a mechanism for broader review of other aspects of the department should be established. This entity would also have authority to examine the activities of other public agencies providing care on a 24-hour basis.

Committee recommends that the Department of Corrections consider a new designation of low minimum security when it develops written guidelines regarding the substantive criteria to be applied in classification decisions. Prisoners without any current or prior convictions for violent crimes, sale or possession of drugs, or history of drug addiction or escape, should be the basis of this low minimum security classification.

Committee recommends that the CDC contract with private organizations to operate local correctional centers for appropriate state prisoners.

Committee recommends that the CDC begin immediately to develop suitable compensation schemes and contracts with counties to use specialized facilities for appropriate state prisoners.

One of the most important tasks of the contractor was the development of proposals for alternatives to incarceration in state prison. To accomplish this, the contractor conducted a prisoner profile research study. They reviewed the records of approximately 350 male felons who had entered the CDC Reception Centers at Vacaville and Chino during March and April 1978. In addition, records for approximately 90 female felons imprisoned at CIW during April 1978 were reviewed.

Several methods were used for determining the types of prisoners whose confinement in a local facility would be more appropriate. The most stringent criteria excluded any prisoner

with any current or prior conviction for a violent offense or for sale or possession of drugs, or had a history of drug addiction or escape. The contractor proposed that this group, which comprised 13.0% of the men and 7.9% of the women, be the basis of a new classification designated as low minimum security. The Committee found that the proposal merited the consideration of the department when it reviews its classification system.

The contractor proposed that 1,000 low minimum security prisoners be placed in county facilities and another 1,000 such prisoners in facilities operated by private organizations. The proposal to place specified types of prisoners in the community, rather than state prison is based on an analysis of what prisons accomplish.

Prisons obviously meet a basic sentencing objective - punishment. It is uncertain whether they serve any other criminal justice purposes as clearly or as well. Incarceration is often seen as an important factor in crime control or prevention. However, the data on this issue is far from clear.

The contractor notes in its report that Florida and Georgia have incarceration rates two to three times higher than Wisconsin, Minnesota, Connecticut, and Iowa, but the latter states have far lower crime rates. In describing the effects of institutionalization on offenders, the contractor writes:

Recent criminological literature emphasizes the conclusion that prolonged periods of confinement in correctional institutions lead to increased criminalization of prisoners when they are released. For example, The President's Commission on Law Enforcement and the Administration of Justice reported that, "The conditions in which (prisoners) live are the poorest possible preparation for their

successful reentry into society, and often merely reinforce in them a pattern of manipulation or destructiveness." Such observations appear justified, for research has shown that incarceration, and especially lengthy incarceration, does not deter or reduce recidivism. (Vol. 2, p. 78)

When discussing the impact of community facilities the report states:

Therefore, social reintegration of prisoners by way of local alternative programs was accorded legitimacy as the new correctional direction by the President's Crime Commission: The goal of reintegration is likely to be furthered much more readily by working with offenders in the community than by incarceration.

Since the Commission's report was issued in 1967, the benefits of reintegration and the view that corrections is best undertaken in a community setting have been reinforced by numerous official planning and policy-making bodies. The Wisconsin Council on Criminal Justice established, as its study committee's fundamental priority, the replacement of Wisconsin's existing institutional correction system with a community-based noninstitutional system. (Vol. 2, pp. 78-79)

These centers should provide supervision and structure, work and training opportunities and procedures for restitution and a variety of program models. They would be called "Urban Skills Centers" in order to distinguish them from the bulk of low structure and low supervision programs which abound. Such alternative modes of incarceration would provide a unique opportunity to maintain family contact, have access to current and future employment in the home community, and have multiple opportunities for learning social survival skills of daily life.

The precise impact on prisoners placed in community settings is unclear. However, in discussing a project in another state using similar criteria the contractor states:

Washington State is currently engaged in an "Intensive Parole Supervision Project" experiment, in which approx-

imately 8 percent of commitments are released, following intake, back into the community with special parole contracts. In the first 26 months of operation, about 13 percent of the parolees have been returned to prison; most of these were for technical violations. Only 1.8 percent -- or 4 individuals -- were returned after new arrests, all for property crimes. It should be noted that similar results were achieved with a control group which received no special supervision. (Vol. 2, p. 146)

In view of the potential for community facilities to more effectively reintegrate offenders than a state institution, language was enacted in SB 1342 declaring that greater use be made of the authority delegated to the department to place inmates in community facilities.

Committee recommends that public policy should promote the development of re-entry programs in order to provide an opportunity for state prisoners to re-adjust to community life. Whenever possible, the department should place inmates in re-entry programs close to family and their community.

Committee recommends that pre-release placement in local facilities should be a minimum of three months, while still recognizing that the particular needs and security classifications will require some prisoners to receive increased or reduced time.

