

TRYING TO TURN PRISONERS AROUND

In an unprecedented move, California has started to shift approximately 30,000 prisoners from state prisons to county facilities.

The shift has been prompted by severe budget shortfalls as well as by a U.S. Supreme Court finding that the state's prisons were too crowded to pass constitutional muster. These combined events are forcing California to re-think how many of its non-violent, non-serious, low-level offenders can be handled better.

To help with that process, the Public Welfare Foundation, together with four California-based foundations, sponsored a one-day conference, highlighting practices that have proven to be effective in preventing offenders from committing more crimes and in maintaining public safety.

The conference, held in Sacramento, brought together more than 500 people from California's 58 counties: including sheriffs, police chiefs and officers, district attorneys, public defenders and criminal defense attorneys, county supervisors, probation chiefs and officers, judges, and service providers.

In his keynote speech, Gov. Jerry Brown allayed the fears of many participants that, during this so-called realignment process, "you get the funding you need to make the thing work." He also reaffirmed that addressing the needs of low-level offenders at the county rather than the state level was a welcome shift because it recognized that "the people who are closest to the problem, who are most affected by it, can provide the most flexible, the most sensitive, and the most common sense response."

It goes beyond common sense. Studies showing established evidence of success can help predict which people arrested are most likely to come back to court after a first appearance, which probationer is less likely to commit another crime, and what type of supervision would be most effective in preventing someone on parole from engaging in new criminal activity.

As the conferees learned, there are proven practices and strategies' mostly based on sophisticated assessments of risk — that allow judges and law enforcement officials to release certain individuals before trial, impose more sensible sentences, and offer targeted treatment and supervision to people on probation.

Consistent with its goals of reducing America's overall population of people in prison and of finding alternatives to incarceration, the Public Welfare Foundation ensured that recognized experts in pretrial detention, sentencing, and probation supervision were among the many panelists who appeared during the conference.

According to some experts, the greatest opportunity to reduce jail populations, while maintaining public safety and the integrity of the judicial process, is at the pretrial stage.

There are nearly 750,000 people in local jails, 61 percent of whom have not been convicted, but are awaiting trial. Currently, in many jurisdictions, people who have been arrested but have steady employment, a stable home life, good community ties and no history of violence are considered prime candidates for supervision on the theory that this will help prevent them from graduating to more serious crimes.

Yet research shows that intensive supervision for this low-risk population is counter-productive, disrupting their home and work lives and increasing the likelihood that they will fail to appear in court or commit a more serious crime. Left to their own devices, these low-risk people have the ability and the resources to change on their own.

Similarly, the use of research-tested assessments in decisions involving sentencing and probation supervision has allowed officials to help low- and even moderate-risk offenders with sensible interventions that make it less likely that they will commit either similar or more serious crimes. With fewer low-risk offenders clogging the system, more resources can be directed to moderate-risk and especially to high-risk offenders who are the most likely to commit more crimes and endanger public safety.

Some counties have already followed the research — or created their own — to change some of their practices. The challenge is to take many of these model solutions and apply them statewide, to reduce recidivism rates in more meaningful ways and to improve public safety.

As Judge Roger Warren, a retired Sacramento Superior Court judge and a recognized expert on evidence-based practices in sentencing, told the participants, using rigorous scientific research advanced the goal of "changing the hearts and minds — really, the criminal behavior — of the offenders so that they don't continue to re-offend."

OUR MISSION The Public Welfare Foundation supports efforts to ensure fundamental rights and opportunities for people in need. We look for carefully defined points where our funds can make a difference in bringing about systemic changes that can improve the lives of countless people.

Public Welfare Foundation
1200 U Street, NW
Washington, DC 20009-4443

www.PublicWelfare.org
info@publicwelfare.org

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For media inquiries, please contact Diane Camper, Communications Officer,
202-965-1800 ext. 242 dcamper@publicwelfare.org

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