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**IN THE SUPREME COURT
OF THE STATE OF CALIFORNIA**

PEOPLE OF THE STATE)	Supreme Court
OF CALIFORNIA,)	No. S262229
)	
Plaintiff and Respondent,)	Court of Appeal
)	No. D074098
v.)	
)	
JEREMIAH IRA WILLIAMS,)	
)	
Defendant and Appellant.)	
_____)	

MOTION FOR JUDICIAL NOTICE

TO THE HONORABLE PATRICIA GUERRERO, PRESIDING
JUSTICE, AND TO THE HONORABLE ASSOCIATE JUSTICES
OF THE CALIFORNIA SUPREME COURT:

Please take notice that petitioner hereby moves this Court, pursuant to rules 8.252(a) and 8.520(g) of the California Rules of Court, and Evidence Code sections 452 and 453, to take judicial notice of data published by the California Department of Corrections and Rehabilitation (“CDCR”) regarding recidivism rates for parolees.

Evidence Code section 452, subdivision (c), allows the Court to judicially notice official acts of the executive branch of any

state. The CDCR is a statewide agency, part of the state's executive branch, tasked with incarcerating convicted people, administering the Board of Parole Hearings ("BPH") and maintaining data and statistics regarding parolees. (See, e.g., *Department of Corrections & Rehabilitation v. Superior Court* (2023) 94 Cal.App.5th 1025, 1042 [describing CDCR's role with regard to parolees].) CDCR supervises individuals who are placed on parole after serving prison sentences. (Pen. Code, § 3000.08, subds. (a) & (i).)

CDCR's website: <https://www.cdcr.ca.gov/bph/recidivism/> [as of May 27, 2024] reports that "[d]espite the significant increase in the number of parole grants to inmates serving long sentences (8,000 parole grants in the last 10 years) the recidivism rates for these formerly incarcerated persons remains very low, at two to four percent for general recidivism and less than one percent for recidivism involving felony crimes against persons." The three most recent recidivism reports are for the years 2018-19 (Exhibit 1), 2017-18 (Exhibit 2), and 2016-17 (Exhibit 3). They are attached to this motion.

These reports break down recidivism rates in a variety of ways, but the rate relevant to the current litigation is the rate for defendants sentenced to indeterminate life terms who have been released after appearing before the BPH. The rate for those defendants is found at page 19 of Exhibit 1, which notes they have "the lowest conviction rate when compared to all other sentence types." Similar statements are included in Exhibit 2 at page 21 ("Lifers have consistently been the lowest recidivating

group when it comes to sentence type categories, usually having a conviction rate of under five percent, including in the current cohort (1.9 percent)” and Exhibit 3 at page 22.

The data created and reported by CDCR, and attached to this motion, is relevant to the instant pending litigation because respondent and amici rely on a variety of recidivism statistics to support the exclusion of “One-Strike” sex offenders from youthful offender parole under Penal Code section 3051. Unlike the data and statistics referenced in the briefing, these data and statistics are specific to the California prisoners, are specific to California prisoners who have been screened by the BPH for dangerousness before being released¹, are generated by a state agency as part of its statutory mandate, and are relatively recent.

For the foregoing reasons, and in support of accuracy in this Court’s assessment of the issues in petitioner’s case, petitioner respectfully requests this Court take judicial notice of the attached official reports.

Exhibit 1: Statewide Recidivism Report for Individuals Released from the California Department of Corrections and Rehabilitation in Fiscal Year 2018-19

Exhibit 2: Recidivism Report for Offenders Released from the California Department of Corrections and Rehabilitation in Fiscal Year 2017-18

¹ “[T]he fundamental consideration in parole decisions is public safety,” which requires “an assessment of an inmate's current dangerousness.” (*In re Lawrence* (2008) 44 Cal.4th 1181, 1205.)

Exhibit 3: Recidivism Report for Offenders Released from
the California Department of Corrections and Rehabilitation in
Fiscal Year 2016-17

Dated: May 28, 2024 Respectfully submitted,

/s/ Rebecca P. Jones

REBECCA P. JONES

Attorney for Petitioner WILLIAMS

EXHIBIT 1



California Department of Corrections and Rehabilitation

RECIDIVISM REPORT FOR INDIVIDUALS RELEASED FROM THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION IN FISCAL YEAR 2018-19

Division of Correctional Policy Research and Internal Oversight

OFFICE OF RESEARCH | FEBRUARY 2024

You can obtain reports by contacting the Department of Corrections and Rehabilitation on the internet at:

<https://www.cdcr.ca.gov/research/>

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This report would not have been possible without the generous support of others. Specifically, we would like to thank Naruthai Barz, Shelley Buttler, and Yoon (Grace) Chang from the Office of Research for providing data quality assurance.

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Executive Summary

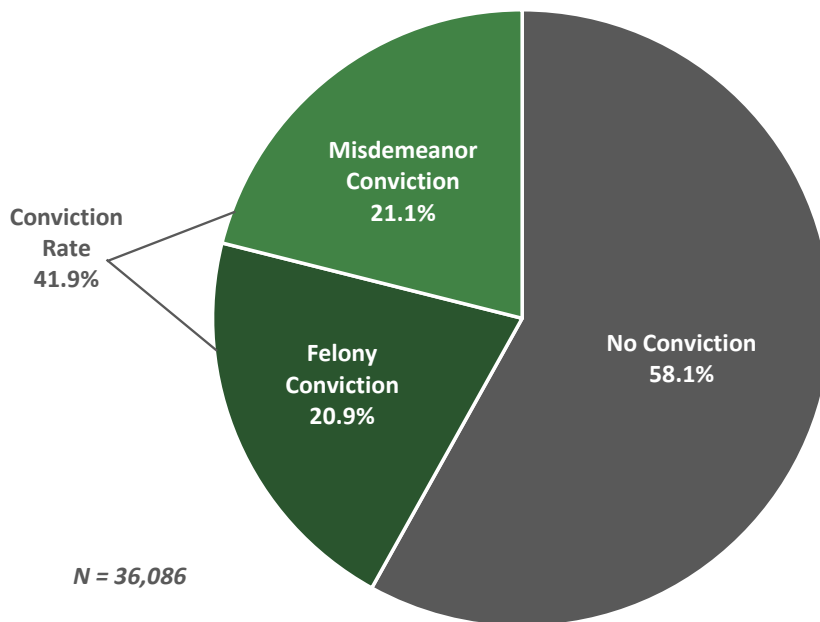
The California Department of Corrections and Rehabilitation (CDCR) examines recidivism outcomes (arrest, conviction, and return-to-prison rates) for formerly incarcerated individuals released from CDCR's adult institutions over a given fiscal year. This report presents recidivism rates for the 36,086 individuals released between July 1, 2018, and June 30, 2019 (Fiscal Year 2018-19). CDCR tracks individuals for three years following the date of their release. The three-year conviction rate is used as CDCR's primary measure of recidivism, while arrests and returns to prison are provided as supplemental measures of recidivism.

In addition to examining overall recidivism rates and the impact of recent policies and initiatives, this report provides the type and timing of post-release convictions and recidivism rates by demographics (e.g., age, race/ethnicity) and characteristics (e.g., sentence type, length of stay).

Recidivism Rates for Individuals Released During Fiscal Year 2018-19

The three-year conviction rate for the 36,086 individuals who comprise the Fiscal Year (FY) 2018-19 release cohort is 41.9 percent.¹ As shown in Figure A, 58.1 percent of the release cohort (20,957 individuals) had no convictions within three years of their release from prison, 20.9 percent (7,525 individuals) were convicted of a felony offense, and 21.1 percent (7,604 individuals) were convicted of a misdemeanor offense.

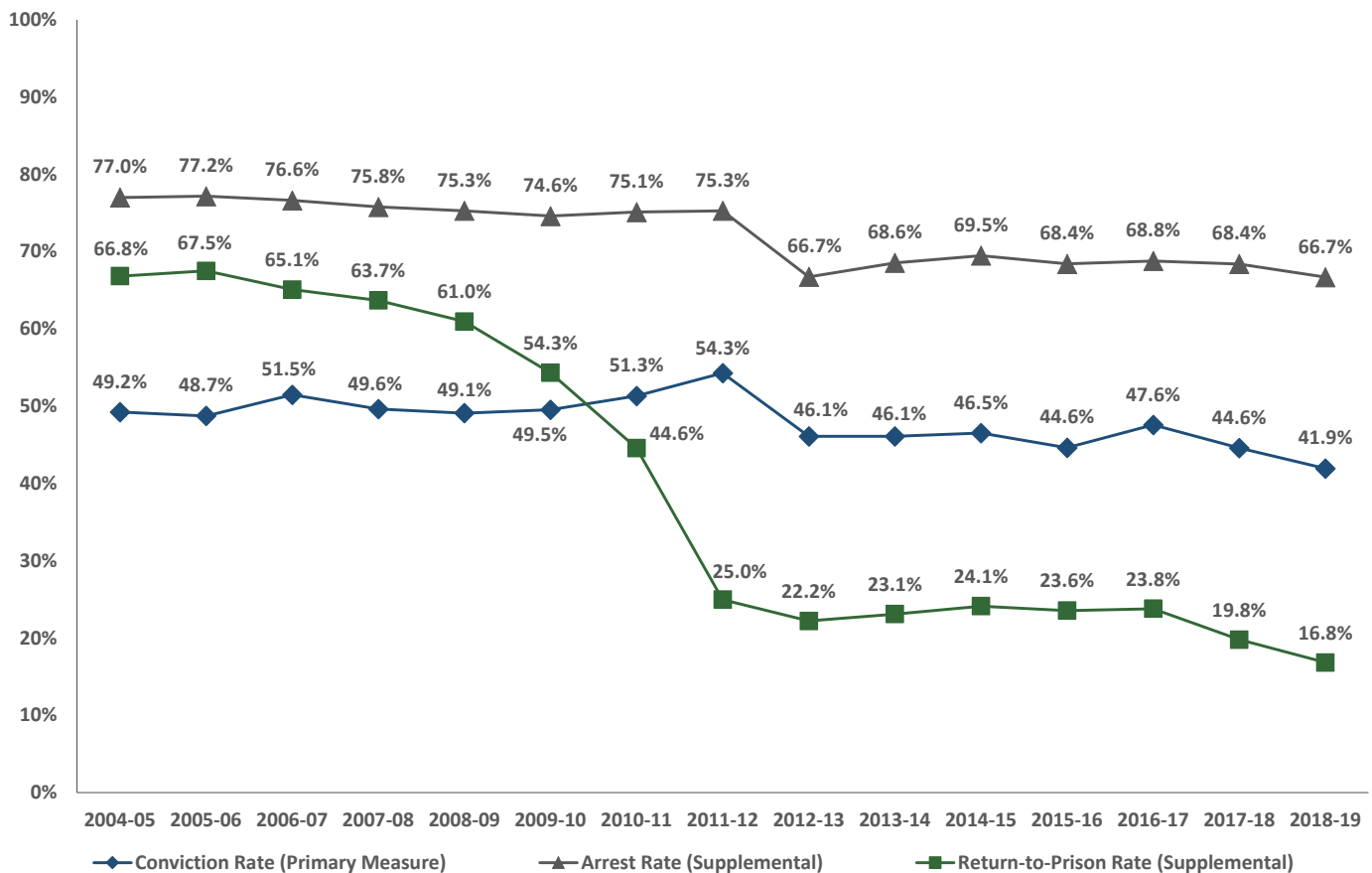
Figure A. Three-Year Outcomes for the Fiscal Year 2018-19 Release Cohort



¹ During Fiscal Year 2018-19, a total of 36,420 individuals were released from a CDCR adult institution. Of these individuals, 36,086 individuals had a California Department of Justice (DOJ) automated Record of Arrest and Prosecution (RAP) sheet. Arrest and conviction data only include the 36,086 individuals with an automated RAP sheet and return-to-prison data include all 36,420 individuals released from prison.

The three-year conviction rate decreased by 2.7 percentage points (from 44.6 percent to 41.9 percent) between the FY 2017-18 and 2018-19 release cohorts (Figure B). After reaching a high of 54.3 percent with the FY 2011-12 release cohort and subsequently declining to 46.1 percent with the FY 2012-13 release cohort, the three-year conviction rate is generally stable with slight fluctuations (increases and decreases). Following an increase of 3.0 percentage points with the FY 2016-17 release cohort when the rate reached 47.6 percent, the three-year conviction rate decreased 3.0 percentage points with the FY 2017-18 release cohort (44.6 percent) before declining an additional 2.7 percentage points to the current rate of 41.9 percent.

Figure B. Three-Year Arrest, Conviction, and Return-to-Prison Rates for the Fiscal Year 2004-05 through 2018-19 Release Cohorts



Arrests and returns to prison, which are supplemental measures of recidivism, also saw decreases between the FY 2017-18 and 2018-19 release cohorts, as shown in Figure B. The three-year arrest rate decreased by 1.7 percentage points (from 68.4 percent to 66.7 percent), and the three-year return-to-prison rate decreased by 3.0 percentage points (from 19.8 percent to 16.8 percent). Similar to the conviction rate, the arrest rate has been relatively stable over the reporting years, while the return-to-prison rate has seen substantial decreases due to a sharp decline in the number of individuals returned to prison for parole violations as a result of Public Safety Realignment.²

² For detailed information regarding the impact of Public Safety Realignment on parole violations, please see Appendix F Correctional Policies and Initiatives.

Recidivism rates typically fluctuate due to many complex factors, including the implementation of correctional policies and initiatives, crime rates, and the demographics and characteristics associated with each release cohort. The last two release cohorts (FY 2017-18 and 2018-19) saw the introduction of a new factor influencing recidivism rates: the COVID-19 pandemic. The pandemic began just before the final year of follow-up for the FY 2017-18 release cohort and the final two years of follow-up for the current FY 2018-19 release cohort. Sudden changes to local policing practices, crime rates, court closures, the transfer of court proceedings to electronic/remote proceedings, and the temporary suspension of intakes and transfers to CDCR are only a few factors that likely influenced all three measures of recidivism (arrests, convictions, and returns to prison) downward with the last two cohorts of releases.³

Recent fluctuations in the three-year conviction rate between the FY 2014-15 and 2017-18 release cohorts are partially attributed to Proposition 47 and the demographic composition of each release cohort. The increase observed with the FY 2014-15 release cohort is ascribed to the resentencing and release of 4,111 individuals with drug and property offenses under Proposition 47.⁴ A much smaller number of Proposition 47 releases in FY 2015-16 influenced the three-year conviction downward when it reached a rate of 44.6 percent. Some of the increase in the rate with the FY 2016-17 release cohort (47.6 percent) is attributed to a substantial increase in convictions among individuals released to Post-Release Community Supervision (PRCS).⁵ The subsequent decline to 44.6 percent with the FY 2017-18 release cohort is attributed to two factors. First, the three-year conviction rate for individuals released to PRCS in FY 2017-18 decreased. Second, interruptions in arrests and convictions related to COVID-19 during the last year of the follow-up period for this cohort influenced the rate downward.

The three-year conviction rate saw a cumulative 5.7 percentage point decrease between the FY 2016-17 and 2018-19 release cohorts. While the 3.0 percentage point decline between the 2016-17 and 2017-18 release cohort was attributed to both a decrease in the rate among those released to PRCS and the COVID-19 pandemic, the most recent decrease (2.7 percentage points) is largely driven by the pandemic. Preliminary one- and two-year rates for the future FY 2019-20 and 2020-21 release cohorts indicate further decreases in the conviction rate could be observed (Appendix E).

The COVID-19 pandemic occurred during the follow-up period of the 2017-18 and 2018-19 release cohorts. The FY 2019-20 and 2020-21 release cohorts will be the first cohorts whose period of release (the fiscal year in which individuals are released from CDCR) will be affected by the COVID-19 pandemic and the effects on the release period are unknown.⁶ Depending on the composition of future cohorts,

³ On March 24, 2020, California's Governor issued an Executive Order that halted the intake and transfer of people to CDCR and the Division of Juvenile Justice: <https://www.gov.ca.gov/2020/03/24/governor-newsom-issues-executive-order-on-state-prisons-and-juvenile-facilities-in-response-to-the-covid-19-outbreak>.

⁴ The Fiscal Year 2014-15 release cohort had a three-year conviction rate of 46.5 percent, which represented an increase from one year prior. Part of the increase was attributed to the release of 4,111 (ten percent of the total release cohort) individuals with drug and property offenses released as a result of Proposition 47. These individuals had a three-year conviction rate of 59.8 percent, which likely influenced the rate upward. Conversely, the FY 2015-16 release cohort had 364 Proposition 47 releases, and although their rate was high (52.7 percent), they likely had little influence on the overall conviction rate of 44.6 percent. The FY 2015-16 release cohort also had a high proportion of individuals committed to prison for crimes against persons, which are associated with low rates of recidivism. These two factors (fewer Proposition 47 releases and a greater number of individuals committed for crimes against persons) likely contributed to the decline observed between the two fiscal years.

⁵ Between FY 2015-16 and 2016-17, the three-year conviction rate for individuals released to PRCS increased 5.5 percentage points (from 49.0 percent to 54.5 percent). Individuals released to PRCS comprised over half of the release cohort and typically have higher recidivism rates than individuals released to parole. The uptick in the conviction rate for individuals released to PRCS was one factor contributing to the overall increase in the statewide conviction rate.

⁶ Only the final months (March to June) of the FY 2019-20 cohort's period of release (July 1, 2019 through July 30, 2020) were affected by the COVID-19 pandemic and all of the FY 2020-21 cohort's period of release will be affected (July 1, 2020 to June 30, 2021). The release and follow-up periods of future cohorts will also coincide with increases in violent and property crime rates throughout the nation and California. Between 2019 and 2022 the violent crime rate in California increased and between 2020 and 2022 the property crime rate in California

crime rates, and other influences on recidivism rates, it is possible rates could see further fluctuations. Further, the rate could stabilize as the temporary effects of the COVID-19 pandemic wane. CDCR will continue to monitor the impacts of these factors and provide data as they become available.

An examination of the three-year conviction rate by demographics (e.g., age, race/ethnicity) and characteristics (e.g., commitment offense category, length of stay) for individuals released in the current FY 2018-19 release cohort shows general decreases among most groups, particularly individuals with non-serious and non-violent drug and property offenses (Appendix D), which is common when a substantial increase or decrease in the statewide recidivism rate occurs. The rate decreases 2.7 percentage points (from 51.5 percent to 48.8 percent) for individuals with non-serious/non-violent offenses, 3.3 percentage points (from 56.0 percent to 52.7 percent) for individuals committed for property crimes, and 3.0 percentage points (from 45.5 percent to 42.5 percent) for individuals committed for drug crimes when comparing the FY 2017-18 and 2018-19 release cohorts (Appendix D).

Approximately half of the total post-release convictions are for felonies (49.7 percent of all convictions) and half for misdemeanor convictions (50.3 percent).⁷ Most convictions occur during the first and second year of the three-year follow-up period. When examining the type of post-release conviction for the 15,129 individuals convicted during the follow-up period, the largest percentage of individuals were convicted of misdemeanor drug/alcohol crimes (19.7 percent), followed by felony crimes against persons (16.3 percent). The percentage of felony conviction types increased slightly between the FY 2017-18 and 2018-19 release cohorts, while most misdemeanor categories saw slight decreases (except for misdemeanor crimes against persons, which saw a slight increase). Following Proposition 47, misdemeanor crime categories saw slight increases, however, recent decreases in misdemeanors indicate stabilization post-Proposition 47. Increases in violent and property crime rates that impact future cohorts could further influence the types of post-release convictions.

Proposition 57 allows for various types of enhanced credit earning. The FY 2018-19 release cohort is the second cohort for which preliminary data regarding credit earning under Proposition 57 are available. Over half of the individuals released (57.7 percent) earned some type of enhanced credit. The three-year conviction rate for individuals who earned credit (39.2 percent) is slightly lower than the rate for individuals with no enhanced credit earnings (45.6 percent). The group of individuals who earned Milestone Completion Credits have a higher conviction rate (39.8 percent) than those who earned Educational Merit Credit (26.1 percent) or Rehabilitative Achievement Credit (21.1 percent).

CDCR will continue to examine the arrest, conviction, and return-to-prison rates of individuals released from CDCR during each fiscal year. As data pertaining to Proposition 57 and the COVID-19 pandemic become available, CDCR will study these rates to better understand recidivism and the influence of policies and programming on recidivism outcomes.

increased. For more information, please see: <https://data-openjustice.doi.ca.gov/sites/default/files/2023-06/Crime%20In%20CA%202022f.pdf> Uniform Crime Reporting Data from the Federal Bureau of Investigation, which provides national violent and property crime rates is currently only available through 2020 for violent crime. The data show an increase in the national violent crime rate between 2019 and 2020. For more information, please see: <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr>

⁷ Proposition 47 reduced penalties for certain non-serious, non-violent property and drug crimes by mandating a misdemeanor sentence instead of a felony. As a result, the number of felony convictions for property and drug crimes has decreased. Conversely, the number of misdemeanor convictions for the same crimes has increased. For more information, please see Appendix F.

Key Findings

Three-Year Recidivism Rates

- The three-year conviction rate for the 36,086 individuals released from CDCR between July 1, 2018 and June 30, 2019 is 41.9 percent, a decrease of 2.7 percentage points compared to one year before (44.6 percent).
- Combined with a 3.0 percentage point decline between the 2016-17 and 2017-18 release cohorts, which preceded the decrease of 2.7 percentage points, the three-year conviction rate of 41.9 percent is the lowest since reporting began. However, much of the decrease is attributed to interruptions in arrests and convictions during the onset of the COVID-19 pandemic.
- The COVID-19 pandemic was active for the final two years of the three-year follow-up period, causing changes to local policing practices, crime rates, court closures, the transfer of court proceedings to electronic/remote proceedings, and the temporary suspension of intakes and transfers to CDCR, which influenced all three measures of recidivism (arrests, convictions, and returns to prison) downward.
- Supplemental measures of recidivism (arrests and returns to CDCR) also saw decreases between the FY 2017-18 and 2018-19 release cohorts: the three-year arrest rate decreased from 68.4 percent to 66.7 percent and the three-year return-to-prison rate decreased from 19.8 percent to 16.8 percent. Again, the COVID-19 pandemic was active for the full two years of the follow-up period (FY 2020-21 and 2021-22), which likely contributed to the decline in all three recidivism measures.

Type of Post-Release Conviction

- Of the 36,086 individuals in the FY 2018-19 release cohort, 58.1 percent (20,957 individuals) completed the follow-up period without a conviction, 20.9 percent (7,525 individuals) have a felony conviction, and 21.1 percent (7,604 individuals) have a misdemeanor conviction.
- Less than half (49.7 percent) of the 15,129 total convictions are felony convictions and 50.3 percent are misdemeanor convictions. The largest percentage of those with a conviction (19.7 percent or 2,986 individuals) were convicted of misdemeanor drug/alcohol crimes, followed by felony crimes against persons (16.3 percent or 2,462 individuals).

Conviction Rates by Demographics and Characteristics

- The three-year conviction rate for individuals ages 18 and 19 years at their release is the highest (61.1 percent) among all age groups. Individuals 60 and over had the lowest conviction rate of all age groups (16.5 percent). Consistent with the statewide conviction rate, the three-year conviction rate decreased for all age groups reported.
- Individuals released to Post-Release Community Supervision have a substantially higher three-year conviction rate at 49.1 percent compared to individuals under parole supervision (34.7 percent). The difference in rates is largely attributed to the characteristics associated with each group (e.g., individuals released to PRCS are more likely to have non-serious/non-violent property and drug crimes, which are associated with high rates of recidivism).

- Individuals committed to CDCR with a violent offense have a lower three-year conviction rate (25.1 percent) than individuals with a serious offense (44.7 percent), and individuals with a non-serious/non-violent offense (48.8 percent).
- Individuals committed to CDCR for property crimes continue to have the highest recidivism rate (52.7 percent) when compared to individuals committed for other crimes (45.5 percent), drug crimes (42.5 percent), and crimes against persons (36.3 percent).
- The three-year conviction rate for non-sex registrants is 43.5 percent and the rate for sex registrants is 26.7 percent.

Conviction Rates by Proposition 57 Credit Earnings

- Preliminary data for individuals with enhanced credit earnings under Proposition 57 indicate a slightly lower rate for those who earn credits: 39.2 percent for those with credits and 45.6 percent for those without.
- Individuals earning Milestone Completion Credits have a three-year conviction rate of 39.8 percent, followed by those with Educational Milestone Credits (26.1 percent), and Rehabilitative Achievement Credits (21.1 percent).

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

RECIDIVISM REPORT FOR INDIVIDUALS RELEASED IN FISCAL YEAR 2018-19

1 Introduction

The California Department of Corrections and Rehabilitation (CDCR) presents the Recidivism Report for Individuals Released in Fiscal Year (FY) 2018-19, part of an annual series, which examines recidivism outcomes (arrest, conviction, and return-to-prison rates) for individuals released from CDCR adult institutions over the course of a given fiscal year. This year's report presents recidivism rates for the 36,086 individuals released from CDCR's adult institutions between July 1, 2018 and June 30, 2019 (FY 2018-19). Consistent with earlier reports published by CDCR, all individuals released from an adult institution over the course of a fiscal year are followed for three years after the date of their release. The three-year conviction rate is CDCR's primary measure of recidivism, while arrests and returns to prison are provided as supplemental measures of recidivism.

The three-year conviction rate for the 36,086 individuals released in FY 2018-19 is 41.9 percent; Section 2 of this report provides further details and a discussion of the supplemental measures of recidivism (arrest and return-to-prison rates). Section 3 presents recidivism rates over time and influences on recidivism rates. Section 4 presents the type of post-release conviction (i.e., felony or misdemeanor) and the time until conviction for individuals released in FY 2018-19. Section 5 presents a profile of the FY 2018-19 release cohort and the three-year conviction rate by demographics (e.g., age, race/ethnicity) and characteristics (e.g., commitment offense category, length of stay). Section 6 provides preliminary data regarding conviction rates and credit earnings under Proposition 57.

Detailed tables providing the demographics and characteristics of the current FY 2018-19 release cohort and their conviction rate by demographics and characteristics are provided in Appendices A and B. Appendix C provides conviction rates by county of release. Appendix D provides a comparison of the recidivism rate by demographics and characteristics for both the FY 2017-18 and 2018-19 release cohorts. Appendix E provides historical recidivism rates for the FY 2002-03 through FY 2018-19 release cohorts and preliminary one- and two-year recidivism rates for the upcoming FY 2019-20 and 2020-21 release cohorts. Three-year recidivism rates are considered final, while one- and two-year rates are considered preliminary. Finally, Appendix F describes recent correctional policies and practices and their influence on post-release outcomes.

Recidivism rates for individuals serving an indeterminate term (life with the possibility of parole) are available in this report and may be found in Appendix B. Previous reports provided type of conviction data for individuals sentenced to an indeterminate term. Further recidivism information for individuals released from CDCR following a review or hearing conducted by the Board of Parole Hearings is now available in a supplemental briefing.

In addition to recidivism rates, this report examines the type of recidivism, historical recidivism rates, and recidivism rates by various demographics, characteristics, and program participation. The FY 2018-19 release cohort is the seventh post-Public Safety Realignment (Realignment) cohort and the fifth cohort with individuals released after Proposition 47. The FY 2018-19 release cohort is the second cohort for which preliminary Proposition 57 data related to credit earning are available. Detailed descriptions of each of these policies are provided in Appendix F. Additionally, the impacts of the COVID-19 pandemic on the later years of the FY 2018-19's three-year follow-up period are emerging. The influence of correctional policies and initiatives on recidivism rates and the type of post-release

recidivism will continue to be provided as information is available. CDCR will continue to update arrest, conviction, and return-to-prison data as they become available with the goal of spurring discussion around the best possible ways to reduce recidivism among individuals released from CDCR adult institutions.

2 Statewide Recidivism Rates and Rates by Post-Release Supervision

2.1 Recidivism Rates for the Fiscal Year 2018-19 Release Cohort

Figure 1. One-, Two-, and Three-Year Recidivism Rates for Individuals Released in Fiscal Year 2018-19

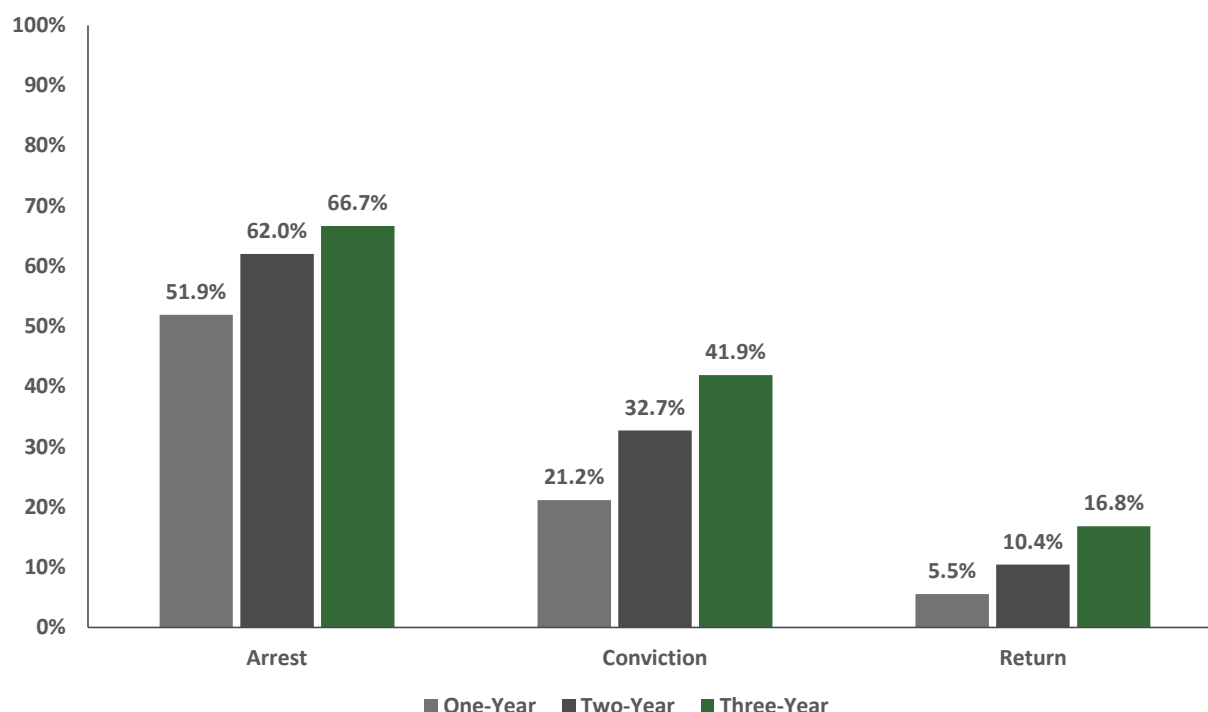


Figure 1 and Table 1 provide one-, two-, and three-year conviction rates (CDCR's primary measure of recidivism), as well as arrest and return-to-prison rates (CDCR's supplemental measures of recidivism) for the FY 2018-19 release cohort. The three-year conviction rate for the 36,086 individuals released from CDCR during FY 2018-19 is 41.9 percent, with 15,129 individuals convicted during the three-year follow-up period.⁸ The three-year arrest rate is 66.7 percent and the three-year return-to-prison rate is 16.8 percent.

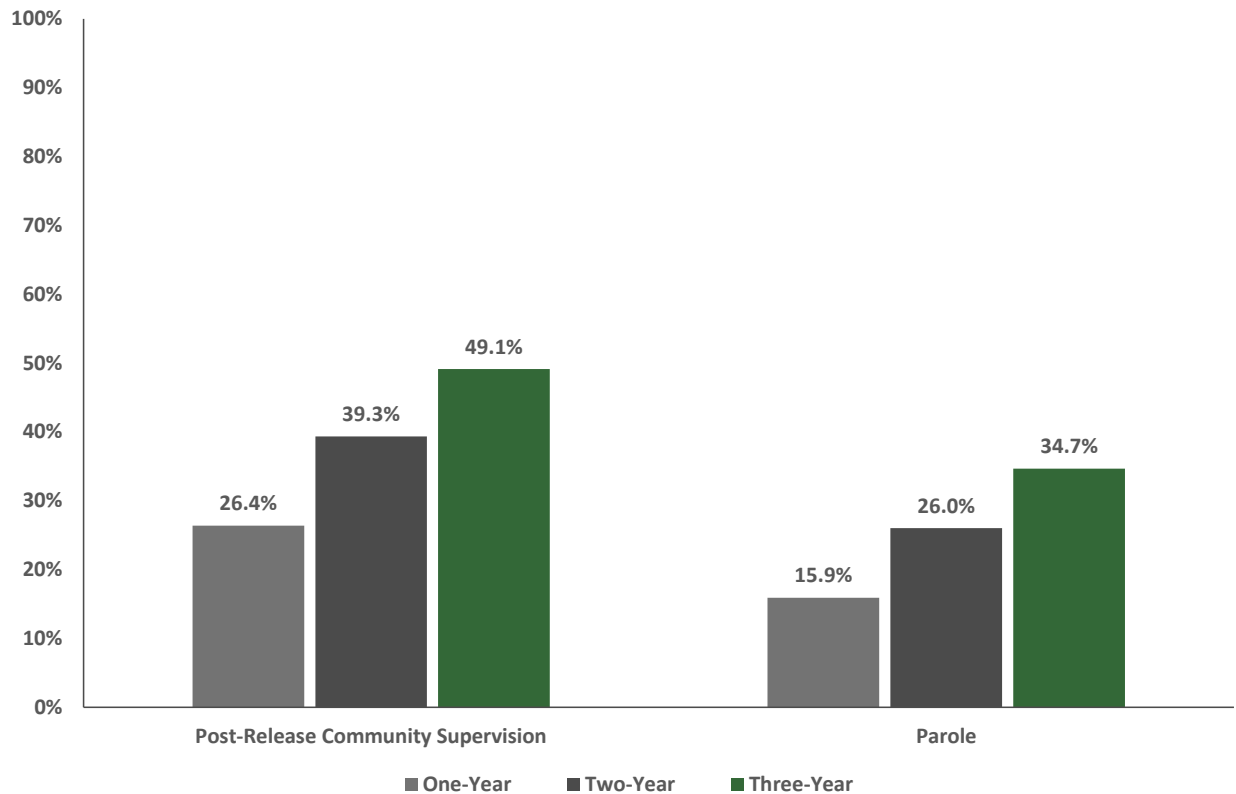
Table 1. One-, Two-, and Three-Year Recidivism Rates for Individuals Released in Fiscal Year 2018-19

Recidivism Type	Total	One-Year		Two-Year		Three-Year	
		Number	Percent	Number	Percent	Number	Percent
Arrest	36,086	18,741	51.9%	22,378	62.0%	24,064	66.7%
Conviction	36,086	7,633	21.2%	11,800	32.7%	15,129	41.9%
Return	36,420	2,021	5.5%	3,799	10.4%	6,126	16.8%

⁸ During FY 2018-19, a total of 36,420 individuals were released from a CDCR adult institution. Of these individuals, 36,086 had a California DOJ automated Record of Arrest and Prosecution (RAP) sheet. Arrest and conviction data only include the 36,086 individuals with an automated RAP sheet and return-to-prison data include all 36,420 formerly incarcerated individuals.

2.2 Conviction Rates by Type of Post-Release Supervision

Figure 2. Conviction Rates by Type of Post-Release Supervision for Individuals Released in Fiscal Year 2018-19



Formerly incarcerated individuals released from CDCR are either released to Post-Release Community Supervision (PRCS), parole supervision, or are directly discharged from prison. Approximately half of the FY 2018-19 release cohort were released to PRCS (50.2 percent) and half to parole supervision (49.7 percent). Only 14 individuals were directly discharged from CDCR and conviction rates are not calculated for this group, as it includes less than 30 individuals (Appendix G).

The three-year conviction rate for individuals released to PRCS is 49.1 percent, which is 14.4 percentage points higher than the rate for individuals under parole supervision (34.7 percent), as shown in Figure 2 and Table 2. Typically, higher rates are observed among individuals released to PRCS when compared to individuals under parole supervision. After Realignment, individuals with a non-serious/non-violent offense, who are characterized by a higher risk of reoffending, are released to PRCS. Conversely, individuals with serious and violent offenses, who are characterized by a lower risk of reoffending are supervised under parole, which contributes to the differences observed between the two groups.

CDCR advises against making direct comparisons between individuals released from PRCS, parole supervision, or directly discharged from CDCR, as differences in the demographics and characteristics of the three groups influence recidivism rates. Instead, individuals belonging to one group of releases may be compared to individuals in the same group who were released in a prior fiscal year (e.g., individuals under parole supervision should be compared to other groups under parole supervision in an earlier fiscal year).

Table 2. Conviction Rates by Post-Release Supervision for Individuals Released in Fiscal Year 2018-19

Type of Post-Release Supervision	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Post-Release Community Supervision	18,128	4,779	26.4%	7,129	39.3%	8,904	49.1%
Parole	17,944	2,852	15.9%	4,667	26.0%	6,219	34.7%
Directly Discharged	14	2	N/A	4	N/A	6	N/A
Total	36,086	7,633	21.2%	11,800	32.7%	15,129	41.9%

Recent Changes to the Conviction Rate for Individuals Released to PRCS and Parole

The three-year conviction rate for individuals under PRCS decreased 2.6 percentage points between the FY 2017-18 and 2018-19 release cohorts (from 51.7 percent to 49.1 percent). This follows a decrease of 2.8 percentage points (from 54.5 percent to 51.7 percent) between the FY 2016-17 and 2017-18 release cohorts. Individuals released to PRCS during FY 2016-17 saw the highest conviction rate observed in this group (54.5 percent) since reporting began. The overall statewide rate tends to fluctuate when large increases or decreases are observed among individuals released to PRCS, as approximately half of the release cohort is supervised under PRCS.

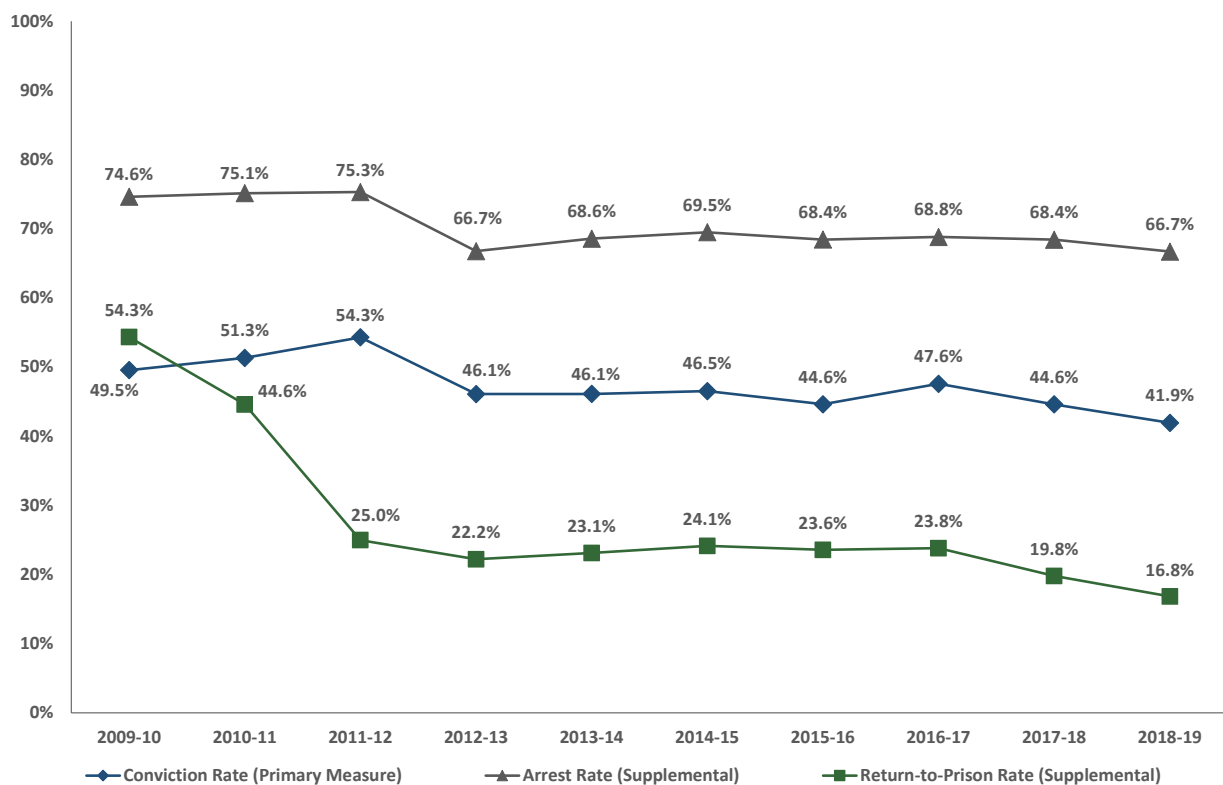
The three-year conviction rate for individuals under parole supervision also fluctuated during the same period. Between the FY 2016-17 and 2017-18 release cohorts, the three-year conviction rate decreased by 2.8 percentage points (from 40.4 percent to 37.6 percent) and between FY 2017-18 and 2018-19, the rate decreased by 2.9 percentage points (from 37.6 percent to 34.7 percent).

Although the rates for individuals under parole supervision and PRCS are the lowest observed since reporting began, the sharp decreases are likely attributable to the COVID-19 pandemic, which is discussed in the following section.

3 Recidivism Rates Over Time and Influences on the Statewide Recidivism Rate

Figure 3 shows the three-year arrest, conviction, and return-to-prison rates for the FY 2009-10 through 2018-19 release cohorts. In general, the three-year arrest and conviction rates are stable with small fluctuations. The three-year return-to-prison rate, which saw a series of drastic decreases following the implementation of Realignment, has also seen stability with some fluctuations over the last six cohorts (FY 2011-12 through 2016-17). Detailed tables with one-, two-, and three-year arrest, conviction, and return-to-prison rates are provided in Appendix E.

Figure 3. Three-Year Arrest, Conviction, and Return-to-Prison Rates for Individuals Released in FY 2009-10 through 2018-19



3.1 Changes in the Conviction Rate

In recent years, the three-year conviction rate has been relatively stable. After reaching a high of 54.3 percent with the FY 2011-12 release cohort, the rate decreased to 46.1 percent with the FY 2012-13 and 2013-14 release cohorts. The rate saw a slight uptick (46.5 percent) with the FY 2014-15 release cohort, with some of the increase attributable to Proposition 47 (Appendix F). The rate decreased to 44.6 percent with the FY 2015-16 release cohort and was comprised of fewer individuals released under Proposition 47 compared to one year prior. The rate then increased to 47.6 percent with the FY 2016-17 release cohort. The rate increase was largely concentrated among individuals released to PRCS, who are typically associated with higher rates than individuals under parole supervision (Section 2.2).

Following the increase in the rate with the FY 2016-17 release cohort, the three-year conviction rate decreased 3.0 percentage points and reached a rate of 44.6 percent with the FY 2017-18 release cohort. The decrease in the rate was largely attributed to two factors. First, the three-year conviction rate for individuals under PRCS (54.5 percent with the FY 2016-17 release cohort) decreased 2.8 percentage points with the FY 2017-18 cohort, influencing the overall statewide recidivism rate downward. Second, interruptions in arrests and convictions during the onset of the COVID-19 pandemic also influenced the rate downward.

The COVID-19 pandemic's influence on recidivism rates continues and is a key factor contributing to the most recent decline in the three-year conviction rate. The current three-year conviction rate of 41.9 percent marks a 2.7 percentage point decrease from one year prior (44.6 percent) and is the lowest three-year conviction rate since reporting began.

Sudden changes to local policing practices, crime rates, court closures, the transfer of court proceedings to electronic/remote proceedings, and the temporary suspension of intakes and transfers to CDCR are only a few COVID-19 related factors that likely influenced all three measures of recidivism (arrests, convictions, and returns to prison) downward. The FY 2017-18 release cohort's three-year follow-up period ended on June 30, 2021, with the pandemic only affecting the final year of the three-year follow-up period. Two years of follow-up for the FY 2018-19 release cohort were impacted by COVID-19 and the rates could see further fluctuations with the next two release cohorts, which will see the influence of the COVID-19 pandemic on all three years of follow-up.

The following section discusses changes to the supplemental measures of recidivism (arrests and returns to prison) with consideration to changes in the primary measure of recidivism (convictions) and the COVID-19 pandemic.

3.2 Supplemental Measures of Recidivism: Arrests and Returns to CDCR

Similar to the conviction rate, the three-year arrest and return-to-prison rates also saw decreases between the FY 2017-18 and 2018-19 release cohorts (Figure 3). The three-year arrest rate decreased by 1.7 percentage points (from 68.4 percent to 66.7 percent) and the three-year return-to-prison rate decreased by 3.0 percentage points (from 19.8 percent to 16.8 percent). These decreases continued from one year prior: the three-year arrest rate decreased by less than one percentage point between FY 2016-17 and FY 2017-18 (from 68.8 percent to 68.4 percent) and the three-year return-to-prison rate decreased 4.0 percentage points (from 23.8 percent to 19.8 percent). As shown in Figure 3, convictions and returns to prison are at their lowest points since reporting began (41.9 percent and 16.8 percent, respectively) and the arrest rate is equal to its lowest point (66.7 percent with the FY 2012-13 release cohort). In general, arrest and conviction rates have been relatively stable with small fluctuations over time. The three-year return-to-prison rate has stabilized since a series of drastic decreases that occurred after the implementation of Realignment (Appendix F).

The recent declines in all three measures of recidivism are largely attributed to several factors. First, the uptick in the three-year conviction rate that was concentrated among individuals released to PRCS in FY 2016-17 normalized with the FY 2017-18 release cohort. Second, the last two years of follow-up for the FY 2018-19 release cohort coincided with the COVID-19 pandemic. The most recent decreases in the

return-to-prison rate (7.0 percentage points combined over the last two cohorts) are likely influenced by the temporary halt of transfers from county jail to state prison due to the COVID-19 pandemic.⁹

Although the full effect of the pandemic on recidivism rates is unknown, further fluctuations in arrests, convictions, and returns to prison are expected with future cohorts. Appendix E of this report provides one-, two-, and three-year arrest, conviction, and return-to-prison rates for upcoming cohorts when available. Two-year recidivism rates are available for the FY 2019-20 release cohort and one-year recidivism rates are available for the FY 2019-20 and 2020-21 release cohorts. Available data indicate the effects of COVID-19 may be more pronounced in the next year of reporting: all three measures of recidivism decreased during the first and second year of follow-up for the FY 2019-20 release cohort compared to the one- and two-year rates of earlier cohorts (Appendix E). The COVID-19 pandemic was active for part of the release period for the FY 2019-2020 cohort and during their first year of follow-up. As the immediate impacts of the COVID-19 pandemic begin to wane with future release cohorts, it is possible recidivism rates may see future increases.

⁹ On March 24, 2020, California's Governor issued an Executive Order that halted the intake and transfer of people to CDCR and the Division of Juvenile Justice: <https://www.gov.ca.gov/2020/03/24/governor-newsom-issues-executive-order-on-state-prisons-and-juvenile-facilities-in-response-to-the-covid-19-outbreak>.

4 Type and Timing of Post-Release Recidivism

4.1 Three-Year Outcomes for All Individuals Released from CDCR During Fiscal Year 2018-19

Figure 4. Three-Year Outcomes for Individuals Released in Fiscal Year 2018-19

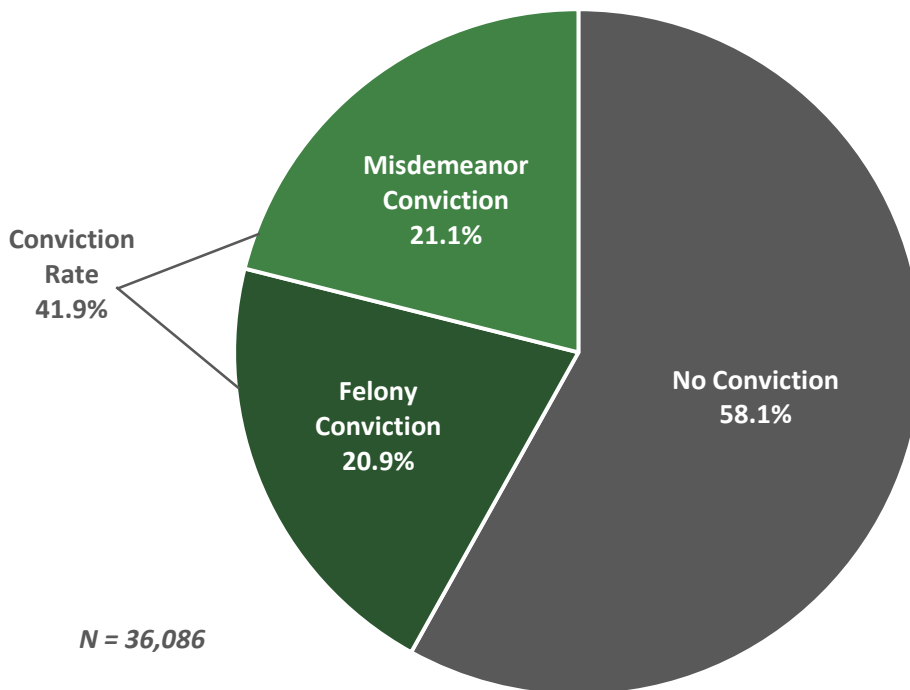


Figure 4 and Table 3 show the type of conviction (i.e., felony or misdemeanor) for the 36,086 individuals released from CDCR in FY 2018-19.¹⁰ Over half of the release cohort (58.1 percent) have no convictions during the three-year follow-up period and 41.9 percent have a felony or misdemeanor conviction. Approximately 20 percent (20.9 percent) have a felony conviction and 21.1 percent have a misdemeanor conviction. As shown in Table 3, felony crimes against persons leads all felony conviction types and misdemeanor drug/alcohol crimes leads all misdemeanor conviction types.

¹⁰ Type of conviction data only include the most serious conviction in the first conviction episode. For instance, if an individual was convicted of a misdemeanor in one conviction episode and subsequently convicted of a felony in another conviction episode, only the misdemeanor conviction is included in this analysis.

Table 3. Three-Year Outcomes for Individuals Released in Fiscal Year 2018-19

Type of Conviction	FY 2018-19	
	Number	Percent
No Convictions	20,957	58.1%
All Felonies	7,525	20.9%
Felony Crimes Against Persons	2,462	6.8%
Felony Property Crimes	1,918	5.3%
Felony Drug/Alcohol Crimes	921	2.6%
Felony Other Crimes	2,224	6.2%
All Misdemeanors	7,604	21.1%
Misdemeanor Crimes Against Persons	2,000	5.5%
Misdemeanor Property Crimes	1,559	4.3%
Misdemeanor Drug/Alcohol Crimes	2,986	8.3%
Misdemeanor Other Crimes	1,059	2.9%
Total	36,086	100.0%

4.2 Type of Post-Release Conviction for Individuals Convicted During the Three-Year Follow-Up Period

This section includes a closer examination of the 15,129 individuals in the FY 2018-19 release cohort with a conviction. It excludes the 20,957 individuals without a conviction during the three-year follow-up period. Historically, felony convictions comprised a larger percentage of total convictions than misdemeanors. Consistent with changes resulting from Proposition 47, misdemeanors now comprise a larger proportion of all convictions due to the reclassification of certain felony drug/alcohol crimes and property crimes to misdemeanors (Appendix F).

As shown in Table 4, misdemeanor drug/alcohol crimes are the most common conviction type with just under 20 percent of all post-release conviction types. The percentage of convictions for misdemeanor drug/alcohol crimes decreased by 1.9 percentage points (from 21.6 percent of all convictions to 19.7 percent) between the FY 2017-18 and 2018-19 release cohorts, the largest decrease observed between the two fiscal years. Felony crimes against persons, which leads all felony conviction type categories, increased 1.4 percentage points (from 14.9 percent of all convictions to 16.3 percent) between the two cohorts and was the largest increase observed. All other felony conviction types saw small increases (less than one percentage point). In comparison, all misdemeanor conviction types decreased by less than one percentage point, except misdemeanor crimes against persons, which increased by less than one percentage point (Table 4).

Table 4. Type of Conviction for Individuals Released in Fiscal Year 2017-18 and 2018-19

Type of Conviction	FY 2017-18		FY 2018-19	
	Number	Percent	Number	Percent
All Felonies	7,406	46.9%	7,525	49.7%
Felony Crimes Against Persons	2,352	14.9%	2,462	16.3%
Felony Property Crimes	1,946	12.3%	1,918	12.7%
Felony Drug/Alcohol Crimes	849	5.4%	921	6.1%
Felony Other Crimes	2,259	14.3%	2,224	14.7%
All Misdemeanors	8,398	53.1%	7,604	50.3%
Misdemeanor Crimes Against Persons	2,057	13.0%	2,000	13.2%
Misdemeanor Property Crimes	1,661	10.5%	1,559	10.3%
Misdemeanor Drug/Alcohol Crimes	3,419	21.6%	2,986	19.7%
Misdemeanor Other Crimes	1,261	8.0%	1,059	7.0%
Total	15,804	100.0%	15,129	100.0%

4.3 Time to Conviction for Individuals Convicted During the Three-Year Follow-Up Period

Figure 5. Time Until Conviction for Individuals Released in Fiscal Year 2018-19 and Convicted During the Three-Year Follow-Up Period

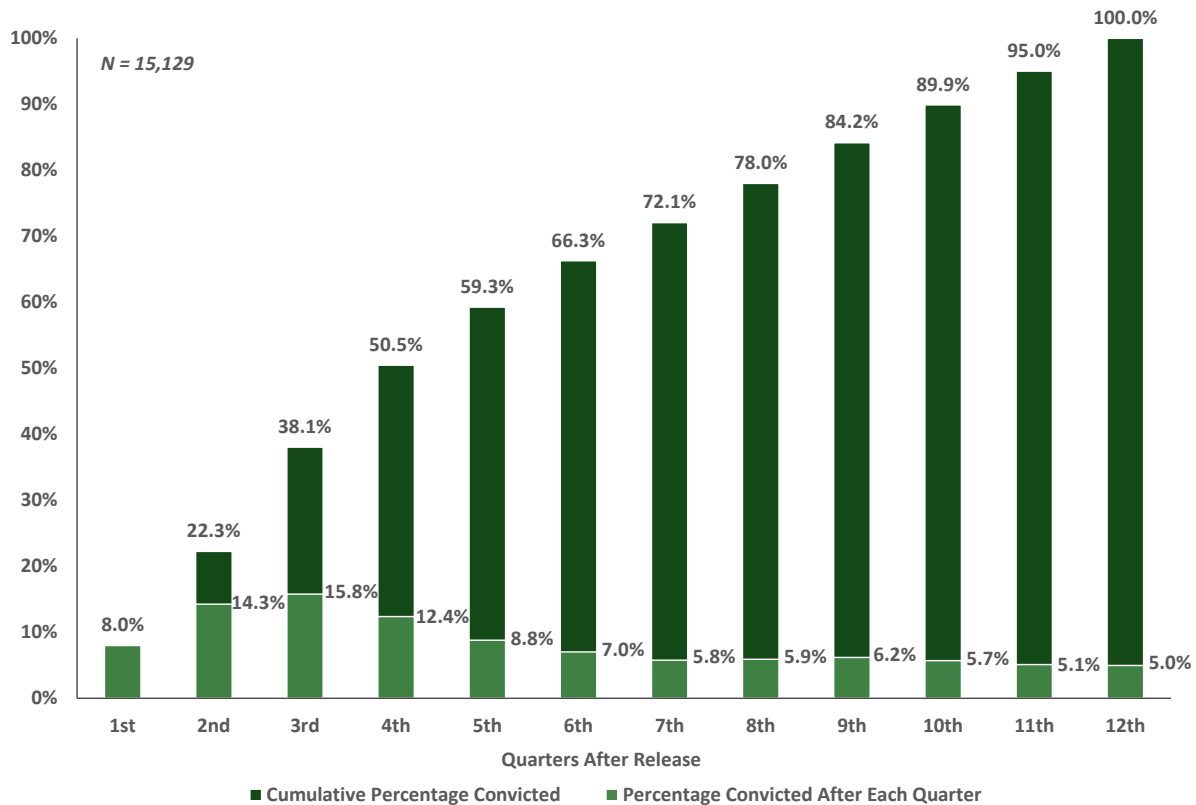


Figure 5 and Table 5 show the percentage and number of individuals who were convicted during each quarter (three-month period) of the three-year follow-up period, as well as the cumulative percentage and number of individuals convicted. Only the 15,129 individuals convicted during the three-year follow-up period are represented in this section to understand how long individuals were in the community before recidivating. The twelfth quarter represents the final, cumulative results (i.e., 100 percent) of the individuals who were convicted.