The department and the contractor agree on the need for community pre-release beds. The department recommended approximately 600 beds with a stay from 30 to 90 days for each prisoner. The contractor proposed that prisoners should be eligible for pre-release no later than one year prior to scheduled release, except for those with serious disciplinary records.

The contractor proposed this length of stay to ensure adequate preparation of prisoners for release. They state that their

recommendations are:

...consistent with pre-release practices in many states, such as Maine (three to six months in pre-release for almost all prisoners); Connecticut (where pre-release programs typically last three to four months, including for some prisoners placement in county jails for the final two to three months of terms); and South Carolina (where the average stay in pre-release programs is somewhat shorter, but where prisoners are eligible for pre-release programs eighteen months prior to scheduled release dates). (Vol. 2, p. 151)

Committee recommends that the Department of Corrections adopt the standards of the American Medical Association and the American Correctional Association as goals for in-patient health services.

Committee recommends that the department consider contracting out these services to community hospitals when it is fiscally proper to do so, and also develop procedures to allow health care personnel from community facilities into correctional institutions.

The primary issue here was how to provide prisoners the quality of care equal to the standards applied to hospitals in the outside community. The care available now does not meet community standards. The department itself states:

While the actual level of medical care in California institutions has not diminished, it appears to have lost ground when compared with outside levels of medical care and with the increasingly stringent standards by which community health programs are regulated. (Planning Report, Vol. 2, p. 148)

The contractor proposed contracting out all in-patient health services to accredited community hospitals if a fiscal feasibility study would show it can be done without incurring excessive costs. The Committee recommendation would have the department consider the cost information when determining how to provide in-patient

health services.

The Department of Health submitted a report recommending a reduction in the number of in-patient facilities. The Department of Corrections agrees that all institutions do not need such facilities, but maintains that in-house acute care facilities are needed. The department is continuing to review the necessary number with the Department of Finance.

Committee recommends that the position of Correctional Program Supervisor be reexamined; if the position is found warranted, it is important to clarify the role of the CPS vis-a-vis the correctional counselor.

Committee recommends that a task analysis of the correctional counselor be undertaken (and the CPS position if maintained), and training be developed based on this analysis.

The contractor described the correctional counselor as an employee with significant clerical duties, lack of training in counseling techniques, and affected with a custodial attitude stemming from their background as officers. The problem with the CPS is even greater because they are supervised by the correctional counselor and perform an even more specific custody role.

Committee recommends that the state contract with a public or private education system capable of and interested in delivering such a service to the CDC. The contractor should determine the feasibility and cost of developing the service, so that the state would be better able to determine whether to implement such a plan.

There is agreement between the contractor and the department

that the quality of education for prisoners should be improved. However, the contractor stated that the real issue is: What can be changed in the CDC educational system given the framework within which prison administrators operate. They state:

The constant tension in every area of programming caused by security classification concerns cannot be over-emphasized. It limits contact with the outside world that is necessary for the inmate to make a successful adjustment to society upon leaving prison. (Vol. 3, p. 36)

This along with the need to examine other more cost-effective methods of providing the educational program is the basis of the Committee recommendation.

Committee recommends that a systematic approach to scheduling and paying sponsors of self-help groups be established to make such groups more accessible to prisoners.

The department takes the view that program problems arise from the limited resources, such as available space for meetings. The contractor believes the issue, more often than not, relates to priority and security concerns and is not strictly a facility issue. The report notes that attitudes and approaches to self-help groups vary considerably from one institution to another. Consequently, the Committee recommended that minimum levels of access be established.

Committee recommends that the department develop a plan for a co-correctional program in an institution when it is feasible to do so in view of the other planning responsibilities specified in SB 1342, Chapter 789, Statutes of 1978.

The proposal by the contractor for co-corrections is based on the following analysis:

The overriding benefit of co-corrections, which manifests itself in a number of specific ways, is normalization of the prison environment. Because men and women participate in programs and activities together, and interact personally and socially in co-correctional institutions, the atmosphere more closely parallels the outside community. A sexually integrated environment also tends to better prepare prisoners for release, and reduces adjustment problems after release by providing everyday opportunities for interacting with the opposite sex. (Vol. 3, p. 86)

Committee strongly recommends that a women's facility be considered as a part of the reconstruction at San Quentin in lieu of the department's proposal for a new 400 bed facility.

The construction of a 400 bed facility for female inmates in Northern California was proposed by the department in its Program Planning Report. Although the contractor does not find that this facility is justified by population projections for females, this recommendation was made because of the need to have a facility in Northern California. At the present time, women felons are only committed to the California Institution for Women in Southern California.

Committee recommends that a comprehensive disability survey be conducted to guide planning for services to prisoners with physical and learning disabilities. There is no reliable information regarding the number of prisoners with various disabilities currently in the system.

