

POST-REALIGNMENT PRISONS ADMISSIONS INCREASE IN 2013



Mike Males, Senior Research Fellow
Center on Juvenile and Criminal Justice

September 2013

Fact Sheet

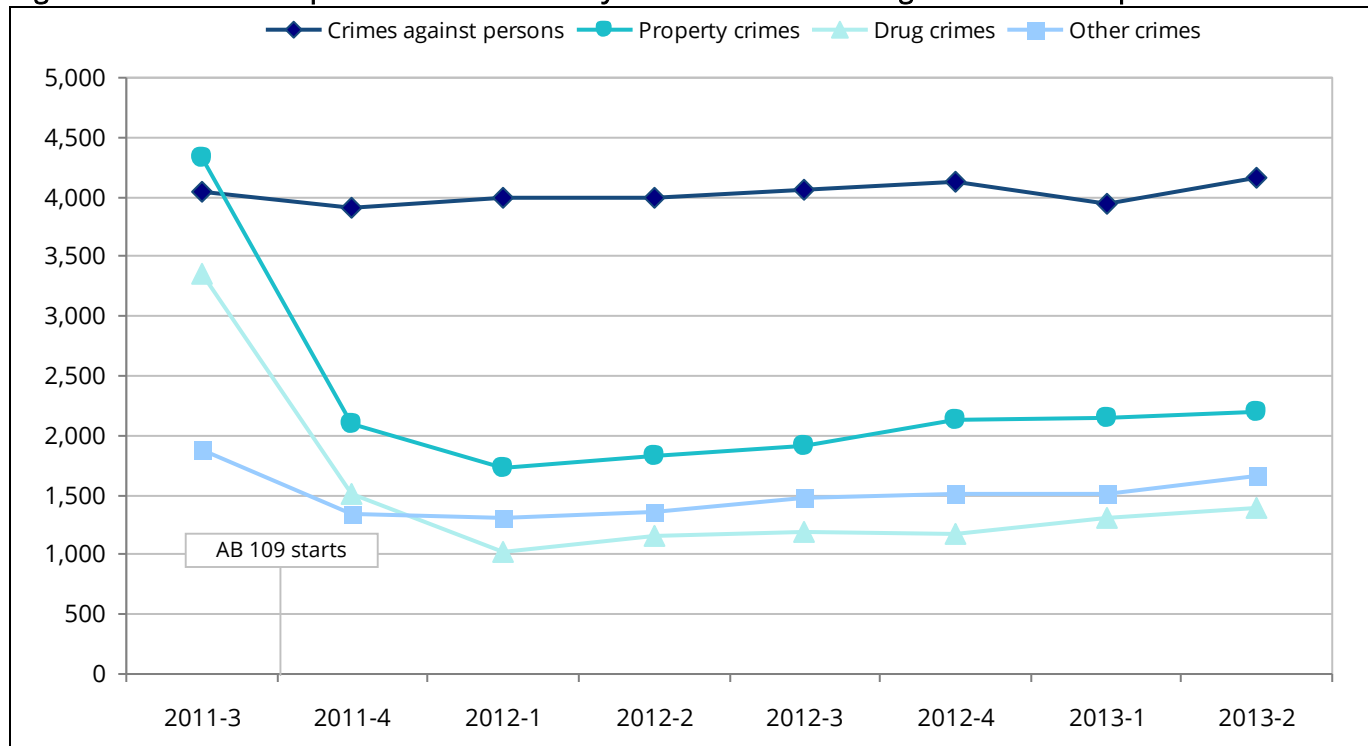
Realignment (AB 109) redirects offenders convicted of low-level, non-violent, non-sex crimes from state to county supervision as of October 1, 2011. The law is intended to reduce unconstitutional levels of prison overcrowding by reducing the prison population to below 120,000 by 2017 per U.S. Supreme Court mandate,¹ save fiscal resources, encourage counties to develop and implement best practices and alternatives to incarceration, and reserve state prisons for people convicted of serious offenses. This fact sheet examines the progress of reducing the prison population in the 21 months post-Realignment.²

This analysis of new prison admissions by quarter, type of admission, sentencing offense, and county in posted reports and special data provision by the Data Analysis Unit, California Department of Corrections and Rehabilitation (CDCR, 2013) during July 1, 2011 through June 30, 2013, finds:

- **New prison admissions initially declined after Realignment, but are now on the rise.**

New prison admissions declined by 40.9 percent and prison populations fell by 13.4 percent in Realignment’s first two quarters, October 1, 2011 to March 31, 2012. Since then, new prison admissions have risen by 17 percent. Total prison populations declined at a slower pace—by approximately 30,000 to around 133,000 by late 2012—but since have leveled off and, in recent months, have risen slightly to 133,412 as of September 4, 2013.

Figure 1. Number of prison admissions by offense since Realignment was implemented.



Source: CDCR, 2013.

¹ See *Brown v. Plata* (2011) No. 09–1233.

² As of this writing, the most recent available data is for the second quarter of 2013.

- **Parole violators are increasingly being managed at the local level.**

As of July 1, 2013, the local courts became the sole parole authority. Courts are now authorized to administer flash incarceration at the local level for up to 10 days and local parole revocations for up to 180 days for parole violators. This new measure has reduced the number of parole violators sentenced to state prison by 57.3 percent. Prior to Realignment, parole violators comprised 28.6 percent of prison admissions; 21 months after they comprise 17.6 percent.

- **After declining in the initial months of Realignment, new prison admissions for drug possession and have risen sharply (see Figure 1).**

Since early 2012, admissions for possession of drugs other than marijuana increased by 43.1 percent. This increase is significant compared to new admissions for individuals convicted of murder/manslaughter (-7.3 percent), robbery (-2.4 percent), rape (-10.1 percent), and aggravated assault (+16.6 percent). The rise in new admissions for drug (+37.7 percent) and property offenses (+27.4 percent) is not congruent with the stated national law enforcement agenda that has made enforcement of low-level drug offenses a low public safety priority (Holder, 2013).

- **Realignment goals will not be met without reinforcement of its mandates.**

AB 109 has been a significant measure reducing the prison population; however, some counties continue to send property and drug offenders to state prison. This practice is contrary to Realignment goals and national and state public safety priorities. California must address county disparities in the application of AB 109 to reserve state prison for only people convicted of serious crimes.³

Sources:

California Department of Corrections and Rehabilitation (CDCR), Data Analysis Unit. (2013). Commitment Status, Total Felon Admissions (special data provision). Characteristics of Felon Admissions to Prison. Population Reports. At: http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Offender_Information_Reports.html

Criminal Justice Statistics Center (CJSC), California Department of Justice (2013). Crime data. At: <http://oag.ca.gov/crime>

Holder, E. (2013, August 12). California Attorney General Eric Holder's speech at the American Bar Association Annual Conference. San Francisco, CA. At: <http://livewire.talkingpointsmemo.com/entry/read-ag-eric-holders-remarks-at-american-bar?ref=fpblg>

Please note: Each year, every county submits their data to the official statewide databases maintained by appointed governmental bodies. While every effort is made to review data for accuracy and to correct information upon revision, CJCJ cannot be responsible for data reporting errors made at the county, state, or national level.

Contact: cjcjmedia@cjcg.org, (415) 621-5661 x. 123, www.cjcj.org

³ See CJCJ's fact sheet, *Counties' continued disparities in Realignment implementation* at http://www.cjcj.org/uploads/cjcj/documents/Counties_disparities_in_Realignment_implementation_Fact_Sheet.pdf.