Of the 15,129 individuals convicted during the three-year follow-up period, 50.5 percent were convicted in the first year following their release from CDCR. By year two, 78.0 percent were convicted, and by year three, 100 percent were convicted. The largest number and percentage of individuals (15.8 percent) were convicted during the third quarter following their release. The fewest number of individuals (5.0 percent) were convicted during the twelfth quarter of the follow-up period.

Table 5. Time Until Conviction for Individuals Released in Fiscal Year 2018-19 and Convicted During the Three-Year Follow-Up Period

Quarters After Release	Percentage Convicted	Cumulative Percentage	Number Convicted	Cumulative Number
1	8.0%	8.0%	1,213	1,213
2	14.3%	22.3%	2,156	3,369
3	15.8%	38.1%	2,390	5,759
4	12.4%	50.5%	1,874	7,633
5	8.8%	59.3%	1,332	8,965
6	7.0%	66.3%	1,062	10,027
7	5.8%	72.1%	877	10,904
8	5.9%	78.0%	896	11,800
9	6.2%	84.2%	936	12,736
10	5.7%	89.9%	865	13,601
11	5.1%	95.0%	773	14,374
12	5.0%	100.0%	755	15,129

4.4 Type of Post-Release Arrest and Return-to-Prison

Table 6 shows the type of post-release arrest for individuals released in FY 2018-19. One-third of the release cohort had no arrest during the three-year follow-up period. Over 20 percent of the FY 2018-19 release cohort were arrested for supervision violations (21.8 percent), 22.9 percent were arrested for felonies, and 21.4 percent were arrested for misdemeanors. Of all arrest types, 10.6 percent of the release cohort were arrested for misdemeanor drug/alcohol crimes and 8.1 percent were arrested for felony crimes against persons.

Table 6. Type of Arrest for Individuals Released in Fiscal Year 2018-19

Type of Arrest	FY 2018-19	
	Number	Percent
No Arrest	12,022	33.3%
All Felonies	8,269	22.9%
Felony Crimes Against Persons	2,927	8.1%
Felony Property Crimes	2,058	5.7%
Felony Drug/Alcohol Crimes	1,172	3.2%
Felony Other Crimes	2,112	5.9%
All Misdemeanors	7,728	21.4%
Misdemeanor Crimes Against Persons	1,491	4.1%
Misdemeanor Property Crimes	1,158	3.2%
Misdemeanor Drug/Alcohol Crimes	3,840	10.6%
Misdemeanor Other Crimes	1,239	3.4%
Supervision Violations	7,879	21.8%
Unknown	188	0.5%
Total	36,086	100.0%

The vast majority of individuals released from CDCR did not return to prison during the three-year follow-up period. Less than 20 percent of all individuals released from CDCR (16.8 percent or 6,126 individuals) were returned to prison. Crimes against persons led all type of return categories, followed by other crimes, property crimes, and drug crimes. Following the passage of Realignment, very few individuals are eligible to return to prison for parole violations, with only 18 individuals released in FY 2018-19 returned for parole violations (Table 7).

Table 7. Type of Return to CDCR for Individuals Released in Fiscal Year 2018-19

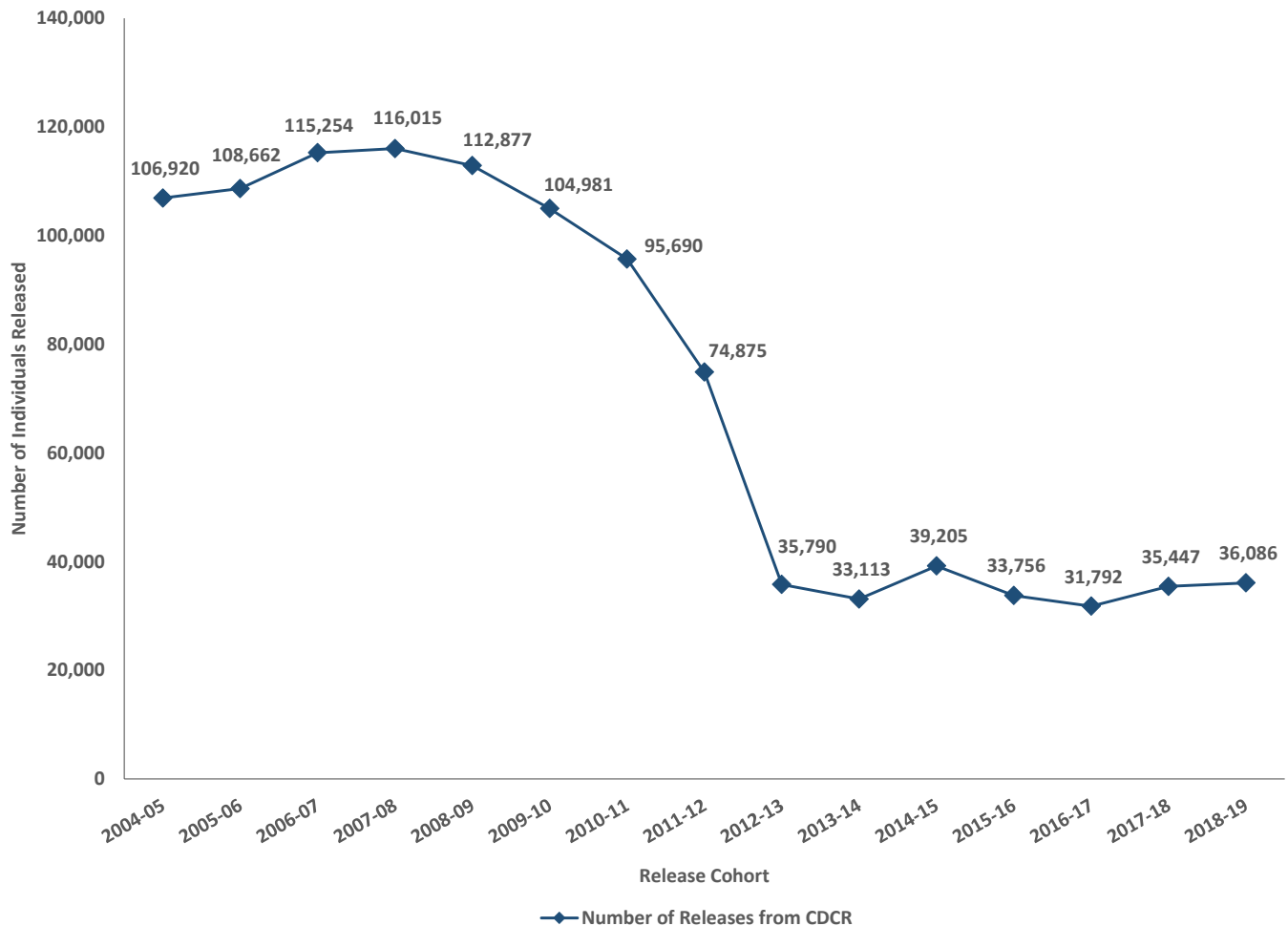
Type of Return	FY 2018-19	
	Number	Percent
No Return to Prison	30,294	83.2%
Crimes Against Persons	2,421	6.6%
Property Crimes	1,473	4.0%
Drug Crimes	593	1.6%
Other Crimes	1,621	4.5%
Parole Violations	18	0.0%
Total	36,420	100.0%

5 Profile of the Fiscal Year 2018-19 Release Cohort

5.1 Number of Individuals Released in Fiscal Years 2004-05 through 2018-19

In FY 2018-19, 36,086 individuals were released from CDCR adult institutions, and 15,129 of these individuals were convicted within three years of their release (41.9 percent). This section presents information regarding the composition and conviction rates of CDCR's FY 2018-19 release cohort in terms of their demographics (e.g., gender, age) and characteristics (e.g., sentence type, length of stay), as well as comparisons to the previous cohort (FY 2017-18). Appendix A provides a table of the cohort composition and Appendix B provides the one-, two-, and three-year conviction rates by demographics and characteristics. Appendix D provides the three-year conviction rates for the FY 2017-18 and FY 2018-19 release cohorts by demographics and characteristics for comparative purposes.¹¹

Figure 6. Number of Individuals in the Fiscal Year 2004-05 through Fiscal Year 2018-19 Release Cohorts



¹¹ When comparing rates, greater variation (increases and decreases) is typically observed within small groups of individuals; however, considerable rate changes within small groups of individuals will have less influence on the statewide rate, whereas even small rate changes within large groups of individuals will have a notable impact on the rate.

Figure 6 presents the number of individuals released from CDCR during each fiscal year beginning with the 2004-05 release cohort.¹² The number of individuals peaked at 116,015 releases with the FY 2007-08 cohort. The implementation of Realignment in October 2011 primarily contributed to the series of decreases seen between FY 2008-09 and 2013-14, reaching a low of 33,113 individuals released in FY 2013-14. Releases then increased to 39,205 individuals in FY 2014-15, which was largely attributed to the resentencing and release of 4,111 individuals under Proposition 47 (Appendix F). The following year, just 364 of the 33,756 individuals released in FY 2015-16 were resentenced and released due to Proposition 47. During FY 2016-17, releases decreased again to 31,792 individuals as the effect of Proposition 47 waned, with only 59 individuals impacted. Releases increased to 35,447 individuals in FY 2017-18, which was the first cohort affected by the implementation of Proposition 57. In the current FY 2018-19 cohort, the number of releases rose to 36,086 individuals (Appendix F). The total number of releases is contingent on the population of CDCR's adult institutions and correctional policies at the time, such as Realignment, Proposition 47, and Proposition 57. CDCR expects the number of releases to fluctuate in future release cohorts, as policies that influence the CDCR population are modified and implemented.¹³

5.2 Demographics and Characteristics of the FY 2018-19 Release Cohort

Gender

As shown in Appendix A, males comprise a much larger proportion of the FY 2018-19 release cohort (92.7 percent) than females (7.3 percent). These percentages have largely stayed constant since Realignment, even as the size of each cohort has changed. The three-year conviction rate for males released in FY 2018-19 is 42.5 percent, while the conviction rate for females is 34.2 percent (Appendix B). Historically, the conviction rate for females each year is about ten percentage points lower than the rate for males with some variation, and this trend continues with the current cohort. Compared to FY 2017-18, the rate for males decreased by 2.8 percentage points, and the rate for females decreased by 1.7 percentage points (Appendix D).

Age at Release

Individuals ages 25 to 29 represent the largest number of releases (19.6 percent) in the cohort. Individuals ages 18 and 19 represent less than one percent of the total release cohort (0.4 percent). In general, younger individuals comprise larger percentages of the release cohort, with 84.8 percent under the age of 50 at the time of their release.

Age has a well-documented relationship with recidivism, which is supported by the rates observed with this cohort.¹⁴ Although individuals ages 18 and 19 comprise less than one percent of the release cohort, their three-year conviction rate is the highest among all age groups (61.1 percent). The rate steadily decreases as age increases, with individuals ages 60 and over having the lowest conviction rate of all age groups (16.5 percent). This general trend has persisted with time, making older individuals some of the least likely to recidivate.

¹² The total number of individuals released in the FY 2011-12 through FY 2018-19 release cohorts only include individuals with a California DOJ automated RAP sheet. Prior to transitioning the primary measure of recidivism from the three-year return-to-prison rate to the three-year conviction rate with the FY 2011-12 release cohort, the release cohort presented in Figure 6 included all individuals released from prison, regardless of a DOJ automated RAP sheet.

¹³ More information regarding CDCR's population may be found at: <https://www.cdcr.ca.gov/research/population-reports-2/>

¹⁴ For more information regarding the relationship between age and recidivism, please see Section 7.5 of the "Recidivism Report for Offenders Released from CDCR in Fiscal Year 2015-16", available at: <https://www.cdcr.ca.gov/research/outcomes-characteristics/offender-recidivism/>

The three-year conviction rate decreased for all age groups when compared to the FY 2017-18 release cohort. The rate for individuals ages 18 and 19 saw the largest decrease between the two fiscal years, with a decrease of 6.4 percentage points, followed closely by individuals ages 45 to 49 with a decrease of 6.2 percentage points. The smallest decrease is observed for individuals ages 35 to 39 with a decrease of less than one percentage point.

Race/Ethnicity

In the FY 2018-19 release cohort, the largest portion of individuals are Hispanic/Latino (44.8 percent), followed by White and Black/African American individuals (each representing about one-quarter of the release cohort). Altogether, these three groups consistently comprise over 90 percent of each release cohort. The smaller race/ethnicity categories of the population include Asian/Pacific Islander individuals and American Indian/Alaskan Native individuals, who each represent less than two percent of releases in the current cohort. Individuals not in the aforementioned race/ethnicity groups are categorically included as “Other” and typically comprise less than four percent of each cohort.

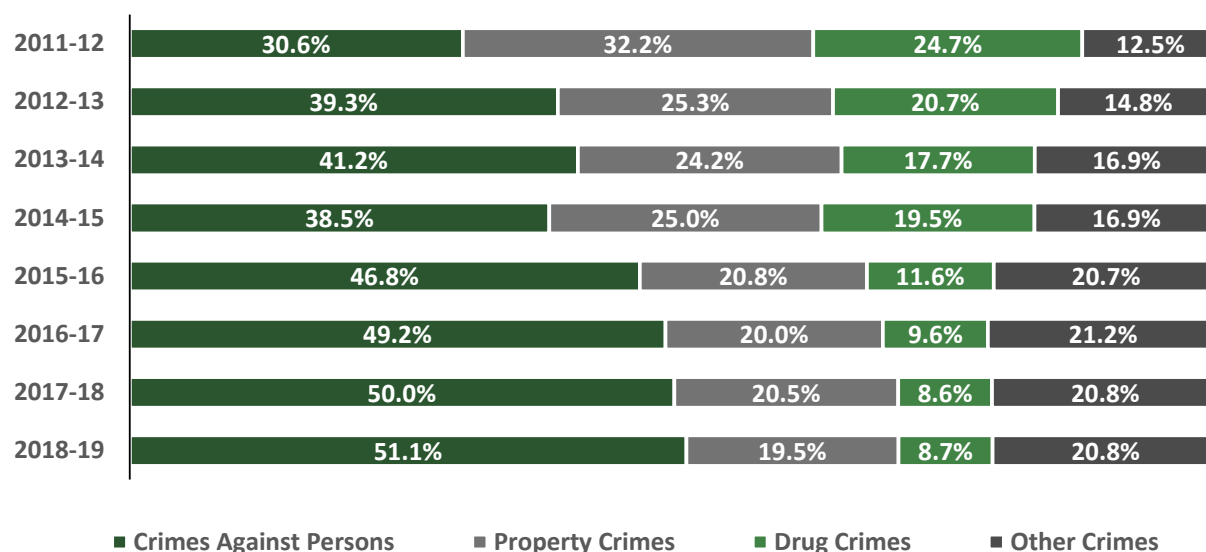
Generally, individuals in the American Indian/Alaskan Native category have relatively higher conviction rates, while those in the Other category have markedly lower rates. This continues to be the case in the FY 2018-19 release cohort, where American Indian/Alaskan Native individuals have the highest three-year conviction rate (45.9 percent). The larger categories of White, Hispanic/Latino, and Black/African American individuals have similar conviction rates between 39.8 percent and 43.6 percent (Appendix B). Asian/Pacific Islander individuals have a slightly lower rate (34.6 percent) and the rate for individuals in the Other category is 31.4 percent.

The three-year conviction rate for each race/ethnicity category decreased between the FY 2017-18 and 2018-19 release cohorts. The rate among American Indian/Alaskan Native individuals saw the greatest decrease (4.5 percentage points), while the rate for Asian/Pacific Islander individuals saw the smallest decrease (1.3 percentage points). This variation is somewhat expected due to the relative size of each group, as rates associated with smaller groups of individuals are more susceptible to variation than larger groups.

Commitment Offense Category

Each category (property crimes, drug crimes, other crimes, and crimes against persons) represents the category of offense an individual was committed to prison for prior to their release in FY 2018-19. As shown in Figure 7, the proportion of individuals committed for crimes against persons has steadily increased since the FY 2011-12 release cohort, while the percentage of individuals committed for property and drug offenses have generally decreased, largely due to Realignment (Appendix F). Individuals committed for crimes against persons comprise 51.1 percent of the FY 2018-19 release cohort – the largest portion of any cohort so far and these individuals also have the lowest three-year conviction rate when compared to all other commitment offense categories.

Figure 7. Percentage of Releases by Commitment Offense Category for the Fiscal Year 2011-12 through 2018-19 Release Cohorts



Conviction rates by commitment offense category may be found in Appendix B. For the FY 2018-19 release cohort, individuals committed for property crimes have the highest conviction rate at 52.7 percent. Lower rates are observed for individuals committed for other crimes, drug crimes, and crimes against persons, respectively. This trend is consistent with CDCR historical patterns – individuals committed for property crimes generally have the highest rate (over 50 percent). In contrast, individuals committed for crimes against persons generally have the lowest rate (about 40 percent). For individuals in the FY 2018-19 release cohort, those committed for crimes against persons have a conviction rate of 36.3 percent.

The conviction rate for each category declined compared to the FY 2017-18 cohort (Appendix D). The largest decrease occurred for individuals committed for property crimes (3.3 percentage points), and the smallest decrease occurred for those committed for crimes against persons (1.9 percentage points).

Sentence Type

Most individuals sentenced to prison in California receive a determinate term (their sentence is set to a specific length) and are generally released after completing their sentence. Individuals sentenced to an indeterminate term (e.g., 25 years to life) are released once the Board of Parole Hearings (BPH) has found them suitable for release or the court orders their release. Under California's Three Strikes Law, a third strike sentence is also an indeterminate sentence.¹⁵ Individuals released under Proposition 47 were originally sentenced to serve a CDCR felony sentence in one of the three sentence type categories (determinate, second striker, or indeterminate) prior to its passage. Proposition 64 authorizes resentencing for eligible marijuana convictions. Note that resentencing under Propositions 47 or 64 are not actual sentence types but are included in this section due to the resulting sentence.¹⁶

¹⁵ Please see our supplemental recidivism report on individuals released through Board of Parole Hearings processes: <https://www.cdcr.ca.gov/research/offender-outcomes-characteristics/offender-recidivism/>

¹⁶ For more information on Proposition 47, please see: <https://www.courts.ca.gov/documents/Prop-47-Information.pdf>. For more information on Proposition 64, please see: <https://www.courts.ca.gov/prop64.htm>

In the FY 2018-19 release cohort, those who served a determinate term make up over 70 percent of releases and second strikers make up approximately 25 percent of releases. Consistent with historical trends, second strikers had the highest three-year conviction rate at 44.2 percent, followed by individuals sentenced to a determinate term (42.7 percent). The rate for both groups decreased by two to three percentage points compared to the FY 2017-18 release cohort.

Individuals who serve an indeterminate term at CDCR consistently comprise less than one percent of each release cohort and have the lowest conviction rate when compared to all other sentence types. Indeterminately sentenced individuals in the FY 2018-19 release cohort have a three-year conviction rate of 2.0 percent. Additionally, there are 81 third strikers with a three-year conviction rate of 4.9 percent.

Serious/Violent Offense

Over half of the individuals in the FY 2018-19 release cohort were originally committed to CDCR for a non-serious/non-violent offense (53.5 percent), while those committed for a serious offense or a violent offense comprise about 21 and 25 percent of the cohort, respectively. Note that all violent offenses are also considered serious, but not all serious offenses are violent (individuals in the serious category have a non-violent offense).¹⁷ Individuals committed for serious or violent offenses have slowly accounted for larger portions of each release cohort over time, largely because of Realignment (Appendix F).

In the FY 2018-19 cohort, individuals committed for non-serious/non-violent offenses have the highest three-year conviction rate at 48.8 percent, followed by those committed for serious offenses (44.7 percent). People committed for violent offenses have the lowest rate of each category at 25.1 percent, generally consistent with historical trends.

Conviction rates for all three categories decreased compared to FY 2017-18. The rate for individuals committed for violent offenses decreased by 2.4 percentage points, and the rates for those committed for serious or non-serious/non-violent offenses each decreased by 2.7 percentage points.

County of Release

Nearly 80 percent of the release cohort (78.8 percent) were released to 12 of the 58 California counties. Los Angeles County alone accounts for the most releases each year, comprising 29.5 percent of the FY 2018-19 cohort. Less than one percent of the cohort were directly discharged from prison.

Conviction rates by county of release should be interpreted with caution for several reasons. Individuals may leave the county to which they are released, or individuals may be released and convicted in a different county. When an individual is convicted in another county, the conviction is still associated with their original county of release (e.g., if an individual is released in Sacramento County and is subsequently convicted in Riverside County, for the purposes of this report, the new conviction is still associated with Sacramento County).

Regarding the 12 counties with the largest number of releases, Kern County has the highest three-year conviction rate (53.7 percent), while Alameda County had the lowest three-year conviction rate (25.2 percent). The three-year conviction rate for the remaining 46 California counties was 41.6 percent, slightly lower than the overall conviction rate (Appendix C).

¹⁷ For the definition of a serious felony offense, please see: <https://www.cdcr.ca.gov/parole/serious-offenses-defined/>. For the definition of a violent felony offense, please see: <https://www.cdcr.ca.gov/parole/violent-offenses-defined/>

When comparing the FY 2017-18 and 2018-19 release cohorts, the three-year conviction rate decreased for nine of the twelve counties and increased for three. Among the counties with decreases, Fresno County saw the largest decrease (6.6 percentage points). The largest increase in the three-year conviction rate was observed in Orange County (2.5 percentage points).

Risk Score

The California Static Risk Assessment (CSRA) is a tool used to calculate an individual's risk of conviction for a new offense after release from prison.¹⁸ Based on criminal history and demographics including age, individuals are designated as having a low, moderate, or high risk of being convicted of a new offense. Approximately 41.5 percent of individuals in the FY 2018-19 release cohort have a high risk score according to the CSRA. Moderate and low risk individuals each make up about 30 percent of the cohort.

As anticipated, high risk individuals had the highest three-year conviction rate at 58.4 percent, followed by moderate risk individuals (41.6 percent) and low risk individuals (19.7 percent). This trend has been consistent for several years, where high, moderate, and low risk individuals recidivate at about 60 percent, 45 percent, and 20 percent, respectively.

Compared to FY 2017-18, the conviction rate for each group decreased. The rate for individuals with a high risk score decreased by 2.7 percentage points, moderate risk score by 1.5 percentage points, and low risk score by 1.1 percentage points. The number of releases and convictions for people with a high or moderate risk score decreased, while individuals and convictions for those with a low risk score increased.

Mental Health Designation

Over 76 percent of individuals in the FY 2018-19 cohort did not have a mental health designation through CDCR's Mental Health Delivery System (MHDS) at the time of release. Nearly 20 percent of individuals were assigned to the Correctional Clinical Case Management System (CCCMS) – the most common and low-level designation – at the time of release. Fewer individuals (4.2 percent total) were assigned to higher-level designations, including the Enhanced Outpatient Program (EOP), Inpatient Care, and a Mental Health Crisis Bed (MHCB).

In general, historical trends show that individuals released from CDCR who were assigned a mental health designation have elevated conviction rates when compared to those without a mental health designation. A similar trend appears in FY 2018-19, where those who were assigned to EOP recidivated at 52.3 percent, Inpatient Care at 49.6 percent, and CCCMS at 44.9 percent, while those with no mental health designation have a rate of 40.6 percent.

Compared to the FY 2017-18 release cohort, the three-year conviction rate decreased for each group in the FY 2018-19 cohort. The largest decrease was for individuals assigned to Inpatient Care (4.4 percentage points) and the smallest decrease was for individuals assigned to EOP (1.1 percentage points). The rate for individuals without a mental health designation decreased by 2.5 percentage points.

¹⁸ More information regarding the CSRA and its development may be found at: <https://cpb-us-e2.wpmucdn.com/sites.uci.edu/dist/0/1149/files/2013/12/Development-of-the-CSRA-Recidivism-Risk-Prediction-in-the-CDCR.pdf>

Length of Stay

Length of stay refers to the amount of time an individual was incarcerated at CDCR prior to release in FY 2018-19. Generally, over half of each release cohort spends less than two years in prison. Please see the corresponding tables in Appendix A, B, or D for the categories of length of stay referenced in this section.

Generally, as the length of stay increases, the number of people in each category decreases. Approximately 40 percent of individuals in the FY 2018-19 release cohort have a stay of less than one year in prison, and 26.3 percent have a stay between one and two years in prison. Just 4.1 percent of individuals in the current cohort have a length of stay of 15 years or more.

Conviction rates generally decrease as the length of stay increases. Individuals in the FY 2018-19 cohort who spent less than one year in prison have a three-year conviction rate of 49.5 percent, while those who spent 15 years or more in prison have a rate of 7.5 percent. Historically, conviction rates decrease considerably for those who stay for ten years or more (rates below 25 percent) and are lowest for individuals with a stay of 15 years or more. A longer length of stay is most common for violent offenses, leading to an older age at release and an overall lower likelihood of recidivism.

Compared to the FY 2017-18 release cohort, conviction rates decreased for all length of stay categories except those who had a stay of 15 years or more. Decreases in conviction rates ranged between 0.1 and 3.2 percentage points for each category. An increase of 0.8 percentage points occurred for individuals with a length of stay of 15 years or more (Appendix D).

Number of CDCR Stays

A stay is defined as any period of time an individual is housed in a CDCR adult institution.¹⁹ The number of stays for an individual is cumulative over an individual's criminal history. Nearly half of the FY 2018-19 release cohort were released after their first stay at CDCR (48.1 percent). As the number of stays increases, the number of individuals in each category generally decreases.

Conviction rates are typically lowest for those with one stay and rates gradually increase as the number of stays increases. In the FY 2018-19 release cohort, individuals with one stay have the lowest three-year conviction rate in this analysis at 35.2 percent, and those with 13 stays have the highest rate at 54.8 percent.

Commitment Offense Group

Commitment offense refers to the offense an individual was committed to prison for prior to their release in FY 2018-19. Also known as the controlling offense, it is the most serious offense in an individual's most recent conviction cycle. Full data regarding conviction rates by commitment offense are available in Appendix B. Rates vary greatly when analyzed by commitment offense, with a high of 71.2 percent for those committed for escape and a low of 1.9 percent for those committed for first-

¹⁹ The total number of stays could include past stays for parole violations. Please note that since the passage of Realignment in 2011, only individuals previously sentenced to a life term (indeterminate sentence) and some sex registrants serve parole violations in state prison. Penal Code section 3000.08 remands persons on parole pursuant to section 3000.0, subdivision (b), paragraph (4) to the custody of CDCR. For more information regarding specific sex offenses, please see Penal Code 3000.0(b)(4). For more information regarding decreases in returns to prison for parole violations, please see Section 4.4 Type of Return to Prison.

degree murder. Please note that some categories are associated with very few releases and should be interpreted with caution.

Of the commitment offenses associated with the highest conviction rates in the FY 2018-19 cohort, the top three are escape, vehicle theft, and second-degree burglary (71.2 percent, 62.5 percent, and 57.9 percent, respectively). The commitment offenses associated with the lowest conviction rates are second-degree murder, attempted first-degree murder, and first-degree murder (2.6 percent, 2.0 percent, and 1.9 percent, respectively). Of the ten offenses associated with the lowest conviction rates in this cohort, all ten were crimes against persons.

Sex Registration Requirement

Most individuals in the FY 2018-19 release cohort (90.4 percent) did not have a sex registration requirement (non-sex registrants). About ten percent (3,467 individuals) were required to register pursuant to California Penal Code 290 (sex registrants).

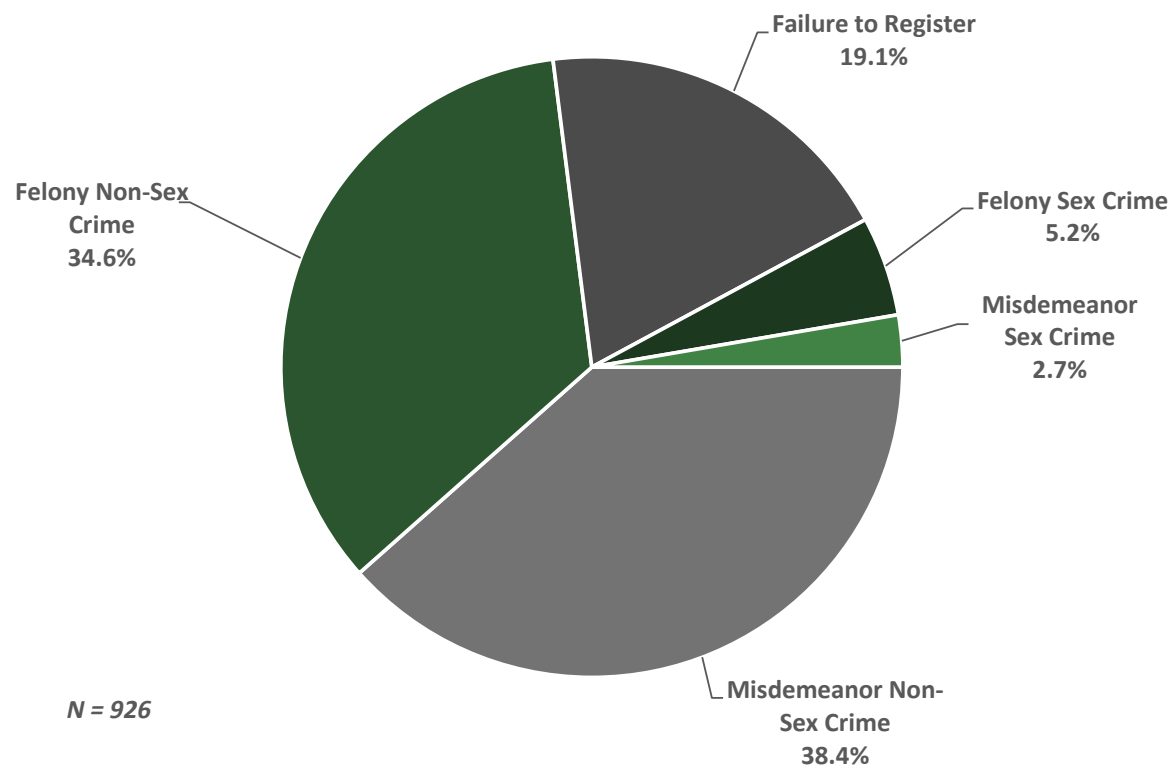
The three-year conviction rate for sex registrants released in FY 2018-19 is 26.7 percent (926 individuals), and the rate for non-sex registrants is 43.5 percent. This difference in the rate between these groups is generally consistent with historical trends – sex registrants generally have a lower conviction rate than non-sex registrants. Compared to the FY 2017-18 cohort, the rate for sex registrants decreased by 2.7 percentage points and the rate for non-sex registrants decreased by 2.8 percentage points.

As shown in Table 8 and Figure 8, the largest portions of sex registrants who recidivated were convicted of misdemeanor non-sex crimes (misdemeanor or felony). Regarding those who were convicted, approximately 20 percent were convicted for failure to register, while relatively few sex registrants were convicted of new sex crimes: 5.2 percent for felony sex crimes and 2.7 percent for misdemeanor sex crimes.

Table 8. Type of Conviction for the 926 Sex Registrants Convicted During the Three-Year Follow-Up Period

Reason for Conviction	Convicted	
	Number	Percent
Misdemeanor Non-Sex Crime	356	38.4%
Felony Non-Sex Crime	320	34.6%
Failure to Register	177	19.1%
Felony Sex Crime	48	5.2%
Misdemeanor Sex Crime	25	2.7%
Total	926	100.0%

Figure 8. Type of Conviction for the 926 Sex Registrants Convicted During the Three-Year Follow-Up Period



6 Individuals with Enhanced Credit Earnings Under Proposition 57

Proposition 57 was passed in November 2016 and allows eligible individuals to earn credits for good behavior and approved rehabilitative and educational achievements.²⁰ It increased the amount of credits that may be earned through the Good Conduct Credit (GCC) and Milestone Completion Credit (MCC) Programs; it also added two new types of credits: Rehabilitative Achievement Credit (RAC) and Educational Merit Credit (EMC).²¹ The FY 2018-19 release cohort is the second cohort of individuals who were impacted by the implementation of Proposition 57, which began in May 2017.²² These findings are preliminary. The regulations regarding credit earning change often (e.g., who earns credit, how much they earn, availability of rehabilitative programs and more) and may see changes in future cohorts as a result.

6.1 Conviction Rates for Individuals with Enhanced Credit Earnings

Table 9 displays the conviction rates for individuals who earned any enhanced credits under Proposition 57 during their incarceration (EMC, MCC or RAC). Over half of the individuals released (57.7 percent) earned at least one of the three credit earning types (Appendix A). The percentage of individuals who earned credits increased by 7.6 percentage points when compared to the FY 2017-18 release cohort (50.1 percent of all individuals released in FY 2017-18 earned credit). The three-year conviction rate for individuals who earned credit (39.2 percent) was 6.4 percentage points lower than the rate for individuals with no enhanced credit earnings (45.6 percent). The rate for individuals with credit earnings decreased by 4.6 percentage points (from 43.8 percent to 39.2 percent) and the rate for those without credits increased slightly (from 45.4 percent to 45.6 percent) between the FY 2017-18 and 2018-19 release cohorts, consistent with the overall decrease in the statewide recidivism rate (Appendix D).

Table 9. Conviction Rates by Enhanced Credit Earnings

Any Enhanced Credit Earning	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
No	15,257	3,741	24.5%	5,582	36.6%	6,960	45.6%
Yes	20,829	3,892	18.7%	6,218	29.9%	8,169	39.2%
Total	36,086	7,633	21.2%	11,800	32.7%	15,129	41.9%

Table 10 displays conviction rates by enhanced credit type. Please note that individuals may appear in more than one group – meaning they earned more than one type of enhanced credit, and therefore a total is not provided. The group of individuals who earned MCCs had the highest three-year conviction rate (39.8 percent). Those who earned EMCs had notably lower rates (26.1 percent), and individuals who earned RACs had the lowest rate (21.1 percent).

²⁰ For more details on Proposition 57 credit earnings please see: <https://www.cdcr.ca.gov/proposition57/>

²¹ In addition to increasing the number of MCCs that could be earned, Proposition 57 expanded the eligibility criteria to include individuals with a violent offense and sex registrants.

²² Please note RAC and EMC were not implemented until August 2017 and RAC were not regularly earned until October 2017.

Table 10. Conviction Rates by Enhanced Credit Earning Type for the Fiscal Year 2018-19 Release Cohort

Type of Enhanced Credit Earning*	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Educational Merit Credit	2,867	321	11.2%	542	18.9%	747	26.1%
Milestone Completion Credit	19,887	3,769	19.0%	6,028	30.3%	7,921	39.8%
Rehabilitative Achievement Credit	3,218	263	8.2%	478	14.9%	678	21.1%

*Individuals may appear in more than one group.

Please note, the group of individuals who earned MCCs is much larger than those earning EMCs or RACs. The MCC group includes non-violent and non-sex registrants who were eligible to earn MCCs prior to the passage of Proposition 57. This may also assist in explaining the higher conviction rate: as mentioned earlier in this report, individuals with less serious offenses generally have higher recidivism rates. In addition, programs that award MCCs sometimes award smaller increments of credit as opposed to programs that award EMCs or RACs.

The FY 2018-19 cohort is only the second release cohort impacted by Proposition 57 and these findings are considered preliminary. The regulations regarding credit earning change often (e.g., who earns credit, how much they earn, availability of rehabilitative programs, and more) and may see changes in future cohorts as a result. CDCR will continue to monitor the potential impact of Proposition 57 on recidivism.

6.2 Enhanced Credit Earning Methodology

The group of individuals who earned credit includes individuals who earned any EMC, MCC, or RAC credit during their incarceration, even if the credit did not result in a sentence length reduction. This includes non-violent non-sex registrants sentenced to an determinate term who earned MCCs prior to the passage of Proposition 57. Please note that individuals earning EMC, MCC, or RAC may have earned GCC or Extraordinary Conduct Credit (ECC) in addition to EMC, MCC, or RAC. Individuals who only earned GCC or ECC are excluded, as these are not awarded for program participation.

Reasons an individual's earned credit may not result in sentence length reduction include:

- Lost credits that became non-restorable due to multiple serious Rules Violation Reports.
- A release date restriction or resentence that brought the individual's release date too close to apply credits. CDCR requires a minimum number of days to prepare for an individual's release prior to their release date (typically 15 days for non-violent individuals and 60 days for violent individuals or sex registrants).
- Earning too many credits for a specific time period. Up to 84 days may be taken off an individual's sentence for MCC earnings per year starting on the anniversary of their first MCC earning. Additional MCCs roll over to the next year. Up to 40 days may be taken off an individual's sentence for RAC earnings per year starting on the anniversary of their first RAC earning. Additional RACs do not roll over.

- For incarcerated individuals granted release by the Board of Parole Hearings: for individuals with an indeterminate sentence, who receive a parole hearing, credits apply to their Minimum Eligible Parole Date, potentially allowing for earlier release. Earned credits do not reduce eligibility release dates for individuals eligible for Youth Parole, Elderly Parole, or Non-Violent Parole.²³

²³ For more details on Proposition 57 credit earnings please see: <https://www.cdcr.ca.gov/proposition57/>

Appendix A: Demographics and Characteristics of the Fiscal Year 2018-19 Release Cohort

Table 11. Demographics and Characteristics of the Fiscal Year 2018-19 Release Cohort

Demographics and Characteristics	Number	Percent
Total	36,086	100.0%
Gender		
Male	33,441	92.7%
Female	2,645	7.3%
Age at Release		
18 and 19	157	0.4%
20 to 24	4,152	11.5%
25 to 29	7,081	19.6%
30 to 34	6,548	18.1%
35 to 39	5,785	16.0%
40 to 44	4,018	11.1%
45 to 49	2,916	8.1%
50 to 54	2,375	6.6%
55 to 59	1,725	4.8%
60 and over	1,329	3.7%
Race/Ethnicity		
Hispanic/Latino	16,153	44.8%
White	9,170	25.4%
Black/African American	8,609	23.9%
Asian/Pacific Islander	590	1.6%
American Indian/Alaskan Native	416	1.2%
Other	1,148	3.2%
Commitment Offense Category		
Crimes Against Persons	18,448	51.1%
Other Crimes	7,494	20.8%
Property Crimes	7,020	19.5%
Drug Crimes	3,124	8.7%

Table 11. Demographics and Characteristics of the Fiscal Year 2018-19 Release Cohort (continued)

Demographics and Characteristics	Number	Percent
Sentence Type		
Determinate Term	25,722	71.3%
Second Strikers	9,285	25.7%
Indeterminate Term	976	2.7%
Third Strikers	81	0.2%
Resentenced to Misdemeanor	22	0.1%
Type of Post-Release Supervision		
Post-Release Community Supervision	18,128	50.2%
Parole	17,944	49.7%
Directly Discharged	14	0.0%
Serious/Violent Offense		
Non-Serious/Non-Violent	19,303	53.5%
Violent	9,159	25.4%
Serious	7,624	21.1%
County of Release		
Los Angeles County	10,649	29.5%
San Bernardino County	3,112	8.6%
Riverside County	2,837	7.9%
San Diego County	2,460	6.8%
Sacramento County	1,862	5.2%
Orange County	1,699	4.7%
Fresno County	1,539	4.3%
Kern County	1,283	3.6%
Santa Clara County	835	2.3%
San Joaquin County	811	2.2%
Alameda County	690	1.9%
Stanislaus County	663	1.8%
All Other Counties	7,632	21.1%
Directly Discharged	14	0.0%
CSRA Risk Score		
High	14,972	41.5%
Moderate	10,152	28.1%
Low	10,962	30.4%

Table 11. Demographics and Characteristics of the Fiscal Year 2018-19 Release Cohort (continued)

Demographics and Characteristics	Number	Percent
Mental Health Designation		
Correctional Clinical Case Management System	6,826	18.9%
Enhanced Outpatient Program	1,345	3.7%
Inpatient Care	131	0.4%
Mental Health Crisis Bed	29	0.1%
No Mental Health Designation	27,755	76.9%
Length of Stay		
Less than 1 year	13,877	38.5%
1 year (12 to 23 months)	9,484	26.3%
2 years (24 to 35 months)	3,740	10.4%
3 years (36 to 47 months)	1,950	5.4%
4 years (48 to 59 months)	1,304	3.6%
5 to 9 years	2,999	8.3%
10 to 14 years	1,251	3.5%
15 years or more	1,481	4.1%
Number of CDCR Stays		
1	17,340	48.1%
2	6,008	16.6%
3	2,846	7.9%
4	1,774	4.9%
5	1,421	3.9%
6	1,259	3.5%
7	1,009	2.8%
8	828	2.3%
9	684	1.9%
10	596	1.7%
11	444	1.2%
12	357	1.0%
13	314	0.9%
14	259	0.7%
15 or more	947	2.6%
Sex Registration Requirement		
No	32,619	90.4%
Yes	3,467	9.6%
Proposition 57 Credit Earned		
Yes	20,829	57.7%
No	15,257	42.3%

Appendix B: Recidivism Rates by Demographics and Characteristics for the Fiscal Year 2018-19 Release Cohort

Table 12. One-, Two-, and Three-Year Conviction Rates for Individuals Released in the Fiscal Year 2018-19 by Demographics and Characteristics

Conviction Rates by Demographics/Characteristics	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Total	36,086	7,633	21.2%	11,800	32.7%	15,129	41.9%
Gender							
Male	33,441	7,226	21.6%	11,108	33.2%	14,224	42.5%
Female	2,645	407	15.4%	692	26.2%	905	34.2%
Age at Release							
18 and 19	157	58	36.9%	80	51.0%	96	61.1%
20 to 24	4,152	1,234	29.7%	1,832	44.1%	2,280	54.9%
25 to 29	7,081	1,841	26.0%	2,817	39.8%	3,576	50.5%
30 to 34	6,548	1,497	22.9%	2,338	35.7%	3,007	45.9%
35 to 39	5,785	1,200	20.7%	1,900	32.8%	2,489	43.0%
40 to 44	4,018	733	18.2%	1,139	28.3%	1,463	36.4%
45 to 49	2,916	425	14.6%	691	23.7%	901	30.9%
50 to 54	2,375	317	13.3%	505	21.3%	663	27.9%
55 to 59	1,725	219	12.7%	335	19.4%	435	25.2%
60 and over	1,329	109	8.2%	163	12.3%	219	16.5%

Table 12. One-, Two-, and Three-Year Conviction Rates for Individuals Released in the Fiscal Year 2018-19 by Demographics and Characteristics
(continued)

(continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Race/Ethnicity							
American Indian/Alaskan Native	416	86	20.7%	150	36.1%	191	45.9%
White	9,170	2,128	23.2%	3,162	34.5%	3,995	43.6%
Hispanic/Latino	16,153	3,524	21.8%	5,473	33.9%	6,950	43.0%
Black/African American	8,609	1,629	18.9%	2,567	29.8%	3,429	39.8%
Asian/Pacific Islander	590	93	15.8%	156	26.4%	204	34.6%
Other	1,148	173	15.1%	292	25.4%	360	31.4%
Commitment Offense Category							
Property Crimes	7,020	2,045	29.1%	2,998	42.7%	3,701	52.7%
Other Crimes	7,494	1,725	23.0%	2,681	35.8%	3,412	45.5%
Drug Crimes	3,124	697	22.3%	1,045	33.5%	1,327	42.5%
Crimes Against Persons	18,448	3,166	17.2%	5,076	27.5%	6,689	36.3%
Sentence Type							
Second Strikers	9,285	1,972	21.2%	3,141	33.8%	4,106	44.2%
Determinate Term	25,722	5,651	22.0%	8,641	33.6%	10,991	42.7%
Third Strikers	81	1	1.2%	2	2.5%	4	4.9%
Indeterminate Term	976	4	0.4%	10	1.0%	20	2.0%
Resentenced to Misdemeanor	22	5	N/A	6	N/A	8	N/A
Type of Post-Release Supervision							
Post-Release Community Supervision	18,128	4,779	26.4%	7,129	39.3%	8,904	49.1%
Parole	17,944	2,852	15.9%	4,667	26.0%	6,219	34.7%
Directly Discharged	14	2	N/A	4	N/A	6	N/A

Table 12. One-, Two-, and Three-Year Conviction Rates for Individuals Released in the Fiscal Year 2018-19 by Demographics and Characteristics
(continued)

Conviction Rates by Demographics/Characteristics	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Serious/Violent Offense							
Non-Serious/Non-Violent	19,303	5,035	26.1%	7,545	39.1%	9,422	48.8%
Serious	7,624	1,647	21.6%	2,617	34.3%	3,409	44.7%
Violent	9,159	951	10.4%	1,638	17.9%	2,298	25.1%
County of Release							
Kern County	1,283	408	31.8%	575	44.8%	689	53.7%
Orange County	1,699	529	31.1%	738	43.4%	889	52.3%
Stanislaus County	663	175	26.4%	260	39.2%	340	51.3%
San Joaquin County	811	200	24.7%	328	40.4%	408	50.3%
San Bernardino County	3,112	601	19.3%	1,044	33.5%	1,391	44.7%
Sacramento County	1,862	397	21.3%	619	33.2%	818	43.9%
San Diego County	2,460	594	24.1%	845	34.3%	1,062	43.2%
Riverside County	2,837	520	18.3%	855	30.1%	1,123	39.6%
Los Angeles County	10,649	2,243	21.1%	3,385	31.8%	4,206	39.5%
Santa Clara County	835	163	19.5%	255	30.5%	330	39.5%
Fresno County	1,539	261	17.0%	386	25.1%	518	33.7%
Alameda County	690	54	7.8%	109	15.8%	174	25.2%
All Other Counties	7,632	1,486	19.5%	2,397	31.4%	3,175	41.6%
Directly Discharged	14	2	N/A	4	N/A	6	N/A

Table 12. One-, Two-, and Three-Year Conviction Rates for Individuals Released in the Fiscal Year 2018-19 by Demographics and Characteristics
(continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
CSRA Risk Score							
High	14,972	4,749	31.7%	7,036	47.0%	8,747	58.4%
Moderate	10,152	1,976	19.5%	3,184	31.4%	4,227	41.6%
Low	10,962	908	8.3%	1,580	14.4%	2,155	19.7%
Mental Health Designation							
Enhanced Outpatient Program	1,345	366	27.2%	572	42.5%	703	52.3%
Inpatient Care	131	33	25.2%	53	40.5%	65	49.6%
Correctional Clinical Case Management System	6,826	1,546	22.6%	2,378	34.8%	3,067	44.9%
No Mental Health Designation	27,755	5,678	20.5%	8,782	31.6%	11,279	40.6%
Mental Health Crisis Bed	29	10	N/A	15	N/A	15	N/A
Length of Stay							
Less than 1 year	13,877	3,694	26.6%	5,524	39.8%	6,864	49.5%
1 year (12 to 23 months)	9,484	2,319	24.5%	3,521	37.1%	4,473	47.2%
2 years (24 to 35 months)	3,740	750	20.1%	1,216	32.5%	1,588	42.5%
3 years (36 to 47 months)	1,950	325	16.7%	525	26.9%	726	37.2%
4 years (48 to 59 months)	1,304	194	14.9%	316	24.2%	423	32.4%
5 to 9 years	2,999	252	8.4%	478	15.9%	719	24.0%
10 to 14 years	1,251	70	5.6%	149	11.9%	225	18.0%
15 years or more	1,481	29	2.0%	71	4.8%	111	7.5%

Table 12. One-, Two-, and Three-Year Conviction Rates for Individuals Released in the Fiscal Year 2018-19 by Demographics and Characteristics
(continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Number of CDCR Stays							
1	17,340	2,976	17.2%	4,709	27.2%	6,097	35.2%
2	6,008	1,438	23.9%	2,209	36.8%	2,817	46.9%
3	2,846	681	23.9%	1,076	37.8%	1,364	47.9%
4	1,774	448	25.3%	686	38.7%	862	48.6%
5	1,421	344	24.2%	511	36.0%	648	45.6%
6	1,259	281	22.3%	449	35.7%	588	46.7%
7	1,009	278	27.6%	396	39.2%	526	52.1%
8	828	195	23.6%	300	36.2%	376	45.4%
9	684	185	27.0%	283	41.4%	365	53.4%
10	596	125	21.0%	209	35.1%	282	47.3%
11	444	120	27.0%	172	38.7%	221	49.8%
12	357	94	26.3%	140	39.2%	179	50.1%
13	314	87	27.7%	137	43.6%	172	54.8%
14	259	75	29.0%	108	41.7%	134	51.7%
15 or more	947	306	32.3%	415	43.8%	498	52.6%

Table 12. One-, Two-, and Three-Year Conviction Rates for Individuals Released in the Fiscal Year 2018-19 by Demographics and Characteristics
(continued)

Conviction Rates by Demographics/Characteristics	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Commitment Offense							
Escape	73	31	42.5%	44	60.3%	52	71.2%
Vehicle Theft	1,725	631	36.6%	901	52.2%	1,078	62.5%
Burglary Second	810	275	34.0%	375	46.3%	469	57.9%
Receiving Stolen Property	464	160	34.5%	222	47.8%	265	57.1%
Other Property	395	131	33.2%	186	47.1%	217	54.9%
Possession of Weapon	4,158	1,109	26.7%	1,664	40.0%	2,088	50.2%
Grand Theft	526	134	25.5%	218	41.4%	261	49.6%
Controlled Substance Possession	721	189	26.2%	282	39.1%	351	48.7%
Other Assault/Battery	5,478	1,262	23.0%	1,974	36.0%	2,541	46.4%
Controlled Substance Other	384	105	27.3%	153	39.8%	178	46.4%
Burglary First	2,499	591	23.6%	897	35.9%	1,151	46.1%
Other Offenses	1,937	431	22.3%	678	35.0%	871	45.0%
Arson	271	55	20.3%	98	36.2%	120	44.3%
Forgery/Fraud	575	117	20.3%	191	33.2%	249	43.3%
Assault with a Deadly Weapon	4,530	901	19.9%	1,442	31.8%	1,916	42.3%
Controlled Substance Possession For Sale	1,690	360	21.3%	533	31.5%	693	41.0%
Robbery	3,870	692	17.9%	1,127	29.1%	1,510	39.0%
Other Sex Offenses	1,059	214	20.2%	322	30.4%	406	38.3%
Controlled Substance Sales	232	36	15.5%	61	26.3%	82	35.3%
Driving Under Influence	1,055	99	9.4%	197	18.7%	281	26.6%
Controlled Substance Manufacturing	68	3	4.4%	8	11.8%	14	20.6%
Kidnapping	241	14	5.8%	30	12.4%	44	18.3%

Table 12. One-, Two-, and Three-Year Conviction Rates for Individuals Released in the Fiscal Year 2018-19 by Demographics and Characteristics (continued)²⁴

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Commitment Offense (continued)							
Attempted Murder Second	376	26	6.9%	48	12.8%	68	18.1%
Oral Copulation	84	2	2.4%	10	11.9%	13	15.5%
Manslaughter	427	16	3.7%	39	9.1%	58	13.6%
Rape	220	3	1.4%	14	6.4%	24	10.9%
Vehicular Manslaughter	194	4	2.1%	12	6.2%	15	7.7%
Penetration With Object	56	3	5.4%	4	7.1%	4	7.1%
Lewd Act With Child	1,044	24	2.3%	42	4.0%	68	6.5%
Murder Second	426	3	0.7%	7	1.6%	11	2.6%
Attempted Murder First	100	0	0.0%	1	1.0%	2	2.0%
Murder First	317	1	0.3%	2	0.6%	6	1.9%
Petty Theft with Prior	26	6	N/A	8	N/A	11	N/A
Sodomy	26	1	N/A	2	N/A	3	N/A
Marijuana Other	14	2	N/A	5	N/A	5	N/A
Marijuana Possess For Sale	9	1	N/A	1	N/A	2	N/A
Marijuana Sale	6	1	N/A	2	N/A	2	N/A

²⁴ "Controlled Substance" and "Marijuana Other" offenses include planting, cultivating or processing marijuana, furnishing/giving marijuana to a minor, or employing a minor to transport marijuana. "Controlled Substance Other" offenses include possession of a controlled substance in prison/jail; maintaining place for the use/sale of a controlled substance; or employment of minor to furnish/sell a controlled substance. "Other Offenses" include threatening to commit a crime resulting in death or great bodily injury, participation in a street gang, and stalking. "Other Sex Offenses" include failure to register as a sex offender, indecent exposure, and pimping.