Committee recommends that a living skills program be provided to those prisoners with serious disabilities. Based on available information on the current population, the Committee recommends immediate implementation of this program at CMF, CIM, and CIW.

The contractor sought to determine the number of prisoners with physical and learning disabilities. Based on interviews with prison officials, it appeared to them that there are an estimated 160 seriously physically disabled male prisoners and another five or six percent of the prison population with learning disabilities. Many of the physically disabled prisoners are located at CMF and CIM. A more precise method of identifying these prisoners is necessary.

To support their recommendation for a living skills program, the contractor states:

Currently, there are no independent living skills programs in California prisons which teach the incremental skills a disabled person needs in order to learn how to care for him or herself (e.g., dress, bathe, cook, and increase mobility). This need was pointed out in the report, Recommendations for Rehabilitation Programs in the California Department of Corrections, January 9, 1978, prepared by the Department of Rehabilitation in response to Item 410.1 of the 1977-78 Final Fiscal Year Governor's Budget for the Department of Corrections. (Vol. 3, p. 82)

The contractor estimates the annual cost of this program to be approximately \$375,000.

Committee recommends that a Child Development Center be established for women prisoners at CIW.

The contractor did not propose a live-in program for mothers and children at CIW. Instead, a child development center could 1) reinforce and preserve the mother-child relationship through the incarceration period, 2) provide a program where inmate mothers could receive training in child care and parenting



techniques, and 3) provide opportunities for extended overnight visiting.

Referring to one particular study, the contractor states:

In the sixties, a study was conducted at CIW concerning certain problems confronted by mothers and their minor children. Referring to this study, criminologist Joy S. Eyman notes that: Analysis of the data collected concerning the families disclosed, among other things, that the inmate-mother's own rehabilitation and adjustment are sharply affected by her maternal role and her continuing relationship relative to her children. Unless there is clarification and stabilization of the role she is to play in the rearing of her children, she will be faced with demands and crises that adversely affect her ability to utilize the institutional program or successfully complete parole. (Vol. 3, pp. 97-98)

Committee recommends the repeal of Penal Code Section 2709 which provides that "all articles, materials, and supplies, produced or manufactured (by inmate labor)...shall be solely and exclusively for public use". This recommendation is made to facilitate a major expansion of Correctional Industries, which should be allowed to become competitive in the private sector.

There was agreement between the department and the contractor on the need to reduce idleness in prisons by expanding work opportunities. The contractor made a favorable assessment of the program administered by Correctional Industries. The report states:

Despite the multitude of problems that complicate daily operations, Correctional Industries has sustained its operations -- at no cost to the public -- for 34 years, and has provided the most productive employment available to prisoners in California's prisons in an atmosphere that is more like a normal work place than any others in the system. California Correctional Industries compares favorably with systems in other states; it is one of the best, according to staff at the American Foundation Institute of Corrections. (Vol. 4, p. 12)

The contractor cites a 1971 study by the Auditor General and the Legislative Analyst which reported that the economic impact of industries on the manufacturing wholesale segment of the state economy was minor. The report found that industries sales in 1970 comprised only .12 of one percent of the production of the private sector. However, the contractor notes that the report did not examine the issue of economic competition with individual manufacturers.

The response by organized labor in states imposing less restrictions is a mixed one. The contractor states:

(In Minnesota) legislation has been passed that gives the enterprises a virtual open market, and conflicts with labor have been minimal. Minnesota maintains a very low unemployment rate...Corrections officials report that the building trades unions in Colorado are opposed to industries involvement in construction work. Attempts to work out agreements between labor and industries have been unsuccessful. (Vol. 4, pp. 14, 16)

Committee recommends that the CDC develop an approach to determining the personnel and other requirements which would ensure greater prisoner access to recreation programs and special events.

The contractor found that some institutions provide a diversity of recreational programs, while others are quite limited. A minimum level of such programming should be available at all institutions.

Even when facilities are available, there are other problems. It was found that various physical improvements are needed, particularly in outdoor recreation. Use of certain facilities is restricted, particularly in evening hours, because of insufficient correctional staff for supervision.

Committee recommends developing visiting services for children, extending furlough programs, extending visiting hours systemwide to seven days a week (including weekday evening hours), and developing systemwide family/friend days. Additional space should be provided for expanded family visiting.

The central reason behind this recommendation to expand certain visiting programs and establish new ones is taken from a finding from the department. The contractor referred to the conclusion by the department that "a consistent positive relationship exists between parole success and maintaining strong family ties while in prison". (Vol. 3, p. 56)

The recommendations were listed in order of priority. They are:

1) Visiting Service for Children - The contractor notes that a number of volunteer organizations could be utilized. They could be reimbursed for travel expenses and meals and, if necessary, because of distance, for overnight motel expenses. The estimated cost for this program is \$101,750. Without such a program, the current hardship for many children will continue.

2) Furlough Program - The report recommends this leave program be based on the Massachusetts model. In that state, prisoners are allowed up to fourteen 24-hour period passes per year.

3) Expanded Visiting Program - Although visiting times vary among institutions, the contractor recommends a minimum level for the entire system. Contact visiting should be extended to seven days a week, and should include evening hours.

4) Family/Friend Days - Certain institutions sponsor a variety of special events at which visitors are allowed to

mingle on the grounds of the facility. This recommendation would require all institutions to have these events.

Expanding Family Visiting - The contractor finds that all institutions have one or more trailers, but there are not enough units to allow one family visit per year for the eligible population. The estimated cost for additional trailers is \$469,000.

One of the key points in many of these recommendations is establishing a systemwide approach to visiting. This is important because it promotes a sense of equal treatment for prisoners in all of the institutions. This may reduce tension, in addition to having a program that provides an opportunity for easier reintegration into society.

#### Prison Gangs

The Policy Summary by Approach Associates does not have an explicit recommendation on prison gangs. However, consideration by the Committee of a proposal in the main text of the report by the contractor may be proper in view of the significance of this issue. The department has sought to physically isolate gang members and suspected gang members. The contractor maintains that this policy has, in fact, led to increased recruitment into gangs because "once labeled" an inmate has little choice but to become a member even if that was not his intention.

Control requires the separation of clearly identified gang members from the general population.

To divert prisoners, the report suggests an orientation program describing gang realities and greater use of older, more stable prisoners to exert peer pressures.

To defuse the conditions which contribute to violence and the recruitment of gang members, the contractor has proposed throughout the volumes of its report a wide range of reforms for facilities, programs, and alternatives to incarceration. In addition, the contractor is recommending an extensive training program for correctional officers.

The Committee finds that lands owned by the State in Otay Mesa, Chino, and Camarillo are not appropriate locations at this time for any potential construction of correctional institutions.

Committee recommends that the Department of Corrections consider the availability of specified resources in its evaluation of site locations for the construction of correctional facilities. They are 1) population capable of meeting staff needs, 2) housing for staff, 3) transportation for staff and facility needs, 4) adequate medical and psychiatric facilities, 5) institutions of higher education, 6) an area of land separating the facility and the community, 7) 30 acres for each 400-bed facility, 8) metropolitan area; Los Angeles and San Diego in particular are recommended.

These recommendations were developed by the Committee itself, pursuant to its responsibility to hold public hearings to review potential sites for additional penal facilities. Initially, the department had conducted a review of over 50 locations and then limited the sites under active consideration to lands owned by the State in Otay Mesa, Chino; and Camarillo. Some of the factors used in their site evaluation process were proximity to metropolitan areas, availability of utilities, cost of site preparation, and impact upon the community.

On May 12, 1978, a hearing was held in Chula Vista to take public comment on the 320-acre site of Otay Mesa and to hear views

on alternatives to correctional institutions. The Otay Mesa site is less than a half mile from the international border with Mexico and approximately 25 miles from San Diego. Architectural consultants to the department conducted a review of this site.

They state:

The site can be recommended for its physical properties and lack of complicated acquisition problems. The limiting factor of location offsets the advantageous physical properties and suggest that careful consideration be given to the type of facility that is proposed for this site.

They also found that utilities are not present at the site perimeter.

Community opposition was substantial. Elected representatives from the county and city of San Diego discussed their planning efforts for other economic development in the same region. Representatives of organizations from both San Ysidro and San Diego emphasized the ineffectiveness of prisons to rehabilitate offenders and recommended greater use of alternatives such as community service. An active community organization in San Ysidro is instead seeking to establish a university.

Several groups representing economic interests stated their support for prison construction on the site. However, in view of the limitations of this site and the substantial community opposition, Otay Mesa does not appear to be an appropriate site.

On May 19, a hearing was held in Los Angeles to take public testimony on state owned land in Chino, Camarillo, and alternatives. There are approximately 2000 surplus acres of this land in the Chino area. The architectural consultants to the department

made a more favorable analysis of this site. They state:

All utilities are available on adjacent institutional sites and could supply proposed new facility...Soils require no special foundation. Well drained farmland...There is an existing waste disposal system on adjacent correctional property and it would not have to be enlarged to be suitable for a new facility.

Consequently, they concluded that, "The site would be ideal for a 400 person, work oriented institution. Depending on need, more than one such facility could be built on this site". Chino, like Camarillo, is also not far from the Los Angeles metropolitan area.