Appendix C: Conviction Rates by County of Release

Table 13. Conviction Rates by County of Release

County of Release	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Alameda County	690	54	7.8%	109	15.8%	174	25.2%
Alpine County	1	0	N/A	0	N/A	0	N/A
Amador County	32	1	3.1%	4	12.5%	9	28.1%
Butte County	348	76	21.8%	117	33.6%	159	45.7%
Calaveras County	40	7	17.5%	10	25.0%	14	35.0%
Colusa County	29	8	N/A	10	N/A	14	N/A
Contra Costa County	484	64	13.2%	115	23.8%	170	35.1%
Del Norte County	48	3	6.3%	12	25.0%	18	37.5%
El Dorado County	102	14	13.7%	30	29.4%	43	42.2%
Fresno County	1,539	261	17.0%	386	25.1%	518	33.7%
Glenn County	42	5	11.9%	8	19.0%	15	35.7%
Humboldt County	171	42	24.6%	65	38.0%	83	48.5%
Imperial County	184	21	11.4%	44	23.9%	78	42.4%
Inyo County	21	6	N/A	9	N/A	12	N/A
Kern County	1,283	408	31.8%	575	44.8%	689	53.7%
Kings County	287	75	26.1%	123	42.9%	150	52.3%
Lake County	141	35	24.8%	55	39.0%	67	47.5%
Lassen County	28	5	N/A	8	N/A	12	N/A
Los Angeles County	10,649	2,243	21.1%	3,385	31.8%	4,206	39.5%
Madera County	198	42	21.2%	61	30.8%	80	40.4%
Marin County	37	2	5.4%	9	24.3%	10	27.0%
Mariposa County	20	6	N/A	8	N/A	9	N/A
Mendocino County	120	27	22.5%	44	36.7%	58	48.3%
Merced County	331	51	15.4%	91	27.5%	125	37.8%
Modoc County	10	0	N/A	1	N/A	2	N/A
Mono County	6	1	N/A	2	N/A	4	N/A
Monterey County	467	119	25.5%	185	39.6%	218	46.7%
Napa County	84	27	32.1%	32	38.1%	40	47.6%
Nevada County	28	6	N/A	11	N/A	13	N/A
Orange County	1,699	529	31.1%	738	43.4%	889	52.3%
Placer County	186	37	19.9%	60	32.3%	84	45.2%
Plumas County	18	2	N/A	3	N/A	4	N/A
Riverside County	2,837	520	18.3%	855	30.1%	1,123	39.6%
Sacramento County	1,862	397	21.3%	619	33.2%	818	43.9%

Table 13. Conviction Rates by County of Release (continued)

County of Release	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
San Benito County	47	8	17.0%	9	19.1%	15	31.9%
San Bernardino County	3,112	601	19.3%	1,044	33.5%	1,391	44.7%
San Diego County	2,460	594	24.1%	845	34.3%	1,062	43.2%
San Francisco County	384	24	6.3%	49	12.8%	68	17.7%
San Joaquin County	811	200	24.7%	328	40.4%	408	50.3%
San Luis Obispo County	187	43	23.0%	65	34.8%	88	47.1%
San Mateo County	300	41	13.7%	73	24.3%	101	33.7%
Santa Barbara County	325	90	27.7%	119	36.6%	150	46.2%
Santa Clara County	835	163	19.5%	255	30.5%	330	39.5%
Santa Cruz County	116	29	25.0%	41	35.3%	55	47.4%
Shasta County	361	91	25.2%	150	41.6%	187	51.8%
Sierra County	2	0	N/A	0	N/A	0	N/A
Siskiyou County	61	7	11.5%	17	27.9%	25	41.0%
Solano County	339	44	13.0%	76	22.4%	118	34.8%
Sonoma County	279	46	16.5%	85	30.5%	108	38.7%
Stanislaus County	663	175	26.4%	260	39.2%	340	51.3%
Sutter County	138	36	26.1%	61	44.2%	80	58.0%
Tehama County	135	27	20.0%	46	34.1%	50	37.0%
Trinity County	17	2	N/A	4	N/A	5	N/A
Tulare County	542	103	19.0%	163	30.1%	221	40.8%
Tuolumne County	52	8	15.4%	14	26.9%	19	36.5%
Ventura County	542	123	22.7%	190	35.1%	237	43.7%
Yolo County	176	39	22.2%	51	29.0%	70	39.8%
Yuba County	166	43	25.9%	67	40.4%	87	52.4%
Directly Discharged	14	2	N/A	4	N/A	6	N/A
Total	36,086	7,633	21.2%	11,800	32.7%	15,129	41.9%

Figure 9. Map of Three-Year Conviction Rates by County of Release



*Table 13 (pages 38 and 39) provides a list of each California County, the number of releases to each county, and one-, two-, and three-year conviction rates.

Appendix D: Change in Recidivism Rate by Demographics and Characteristics Between the Fiscal Year 2017-18 and 2018-19 Release Cohorts

Table 14. Three-Year Conviction Rate by Demographics and Characteristics for Individuals Released in Fiscal Years 2017-18 and 2018-19

	FY 2017-18 Number Released	FY 2018-19 Number Released	Number Released Difference	FY 2017-18 Number Convicted	FY 2018-19 Number Convicted	Number Convicted Difference	FY 2017-18 Three-Year Conviction Rate	FY 2018-19 Three-Year Conviction Rate	Three-Year Rate Difference
Total	35,447	36,086	639	15,804	15,129	(675)	44.6%	41.9%	(2.7)
Gender									
Male	32,860	33,441	581	14,874	14,224	(650)	45.3%	42.5%	(2.8)
Female	2,587	2,645	58	930	905	(25)	35.9%	34.2%	(1.7)
Age at Release									
18 and 19	209	157	(52)	141	96	(45)	67.5%	61.1%	(6.4)
20 to 24	4,506	4,152	(354)	2,595	2,280	(315)	57.6%	54.9%	(2.7)
25 to 29	7,067	7,081	14	3,728	3,576	(152)	52.8%	50.5%	(2.3)
30 to 34	6,362	6,548	186	3,074	3,007	(67)	48.3%	45.9%	(2.4)
35 to 39	5,546	5,785	239	2,409	2,489	80	43.4%	43.0%	(0.4)
40 to 44	3,650	4,018	368	1,395	1,463	68	38.2%	36.4%	(1.8)
45 to 49	2,932	2,916	(16)	1,088	901	(187)	37.1%	30.9%	(6.2)
50 to 54	2,361	2,375	14	747	663	(84)	31.6%	27.9%	(3.7)
55 to 59	1,561	1,725	164	411	435	24	26.3%	25.2%	(1.1)
60 and over	1,253	1,329	76	216	219	3	17.2%	16.5%	(0.7)

Table 14. Three-Year Conviction Rate by Demographics and Characteristics for Individuals Released in Fiscal Years 2017-18 and 2018-19
(continued)

	FY 2017-18 Number Released	FY 2018-19 Number Released	Number Released Difference	FY 2017-18 Number Convicted	FY 2018-19 Number Convicted	Number Convicted Difference	FY 2017-18 Three-Year Conviction Rate	FY 2018-19 Three-Year Conviction Rate	Three-Year Rate Difference
Race/Ethnicity									
American Indian/Alaskan Native	383	416	33	193	191	(2)	50.4%	45.9%	(4.5)
White	9,101	9,170	69	4,180	3,995	(185)	45.9%	43.6%	(2.3)
Hispanic/Latino	15,821	16,153	332	7,261	6,950	(311)	45.9%	43.0%	(2.9)
Black/African American	8,475	8,609	134	3,605	3,429	(176)	42.5%	39.8%	(2.7)
Asian/Pacific Islander	521	590	69	187	204	17	35.9%	34.6%	(1.3)
Other	1,146	1,148	2	378	360	(18)	33.0%	31.4%	(1.6)
Commitment Offense Category									
Property Crimes	7,284	7,020	(264)	4,077	3,701	(376)	56.0%	52.7%	(3.3)
Other Crimes	7,381	7,494	113	3,575	3,412	(163)	48.4%	45.5%	(2.9)
Drug Crimes	3,056	3,124	68	1,389	1,327	(62)	45.5%	42.5%	(3.0)
Crimes Against Persons	17,726	18,448	722	6,763	6,689	(74)	38.2%	36.3%	(1.9)
Sentence Type									
Second Strikers	9,515	9,285	(230)	4,487	4,106	(381)	47.2%	44.2%	(3.0)
Determinate Term	25,144	25,722	578	11,299	10,991	(308)	44.9%	42.7%	(2.2)
Third Strikers	7	81	74	1	4	3	N/A	4.9%	N/A
Indeterminate Term	750	976	226	14	20	6	1.9%	2.0%	0.1
Resentenced to Misdemeanor	30	22	(8)	3	8	5	10.0%	N/A	N/A
Life Without Parole	1	0	(1)	0	0	0	N/A	N/A	N/A
Type of Post-Release Supervision									
Post-Release Community Supervision	17,617	18,128	511	9,102	8,904	(198)	51.7%	49.1%	(2.6)
Parole	17,811	17,944	133	6,697	6,219	(478)	37.6%	34.7%	(2.9)
Directly Discharged	19	14	(5)	5	6	1	N/A	N/A	N/A

Table 14. Three-Year Conviction Rate by Demographics and Characteristics for Individuals Released in Fiscal Years 2017-18 and 2018-19
(continued)

	FY 2017-18 Number Released	FY 2018-19 Number Released	Number Released Difference	FY 2017-18 Number Convicted	FY 2018-19 Number Convicted	Number Convicted Difference	FY 2017-18 Three-Year Conviction Rate	FY 2018-19 Three-Year Conviction Rate	Three-Year Rate Difference
Serious/Violent Offense									
Non-Serious/Non-Violent	18,777	19,303	526	9,673	9,422	(251)	51.5%	48.8%	(2.7)
Serious	7,754	7,624	(130)	3,675	3,409	(266)	47.4%	44.7%	(2.7)
Violent	8,916	9,159	243	2,456	2,298	(158)	27.5%	25.1%	(2.4)
County of Release									
Kern County	1,309	1,283	(26)	759	689	(70)	58.0%	53.7%	(4.3)
Orange County	1,701	1,699	(2)	847	889	42	49.8%	52.3%	2.5
Stanislaus County	628	663	35	331	340	9	52.7%	51.3%	(1.4)
San Joaquin County	796	811	15	399	408	9	50.1%	50.3%	0.2
San Bernardino County	3,123	3,112	(11)	1,475	1,391	(84)	47.2%	44.7%	(2.5)
Sacramento County	1,741	1,862	121	761	818	57	43.7%	43.9%	0.2
San Diego County	2,557	2,460	(97)	1,200	1,062	(138)	46.9%	43.2%	(3.7)
Riverside County	2,697	2,837	140	1,214	1,123	(91)	45.0%	39.6%	(5.4)
Los Angeles County	10,574	10,649	75	4,525	4,206	(319)	42.8%	39.5%	(3.3)
Santa Clara County	893	835	(58)	363	330	(33)	40.6%	39.5%	(1.1)
Fresno County	1,493	1,539	46	602	518	(84)	40.3%	33.7%	(6.6)
Alameda County	691	690	(1)	204	174	(30)	29.5%	25.2%	(4.3)
All Other Counties	7,225	7,632	407	3,119	3,175	56	43.2%	41.6%	(1.6)
Directly Discharged	19	14	(5)	5	6	1	N/A	N/A	N/A

Table 14. Three-Year Conviction Rate by Demographics and Characteristics for Individuals Released in Fiscal Years 2017-18 and 2018-19
(continued)

	FY 2017-18 Number Released	FY 2018-19 Number Released	Number Released Difference	FY 2017-18 Number Convicted	FY 2018-19 Number Convicted	Number Convicted Difference	FY 2017-18 Three-Year Conviction Rate	FY 2018-19 Three-Year Conviction Rate	Three-Year Rate Difference
CSRA Risk Score									
High	15,224	14,972	(252)	9,302	8,747	(555)	61.1%	58.4%	(2.7)
Moderate	10,316	10,152	(164)	4,443	4,227	(216)	43.1%	41.6%	(1.5)
Low	9,907	10,962	1,055	2,059	2,155	96	20.8%	19.7%	(1.1)
Mental Health Designation									
Enhanced Outpatient Program	1,379	1,345	(34)	736	703	(33)	53.4%	52.3%	(1.1)
Inpatient	126	131	5	68	65	(3)	54.0%	49.6%	(4.4)
Correctional Clinical Case Management System	6,987	6,826	(161)	3,378	3,067	(311)	48.3%	44.9%	(3.4)
No Mental Health Designation	26,908	27,755	847	11,594	11,279	(315)	43.1%	40.6%	(2.5)
Mental Health Crisis Bed	47	29	(18)	28	15	(13)	59.6%	N/A	N/A
Length of Stay									
Less than 1 year	13,489	13,877	388	7,112	6,864	(248)	52.7%	49.5%	(3.2)
1 year (12 to 23 months)	9,345	9,484	139	4,659	4,473	(186)	49.9%	47.2%	(2.7)
2 years (24 to 35 months)	3,673	3,740	67	1,625	1,588	(37)	44.2%	42.5%	(1.7)
3 years (36 to 47 months)	2,082	1,950	(132)	776	726	(50)	37.3%	37.2%	(0.1)
4 years (48 to 59 months)	1,488	1,304	(184)	502	423	(79)	33.7%	32.4%	(1.3)
5 to 9 years	3,065	2,999	(66)	825	719	(106)	26.9%	24.0%	(2.9)
10 to 14 years	1,147	1,251	104	227	225	(2)	19.8%	18.0%	(1.8)
15 years or more	1,158	1,481	323	78	111	33	6.7%	7.5%	0.8

Table 14. Three-Year Conviction Rate by Demographics and Characteristics for Individuals Released in Fiscal Years 2017-18 and 2018-19
(continued)

	FY 2017-18 Number Released	FY 2018-19 Number Released	Number Released Difference	FY 2017-18 Number Convicted	FY 2018-19 Number Convicted	Number Convicted Difference	FY 2017-18 Three-Year Conviction Rate	FY 2018-19 Three-Year Conviction Rate	Three-Year Rate Difference
Number of CDCR Stays									
1	16,968	17,340	372	6,266	6,097	(169)	36.9%	35.2%	(1.7)
2	5,590	6,008	418	2,816	2,817	1	50.4%	46.9%	(3.5)
3	2,631	2,846	215	1,304	1,364	60	49.6%	47.9%	(1.7)
4	1,851	1,774	(77)	956	862	(94)	51.6%	48.6%	(3.0)
5	1,445	1,421	(24)	691	648	(43)	47.8%	45.6%	(2.2)
6	1,291	1,259	(32)	663	588	(75)	51.4%	46.7%	(4.7)
7	1,002	1,009	7	540	526	(14)	53.9%	52.1%	(1.8)
8	850	828	(22)	440	376	(64)	51.8%	45.4%	(6.4)
9	738	684	(54)	402	365	(37)	54.5%	53.4%	(1.1)
10	572	596	24	312	282	(30)	54.5%	47.3%	(7.2)
11	487	444	(43)	261	221	(40)	53.6%	49.8%	(3.8)
12	391	357	(34)	234	179	(55)	59.8%	50.1%	(9.7)
13	321	314	(7)	175	172	(3)	54.5%	54.8%	0.3
14	278	259	(19)	153	134	(19)	55.0%	51.7%	(3.3)
15 or more	1,032	947	(85)	591	498	(93)	57.3%	52.6%	(4.7)

Table 14. Three-Year Conviction Rate by Demographics and Characteristics for Individuals Released in Fiscal Years 2017-18 and 2018-19
(continued)

	FY 2017-18 Number Released	FY 2018-19 Number Released	Number Released Difference	FY 2017-18 Number Convicted	FY 2018-19 Number Convicted	Number Convicted Difference	FY 2017-18 Three-Year Conviction Rate	FY 2018-19 Three-Year Conviction Rate	Three-Year Rate Difference
Commitment Offense									
Escape	98	73	(25)	59	52	(7)	60.2%	71.2%	11.0
Vehicle Theft	1,743	1,725	(18)	1,203	1,078	(125)	69.0%	62.5%	(6.5)
Burglary Second	868	810	(58)	494	469	(25)	56.9%	57.9%	1.0
Receiving Stolen Property	438	464	26	278	265	(13)	63.5%	57.1%	(6.4)
Other Property	363	395	32	208	217	9	57.3%	54.9%	(2.4)
Possession Weapon	4,022	4,158	136	2,207	2,088	(119)	54.9%	50.2%	(4.7)
Grand Theft	527	526	(1)	271	261	(10)	51.4%	49.6%	(1.8)
Controlled Substance Possession	607	721	114	309	351	42	50.9%	48.7%	(2.2)
Other Assault/Battery	5,205	5,478	273	2,509	2,541	32	48.2%	46.4%	(1.8)
Controlled Substance Other	320	384	64	164	178	14	51.3%	46.4%	(4.9)
Burglary First	2,668	2,499	-169	1,299	1,151	-148	48.7%	46.1%	(2.6)
Other Offenses	1,889	1,937	48	903	871	(32)	47.8%	45.0%	(2.8)
Arson	257	271	14	108	120	12	42.0%	44.3%	2.3
Forgery/Fraud	642	575	(67)	303	249	(54)	47.2%	43.3%	(3.9)
Assault with a Deadly Weapon	4,266	4,530	264	1,851	1,916	65	43.4%	42.3%	(1.1)
Controlled Substance Possession For Sale	1,736	1,690	(46)	793	693	(100)	45.7%	41.0%	(4.7)
Robbery	3,849	3,870	21	1,600	1,510	(90)	41.6%	39.0%	(2.6)
Other Sex Offenses	1,120	1,059	(61)	465	406	(59)	41.5%	38.3%	(3.2)
Controlled Substance Sales	284	232	(52)	91	82	(9)	32.0%	35.3%	3.3
Driving Under Influence	1,115	1,055	(60)	298	281	(17)	26.7%	26.6%	(0.1)
Controlled Substance Manufacturing	48	68	20	9	14	5	18.8%	20.6%	1.8
Kidnapping	219	241	22	34	44	10	15.5%	18.3%	2.8
Attempted Murder Second	306	376	70	59	68	9	19.3%	18.1%	(1.2)

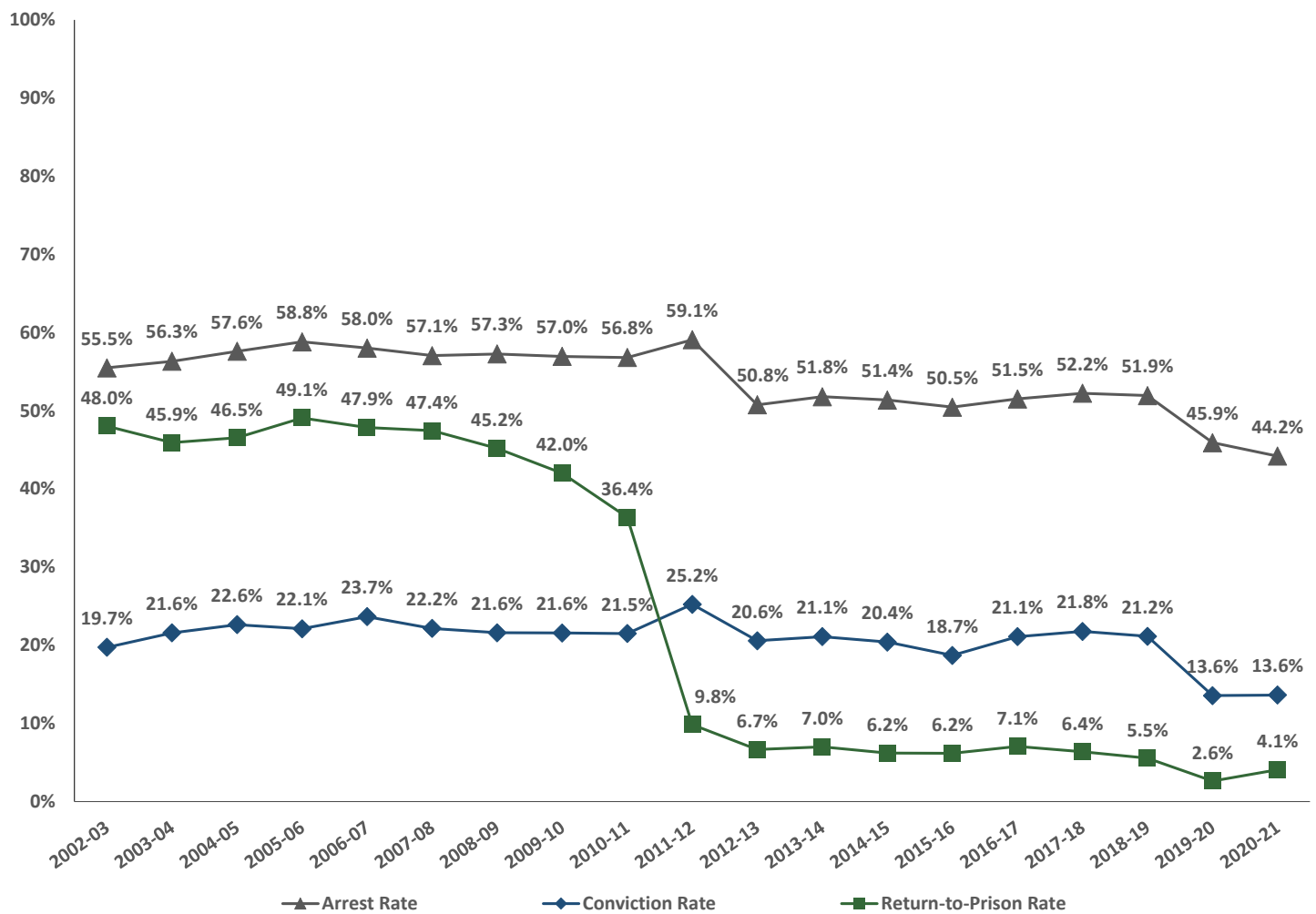
Table 14. Three-Year Conviction Rate by Demographics and Characteristics for Individuals Released in Fiscal Years 2017-18 and 2018-19
(continued)

	FY 2017-18 Number Released	FY 2018-19 Number Released	Number Released Difference	FY 2017-18 Number Convicted	FY 2018-19 Number Convicted	Number Convicted Difference	FY 2017-18 Three-Year Conviction Rate	FY 2018-19 Three-Year Conviction Rate	Three-Year Rate Difference
Commitment Offense (continued)									
Oral Copulation	78	84	6	18	13	(5)	23.1%	15.5%	(7.6)
Manslaughter	443	427	(16)	84	58	(26)	19.0%	13.6%	(5.4)
Rape	232	220	(12)	24	24	0	10.3%	10.9%	0.6
Vehicular Manslaughter	181	194	13	23	15	(8)	12.7%	7.7%	(5.0)
Penetration With Object	67	56	(11)	8	4	(4)	11.9%	7.1%	(4.8)
Lewd Act With Child	1,066	1,044	(22)	76	68	(8)	7.1%	6.5%	(0.6)
Murder Second	357	426	69	3	11	8	0.8%	2.6%	1.8
Attempted Murder First	62	100	38	1	2	1	1.6%	2.0%	0.4
Murder First	253	317	64	7	6	(1)	2.8%	1.9%	(0.9)
Petty Theft with Prior	35	26	(9)	21	11	(10)	60.0%	N/A	N/A
Sodomy	22	26	4	1	3	2	N/A	N/A	N/A
Marijuana Other	18	14	(4)	5	5	0	N/A	N/A	N/A
Marijuana Possess For Sale	26	9	(17)	11	2	(9)	N/A	N/A	N/A
Marijuana Sale	16	6	(10)	7	2	(5)	N/A	N/A	N/A
Sex Registration Requirement									
No	31,860	32,619	759	14,750	14,203	(547)	46.3%	43.5%	(2.8)
Yes	3,587	3,467	(120)	1,054	926	(128)	29.4%	26.7%	(2.7)
Proposition 57 Credits Earned									
No	17,677	15,257	(2,420)	8,019	6,960	(1,059)	45.4%	45.6%	0.2
Yes	17,770	20,829	3,059	7,785	8,169	384	43.8%	39.2%	(4.6)

Appendix E: Arrest, Conviction, and Return-to-Prison Rates for Individuals Released in Fiscal Year 2002-03 through 2020-21

Appendix E provides supplemental recidivism measures (arrests and returns to prison), as well as CDCR's primary measure of recidivism (convictions), in one-, two-, and three-year intervals, when available, for individuals released from CDCR adult institutions between FY 2002-03 and 2018-19.²⁵ Two-year rates are provided for individuals released between FY 2002-03 through 2019-20 and one-year rates for individuals released between FY 2002-03 and 2020-21.²⁶

Figure 10. One-Year Arrest, Conviction, and Return-to-Prison Rates by Fiscal Year



²⁵ Arrest, conviction, and return-to-prison data were extracted on June 30, 2023 to minimize the effects of any lag time associated with data entry into the state's system.

²⁶ Recidivism rates are "frozen" at three years, meaning the three-year follow-up period is complete and no further analyses are performed. One-year and two-year rates may fluctuate slightly, as the data used in subsequent reporting years will likely change, particularly for arrests and convictions, since these data are routinely updated in accordance with criminal justice processing.

Figure 11. Two-Year Arrest, Conviction, and Return-to-Prison Rates by Fiscal Year

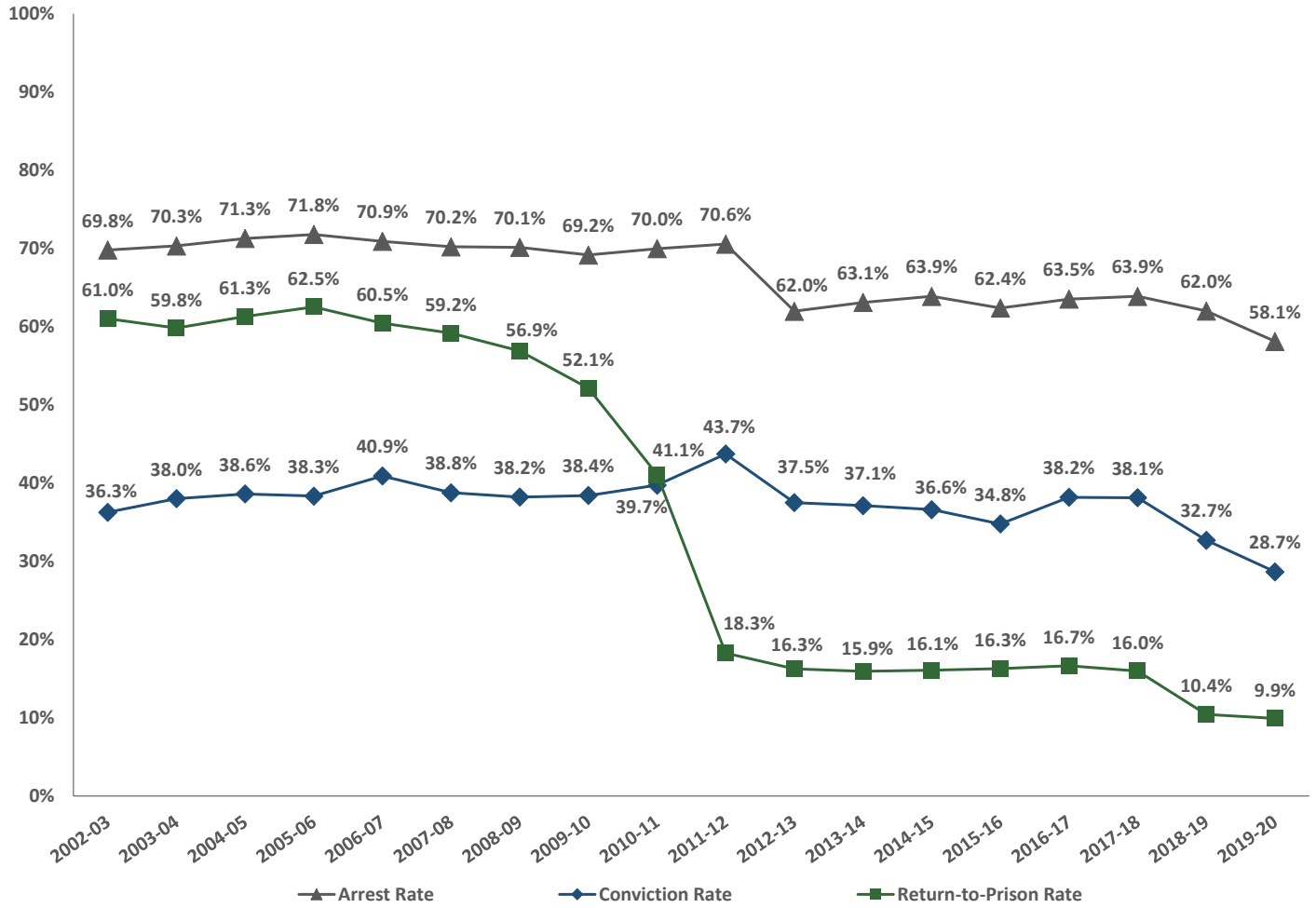


Figure 12. Three-Year Arrest, Conviction, and Return-to-Prison Rates by Fiscal Year

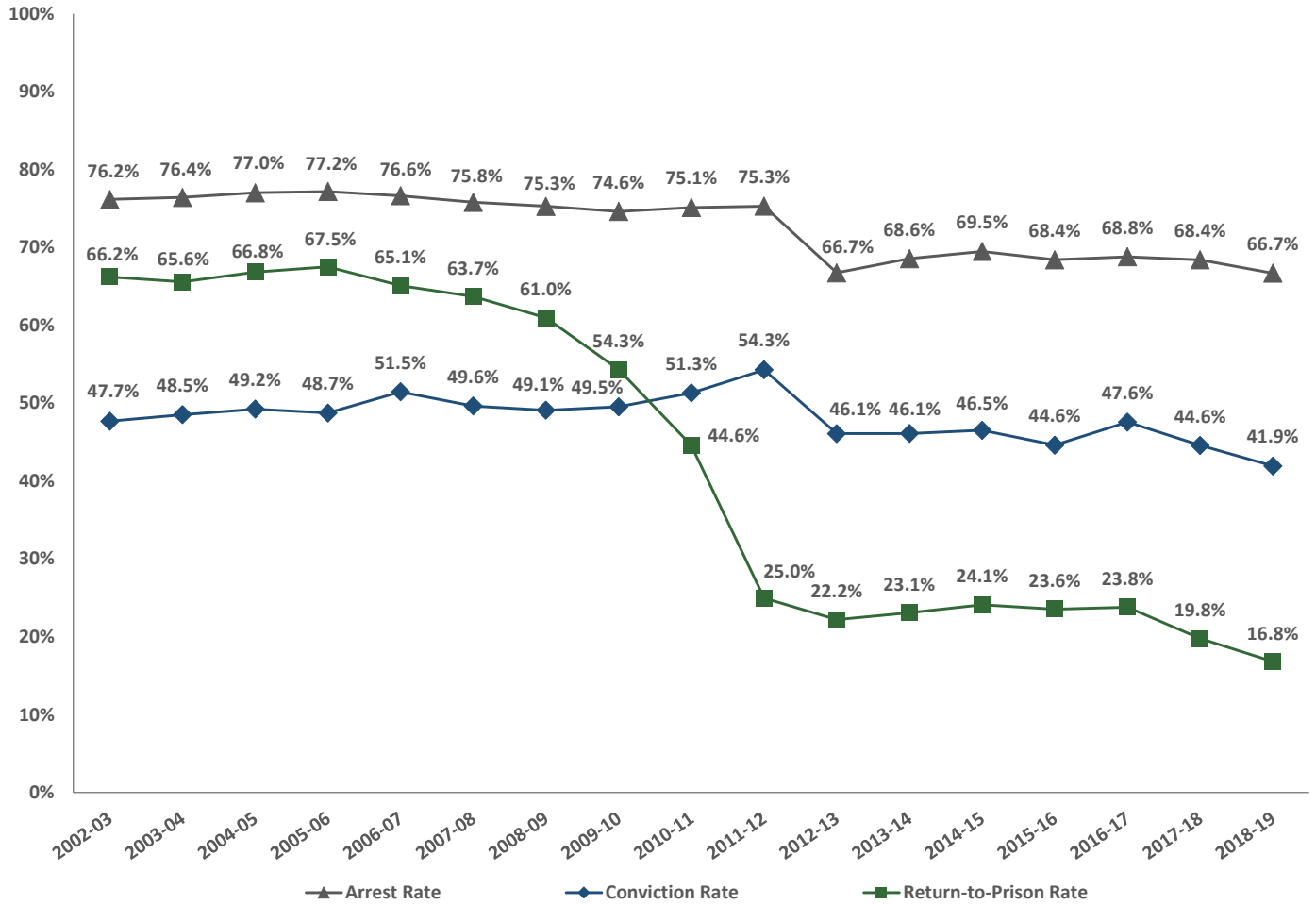


Table 15. One-, Two-, and Three-Year Arrest Rates by Fiscal Year

Fiscal Year	Number Released	One-Year		Two-Year		Three-Year	
		Number Arrested	Arrest Rate	Number Arrested	Arrest Rate	Number Arrested	Arrest Rate
2002-03	99,482	55,204	55.5%	69,449	69.8%	75,765	76.2%
2003-04	99,635	56,127	56.3%	70,070	70.3%	76,135	76.4%
2004-05	103,647	59,703	57.6%	73,881	71.3%	79,819	77.0%
2005-06	105,974	62,331	58.8%	76,079	71.8%	81,786	77.2%
2006-07	112,665	65,369	58.0%	79,893	70.9%	86,330	76.6%
2007-08	113,888	64,981	57.1%	79,978	70.2%	86,309	75.8%
2008-09	110,356	63,193	57.3%	77,412	70.1%	83,080	75.3%
2009-10	103,867	59,159	57.0%	71,837	69.2%	77,495	74.6%
2010-11	94,888	53,911	56.8%	66,399	70.0%	71,284	75.1%
2011-12	74,875	44,236	59.1%	52,829	70.6%	56,371	75.3%
2012-13	35,790	18,165	50.8%	22,184	62.0%	23,885	66.7%
2013-14	33,113	17,153	51.8%	20,893	63.1%	22,700	68.6%
2014-15	39,205	20,142	51.4%	25,047	63.9%	27,239	69.5%
2015-16	33,756	17,034	50.5%	21,061	62.4%	23,094	68.4%
2016-17	31,792	16,378	51.5%	20,199	63.5%	21,871	68.8%
2017-18	35,447	18,514	52.2%	22,645	63.9%	24,247	68.4%
2018-19	36,086	18,741	51.9%	22,378	62.0%	24,064	66.7%
2019-20	34,364	15,777	45.9%	19,971	58.1%	N/A	N/A
2020-21	30,279	13,384	44.2%	N/A	N/A	N/A	N/A

Table 16. One-, Two-, and Three-Year Conviction Rates by Fiscal Year

Fiscal Year	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
2002-03	99,482	19,643	19.7%	36,087	36.3%	47,443	47.7%
2003-04	99,635	21,509	21.6%	37,881	38.0%	48,350	48.5%
2004-05	103,647	23,464	22.6%	40,022	38.6%	51,026	49.2%
2005-06	105,974	23,428	22.1%	40,635	38.3%	51,650	48.7%
2006-07	112,665	26,657	23.7%	46,106	40.9%	57,980	51.5%
2007-08	113,888	25,233	22.2%	44,164	38.8%	56,525	49.6%
2008-09	110,356	23,831	21.6%	42,181	38.2%	54,175	49.1%
2009-10	103,867	22,410	21.6%	39,908	38.4%	51,456	49.5%
2010-11	94,888	20,403	21.5%	37,710	39.7%	48,689	51.3%
2011-12	74,875	18,894	25.2%	32,746	43.7%	40,644	54.3%
2012-13	35,790	7,363	20.6%	13,423	37.5%	16,496	46.1%
2013-14	33,113	6,990	21.1%	12,295	37.1%	15,264	46.1%
2014-15	39,205	8,003	20.4%	14,355	36.6%	18,235	46.5%
2015-16	33,756	6,312	18.7%	11,743	34.8%	15,059	44.6%
2016-17	31,792	6,710	21.1%	12,141	38.2%	15,123	47.6%
2017-18	35,447	7,719	21.8%	13,519	38.1%	15,804	44.6%
2018-19	36,086	7,633	21.2%	11,800	32.7%	15,129	41.9%
2019-20	34,364	4,662	13.6%	9,848	28.7%	N/A	N/A
2020-21	30,279	4,130	13.6%	N/A	N/A	N/A	N/A

Table 17. One-, Two-, and Three-Year Return-to-Prison Rates by Fiscal Year

Fiscal Year	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
2002-03	103,934	49,924	48.0%	63,415	61.0%	68,810	66.2%
2003-04	103,296	47,423	45.9%	61,788	59.8%	67,734	65.6%
2004-05	106,920	49,761	46.5%	65,559	61.3%	71,444	66.8%
2005-06	108,662	53,330	49.1%	67,958	62.5%	73,350	67.5%
2006-07	115,254	55,167	47.9%	69,691	60.5%	75,018	65.1%
2007-08	116,015	55,049	47.4%	68,643	59.2%	73,885	63.7%
2008-09	112,877	51,010	45.2%	64,244	56.9%	68,803	61.0%
2009-10	104,981	44,104	42.0%	54,713	52.1%	57,022	54.3%
2010-11	95,690	34,810	36.4%	39,331	41.1%	42,661	44.6%
2011-12	75,733	7,456	9.8%	13,843	18.3%	18,908	25.0%
2012-13	36,527	2,435	6.7%	5,937	16.3%	8,110	22.2%
2013-14	33,449	2,348	7.0%	5,334	15.9%	7,726	23.1%
2014-15	39,399	2,447	6.2%	6,336	16.1%	9,505	24.1%
2015-16	33,861	2,091	6.2%	5,512	16.3%	7,976	23.6%
2016-17	31,975	2,255	7.1%	5,324	16.7%	7,607	23.8%
2017-18	35,821	2,285	6.4%	5,721	16.0%	7,086	19.8%
2018-19	36,420	2,021	5.5%	3,799	10.4%	6,126	16.8%
2019-20	34,649	908	2.6%	3,437	9.9%	N/A	N/A
2020-21	30,857	1,258	4.1%	N/A	N/A	N/A	N/A

Appendix F: Correctional Policies and Initiatives

The following section describes recent correctional policies and practices and their influence on post-release outcomes. At the time of the development of this report, California's local facilities and prisons also accelerated the release of some individuals due to the COVID-19 pandemic.²⁷ Although it takes time to examine both the temporary and lasting impacts of correctional policies on CDCR's population, CDCR will continue to provide this information as it becomes available.

Public Safety Realignment

Assembly Bill (AB) 109, California's Public Safety Realignment Act (Realignment) became law on October 1, 2011. Realignment required certain individuals be sentenced to and serve parole revocations in county jails, rather than state prison. Realignment changed the parole revocation process so that only individuals previously sentenced to a life term (indeterminate term) and some sex registrants can be revoked to prison.²⁸

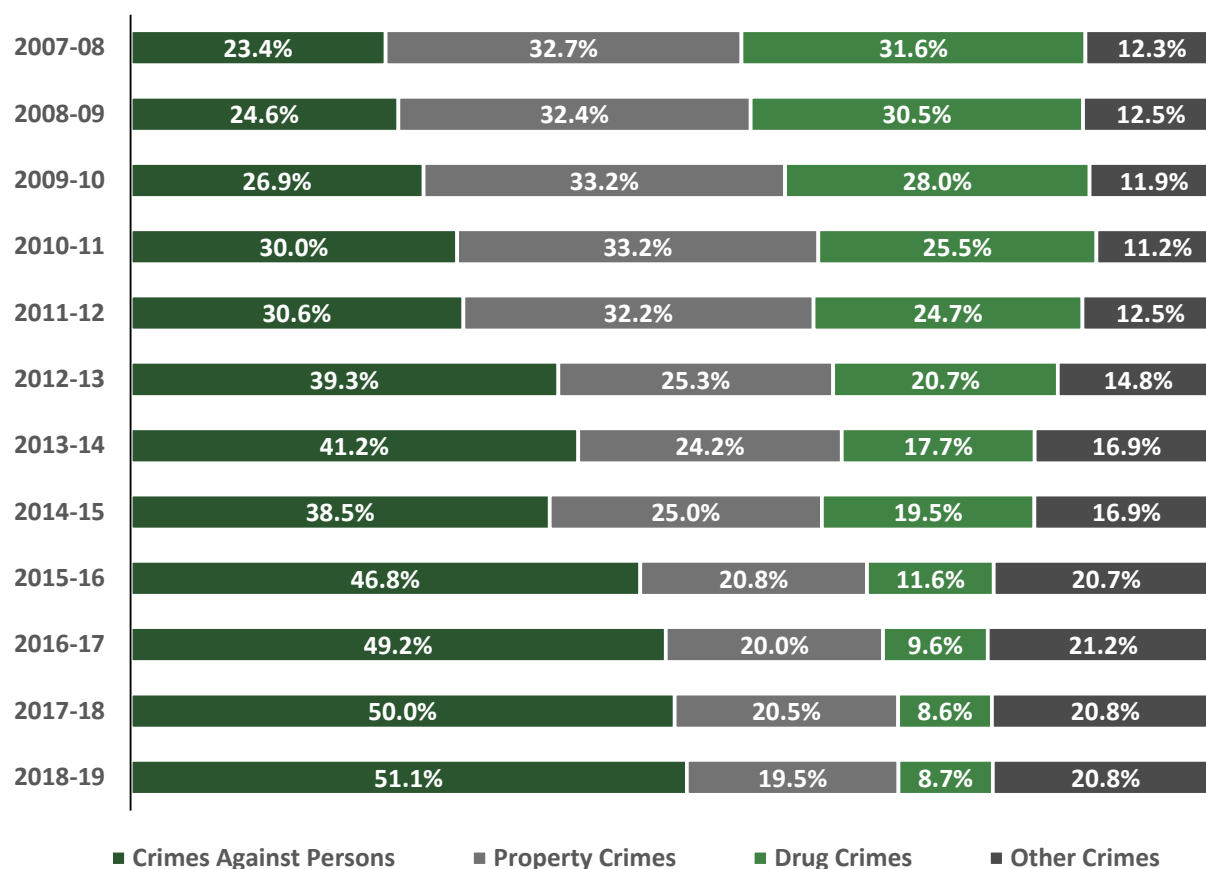
Realignment also changed the state's system of post-release supervision. Prior to Realignment, most individuals released from CDCR were released to parole and supervised by parole agents. Most non-serious, non-violent, and non-sex registrants are released to Post-Release Community Supervision, which is administered by county probation departments; whereas most high-risk sex registrants, individuals who served an indeterminate sentence, and individuals committed for a serious or violent crime are released to parole and supervised by parole agents.

The FY 2018-19 release cohort represents the seventh cohort of CDCR individuals whose period of release (July 1, 2018, to June 30, 2019) and three-year follow-up period (ending no later than June 30, 2022) occurred after the implementation of Realignment. Realignment had some pronounced effects on CDCR's population, including a large drop in the number of individuals admitted to and released from prison each fiscal year, the composition (e.g., demographics and characteristics) of those individuals, and substantial decreases in one of CDCR's supplemental measures of recidivism: the three-year return-to-prison rate.

²⁷ For more information regarding COVID-19, releases, and departmental updates: <https://www.cdcr.ca.gov/covid19/>

²⁸ Penal Code section 3000.08 remands persons on parole pursuant to section 3000.0, subdivision (b), paragraph (4) to the custody of CDCR. For more information regarding specific sex offenses, please see Penal Code 3000.0(b)(4). For more information regarding decreases in returns to prison for parole violations, please see Section 4.4.

Figure 13. Percentage of Releases by Commitment Offense Category for the Fiscal Year 2007-08 through Fiscal Year 2018-19 Release Cohorts



After Realignment, the arrest and conviction rates for CDCR releases remained fairly stable with minor fluctuations. In contrast, the return-to-prison rate saw a series of substantial decreases, attributed to a decrease in parole violations.²⁹ The small fluctuations observed over the last four release cohorts and the recent decrease observed among the current FY 2018-19 release cohort indicate stability in the return-to-prison rate.

Proposition 47

Proposition 47 was passed by California voters in November 2014 and reduced penalties for certain non-serious, non-violent property and drug crimes by mandating a misdemeanor sentence instead of a felony. It also allowed individuals serving sentences in prison for felony offenses to petition the courts for resentencing under new sentencing provisions.³⁰ Proposition 47 was implemented in November 2014 prior to the 2018-19 release cohort's period of release (July 1, 2018, to June 30, 2019) and was active during all of the cohort's three-year follow-up period.

²⁹ With the exception of individuals previously sentenced to a life term (indeterminate term) and some sex registrants. Penal Code section 3000.08 remands persons on parole pursuant to section 3000.0, subdivision (b), paragraph (4) to the custody of CDCR. For more information regarding specific sex offenses, please see Penal Code 3000.0(b)(4). For more information regarding decreases in returns to prison for parole violations, please see Section 4.4 Type of Return to Prison.

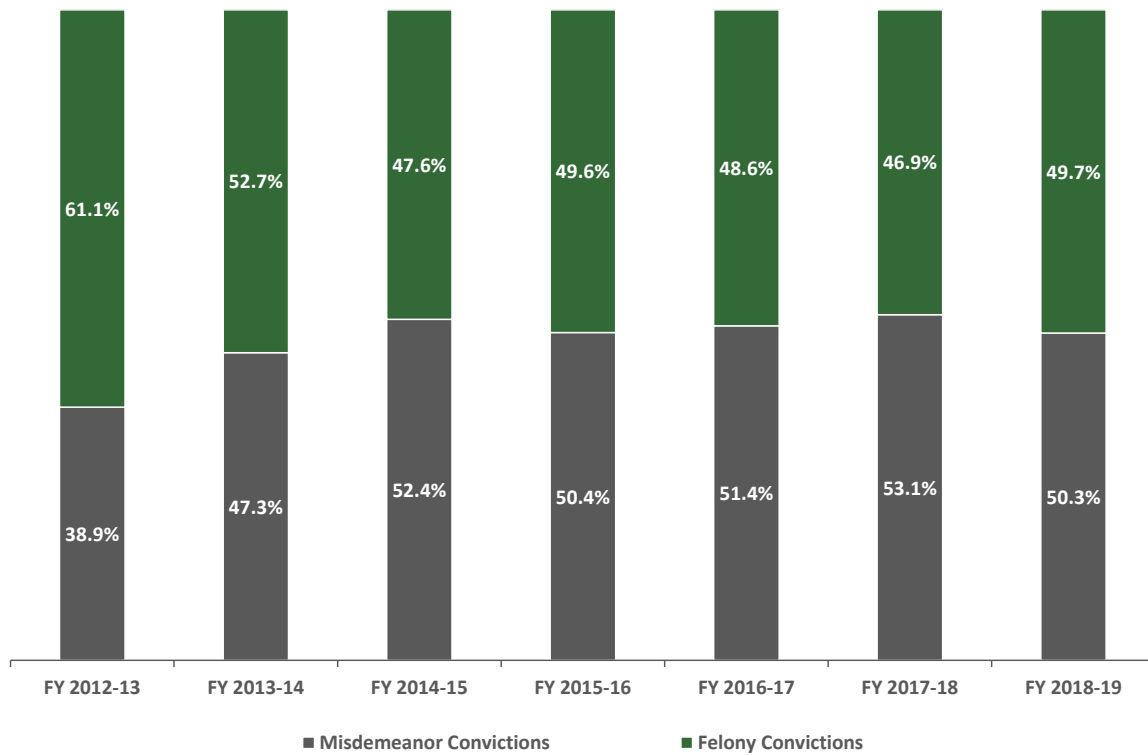
³⁰ More information regarding Proposition 47 may be found at: <https://www.courts.ca.gov/documents/Prop-47-Information.pdf>

Most individuals eligible under Proposition 47 provisions were resentenced and released during FY 2014-15, shortly after the measure was passed. Twenty-two individuals belonging to the FY 2018-19 release cohort were released under Proposition 47. Individuals committed to CDCR for non-serious/non-violent property and drug crimes, such as those released under Proposition 47, historically have higher recidivism rates than individuals committed for violent offenses (e.g., crimes against persons). Higher conviction rates were observed among Proposition 47 releases in recent cohorts and may have influenced the recidivism rate upward. Proposition 47's influence on the three-year conviction rate has waned as the number of Proposition 47 releases has sharply declined since FY 2014-15.

In addition to resentencing for some individuals, the sentencing provisions of Proposition 47 affected the types of post-release convictions (i.e., felony or misdemeanor). Specifically, the percentage of post-release convictions for felony drug/alcohol crimes decreased and the percentage of misdemeanor drug/alcohol crimes increased. The most substantial decreases in post-release convictions for felony drug/alcohol crimes occurred between the FY 2012-13 and 2013-14 release cohorts (increased 7.6 percentage points) and FY 2013-14 and 2014-15 release cohorts (decreased 6.7 percentage points). A similar pattern, though less pronounced, was observed among felony and misdemeanor property crimes that fell under Proposition 47 guidelines. Recent changes in misdemeanor drug/alcohol and property crimes have been gradual since the FY 2014-15 release cohort and indicate the immediate effects of Proposition 47 on post-release convictions have stabilized. Future cohorts may see stability with small fluctuations in terms of the percentage of felony and misdemeanor convictions.

Prior to the passage of Proposition 47, more individuals were convicted of post-release felonies than misdemeanors. With recent decreases in felony drug/alcohol and property crimes and subsequent increases in misdemeanors for the same categories, misdemeanor convictions now comprise a larger percentage of total convictions, as shown in Figure 14.

Figure 14. Felony and Misdemeanor Convictions for the Fiscal Year 2012-13 through 2018-19 Release Cohorts



Proposition 57

Proposition 57 was passed in November 2016 and allows eligible CDCR individuals to earn credits for good behavior and approved rehabilitative and educational achievements.³¹ Proposition 57 increased the amount of credits that may be earned through the Good Conduct Credit (GCC), and Milestone Completion Credit (MCC) Programs, and also added two new types of credits: Rehabilitative Achievement Credit (RAC) and Educational Merit Credit (EMC). Proposition 57 also established a parole consideration process for determinately sentenced and indeterminately sentenced nonviolent individuals who serve the full term for their primary criminal offense and demonstrate no current or unreasonable risk to the public.

Since implementation began in May 2017, many changes have been made to the regulations regarding credit earning. That includes which individuals earn credit, how much credit they are earning, availability of rehabilitative programs, and more. This may alter the effects of Proposition 57 seen in future cohorts. CDCR will continue to monitor the impacts Proposition 57 may have on the composition of CDCR's release cohorts, as well as the three-year conviction rate and post-release conviction type.

³¹ More information regarding Proposition 57 and changes to credit earnings may be found at: <https://www.cdcr.ca.gov/proposition57/>

Appendix G: Evaluation Design

Definitions

The State of California defines recidivism as “conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.”³² The definition also allows for supplemental measures of recidivism including new arrests, returns to custody, criminal filings, or supervision violations. In prior reports, CDCR used a supplemental measure, the three-year return-to-prison rate, as the primary measure of recidivism. Commencing with the 2016 Outcome Evaluation Report, CDCR implemented the State of California’s definition of recidivism and used the three-year conviction rate as the primary measure of recidivism.³³

The three-year conviction rate is defined as follows:

“An individual convicted of a felony and incarcerated in a CDCR adult institution who was released to parole, released to Post-Release Community Supervision, or directly discharged during Fiscal Year 2018-19 and subsequently convicted of a felony or misdemeanor offense within three years of their release date.”

The conviction rate is calculated using the ratio of the number of individuals in the release cohort who were convicted during the follow-up period to the total number of individuals in the release cohort, multiplied by 100.

$$\text{Conviction Rate} = \frac{\text{Number Convicted}}{\text{Release Cohort}} \times 100$$

Appendix E of this report provides supplemental recidivism rates using arrest and return-to-prison data for year-to-year comparisons. Three-year rates for each of the supplemental measures are available from FY 2002-03 through 2018-19. Preliminary one-year and two-year rates are available for the FY 2019-20 release cohort and one-year rates are available for the FY 2020-21 release cohort.

Methods

This report provides conviction rates at one-, two-, and three-year intervals for individuals released from CDCR’s Division of Adult Institutions (DAI) between July 1, 2018, and June 30, 2019 (FY 2018-19). The release cohort includes: 1) individuals who were directly discharged from CDCR; 2) individuals who were released to parole or PRCS for the first time on their current term; and 3) individuals who were released to parole on their current term prior to FY 2018-19, returned to prison on this term and were then re-released during FY 2018-19. Convictions are further examined according to demographics (e.g., gender and age) and characteristics (e.g., commitment offense and sentence type).

³² Section 3027 of California Penal Code required the Board of State and Community Corrections to develop a statewide definition of recidivism.

³³ CDCR’s Recidivism Report series was previously titled the “Outcome Evaluation” report series. The 2018 Recidivism Report followed the 2017 Outcome Evaluation Report. Previous reports were referenced by the calendar year in which they were published (i.e., 2017, 2018).

Commencing with the Recidivism Report for Offenders Released from the California Department of Corrections and Rehabilitation in FY 2014-15, the report title references the fiscal year in which individuals were released from CDCR. All of these reports provide recidivism rates (arrest, conviction, and return-to-prison rates) for individuals released in a given fiscal year, with this current report providing rates for individuals released in FY 2018-19.

Data Sources

Data were extracted from CDCR's Strategic Offender Management System (SOMS), CDCR's system of record, to identify individuals released between July 1, 2018, and June 30, 2019, and to determine which released individuals returned to state prison during the three-year follow-up period. Arrest and conviction data were obtained from the California DOJ's Criminal Justice Information System and the California Law Enforcement Telecommunications System.

Data Limitations

Data quality is important with all analyses performed by CDCR's Office of Research. The intent of this report is to provide summary (aggregate) information, rather than individual information. The aggregate data are strong when a large number of records (releases) are available for analysis but are less robust as subgroups are influenced by nuances associated with each case. Therefore, caution should be exercised when interpreting results associated with fewer records. As such, conviction rates are only presented for releases (i.e., denominators) equal to or greater than 30.

Conviction rates are fixed at three years, meaning the follow-up period is considered complete and no further analyses are performed. Arrest, conviction, and return-to-prison data presented in Appendix E of this report may see slight fluctuations, particularly as the one-year and two-year rates are updated in subsequent reporting years. These data are routinely updated in accordance with criminal justice system processing. As data become available, subsequent reports will be updated.

Appendix H: Definition of Terms

Arrest

Taking a person into custody, in a case and in the manner authorized by the law, California Penal Code (PC) section 834.

California Static Risk Assessment (CSRA)

The CSRA is a validated risk assessment tool that utilizes demographic and criminal history data to predict an individual's risk of conviction at the time they are released from CDCR. The tool produces a risk number value that will predict the likelihood that an individual will incur a conviction within a three-year period after release from CDCR. Risk categories designated by the CSRA include low, moderate, and high (high includes high-risk drug, high-risk property, and high-risk violence).

Cohort

A group of individuals who share a common characteristic, such as all individuals who were released during a given fiscal year.

Commitment Offense Category

Refers to the category of offense (property crimes, drug crimes, other crimes, and crimes against persons) that an individual committed prior to their release from CDCR in Fiscal Year 2018-19.

Controlling Crime or Commitment Offense

The most serious offense for which the individual was sentenced to prison on that term.

Conviction

A judgment based either on the verdict of a jury or a judicial officer or on the guilty plea of the defendant that the defendant is guilty.

Correctional Clinical Case Management System (CCCMS)

The CCCMS facilitates mental health care by linking individuals/patients to needed services and providing sustained support while accessing such services. CCCMS services are provided to patients whose condition is relatively stable and whose symptoms are largely controlled in an outpatient setting with the general population at all institutions.

Correctional Offender Management for Profiling Alternative Sanctions (COMPAS)

The COMPAS is a tool utilized to determine an individual's needs in areas such as substance abuse, criminal thinking, and education. Individuals are categorized as having no need, a probable need, or a highly probable need for services and treatment.

County of Release

The county to which an individual is released. Conviction rates by county should be interpreted with caution as individuals may leave the county to which they are released and may be convicted in a county other than their county of release.

Determinate Sentencing Law (DSL)

Established by Penal Code section 1170 in 1977, Determinate Sentencing Law identifies a specified sentence length for convicted felons who are remanded to state prison. Essentially, three specific terms of imprisonment (low, middle, and high) are assigned for crimes, as well as enhancements (specific case factors that allow judges to add time to a sentence). Opportunities to earn “credits” can reduce the length of incarceration.

Direct Discharge

A direct discharge is a release status for individuals who are released directly from prison and do not receive parole supervision or Post-Release Community Supervision.

Enhanced Outpatient Program (EOP)

A mental health services designation for mentally disordered patients receiving treatment at a level similar to day treatment services for patients who have shown an inability to function in the General Population. EOP provides a setting that is less restrictive than inpatient care, but more intensive than CCCMS. The patients assigned to the EOP level of care do not require nursing care and are often transitioning from inpatient care and or may have a serious mental illness that is of long duration with moderate to severe and persistent functional impairment(s).

Gender

Gender is utilized to distinguish between data reported for males and females.

Indeterminate Sentencing Law (ISL)

Established by Penal Code section 1168 in 1917, the Indeterminate Sentencing Law allowed judges to determine a range of time (minimum and maximum) a convicted individual would serve. Different individuals convicted for the same crimes could spend varying lengths of time in prison; release depended on many factors, including each individual’s conduct in prison. After the minimum sentence passed, individuals were brought to a parole board to identify the actual release date. Indeterminate Sentencing was replaced by Determinate Sentencing (Penal Code section 1170) in 1977. After the implementation of Determinate Sentencing, only individuals with life sentences and third strikers are considered “indeterminately” sentenced since the parole board determines their release.