The state owns a 266 acre parcel of land in Camarillo. The architectural consultants state this site "should be recommended on the basis of its location in regard to population centers and ease of acquisition". Some of the reasons for this recommendation are:

Roads and utility, except water, connections to the site are adequate. Connection to a proposed community water supply is possible. Grading and fill would be minimal...The community disposal system is sufficient to accept a new facility.

However, there was no testimony supporting additional construction of correctional facilities in either Chino or Camarillo.

The elected representatives from both houses of the Legislature for these communities testified in opposition. The respective boards of county supervisors and city councils took this same position. Many of these officials pointed out that any additional construction would overburden communities that were already providing their fair share of support for correctional or other state and federal institutions.

A diverse range of community organizations from Los Angeles also opposed additional institutions. It is inappropriate at this time to recommend either Chino or Camarillo as potential sites when such overwhelming opposition exists. Instead, the members of the community developed a list of factors which should be considered in the process of selecting a site.

APPENDIX 1

May 29, 1978

Assemblyman Art Torres  
Chairman, Joint Advisory Committee  
on Prisons and Incarceration Alternatives  
The Assembly  
State Capital  
Sacramento CA 95814

Dear Assemblyman Torres:

I am responding to a request from Alan Kalmanoff of Approach Associates regarding an independent review of their prison population projections, as compared to those of the California Department of Corrections. Recognizing that Approach Associates is submitting its study of correctional needs on or about June 1, I will simply send a summary of my observations for now, and forward a more detailed report later on. The documents received for review are: California Legislature's Study of Correctional Needs by Approach Associates, together with an additional chapter entitled "Alternative Population Projections, Analysis and Recommendations;" two chapters from a report issued by the California Department of Corrections entitled "IV. Corrections Population Projections" and "V. Facilities Utilization and Contingency Planning."

1. As applied directly to historical prison population data, linear regression analysis leads to extremes in projected population whether high or low, and thus, does not form a suitable basis for reliable prison population projection. It appears as one of Approach Associates' alternative population projections; however, its limitations are duly noted in their report.
2. On a national scale, and in nearly 20 states we have studied, the size of the risk population as affected by the baby boom, is a major factor in today's burgeoning prison populations. Present-day imprisonment rates are certainly not atypical of the last 25 years and would not have produced nearly so large a prison population at any time in the past. Thus the proportion of the inmate population falling in various age groups is of great

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Assemblyman Torres  
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importance for long-term prison projections. To the extent that current and future prison populations are concentrated in the younger age brackets, e.g., 18 to 29 years, recognition should be given to the fact that the baby boom population is soon to pass out of the age range at risk, leading to a reduced rate of growth or stabilizing of the prison population, unless unprecedentedly high imprisonment rates should occur. Thus, it is of interest whether the CDC flow projections are based upon undifferentiated admission rates lumped together for the 18 to 49 year age group, as is claimed in Approach Associates' report. The effect would be to prolong the influence of the baby boom as a factor in projecting prison admissions, leading to higher numbers of admissions than might be projected in an age specific approach. There seems to be no indication in the CDC materials I have received regarding which of these approaches (i.e., undifferentiated vs. age specific) was used. If, however, no differentiation was made by age, the procedures suggested by Approach Associates (specifically, breaking up the population base into age cohorts having widely differing prison admission rates) is clearly superior, in my opinion.

3. If the data are available, the projected population base used in projecting prison admissions should be that of counties, weighted in proportion to their historical contribution to prison admissions, and not the state population as a whole.
4. In the view of an "outsider," an increase in the number of prisoners from 18,000 to 24,000 by 1983 (an increase of about 33 percent) does seem a bit high, though not unreasonably so considering peaking of the baby boom, the national trend toward higher imprisonment rates, and the possible future impact of the determinate sentencing law. If, however, the imprisonment rate per 100,000 population at risk implied by prisoner projections is unprecedentedly high, even allowing for effects of DSL, then one has a right to question the adequacy of the projections.
5. It would appear that there is indeed a tendency for CDC to overestimate future institutional populations (as documented in the Study of Correctional Needs). It should be pointed out, however, that in our experience this seems to be true of departments of corrections generally, whose estimates are, perhaps, understandably conservative.

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As mentioned previously, this is only a very brief summary of our reactions, owing to the tight time frame available for review. We look forward to sending a more detailed set of comments in the next few weeks.

Sincerely yours,

*Edward Lakner*

Edward Lakner, Ph.D.  
Statistician

EL/dp

cc: James Taylor

APPENDIX 2

ational clearinghouse for criminal justice planning and architecture

October 10, 1978

Mr. Robert Lawson, Chief  
Program Planning Project  
Department of Corrections  
714 P Street - Room 792  
Sacramento, CA 95814

RE: NCCJPA Project #2404

Dear Mr. Lawson:

I am responding at long last to your letter of June 23 regarding comments which I addressed to Assemblyman Torres concerning prison population projections.

You are probably aware that my evaluation was solicited by Mr. Alan Kalmanoff of Approach Associates whom, I presume, was speaking for Mr. Torres. The letter was sent to Approach Associates at their request for inclusion in their final report on the California legislature's study of correctional needs; however, to my knowledge, it was never published. In any case, judging from the resulting sequence of phone calls to and from Mr. Kalmanoff, Mr. Parales, and yourself, and finally, the comments contained in your letter, my preliminary evaluation received quite a controversial reception.

I would like to make a more detailed presentation of those remarks in the context of your response to my original letter. With regard to the specific points mentioned in your letter, please let me make the following comments in turn.

Although you feel that my letter was quite different in content and tone from what our telephone conversation "...had led me to believe it would be," it was certainly not my intent to be misleading. The main point is that projections of prison headcount based on state population are likely to be more reliable in the long run if an age specific population base is used. It was only to this methodological question that my remarks were directed (specifically, breaking up the population base into age cohorts having different prison admission rates), and not the extent to which either projection series, CDC's or the consultants' "worst case" might be in error.

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You point out that the Series E-150 projections by the California State Department of Finance indicate only a small change in the relative proportion of the California state population in the age ranges of 20 to 34 and 35 to 49 years, within the next few years. This is quite true. In fact, through 1984, the proportion aged 20 to 34 years should remain nearly constant at about 26 percent of the total population, while that aged 35 to 49 years should grow slightly from about 18 percent (at present) to just over 20 percent. Your analysts are correct, therefore, in concluding through a forecast period of the next five or six years, the use of age specific population projections would have minimal effect on prison populations projections. But if the projections concern the need for new prisons, specifically for new construction, a forecast period longer than the next several years should be used, one perhaps, beginning in 1982 or 1983. This is because a correctional institution takes typically 3½ to 4 years to build from inception to completion, with 24 months for the actual construction.

In decades following 1985, the annual total fertility rate, which has been declining ever since 1960, has its greatest influence on prison population projections. The current level of total fertility is just under 1.8 births per woman (the number of births a woman would have in her lifetime if, at each year of age, she experiences the same fertility rates occurring at the present time - see Attachment 1). If the total fertility rate were to cease declining and stabilize at the present level, a progressive decline would still occur after 1985 in the national population aged 18 to 34 years of age, and rather more rapidly in the range of 18 to 29 years (Attachment 2). The population aged 18 to 34 years would fall by 15.5% between the years 1985 and 2000, and by 26.7% between 1985 and 2040. The 18 to 29 year old group would decline by 19.0% and 28.5%, respectively.

By contrast, the population aged 18 to 54 years\* would grow sharply on a percentage basis, no less than 59.4 percent between the years 1980 and 2000, and 43.5 percent from 1985 to the year 2000. The net effect is a sharp increase through the year 2000 in the overall population aged 18 to 54 years, while the age group most at risk for prison admissions steadily declines. Used as the basis for prison population projections, this is what I meant by "prolonging the influence of the baby boom."

\* This is the closest that the age range of Census Bureau projections corresponds to the age range used by CDC of 18 to 49 years.

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It seems obvious that if different incarceration rates were to apply within these age groups, the resulting projection series could be quite different from that obtained by application of a single rate to 18 to 54 year old population (or 18 to 49 year old population) undifferentiated by age. This is the substance of the recommendation made by Approach Associates, but it is not applicable so much during the forecast period at issue (1977 through 1983), as from 1985 through the end of this century. It is entirely possible that higher commitment rates in the younger age group would be offset by lower rates in the more rapidly expanding older group so that the net effect of age differentiation is zero, and this could be shown by demonstration. The point, however, is that in long-term projections, such as that demanded by new prison construction, the potential impact of age differentiation seems to be very much worth evaluating.

The projections of population growth and decline previously cited through the year 2040 concern the nation as a whole (U.S. Census Bureau, CPR, Series P-25, No. 601), and will not be perfectly identical to similar projections for the State of California. Still, so large a subpopulation will tend to closely mirror national trends in the birth rate and age distribution. I mention this because the E-150 projections of the Department of Finance are based upon an assumed completed cohort fertility rate of 2.1 births per woman. As the data contained in Attachment 1 show (on a national scale at least), the total fertility rate has been declining from that level since about 1971, to the current rate of just under 1.8 births per woman. It would seem reasonable, therefore, to use projections based upon an assumed birth rate of 1.8 instead of 2.1, unless the current total fertility rate in the state is, in fact, rather nearer 2.1 as shown by birth registration data. Although current lifetime birth expectations (in 1976) were 2.1 births per woman, there is some evidence to suggest that actual fertility rates are turning out lower than corresponding expectations (see Attachment 1). On a more refined level, projections could be made separately in each of the populations most representative of prison admissions if notable differences exist in the population birth rates; however, I do not know whether this is actually feasible.