Inpatient Care

A mental health services designation for patients whose conditions cannot successfully be treated in an outpatient setting or through short-term Mental Health Crisis Bed placement. Patients may require acute or intermediate levels of care, available at some prisons and State Hospitals.

Length of Stay

The length of time an individual spends in prison during a prison term. Typical lengths of stay range from zero to six months up to 15 years or more.

Manual California Static Risk Assessment (CSRA)

Individuals who do not have automated criminal history data from the California Department of Justice (DOJ) must have their CSRA score calculated manually. Calculations are completed with a review of a paper copy of the individual’s RAP sheet.

Mental Health Crisis Bed (MHCB)

A mental health service designation for patients that provides short-term treatment (usually less than ten days) for severe episodes of psychiatric distress or mental disorder.

Parole

A period of conditional supervised release following a prison term. Prior to Public Safety Realignment, almost all individuals released from CDCR were placed on state parole supervision after their release. After Public Safety Realignment, most serious or violent individuals, high-risk sex offenders, and individuals released after serving a life term are released to CDCR parole supervision, and most non-serious, non-violent, non-sex registrants are released to county supervision.

Parole Violation (Law or Technical)

A parole law violation occurs when a parolee commits a crime while on parole and returns to CDCR custody (RTC) by action of the Board of Parole Hearings rather than by prosecution in the courts. A technical violation occurs when a parolee violates a condition of his/her parole that is not considered a new crime and returns to CDCR custody.

Parole Violator Returning with a New Term (PV-WNT)

A parolee who receives a court sentence for a new crime committed while under parole supervision and is returned to prison. Realignment changed the parole revocation process so that only individuals previously sentenced to a life term (indeterminate term) and some sex registrants can be revoked to prison. The vast majority of parole violations are served in county jail.

Post Release Community Supervision (PRCS)

Post Release Community Supervision is a form of supervision provided to an individual who has been released from a CDCR institution to the jurisdiction of a county agency, pursuant to the Post Release Community Supervision Act of 2011. Prior to Public Safety Realignment, almost all individuals released from CDCR were placed on state parole supervision after their release. After Public Safety Realignment, most non-serious, non-violent, and non-sex registrants are released to PRCS.

Proposition 47

Proposition 47, The Safe Neighborhoods and Schools Act, was passed on November 5, 2014, and reclassified certain theft and drug offenses from felonies to misdemeanors. Proposition 47 also allowed individuals serving sentences in prison for felony offenses to petition the courts for resentencing under new misdemeanor provisions. It also allowed individuals who completed their sentences for felony convictions to apply to reclassify those convictions to misdemeanors.

Proposition 57

Proposition 57, the Public Safety and Rehabilitation Act of 2016 was passed into law on November 8, 2016. Proposition 57 increased the number of non-violent individuals eligible for parole consideration and allowed for parole consideration after an individual served the full term of their sentences for the primary offense. Proposition 57 also authorized CDCR to award sentence credits for rehabilitation, good behavior, or educational achievements. Proposition 57 also allows juvenile court judges the authority to determine whether juveniles aged 14 and over should be sentenced as adults for specific offenses.

Race/Ethnicity

The race/ethnicity categories are used to describe specific sub-populations of CDCR. The categories CDCR use for reporting include American Indian/Alaskan Native, Hispanic/Latino, White, Black/African American, Asian/Pacific Islander and Other.

Recidivism

Conviction of a new felony or misdemeanor committed within three years of release from custody. Convictions are CDCR's primary measure of recidivism.

Release Type

Release type refers to the type of release an individual is categorized under and includes direct discharge, parole, or PRCS.

Return-to-Prison

An individual convicted of a felony and incarcerated in a CDCR adult institution who was released to parole, discharged after being paroled, or directly discharged during FY 2017-18 and subsequently returned to prison within three years of their release date.

Second Strikers

An individual who has a prior serious or violent felony conviction pled and proven in court and who is convicted of any new offense, which results in the new term being doubled.

Sentence Type

The type of sentence an individual is categorized under, such as determinate sentences (including second strikers) and indeterminate sentences (including third strikers, life with or without the possibility of parole, and condemned individuals). For the purposes of this report, individuals are categorized as sentenced under Determinate Sentencing Law, Indeterminate Sentencing Law, Second Strike Individuals, or Proposition 47 Releases. Proposition 47 changed some offenses from felonies to misdemeanors, which affected the sentence type of some individuals.

Serious Felony Offenses

Serious felony offenses are specified in Penal Code section 1192.7(c) and Penal Code section 1192.8

Sex Registrant

An individual is designated a sex registrant if CDCR records show that the individual has at some point been convicted of an offense that requires registration as a sex offender under Penal Code section 290. This designation is permanent in CDCR records.

Stay

A stay is any period of time an individual is housed in a CDCR institution. Each time an individual returns to prison, it is considered a new stay, regardless of the reason for returning.

Substance Use Disorder Treatment (SUDT)

The SUDT refers to treatment programs offered in the prison or aftercare setting for substance use.

Term

A term is a sentence an individual receives from a court to be committed to CDCR for a length-of-time. If an individual is released after serving a term and is later returned to prison for a parole violation, the individual returns and continues serving the original (current) term. If that individual returns for committing a new crime, the individual begins serving a new term.

Violent Felony Offense

Violent felony offenses are specified in Penal Code section 667.5(c).



**California Department of Corrections and Rehabilitation
Division of Correctional Policy Research and Internal Oversight
Office of Research**

EXHIBIT 2

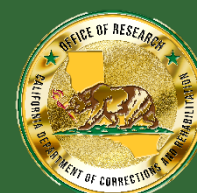


California Department of Corrections and Rehabilitation

RECIDIVISM REPORT FOR OFFENDERS RELEASED FROM THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION IN FISCAL YEAR 2017-18

Division of Correctional Policy Research and Internal Oversight

OFFICE OF RESEARCH | APRIL 2023



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Executive Summary

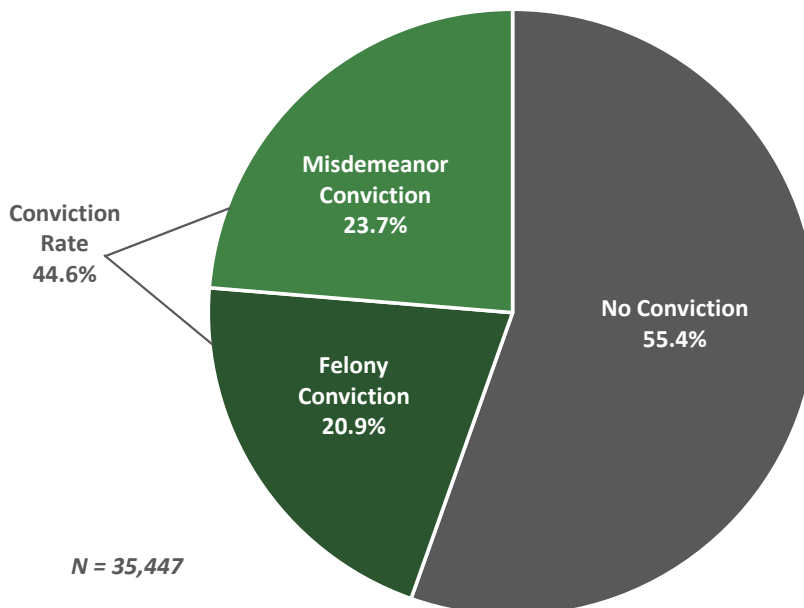
The California Department of Corrections and Rehabilitation (CDCR) examines recidivism outcomes (arrest, conviction, and return-to-prison rates) for offenders released from CDCR's adult institutions over a given fiscal year. This report presents recidivism rates for the 35,447 offenders released between July 1, 2017 and June 30, 2018 (Fiscal Year 2017-18). CDCR tracks offenders for three years following the date of their release. The three-year conviction rate is used as CDCR's primary measure of recidivism, while arrests and returns to prison are provided as supplemental measures of recidivism.

In addition to examining overall recidivism rates and the impact of recent policies and initiatives, this report provides the type and timing of post-release convictions and recidivism rates by offender demographics (e.g., age, race/ethnicity) and characteristics (e.g., sentence type, length of stay).

Recidivism Rates for Offenders Released During Fiscal Year 2017-18

The three-year conviction rate for the 35,447 offenders who comprised the Fiscal Year (FY) 2017-18 release cohort was 44.6 percent.¹ As shown in Figure A, 55.4 percent of the release cohort (19,643 offenders) had no convictions within three years of their release from prison, 20.9 percent (7,406 offenders) were convicted of a felony offense, and 23.7 percent (8,398 offenders) were convicted of a misdemeanor offense.

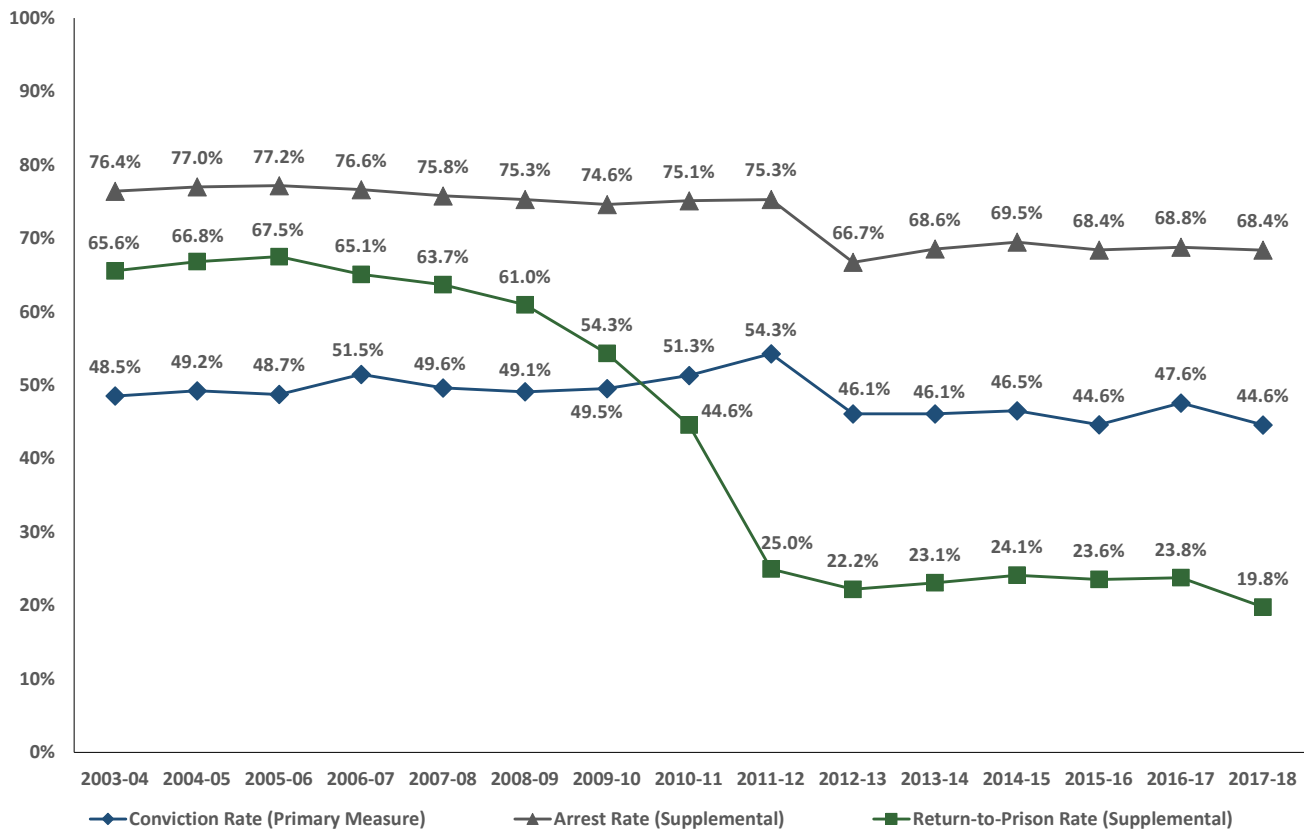
Figure A. Three-Year Outcomes for the Fiscal Year 2017-18 Release Cohort



¹ During Fiscal Year 2017-18, a total of 35,821 offenders were released from a CDCR adult institution. Of these offenders, 35,447 offenders had a Department of Justice (DOJ) automated rap sheet. Arrest and conviction data only include the 35,447 offenders with an automated rap sheet, and return-to-prison data include all 35,821 offenders released from prison.

The three-year conviction rate decreased by 3.0 percentage points (from 47.6 percent to 44.6 percent) between the FY 2016-17 and 2017-18 release cohorts (Figure B). After reaching a high of 54.3 percent with the FY 2011-12 release cohort and subsequently declining to 46.1 percent with the FY 2012-13 release cohort, the three-year conviction rate has been relatively stable with small fluctuations. Following a slight decrease with the FY 2015-16 release cohort, the three-year conviction rate increased to 47.6 percent with the FY 2016-17 release cohort before declining to the current rate of 44.6 percent.

Figure B. Three-Year Arrest, Conviction, and Return-to-Prison Rates for the Fiscal Year 2003-04 through 2017-18 Release Cohorts



Arrests and returns to prison, which are supplemental measures of recidivism, also saw slight decreases between the FY 2016-17 and 2017-18 release cohorts, as shown in Figure B. The three-year arrest rate decreased by less than one percentage point (from 68.8 percent to 68.4 percent), and the three-year return-to-prison rate decreased by 4.0 percentage points (from 23.8 percent to 19.8 percent). Similar to the conviction rate, the arrest rate has been relatively stable over the reporting years, while the return-to-prison rate has seen more substantial decreases due to a sharp decline in the number of offenders returning to prison for parole violations.² The most recent decrease in the return-to-prison rate (4.0

² For detailed information regarding the impact of Public Safety Realignment on parole violations, please see Appendix F Correctional Policies and Initiatives.

percentage points) was likely influenced by the temporary halt of transfers from county jail to state prison because of the COVID-19 pandemic.³

Figure B shows a number of recent increases and decreases in the three-year conviction rate, which tends to fluctuate due to a number of complex factors, including the implementation of correctional policies and initiatives, as well as the demographics and characteristics associated with each release cohort. The increase observed with the FY 2014-15 release cohort was largely attributed to the resentencing and release of 4,111 drug and property offenders under Proposition 47.⁴ A much smaller number of Proposition 47 releases in FY 2015-16 influenced the three-year conviction downward when it reached the lowest rate (44.6 percent) since reporting began. The three-year conviction rate increased to 47.6 percent with the FY 2016-17 release cohort and some of the increase was attributed to a substantial increase in convictions among offenders released from CDCR to Post-Release Community Supervision (PRCS).⁵

The current three-year conviction rate of 44.6 percent for the FY 2017-18 release cohort marks a 3.0 percentage point decrease from one year prior (47.6 percent). The decrease is largely attributed to two factors. First, the three-year conviction rate for PRCS offenders, which reached its highest observed rate with the FY 2016-17 release cohort (54.5 percent), decreased 2.8 percentage points with the FY 2017-18 release cohort. The current rate of 51.7 percent for offenders released to PRCS is generally consistent with prior rates. Second, interruptions in arrests and convictions during the onset of the COVID-19 pandemic likely influenced the conviction rate downward. Sudden changes to local policing practices, crime rates, courts closures, the transfer of court proceedings to electronic/remote proceedings, and the temporary suspension of intakes and transfers to CDCR are only a few factors that likely influenced all three measures of recidivism (arrests, convictions, and returns to prison). The FY 2017-18 release cohort's three-year follow-up period ended on June 30, 2021, with the pandemic only effecting the final year of the three-year follow-up period. The pandemic's influence on recidivism rates will likely be more apparent with future release cohorts, with more of their follow-up period coinciding with the pandemic.⁶

³ On March 24, 2020, Governor Newsom issued an Executive Order that halted the intake and transfer of people to CDCR and the Division of Juvenile Justice: <https://www.gov.ca.gov/2020/03/24/governor-newsom-issues-executive-order-on-state-prisons-and-juvenile-facilities-in-response-to-the-covid-19-outbreak>.

⁴ The Fiscal Year 2014-15 release cohort had a three-year conviction rate of 46.5 percent, which represented an increase from one year prior. Part of the increase was attributed to the release of 4,111 (ten percent of the total release cohort) drug and property offenders released as a result of Proposition 47. These offenders had a three-year conviction rate of 59.8 percent, which likely influenced the rate upward. Conversely, the FY 2015-16 release cohort had 364 Proposition 47 releases and although their rate was high (52.7 percent), they likely had little influence on the overall conviction rate of 44.6 percent. The Fiscal Year 2015-16 release cohort also had a high proportion of offenders committed to prison for crimes against persons, which are associated with low rates of recidivism. These two factors (fewer Proposition 47 releases and a greater number of offenders committed for crimes against persons) likely contributed to the decline observed between the two fiscal years.

⁵ Between FY 2015-16 and 2016-17, the three-year conviction rate for PRCS offenders increased 5.5 percentage points (from 49.0 percent to 54.5 percent). Offenders released to PRCS comprised over half of the release cohort and typically have higher recidivism rates than offenders released to parole. The uptick in the conviction rate for PRCS offenders was one factor contributing to the overall increase in the statewide conviction rate.

⁶ Two-year recidivism rates are available for the upcoming FY 2018-19 release cohort and one-year recidivism rates are available for the FY 2018-19 and 2019-20 release cohorts in Appendix E of this report. Preliminary data indicate the effects of COVID-19 will be more pronounced for future cohorts. While a small decrease was seen in the third year of follow-up for the current FY 2017-18 release cohort when compared to

An examination of the three-year conviction rate by offender demographics (e.g., age, race/ethnicity) and characteristics (e.g., commitment offense category, length of stay) shows general decreases among most groups of offenders, particularly non-serious and non-violent drug and property offenders (Appendix D), which is common when a substantial increase or decrease in the statewide recidivism rate occurs. The rate decreased 2.7 percentage points (from 54.2 percent to 51.5 percent) for non-serious/non-violent offenders, 3.2 percentage points (from 59.2 percent to 56.0 percent) for offenders committed for property crimes, and 1.9 percentage points (from 47.4 percent to 45.5 percent) for offenders committed for drug crimes between the FY 2016-17 and 2017-18 release cohorts (Appendix D). Each of these decreases followed substantial increases between the FY 2015-16 and 2016-17 release cohorts.

Since the passage of Proposition 47, more offenders are convicted of misdemeanor offenses (53.1 percent of all convictions) than felonies after their release from prison (46.9 percent of all convictions).⁷ When examining the type of post-release conviction for the 15,804 offenders who were convicted, the largest percentage of offenders were convicted of misdemeanor drug/alcohol crimes (21.6 percent), followed by felony crimes against persons (14.9 percent). The type of post-release convictions are relatively similar for offenders released to PRCS and parole, despite the higher overall conviction rate among offenders released to PRCS. Most convictions occur during the first and second year of the three-year follow-up period for each release type.

Proposition 57 allowed for various types of credit earning. The FY 2017-18 release cohort is the first cohort for which preliminary data regarding credit earning under Proposition 57 are available. Half of the offenders released (50.1 percent) earned some type of enhanced credit. The three-year conviction rate for offenders who earned credit (43.8 percent) was slightly lower than the rate for offenders with no enhanced credit earnings (45.4 percent). The group of offenders who earned Milestone Completion Credits had the highest three-year conviction rate (44.8 percent) of those who earned enhanced credit. Offenders who earned Educational Merit Credit or Rehabilitative Achievement Credit had notably lower conviction rates (28.9 percent and 22.5 percent, respectively) than offenders who earned Milestone Completion Credits or offenders without enhanced credit earning (45.4 percent).

CDCR will continue to examine the arrest, conviction, and return-to-prison rates of offenders released from CDCR during each fiscal year. As data pertaining to Proposition 57 and the COVID-19 pandemic become available, CDCR will study these rates to better understand recidivism and the influence of policies and programming on recidivism outcomes.

earlier cohorts, sharper decreases are apparent in the second year of follow-up for the FY 2018-19 release cohort and the first year of follow-up for the FY 2019-20 release cohort.

⁷ Proposition 47 reduced penalties for certain non-serious, non-violent property and drug crimes by mandating a misdemeanor sentence instead of a felony. As a result, the number of felony convictions for property and drug crimes has decreased. Conversely, the number of misdemeanor convictions for the same crimes has increased. For more information, please see Appendix F.

Key Findings

Three-Year Recidivism Rates

- The three-year conviction rate for the 35,447 offenders released from CDCR between July 1, 2017 and June 30, 2018 was 44.6 percent, which is a decrease of 3.0 percentage points compared to one year before (47.6 percent).
- The decrease in the recidivism rate between the last two fiscal years is attributed to several factors, including a decrease in the three-year conviction rate of offenders released to PRCS, who comprise over half of the release cohort. The conviction rate for offenders released to PRCS peaked in FY 2016-17 (54.5 percent) and declined to 51.7 percent in FY 2017-18. Interruptions in arrest, conviction, and return-to-prison processes due to the COVID-19 pandemic also likely contributed to decreases in recidivism rates in the last year of the three-year follow-up period.
- Supplemental measures of recidivism (arrests and returns to CDCR) saw slight decreases between FY 2016-17 and 2017-18: the three-year arrest rate decreased from 68.8 percent to 68.4 percent and the three-year return-to-prison rate decreased from 23.8 percent to 19.8 percent. Interruptions in local policing practices, courts, and the transfer of people from county jail to state prison in the last year of the follow-up period (FY 2020-21) likely contributed to the decline in recidivism rates.
- In contrast with the FY 2016-17 release cohort, the FY 2017-18 release cohort saw decreases in the three-year conviction rates for offenders with a serious offense, a violent offense, and those without a serious or violent offense. Although characterized by high rates of recidivism, offenders committed to prison for drug and property crimes also saw small decreases in the three-year conviction rate.

Type of Post-Release Conviction

- Of the 35,447 offenders in the FY 2017-18 release cohort, 55.4 percent (19,643 offenders) had no convictions, 20.9 percent (7,406 offenders) had a felony conviction, and 23.7 percent (8,398 offenders) had a misdemeanor conviction.
- Less than half (46.9 percent) of the 15,804 total convictions were felony convictions and 53.1 percent were misdemeanor convictions. The largest percentage of those convicted (21.6 percent or 3,419 offenders) were convicted of misdemeanor drug/alcohol crimes.
- The type of post-release conviction is similar for offenders released to PRCS or parole: convictions for misdemeanor drug/alcohol crimes comprise the largest percentage of post-release convictions, followed by felony crimes against persons for offenders released to parole and other felony crimes for offenders released to PRCS.

Conviction Rates by Offender Demographics and Characteristics

- Among age groups, the three-year conviction rate for offenders ages 18 and 19 years old was the highest (67.5 percent or 141 offenders). Offenders ages 60 and over had the lowest conviction rate of all age groups (17.2 percent or 216 offenders).
- Non-serious, non-violent offenders had a higher three-year conviction rate of 51.5 percent (9,673 offenders) compared to serious offenders at 47.4 percent (3,675 offenders) and violent offenders at 27.5 percent (2,456 offenders).
- Offenders originally committed for property crimes had the highest three-year conviction rate of all offense categories (56.0 percent or 4,077 offenders), followed by offenders committed for other crimes (48.4 percent or 3,575 offenders), and drug crimes (45.5 percent or 1,389 offenders). Offenders committed for crimes against persons had the lowest conviction rate (38.2 percent or 6,763 offenders) of all categories.
- The three-year conviction rate for non-sex registrants was 46.3 percent (14,750 offenders), while the rate for sex registrants was 29.4 percent (1,054 offenders).

Conviction Rates by Proposition 57 Credit Earnings

- Half of the offenders released in FY 2017-18 had earned some type of enhanced credit under Proposition 57 (50.1 percent or 17,770 offenders). Those who earned enhanced credit had three-year conviction rate of 43.8 percent (7,785 offenders). Offenders who did not earn enhanced credit had a rate of 45.4 percent (8,019 offenders).
- Offenders who earned Milestone Completion Credits had a higher rate (44.8 percent or 7,557 offenders) when compared to those who earned Educational Merit Credits (28.9 percent or 634 offenders), and those who earned Rehabilitative Achievement Credits (22.5 percent or 158 offenders).

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

RECIDIVISM REPORT FOR OFFENDERS RELEASED IN FISCAL YEAR 2017-18

1 Introduction

The California Department of Corrections and Rehabilitation (CDCR) presents the Recidivism Report for Offenders Released in Fiscal Year (FY) 2017-18, part of an annual series, which examines recidivism outcomes (arrests, conviction, and return-to-prison rates) for offenders released from CDCR adult institutions over the course of a given fiscal year. This year's report presents recidivism rates for the 35,447 offenders released from CDCR's adult institutions between July 1, 2017 and June 30, 2018 (FY 2017-18). Consistent with earlier reports published by CDCR, all offenders released from an adult institution over the course of a fiscal year were followed for three years after the date of their release. The three-year conviction rate is CDCR's primary measure of recidivism, while arrests and returns to prison are provided as supplemental measures of recidivism.

The three-year conviction rate for the 35,447 offenders released in FY 2017-18 was 44.6 percent; Section 2 of this report provides further details and a discussion of the supplemental measures of recidivism (arrest and return-to-prison rates). Section 3 presents recidivism rates over time and influences on recidivism rates. Section 4 presents the type of post-release conviction (i.e., felony or misdemeanor) and the time until conviction for offenders released in FY 2017-18. Section 5 presents a profile of the FY 2017-18 release cohort and the three-year conviction rate by offender demographics (e.g., age, race/ethnicity) and characteristics (e.g., commitment offense category, length of stay). Section 6 provides preliminary data regarding credit earnings under Proposition 57.

Detailed tables providing the demographics and characteristics of the current FY 2017-18 release cohort and their conviction rate by demographics and characteristics are provided in Appendices A and B. Appendix C provides conviction rates by county of release. Appendix D provides a comparison of the recidivism rate by demographics and characteristics for both the FY 2016-17 and 2017-18 release cohorts. Appendix E provides historical recidivism rates for the FY 2003-04 through FY 2017-18 release cohorts and one- and two-year recidivism rates for the upcoming FY 2018-19 and 2019-20 release cohorts. Finally, Appendix F describes recent correctional policies and practices and their influence on post-release outcomes.

Recidivism rates for offenders serving an indeterminate term (lifers) are available in this report and may be found in Appendix B. Previous reports provided type of conviction data for lifers; this data and further recidivism information for offenders released from CDCR after a review or hearing conducted by the Board of Parole Hearings are now available in a supplemental briefing.

In addition to recidivism rates, this report examines the type of recidivism, historical recidivism rates, and recidivism rates by various offender demographics, characteristics, and program participation. The FY 2017-18 release cohort is the sixth post-Public Safety Realignment (Realignment) cohort and the

fourth cohort with offenders released under Proposition 47. The FY 2017-18 release cohort is the first cohort for which preliminary Proposition 57 data related to credit earning is available. Detailed descriptions of each of these policies are provided in Appendix F. Additionally, the early effects of the COVID-19 pandemic on the later months of the FY 2017-18's three-year follow-up period are beginning to emerge. The influence of correctional policies and initiatives on recidivism rates and the type of post-release recidivism will continue to be provided as information is available. CDCR will continue to update arrest, conviction, and return-to-prison data as they become available with the goal of spurring discussion around the best possible ways to reduce recidivism among offenders released from CDCR adult institutions.

2 Statewide Recidivism Rates and Rates by Post-Release Supervision

2.1 Recidivism Rates for the Fiscal Year 2017-18 Release Cohort

Figure 1. One-, Two-, and Three-Year Recidivism Rates for Offenders Released in Fiscal Year 2017-18

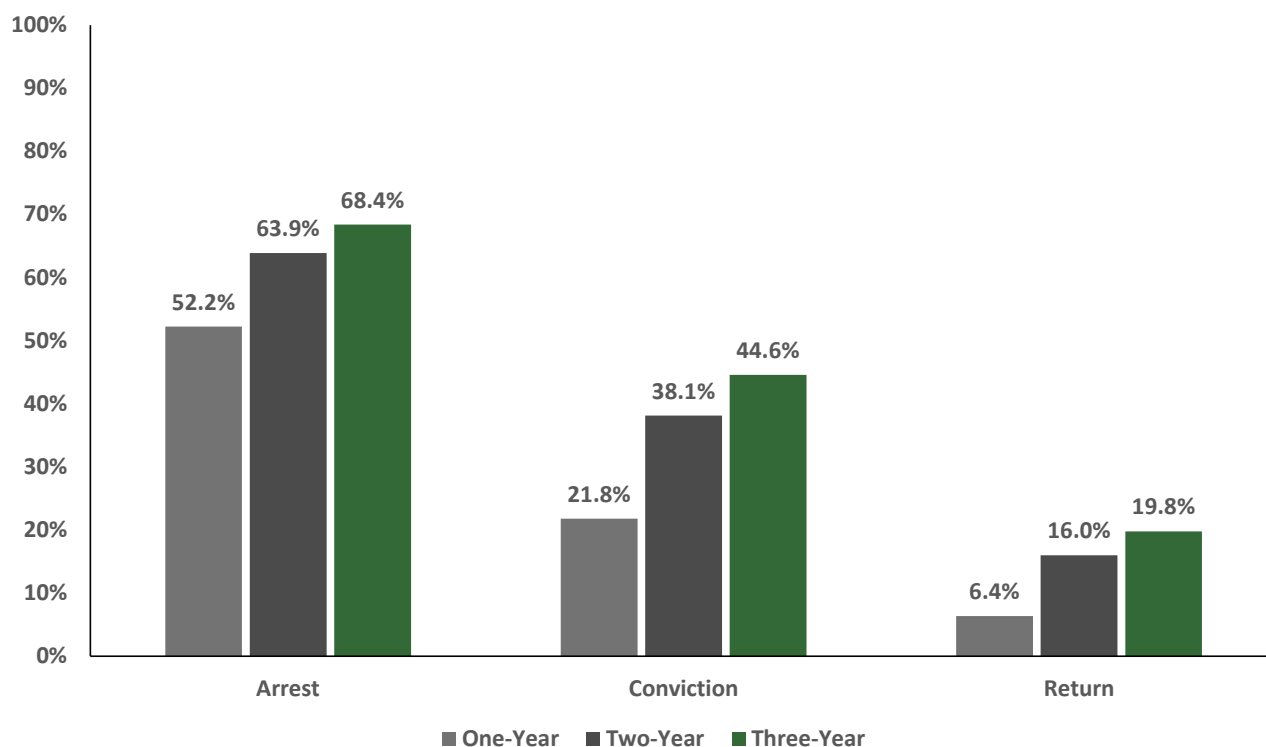


Table 1 provides one-, two-, and three-year conviction rates, CDCR's primary measure of recidivism, as well as arrest and return-to-prison rates, which are supplemental measures of recidivism for the FY 2017-18 release cohort. The three-year conviction rate for the 35,447 offenders released from CDCR during FY 2017-18 was 44.6 percent with 15,804 offenders convicted during the three-year follow-up period.⁸ The three-year arrest rate was 68.4 percent and the three-year return-to-prison rate was 19.8 percent.

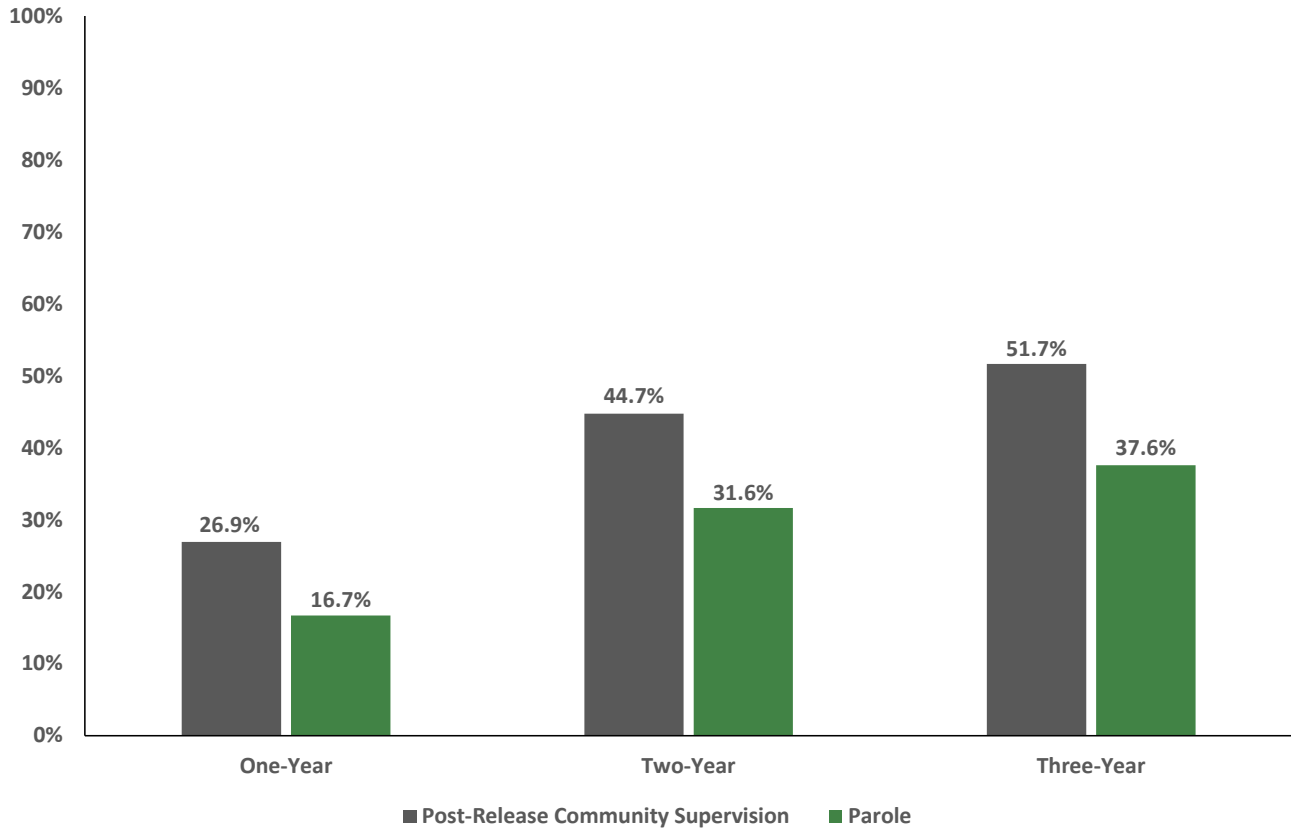
Table 1. One-, Two-, and Three-Year Recidivism Rates for Offenders Released in Fiscal Year 2017-18

Recidivism Type	Total	One-Year		Two-Year		Three-Year	
		Number	Percent	Number	Percent	Number	Percent
Arrest	35,447	18,514	52.2%	22,645	63.9%	24,247	68.4%
Conviction	35,447	7,719	21.8%	13,519	38.1%	15,804	44.6%
Return	35,821	2,285	6.4%	5,721	16.0%	7,086	19.8%

⁸ During FY 2017-18, a total of 35,821 offenders were released from a CDCR adult institution. Of these offenders, 35,447 offenders had a Department of Justice (DOJ) automated rap sheet. Arrest and conviction data only include the 35,447 offenders with an automated rap sheet and return-to-prison data include all 35,821 offenders released from prison.

2.2 Conviction Rates by Type of Post-Release Supervision

Figure 2. Conviction Rates by Type of Post-Release Supervision for Offenders Released in Fiscal Year 2017-18



Offenders released from CDCR are released to either Post-Release Community Supervision (PRCS) or parole, or are directly discharged from prison. Approximately half of the FY 2017-18 release cohort was released to PRCS (49.7 percent) and half to parole (50.2 percent). Only 19 offenders were directly discharged and conviction rates were not calculated for this group, as there were fewer than 30 releases.

The three-year conviction rate for offenders released to PRCS was 51.7 percent, which is 14.1 percentage points higher than the rate of offenders released to parole (37.6 percent). Typically, higher conviction rates are observed among offenders released to PRCS when compared to offenders released to parole. Under Realignment, most non-serious and non-violent offenders who are characterized by a higher risk to reoffend are released to PRCS. Conversely, serious and violent offenders, who are characterized by a lower risk to reoffend are released to parole, contributing to the differences observed between the two groups.

CDCR advises against making direct comparisons between offenders released to PRCS, parole, and directly discharged from prison. Substantial differences in the demographics and characteristics of each

of the three groups may influence rates. Instead, offenders belonging to one group of releases may be compared to offenders in the same group who were released during a different fiscal year (e.g., offenders released to parole should be compared to other groups of offenders released to parole in an earlier fiscal year).

Table 2. Conviction Rates by Post-Release Supervision for Offenders Released in Fiscal Year 2017-18

Type of Post-Release Supervision	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Post-Release Community Supervision	17,617	4,744	26.9%	7,881	44.7%	9,102	51.7%
Parole	17,811	2,972	16.7%	5,633	31.6%	6,697	37.6%
Directly Discharged	19	3	N/A	5	N/A	5	N/A
Total	35,447	7,719	21.8%	13,519	38.1%	15,804	44.6%

Recent Changes to the Conviction Rate for Offenders Released to PRCS and Parole

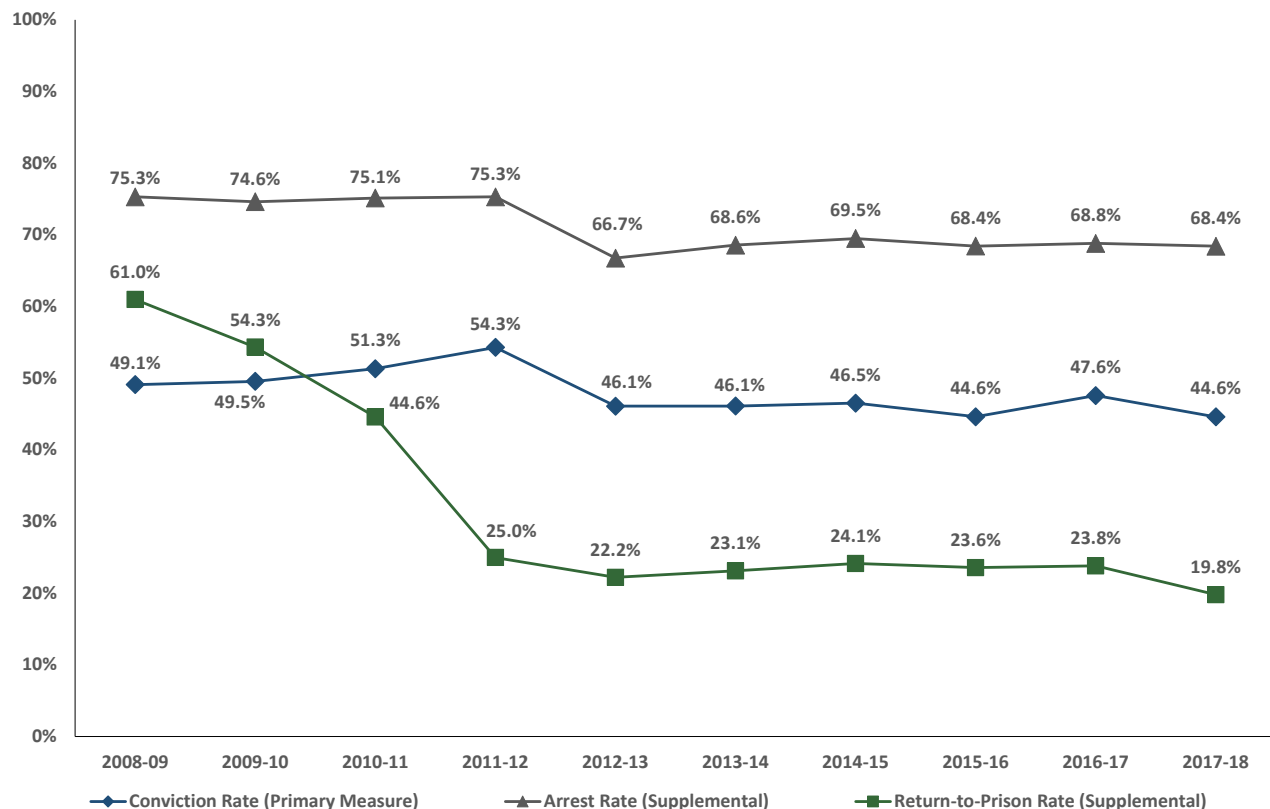
The three-year conviction rate for offenders released to PRCS decreased 2.8 percentage points between the FY 2016-17 and 2017-18 release cohorts (54.5 percent and 51.7 percent, respectively). The decrease in the rate of PRCS releases was preceded by a sharp increase (from 49.0 percent to 54.5 percent) between the FY 2015-16 and 2016-17 release cohorts. The FY 2016-17 conviction rate was the highest rate observed among PRCS offenders since reporting began. Some of the increase in the statewide recidivism rate (from 44.6 percent to 47.6 percent) between FY 2015-16 and 2016-17 was attributed to the sharp increase in the three-year conviction rate for offenders released to PRCS (Section 3.1).

The three-year conviction rate for offenders released to parole also fluctuated during the same time period. The three-year conviction rate for offenders released to parole increased by 1.4 percentage points between FY 2015-16 and 2016-17 (from 39.9 percent to 40.4 percent) and was followed by a decrease (2.8 percentage points) when the current rate of 37.6 percent was reached. The current rate for parolees is the lowest observed since the FY 2012-13 release cohort.

3 Recidivism Rates Over Time and Influences on the Statewide Recidivism Rate

Figure 3 shows the three-year arrest, conviction and return-to-prison rates for the FY 2008-09 through 2017-18 release cohorts. In general, the three-year arrest and conviction rates have been stable with small fluctuations. The three-year return-to-prison rate, which saw a series of drastic decreases following the implementation of Realignment, has also seen stability with some fluctuations over the last seven cohorts of releases (FY 2011-12 through 2017-18). Detailed tables with one-, two- and three-year arrest, conviction and return-to-prison rates are provided in Appendix E.

Figure 3. Three-Year Arrest, Conviction, and Return-to-Prison Rates for Offenders Released in FY 2008-09 through 2017-18



3.1 Changes in the Conviction Rate

In recent years, the three-year conviction rate has been relatively stable. After reaching a high of 54.3 percent with the FY 2011-12 release cohort, the rate decreased to 46.1 percent with the FY 2012-13 and 2013-14 release cohorts. The rate experienced a small increase (46.5 percent) with the FY 2014-15 release cohort with some of the increase attributed to effects of Proposition 47 (Appendix F). The rate decreased to 44.6 percent with the FY 2015-16 release cohort, which was comprised of fewer Proposition 47 releases when compared to one year prior. The rate increased to 47.6 percent with the

2016-17 release cohort, which was the highest rate observed over the last six cohorts of releases. The rate increase was largely concentrated among offender released to PRCS, who are typically associated with higher recidivism rates than offenders released to parole (Section 2.2).

The current three-year conviction rate of 44.6 percent for the FY 2017-18 release cohort marks a 3.0 percentage point decrease from one year prior (47.6 percent). The decrease is largely attributed to two factors. First, the three-year conviction rate for PRCS offenders, which reached its highest observed rate with the FY 2016-17 release cohort (54.5 percent), decreased 2.8 percentage points with the FY 2017-18 release cohort. The current rate of 51.7 percent for offenders released to PRCS is generally consistent with prior rates.

Second, interruptions in arrests and convictions during the onset of the COVID-19 pandemic likely influenced the conviction rate. Sudden changes to local policing practices, crime rates, courts closures, the transfer of court proceedings to electronic/remote proceedings, and the temporary suspension of intakes and transfers to CDCR are only a few factors that likely influenced all three measures of recidivism (arrests, convictions, and returns to prison). The FY 2017-18 release cohort's three-year follow-up period ended on June 30, 2021, with the pandemic only effecting the final year of the three-year follow-up period. The pandemic's influence on recidivism rates will likely be more apparent with future release cohorts, with more of their follow-up period coinciding with the pandemic.

While the three-year conviction rate for PRCS offenders normalized with the FY 2017-18 release cohort and the pandemic likely caused interruptions to convictions, it is important to look at changes in the rate with consideration given to the supplemental measures of recidivism: arrests and returns to prison.

3.2 Supplemental Measures of Recidivism: Arrests and Returns to CDCR

Supplemental measures of recidivism (arrests and returns to prison) also saw decreases between the FY 2016-17 and 2017-18 release cohorts (Figure 3). The three-year arrest rate decreased by less than one percentage point (from 68.8 percent to 68.4 percent). The decrease observed in the three-year return-to-prison rate was more pronounced (4.0 percentage points), decreasing from 23.8 percent to 19.8 percent. Decreases in the arrest and return-to-prison rates followed subtle increases that occurred between the FY 2015-16 and 2016-17 release cohorts. As shown in Figure 3 both supplemental measures have been relatively stable over time: the arrest rate has been just under 70 percent for the last six cohorts of releases and the return-to-prison rate has stabilized to under 25 percent since the series of drastic decreases that occurred after the implementation of Realignment (Appendix F).

The more pronounced declines that occurred in the three-year conviction rate (3.0 percentage points) and return-to-prison rate (4.0 percentage points) between the FY 2016-17 and 2017-18 cohorts, were likely driven by multiple factors. First, the uptick in the three-year conviction rate that was concentrated among offenders released to PRCS in FY 2016-17 normalized with the FY 2017-18 release cohort. Second, the last year of follow-up for the FY 2017-18 release cohort occurred at the onset of the COVID-19 pandemic. The most recent decrease in the return-to-prison rate (4.0 percentage points) was likely

influenced by the temporary halt of transfers from county jail to state prison because of the COVID-19 pandemic.⁹

Although the full effect of the pandemic on recidivism rates is unknown, decreases in arrests, convictions, and returns to prison are expected with future cohorts. Appendix E of this report provides one-, two- and three-year arrest, conviction, and return-to-prison rates for upcoming cohorts when available. Two-year recidivism rates are available for the FY 2018-19 release cohort and one-year recidivism rates are available for the FY 2018-19 and 2019-20 release cohorts. Available data indicate the effects of COVID-19 will be more pronounced for future cohorts: all three measures of recidivism decreased during the second year of follow-up for the FY 2018-19 release cohort when compared to the two-year rates of earlier cohorts. The one-year recidivism rates for the FY 2019-20 showed more pronounced decreases for all three measures of recidivism, as the pandemic began during the first year of follow-up for this group (Appendix E).

⁹ On March 24, 2020, Governor Newsom issued an Executive Order that halted the intake and transfer of people to CDCR and the Division of Juvenile Justice: <https://www.gov.ca.gov/2020/03/24/governor-newsom-issues-executive-order-on-state-prisons-and-juvenile-facilities-in-response-to-the-covid-19-outbreak>.

4 Type and Timing of Post-Release Recidivism

4.1 Three-Year Outcomes for All Offenders Released from CDCR During Fiscal Year 2017-18

Figure 4. Three-Year Outcomes for Offenders Released in Fiscal Year 2017-18

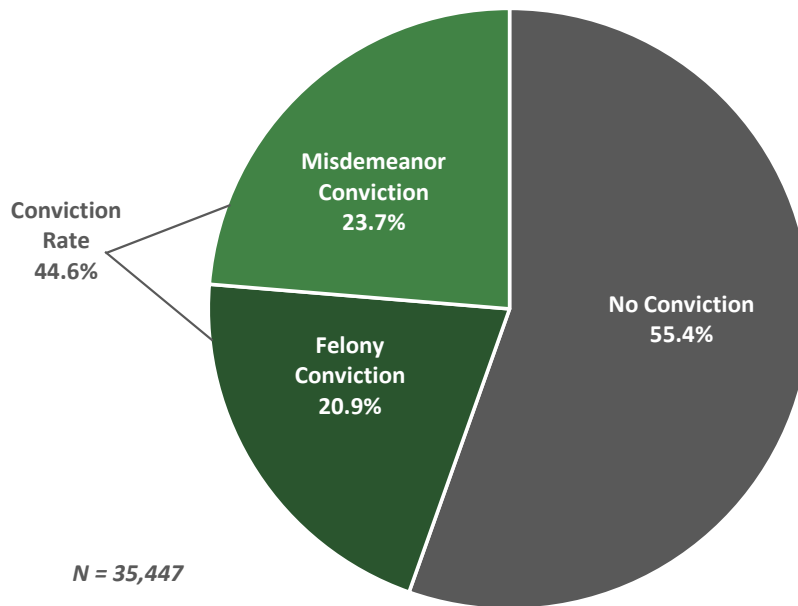


Table 3 shows the type of conviction (i.e., felony or misdemeanor) for the 35,447 offenders released in FY 2017-18.¹⁰ Over half of the release cohort (55.4 percent) had no convictions during the three-year follow-up period and 44.6 percent had a felony or misdemeanor conviction. Of those convicted during the three-year follow-up period, 20.9 percent were convicted of a post-release felony with felony crimes against persons leading all felony conviction type categories (Table 3). Approximately one quarter of all releases (23.7 percent) were convicted of misdemeanor after their release from CDCR with misdemeanor drug/alcohol crimes leading all misdemeanor conviction type categories.

¹⁰ Type of conviction data (i.e., misdemeanor or felony convictions) only include the most serious conviction in the first conviction episode. For instance, if an offender was convicted of a misdemeanor in one conviction episode and subsequently convicted of a felony in another conviction episode, only the misdemeanor conviction is included in this analysis.

Table 3. Three-Year Outcomes for Offenders Released in Fiscal Year 2017-18

Type of Conviction	FY 2017-18	
	Number	Percent
No Convictions	19,643	55.4%
All Felonies	7,406	20.9%
Felony Crimes Against Persons	2,352	6.6%
Felony Other Crimes	2,259	6.4%
Felony Property Crimes	1,946	5.5%
Felony Drug/Alcohol Crimes	849	2.4%
All Misdemeanors	8,398	23.7%
Misdemeanor Drug/Alcohol Crimes	3,419	9.6%
Misdemeanor Crimes Against Persons	2,057	5.8%
Misdemeanor Property Crimes	1,661	4.7%
Misdemeanor Other Crimes	1,261	3.6%
Total	35,447	100.0%

4.2 Type of Post-Release Conviction for Offenders Convicted During the Three-Year Follow-Up Period

This section includes an examination of the 15,804 offenders in the FY 2017-18 release cohort who were convicted during the three-year follow-up period and excludes the 19,643 offenders who completed the three-year follow-up period without a conviction. Historically, felony convictions comprised a larger percentage of convictions than misdemeanors. Consistent with Proposition 47, misdemeanors now comprise a larger percent of convictions due to the reclassification of some felony drug/alcohol crimes and property crimes to misdemeanors (Appendix F).

As shown in Table 4, misdemeanor drug/alcohol crimes were the most common conviction type with over 20 percent of all post-release convictions. The percentage of convictions for misdemeanor drug/alcohol crimes increased less than one percentage point between the FY 2016-17 and 2017-18 release cohort (from 21.2 percent to 21.6 percent of all convictions). Felony crimes against persons followed misdemeanor drug/alcohol crimes with 14.9 percent of all convictions and decreased by less than one percentage point between the two fiscal years (from 15.7 percent to 14.9 percent). Most other conviction types (e.g., misdemeanor property crimes, felony drug/alcohol crimes) were relatively stable between the two release cohorts or saw small decreases.

Table 4. Type of Conviction for Offenders Released in Fiscal Year 2016-17 and 2017-18

Type of Conviction	FY 2016-17		FY 2017-18	
	Number	Percent	Number	Percent
All Felonies	7,347	48.6%	7,406	46.9%
Felony Crimes Against Persons	2,367	15.7%	2,352	14.9%
Felony Other Crimes	2,193	14.5%	2,259	14.3%
Felony Property Crimes	1,903	12.6%	1,946	12.3%
Felony Drug/Alcohol Crimes	884	5.8%	849	5.4%
All Misdemeanors	7,776	51.4%	8,398	53.1%
Misdemeanor Drug/Alcohol Crimes	3,202	21.2%	3,419	21.6%
Misdemeanor Crimes Against Persons	1,838	12.2%	2,057	13.0%
Misdemeanor Property Crimes	1,563	10.3%	1,661	10.5%
Misdemeanor Other Crimes	1,173	7.8%	1,261	8.0%
Total	15,123	100.0%	15,804	100.0%

Type of Post-Release Conviction by Post-Release Supervision Type

The type of post-release conviction for offenders released to PRCS and parole are similar. A slightly higher percentage of offenders for both groups were convicted of misdemeanors (52.1 percent for PRCS offenders and 54.5 percent for parolees) than felonies (47.9 percent for PRCS offenders and 45.5 percent for parolees). Overall, offenders released to PRCS saw a greater proportion of felony convictions than parolees. The largest proportion of offenders for both groups (PRCS and parole) were convicted of misdemeanor drug/alcohol crimes (22.2 percent and 20.9 percent, respectively). Following misdemeanor drug/alcohol crimes, parolees were convicted of felony crimes against persons (17.1 percent) and offenders released to PRCS were convicted of other felony crimes (15.0 percent) and felony property crimes (13.6 percent).

Offenders released to PRCS and parole saw a decrease in the conviction rate between FY 2016-17 and 2017-18. Each group also saw a decrease in the proportion of felony convictions and an increase in the proportion of misdemeanor convictions between the two fiscal years. For offenders released to PRCS, the largest decrease among type of post release conviction categories was felony crimes against persons (1.3 percentage points). For offenders released to parole, the largest decrease was among other felony crimes (1.6 percentage points).