You asked for comments on the relative merits of Approach Associates' holding commitment rates constant, as against CDC's estimating a continued increase in these rates. As you know, the commitment rate changes continuously and for this reason, to hold it constant in projections of prison population enhances the risk of error. This is shown in the graphical plot of CDC male felon admission rates from 1960 which accompanied your letter, and which is very similar in shape to the plot for the nation as a whole and for other states (Attachment 3).



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These data seem to suggest that imprisonment rates rise and fall within predictable limits on a cyclical basis, with historical periods of climb lasting for an average of about 14 years. Since my data for CDC admission rates date only from 1960, I can only speculate as to the extent of similarity in prior years, but I would guess it to be substantial. In the CDC type of projection model, the timing of an imprisonment rate cycle in relation to the sizes of the population at risk would seem to be critical, especially in relation to the baby boom population. If the past can be used as a guide, we should expect the imprisonment rate to continue rising through the next several years, and even possibly into the middle 1980's. However, this increase cannot continue indefinitely, and a plausible projection series would specify a limit in this regard. Historical data suggest that past peaks in the rate of imprisonment are quite reliable indicators of future ones.

For long-term planning, it would seem that a probable range projection is preferable to one consisting of a single figure, as is done by CDC. A single figure forecast will not hit the mark exactly, except by sheer chance. It gives a feeling of being definite and practical, and thus creates an unwarranted belief in its reliability. Most important, it does not give an indication of the extent to which it might be in error, whether it is likely to be high or low. A two figure range, on the other hand, should be subject to a smaller error than a single figure projection consisting of the maximum and minimum projections of correctional population that can be reasonably expected in the prison system. Within these extremes, a narrower probable range of growth may be determined within which the chances are equal or better than the correctional population will be on the forecast date. The margins of error can then be expressed in terms of construction dollars (at \$30 to \$60 thousand per bed space for prison facilities) in order to estimate the range of possible over- or under-expenditure for construction.

My earlier remark that a 33 percent increase in the number of prisoners by 1983 "does seem a bit high" was indeed subjective and based on prisoner population data I had seen only from 1971. The important part of my sentence, however, is its continuation, "...but not unreasonably so considering peaking of the baby boom, the national trend toward higher imprisonment rates, and the possible future impact of the determinate sentencing law." In fact, the imprisonment rate per per one hundred thousand population implied by your recently revised projection of 28,100 prisoners in 1985 is virtually unchanged from the year 1975 (114 per one hundred thousand population), and is considerably lower than the rate of 137 per one hundred thousand which existed in the year 1970. I would not, therefore, characterize these projections as "extremely improbable" as Approach Associates have done with specific reference to the period of the

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next few years, although you have noted the past role of legislative and parole board decisions in reducing actual prison populations from their projected sizes. However, to project growth of the prisoner population through 1990, even half as large as that between 1978 and 1984 would seem implausible in my opinion, owing to the probable distribution of ages in the prisoner population, and future effects of the declining birth rate.

If decisions of the parole board regarding early release have been made consistently in response to CDC projections, it would be an overstatement to say that "the CDC projections have shown a significant tendency to overestimate prison populations by large amounts" (p. 11 of the consultants' report). Instead, we can say that policy decisions of the parole board are not part of the projections model, but their likely effect is to reduce the population from levels that are projected, levels which would have presumably occurred otherwise. The point, however, is that the actual population levels have tended to be lower than the projected ones and this is a fact that may still need to be taken into account when planning future prison facilities. You are probably aware that the Council of State Governments has proposed a model to forecast future prison, probation, and parole populations ("Simulation of Populations from Arrests to Corrections Exist," or SPACE) in which probation and parole trends are evaluated for their effect on prison population. In case you would find it useful, a copy of a monograph describing this model is enclosed (Attachment 4).

The question naturally arises, of course, whether any projection model can anticipate all the factors influencing prison population, and give reliable forecasts except within an explicitly stated range of error. Some form of relationship holds between the number of inmates and, in addition to the size of the population at risk, the crime rate, police efficiency, unemployment and recession, recidivism and revocation rates and a number of policy related factors. Assuming success in correlating prison population levels to changes in several contributing factors, we ask (as you well know) whether these same factors with the same weight have governed prison population levels in the past and whether they could reasonably be expected to do so in the future. If so, separate forecasts are needed for each of the identified factors to predict the prison population. The result is that instead of a single forecast, we are now concerned with at least as many forecasts as the number of contributing factors. Also, the numerical effect of future policy shifts (e.g., probation and parole) on prison population, assuming that such shifts will even occur, can be hard to assess with satisfactory reliability.