Table 5. Type of Post-Release Conviction for Offenders Released to Post-Release Community Supervision in Fiscal Years 2016-17 and 2017-18

Releases to PRCs		FY 2016-17		FY 2017-18	
Type of Conviction	Number	Percent	Number	Percent	
All Felonies	4,306	48.8%	4,359	47.9%	
Felony Crimes Against Persons	1,278	14.5%	1,204	13.2%	
Felony Property Crimes	1,180	13.4%	1,242	13.6%	
Felony Drug/Alcohol Crimes	595	6.7%	547	6.0%	
Felony Other Crimes	1,253	14.2%	1,366	15.0%	
All Misdemeanors	4,510	51.2%	4,743	52.1%	
Misdemeanor Crimes Against Persons	1,060	12.0%	1,162	12.8%	
Misdemeanor Property Crimes	923	10.5%	905	9.9%	
Misdemeanor Drug/Alcohol Crimes	1,902	21.6%	2,019	22.2%	
Misdemeanor Other Crimes	625	7.1%	657	7.2%	
Total	8,816	100.0%	9,102	100.0%	

Table 6. Type of Post-Release Conviction for Offenders Released to Parole in Fiscal Years 2016-17 and 2017-18

Releases to Parole		FY 2016-17		FY 2017-18	
Type of Conviction	Number	Percent	Number	Percent	
All Felonies	3,037	48.2%	3,046	45.5%	
Felony Crimes Against Persons	1,087	17.3%	1,148	17.1%	
Felony Property Crimes	722	11.5%	704	10.5%	
Felony Drug/Alcohol Crimes	288	4.6%	302	4.5%	
Felony Other Crimes	940	14.9%	892	13.3%	
All Misdemeanors	3,261	51.8%	3,651	54.5%	
Misdemeanor Crimes Against Persons	777	12.3%	894	13.3%	
Misdemeanor Property Crimes	639	10.1%	755	11.3%	
Misdemeanor Drug/Alcohol Crimes	1,297	20.6%	1,399	20.9%	
Misdemeanor Other Crimes	548	8.7%	603	9.0%	
Total	6,298	100.0%	6,697	100.0%	

4.3 Time to Conviction for Offenders Convicted During the Three-Year Follow-Up Period

Figure 5. Time Until Conviction for Offenders Released in Fiscal Year 2017-18 and Convicted During the Three-Year Follow-Up Period

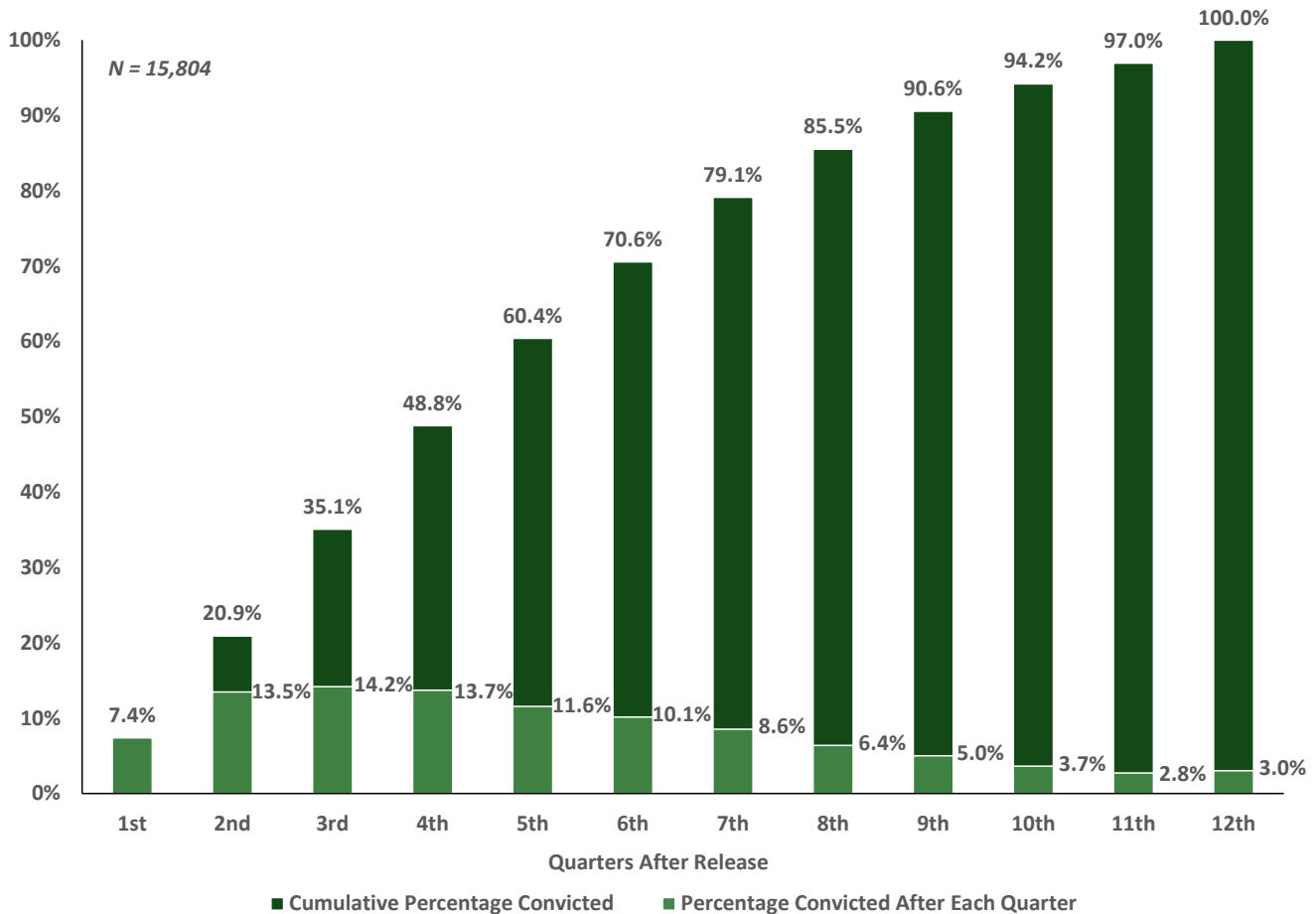


Figure 5 and Table 7 show the percentage and number of offenders who were convicted during each quarter (three-month period) of the three-year follow-up period, as well as the cumulative percentage and number of offenders convicted. Only the 15,804 offenders convicted during the three-year follow-up period are represented in this section to understand how long offenders were in the community before recidivating. The twelfth quarter represents the final, cumulative results (i.e., 100 percent) of the offenders that were convicted.

Of the 15,804 offenders convicted during the three-year follow-up period, 48.8 percent were convicted in the first year following their release from CDCR. By year two, 85.5 percent were convicted, and by year three, 100 percent were convicted. The largest number of offenders (14.2 percent) were convicted during the third quarter following their release. The fewest number of offenders (2.8 percent) were convicted during the eleventh quarter of the follow-up period.

Table 7. Time Until Conviction for Offenders Released in Fiscal Year 2017-18 and Convicted During the Three-Year Follow-Up Period

Quarters After Release	Percentage Convicted	Cumulative Percentage	Number Convicted	Cumulative Number
1	7.4%	7.4%	1,170	1,170
2	13.5%	20.9%	2,134	3,304
3	14.2%	35.1%	2,244	5,548
4	13.7%	48.8%	2,171	7,719
5	11.6%	60.4%	1,831	9,550
6	10.1%	70.6%	1,604	11,154
7	8.6%	79.1%	1,352	12,506
8	6.4%	85.5%	1,013	13,519
9	5.0%	90.6%	793	14,312
10	3.7%	94.2%	577	14,889
11	2.8%	97.0%	435	15,324
12	3.0%	100.0%	480	15,804

4.4 Type of Post-Release Arrest and Return-to-Prison

Table 8 shows the type of post-release arrest for offenders released in FY 2017-18. Nearly one-quarter of the FY 2017-18 release cohort were arrested for supervision violations (23.4 percent), followed by felonies (21.9 percent), and misdemeanors (19.4 percent). Of all arrest types, 10.6 percent of the release cohort were arrested for misdemeanor drug/alcohol crimes and 7.9 percent were arrested for felony crimes against persons.

Table 8. Type of Arrest for Offenders Released in Fiscal Year 2017-18

Type of Arrest	FY 2017-18	
	Number	Percent
No Arrest	11,200	31.6%
All Felonies	7,748	21.9%
Felony Crimes Against Persons	2,798	7.9%
Felony Property Crimes	2,021	5.7%
Felony Other Crimes	1,852	5.2%
Felony Drug/Alcohol Crimes	1,077	3.0%
All Misdemeanors	6,865	19.4%
Misdemeanor Drug/Alcohol Crimes	3,746	10.6%
Misdemeanor Crimes Against Persons	1,517	4.3%
Misdemeanor Property Crimes	1,280	3.6%
Misdemeanor Other Crimes	322	0.9%
Supervision Violations	8,288	23.4%
Unknown	1,346	3.8%
Total	35,447	100.0%

The vast majority of offenders released from CDCR do not return to prison during the three-year follow-up period. Less than one quarter of all releases (19.8 percent or 7,086 offenders) were returned to prison. Crimes against persons led all type of return categories, followed by other crimes, property crimes, and drug crimes. Following the passage of Realignment, very few offenders are eligible to return to prison for parole violations with only 17 offenders released in FY 2017-18 returned for parole violations (Appendix F).

Table 9. Type of Return to CDCR for Offenders Released in Fiscal Year 2017-18

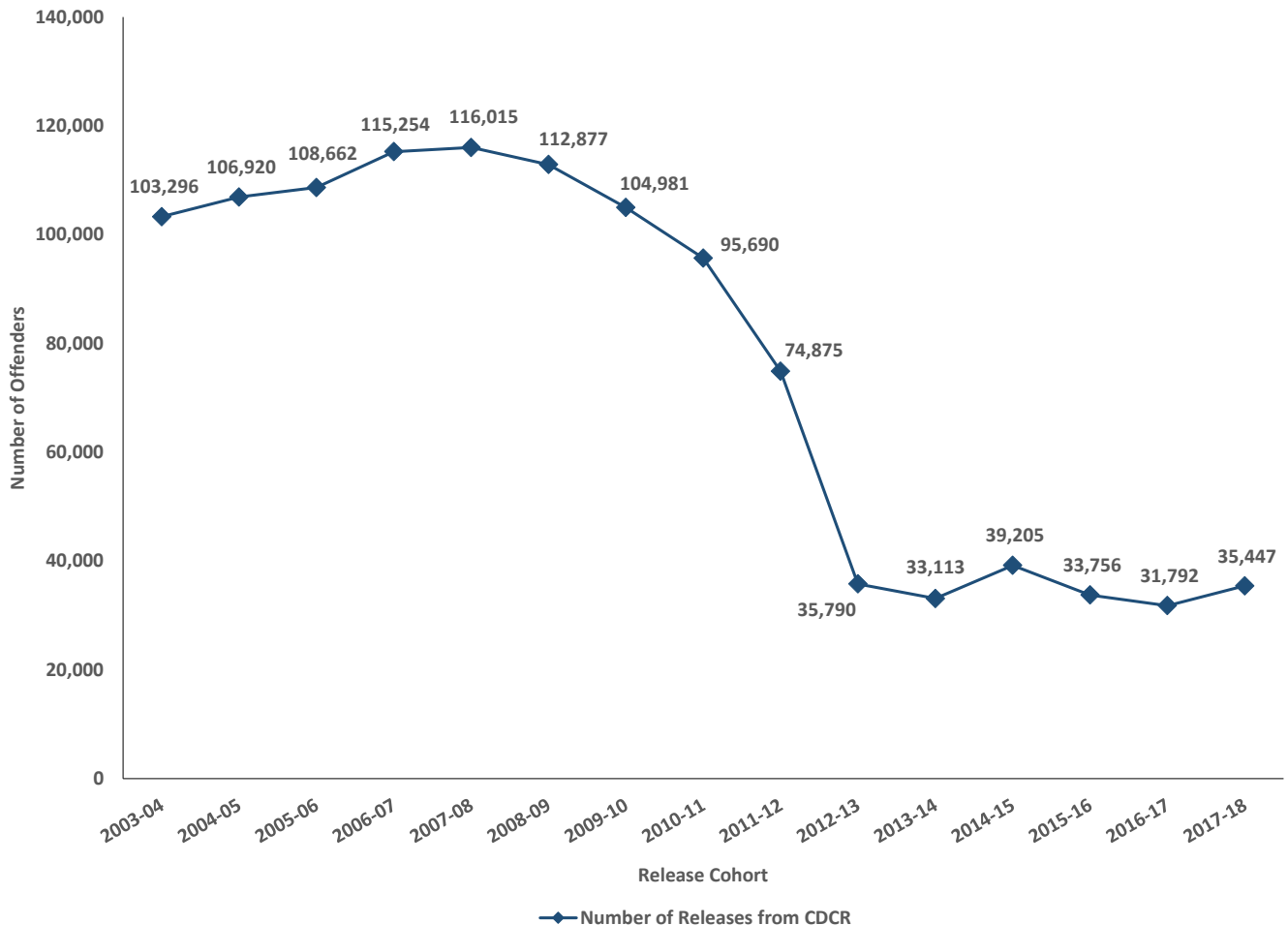
Type of Return	FY 2017-18	
	Number	Percent
Parole Violations	17	0.0%
Crimes Against Persons	2,568	7.2%
Property Crimes	1,877	5.2%
Drug Crimes	726	2.0%
Other Crimes	1,898	5.3%
No Return to Prison	28,735	80.2%
Total	35,821	100.0%

5 Profile of the Fiscal Year 2017-18 Release Cohort

5.1 Number of Offenders Released in Fiscal Years 2003-04 through 2017-18

In FY 2017-18, 35,447 offenders were released from CDCR adult institutions, and 15,804 of these offenders were convicted within three years of their release (44.6 percent). This section presents information regarding the composition and conviction rates of CDCR's FY 2017-18 release cohort in terms of their demographics (e.g., gender, age) and characteristics (e.g., county of release, length of stay), as well as some comparisons to the previous cohort. Appendix A provides a table of the cohort composition and Appendix B provides the one-, two-, and three-year conviction rates by demographics and characteristics. Appendix D provides the three-year conviction rates for the FY 2016-17 and FY 2017-18 release cohorts by offender demographics and characteristics for comparative purposes.¹¹

Figure 6. Number of Offenders in the Fiscal Year 2003-04 through Fiscal Year 2017-18 Release Cohorts



¹¹ When comparing rates, more variation (greater increases and decreases) is typically observed within small groups of offenders; however, large rate changes within small groups of offenders will have less influence on the statewide rate, whereas small rate changes within large groups of offenders will have great influence on the rate.

Figure 8 presents the number of offenders released from CDCR during each fiscal year since reporting began with the 2003-04 release cohort.¹² The number of offenders released peaked at 116,015 releases with the FY 2007-08 cohort. The implementation of Realignment in October 2011 primarily contributed to the series of decreases seen between FY 2008-09 and 2013-14, reaching a low of 33,113 offenders released in FY 2013-14. Releases then increased to 39,205 offenders in FY 2014-15, which was largely attributed to the resentencing and release of 4,111 offenders under Proposition 47 (Appendix F). The following year, just 364 of the 33,756 offenders released in FY 2015-16 were resentenced and released due to Proposition 47. During FY 2016-17, releases decreased again to 31,792 offenders as the effect of Proposition 47 waned, with only 59 offenders impacted. Releases increased to 35,447 offenders in FY 2017-18, which was the first full cohort affected by the implementation of Proposition 57 (Appendix F). The total number of releases is contingent on the population of CDCR's adult institutions and correctional policies at the time, such as Realignment, Proposition 47, and Proposition 57. CDCR expects the number of releases to fluctuate in future release cohorts, as policies that influence the offender population are modified and implemented.¹³

5.2 Offender Demographics and Characteristics

Gender

As shown in Appendix A, male offenders comprised a much larger proportion of the FY 2017-18 release cohort (92.7 percent) than female offenders (7.3 percent). These percentages have largely stayed constant since Realignment, even as the size of each cohort has changed. The three-year conviction rate for male offenders released in FY 2017-18 was 45.3 percent, while female offenders' conviction rate was 35.9 percent (Appendix B). Historically the conviction rate for female offenders each year is about 10 percentage points lower than the rate for male offenders with some variation and this trend continues with the current cohort. Note that the conviction rate for both males and females decreased with the FY 2017-18 release cohort. Compared to FY 2016-17, the rate for male offenders decreased by 2.9 percentage points, and the rate for female offenders decreased by 3.1 percentage points (Appendix D).

Age at Release

Offenders ages 25 to 29 represented the largest number of releases (19.9 percent) in the release cohort. Offenders ages 18 and 19 represented less than one percent of the total release cohort (0.6 percent). In general, younger offenders comprise larger percentages of the release cohort, with 85.3 percent under the age of 50 at the time of their release.

¹² The total number of offenders released in the FY 2011-12 through FY 2017-18 release cohorts only include offenders with a DOJ automated rap sheet. Prior to transitioning the primary measure of recidivism from the three-year return-to-prison rate to the three-year conviction rate with the FY 2011-12 release cohort, the release cohort presented in Figure 8 included all offenders released from prison, regardless of a DOJ automated rap sheet.

¹³ More information regarding CDCR's population may be found at: <https://www.cdcr.ca.gov/research/population-reports-2/>

Age has a well-documented relationship with recidivism, which is supported by the rate trends in this cohort.¹⁴ Although offenders ages 18 and 19 comprised less than one percent of the release cohort, their three-year conviction rate was the highest among all age groups (67.5 percent). The rate steadily decreased as age increased, with offenders ages 60 and over having the lowest conviction rate of all age groups (17.2 percent). This general trend has persisted with time, making younger offenders some of the most likely to recidivate.

The three-year conviction rate decreased for most age groups when compared to the FY 2016-17 release cohort. Offenders ages 18 and 19 saw the largest decrease between the two fiscal years, with a decrease of 5.8 percentage points. Only one age group, offenders 45 to 49, saw an increase in the conviction rate (0.1 percentage points).

Race/Ethnicity

In the FY 2017-18 release cohort, the largest portion of offenders are listed as Hispanic/Latino (44.6 percent), followed by White and then Black/African American offenders – each representing about one quarter of the release cohort. Altogether, these three groups consistently comprise over 90 percent of each release cohort. The smaller race/ethnicity categories of the population include Asian/Pacific Islander offenders and American Indian/Alaskan Native offenders, who each represent less than two percent of releases in the current cohort. Offenders not in the aforementioned race/ethnicity groups are categorically included as “Other” and typically comprise less than four percent of each cohort.

Historically, offenders in the American Indian/Alaskan Native category have had relatively higher conviction rates, while those in the Other category have markedly lower rates. This continues to be the case in the FY 2017-18 release cohort, where American Indian/Alaskan Native offenders had the highest three-year conviction rate (50.4 percent). The larger categories of White, Hispanic/Latino, and Black/African American offenders had similar conviction rates between 42.5 percent and 45.9 percent (Appendix B). Asian/Pacific Islander offenders had a slightly lower rate (35.9 percent) and the rate for offenders in the Other category was 33.0 percent.

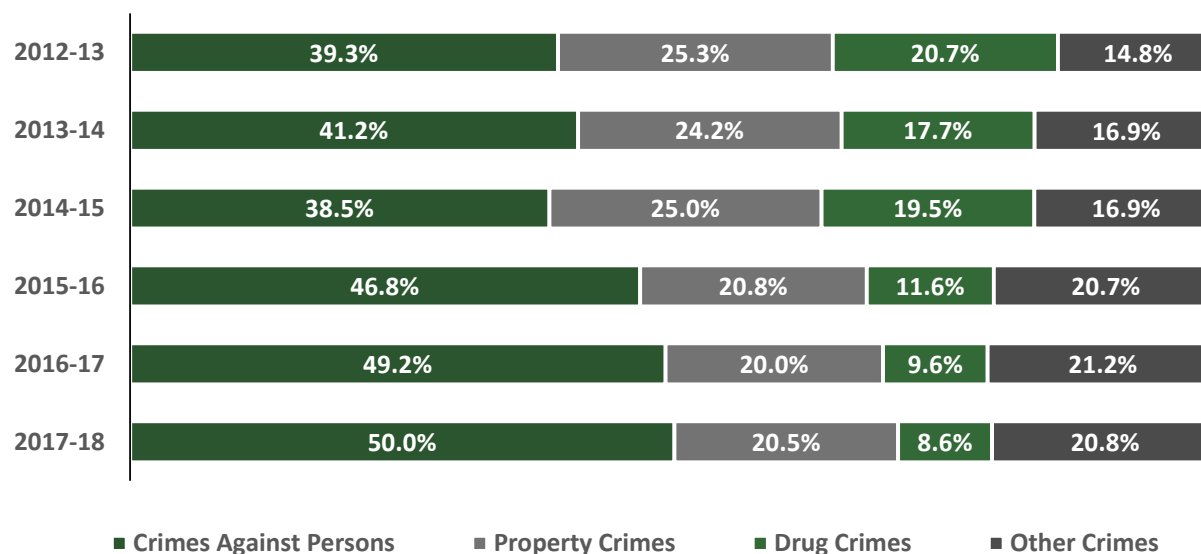
The three-year conviction rate for each race/ethnicity category decreased between the FY 2016-17 and 2017-18 release cohorts. The rate among Asian/Pacific Islander offenders had the greatest decrease (8.0 percentage points), while the rate for Hispanic/Latino offenders had the smallest decrease (2.0 percentage points). This variation is somewhat expected due to the relative size of each group, as rates associated with smaller groups of offenders are more susceptible to variation than larger groups.

¹⁴ For more information regarding the relationship between age and recidivism, please see Section 7.5 of the “Recidivism Report for Offenders Released from CDCR in Fiscal Year 2015-16”, available at: <https://www.cdcr.ca.gov/research/offender-outcomes-characteristics/offender-recidivism/>

Commitment Offense Category

Each category (crimes against persons, property crimes, drug crimes, and other crimes) represents the type of offense an offender was committed to prison for prior to their release in FY 2017-18. Half of the FY 2017-18 release cohort (50.0 percent) were committed to prison for crimes against persons, followed by other crimes and property crimes, each representing about one-fifth of releases. Almost nine percent of the release cohort were committed to prison for drug crimes. As seen in the figure below, the percent of releases for crimes against persons has steadily increased over the past several years and the percentage committed for drug crimes has decreased (with the exception of FY 2014-15 due to Proposition 47). This illustrates one of the effects of Realignment, which has grown to emphasize incarceration for serious or violent crimes while reducing prison overpopulation (Appendix F).

Figure 7. Percentage of Releases by Commitment Offense Category for the Fiscal Year 2012-13 through 2017-18 Release Cohorts



For several years, offenders committed to prison for property crimes have had the highest three-year conviction rate of the commitment offense categories, including the FY 2017-18 cohort with a rate of 56.0 percent (Appendix B). This was followed by offenders committed for other crimes and drug crimes at 48.4 percent and 45.5 percent, respectively.¹⁵ Offenders committed for crimes against persons had the lowest three-year conviction rate among the commitment offense categories at 38.2 percent. This is regularly the case, as crimes against persons tend to be more serious and result in longer sentences, often leading to an older age-at-release and an overall lower likelihood to recidivate.¹⁶

¹⁵ Other crimes include arson, DUI, escape, possession of a weapon, and other offenses (e.g., false imprisonment, stalking, street gang act).

¹⁶ For more information regarding the relationship between age and recidivism, please see Section 7.5 of the "Recidivism Report for Offenders Released from CDCR in Fiscal Year 2015-16", available at: <https://www.cdcr.ca.gov/research/offender-outcomes-characteristics/offender-recidivism/>

When comparing conviction rates by commitment offense category for offenders released in FY 2016-17 and 2017-18, the rate decreased for each category (Appendix D). The three-year conviction rate for property crimes decreased by 3.2 percentage points, while rates for offenders committed for other crimes and drug crimes decreased by 3.0 percentage points and 1.9 percentage points, respectively. It is noteworthy that the rate for offenders committed for crimes against persons decreased by 3.0 percentage points to 38.2 percent, which is the lowest conviction rate this group has seen since reporting began.

Sentence Type

Most offenders sentenced to prison in California receive a determinate term (their sentence is set to a specific length), and are released after completing their sentence. Generally, offenders sentenced to an indeterminate term (lifers) are released once the Board of Parole Hearings (BPH) has found them suitable for release or the court orders their release. Offenders released under Proposition 47 were originally sentenced for a felony crime and were resentenced under a misdemeanor crime. Proposition 64 authorizes resentencing for eligible marijuana convictions. Note that resentencing under Proposition 47 or 64 are not actual sentence types, but are included in this section due to the resulting sentence.¹⁷

Most offenders in the release cohort served a determinate sentence prior to their release in FY 2017-18 (70.9 percent). Over one quarter of the release cohort were second strikers sentenced to a determinate term, and 2.1 percent were sentenced to an indeterminate term (lifers). Just 29 offenders in the release cohort were resentenced and released under Proposition 47 and one offender was resentenced and released under Proposition 64. The FY 2017-18 release cohort is the first to include third strikers, seven of which were released in the current cohort. One offender sentenced to life without parole was released during FY 2017-18 after being pardoned by Governor Brown.

Conviction rates are usually similar between offenders who serve a determinate term and second strikers who are also sentenced to a determinate term. In the FY 2017-18 cohort, second strikers had the highest three-year conviction rate among all sentence types (47.2 percent), followed by offenders who served a determinate term (44.9 percent). Offenders who were resentenced under Proposition 47 or 64 had a rate of 10.0 percent. Lifers have consistently been the lowest recidivating group when it comes to sentence type categories, usually having a conviction rate of under five percent, including in the current cohort (1.9 percent). Rates are not presented for groups with fewer than 30 offenders, which includes the third striker and life without parole release groups.

Between the FY 2016-17 and 2017-18 release cohorts, the three-year conviction rate for offenders who served a determinate term decreased by 3.4 percentage points. The conviction rate for second strikers decreased by 2.3 percentage points, while the rate for lifers remained the same.

¹⁷ For more information regarding Proposition 47, please see: <https://www.courts.ca.gov/prop47.htm>
For more information regarding Proposition 64, please see: <https://www.courts.ca.gov/prop64.htm>

Serious/Violent Offense

A majority of the FY 2017-18 release cohort served a term for a non-serious, non-violent offense (53.0 percent). Offenders who served a term for a violent offense comprised 25.2 percent of the release cohort, while offenders who served a term for a serious offense comprised 21.9 percent of the cohort.¹⁸ Note that all violent offenses are categorized as serious, but not all serious offenses are categorized as violent (offenders in the serious category were non-violent). Over time, offenders committed for violent offenses have steadily comprised a larger portion of each release cohort, while non-serious, non-violent offenders have comprised a smaller portion, though still over 50 percent of releases. The FY 2017-18 cohort was the first to have more violent offender releases than serious offender releases. These findings are consistent with Realignment and other measures that have shifted the prison population to focus more on violent and serious offenders over time; more non-serious and non-violent offenders are sent to county jails.

Offenders with a non-serious, non-violent offense had the highest three-year conviction rate among the three categories at 51.5 percent. Offenders with a serious offense had a rate of 47.4 percent and offenders with a violent offense had a rate of 27.5 percent. Historically this trend has persisted, with non-serious, non-violent offenders having the highest recidivism rates in this grouping, while violent offenders have the lowest rates (around 30 percent). It is worth noting the rate for violent offenders released in FY 2017-18 is the lowest this group has seen since Realignment. Additionally, violent offenders continue to make up larger portions of each release cohort.

The three-year conviction rate for offenders in all three categories increased between the FY 2016-17 and 2017-18 release cohorts. The conviction rate for offenders with a serious offense decreased by 2.2 percentage points and the rate for those with a violent offense decreased 2.1 percentage points. The three-year conviction rate for offenders with a non-serious, non-violent offense decreased by 2.7 percentage points.

County of Release

Nearly 80 percent of the release cohort (79.4 percent) were released to 12 of the 58 California counties. Los Angeles County alone accounts for the most offender releases each year, comprising 29.8 percent of the FY 2017-18 cohort. Less than one percent of the cohort were directly discharged from prison.

Conviction rates by county of release should be interpreted with caution for a number of reasons. Offenders may leave the county to which they are released, or offenders may be released and convicted in a different county. When an offender is convicted in another county, the conviction is still associated with their original county of release (e.g., if an offender is released in Sacramento County and is

¹⁸ The definition of a serious felony offense can be found here: <https://www.cdcr.ca.gov/parole/serious-offenses-defined/> and the definition of a violent felony offense can be found here: <https://www.cdcr.ca.gov/parole/violent-offenses-defined/>

subsequently convicted in Riverside County, for the purposes of this report, the new conviction is still associated with Sacramento County).

Regarding the 12 counties with the largest number of releases, Kern County had the highest three-year conviction rate (58.0 percent) while Alameda County had the lowest three-year conviction rate (29.5 percent). The three-year conviction rate for the remaining 46 California counties was 43.2 percent, lower than the overall conviction rate (Appendix C).

When comparing the FY 2016-17 and 2017-18 release cohorts, the three-year conviction rate decreased for nine of the twelve counties and increased for three. Among the counties with decreases, Santa Clara County saw the largest decrease (10.1 percentage points). Releases to Santa Clara County only make up 2.5 percent of total releases, so this would not have a large impact on the statewide rate. The largest increase in the three-year conviction rate was observed in Kern County (0.8 percentage points).

Risk Score

The CSRA is a tool used to calculate an offender's risk of conviction for a new offense after release from prison.¹⁹ Based on criminal history and demographics (including age), offenders are designated as having a low-, moderate-, or high-risk of being convicted of a new offense. Under half of the release cohort (42.9 percent) had a score of high-risk, followed by moderate-risk and low-risk, each comprising just over a quarter of releases.

As expected, the three-year conviction rates are consistent with CSRA scoring (high, moderate, and low): offenders with a score of high-risk had a three-year conviction rate of 61.1 percent, followed by moderate-risk offenders (43.1 percent), and low-risk (20.8 percent). These rates are relatively normal for each group, and the difference between each group is consistent when compared to historical data (Appendix D).

When comparing the FY 2016-17 and 2017-18 release cohorts, the three-year conviction rates by risk of conviction decreased for all categories. Decreases ranged between 1.9 and 4.2 percentage points, with moderate-risk offenders having the greatest decrease and reaching the lowest conviction rate on record within this group.

Mental Health Designation

Three-quarters of the release cohort (75.9 percent) did not have a mental health designation through CDCR's Mental Health Delivery System (MHDS) at the time of their release. Approximately 19.7 percent of offenders were assigned to the Correctional Clinical Case Management System (CCCMS), followed by 3.9 percent assigned to the Enhanced Outpatient Program (EOP). At the time of their release, less than

¹⁹ More information regarding the CSRA and its development may be found at: <https://cpb-us-e2.wpmucdn.com/sites.uci.edu/dist/0/1149/files/2013/12/Development-of-the-CSRA-Recidivism-Risk-Prediction-in-the-CDCR.pdf>

one percent were assigned to a Mental Health Crisis Bed (MHCB) or Inpatient Care, which are more intensive treatment levels and usually temporary.

In general, time has shown offenders with a mental health designation tend to have higher conviction rates compared to offenders without a mental health designation. Offenders assigned to MHCB had the highest three-year conviction rate at 59.6 percent, followed by offenders assigned to Inpatient Care (54.0 percent). The rate for offenders assigned to EOP and CCCMS were slightly lower at 53.4 percent and 48.3 percent, respectively. Offenders released without an assignment to CDCR's mental health delivery system at the time of their release had the lowest three-year conviction rate of 43.1 percent.

Between the FY 2016-17 and 2017-18 release cohorts, the three-year conviction rate for each mental health category decreased except for those in Inpatient Care. Conviction rate decreases ranged between 0.4 and 3.1 percentage points, where the rate for offenders in Inpatient Care increased by 1.5 percentage points. Although Inpatient Care releases have increased over time, the rate for this group varies easily due to its small size. The rate for offenders with no mental health designation at the time of their release decreased by 3.1 percentage points compared to the previous cohort.

Length of Stay

Offenders with shorter lengths of stay tend to comprise a larger portion of the cohort. Approximately 64.4 percent of the FY 2017-18 release cohort had a length of stay of less than two years at a CDCR prison. More specifically, offenders with a stay of 7 to 12 months comprised the largest portion of releases (25.3 percent) and offenders with a stay of 10 to 15 years comprised a smaller percentage of releases (3.2 percent).

Offenders with shorter lengths of stay have consistently had higher recidivism rates when compared to those with longer stays. In the FY 2017-18 release cohort, offenders with a stay of six months or less had the highest three-year conviction rate at 53.8 percent. Offenders with a length of stay of 15 years or more had the lowest three-year conviction rate (6.7 percent) among all length of stay categories. In other words, data show that in general, offenders released after a longer stay in prison were less likely to recidivate. Historically, conviction rates decrease considerably for offenders with a length of stay of four years or more (rates below 40 percent), and again for those who stay for 10 years or more (rates below 25 percent), and finally are lowest for offenders with a stay of 15 years or more.

When comparing the three-year conviction rate by length of stay for offenders released in FY 2016-17 and 2017-18, the rate decreased in all categories. Offenders with a length of stay of three to four years saw the largest decrease between the two release cohorts, with decreases overall ranging from 1.3 to 5.6 percentage points (Appendix D).

Number of CDCR Stays

A stay is defined as any period of time an offender is housed in an adult institution.²⁰ The number of stays is cumulative over any number of convictions or terms in an offender's criminal history. Almost half of the FY 2017-18 release cohort (47.9 percent) were released after their first CDCR stay. As the number of CDCR stays increases, the number of offenders in each category decreases, with the exception of 15 or more stays (2.9 percent).

In general, the three-year conviction rate is lowest for those with one stay and gradually increases as the number of stays increases. There are some exceptions in a few categories where small decreases are observed. Offenders with one CDCR stay had the lowest three-year conviction rate at 36.9 percent. In the FY 2017-18 cohort, the three-year conviction rate is highest for offenders with 12 stays at CDCR (59.8 percent).

Commitment Offense

Each commitment offense represents the offense an offender was committed to prison for prior to their release in FY 2017-18. Also known as the controlling offense, it is the most serious offense in an offender's current sentence. As shown in Appendix B, the three-year conviction rates by commitment offense varied greatly, ranging from 69.0 percent to 0.8 percent. Conviction rates are only calculated for the 33 offenses in which 30 or more releases are associated. Data associated with commitment offenses should be interpreted with caution, as many of the categories are associated with very few releases (e.g., only one offender was originally committed for hashish possession).

In the FY 2017-18 cohort, offenders committed for vehicle theft, receiving stolen property, and escape had the highest three-year conviction rates (69.0 percent, 63.5 percent, and 60.2 percent, respectively). Meanwhile, offenders with a commitment offense of first-degree murder, attempted first-degree murder, and second-degree murder had the lowest three-year conviction rates (2.8 percent, 1.6 percent, and 0.8 percent, respectively). Of the 10 offenses with the highest conviction rates, six were property offenses, two were drug offenses and two were other offenses. Of the 10 offenses with the lowest rates calculated, nine were crimes against persons and one was a drug offense.

Sex Registration Requirement

Most offenders in the FY 2017-18 release cohort (89.9 percent) did not have a sex registration requirement (non-sex registrants). The other 10.1 percent (3,587 offenders) were required to register as sex offenders pursuant to California Penal Code 290 (sex registrants).

²⁰ The total number of stays could include past stays for parole violations. Please note that since the passage of Realignment in 2011, only offenders previously sentenced to a life term (lifers) and some sex offenders serve parole violations in state prison. Penal Code section 3000.08 remands persons on parole pursuant to section 3000.0, subdivision (b), paragraph (4) to the custody of CDCR. For more information regarding specific sex offenses, please see Penal Code 3000.0(b)(4). For more information regarding decreases to returns to prison for parole violations, please see Section 4.4 Type of Return to Prison.

According to historical data, the conviction rate for sex registrants is regularly at least 15 percentage points lower than the rate for non-sex registrants. In other words, sex offenders consistently recidivate at lower rates than non-sex offenders.²¹ In the FY 2017-18 cohort, the three-year conviction rate for sex registrants was 29.4 percent (1,054 offenders), while the rate for non-sex registrants was 46.3 percent. When compared to the FY 2016-17 release cohort, the rate for sex registrants decreased by 1.9 percentage points, while the rate for non-sex registrants decreased by 3.0 percentage points.

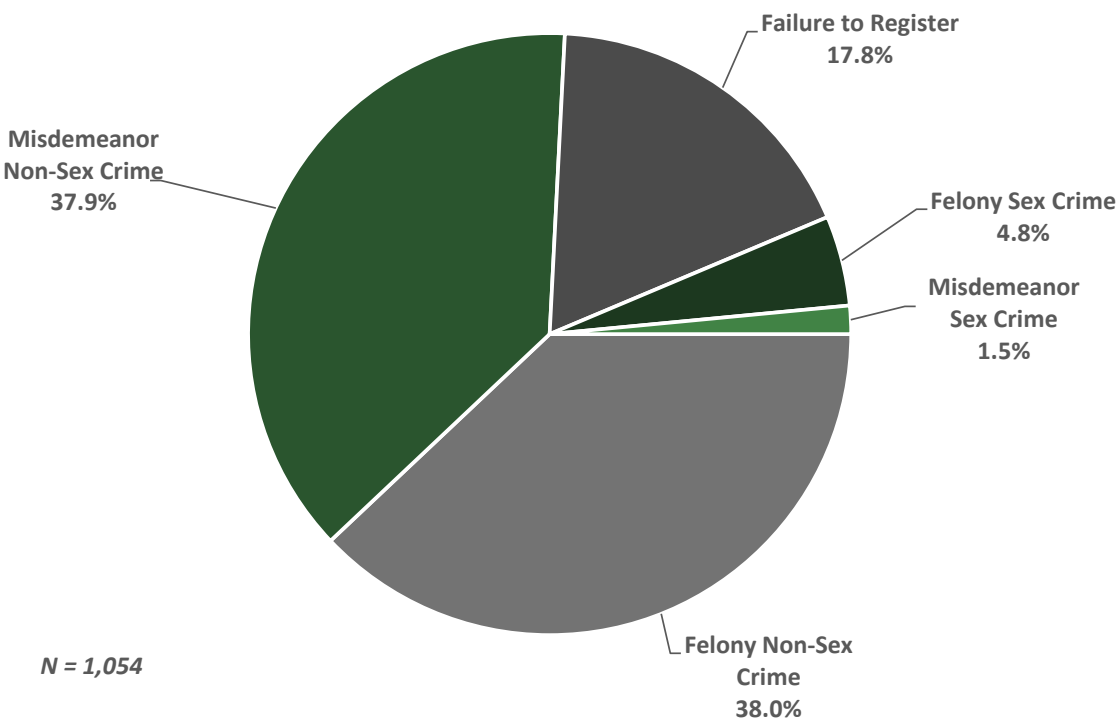
Of the sex registrants convicted, the largest portions were convicted of new non-sex crimes (misdemeanor or felony), as seen in Table 10. Approximately 17.8 percent were convicted for failure to register as a sex offender, and relatively few were convicted of new sex crimes: 4.8 percent were convicted of felony sex crimes and 1.5 percent were convicted of misdemeanor sex crimes.

Table 10. Type of Conviction for the 1,054 Sex Registrants Convicted During the Three-Year Follow-Up Period

Reason for Conviction	Convicted	
	Number	Percent
Felony Non-Sex Crime	400	38.0%
Misdemeanor Non-Sex Crime	399	37.9%
Failure to Register	188	17.8%
Felony Sex Crime	51	4.8%
Misdemeanor Sex Crime	16	1.5%
Total	1,054	100.0%

²¹ For more information regarding recidivism trends associated with sex offenders and those receiving treatment through the Sex Offender Management Program, please see the reports available at: <https://www.cdcr.ca.gov/research/offender-outcomes-characteristics/sex-offender-treatment-program/>

Figure 8. Type of Conviction for the 1,054 Sex Registrants Convicted During the Three-Year Follow-Up Period



6 Offenders with Proposition 57 Credit Earnings

Proposition 57 was passed in November 2016 and allows eligible CDCR offenders to earn credits for good behavior and approved rehabilitative and educational achievements. It increased the amount of credits that may be earned through the Good Conduct Credit (GCC) and Milestone Completion Credit (MCC) Programs; it also added two new types of credits: Rehabilitative Achievement Credit (RAC) and Educational Merit Credits (EMC).²² The FY 2017-18 release cohort is the first full cohort of offenders who were impacted by the implementation of Proposition 57, which began in May 2017.

6.1 Conviction Rates for Offenders who Earned Credit

Table 11 displays the conviction rates for offenders who earned any enhanced credits under Proposition 57 during their incarceration (EMC, MCC or RAC).²³ Half of the offenders released (50.1 percent) earned some type of enhanced credit. The three-year conviction rate for offenders who earned credit (43.8 percent) was slightly lower than the rate for offenders with no enhanced credit earnings (45.4 percent).

Table 11. Conviction Rates by Enhanced Credit Earned

Any Enhanced Credit Earning	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
No	17,677	4,029	22.8%	6,879	38.9%	8,019	45.4%
Yes	17,770	3,690	20.8%	6,640	37.4%	7,785	43.8%
Total	35,447	7,719	21.8%	13,519	38.1%	15,804	44.6%

Table 12 displays conviction rates by enhanced credit type. Please note that offenders may appear in more than one group – meaning they earned more than one type of enhanced credit – and therefore, a total is not provided. The group of offenders who earned MCCs had the highest three-year conviction rate (44.8 percent). Those who earned EMCs had notably lower rates (28.9 percent), and offenders who earned RACs had the lowest rate (22.5 percent).

²² For more information on Proposition 57 please see Appendix F.

²³ See Section 6.2 for details on offenders included in the credit earned group.

Table 12. Conviction Rates by Enhanced Credit Type for the Fiscal Year 2017-18 Release Cohort

Type of Enhanced Credit Earning*	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Educational Merit Credit	2,194	259	11.8%	534	24.3%	634	28.9%
Milestone Completion Credit	16,854	3,603	21.4%	6,458	38.3%	7,557	44.8%
Rehabilitative Achievement Credit	701	77	11.0%	130	18.5%	158	22.5%

*Offenders may appear in more than one group.

It is worth noting the group of offenders who earned MCCs is much larger than the groups that earned EMCs or RACs. This is partially because the MCC group includes non-violent and non-sex offenders who were eligible to earn MCCs prior to the passage of Proposition 57. This may also explain the higher conviction rate: as mentioned earlier in this report, offenders with less serious offenses tend to have higher rates of recidivism. In addition, programs that award MCCs sometimes award smaller increments of credit as opposed to programs that award EMCs or RACs.²⁴

As FY 2017-18 is the first full fiscal year impacted by Proposition 57, these findings are preliminary. The regulations regarding credit earning change often (who earns credit, how much they earn, availability of rehabilitative programs and more) and we may see changes in future cohorts as a result. CDCR will continue to monitor the potential impact of Proposition 57 on recidivism.

6.2 Methodology

The group of offenders who earned credit includes offenders who earned any EMC, MCC, or RAC credit during their incarceration, even if the credit did not result in a sentence length reduction. This includes non-violent non-sex offenders on a determinate term who earned MCCs prior to the passage of Proposition 57. Offenders who only earned GCC or Extraordinary Conduct Credit (ECC) are excluded, as these are not awarded for program participation.

Reasons an offender's earned credit may not result in sentence length reduction include:

- Lost credits that became non-restorable due to multiple serious Rules Violation Reports (RVRs).
- A release date restriction or resentence that brought the offender's release date too close to apply credits.
 - CDCR requires a minimum number of days to prepare for an offender's release prior to their release date (typically 15 days for non-violent offenders and 60 days for violent or sex offenders).

²⁴ For more details on Proposition 57 credit earnings please see: <https://www.cdcr.ca.gov/proposition57/>

- Earning too many credits.
 - Up to 84 days can be taken off an offender's sentence for MCC earnings per year starting on the anniversary of their first MCC earning. Additional MCCs roll over to the next year.
 - Up to 40 days can be taken off an offender's sentence for RAC earnings per year starting on the anniversary of their first RAC earning. Additional RACs do not roll over.
- For inmates granted release by the Board of Parole Hearings:
 - For lifers who get a normal parole hearing, credits apply to their Minimum Eligible Parole Date, potentially allowing for earlier release.
 - Earned credits do not reduce eligibility release dates for offenders eligible for Youth Parole, Elderly Parole, or Non-Violent Parole.

Appendix A: Demographics and Characteristics of the Fiscal Year 2017-18 Release Cohort

Table 13. Demographics and Characteristics of the Fiscal Year 2017-18 Release Cohort

Demographics and Characteristics	Number	Percent
Total	35,447	100.0%
Gender		
Male	32,860	92.7%
Female	2,587	7.3%
Age at Release		
18 to 19	209	0.6%
20 to 24	4,506	12.7%
25 to 29	7,067	19.9%
30 to 34	6,362	17.9%
35 to 39	5,546	15.6%
40 to 44	3,650	10.3%
45 to 49	2,932	8.3%
50 to 54	2,361	6.7%
55 to 59	1,561	4.4%
60 and over	1,253	3.5%
Race/Ethnicity		
Hispanic/Latino	15,821	44.6%
White	9,101	25.7%
Black/African American	8,475	23.9%
Asian/Pacific Islander	521	1.5%
American Indian/Alaskan Native	383	1.1%
Other	1,146	3.2%
Commitment Offense Category		
Crimes Against Persons	17,726	50.0%
Other Crimes	7,381	20.8%
Property Crimes	7,284	20.5%
Drug Crimes	3,056	8.6%

Table 13. Demographics and Characteristics of the Fiscal Year 2017-18 Release Cohort (continued)

Demographics and Characteristics	Number	Percent
Sentence Type		
Determinate Term	25,144	70.9%
Second Strikers	9,515	26.8%
Lifers (Indeterminate Term)	750	2.1%
Resentenced to Misdemeanor	30	0.1%
Third Strikers	7	0.0%
Life Without Parole	1	0.0%
Type of Post-Release Supervision		
Parole	17,811	50.2%
Post-Release Community Supervision	17,617	49.7%
Directly Discharged	19	0.1%
Serious/Violent Offense		
Non-Serious/Non-Violent	18,777	53.0%
Violent	8,916	25.2%
Serious	7,754	21.9%
County of Release		
Los Angeles County	10,574	29.8%
San Bernardino County	3,123	8.8%
Riverside County	2,697	7.6%
San Diego County	2,557	7.2%
Sacramento County	1,741	4.9%
Orange County	1,701	4.8%
Fresno County	1,493	4.2%
Kern County	1,309	3.7%
Santa Clara County	893	2.5%
San Joaquin County	796	2.2%
Alameda County	691	1.9%
Stanislaus County	628	1.8%
All Other Counties	7,225	20.4%
Directly Discharged	19	0.1%
Sex Registration Requirement		
No	31,860	89.9%
Yes	3,587	10.1%
CSRA Risk Score		
High	15,224	42.9%
Moderate	10,316	29.1%
Low	9,907	27.9%

Table 13. Demographics and Characteristics of the Fiscal Year 2017-18 Release Cohort (continued)

Demographics and Characteristics	Number	Percent
Mental Health Designation		
Correctional Clinical Case Management System	6,987	19.7%
Enhanced Outpatient Program	1,379	3.9%
Inpatient	126	0.4%
Mental Health Crisis Bed	47	0.1%
No Mental Health Designation	26,908	75.9%
Length of Stay		
0 to 6 Months	4,567	12.9%
7 to 12 Months	8,963	25.3%
13 to 18 Months	5,788	16.3%
19 to 24 Months	3,524	9.9%
2 to 3 Years	3,670	10.4%
3 to 4 Years	2,087	5.9%
4 to 5 Years	1,480	4.2%
5 to 10 Years	3,065	8.6%
10 to 15 Years	1,145	3.2%
15 Years or more	1,158	3.3%
Number of CDCR Stays		
1	16,968	47.9%
2	5,590	15.8%
3	2,631	7.4%
4	1,851	5.2%
5	1,445	4.1%
6	1,291	3.6%
7	1,002	2.8%
8	850	2.4%
9	738	2.1%
10	572	1.6%
11	487	1.4%
12	391	1.1%
13	321	0.9%
14	278	0.8%
15 or more	1,032	2.9%
Proposition 57 Credit Earned		
No	17,677	49.9%
Yes	17,770	50.1%

Appendix B: Recidivism Rates by Demographics and Characteristics for the Fiscal Year 2017-18

Release Cohort

Table 14. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2017-18 by Demographics and Characteristics

Conviction Rates by Demographics/Characteristics	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Total	35,447	7,719	21.8%	13,519	38.1%	15,804	44.6%
Gender							
Male	32,860	7,319	22.3%	12,743	38.8%	14,874	45.3%
Female	2,587	400	15.5%	776	30.0%	930	35.9%
Age at Release							
18 to 19	209	81	38.8%	126	60.3%	141	67.5%
20 to 24	4,506	1,389	30.8%	2,272	50.4%	2,595	57.6%
25 to 29	7,067	1,854	26.2%	3,193	45.2%	3,728	52.8%
30 to 34	6,362	1,526	24.0%	2,637	41.4%	3,074	48.3%
35 to 39	5,546	1,172	21.1%	2,043	36.8%	2,409	43.4%
40 to 44	3,650	627	17.2%	1,163	31.9%	1,395	38.2%
45 to 49	2,932	479	16.3%	912	31.1%	1,088	37.1%
50 to 54	2,361	315	13.3%	625	26.5%	747	31.6%
55 to 59	1,561	180	11.5%	363	23.3%	411	26.3%
60 and over	1,253	96	7.7%	185	14.8%	216	17.2%

Table 14. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2017-18 by Demographics and Characteristics (continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Race/Ethnicity							
American Indian/Alaskan Native	383	83	21.7%	153	39.9%	193	50.4%
White	9,101	2,039	22.4%	3,610	39.7%	4,180	45.9%
Hispanic/Latino	15,821	3,652	23.1%	6,258	39.6%	7,261	45.9%
Black/African American	8,475	1,692	20.0%	3,032	35.8%	3,605	42.5%
Asian/Pacific Islander	521	87	16.7%	156	29.9%	187	35.9%
Other	1,146	166	14.5%	310	27.1%	378	33.0%
Commitment Offense Category							
Property Crimes	7,284	2,157	29.6%	3,595	49.4%	4,077	56.0%
Other Crimes	7,381	1,795	24.3%	3,040	41.2%	3,575	48.4%
Drug Crimes	3,056	701	22.9%	1,205	39.4%	1,389	45.5%
Crimes Against Persons	17,726	3,066	17.3%	5,679	32.0%	6,763	38.2%
Sentence Type							
Second Strikers	9,515	2,086	21.9%	3,791	39.8%	4,487	47.2%
Determinate Term	25,144	5,630	22.4%	9,718	38.6%	11,299	44.9%
Resentenced to Misdemeanor	30	1	3.3%	2	6.7%	3	10.0%
Lifers (Indeterminate Term)	750	2	0.3%	7	0.9%	14	1.9%
Third Strikers	7	0	N/A	1	N/A	1	N/A
Life Without Parole	1	0	N/A	0	N/A	0	N/A
Type of Post-Release Supervision							
Post-Release Community Supervision	17,617	4,744	26.9%	7,881	44.7%	9,102	51.7%
Parole	17,811	2,972	16.7%	5,633	31.6%	6,697	37.6%
Directly Discharged	19	3	N/A	5	N/A	5	N/A

Table 14. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2017-18 by Demographics and Characteristics (continued)

Conviction Rates by Demographics/Characteristics	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Serious/Violent Offense							
Serious	7,754	1,682	21.7%	3,140	40.5%	3,675	47.4%
Violent	8,916	1,013	11.4%	2,009	22.5%	2,456	27.5%
Non-Serious/Non-Violent	18,777	5,024	26.8%	8,370	44.6%	9,673	51.5%
County of Release							
Kern County	1,309	446	34.1%	669	51.1%	759	58.0%
Stanislaus County	628	146	23.2%	267	42.5%	331	52.7%
San Joaquin County	796	201	25.3%	346	43.5%	399	50.1%
Orange County	1,701	497	29.2%	781	45.9%	847	49.8%
San Bernardino County	3,123	667	21.4%	1,198	38.4%	1,475	47.2%
San Diego County	2,557	598	23.4%	1,064	41.6%	1,200	46.9%
Riverside County	2,697	567	21.0%	1,022	37.9%	1,214	45.0%
Sacramento County	1,741	342	19.6%	636	36.5%	761	43.7%
All Other Counties	7,225	1,427	19.8%	2,600	36.0%	3,119	43.2%
Los Angeles County	10,574	2,303	21.8%	3,953	37.4%	4,525	42.8%
Santa Clara County	893	177	19.8%	311	34.8%	363	40.6%
Fresno County	1,493	279	18.7%	513	34.4%	602	40.3%
Alameda County	691	66	9.6%	154	22.3%	204	29.5%
Directly Discharged	19	3	N/A	5	N/A	5	N/A

Table 14. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2017-18 by Demographics and Characteristics (continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
CSRA Risk Score							
High	15,224	4,897	32.2%	8,124	53.4%	9,302	61.1%
Moderate	10,316	2,037	19.7%	3,750	36.4%	4,443	43.1%
Low	9,907	785	7.9%	1,645	16.6%	2,059	20.8%
Mental Health Designation							
Mental Health Crisis Bed	47	12	25.5%	22	46.8%	28	59.6%
Inpatient	126	34	27.0%	56	44.4%	68	54.0%
Enhanced Outpatient Program	1,379	393	28.5%	654	47.4%	736	53.4%
Correctional Clinical Case Management System	6,987	1,670	23.9%	2,881	41.2%	3,378	48.3%
No Mental Health Designation	26,908	5,610	20.8%	9,906	36.8%	11,594	43.1%
Length of Stay							
0 to 6 Months	4,567	1,294	28.3%	2,141	46.9%	2,456	53.8%
7 to 12 Months	8,963	2,458	27.4%	4,058	45.3%	4,674	52.1%
13 to 18 Months	5,788	1,426	24.6%	2,514	43.4%	2,924	50.5%
19 to 24 Months	3,524	861	24.4%	1,485	42.1%	1,718	48.8%
2 to 3 Years	3,670	725	19.8%	1,368	37.3%	1,626	44.3%
3 to 4 Years	2,087	313	15.0%	637	30.5%	778	37.3%
4 to 5 Years	1,480	216	14.6%	415	28.0%	499	33.7%
5 to 10 Years	3,065	320	10.4%	658	21.5%	825	26.9%
10 to 15 Years	1,145	79	6.9%	182	15.9%	226	19.7%
15 Years or more	1,158	27	2.3%	61	5.3%	78	6.7%

Table 14. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2017-18 by Demographics and Characteristics
(continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Number of CDCR Stays							
1	16,968	2,979	17.6%	5,306	31.3%	6,266	36.9%
2	5,590	1,389	24.8%	2,403	43.0%	2,816	50.4%
3	2,631	645	24.5%	1,127	42.8%	1,304	49.6%
4	1,851	469	25.3%	838	45.3%	956	51.6%
5	1,445	364	25.2%	608	42.1%	691	47.8%
6	1,291	312	24.2%	554	42.9%	663	51.4%
7	1,002	276	27.5%	463	46.2%	540	53.9%
8	850	213	25.1%	369	43.4%	440	51.8%
9	738	208	28.2%	348	47.2%	402	54.5%
10	572	161	28.1%	261	45.6%	312	54.5%
11	487	122	25.1%	225	46.2%	261	53.6%
12	391	115	29.4%	214	54.7%	234	59.8%
13	321	82	25.5%	156	48.6%	175	54.5%
14	278	71	25.5%	131	47.1%	153	55.0%
15 or more	1,032	313	30.3%	516	50.0%	591	57.3%

Table 14. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2017-18 by Demographics and Characteristics (continued)

Conviction Rates by Demographics/Characteristics	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Commitment Offense							
Vehicle Theft	1,743	675	38.7%	1,088	62.4%	1,203	69.0%
Receiving Stolen Property	438	165	37.7%	250	57.1%	278	63.5%
Escape	98	34	34.7%	52	53.1%	59	60.2%
Petty Theft With Prior	35	13	37.1%	18	51.4%	21	60.0%
Other Property	363	122	33.6%	179	49.3%	208	57.3%
Burglary Second	868	284	32.7%	442	50.9%	494	56.9%
Possession Weapon	4,022	1,158	28.8%	1,910	47.5%	2,207	54.9%
Grand Theft	527	144	27.3%	232	44.0%	271	51.4%
Controlled Substance Other	320	85	26.6%	143	44.7%	164	51.3%
Controlled Substance Possession	607	174	28.7%	275	45.3%	309	50.9%
Burglary First	2,668	617	23.1%	1,132	42.4%	1,299	48.7%
Other Assault/Battery	5,205	1,182	22.7%	2,136	41.0%	2,509	48.2%
Other Offenses	1,889	432	22.9%	763	40.4%	903	47.8%
Forgery/Fraud	642	137	21.3%	254	39.6%	303	47.2%
Controlled Substance Possession For Sale	1,736	379	21.8%	679	39.1%	793	45.7%
Assault with a Deadly Weapon	4,266	844	19.8%	1,543	36.2%	1,851	43.4%
Arson	257	58	22.6%	93	36.2%	108	42.0%
Robbery	3,849	719	18.7%	1,336	34.7%	1,600	41.6%
Other Sex Offenses	1,120	207	18.5%	400	35.7%	465	41.5%
Controlled Substance Sales	284	47	16.5%	82	28.9%	91	32.0%
Driving Under Influence	1,115	113	10.1%	222	19.9%	298	26.7%
Oral Copulation	78	10	12.8%	15	19.2%	18	23.1%
Attempted Murder Second	306	19	6.2%	53	17.3%	59	19.3%

Table 14. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2017-18 by Demographics and Characteristics (continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Commitment Offense (continued)							
Manslaughter	443	25	5.6%	57	12.9%	84	19.0%
Controlled Substance Manufacturing	48	4	8.3%	8	16.7%	9	18.8%
Kidnapping	219	15	6.8%	28	12.8%	34	15.5%
Vehicular Manslaughter	181	9	5.0%	19	10.5%	23	12.7%
Penetration With Object	67	4	6.0%	6	9.0%	8	11.9%
Rape	232	5	2.2%	22	9.5%	24	10.3%
Lewd Act With Child	1,066	25	2.3%	58	5.4%	76	7.1%
Murder First	253	1	0.4%	4	1.6%	7	2.8%
Attempted Murder First	62	0	0.0%	1	1.6%	1	1.6%
Murder Second	357	1	0.3%	1	0.3%	3	0.8%
Marijuana Possess For Sale	26	8	N/A	10	N/A	11	N/A
Sodomy	22	0	N/A	0	N/A	1	N/A
Marijuana Other	18	2	N/A	4	N/A	5	N/A
Marijuana Sale	16	2	N/A	4	N/A	7	N/A
Hashish Possession	1	0	N/A	0	N/A	0	N/A
Sex Registration Requirement							
No	31,860	7,261	22.8%	12,633	39.7%	14,750	46.3%
Yes	3,587	458	12.8%	886	24.7%	1,054	29.4%
Proposition 57 Credit Earned							
No	17,677	4,029	22.8%	6,879	38.9%	8,019	45.4%
Yes	17,770	3,690	20.8%	6,640	37.4%	7,785	43.8%

Appendix C: Conviction Rates by County of Release

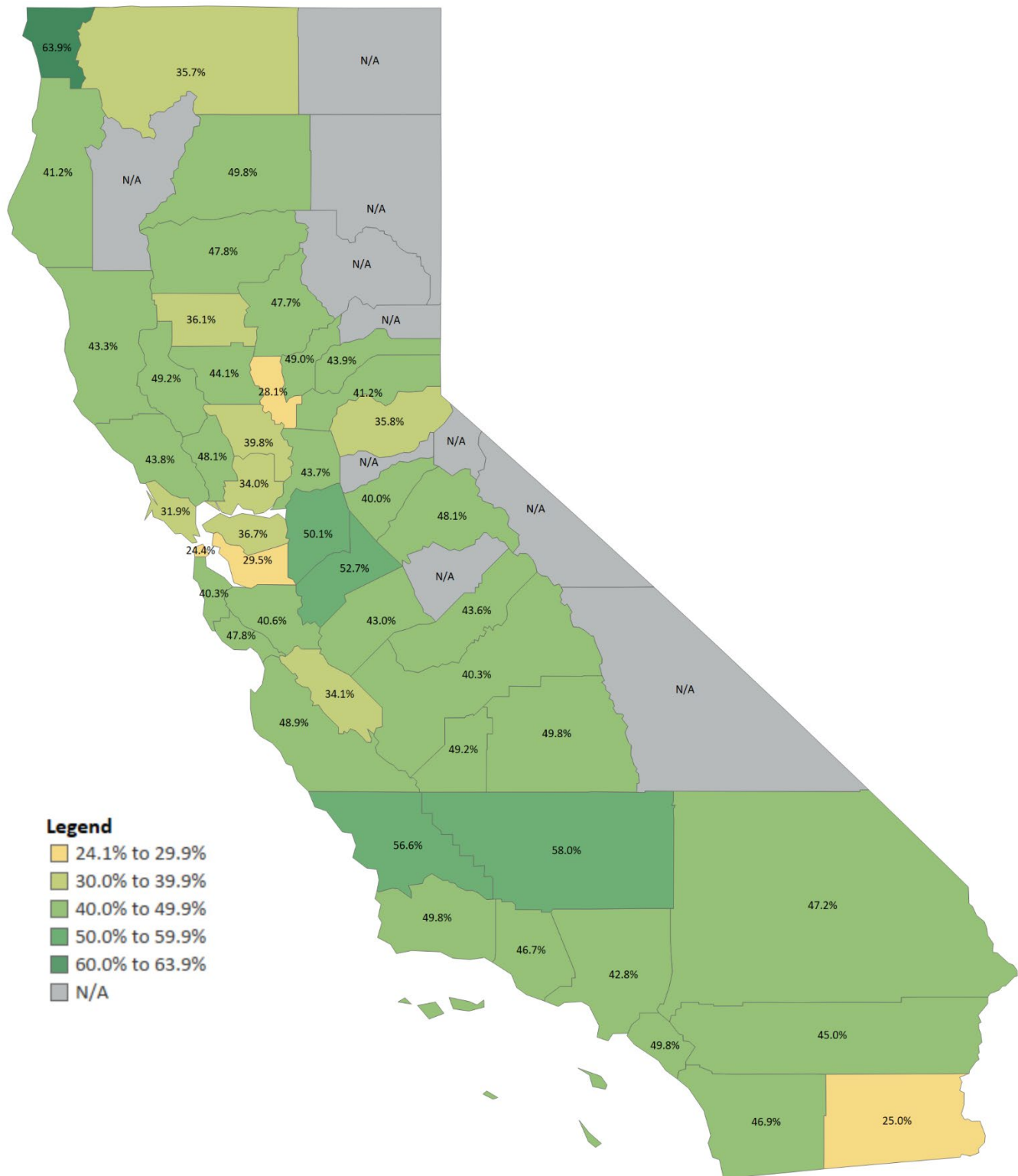
Table 15. Conviction Rates by County of Release

County of Release	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Alameda County	691	66	9.6%	154	22.3%	204	29.5%
Alpine County	2	1	N/A	1	N/A	2	N/A
Amador County	26	6	N/A	8	N/A	12	N/A
Butte County	302	64	21.2%	117	38.7%	144	47.7%
Calaveras County	35	6	17.1%	10	28.6%	14	40.0%
Colusa County	34	11	32.4%	15	44.1%	15	44.1%
Contra Costa County	444	52	11.7%	123	27.7%	163	36.7%
Del Norte County	36	8	22.2%	18	50.0%	23	63.9%
El Dorado County	123	16	13.0%	33	26.8%	44	35.8%
Fresno County	1,493	279	18.7%	513	34.4%	602	40.3%
Glenn County	36	5	13.9%	8	22.2%	13	36.1%
Humboldt County	136	29	21.3%	50	36.8%	56	41.2%
Imperial County	132	8	6.1%	25	18.9%	33	25.0%
Inyo County	9	3	N/A	4	N/A	5	N/A
Kern County	1,309	446	34.1%	669	51.1%	759	58.0%
Kings County	333	74	22.2%	138	41.4%	164	49.2%
Lake County	124	27	21.8%	53	42.7%	61	49.2%
Lassen County	18	2	N/A	2	N/A	4	N/A
Los Angeles County	10,574	2,303	21.8%	3,953	37.4%	4,525	42.8%
Madera County	172	35	20.3%	68	39.5%	75	43.6%
Marin County	47	8	17.0%	13	27.7%	15	31.9%
Mariposa County	11	6	N/A	7	N/A	8	N/A
Mendocino County	104	17	16.3%	35	33.7%	45	43.3%
Merced County	272	42	15.4%	94	34.6%	117	43.0%
Modoc County	9	0	N/A	1	N/A	3	N/A
Mono County	3	0	N/A	0	N/A	0	N/A
Monterey County	423	115	27.2%	184	43.5%	207	48.9%
Napa County	81	16	19.8%	35	43.2%	39	48.1%
Nevada County	41	9	22.0%	13	31.7%	18	43.9%
Orange County	1,701	497	29.2%	781	45.9%	847	49.8%
Placer County	255	41	16.1%	88	34.5%	105	41.2%
Plumas County	18	2	N/A	4	N/A	5	N/A
Riverside County	2,697	567	21.0%	1,022	37.9%	1,214	45.0%
Sacramento County	1,741	342	19.6%	636	36.5%	761	43.7%

Table 15. Conviction Rates by County of Release (continued)

County of Release	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
San Benito County	44	4	9.1%	11	25.0%	15	34.1%
San Bernardino County	3,123	667	21.4%	1,198	38.4%	1,475	47.2%
San Diego County	2,557	598	23.4%	1,064	41.6%	1,200	46.9%
San Francisco County	352	40	11.4%	73	20.7%	86	24.4%
San Joaquin County	796	201	25.3%	346	43.5%	399	50.1%
San Luis Obispo County	196	61	31.1%	98	50.0%	111	56.6%
San Mateo County	273	54	19.8%	94	34.4%	110	40.3%
Santa Barbara County	319	83	26.0%	142	44.5%	159	49.8%
Santa Clara County	893	177	19.8%	311	34.8%	363	40.6%
Santa Cruz County	113	29	25.7%	48	42.5%	54	47.8%
Shasta County	323	63	19.5%	132	40.9%	161	49.8%
Sierra County	3	1	N/A	1	N/A	1	N/A
Siskiyou County	56	5	8.9%	16	28.6%	20	35.7%
Solano County	344	47	13.7%	101	29.4%	117	34.0%
Sonoma County	267	63	23.6%	97	36.3%	117	43.8%
Stanislaus County	628	146	23.2%	267	42.5%	331	52.7%
Sutter County	135	15	11.1%	29	21.5%	38	28.1%
Tehama County	136	35	25.7%	59	43.4%	65	47.8%
Trinity County	11	0	N/A	1	N/A	1	N/A
Tulare County	534	128	24.0%	213	39.9%	266	49.8%
Tuolumne County	52	7	13.5%	20	38.5%	25	48.1%
Ventura County	495	122	24.6%	197	39.8%	231	46.7%
Yolo County	191	41	21.5%	63	33.0%	76	39.8%
Yuba County	155	26	16.8%	58	37.4%	76	49.0%
Directly Discharged	19	3	N/A	5	N/A	5	N/A
Total	35,447	7,719	21.8%	13,519	38.1%	15,804	44.6%

Figure 9. Map of Three-Year Conviction Rates by County of Release



*Table 15 (pages 41 and 42) provides a list of each California County, the number of releases to each county, and one-, two-, and three-year conviction rates.

Appendix D: Change in Recidivism Rate by Demographics and Characteristics Between the Fiscal Year 2016-17 and 2017-18 Release Cohorts

Table 16. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2016-17 and Fiscal Year 2017-18

	FY 2016-17 Number Released	FY 2017-18 Number Released	Number Released Difference	FY 2016-17 Number Convicted	FY 2017-18 Number Convicted	Number Convicted Difference	FY 2016-17 Three-Year Conviction Rate	FY 2017-18 Three-Year Conviction Rate	Three-Year Rate Difference
Total	31,792	35,447	3,655	15,123	15,804	681	47.6%	44.6%	(3.0)
Gender									
Male	29,551	32,860	3,309	14,248	14,874	626	48.2%	45.3%	(2.9)
Female	2,241	2,587	346	875	930	55	39.0%	35.9%	(3.1)
Age at Release									
18 to 19	247	209	(38)	181	141	(40)	73.3%	67.5%	(5.8)
20 to 24	4,441	4,506	65	2,753	2,595	(158)	62.0%	57.6%	(4.4)
25 to 29	6,191	7,067	876	3,329	3,728	399	53.8%	52.8%	(1.0)
30 to 34	5,502	6,362	860	2,864	3,074	210	52.1%	48.3%	(3.8)
35 to 39	4,863	5,546	683	2,281	2,409	128	46.9%	43.4%	(3.5)
40 to 44	3,185	3,650	465	1,330	1,395	65	41.8%	38.2%	(3.6)
45 to 49	2,679	2,932	253	990	1,088	98	37.0%	37.1%	0.1
50 to 54	2,153	2,361	208	754	747	(7)	35.0%	31.6%	(3.4)
55 to 59	1,477	1,561	84	448	411	(37)	30.3%	26.3%	(4.0)
60 and over	1,054	1,253	199	193	216	23	18.3%	17.2%	(1.1)

Table 16. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2016-17 and Fiscal Year 2017-18 (continued)

	FY 2016-17 Number Released	FY 2017-18 Number Released	Number Released Difference	FY 2016-17 Number Convicted	FY 2017-18 Number Convicted	Number Convicted Difference	FY 2016-17 Three-Year Conviction Rate	FY 2017-18 Three-Year Conviction Rate	Three-Year Rate Difference
Race/Ethnicity									
American Indian/Alaskan Native	361	383	22	206	193	(13)	57.1%	50.4%	(6.7)
White	8,206	9,101	895	3,996	4,180	184	48.7%	45.9%	(2.8)
Hispanic/Latino	14,055	15,821	1,766	6,735	7,261	526	47.9%	45.9%	(2.0)
Black/African American	7,696	8,475	779	3,624	3,605	(19)	47.1%	42.5%	(4.6)
Asian/Pacific Islander	460	521	61	202	187	(15)	43.9%	35.9%	(8.0)
Other	1,014	1,146	132	360	378	18	35.5%	33.0%	(2.5)
Commitment Offense Category									
Property Crimes	6,345	7,284	939	3,758	4,077	319	59.2%	56.0%	(3.2)
Other Crimes	6,744	7,381	637	3,467	3,575	108	51.4%	48.4%	(3.0)
Drug Crimes	3,061	3,056	(5)	1,452	1,389	(63)	47.4%	45.5%	(1.9)
Crimes Against Persons	15,642	17,726	2,084	6,446	6,763	317	41.2%	38.2%	(3.0)
Sentence Type									
Second Strikers	7,689	9,515	1,826	3,808	4,487	679	49.5%	47.2%	(2.3)
Determinate Term	23,342	25,144	1,802	11,273	11,299	26	48.3%	44.9%	(3.4)
Resentenced to Misdemeanor	60	29	(31)	29	3	(26)	48.3%	10.0%	(38.3)
Lifers (Indeterminate Term)	701	750	49	13	14	1	1.9%	1.9%	0.0
Third Strikers	0	8	8	0	1	1	N/A	N/A	N/A
Life Without Parole	0	1	1	0	0	0	N/A	N/A	N/A
Type of Post-Release Supervision									
Post-Release Community Supervision	16,184	17,617	1,433	8,816	9,102	286	54.5%	51.7%	(2.8)
Parole	15,586	17,811	2,225	6,298	6,697	399	40.4%	37.6%	(2.8)
Directly Discharged	22	19	(3)	9	5	(4)	N/A	N/A	N/A

Table 16. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2016-17 and Fiscal Year 2017-18 (continued)

	FY 2016-17 Number Released	FY 2017-18 Number Released	Number Released Difference	FY 2016-17 Number Convicted	FY 2017-18 Number Convicted	Number Convicted Difference	FY 2016-17 Three-Year Conviction Rate	FY 2017-18 Three-Year Conviction Rate	Three-Year Rate Difference
Serious/Violent Offense									
Serious	7,253	7,754	501	3,600	3,675	75	49.6%	47.4%	(2.2)
Violent	7,247	8,916	1,669	2,146	2,456	310	29.6%	27.5%	(2.1)
Non-Serious/Non-Violent	17,292	18,777	1,485	9,377	9,673	296	54.2%	51.5%	(2.7)
County of Release									
Kern County	1,201	1,309	108	687	759	72	57.2%	58.0%	0.8
Stanislaus County	577	628	51	309	331	22	53.6%	52.7%	(0.9)
San Joaquin County	835	796	(39)	417	399	(18)	49.9%	50.1%	0.2
Orange County	1,561	1,701	140	847	847	0	54.3%	49.8%	(4.5)
San Bernardino County	2,887	3,123	236	1,349	1,475	126	46.7%	47.2%	0.5
San Diego County	2,169	2,557	388	1,019	1,200	181	47.0%	46.9%	(0.1)
Riverside County	2,306	2,697	391	1,062	1,214	152	46.1%	45.0%	(1.1)
Sacramento County	1,573	1,741	168	795	761	(34)	50.5%	43.7%	(6.8)
Los Angeles County	9,184	10,574	1,390	4,263	4,525	262	46.4%	42.8%	(3.6)
Santa Clara County	765	893	128	388	363	(25)	50.7%	40.6%	(10.1)
Fresno County	1,459	1,493	34	677	602	(75)	46.4%	40.3%	(6.1)
Alameda County	747	691	(56)	249	204	(45)	33.3%	29.5%	(3.8)
All Other Counties	6,506	7,225	719	3,052	3,119	67	46.9%	43.2%	(3.7)
Directly Discharged	22	19	(3)	9	5	(4)	N/A	N/A	N/A

Table 16. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2016-17 and Fiscal Year 2017-18 (continued)

	FY 2016-17 Number Released	FY 2017-18 Number Released	Number Released Difference	FY 2016-17 Number Convicted	FY 2017-18 Number Convicted	Number Convicted Difference	FY 2016-17 Three-Year Conviction Rate	FY 2017-18 Three-Year Conviction Rate	Three-Year Rate Difference
CSRA Risk Score									
High	13,795	15,224	1,429	8,774	9,302	528	63.6%	61.1%	(2.5)
Moderate	9,204	10,316	1,112	4,353	4,443	90	47.3%	43.1%	(4.2)
Low	8,793	9,907	1,114	1,996	2,059	63	22.7%	20.8%	(1.9)
Mental Health Designation									
Mental Health Crisis Bed	40	47	7	24	28	4	60.0%	59.6%	(0.4)
Inpatient	80	126	46	42	68	26	52.5%	54.0%	1.5
Enhanced Outpatient Program	1,334	1,379	45	731	736	5	54.8%	53.4%	(1.4)
Correctional Clinical Case Management System	6,347	6,987	640	3,238	3,378	140	51.0%	48.3%	(2.7)
No Mental Health Designation	23,991	26,908	2,917	11,088	11,594	506	46.2%	43.1%	(3.1)
Length of Stay									
0 to 6 Months	4,879	4,567	(312)	2,711	2,456	(255)	55.6%	53.8%	(1.8)
7 to 12 Months	8,150	8,963	813	4,469	4,674	205	54.8%	52.1%	(2.7)
13 to 18 Months	4,814	5,788	974	2,543	2,924	381	52.8%	50.5%	(2.3)
19 to 24 Months	2,981	3,524	543	1,555	1,718	163	52.2%	48.8%	(3.4)
2 to 3 Years	3,353	3,670	317	1,575	1,626	51	47.0%	44.3%	(2.7)
3 to 4 Years	1,864	2,087	223	799	778	(21)	42.9%	37.3%	(5.6)
4 to 5 Years	1,213	1,480	267	428	499	71	35.3%	33.7%	(1.6)
5 to 10 Years	2,550	3,065	515	718	825	107	28.2%	26.9%	(1.3)
10 to 15 Years	907	1,145	238	212	226	14	23.4%	19.7%	(3.7)
15 Years or more	1,081	1,158	77	113	78	(35)	10.5%	6.7%	(3.8)

Table 16. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2016-17 and Fiscal Year 2017-18 (continued)

	FY 2016-17 Number Released	FY 2017-18 Number Released	Number Released Difference	FY 2016-17 Number Convicted	FY 2017-18 Number Convicted	Number Convicted Difference	FY 2016-17 Three-Year Conviction Rate	FY 2017-18 Three-Year Conviction Rate	Three-Year Rate Difference
Number of CDCR Stays									
1	15,162	16,968	1,806	6,063	6,266	203	40.0%	36.9%	(3.1)
2	4,646	5,590	944	2,403	2,816	413	51.7%	50.4%	(1.3)
3	2,295	2,631	336	1,190	1,304	114	51.9%	49.6%	(2.3)
4	1,680	1,851	171	871	956	85	51.8%	51.6%	(0.2)
5	1,430	1,445	15	791	691	(100)	55.3%	47.8%	(7.5)
6	1,220	1,291	71	680	663	(17)	55.7%	51.4%	(4.3)
7	956	1,002	46	556	540	(16)	58.2%	53.9%	(4.3)
8	851	850	(1)	485	440	(45)	57.0%	51.8%	(5.2)
9	693	738	45	374	402	28	54.0%	54.5%	0.5
10	552	572	20	328	312	(16)	59.4%	54.5%	(4.9)
11	442	487	45	256	261	5	57.9%	53.6%	(4.3)
12	345	391	46	208	234	26	60.3%	59.8%	(0.5)
13	281	321	40	184	175	(9)	65.5%	54.5%	(11.0)
14	245	278	33	153	153	0	62.4%	55.0%	(7.4)
15 or more	994	1,032	38	581	591	10	58.5%	57.3%	(1.2)

Table 16. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2016-17 and Fiscal Year 2017-18 (continued)

	FY 2016-17 Number Released	FY 2017-18 Number Released	Number Released Difference	FY 2016-17 Number Convicted	FY 2017-18 Number Convicted	Number Convicted Difference	FY 2016-17 Three-Year Conviction Rate	FY 2017-18 Three-Year Conviction Rate	Three-Year Rate Difference
Commitment Offense									
Vehicle Theft	1,461	1,743	282	1,039	1,203	164	71.1%	69.0%	(2.1)
Receiving Stolen Property	389	438	49	236	278	42	60.7%	63.5%	2.8
Escape	104	98	(6)	73	59	(14)	70.2%	60.2%	(10.0)
Petty Theft With Prior	49	35	(14)	27	21	(6)	55.1%	60.0%	4.9
Other Property	321	363	42	203	208	5	63.2%	57.3%	(5.9)
Burglary Second	796	868	72	502	494	(8)	63.1%	56.9%	(6.2)
Possession Weapon	3,665	4,022	357	2,129	2,207	78	58.1%	54.9%	(3.2)
Grand Theft	402	527	125	211	271	60	52.5%	51.4%	(1.1)
Controlled Substance Other	306	320	14	166	164	(2)	54.2%	51.3%	(2.9)
Controlled Substance Possession	615	607	(8)	325	309	(16)	52.8%	50.9%	(1.9)
Burglary First	2,416	2,668	252	1,296	1,299	3	53.6%	48.7%	(4.9)
Other Assault/Battery	4,851	5,205	354	2,510	2,509	(1)	51.7%	48.2%	(3.5)
Other Offenses	1,777	1,889	112	860	903	43	48.4%	47.8%	(0.6)
Forgery/Fraud	511	642	131	244	303	59	47.7%	47.2%	(0.5)
Controlled Substance Possession For Sale	1,665	1,736	71	772	793	21	46.4%	45.7%	(0.7)
Assault with a Deadly Weapon	3,779	4,266	487	1,725	1,851	126	45.6%	43.4%	(2.2)
Arson	180	257	77	83	108	25	46.1%	42.0%	(4.1)
Robbery	3,219	3,849	630	1,441	1,600	159	44.8%	41.6%	(3.2)
Other Sex Offenses	1,009	1,120	111	451	465	14	44.7%	41.5%	(3.2)
Controlled Substance Sales	260	284	24	111	91	(20)	42.7%	32.0%	(10.7)
Driving Under Influence	1,018	1,115	97	322	298	(24)	31.6%	26.7%	(4.9)
Oral Copulation	63	78	15	11	18	7	17.5%	23.1%	5.6
Attempted Murder Second	287	306	19	71	59	(12)	24.7%	19.3%	(5.4)

Table 16. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2016-17 and Fiscal Year 2017-18 (continued)

	FY 2016-17 Number Released	FY 2017-18 Number Released	Number Released Difference	FY 2016-17 Number Convicted	FY 2017-18 Number Convicted	Number Convicted Difference	FY 2016-17 Three-Year Conviction Rate	FY 2017-18 Three-Year Conviction Rate	Three-Year Rate Difference
Commitment Offense (continued)									
Manslaughter	331	443	112	66	84	18	19.9%	19.0%	(0.9)
Controlled Substance Manufacturing	59	48	(11)	14	9	(5)	23.7%	18.8%	(4.9)
Kidnapping	165	219	54	34	34	0	20.6%	15.5%	(5.1)
Vehicular Manslaughter	130	181	51	15	23	8	11.5%	12.7%	1.2
Penetration With Object	61	67	6	9	8	(1)	14.8%	11.9%	(2.9)
Rape	194	232	38	28	24	(4)	14.4%	10.3%	(4.1)
Lewd Act With Child	904	1,066	162	70	76	6	7.7%	7.1%	(0.6)
Murder First	219	253	34	3	7	4	1.4%	2.8%	1.4
Attempted Murder First	71	62	(9)	1	1	0	1.4%	1.6%	0.2
Murder Second	343	357	14	9	3	(6)	2.6%	0.8%	(1.8)
Marijuana Possess For Sale	89	26	(63)	36	11	(25)	40.4%	N/A	N/A
Sodomy	16	22	6	2	1	(1)	N/A	N/A	N/A
Marijuana Other	26	18	(8)	11	5	(6)	N/A	N/A	N/A
Marijuana Sale	40	16	(24)	17	7	(10)	42.5%	N/A	N/A
Hashish Possession	1	1	0	0	0	0	N/A	N/A	N/A
Sex Registration Requirement									
No	28,659	31,860	3,201	14,142	14,750	608	49.3%	46.3%	(3.0)
Yes	3,133	3,587	454	981	1,054	73	31.3%	29.4%	(1.9)
Proposition 57 Benefit									
No	0	17,677	17,677	0	8,019	8,019	N/A	45.4%	N/A
Yes	0	17,770	17,770	0	7,785	7,785	N/A	43.8%	N/A

Appendix E: Arrest, Conviction and Return-to-Prison Rates for Offenders Released in Fiscal Year 2003-04 through 2019-20

Figure 10. One-Year Arrest, Conviction, and Return-to-Prison Rates by Fiscal Year

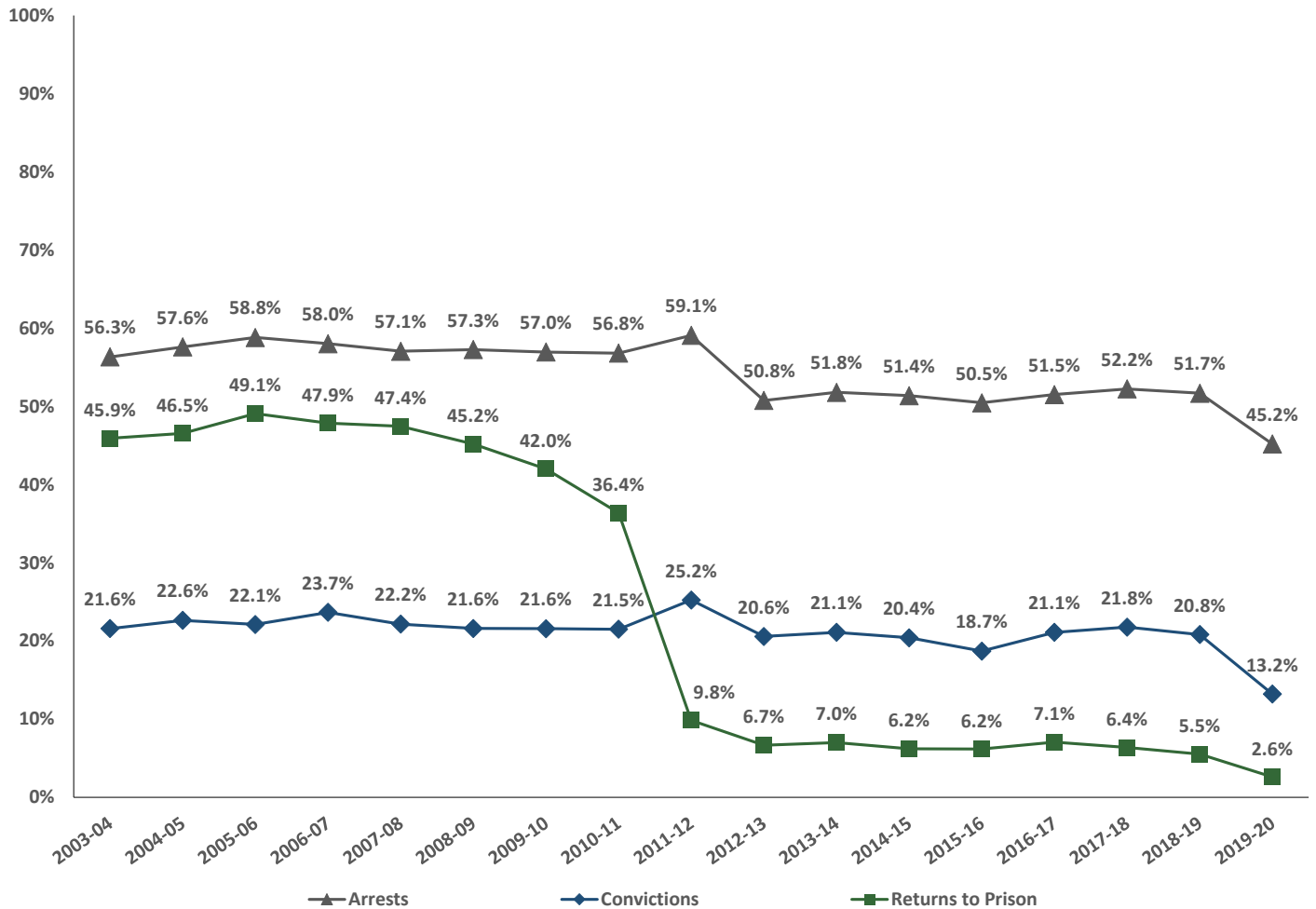


Figure 11. Two-Year Arrest, Conviction, and Return-to-Prison Rates by Fiscal Year

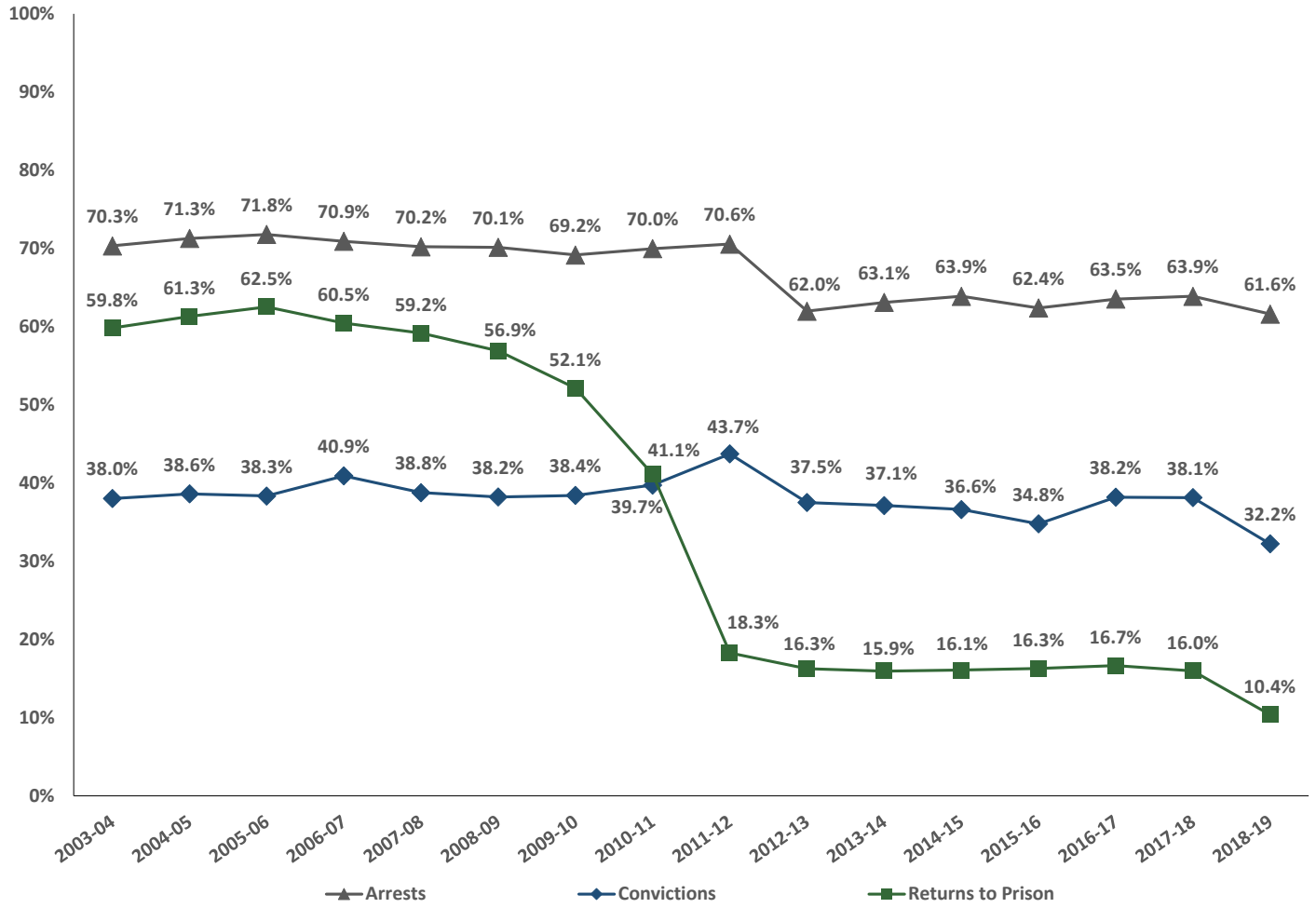


Figure 12. Three-Year Arrest, Conviction, and Return-to-Prison Rates by Fiscal Year

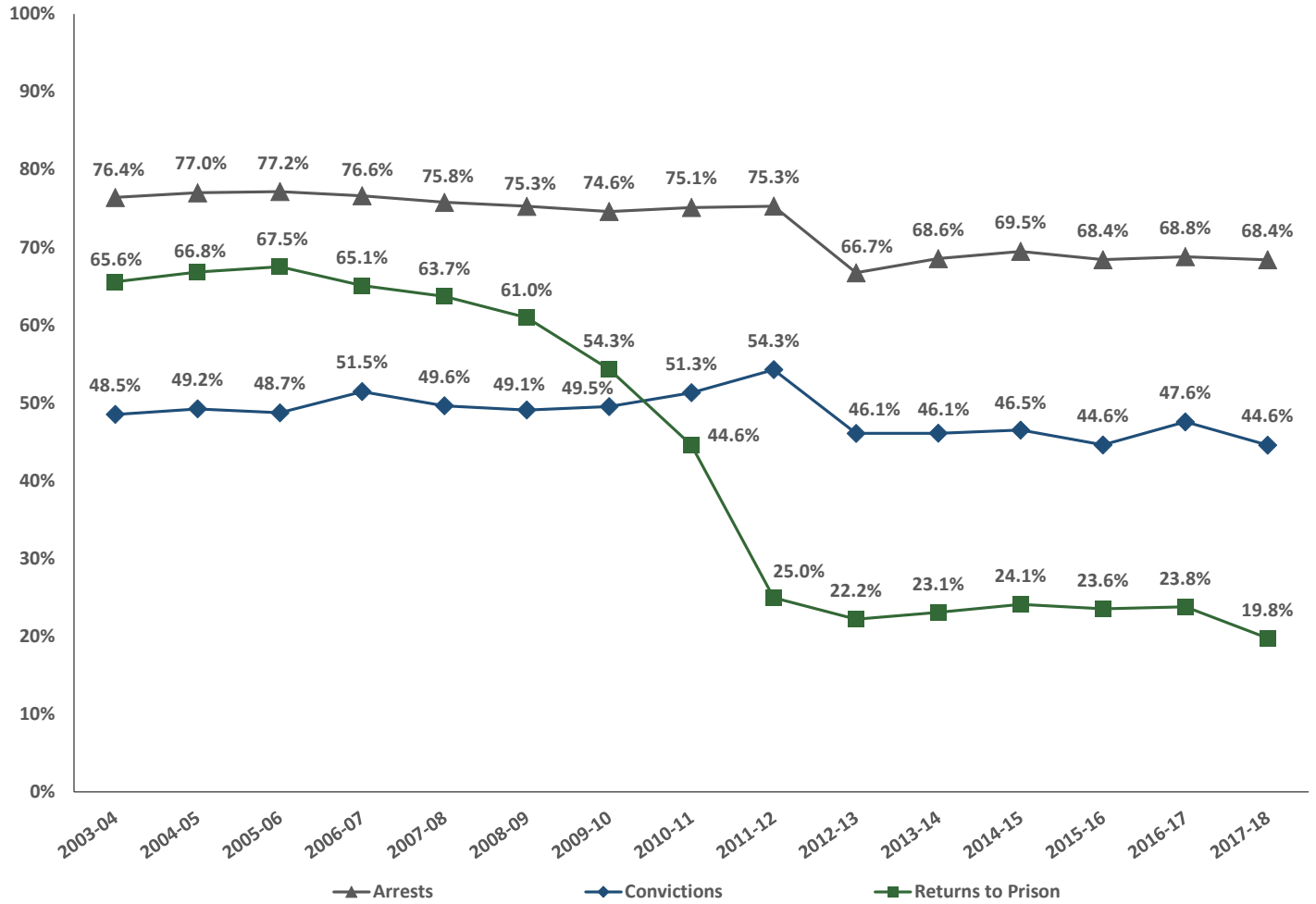


Table 17. One-, Two-, and Three-Year Arrest Rates by Fiscal Year

Fiscal Year	Number Released	One-Year		Two-Year		Three-Year	
		Number Arrested	Arrest Rate	Number Arrested	Arrest Rate	Number Arrested	Arrest Rate
2003-04	99,635	56,127	56.3%	70,070	70.3%	76,135	76.4%
2004-05	103,647	59,703	57.6%	73,881	71.3%	79,819	77.0%
2005-06	105,974	62,331	58.8%	76,079	71.8%	81,786	77.2%
2006-07	112,665	65,369	58.0%	79,893	70.9%	86,330	76.6%
2007-08	113,888	64,981	57.1%	79,978	70.2%	86,309	75.8%
2008-09	110,356	63,193	57.3%	77,412	70.1%	83,080	75.3%
2009-10	103,867	59,159	57.0%	71,837	69.2%	77,495	74.6%
2010-11	94,888	53,911	56.8%	66,399	70.0%	71,284	75.1%
2011-12	74,875	44,236	59.1%	52,829	70.6%	56,371	75.3%
2012-13	35,790	18,165	50.8%	22,184	62.0%	23,885	66.7%
2013-14	33,113	17,153	51.8%	20,893	63.1%	22,700	68.6%
2014-15	39,205	20,142	51.4%	25,047	63.9%	27,239	69.5%
2015-16	33,756	17,034	50.5%	21,061	62.4%	23,094	68.4%
2016-17	31,792	16,378	51.5%	20,199	63.5%	21,871	68.8%
2017-18	35,447	18,514	52.2%	22,645	63.9%	24,247	68.4%
2018-19	36,208	18,713	51.7%	22,310	61.6%	N/A	N/A
2019-20	34,605	15,641	45.2%	N/A	N/A	N/A	N/A

Table 18. One-, Two-, and Three-Year Conviction Rates by Fiscal Year

Fiscal Year	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
2003-04	99,635	21,509	21.6%	37,881	38.0%	48,350	48.5%
2004-05	103,647	23,464	22.6%	40,022	38.6%	51,026	49.2%
2005-06	105,974	23,428	22.1%	40,635	38.3%	51,650	48.7%
2006-07	112,665	26,657	23.7%	46,106	40.9%	57,980	51.5%
2007-08	113,888	25,233	22.2%	44,164	38.8%	56,525	49.6%
2008-09	110,356	23,831	21.6%	42,181	38.2%	54,175	49.1%
2009-10	103,867	22,410	21.6%	39,908	38.4%	51,456	49.5%
2010-11	94,888	20,403	21.5%	37,710	39.7%	48,689	51.3%
2011-12	74,875	18,894	25.2%	32,746	43.7%	40,644	54.3%
2012-13	35,790	7,363	20.6%	13,423	37.5%	16,496	46.1%
2013-14	33,113	6,990	21.1%	12,295	37.1%	15,264	46.1%
2014-15	39,205	8,003	20.4%	14,355	36.6%	18,235	46.5%
2015-16	33,756	6,312	18.7%	11,743	34.8%	15,059	44.6%
2016-17	31,792	6,710	21.1%	12,141	38.2%	15,123	47.6%
2017-18	35,447	7,719	21.8%	13,519	38.1%	15,804	44.6%
2018-19	36,208	7,539	20.8%	11,667	32.2%	N/A	N/A
2019-20	34,605	4,569	13.2%	N/A	N/A	N/A	N/A

Table 19. One-, Two-, and Three-Year Return-to-Prison Rates by Fiscal Year

Fiscal Year	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
2003-04	103,296	47,423	45.9%	61,788	59.8%	67,734	65.6%
2004-05	106,920	49,761	46.5%	65,559	61.3%	71,444	66.8%
2005-06	108,662	53,330	49.1%	67,958	62.5%	73,350	67.5%
2006-07	115,254	55,167	47.9%	69,691	60.5%	75,018	65.1%
2007-08	116,015	55,049	47.4%	68,643	59.2%	73,885	63.7%
2008-09	112,877	51,010	45.2%	64,244	56.9%	68,803	61.0%
2009-10	104,981	44,104	42.0%	54,713	52.1%	57,022	54.3%
2010-11	95,690	34,810	36.4%	39,331	41.1%	42,661	44.6%
2011-12	75,733	7,456	9.8%	13,843	18.3%	18,908	25.0%
2012-13	36,527	2,435	6.7%	5,937	16.3%	8,110	22.2%
2013-14	33,449	2,348	7.0%	5,334	15.9%	7,726	23.1%
2014-15	39,399	2,447	6.2%	6,336	16.1%	9,505	24.1%
2015-16	33,861	2,091	6.2%	5,512	16.3%	7,976	23.6%
2016-17	31,975	2,255	7.1%	5,324	16.7%	7,607	23.8%
2017-18	35,821	2,285	6.4%	5,721	16.0%	7,086	19.8%
2018-19	36,554	2,021	5.5%	3,797	10.4%	N/A	N/A
2019-20	34,897	908	2.6%	N/A	N/A	N/A	N/A

Appendix F: Correctional Policies and Initiatives

The following section describes recent correctional policies and practices and their influence on post-release outcomes. CDCR has also expanded rehabilitative programs and changed its classification system to allow for increased program access. At the time of the development of this report, California's local facilities and prisons also accelerated the release of some offenders due to the COVID-19 pandemic.²⁵ Although it takes time to examine both the temporary and lasting impacts of correctional policies on CDCR's population, CDCR will continue to provide this information as it becomes available.

Public Safety Realignment

Assembly Bill (AB) 109, California's Public Safety Realignment Act (Realignment) became law on October 1, 2011. Realignment required certain offenders be sentenced to and serve parole revocations in county jails, rather than state prison. Realignment changed the parole revocation process so that only offenders previously sentenced to a life term (lifers) and some sex offenders can be revoked to prison.²⁶

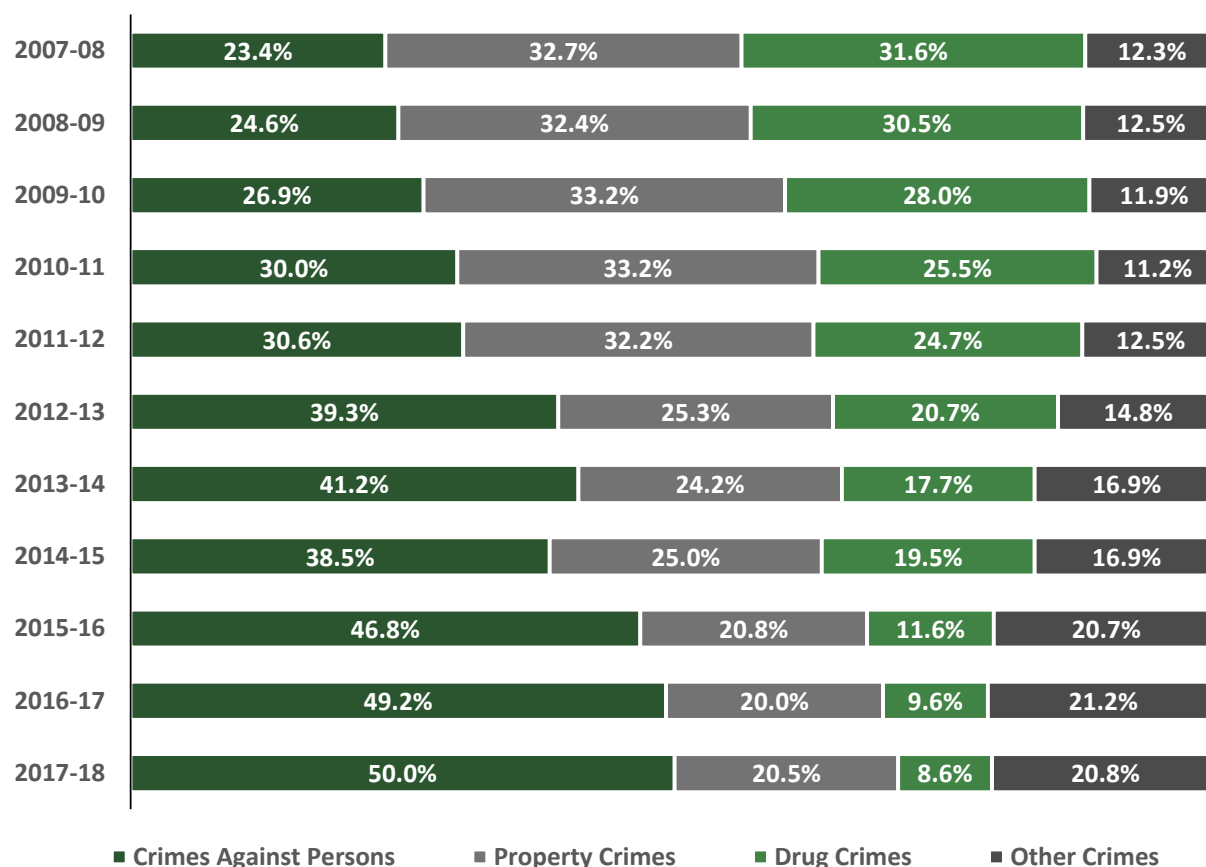
Realignment also changed the state's system of post-release supervision. Prior to Realignment, most offenders released from CDCR were released to parole and supervised by parole agents. Now, most non-serious, non-violent, and non-sex registrant offenders are released to Post-Release Community Supervision, which is administered by county probation departments; whereas most high-risk sex offenders, lifers, and offenders committing a serious or violent crime are released to parole and supervised by parole agents.

The FY 2017-18 release cohort represents the sixth cohort of CDCR offenders whose period of release (July 1, 2017 to June 30, 2018) and three-year follow-up period (ending no later than June 30, 2021) occurred after the implementation of Realignment. Realignment had some pronounced effects on CDCR's population, including a large drop in the number of offenders admitted to and released from prison each fiscal year, the composition (e.g., demographics and characteristics) of those offenders, and substantial decreases in one of CDCR's supplemental measures of recidivism: the three-year return-to-prison rate.

²⁵ For more information regarding COVID-19, releases, and departmental updates: <https://www.cdcr.ca.gov/covid19/>

²⁶ Penal Code section 3000.08 remands persons on parole pursuant to section 3000.0, subdivision (b), paragraph (4) to the custody of CDCR. For more information regarding specific sex offenses, please see Penal Code 3000.0(b)(4). For more information regarding decreases to returns to prison for parole violations, please see Section 4.4.

Figure 13. Percentage of Releases by Commitment Offense Category for the Fiscal Year 2007-08 through Fiscal Year 2017-18 Release Cohorts



After Realignment, the arrest and conviction rates for CDCR releases remained fairly stable with minor fluctuations. In contrast, the return-to-prison rate saw a series of substantial decreases, attributed to a decrease in parole violations.²⁷ The small fluctuations observed over the last four release cohorts and the recent decrease observed among the current FY 2017-18 release cohort indicate stability in the return-to-prison rate.

Proposition 47

Proposition 47 was passed by California voters in November 2014 and reduced penalties for certain non-serious, non-violent property and drug crimes by mandating a misdemeanor sentence instead of a felony. It also allowed offenders serving sentences in prison for felony offenses to petition the courts for resentencing under new sentencing provisions.²⁸ Proposition 47 was implemented in November 2014

²⁷ With the exception of offenders previously sentenced to a life term (lifers) and some sex offenders. Penal Code section 3000.08 remands persons on parole pursuant to section 3000.0, subdivision (b), paragraph (4) to the custody of CDCR. For more information regarding specific sex offenses, please see Penal Code 3000.0(b)(4). For more information regarding decreases to returns to prison for parole violations, please see Section 4.4 Type of Return to Prison.

²⁸ More information regarding Proposition 47 may be found at: <https://www.courts.ca.gov/prop47.htm>

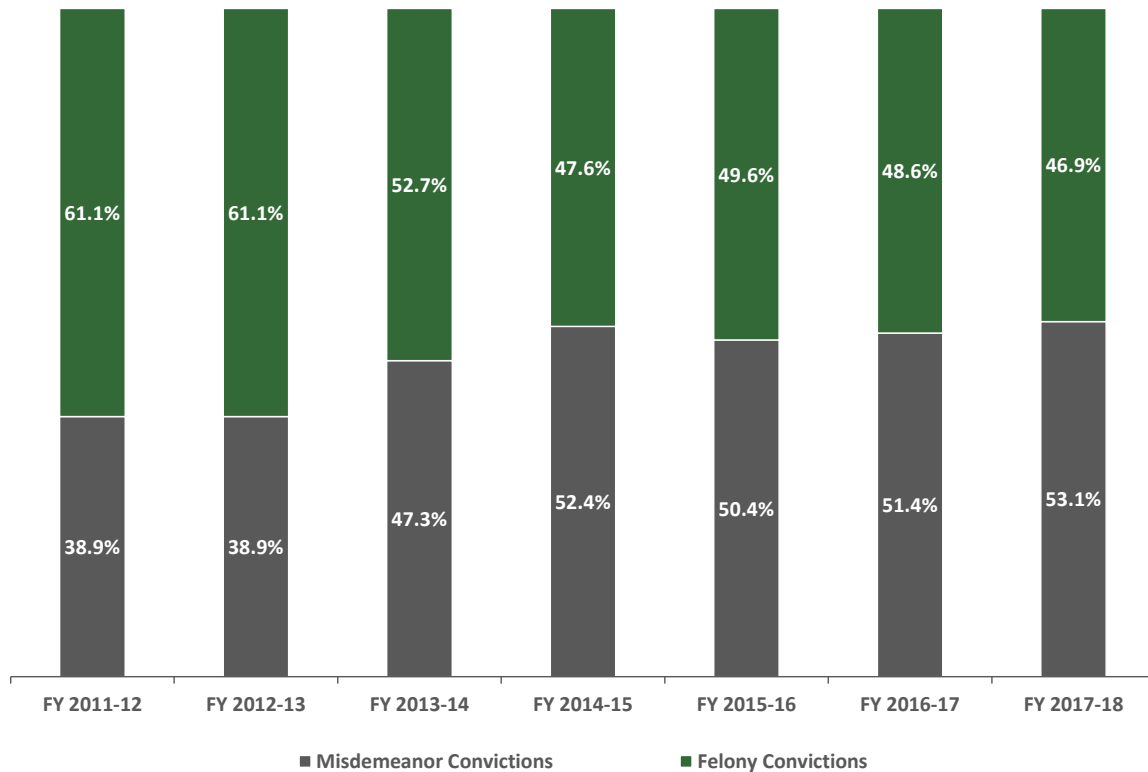
prior to the 2017-18 release cohort's period of release (July 1, 2017 to June 30, 2018) and was active during all of the cohort's three-year follow-up period.

Most offenders eligible under Proposition 47 provisions were resentenced and released during FY 2014-15, shortly after the measure was passed. Twenty-nine offenders belonging to the FY 2017-18 release cohort were released under Proposition 47. Offenders committed to CDCR for property and drug crimes, such as those released under Proposition 47, historically have higher recidivism rates than offenders committed for serious/violent offenses (e.g., crimes against persons). Higher conviction rates were observed among Proposition 47 releases in recent cohorts and may have had the effect of influencing the recidivism rate upward. Proposition 47's influence on the three-year conviction rate has waned as the number of Proposition 47 releases has sharply declined since FY 2014-15.

In addition to resentencing for some offenders, the sentencing provisions of Proposition 47 affected the types of post-release convictions (i.e., felony or misdemeanor). Specifically, the percentage of post-release convictions for felony drug/alcohol crimes decreased and the percentage of misdemeanor drug/alcohol crimes increased. The most substantial decreases in post-release convictions for felony drug/alcohol crimes occurred between the FY 2012-13 and 2013-14 release cohorts (increased 7.6 percentage points) and FY 2013-14 and 2014-15 release cohorts (increased 6.7 percentage points). A similar pattern, though less pronounced, was observed among felony and misdemeanor property crimes that fell under Proposition 47 guidelines. Recent increases in misdemeanor drug/alcohol and property crimes have been gradual since the FY 2014-15 release cohort and indicate the immediate effects of Proposition 47 on post-release convictions has stabilized. Future cohorts may see stability with small fluctuations in terms of the percentage of felony and misdemeanor convictions.

Prior to the passage of Proposition 47, more offenders were convicted of post-release felonies than misdemeanors. With recent decrease in felony drug/alcohol and property crimes and subsequent increases in misdemeanors for the same categories, misdemeanor convictions now comprise a larger percentage of total convictions as shown in Figure 14.

Figure 14. Felony and Misdemeanor Convictions for the Fiscal Year 2011-12 through 2017-18 Release Cohorts



Proposition 57 and Other Correctional Policies and Initiatives

The FY 2017-18 cohort was released during the expansion and implementation of several rehabilitative programs. During the fiscal year, as well as the three-year follow-up period, CDCR made changes to its classification system, allowing for increased program access and expanded vocational, academic, and rehabilitative programs. Additionally, CDCR was in the process of developing the Integrated Substance Use Disorder Treatment (ISUDT) program, which will include comprehensive enhancements to treat substance use disorders among California’s prison population.

Proposition 57 was passed in November 2016 and allows eligible CDCR offenders to earn credits for good behavior and approved rehabilitative and educational achievements.²⁹ Proposition 57 increased the amount of credits that may be earned through the Good Conduct Credit (GCC), and Milestone Completion Credit (MCC) Programs, and also added two new types of credits: Rehabilitative Achievement Credit (RAC) and Educational Merit Credits (EMC). Proposition 57 also established a parole consideration process for determinately sentenced and indeterminately sentenced non-violent

²⁹ More information regarding Proposition 57 and changes to credit earnings may be found at: <https://www.cdcr.ca.gov/proposition57/>

offenders, who serve the full term for their primary criminal offense and demonstrate no current or unreasonable risk to the public.

Since implementation began in May 2017, many changes have been made to the regulations regarding credit earning. That includes which offenders earn credit, how much credit they are earning, availability of rehabilitative program and more. This may alter the effects of Proposition 57 seen in future cohorts. CDCR will continue to monitor the impacts Proposition 57 may have on the composition of CDCR's release cohorts, as well as the three-year return-to-prison rate and type of post-release convictions.

Appendix G: Evaluation Design

Definitions

The State of California defines recidivism as “conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.”³⁰ The definition also allows for supplemental measures of recidivism including new arrests, returns to custody, criminal filings, or supervision violations. In prior reports, CDCR used a supplemental measure, the three-year return-to-prison rate, as the primary measure of recidivism. Commencing with the 2016 Outcome Evaluation Report, CDCR implemented the State of California’s definition of recidivism and used the three-year conviction rate as the primary measure of recidivism.³¹

The three-year conviction rate is defined as follows:

“An individual convicted of a felony and incarcerated in a CDCR adult institution who was released to parole, released to Post-Release Community Supervision, or directly discharged during Fiscal Year 2017-18 and subsequently convicted of a felony or misdemeanor offense within three years of their release date.”