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Accordingly, the purpose of long-term projections of prison population would not seem to be one of predicting the population on some future date with a claim to 95 or 100 percent accuracy. Instead, such projections are, at best, guidelines for the evaluation of proposed facility capacity needs of an unrealistic character, as indexed by the plausibility of the policy assumptions implied by them. If the probable range of inmate population predicted by the projection model is too wide to arrive at a specific planning decision, especially regarding the capacity of new prisons, then the size of the inmate population to be expected rests on agreement regarding policies and procedures to be implemented in the criminal justice system and not on the further application of statistical projection models.

Finally, I am taking the liberty of not commenting on the adequacy of Approach Associates' methods of projection as compared to CDC's, since, as you have already noted, not much detail is given about their modified flow projection model in their report. Mr. Panell's paper is rather more informative in this regard, though apparently not intended to be a detailed narrative on the operational aspects of the CDC projection procedure. It was not my intention to make such a comparison anyway, not even originally, but only to address the question of age specificity in prison population projections.

Sincerely yours,

*Edward Lakner*

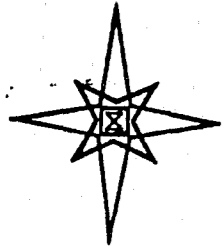
Edward Lakner  
Statistician

EL:sm

cc: Warren Rawles, Chief  
Corrections Management and Facilities Branch, LEAA  
Jim Taylor, Director, NCCJPA  
Assemblyman Art Torres, Chairman  
Joint Advisory Committee on Prison and Incarceration Alternatives

Enclosures

APPENDIX 3



AMERICAN FRIENDS SERVICE COMMITTEE  
NORTHERN CALIFORNIA REGION 2160 Lake Street, San Francisco, Calif. 94121 (415) 752-7766

October 26, 1978

Art Torres, Chairperson  
Joint Advisory Committee on State Prison  
Facilities and Incarceration Alternatives  
Capitol Building  
Sacramento, California 95814

Dear Art Torres:

This letter is in response to your request at the hearing of your committee on October 5, 1978 in Sacramento.

It was at the hearing that I reacted strongly against the notion that the committee had done the work given to it by the legislature as embodied in ACR 78. ACR 78 required your committee among other things to study "the cost and social effectiveness of prison and alternatives to such prisons". I have attended most of the hearings of the committee and received and studied its reports, but I fail to see where the committee dealt with the three items mentioned above.

In my testimony I suggested that the committee continue its work and that additional hearings be conducted in the larger metropolitan areas. Community agencies and groups could present, from their experience working with persons now in prison or who had been in prison, what they perceive alternatives to prison to be, how they work and what some of the ways are in which the community groups could be strengthened in their programs and how new alternatives could be implemented.

Immediately when I came home I contacted my counterpart in the Los Angeles area and asked him to submit to you a list of names of community groups and agencies which would like to testify before your committee. The groups which are listed following would like to see the committee explore, evaluate and recommend procedures to implement alternatives before the legislature commits itself to more prison construction. Soon the elections will be over and many of the feelings expressed by the groups are that legislators, state agencies and agency representatives will be able to discuss more "rational" alternatives and the implementation of these.

ART TORRES  
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Several of the groups are divided on the question if the Committee on Alternatives should be continued after the deadline of the first of December. Some of the reasons are that there are still two vacancies which we have urged the Joint Rules Committee to fill. Secondly, in spite of our insistence on Black representation on the committee there is none as yet. Also Persons like Senator Presley who introduced the bill for additional funding for new prison construction has a conflict of interest with the charge given to the committee by the legislature to seriously explore alternatives.

The groups feel that a few hearings should be held in the large urban centers after the election with public testimony specifically on the three aspects I mentioned above, 1.) the cost effectiveness of prisons, 2.) the social effectiveness of prisons, 3.) alternatives to prison incarceration. A discussion of and decision of committee members on that testimony would greatly enhance the fulfillment of the charge given to your committee by the legislature.

Thank you for your concern.

Jan Marinissen  
Criminal Justice Secretary

cc: A. Sieroty

Additional Groups:

Commission on Social Justice, Archdiocese of San Francisco

Swords into Ploughshares

Reality House

Women Against Prisons

Allied Fellowship

Seven Step Foundation

AFSC

National Alliance Against Political Repression

Northern California Ecumenical Council

Joint Strategy Action Commission

Diocese of Alameda and Contra Costa County

Peninsula Halfway House

Womens Jail Project

Forum Project West

Bar Association, Correction Commission

Prison Law Project

Phoenix Corporation

Delancy Street Foundation

UUSC

Young Adult Project

Genesis Church

Committee to Reinolve Ex-Offenders

Prisoners Union

Four County Coalition, Fresno

Inmate Legal Service Project

FCL

Centro de Cambio

Mission Possible

Antioch College West

**END**