The conviction rate is calculated using the ratio of the number of offenders in the release cohort who were convicted during the follow-up period to the total number of offenders in the release cohort, multiplied by 100.

$$\text{Conviction Rate} = \frac{\text{Number Convicted}}{\text{Release Cohort}} \times 100$$

Appendix E of this report provides supplemental recidivism rates using arrest and return-to-prison data for year-to-year comparisons. Three-year rates for each of the supplemental measures are available from FY 2002-03 through 2017-18. One-year and two-year rates are available for the FY 2018-19 release cohort and one-year rates are available for the FY 2019-20 release cohort.

Methods

This report provides conviction rates at one-, two-, and three-year intervals for offenders released from CDCR’s Division of Adult Institutions (DAI) between July 1, 2017 and June 30, 2018 (FY 2017-18). The release cohort includes: 1) offenders who were directly discharged from CDCR; 2) offenders who were

³⁰ Section 3027 of California Penal Code required the Board of State and Community Corrections to develop a statewide definition of recidivism.

³¹ CDCR’s Recidivism Report series was previously titled the “Outcome Evaluation” report series. The 2018 Recidivism Report followed the 2017 Outcome Evaluation Report. Previous reports were referenced by the calendar year in which they were published (i.e., 2017, 2018).

Commencing with the Recidivism Report for Offenders Released from the California Department of Corrections and Rehabilitation in FY 2014-15, the report title references the fiscal year in which offenders were released from CDCR. All of these reports provide recidivism rates (arrest, conviction, and return-to-prison rates) for offenders released in a given fiscal year, with this current report providing rates for offenders released in FY 2017-18.

released to parole or PRCS for the first time on their current term; and 3) offenders who were released to parole on their current term prior to FY 2017-18, returned to prison on this term and were then re-released during FY 2017-18. Convictions are further examined according to offender demographics (e.g., gender and age) and offender characteristics (e.g., commitment offense and sentence type).

Data Sources

Data were extracted from CDCR's Strategic Offender Management System (SOMS), CDCR's system of record, to identify offenders released between July 1, 2017 and June 30, 2018 and to determine which released offenders returned to state prison during the three-year follow-up period. Arrest and conviction data were obtained from DOJ's Criminal Justice Information System and the California Law Enforcement Telecommunications System.

Data Limitations

Data quality is important with all analyses performed by CDCR's Office of Research. The intent of this report is to provide summary (aggregate) information, rather than individual information. The aggregate data are strong when a large number of records (releases) are available for analysis, but are less robust as subgroups are influenced by nuances associated with each case. Therefore, caution should be exercised when interpreting results associated with fewer records. As such, conviction rates are only presented for offender releases (i.e., denominators) equal to or greater than 30.

Conviction rates are fixed at three years, meaning the follow-up period is considered complete and no further analyses are performed. Arrest, conviction, and return-to-prison data presented in Appendix E of this report may see slight fluctuations, particularly as the one-year and two-year rates are updated in subsequent reporting years. These data are routinely updated in accordance with criminal justice system processing. As data become available, subsequent reports will be updated.

Appendix H: Definition of Terms

Arrest

Taking a person into custody, in a case and in the manner authorized by the law, California Penal Code (PC) section 834.

California Static Risk Assessment (CSRA)

The CSRA is a validated risk assessment tool that utilizes demographic and criminal history data to predict an offender's risk of conviction at the time they are released from CDCR. The tool produces a risk number value that will predict the likelihood that an offender will incur a conviction within a three-year period after release from CDCR. Risk categories designated by the CSRA include low, moderate, and high (high includes high-risk drug, high-risk property, and high-risk violence).

Cohort

A group of individuals who share a common characteristic, such as all offenders who were released during a given fiscal year.

Commitment Offense Category

Refers to the category of offense (property crimes, drug crimes, other crimes, and crimes against persons) that an offender committed prior to their release from in Fiscal Year 2017-18.

Controlling Crime or Commitment Offense

The most serious offense for which the offender was sentenced to prison on that term.

Conviction

A judgment, based either on the verdict of a jury or a judicial officer or on the guilty plea of the defendant that the defendant is guilty.

Correctional Clinical Case Management System (CCCMS)

The CCCMS facilitates mental health care by linking offenders/patients to needed services and providing sustained support while accessing such services. CCCMS services are provided to inmate-patients whose condition is relatively stable and whose symptoms are largely controlled in an outpatient setting with the general population at all institutions.

Correctional Offender Management for Profiling Alternative Sanctions (COMPAS)

The COMPAS is a tool utilized to determine an offender's need in areas such as substance abuse, criminal thinking, and education. Offenders are categorized as having no need, a probable need, or a highly probable need for services and treatment.

County of Release

The county to which an offender is released. Conviction rates by county should be interpreted with caution as offenders may leave the county to which they are released and may be convicted in a county other than their county of release.

Determinate Sentencing Law (DSL)

Established by Penal Code section 1170 in 1977, Determinate Sentencing Law identifies a specified sentence length for convicted felons who are remanded to state prison. Essentially, three specific terms of imprisonment (low, middle, and high) are assigned for crimes, as well as enhancements (specific case factors that allow judges to add time to a sentence). Opportunities to earn “credits” can reduce the length of incarceration.

Direct Discharge

A direct discharge is a release status for offenders that are released directly from prison and do not receive parole supervision or Post-Release Community Supervision.

Enhanced Outpatient Program (EOP)

A mental health services designation for mentally disordered inmate-patients receiving treatment at a level similar to day treatment services for patients who have shown an inability to function in the General Population. EOP provides a setting that is less restrictive than inpatient, but more intensive than CCCMS. The inmate-patients assigned to the EOP level of care do not require nursing care and are often transitioning from inpatient care and or may have a serious mental illness that is of long duration with moderate to severe and persistent functional impairment(s).

Gender

Gender is utilized to distinguish between data reported for males and females.

Indeterminate Sentencing Law (ISL)

Established by Penal Code section 1168 in 1917, the Indeterminate Sentencing Law allowed judges to determine a range of time (minimum and maximum) a convicted felon would serve. Different felons convicted for the same crimes could spend varying lengths of time in prison; release depended on many factors, including each prisoner’s individual conduct in prison. After the minimum sentence passed, felons were brought to a parole board to identify the actual release date. Indeterminate Sentencing was replaced by Determinate Sentencing (Penal Code section 1170) in 1977. After the implementation of Determinate Sentencing, only individuals with life sentences and third strikers are considered “indeterminately” sentenced since the parole board determines their release.

Inpatient Care

A mental health services designation for inmate patients whose conditions cannot successfully be treated in an outpatient setting or through short-term Mental Health Crisis Bed placement. Patients may require acute or intermediate levels of care, available at some prisons and State Hospitals.

Lifer

A lifer is a term used to refer to an offender sentenced under Indeterminate Sentencing Law to an indeterminate term. A lifer may or may not be eligible for parole.

Length of Stay

The length of time an offender spends in prison during a prison term. Typical lengths of stay range from zero to six months up to 15 years or more.

Manual California Static Risk Assessment (CSRA)

Offenders who do not have automated criminal history data from the Department of Justice (DOJ) must have their CSRA score calculated manually. Calculations are completed with a review of a paper copy of the offender's rap sheet.

Mental Health Crisis Bed (MHCB)

A mental health service designation for inmate patients that provides short-term treatment (usually less than 10 days) for severe episodes of psychiatric distress or mental disorder.

Parole

A period of conditional supervised release following a prison term. Prior to Public Safety Realignment, almost all offenders released from CDCR were placed on state parole supervision after their release. After Public Safety Realignment, most serious or violent offenders, high-risk sex offenders, and offenders released after serving a life term are released to CDCR parole supervision, and most non-serious, non-violent, non-sex registrant offenders are released to county supervision.

Parole Violation (Law or Technical)

A parole law violation occurs when a parolee commits a crime while on parole and returns to CDCR custody (RTC) by action of the Board of Parole Hearings rather than by prosecution in the courts. A technical violation occurs when a parolee violates a condition of his/her parole that is not considered a new crime and returns to CDCR custody.

Parole Violator Returning with a New Term (PV-WNT)

A parolee who receives a court sentence for a new crime committed while under parole supervision and is returned to prison. Realignment changed the parole revocation process so that only offenders previously sentenced to a life term (lifers) and some sex offenders can be revoked to prison. The vast majority of parole violations are served in county jail.

Post Release Community Supervision (PRCS)

Post Release Community Supervision is a form of supervision provided to an offender who has been released from a CDCR institution to the jurisdiction of a county agency, pursuant to the Post Release Community Supervision Act of 2011. Prior to Public Safety Realignment, almost all offenders released from CDCR were placed on state parole supervision after their release. After Public Safety Realignment, most non-serious, non-violent, and non-sex registrant offenders are released to PRCS.

Proposition 47

Proposition 47, The Safe Neighborhoods and Schools Act, was passed on November 5, 2014 and reclassified certain theft and drug offenses from felonies to misdemeanors. Proposition 47 also allowed offenders serving sentences in prison for felony offenses to petition the courts for resentencing under new misdemeanor provisions. It also allowed offenders who completed their sentences for felony convictions to apply to reclassify those convictions to misdemeanors.

Proposition 57

Proposition 57, the Public Safety and Rehabilitation Act of 2016 was passed into law on November 8, 2016. Proposition 57 increased the number of non-violent offenders eligible for parole consideration and allowed for parole consideration after an offender served the full term of their sentences for the primary offense. Proposition 57 also authorized CDCR to award sentence credits for rehabilitation, good behavior, or educational achievements. Proposition 57 also allows juvenile court judges the authority to determine whether juveniles age 14 and over should be sentenced as adults for specific offenses.

Race/Ethnicity

The race/ethnicity categories are used to describe specific sub-populations of CDCR. The categories CDCR use for reporting include American Indian/Alaskan Native, Hispanic/Latino, White, Black/African American, Asian/Pacific Islander and Other.

Recidivism

Conviction of a new felony or misdemeanor committed within three years of release from custody. Convictions are CDCR's primary measure of recidivism.

Registered Sex Offender

An offender is designated as a registered sex offender if CDCR records show that the offender has at some point been convicted of an offense that requires registration as a sex offender under Penal Code section 290. This designation is permanent in CDCR records.

Release Type

Release type refers to the type of release an offender is categorized under and includes direct discharge, parole or PRCS.

Return-to-Prison

An individual convicted of a felony and incarcerated in a CDCR adult institution who was released to parole, discharged after being paroled, or directly discharged during FY 2015-16 and subsequently returned to prison within three years of their release date.

Second Strikers

An inmate who has a prior serious or violent felony conviction pled and proven in court and who is convicted of any new offense, which results in the new term being doubled.

Sentence Type

The type of sentence an offender is categorized under, such as determinate sentences (including second strikers) and indeterminate sentences (including third strikers, lifers and condemned inmates). For the purposes of this report, offenders are categorized as sentenced under Determinate Sentencing Law, Indeterminate Sentencing Law (Lifers), Second Strike Offenders, or Proposition 47 Releases. Proposition 47 changed some offenses from felonies to misdemeanors, which affected the sentence type of some offenders.

Serious Felony Offenses

Serious felony offenses are specified in Penal Code section 1192.7(c) and Penal Code section 1192.8

Stay

A stay is any period of time an offender is housed in a CDCR institution. Each time an offender returns to prison, it is considered a new stay, regardless of the reason for returning.

Substance Use Disorder Treatment (SUDT)

The SUDT refers to treatment programs offered in the prison or aftercare setting for substance use.

Term

A term is a sentence an offender receives from a court to be committed to CDCR for a length-of-time. If an offender is released after serving a term and is later returned-to-prison for a parole violation, the offender returns and continues serving the original (current) term. If that offender returns for committing a new crime, the offender begins serving a new term.

Violent Felony Offense

Violent felony offenses are specified in Penal Code section 667.5(c).



**California Department of Corrections and Rehabilitation
Division of Correctional Policy Research and Internal Oversight
Office of Research**

EXHIBIT 3



California Department of Corrections and Rehabilitation

RECIDIVISM REPORT FOR OFFENDERS RELEASED FROM THE CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION IN FISCAL YEAR 2016-17

Division of Correctional Policy Research and Internal Oversight

OFFICE OF RESEARCH | APRIL 2023



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Executive Summary

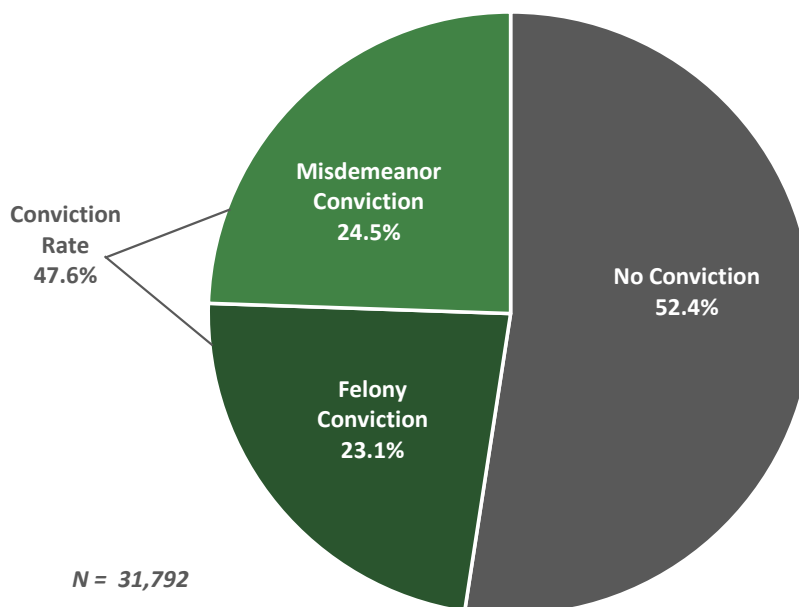
The California Department of Corrections and Rehabilitation (CDCR) examines recidivism outcomes (arrest, conviction, and return-to-prison rates) for offenders released from CDCR's adult institutions over a given fiscal year. This report presents recidivism rates for the 31,792 offenders released between July 1, 2016 and June 30, 2017 (Fiscal Year 2016-17). CDCR tracks offenders for three years following the date of their release. The three-year conviction rate is used as CDCR's primary measure of recidivism, while arrests and returns to prison are provided as supplemental measures of recidivism.

In addition to examining overall recidivism rates and the impact of recent policies and initiatives, this report provides the type and timing of post-release convictions and recidivism rates by offender demographics (e.g., age, race/ethnicity) and characteristics (e.g., sentence type, length of stay).

Recidivism Rates for Offenders Released During Fiscal Year 2016-17

The three-year conviction rate for the 31,792 offenders who comprised the Fiscal Year (FY) 2016-17 release cohort was 47.6 percent.¹ As shown in Figure A, 52.4 percent of the release cohort (16,669 offenders) had no convictions within three years of their release from prison, 23.1 percent (7,347 offenders) were convicted of a felony offense, and 24.5 percent (7,776 offenders) were convicted of a misdemeanor offense.

Figure A. Three-Year Outcomes for the Fiscal Year 2016-17 Release Cohort

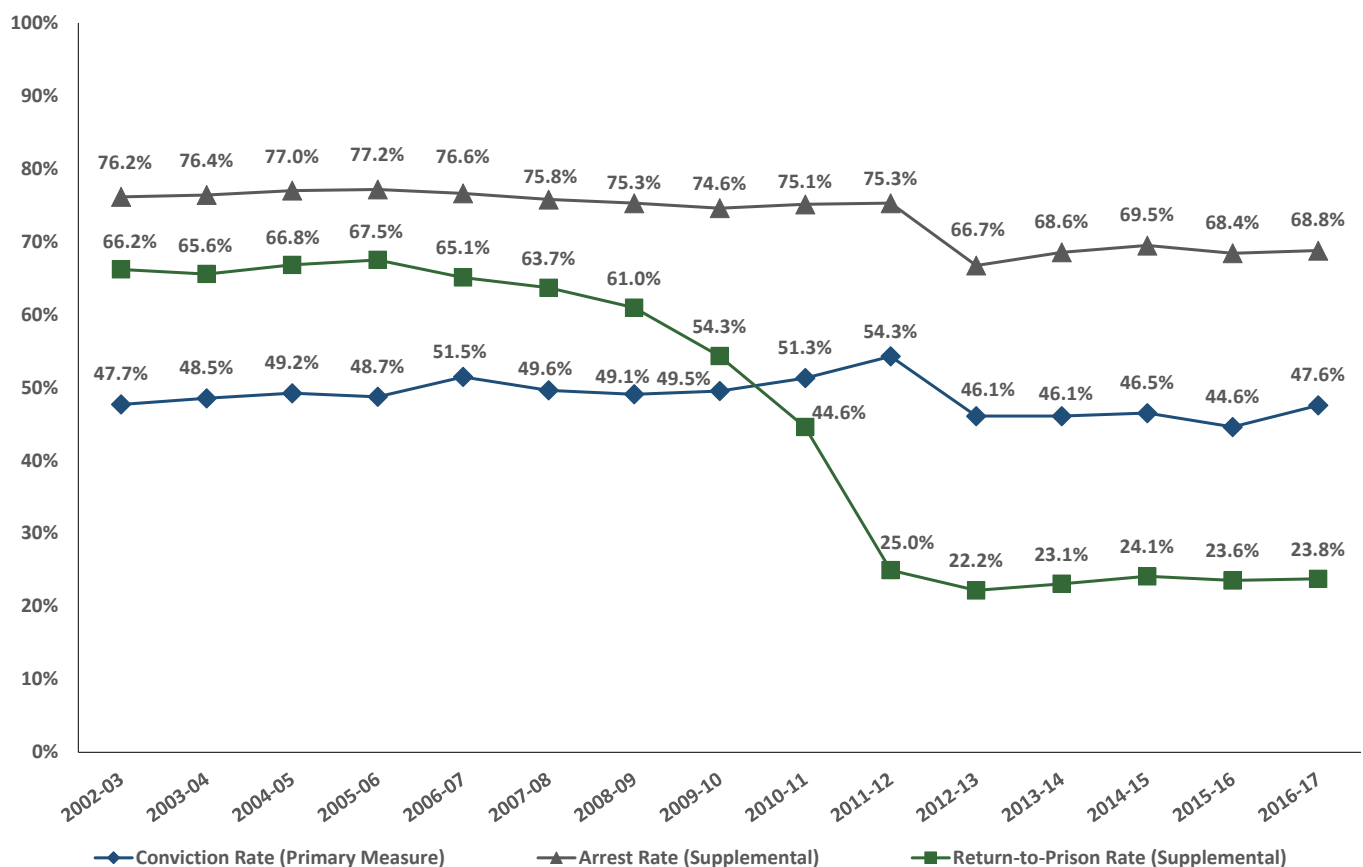


¹ During Fiscal Year 2016-17, a total of 31,975 offenders were released from a CDCR adult institution. Of these offenders, 31,792 offenders had a Department of Justice (DOJ) automated rap sheet. Arrest and conviction data only include the 31,792 offenders with an automated rap sheet, and return-to-prison data include all 31,975 offenders released from prison.

The three-year conviction rate increased by 3.0 percentage points (from 44.6 percent to 47.6 percent) between the FY 2015-16 and 2016-17 release cohorts (Figure B). After reaching a high of 54.3 percent with the FY 2011-12 release cohort and subsequently declining to 46.1 percent with the FY 2012-13 release cohort, the three-year conviction rate has been relatively stable with small fluctuations (increases and decreases). Following a slight increase with the FY 2014-15 release cohort, the three-year conviction rate declined to 44.6 percent with the FY 2015-16 release cohort before reaching the current rate of 47.6 percent.

Arrests and returns to prison, which are supplemental measures of recidivism, also saw slight increases between the FY 2015-16 and 2016-17 release cohorts, as shown in Figure B. The three-year arrest rate increased by less than one percentage point (from 68.4 percent to 68.8 percent), and the three-year return-to-prison rate also increased by less than one percentage point (from 23.6 percent to 23.8 percent). Similar to the conviction rate, the arrest rate has been relatively stable over the reporting years, while the return-to-prison rate has seen substantial decreases due to a sharp decline in the number of offenders returning to prison for parole violations.²

Figure B. Three-Year Arrest, Conviction, and Return-to-Prison Rates for the Fiscal Year 2002-03 through 2016-17 Release Cohorts



² For detailed information regarding the impact of Public Safety Realignment on parole violations, please see Appendix F Correctional Policies and Initiatives.

The recent increases and decreases in the three-year conviction rate illustrate the nature of recidivism rates, which tend to fluctuate due to a number of complex factors, including the implementation of correctional policies and initiatives, and the demographics and characteristics associated with a particular release cohort. The increase observed with the FY 2014-15 release cohort was largely attributed to the resentencing and release of 4,111 drug and property offenders under Proposition 47.³ Characterized by a high recidivism rate, these offenders influenced the overall three-year conviction rate of the FY 2014-15 release cohort upward (46.5 percent). A much smaller number of Proposition 47 releases in FY 2015-16 and a larger proportion of offenders convicted of crimes against persons, which associated with lower recidivism rates, influenced the three-year conviction downward when it reached the lowest rate (44.6 percent) since reporting began (Figure B).

Some of the recent increase (3.0 percentage points) in the three-year conviction rate between the FY 2015-16 and 2016-17 release cohorts may be attributed to an increase in convictions among offenders released from CDCR to Post-Release Community Supervision (PRCS). Between the two fiscal years, the three-year conviction rate for PRCS offenders increased 5.5 percentage points (from 49.0 percent to 54.5 percent). The rate for offenders released to parole slightly increased between FY 2015-16 and 2016-17 (from 39.9 percent to 40.4 percent).

Offenders released to PRCS comprised over half of the release cohort and typically have higher recidivism rates than offenders released to parole.⁴ A cohort with a large percentage of offenders characterized by a high rate of recidivism can influence the statewide conviction rate upward. The recent uptick in the conviction rate for PRCS offenders was one factor contributing to the overall increase in the statewide conviction rate.

An examination of the three-year conviction rate by offender demographics (e.g., age, race/ethnicity) and characteristics (e.g., commitment offense category, length of stay) shows general increases among certain groups of offenders, particularly non-serious and non-violent drug and property offenders (Appendix D). The rate increased 5.1 percentage points (from 49.1 percent to 54.2 percent) for non-serious/non-violent offenders, 5.9 percentage points (from 53.3 percent to 59.2 percent) for offenders committed for property crimes, and 4.0 percentage points (from 43.4 percent to 47.4 percent) for offenders committed for drug crimes between the FY 2015-16 and 2016-17 release cohorts (Appendix D).

³ The Fiscal Year 2014-15 release cohort had a three-year conviction rate of 46.5 percent, which represented an increase from one year prior. Part of the increase was attributed to the release of 4,111 (ten percent of the total release cohort) drug and property offenders released as a result of Proposition 47. These offenders had a three-year conviction rate of 59.8 percent, which likely influenced the rate upward. Conversely, the FY 2015-16 release cohort had 364 Proposition 47 releases and although their rate was high (52.7 percent), they likely had little influence on the overall conviction rate of 44.6 percent. The Fiscal Year 2015-16 release cohort also had a high proportion of offenders committed to prison for crimes against persons, which are associated with low rates of recidivism. These two factors (fewer Proposition 47 releases and a greater number of offenders committed for crimes against persons) likely contributed to the decline observed between the two fiscal years.

⁴ For detailed information, please see Section 3.1. PRCS offenders are comprised of larger percentages of offenders who were committed to prison for drug and property crimes, which are associated with high recidivism rates. A large percentage of offenders released to parole are convicted of crimes against persons, which are associated with low recidivism rates. Crimes against persons tend to be more serious or violent than drug and property crimes and are often associated with lower recidivism rates.

Increases in the three-year conviction rate were far less pronounced among more serious and violent offenders and in some cases decreases were observed between the FY 2015-16 and 2016-17 release cohorts. The three-year conviction rate increased 1.4 percentage points (from 39.8 percent to 41.2 percent) for offenders committed for crimes against persons, 1.9 percentage points (from 47.7 percent to 49.6 percent) for offenders committed for a serious offense, and by less than one percentage point (from 29.4 percent to 29.6 percent) for offenders committed for a violent offense. The three-year conviction rate for offenders sentenced to an indeterminate term (lifers) decreased by 1.3 percentage points (from 3.2 percent to 1.9 percent) between the Fiscal Year 2015-16 and 2016-17 release cohorts (Appendix D).

Overall, the most substantial increases in the three-year conviction rate were concentrated among non-serious and non-violent property and drug offenders.⁵ Subtle increases and decreases in the three-year conviction rate were observed among more serious and violent offenders committed to CDCR for crimes against persons. Continued fluctuations in the recidivism rate are expected, as the impacts of Proposition 57 and the COVID-19 pandemic influence post-release outcomes.

Since the passage of Proposition 47, more offenders are convicted of misdemeanor offenses (51.4 percent of all convictions) than felonies after their release from prison (48.6 percent of all convictions).⁶ When examining the type of post-release conviction for the 15,123 offenders who were convicted, the largest percentage of offenders were convicted of misdemeanor drug/alcohol crimes (21.2 percent), followed by felony crimes against persons (15.7 percent). The type of post-release convictions are relatively similar for offenders released to PRCS and parole, despite the higher overall conviction rate among offenders released to PRCS. Most convictions occur during the first and second year of the three-year follow-up period for each release type.

CDCR will continue to examine the arrest, conviction, and return-to-prison rates of offenders released from CDCR during each fiscal year. As data pertaining to Proposition 57 and the COVID-19 pandemic become available, CDCR will study these rates to better understand recidivism and the influence of policies and programming on recidivism outcomes.

⁵ When the overall statewide recidivism rate increases or decreases, generally, similar changes are observed in the three-year conviction rate for most categories of demographics and characteristics (Appendix B). A 17.1 percentage point increase in the three-year conviction rate among offenders released to San Diego County was observed between FY 2015-16 and 2016-17 (from 29.9 percent to 47.0 percent). San Diego accounts for seven percent of offenders released from CDCR and although the rate increase appears substantial, the rate was markedly low one year prior (29.9 percent) and had little overall effect on the statewide recidivism rate. When the 2,169 offenders released from San Diego County are removed from the calculation of state's three-year conviction rate, it remains the same at 47.6 percent, indicating minimal effect on the rate.

⁶ Proposition 47 reduced penalties for certain non-serious, non-violent property and drug crimes by mandating a misdemeanor sentence instead of a felony. As a result, the number of felony convictions for property and drug crimes has decreased. Conversely, the number of misdemeanor convictions for the same crimes has increased. For more information, please see Appendix F.

Key Findings

Three-Year Recidivism Rates

- The three-year conviction rate for the 31,792 offenders released from CDCR between July 1, 2016 and June 30, 2017 was 47.6 percent, which is an increase of 3.0 percentage points compared to one year before (44.6 percent).
- The increase in the recidivism rate between the last two fiscal years is attributed to several factors, including an increase in the three-year conviction rate among offenders released to PRCS, who comprise over half of the release cohort. The three-year conviction rate for offenders released to PRCS increased by 5.5 percentage points between FY 2015-16 and 2016-17 (from 49.0 percent to 54.5 percent) and by 0.5 percentage points for offenders released to parole (from 39.9 percent to 40.4 percent).
- Supplemental measures of recidivism (arrests and returns to CDCR) saw slight increases between FY 2015-16 and 2016-17: the three-year arrest rate increased from 68.4 percent to 68.8 percent and the three-year return-to-prison rate increased from 23.6 percent to 23.8 percent.
- The most substantial increases in the three-year conviction rate were concentrated among non-serious and non-violent property and drug offenders. Subtle increases (and in some cases, decreases) in the three-year conviction rate, were observed among more serious and violent offenders committed to CDCR for crimes against persons.

Type of Post-Release Conviction

- Of the 31,792 offenders in the Fiscal Year 2016-17 release cohort, 52.4 percent (16,669 offenders) had no convictions, 23.1 percent (7,347 offenders) had a felony conviction, and 24.5 percent (7,776 offenders) had a misdemeanor conviction.
- Approximately half of the 15,123 total convictions were felony convictions (48.6 percent) and 51.4 percent were misdemeanor convictions. The largest percentage of those convicted (21.2 percent or 3,202 offenders) were convicted of misdemeanor drug/alcohol crimes.
- The type of post-release conviction is similar for offenders released to PRCS or parole: misdemeanor convictions for misdemeanor drug/alcohol crimes comprised the largest percentage of post-release convictions, followed by felony crimes against persons.

Conviction Rates by Offender Demographics and Characteristics

- While offenders ages 18 to 19 years old represent less than one percent of releases, their three-year conviction rate was the highest among all age groups (73.3 percent or 181 offenders). Offenders ages 60 and over had the lowest conviction rate of all age groups (18.3 percent or 193 offenders).

- Non-serious, non-violent offenders had a higher three-year conviction rate at 54.2 percent (9,377 offenders) compared to serious offenders at 49.6 percent (3,600 offenders) and violent offenders at 29.6 percent (2,146 offenders).
- Offenders originally committed for property crimes had the highest three-year conviction rate of all offense categories (59.2 percent or 3,758 offenders), followed by offenders committed for other crimes (51.4 percent or 3,467 offenders), and drug crimes (47.4 percent or 1,452 offenders). Offenders committed for crimes against persons had the lowest conviction rate (41.2 percent or 6,446 offenders) of all categories.
- The three-year conviction rate for non-sex registrants was 49.3 percent (14,142 offenders), while the rate for sex registrants was 31.3 percent (981 offenders).

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

RECIDIVISM REPORT FOR OFFENDERS RELEASED IN FISCAL YEAR 2016-17

1 Introduction

The California Department of Corrections and Rehabilitation (CDCR) presents the Recidivism Report for Offenders Released in Fiscal Year (FY) 2016-17, part of an annual series, which examines recidivism outcomes (arrests, conviction, and return-to-prison rates) for offenders released from CDCR adult institutions over the course of a given fiscal year. This year's report presents recidivism rates for the 31,792 offenders released from CDCR's adult institutions between July 1, 2016 and June 30, 2017 (Fiscal Year 2016-17). Consistent with earlier reports published by CDCR, all offenders released from an adult institution over the course of the fiscal year were followed for three years after the date of their release. The three-year conviction rate is CDCR's primary measure of recidivism, while arrests and returns to prison are provided as supplemental measures of recidivism.

The three-year conviction rate for the 31,792 offenders released in FY 2016-17 was 47.6 percent. Section 2 of this report provides further details regarding the conviction rate and a discussion of supplemental measures of recidivism (arrest and return-to-prison rates). Section 3 presents recidivism rates over time and factors that influence recidivism rates. Section 4 presents the type of post-release conviction (i.e., felony or misdemeanor) and the time until conviction for offenders released in FY 2016-17. Section 5 presents a profile of the FY 2016-17 release cohort and the three-year conviction rate by offender demographics (e.g., age, race/ethnicity) and characteristics (e.g., commitment offense category, length of stay).

Detailed tables providing the demographics and characteristics of the current FY 2016-17 release cohort and their conviction rate by demographics and characteristics are provided in Appendix A and B. Appendix C provides conviction rates by county of release. Appendix D provides a comparison of the recidivism rate by demographics and characteristics for both the FY 2015-16 and 2016-17 release cohorts. Appendix E provides historical recidivism rates for the FY 2002-03 through FY 2016-17 release cohorts and one- and two-year recidivism rates for the upcoming FY 2017-18 and 2018-19 release cohorts. Finally, Appendix F describes recent correctional policies and practices and their influence on post-release outcomes.

Recidivism rates for offenders serving an indeterminate term (lifers) are available in this report and may be found in Appendix B. Previous reports provided type of conviction data for lifers; this data and further recidivism information for offenders released from CDCR after a review or hearing conducted by the Board of Parole Hearings will be available in a supplemental briefing. Additionally, prior reports included tables regarding participation in Substance Use Disorder Treatment (SUDT). These tables and further analysis regarding SUDT will also be available in a supplemental briefing.

In addition to recidivism rates, this report examines the type of recidivism, historical recidivism rates, and recidivism rates by various offender demographics, characteristics, and program participation. The FY 2016-17 release cohort is the fifth post-Public Safety Realignment (Realignment) cohort and the third cohort with offenders released under Proposition 47. Detailed descriptions of each of these policies are provided in Appendix F. Proposition 57 and effects of the COVID-19 pandemic will likely impact the recidivism rates of future CDCR recidivism cohorts. The influence of correctional policies and initiatives on recidivism rates and the type of post-release recidivism will continue to be provided as information is available. CDCR will continue to update arrest, conviction, and return-to-prison data as they become available with the goal of spurring discussion around the best possible ways to reduce recidivism among offenders released from CDCR adult institutions.

2 Statewide Recidivism Rates and Rates by Post-Release Supervision

2.1 Recidivism Rates for the Fiscal Year 2016-17 Release Cohort

Figure 1. One-, Two-, and Three-Year Recidivism Rates for Offenders Released in Fiscal Year 2016-17

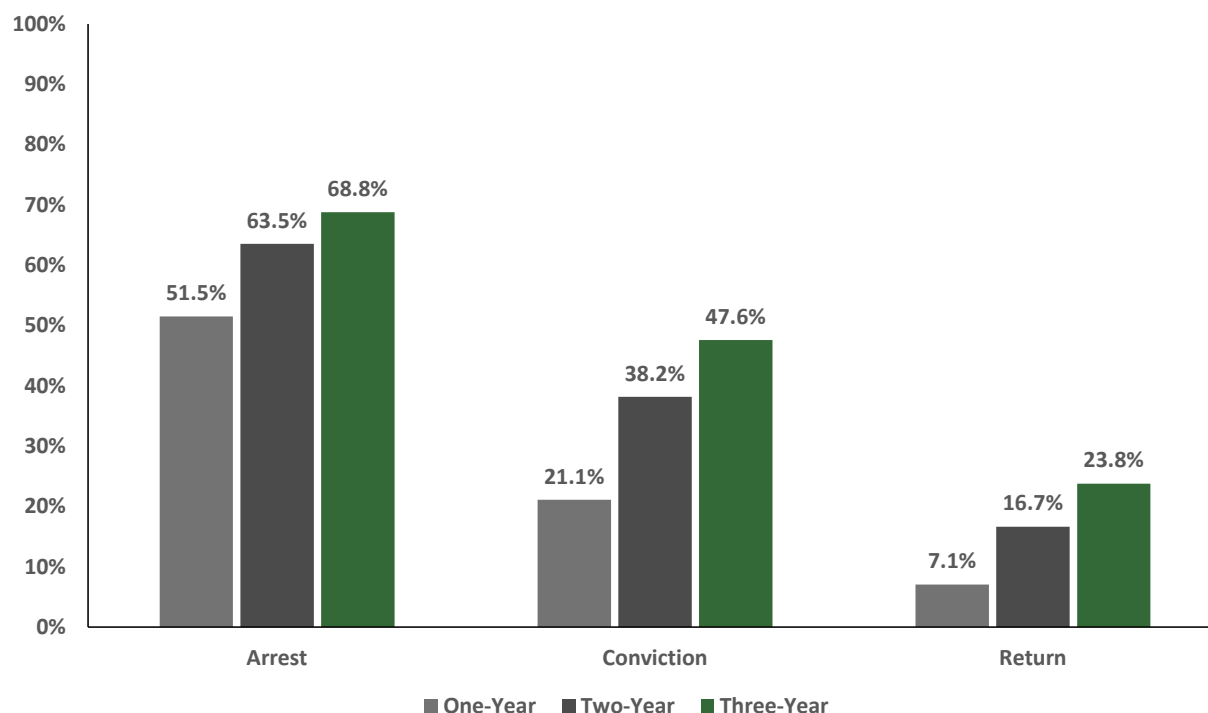


Table 1 provides one-, two-, and three-year arrest, conviction, and return-to-prison rates for the FY 2016-17 release cohort. CDCR's primary measure of recidivism is the three-year conviction rate, while arrests and returns to prison serve as supplemental measures. The three-year conviction rate for the 31,792 offenders released from CDCR during FY 2016-17 was 47.6 percent with 15,123 offenders convicted during the three-year follow-up period.⁷ The three-year arrest rate was 68.8 percent and the three-year return-to-prison rate was 23.8 percent.

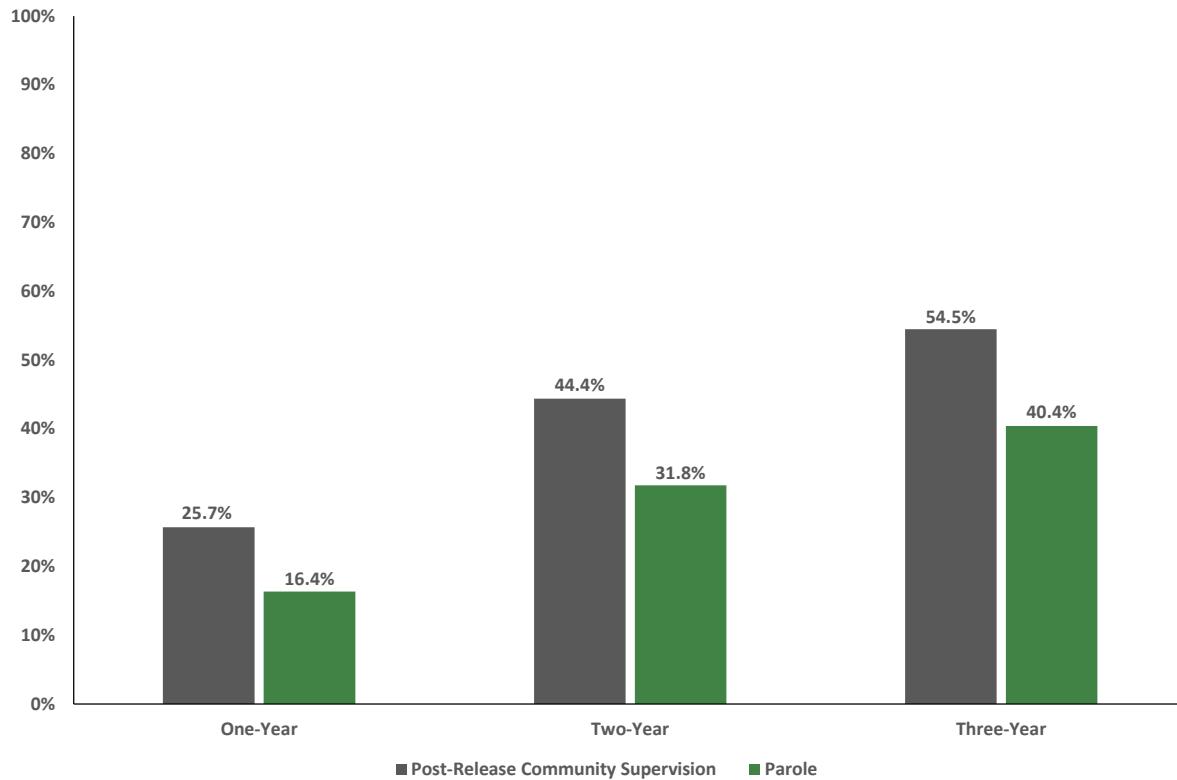
Table 1. One-, Two-, and Three-Year Recidivism Rates for Offenders Released in Fiscal Year 2016-17

Recidivism Type	Total	One-Year		Two-Year		Three-Year	
		Number	Percent	Number	Percent	Number	Percent
Arrest	31,792	16,378	51.5%	20,199	63.5%	21,871	68.8%
Conviction	31,792	6,710	21.1%	12,141	38.2%	15,123	47.6%
Return	31,975	2,255	7.1%	5,324	16.7%	7,607	23.8%

⁷ During FY 2016-17, a total of 31,975 offenders were released from a CDCR adult institution. Of these offenders, 31,792 offenders had a Department of Justice (DOJ) automated rap sheet. Arrest and conviction data only include the 31,792 offenders with an automated rap sheet and return-to-prison data include all 31,975 offenders released from prison.

2.2 Conviction Rates by Type of Post-Release Supervision

Figure 2. Conviction Rates by Type of Post-Release Supervision for Offenders Released in Fiscal Year 2016-17



Offenders released from CDCR are released to either Post-Release Community Supervision (PRCS) or parole, or are directly discharged from prison. Approximately half of the FY 2016-17 release cohort was released to PRCS (50.9 percent) and half to parole (49.0 percent). Typically, few offenders are directly discharged from prison. Due to Proposition 47, the number of offenders directly discharged from prison increased during FY 2014-15 and FY 2015-16 (804 and 67 direct discharges, respectively). Only 22 offenders were directly discharged in FY 2016-17, as the immediate effects of Proposition 47 have subsided (Appendix F).

The three-year conviction rate for offenders released to PRCS was 54.5 percent, which is 14.1 percentage points higher than the rate of offenders released to parole (40.4 percent). A rate was not calculated for offenders directly discharged from prison, as under 30 offenders were directly discharged.

Under Realignment, most non-serious and non-violent offenders who are characterized by a higher risk to reoffend, are released to PRCS. As a result, their three-year conviction rate tends to be higher than offenders released to parole. In general, CDCR advises against making direct comparisons between offenders released to PRCS, parole, and directly discharged from prison. The three groups represent substantially different groups and differences in the demographics and characteristics of each group

may influence the rate either upward or downward. Instead, offenders belonging to one group of releases may be compared to offenders in the same group who were released during a different fiscal year (e.g., offenders released to parole should be compared to other groups of offenders released to parole in an earlier fiscal year).

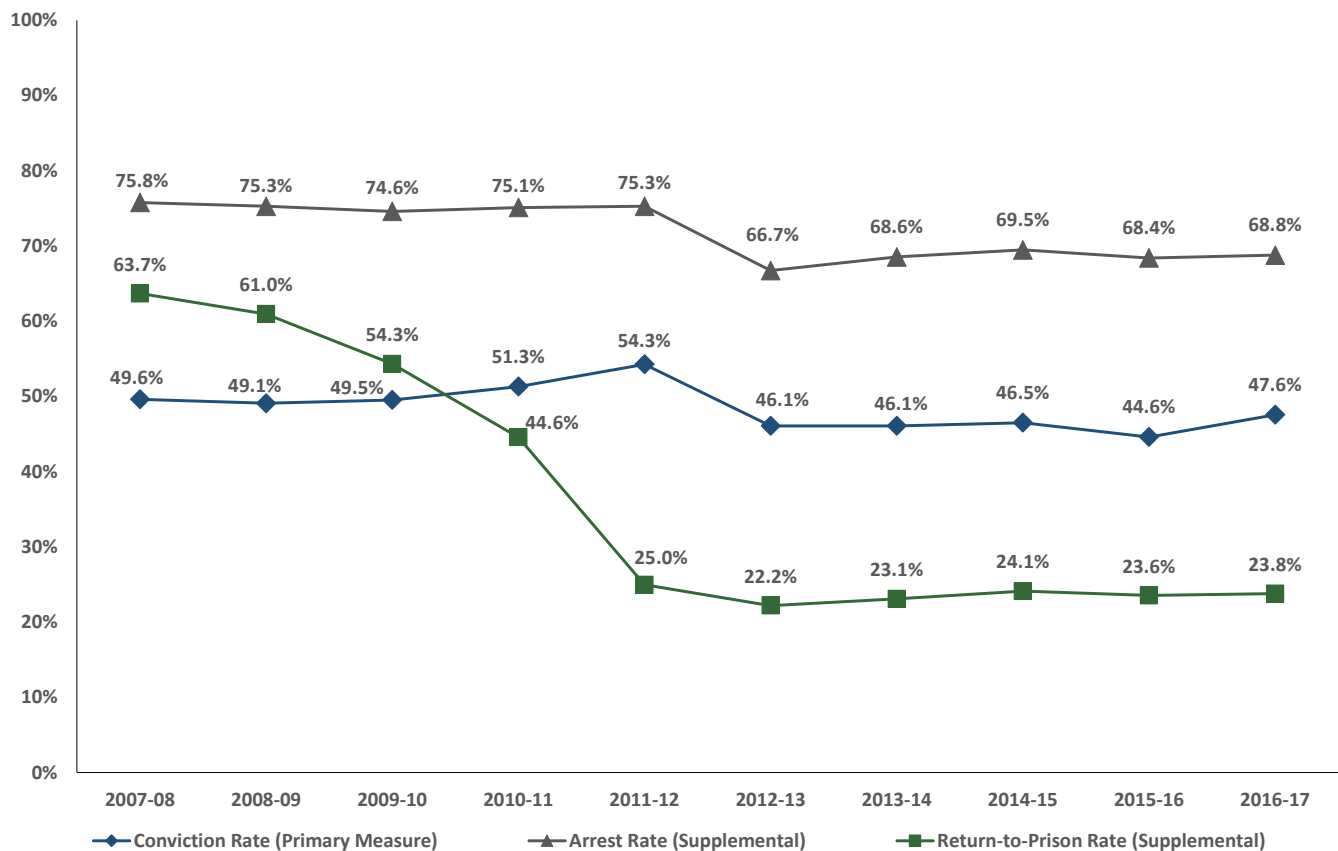
Table 2. Conviction Rates by Post-Release Supervision for Offenders Released in Fiscal Year 2016-17

Type of Post-Release Supervision	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Post-Release Community Supervision	16,184	4,159	25.7%	7,183	44.4%	8,816	54.5%
Parole	15,586	2,549	16.4%	4,952	31.8%	6,298	40.4%
Directly Discharged	22	2	N/A	6	N/A	9	N/A
Total	31,792	6,710	21.1%	12,141	38.2%	15,123	47.6%

3 Recidivism Rates Over Time and Influences on the Statewide Recidivism Rate

Figure 3 shows the three-year arrest, conviction and return-to-prison rates for the FY 2007-08 through 2016-17 release cohorts. In general, the three-year arrest and conviction rates have been stable with small fluctuations. The three-year return-to-prison rate, which saw a series of drastic decreases following the implementation of Realignment, has also seen stability with some fluctuations over the last five cohorts of releases (FY 2011-12 through 2016-17). Detailed tables with one-, two- and three-year arrest, conviction and return-to-prison rates are provided in Appendix E.

Figure 3. Three-Year Arrest, Conviction, and Return-to-Prison Rates for Offenders Released in FY 2007-08 through 2016-17



3.1 Changes in the Conviction Rate

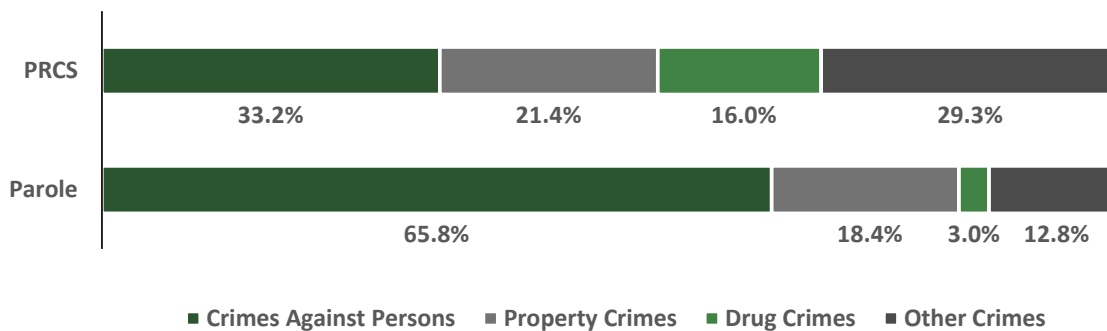
In recent years, the three-year conviction rate has been relatively stable. After reaching a high of 54.3 percent with the FY 2011-12 release cohort, the rate decreased to 46.1 percent with the FY 2012-13 and 2013-14 release cohorts. The rate experienced a small increase (46.5 percent) with the FY 2014-15 release cohort and some of the increase was attributed to the release of 4,111 Proposition 47 drug and property offenders, who are historically associated with higher rates of recidivism (Appendix F). The rate

decreased to 44.6 percent with the FY 2015-16 release cohort, which was comprised of fewer Proposition 47 releases when compared to one year prior.

The three-year conviction rate saw an increase of 3.0 percentage points between the FY 2015-16 release cohort (44.6 percent) and the current FY 2016-17 release cohort (47.6 percent). Although a number of factors contribute to rate fluctuations, some of the recent increase may be attributed to the 5.5 percentage point increase observed in the three-year conviction rate for PRCS releases: from 49.0 percent to 54.5 percent between the FY 2015-16 and 2016-17 release cohorts (Appendix A).

PRCS releases comprise over half of the release cohort and are typically associated with higher rates of recidivism. When a large group of offenders that is characterized by either high or low rates of recidivism comprise a substantial proportion of the total releases, it can have the overall effect of influencing the statewide conviction rate upward or downward. Figure 4 shows a higher proportion of offenders committed for drug and property crimes, which are associated with higher rates of recidivism, are released to PRCS when compared to parole (Section 5 and Appendix B). Conversely, parolees tend to be committed for more serious and violent crimes against persons, which are often associated with lower rates of recidivism. The increase in the three-year conviction rate among PRCS offenders (5.5 percentage points) is notable and likely influenced the overall statewide conviction rate of 47.6 percent upward when compared to one year prior.

Figure 4. Commitment Offense Category for Offenders Released in Fiscal Year 2016-17 to Post-Release Community Supervision and Parole



3.2 Supplemental Measures of Recidivism: Arrests and Returns to CDCR

Supplemental measures of recidivism (arrests and returns to prison) also saw slight increases between the FY 2015-16 and 2016-17 release cohorts (Figure 3). The three-year arrest rate increased by less than one percentage point (from 68.4 percent to 68.8 percent) and the three-year return-to-prison rate increased by less than a percentage point (from 23.6 percent to 23.8 percent). The increases in the arrest and return-to-prison rates followed small declines observed with the FY 2015-16 release cohort. As shown in Figure 3, both supplemental measures have been relatively stable: the arrest rate has been

just under 70 percent for the last five cohorts of releases and the return-to-prison rate has stabilized to just under 25 percent since the series of drastic decreases that occurred after the implementation of Realignment (Appendix F).

4 Type and Timing of Post-Release Recidivism

4.1 Three-Year Outcomes for All Offenders Released from CDCR During Fiscal Year 2016-17

Figure 5. Three-Year Outcomes for Offenders Released in Fiscal Year 2016-17

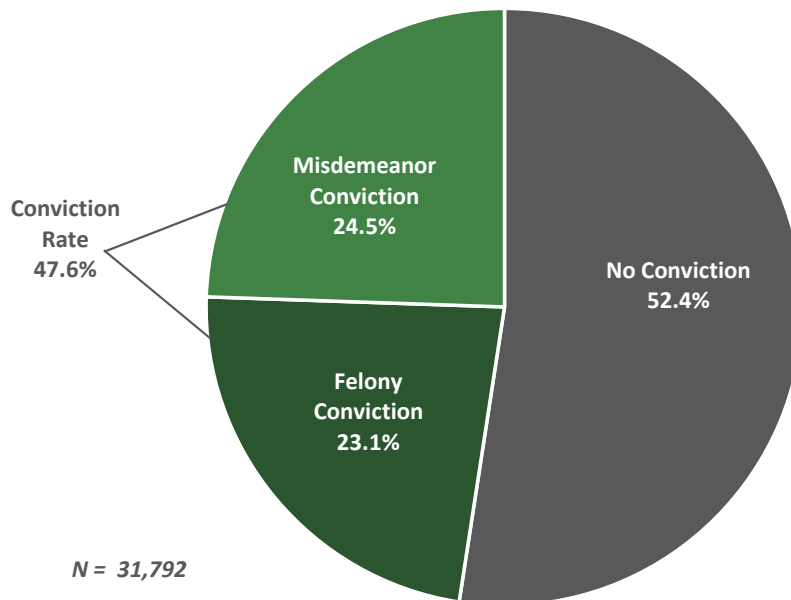


Table 3 shows the type of conviction (i.e., felony or misdemeanor) for the 31,792 offenders released in FY 2016-17.⁸ Over half of the release cohort (52.4 percent or 16,669 offenders) had no convictions during the three-year follow-up period and 49.6 percent (15,123 offenders) had a felony or misdemeanor conviction. Of those convicted during the three-year follow-up period, 23.1 percent (7,347 offenders) were convicted of a post-release felony with felony crimes against persons leading all felony conviction type categories. Approximately a quarter of all releases (24.5 percent or 7,776 offenders) were convicted of misdemeanors after their release from CDCR with misdemeanor drug/alcohol crimes leading all misdemeanor conviction type categories.

⁸ Type of conviction data (i.e., misdemeanor or felony convictions) only include the most serious conviction in the first conviction episode. For instance, if an offender was convicted of a misdemeanor in one conviction episode and subsequently convicted of a felony in another conviction episode, only the misdemeanor conviction is included in this analysis.

Table 3. Three-Year Outcomes for Offenders Released in Fiscal Year 2016-17

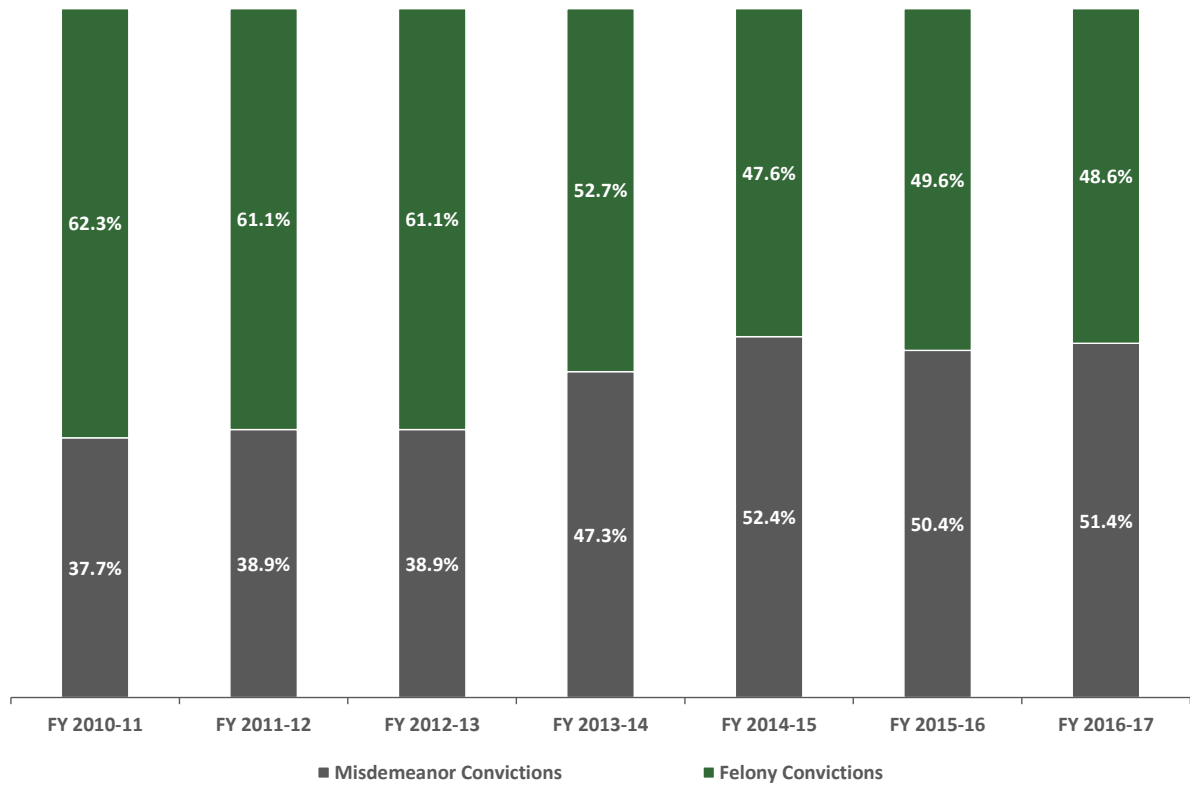
Type of Conviction	FY 2016-17	
	Number	Percent
No Convictions	16,669	52.4%
All Felonies	7,347	23.1%
Felony Crimes Against Persons	2,367	7.4%
Felony Other Crimes	2,193	6.9%
Felony Property Crimes	1,903	6.0%
Felony Drug/Alcohol Crimes	884	2.8%
All Misdemeanors	7,776	24.5%
Misdemeanor Drug/Alcohol Crimes	3,202	10.1%
Misdemeanor Crimes Against Persons	1,838	5.8%
Misdemeanor Property Crimes	1,563	4.9%
Misdemeanor Other Crimes	1,173	3.7%
Total	31,792	100.0%

4.2 Type of Post-Release Conviction for Offenders Convicted During the Three-Year Follow-Up Period

This section includes an examination of the 15,123 offenders in the FY 2016-17 release cohort who were convicted during the three-year follow-up period and excludes the 16,669 offenders who completed the three-year follow-up period without a conviction.

More offenders were convicted of misdemeanor offenses (51.4 percent) than felony offenses (48.6 percent), as shown in Figure 6. An increase in misdemeanor convictions and concurrent decline in felony convictions were observed with the FY 2014-15 release cohort and was largely driven by Proposition 47 (Figure 6), which led to an increase in misdemeanors for drug/alcohol crimes and property crimes that were previously categorized as felonies (Appendix F).

Figure 6. Felony and Misdemeanor Convictions for the Fiscal Year 2010-11 through 2016-17 Release Cohorts



As shown in Table 4, misdemeanor drug/alcohol crimes led each conviction type with over 20 percent of all convictions. The percentage of convictions for misdemeanor drug/alcohol crimes increased one percentage point between the FY 2015-16 and 2016-17 release cohort (from 20.2 percent to 21.2 percent of all convictions). Felony crimes against persons followed misdemeanor drug/alcohol crimes with 15.7 percent of all convictions, although it was stable between the two fiscal years. Most other conviction types (e.g., misdemeanor property crimes, felony drug/alcohol crimes) were stable between the two release cohorts or saw small decreases.

Table 4. Type of Conviction for Offenders Released in Fiscal Year 2015-16 and 2016-17

Type of Conviction	FY 2015-16		FY 2016-17	
	Number	Percent	Number	Percent
All Felonies	7,471	49.6%	7,347	48.6%
Felony Crimes Against Persons	2,368	15.7%	2,367	15.7%
Felony Other Crimes	2,196	14.6%	2,193	14.5%
Felony Property Crimes	1,914	12.7%	1,903	12.6%
Felony Drug/Alcohol Crimes	993	6.6%	884	5.8%
All Misdemeanors	7,588	50.4%	7,776	51.4%
Misdemeanor Drug/Alcohol Crimes	3,045	20.2%	3,202	21.2%
Misdemeanor Crimes Against Persons	1,842	12.2%	1,838	12.2%
Misdemeanor Property Crimes	1,560	10.4%	1,563	10.3%
Misdemeanor Other Crimes	1,141	7.6%	1,173	7.8%
Total	15,059	100.0%	15,123	100.0%

Type of Post-Release Conviction by Post-Release Supervision Type

The types of post-release conviction for offenders released to PRCS and parole are similar. A slightly higher percentage of offenders for both groups were convicted of misdemeanors (51.2 percent for PRCS offenders and 51.8 percent for parolees) than felonies (48.8 percent for PRCS offenders and 48.2 percent for parolees). The largest proportion of offenders for both groups (PRCS and parole) were convicted of misdemeanor drug/alcohol crimes (21.6 percent and 20.6 percent, respectively), followed by felony crimes against persons (14.5 percent and 17.3 percent, respectively).

Although the conviction rate for offenders released to PRCS saw a substantial increase (5.5 percentage points) between FY 2015-16 and 2016-17, the percentage of post-release convictions attributed to each type of conviction was relatively stable. Misdemeanor drug/alcohol crimes saw a slight increase (from 20.5 percent to 21.6 percent of all convictions) while all other categories saw very slight increases and decreases between the two fiscal years.

Table 5. Type of Post-Release Conviction for Offenders Released to Post-Release Community Supervision in Fiscal Years 2015-16 and 2016-17

Releases to PRCs		FY 2015-16		FY 2016-17	
Type of Conviction	Number	Percent	Number	Percent	
All Felonies	4,305	50.3%	4,306	48.8%	
Felony Crimes Against Persons	1,231	14.4%	1,278	14.5%	
Felony Property Crimes	1,165	13.6%	1,180	13.4%	
Felony Drug/Alcohol Crimes	651	7.6%	595	6.7%	
Felony Other Crimes	1,258	14.7%	1,253	14.2%	
All Misdemeanors	4,254	49.7%	4,510	51.2%	
Misdemeanor Crimes Against Persons	993	11.6%	1,060	12.0%	
Misdemeanor Property Crimes	875	10.2%	923	10.5%	
Misdemeanor Drug/Alcohol Crimes	1,756	20.5%	1,902	21.6%	
Misdemeanor Other Crimes	630	7.4%	625	7.1%	
Total	8,559	100.0%	8,816	100.0%	

Table 6. Type of Post-Release Conviction for Offenders Released to Parole in Fiscal Years 2015-16 and 2016-17

Releases to Parole		FY 2015-16		FY 2016-17	
Type of Conviction	Number	Percent	Number	Percent	
All Felonies	3,154	48.7%	3,037	48.2%	
Felony Crimes Against Persons	1,131	17.5%	1,087	17.3%	
Felony Property Crimes	746	11.5%	722	11.5%	
Felony Drug/Alcohol Crimes	340	5.3%	288	4.6%	
Felony Other Crimes	937	14.5%	940	14.9%	
All Misdemeanors	3,319	51.3%	3,261	51.8%	
Misdemeanor Crimes Against Persons	843	13.0%	777	12.3%	
Misdemeanor Property Crimes	683	10.6%	639	10.1%	
Misdemeanor Drug/Alcohol Crimes	1,282	19.8%	1,297	20.6%	
Misdemeanor Other Crimes	511	7.9%	548	8.7%	
Total	6,473	100.0%	6,298	100.0%	

4.3 Time to Conviction for Offenders Convicted During the Three-Year Follow-Up Period

Figure 7. Time Until Conviction for Offenders Released in Fiscal Year 2016-17 and Convicted During the Three-Year Follow-Up Period

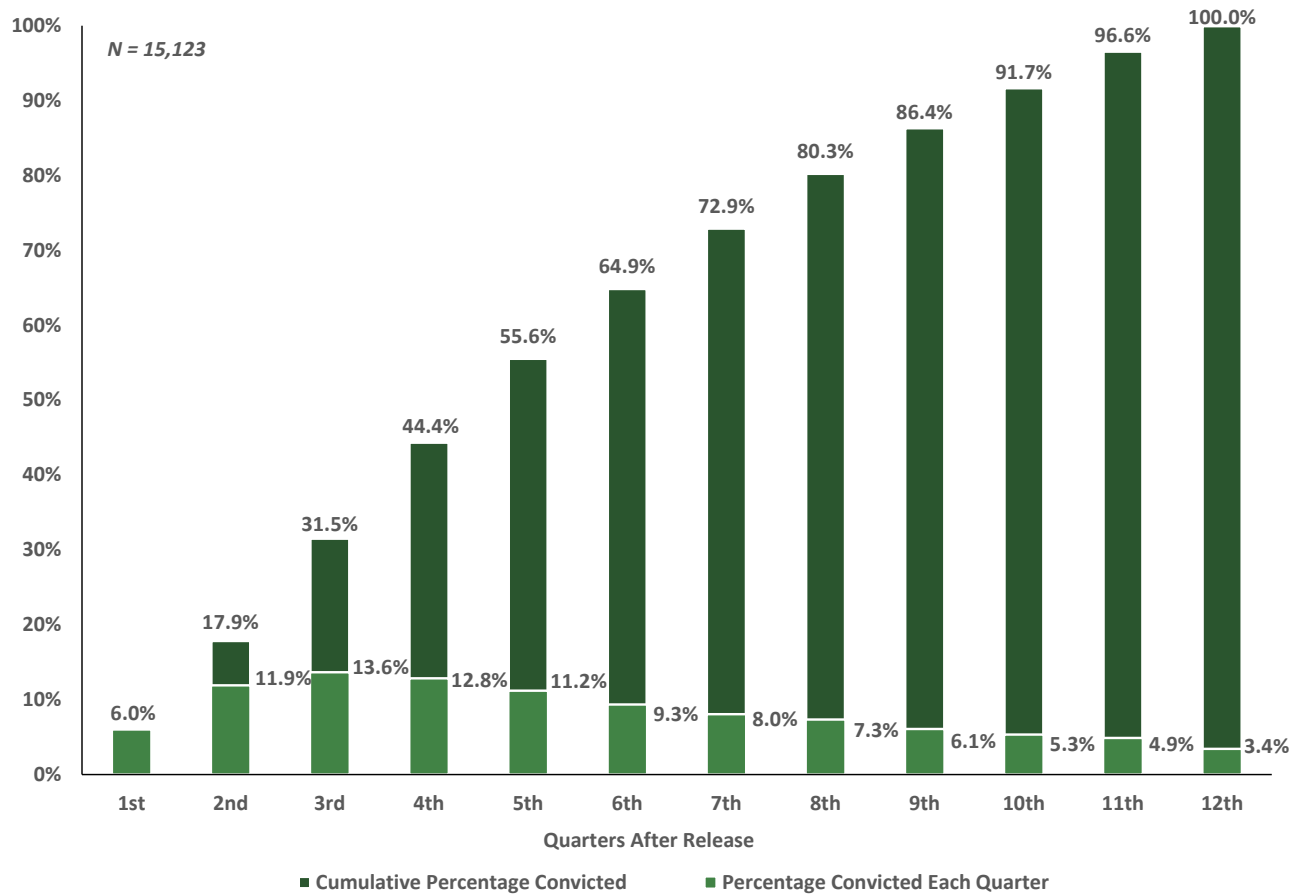


Figure 7 and Table 7 show the percentage and number of offenders who were convicted during each quarter (three-month period) of the three-year follow-up period, as well as the cumulative percentage and number of offenders convicted. Only the 15,123 offenders convicted during the three-year follow-up period are represented in this section to understand how long offenders were in the community before recidivating. The twelfth quarter represents the final, cumulative results (i.e., 100 percent) of the 15,123 offenders that were convicted.

Of the 15,123 offenders convicted during the three-year follow-up period, 44.4 percent were convicted in the first year following their release from CDCR. By year two, 80.3 percent were convicted, and by year three, 100 percent or all 15,123 offenders had been convicted. The largest number of offenders (13.6 percent) were convicted during the third quarter following their release. The fewest number of offenders (3.4 percent) were convicted during the twelfth and final quarter of the follow-up period after their release.

Table 7. Time Until Conviction for Offenders Released in Fiscal Year 2016-17 and Convicted During the Three-Year Follow-Up Period

Quarters After Release	Percentage Convicted	Cumulative Percentage	Number Convicted	Cumulative Number
1	6.0%	6.0%	907	907
2	11.9%	17.9%	1,798	2,705
3	13.6%	31.5%	2,063	4,768
4	12.8%	44.4%	1,942	6,710
5	11.2%	55.6%	1,692	8,402
6	9.3%	64.9%	1,414	9,816
7	8.0%	72.9%	1,216	11,032
8	7.3%	80.3%	1,109	12,141
9	6.1%	86.4%	919	13,060
10	5.3%	91.7%	807	13,867
11	4.9%	96.6%	739	14,606
12	3.4%	100.0%	517	15,123

4.4 Type of Post-Release Arrest and Return-to-Prison

Table 8 shows the type of arrest for the 31,792 offenders released in FY 2016-17. Nearly 10,000 offenders in the release cohort had no arrests during the three-year follow-up period (31.2 percent). Less than one-quarter of the release cohort were arrested for supervision violations (23.2 percent), followed by felonies (22.2 percent), and misdemeanors (19.5 percent). Over ten percent of the release cohort was arrested for misdemeanor drug/alcohol crimes (10.6 percent), followed by felony crimes against persons (7.9 percent).

Table 8. Type of Arrest for Offenders Released in Fiscal Year 2016-17

Type of Arrest	FY 2016-17	
	Number	Percent
No Arrest	9,921	31.2%
All Felonies	7,056	22.2%
Felony Crimes Against Persons	2,524	7.9%
Felony Property Crimes	1,860	5.9%
Felony Other Crimes	1,683	5.3%
Felony Drug/Alcohol Crimes	989	3.1%
All Misdemeanors	6,187	19.5%
Misdemeanor Drug/Alcohol Crimes	3,360	10.6%
Misdemeanor Crimes Against Persons	1,374	4.3%
Misdemeanor Property Crimes	1,135	3.6%
Misdemeanor Other Crimes	318	1.0%
Supervision Violations	7,376	23.2%
Unknown	1,252	3.9%
Total	31,792	100.0%

The vast majority of offenders released from CDCR do not return to prison during the three-year follow-up period. Less than one quarter of all releases (23.8 percent or 7,607 offenders) were returned to prison (Table 9). Crimes against persons led all type of return categories (9.0 percent), followed by property crimes (6.2 percent), other crimes (6.1 percent), and drug crimes 2.4 percent. Following the passage of Realignment, very few offenders are eligible to return to prison for parole violations and only 18 offenders released in FY 2016-17 were returned for parole violations.

Table 9. Type of Return to CDCR for Offenders Released in Fiscal Year 2016-17

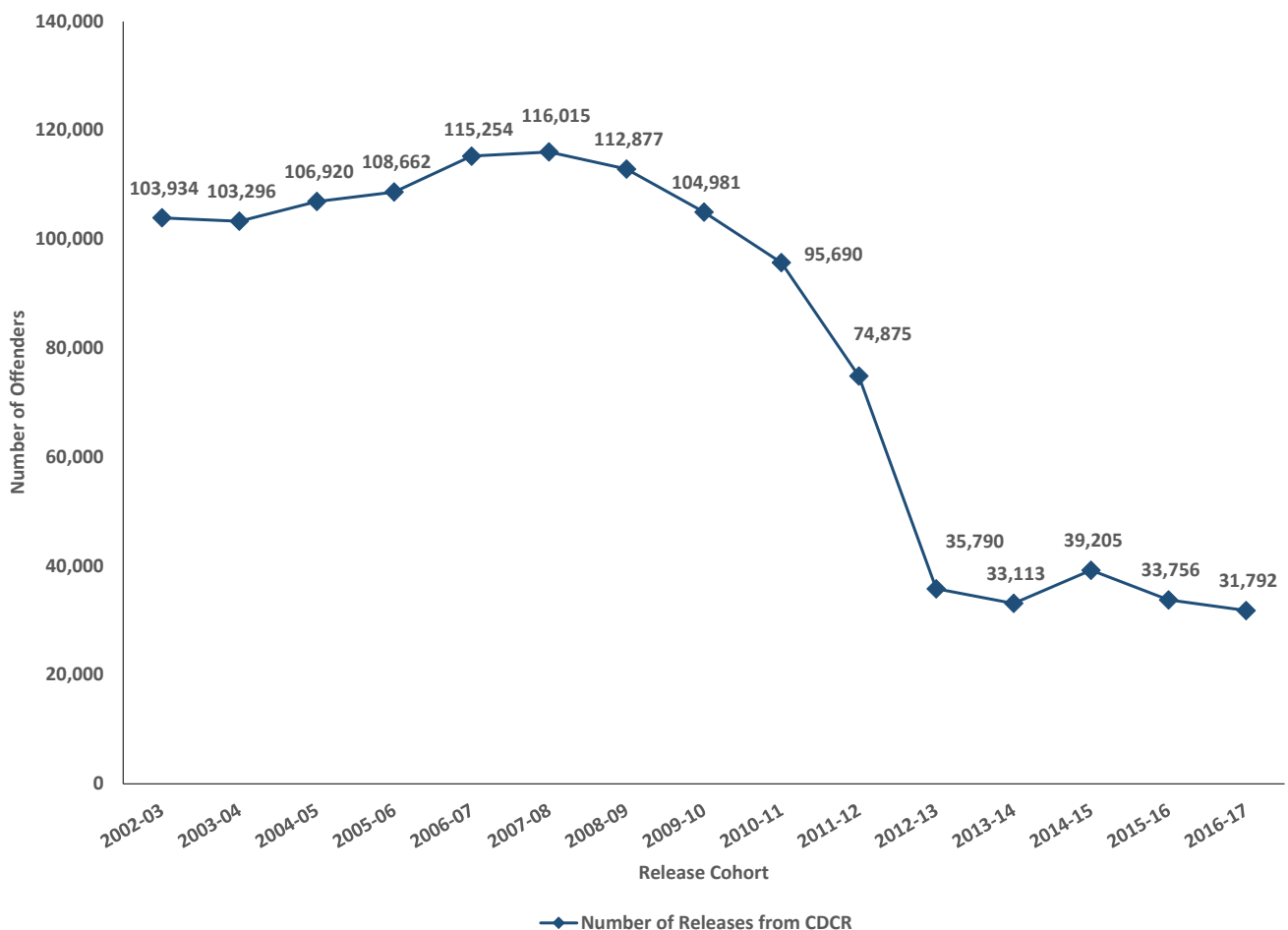
Type of Return	FY 2016-17	
	Number	Percent
Parole Violations	18	0.1%
Crimes Against Persons	2,882	9.0%
Property Crimes	1,995	6.2%
Drug Crimes	766	2.4%
Other Crimes	1,946	6.1%
No Return to Prison	24,368	76.2%
Total	31,975	100.0%

5 Profile of the Fiscal Year 2016-17 Release Cohort

5.1 Number of Offenders Released in Fiscal Years 2002-03 through 2016-17

In FY 2016-17, 31,792 offenders were released from CDCR adult institutions, and 15,123 of these offenders were reconvicted within three years of their release (47.6 percent). This section presents information regarding the composition and conviction rates of CDCR's FY 2016-17 release cohort in terms of their demographics (e.g., gender, age) and characteristics (e.g., county of release, length of stay), as well as some comparisons to the previous cohort. Appendix A provides a table of the cohort composition and Appendix B provides the one-, two-, and three-year conviction rates by demographics and characteristics. Appendix D provides the three-year conviction rates for the FY 2015-16 and FY 2016-17 release cohorts by offender demographics and characteristics for comparative purposes.⁹

Figure 8. Number of Offenders in the Fiscal Year 2002-03 through Fiscal Year 2016-17 Release Cohorts



⁹ When comparing rates, more variation (greater increases and decreases) is typically observed within small groups of offenders; however, large rate changes within small groups of offenders will have less influence on the statewide rate, whereas small rate changes within large groups of offenders will have greater influence on the rate.

Figure 8 presents the number of offenders released from CDCR during each fiscal year since reporting began with the 2002-03 release cohort.¹⁰ The number of offenders released peaked at 116,015 releases with the FY 2007-08 cohort. The implementation of Realignment in October 2011 primarily contributed to the series of decreases seen between FY 2008-09 and 2013-14, reaching a low of 33,113 offenders released in FY 2013-14. Releases then increased to 39,205 offenders in FY 2014-15, which was largely attributed to the resentencing and release of 4,111 offenders under Proposition 47 (Appendix F). The following year, just 364 of the 33,756 offenders released in FY 2015-16 were resentenced and released due to Proposition 47. During FY 2016-17, releases decreased again to 31,792 offenders as the effect of Proposition 47 waned, with only 60 offenders impacted. The total number of releases is contingent on the population of CDCR's adult institutions and correctional policies at the time, such as Realignment and Proposition 47. CDCR expects the number of releases to fluctuate in future release cohorts, as policies that influence the offender population are modified and implemented.¹¹

5.2 Offender Demographics and Characteristics

Gender

As shown in Appendix A, male offenders comprise a much larger proportion of the FY 2016-17 release cohort (93.0 percent) than female offenders (7.0 percent). These percentages have largely stayed constant since Realignment, even as the size of each cohort has changed. The three-year conviction rate for male offenders released in FY 2016-17 was 48.2 percent, while female offenders' conviction rate was 39.0 percent (Appendix B). Historically the conviction rate for female offenders each year is about 10 percentage points lower than the rate for male offenders – with some variation – and this trend continues with the current cohort. Note that the conviction rate for both males and females increased with the FY 2016-17 release cohort. Compared to FY 2015-16, the rate for male offenders increased by 2.9 percentage points, and the rate for female offenders increased by 3.9 percentage points (Appendix D).

Age at Release

Offenders ages 25 to 29 represented the largest number of releases (19.5 percent) in the release cohort. Offenders ages 18 and 19 represented less than one percent of the total release cohort (0.8 percent). In general, younger offenders comprise larger percentages of the release cohort, with 85.3 percent under the age of 50 at the time of their release.

¹⁰ The total number of offenders released in the FY 2011-12 through FY 2016-17 release cohorts only include offenders with a DOJ automated rap sheet. Prior to transitioning the primary measure of recidivism from the three-year return-to-prison rate to the three-year conviction rate with the FY 2011-12 release cohort, the release cohort presented in Figure 8 included all offenders released from prison, regardless of a DOJ automated rap sheet.

¹¹ More information regarding CDCR's population may be found at: <https://www.cdcr.ca.gov/research/population-reports-2/>

Age has a well-documented relationship with recidivism, which is supported by the rate trends in this cohort.¹² Although offenders ages 18 and 19 comprise less than one percent of the release cohort, their three-year conviction rate is the highest among all age groups (73.3 percent). The rate steadily decreases as age increases, with offenders ages 60 and over having the lowest conviction rate of all age groups (18.3 percent). This general trend has persisted with time, making younger offenders some of the most likely to recidivate.

The three-year conviction rate increased for all age groups when compared to the FY 2015-16 release cohort. Offenders ages 40 to 44 saw the largest increase between the two fiscal years, with an increase of 5.0 percentage points. Offenders 18 to 19, 20 to 24, and 55 to 59 saw similar increases in the conviction rate, ranging from 4.2 to 4.9 percentage points.

Race/Ethnicity

In the FY 2016-17 release cohort, the largest portion of offenders are listed as Hispanic/Latino (44.2 percent), followed by White and then Black/African American offenders – each representing about a quarter of the release cohort. Altogether, these three groups consistently comprise over 90 percent of each release cohort. The smaller race/ethnicity categories of the population include Asian/Pacific Islander offenders and American Indian/Alaskan Native offenders, who each represent less than two percent of releases in the current cohort. Offenders not in the aforementioned race/ethnicity groups are categorically included as “Other” and typically comprise less than four percent of each cohort.

Historically, offenders in the American Indian/Alaskan Native category have had relatively higher conviction rates, while those in the Other category have markedly lower rates. This continues to be the case in the FY 2016-17 release cohort, where American Indian/Alaskan Native offenders had the highest three-year conviction rate (57.1 percent). The larger categories of White, Hispanic/Latino, and Black/African American offenders all had similar conviction rates between 47.1 percent and 48.7 percent (Appendix B). Asian/Pacific Islander offenders had a slightly lower rate (43.9 percent) and the rate for offenders in the Other category was 35.5 percent.

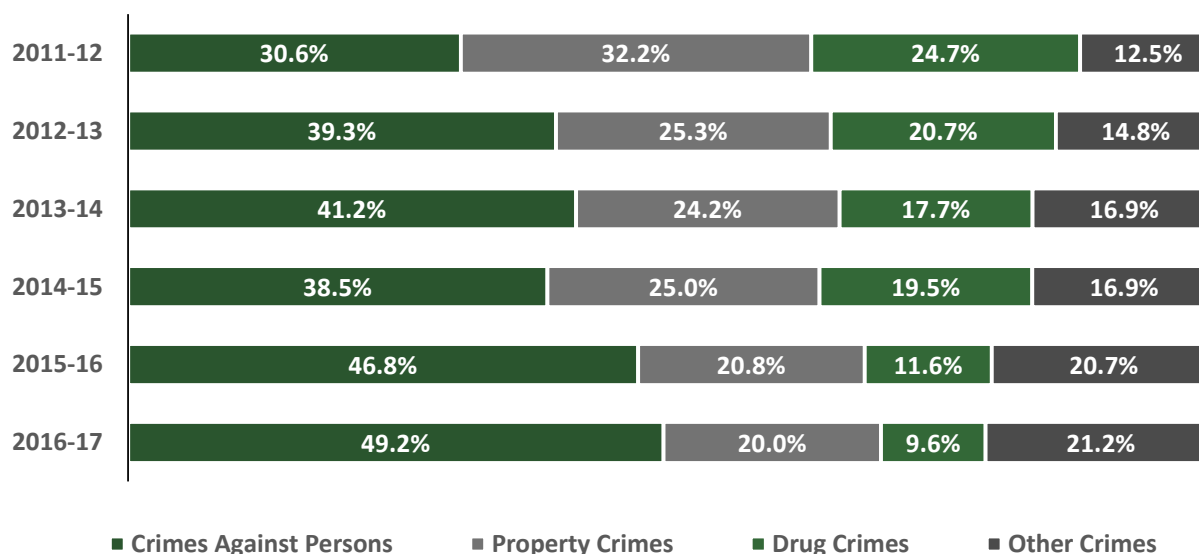
The three-year conviction rate for each race/ethnicity category increased between the FY 2015-16 and 2016-17 release cohorts. The rate among American Indian/Alaskan Native offenders had the greatest increase (7.0 percentage points), while the rate for Hispanic/Latino offenders had the smallest increase (1.2 percentage points). This variation is somewhat expected due to the relative size of each group, as rates associated with smaller groups of offenders are more susceptible to variation than larger groups.

¹² For more information regarding the relationship between age and recidivism, please see Section 7.5 of the “Recidivism Report for Offenders Released from CDCR in Fiscal Year 2015-16”, available at: <https://www.cdcr.ca.gov/research/offender-outcomes-characteristics/offender-recidivism/>

Commitment Offense Category

Each category (crimes against persons, property crimes, drug crimes, and other crimes) represents the type of offense an offender was committed to prison for prior to their release in FY 2016-17. Nearly half of the FY 2016-17 release cohort (49.2 percent) were committed to prison for crimes against persons, followed by other crimes and property crimes, each representing less than one-quarter of releases. Almost ten percent of the release cohort were committed to prison for drug crimes. As seen in the figure below, the percent of releases for crimes against persons has steadily increased over the past several years and those for drug crimes have steadily decreased (with the exception of FY 2014-15 due to Proposition 47). This illustrates one of the effects of Realignment, which has grown to emphasize incarceration for more serious or violent crimes, while reducing prison overpopulation (Appendix F).

Figure 9. Percentage of Releases by Commitment Offense Category for the Fiscal Year 2011-12 through 2016-17 Release Cohorts



For several years, offenders committed to prison for property crimes have had the highest three-year conviction rate of the commitment offense categories, including the current cohort at 59.2 percent (Appendix B). This was followed by offenders committed for other crimes and drug crimes at 51.4 percent and 47.4 percent, respectively.¹³ Offenders committed for crimes against persons had the lowest three-year conviction rate among the commitment offense categories at 41.2 percent. This is regularly the case, as crimes against persons tend to be more serious and have longer sentences, often leading to an older age-at-release and an overall lower likelihood to recidivate.¹⁴

¹³ Other crimes include arson, DUI, escape, possession of a weapon, and other offenses (e.g., false imprisonment, stalking, street gang act).

¹⁴ For more information regarding the relationship between age and recidivism, please see Section 7.5 of the "Recidivism Report for Offenders Released from CDCR in Fiscal Year 2015-16", available at: <https://www.cdcr.ca.gov/research/offender-outcomes-characteristics/offender-recidivism/>

When comparing conviction rates by commitment offense category for offenders released in FY 2015-16 and 2016-17, the rate increased for each category (Appendix D). The three-year conviction rate for property crimes increased by 5.9 percentage points, while rates for offenders committed for other crimes and drug crimes increased by 4.1 and 4.0 percentage points, respectively. The conviction rate for crimes against persons had less variation, and increased by 1.4 percentage points. The rates within property and other crime groups specifically had more variation compared to recent years; they also partially account for an increase in the overall rate.

Sentence Type

Most offenders sentenced to prison in California receive a determinate term (their sentence is set to a specific length), and are released after completing their sentence. Generally, offenders sentenced to an indeterminate term (lifers) are released once the Board of Parole Hearings (BPH) has found them suitable for release or the court orders their release. Offenders released under Proposition 47 were originally sentenced to serve a CDCR felony sentence in one of the three sentence type categories (determinate, second striker, or indeterminate) prior to its passage. Note that “Proposition 47” is not an actual sentence type, but is included in this section due to the resulting resentencing.

Most offenders in the release cohort served a determinate sentence prior to their release in FY 2016-17 (73.4 percent). Nearly a quarter of the release cohort were second strikers sentenced to a determinate term, and 2.2 percent were sentenced to an indeterminate term (lifers). Less than one percent of the release cohort were released under Proposition 47, a large decrease since the first Proposition 47 releases in FY 2014-15, where they comprised about 10 percent of releases. The effect of Proposition 47 on the number of releases has diminished, though it continues to affect new sentences for certain offenses (Appendix F).

Conviction rates are usually similar between offenders who serve a determinate term and second strikers who are also sentenced to a determinate term. In the FY 2016-17 cohort, second strikers had the highest three-year conviction rate among each sentence type (49.5 percent), followed by offenders who served a determinate term (48.3 percent). Lifers have consistently been the lowest recidivating group when it comes to sentence type categories, usually having a conviction rate of under five percent, including in the current cohort (1.9 percent). Offenders released under Proposition 47 had a rate of 48.3 percent.

Between the FY 2015-16 and 2016-17 release cohorts, the three-year conviction rate for offenders who served a determinate term and second strikers increased by 2.9 and 3.8 percentage points, respectively. The conviction rate for lifers decreased by 1.3 percentage points, and by 4.4 percentage points for releases due to Proposition 47. Until the FY 2016-17 release cohort, Proposition 47-related releases have had a relatively high three-year conviction rate compared to other sentence types. The decrease in releases due to Proposition 47 will likely continue in subsequent cohorts, possibly leading to more variation in this group’s conviction rate.

Serious/Violent Offense

A majority of the FY 2016-17 release cohort served a term for a non-serious, non-violent offense (54.4 percent). Offenders who served a term for a serious offense or for a violent offense each comprised under a quarter of the release cohort (22.8 percent).¹⁵ Note that all violent offenses are categorized as serious, but not all serious offenses are categorized as violent (offenses under the serious category are non-violent). Over time, offenders committed for violent offenses have steadily comprised a larger portion of each release cohort, while non-serious, non-violent offenses have comprised a smaller portion, though still over 50 percent of releases.

Offenders with a non-serious, non-violent offense had the highest three-year conviction rate among the three categories at 54.2 percent. Offenders with a serious offense had a rate of 49.6 percent and offenders with a violent offense had a rate of 29.6 percent. Historically this trend has persisted, with non-serious, non-violent offenders having the highest recidivism rates in this grouping, while violent offenders have the lowest rates around 30 percent.

The three-year conviction rate for offenders in all three categories increased between the FY 2015-16 and 2016-17 release cohorts. The conviction rate for offenders with a serious offense increased by 1.9 percentage points and the rate for those with a violent offense increased 0.2 percentage points. The three-year conviction rate for offenders with a non-serious, non-violent offense increased by 5.1 percentage points.

County of Release

Nearly 80 percent of the release cohort (79.4 percent) were released to 12 of the 58 California counties. Los Angeles county alone accounts for the most offender releases each year, comprising 28.9 percent of the FY 2016-17 cohort. Less than one percent of the cohort was directly discharged from prison.

Conviction rates by county of release should be interpreted with caution for a number of reasons. Offenders may leave the county to which they are released, or offenders may be released and convicted in a different county. When an offender is convicted in another county, the conviction is still associated with their original county of release (e.g., if an offender is released in Sacramento County and is subsequently convicted in Riverside County, for the purposes of this report, the new conviction is still associated with Sacramento County).

Regarding the 12 counties with the largest number of releases, Kern County had the highest three-year conviction rate (57.2 percent) while Alameda County had the lowest three-year conviction rate (33.3 percent). The three-year conviction rate for the remaining 46 California counties was 46.9 percent, slightly lower than the overall conviction rate (Appendix C).

¹⁵ The definition of a serious felony offense can be found here: <https://www.cdcr.ca.gov/parole/serious-offenses-defined/> and the definition of a violent felony offense can be found here: <https://www.cdcr.ca.gov/parole/violent-offenses-defined/>

When comparing the FY 2015-16 and 2016-17 release cohorts, the three-year conviction rate increased for eight of these counties and decreased for four counties. Among the counties with decreases, Kern County saw the largest decrease (3.0 percentage points). The largest increase in the three-year conviction rate was observed in San Diego County (17.1 percentage points), which had a markedly low rate the previous year. Although it is a relatively large increase, San Diego County had a minimal effect on the overall rate as discussed earlier in the Executive Summary of this report.

Risk Score

The CSRA is a tool used to calculate an offender's risk of conviction for a new offense after release from prison.¹⁶ Based on criminal history and demographics (including age), offenders are designated as having a low-, moderate-, or high-risk of being convicted of a new offense. Slightly under half of the release cohort (43.4 percent) had a score of high-risk, followed by moderate-risk and low-risk, each comprising just over a quarter of releases.

As expected, the three-year conviction rates are consistent with CSRA scoring (high, moderate, and low): offenders with a score of high-risk had a three-year conviction rate of 63.3 percent, followed by moderate-risk offenders (47.3 percent), and low-risk (22.7 percent). These rates are relatively normal for each group, and the difference between each group is consistent when compared to historical data.

When comparing the FY 2015-16 and 2016-17 release cohorts, the three-year conviction rates by risk of conviction increased for all categories. Increases ranged between 1.1 and 3.9 percentage points, with moderate-risk offenders having the greatest increase. This is the most variation seen within these categories in several years, possibly indicating a return to rates that are typically observed in the next release cohort.

Mental Health Designation

Three-quarters of the release cohort (75.5 percent) did not have a mental health designation through CDCR's Mental Health Delivery System (MHDS) at the time of their release. Approximately 20.0 percent of offenders were assigned to the Correctional Clinical Case Management System (CCCMS), followed by 4.2 percent assigned to the Enhanced Outpatient Program (EOP). At the time of their release, less than one percent were assigned to a Mental Health Crisis Bed (MHCB) or Inpatient Care, which are more intensive and usually temporary treatment levels.

In general, time has shown offenders with a mental health designation tend to have higher conviction rates compared to offenders without a mental health designation. Offenders assigned to MHCB had the highest three-year conviction rate at 60.0 percent, followed by offenders assigned to EOP (54.8 percent). The rate for offenders assigned to Inpatient Care and CCCMS were slightly lower at 52.5 percent and 51.0 percent, respectively. Offenders released without an assignment to CDCR's mental

¹⁶ More information regarding the CSRA and its development may be found at: <https://cpb-us-e2.wpmucdn.com/sites.uci.edu/dist/0/1149/files/2013/12/Development-of-the-CSRA-Recidivism-Risk-Prediction-in-the-CDCR.pdf>

health delivery system at the time of their release had the lowest three-year conviction rate of 46.2 percent.

Between the FY 2015-16 and 2016-17 release cohorts, the three-year conviction rate for each mental health category increased except for those in Inpatient Care. Conviction rate increases ranged between 0.9 and 2.5 percentage points, where the rate for offenders in Inpatient Care decreased by 10.8 percentage points. Although Inpatient Care releases have increased over time, the rate for this group varies easily due to its small size (usually less than 100 offenders). The rate for offenders with no mental health designation at the time of their release increased by 3.0 percentage points compared to the previous cohort. As the majority, the rate for offenders with no mental health designation trends just below the overall rate.

Length of Stay

Offenders with shorter lengths of stay tend to comprise a larger portion of the cohort. Approximately 65.4 percent of the FY 2016-17 release cohort had a length of stay of less than two years at a CDCR prison. More specifically, offenders with a stay of 7 to 12 months comprised the largest portion of releases (25.6 percent) and offenders with a stay of 10 to 15 years comprised a smaller percentage of releases (2.9 percent).

Offenders with shorter lengths of stay have consistently had higher recidivism rates when compared to those with longer stays. In the FY 2016-17 release cohort, offenders with a stay of six months or less had the highest three-year conviction rate at 55.6 percent. Offenders with a length of stay of 15 years or more had the lowest three-year conviction rate (10.5 percent) among all length of stay categories. In other words, data shows that in general, offenders released after a longer stay in prison were less likely to recidivate. Historically, conviction rates decrease considerably for offenders with a length of stay of four years or more (rates below 40 percent), and again for those who stay for 10 years or more (rates below 25 percent), and finally are lowest for offenders with a stay of 15 years or more.

When comparing the three-year conviction rate by length of stay for offenders released in FY 2015-16 and 2016-17, the rate increased for eight categories and decreased for two. Offenders with a length of stay of 13 to 18 months saw the largest increase between the two release cohorts, but increases overall varied from 0.6 to 5.5 percentage points in each category. Offenders with a length of stay of 5 to 10 years had a larger decrease of 2.6 percentage points.

Number of CDCR Stays

A stay is defined as any period of time an offender is housed in an adult institution.¹⁷ The number of stays is cumulative over any number of convictions or terms in an offender's criminal history. Almost half of the FY 2016-17 release cohort (47.7 percent) were released after their first CDCR stay. As the number of CDCR stays increases, the number of offenders in each category decreases, with the exception of 15 or more stays (3.1 percent).

In general, the three-year conviction rate is lowest for those with one stay and gradually increases as the number of stays increases. There are some exceptions in a few categories where small decreases are observed. Offenders with one CDCR stay had the lowest three-year conviction rate at 40.0 percent. In the FY 2016-17 cohort, the three-year conviction rate is highest for offenders with 13 stays at CDCR (65.5 percent).

Commitment Offense

Each commitment offense represents the offense an offender was committed to prison for prior to their release in FY 2016-17. Also known as the controlling offense, it is the most serious offense in an offender's current sentence. As shown in Appendix B, the three-year conviction rates by commitment offense varied greatly, ranging from 71.1 percent to 1.4 percent. Conviction rates are only calculated for the 35 offenses in which 30 or more releases are associated. Data associated with commitment offenses should be interpreted with caution, as many of the categories are associated with very few releases (e.g., only one offender was originally committed for hashish possession).

In the FY 2016-17 cohort, offenders committed for vehicle theft, escape, and other property offenses had the highest three-year conviction rates (71.1 percent, 70.2 percent, and 63.2 percent, respectively). Meanwhile, offenders with a commitment offense of second-degree murder, attempted first-degree murder, and first-degree murder had the lowest three-year conviction rates (2.6 percent, 1.4 percent, and 1.4 percent, respectively). Of the 10 offenses with the highest conviction rates, six were property offenses, two were drug offenses and two were other offenses. All 10 offenses with the lowest rates calculated were crimes against persons.

Sex Registration Requirement

Most offenders in the FY 2016-17 release cohort (90.1 percent) did not have a sex registration requirement (non-sex registrants). The other 9.9 percent (3,133 offenders) were required to register as sex offenders pursuant to California Penal Code 290 (sex registrants).

¹⁷ The total number of stays could include past stays for parole violations. Please note that since the passage of Realignment in 2011, only offenders previously sentenced to a life term (lifers) and some sex offenders serve parole violations in state prison. Penal Code section 3000.08 remands persons on parole pursuant to section 3000.0, subdivision (b), paragraph (4) to the custody of CDCR. For more information regarding specific sex offenses, please see Penal Code 3000.0(b)(4). For more information regarding decreases to returns to prison for parole violations, please see Section 4.3 Type of Return to Prison.

According to historical data, the conviction rate for sex registrants is regularly at least 15 percentage points lower than the rate for non-sex registrants. In other words, sex offenders consistently recidivate at lower rates than non-sex offenders.¹⁸ In the FY 2016-17 cohort, the three-year conviction rate for sex registrants was 31.3 percent (981 offenders), while the rate for non-sex registrants was 49.3 percent. When compared to the FY 2015-16 release cohort, the rate for sex registrants increased by 0.8 percentage points, while the rate for non-sex registrants increased by 3.1 percentage points.

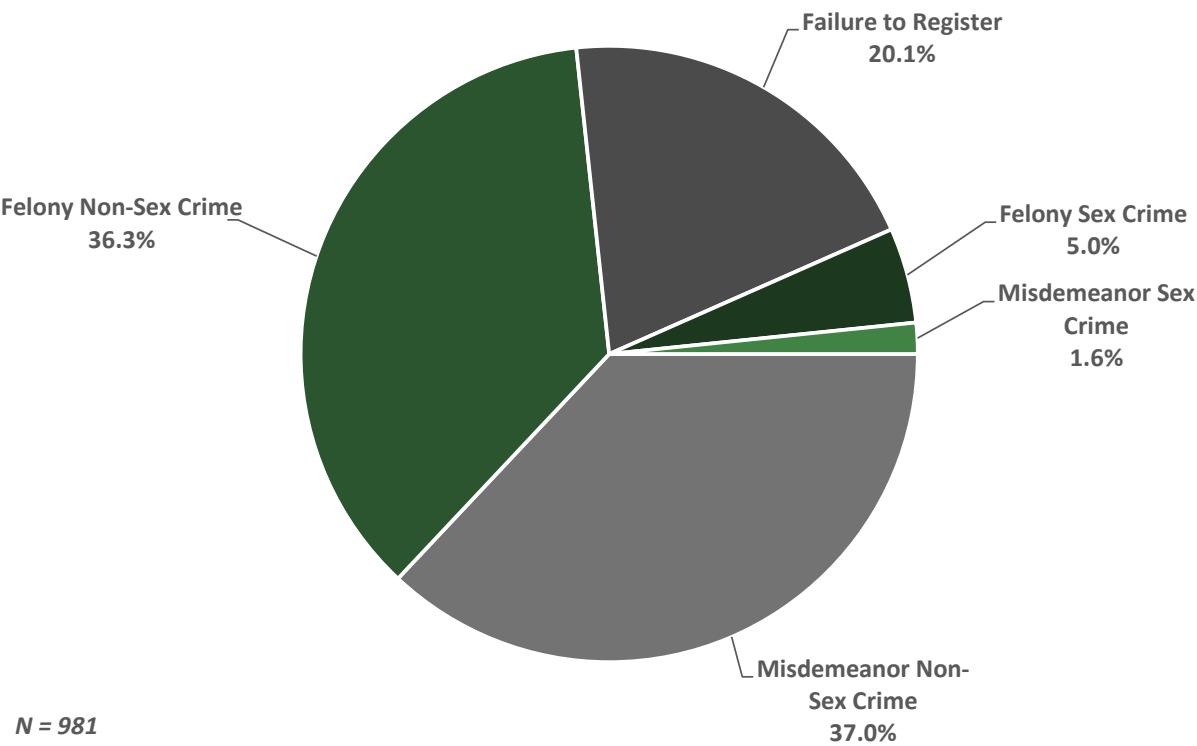
Of the sex registrants convicted, the largest portions were convicted of new non-sex crimes (misdemeanor or felony). About 20 percent were convicted for failure to register as a sex offender, and relatively few were convicted of new sex crimes: 5.0 percent were convicted of felony sex crimes and 1.6 percent were convicted of misdemeanor sex crimes.

Table 10. Type of Conviction for the 981 Sex Registrants Convicted During the Three-Year Follow-Up Period

Reason for Conviction	Convicted	
	Number	Percent
Misdemeanor Non-Sex Crime	363	37.0%
Felony Non-Sex Crime	356	36.3%
Failure to Register	197	20.1%
Felony Sex Crime	49	5.0%
Misdemeanor Sex Crime	16	1.6%
Total	981	100.0%

¹⁸ For more information regarding recidivism trends associated with sex offenders and those receiving treatment through the Sex Offender Management Program, please see the reports available at: <https://www.cdcr.ca.gov/research/offender-outcomes-characteristics/sex-offender-treatment-program/>

Figure 10. Type of Conviction for the 981 Sex Registrants Convicted During the Three-Year Follow-Up Period



Appendix A: Demographics and Characteristics of the Fiscal Year 2016-17 Release Cohorts

Table 11. Demographics and Characteristics of the Fiscal Year 2016-17 Release Cohort

Demographics and Characteristics	Number	Percent
Total	31,792	100.0%
Gender		
Male	29,551	93.0%
Female	2,241	7.0%
Age at Release		
18 to 19	247	0.8%
20 to 24	4,441	14.0%
25 to 29	6,191	19.5%
30 to 34	5,502	17.3%
35 to 39	4,863	15.3%
40 to 44	3,185	10.0%
45 to 49	2,679	8.4%
50 to 54	2,153	6.8%
55 to 59	1,477	4.6%
60 and over	1,054	3.3%
Race/Ethnicity		
Hispanic/Latino	14,055	44.2%
White	8,206	25.8%
Black/African American	7,696	24.2%
Asian/Pacific Islander	460	1.4%
American Indian/Alaskan Native	361	1.1%
Other	1,014	3.2%
Commitment Offense Category		
Crimes Against Persons	15,642	49.2%
Other Crimes	6,744	21.2%
Property Crimes	6,345	20.0%
Drug Crimes	3,061	9.6%

Table 11. Demographics and Characteristics of the Fiscal Year 2016-17 Release Cohort (continued)

Demographics and Characteristics	Number	Percent
Sentence Type		
Determinate Term	23,342	73.4%
Second Strikers	7,689	24.2%
Lifers (Indeterminate Term)	701	2.2%
Proposition 47 Releases	60	0.2%
Type of Post-Release Supervision		
Parole	15,586	49.0%
Post-Release Community Supervision	16,184	50.9%
Directly Discharged	22	0.1%
Serious/Violent Offense		
Non-Serious/Non-Violent	17,292	54.4%
Serious	7,253	22.8%
Violent	7,247	22.8%
County of Release		
Los Angeles County	9,184	28.9%
San Bernardino County	2,887	9.1%
Riverside County	2,306	7.3%
San Diego County	2,169	6.8%
Sacramento County	1,573	4.9%
Orange County	1,561	4.9%
Fresno County	1,459	4.6%
Kern County	1,201	3.8%
San Joaquin County	835	2.6%
Santa Clara County	765	2.4%
Alameda County	747	2.3%
Stanislaus County	577	1.8%
All Other Counties	6,506	20.5%
Directly Discharged	22	0.1%
Sex Registration Requirement		
No	28,659	90.1%
Yes	3,133	9.9%
CSRA Risk Score		
High	13,795	43.4%
Moderate	9,204	29.0%
Low	8,793	27.7%

Table 11. Demographics and Characteristics of the Fiscal Year 2016-17 Release Cohort (continued)

Demographics and Characteristics	Number	Percent
Mental Health Designation		
Correctional Clinical Case Management System	6,347	20.0%
Enhanced Outpatient Program	1,334	4.2%
Mental Health Crisis Bed	40	0.1%
Inpatient	80	0.3%
No Mental Health Designation	23,991	75.5%
Length of Stay		
0 to 6 Months	4,879	15.3%
7 to 12 Months	8,150	25.6%
13 to 18 Months	4,814	15.1%
19 to 24 Months	2,981	9.4%
2 to 3 Years	3,353	10.5%
3 to 4 Years	1,864	5.9%
4 to 5 Years	1,213	3.8%
5 to 10 Years	2,550	8.0%
10 to 15 Years	907	2.9%
15 Years or more	1,081	3.4%
Number of CDCR Stays		
1	15,162	47.7%
2	4,646	14.6%
3	2,295	7.2%
4	1,680	5.3%
5	1,430	4.5%
6	1,220	3.8%
7	956	3.0%
8	851	2.7%
9	693	2.2%
10	552	1.7%
11	442	1.4%
12	345	1.1%
13	281	0.9%
14	245	0.8%
15 or more	994	3.1%

Appendix B: Recidivism Rates by Demographics and Characteristics for the Fiscal Year 2016-17 Release Cohort

Table 12. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2016-17 by Demographics and Characteristics

Conviction Rates by Demographics/Characteristics	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Total	31,792	6,710	21.1%	12,141	38.2%	15,123	47.6%
Gender							
Male	29,551	6,356	21.5%	11,472	38.8%	14,248	48.2%
Female	2,241	354	15.8%	669	29.9%	875	39.0%
Age at Release							
18 to 19	247	111	44.9%	157	63.6%	181	73.3%
20 to 24	4,441	1,352	30.4%	2,289	51.5%	2,753	62.0%
25 to 29	6,191	1,523	24.6%	2,741	44.3%	3,329	53.8%
30 to 34	5,502	1,309	23.8%	2,304	41.9%	2,864	52.1%
35 to 39	4,863	967	19.9%	1,820	37.4%	2,281	46.9%
40 to 44	3,185	553	17.4%	1,044	32.8%	1,330	41.8%
45 to 49	2,679	383	14.3%	740	27.6%	990	37.0%
50 to 54	2,153	288	13.4%	571	26.5%	754	35.0%
55 to 59	1,477	170	11.5%	333	22.5%	448	30.3%
60 and over	1,054	54	5.1%	142	13.5%	193	18.3%

Table 12. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2016-17 by Demographics and Characteristics (continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Race/Ethnicity							
American Indian/Alaskan Native	361	89	24.7%	161	44.6%	206	57.1%
White	8,206	1,822	22.2%	3,226	39.3%	3,996	48.7%
Hispanic/Latino	14,055	3,158	22.5%	5,490	39.1%	6,735	47.9%
Black/African American	7,696	1,394	18.1%	2,823	36.7%	3,624	47.1%
Asian/Pacific Islander	460	89	19.3%	158	34.3%	202	43.9%
Other	1,014	158	15.6%	283	27.9%	360	35.5%
Commitment Offense Category							
Property Crimes	6,345	1,859	29.3%	3,131	49.3%	3,758	59.2%
Other Crimes	6,744	1,550	23.0%	2,755	40.9%	3,467	51.4%
Drug Crimes	3,061	594	19.4%	1,122	36.7%	1,452	47.4%
Crimes Against Persons	15,642	2,707	17.3%	5,133	32.8%	6,446	41.2%
Sentence Type							
Second Strikers	7,689	1,620	21.1%	3,019	39.3%	3,808	49.5%
Proposition 47 Releases	60	14	23.3%	25	41.7%	29	48.3%
Determinate Term	23,342	5,076	21.7%	9,091	38.9%	11,273	48.3%
Lifers (Indeterminate Term)	701	0	0.0%	6	0.9%	13	1.9%
Type of Post-Release Supervision							
Post-Release Community Supervision	16,184	4,159	25.7%	7,183	44.4%	8,816	54.5%
Parole	15,586	2,549	16.4%	4,952	31.8%	6,298	40.4%
Directly Discharged	22	2	N/A	6	N/A	9	N/A

Table 12. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2016-17 by Demographics and Characteristics (continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Serious/Violent Offense							
Serious	7,253	1,552	21.4%	2,886	39.8%	3,600	49.6%
Violent	7,247	745	10.3%	1,622	22.4%	2,146	29.6%
Non-Serious/Non-Violent	17,292	4,413	25.5%	7,633	44.1%	9,377	54.2%
County of Release							
Kern County	1,201	354	29.5%	574	47.8%	687	57.2%
Orange County	1,561	476	30.5%	726	46.5%	847	54.3%
Stanislaus County	577	136	23.6%	243	42.1%	309	53.6%
Santa Clara County	765	188	24.6%	330	43.1%	388	50.7%
Sacramento County	1,573	378	24.0%	634	40.3%	795	50.5%
San Joaquin County	835	205	24.6%	348	41.7%	417	49.9%
San Diego County	2,169	385	17.8%	785	36.2%	1,019	47.0%
All Other Counties	6,506	1,325	20.4%	2,415	37.1%	3,052	46.9%
San Bernardino County	2,887	493	17.1%	1,072	37.1%	1,349	46.7%
Los Angeles County	9,184	1,979	21.5%	3,465	37.7%	4,263	46.4%
Fresno County	1,459	249	17.1%	526	36.1%	677	46.4%
Riverside County	2,306	473	20.5%	847	36.7%	1,062	46.1%
Alameda County	747	67	9.0%	170	22.8%	249	33.3%
Directly Discharged	22	2	N/A	6	N/A	9	N/A

Table 12. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2016-17 by Demographics and Characteristics (continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
CSRA Risk Score							
High	13,795	4,324	31.3%	7,323	53.1%	8,774	63.6%
Moderate	9,204	1,712	18.6%	3,356	36.5%	4,353	47.3%
Low	8,793	674	7.7%	1,462	16.6%	1,996	22.7%
Mental Health Designation							
Mental Health Crisis Bed	40	14	35.0%	24	60.0%	24	60.0%
Enhanced Outpatient Program	1,334	327	24.5%	579	43.4%	731	54.8%
Inpatient	80	14	17.5%	33	41.3%	42	52.5%
Correctional Clinical Case Management System	6,347	1,417	22.3%	2,606	41.1%	3,238	51.0%
No Mental Health Designation	23,991	4,938	20.6%	8,899	37.1%	11,088	46.2%
Length of Stay							
0 to 6 Months	4,879	1,333	27.3%	2,235	45.8%	2,711	55.6%
7 to 12 Months	8,150	2,091	25.7%	3,657	44.9%	4,469	54.8%
13 to 18 Months	4,814	1,179	24.5%	2,089	43.4%	2,543	52.8%
19 to 24 Months	2,981	683	22.9%	1,232	41.3%	1,555	52.2%
2 to 3 Years	3,353	652	19.4%	1,232	36.7%	1,575	47.0%
3 to 4 Years	1,864	307	16.5%	613	32.9%	799	42.9%
4 to 5 Years	1,213	153	12.6%	333	27.5%	428	35.3%
5 to 10 Years	2,550	239	9.4%	525	20.6%	718	28.2%
10 to 15 Years	907	54	6.0%	144	15.9%	212	23.4%
15 Years or more	1,081	19	1.8%	81	7.5%	113	10.5%

Table 12. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2016-17 by Demographics and Characteristics (continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Number of CDCR Stays							
1	15,162	2,634	17.4%	4,798	31.6%	6,063	40.0%
2	4,646	1,087	23.4%	1,960	42.2%	2,403	51.7%
3	2,295	548	23.9%	967	42.1%	1,190	51.9%
4	1,680	383	22.8%	697	41.5%	871	51.8%
5	1,430	355	24.8%	639	44.7%	791	55.3%
6	1,220	307	25.2%	562	46.1%	680	55.7%
7	956	241	25.2%	456	47.7%	556	58.2%
8	851	223	26.2%	396	46.5%	485	57.0%
9	693	160	23.1%	292	42.1%	374	54.0%
10	552	145	26.3%	267	48.4%	328	59.4%
11	442	105	23.8%	196	44.3%	256	57.9%
12	345	88	25.5%	169	49.0%	208	60.3%
13	281	88	31.3%	151	53.7%	184	65.5%
14	245	63	25.7%	119	48.6%	153	62.4%
15 or more	994	283	28.5%	472	47.5%	581	58.5%

Table 12. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2016-17 by Demographics and Characteristics (continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Commitment Offense							
Vehicle Theft	1,461	562	38.5%	892	61.1%	1,039	71.1%
Escape	104	37	35.6%	58	55.8%	73	70.2%
Other Property	321	96	29.9%	165	51.4%	203	63.2%
Burglary Second	796	252	31.7%	428	53.8%	502	63.1%
Receiving Stolen Property	389	118	30.3%	192	49.4%	236	60.7%
Possession Weapon	3,665	1,020	27.8%	1,733	47.3%	2,129	58.1%
Petty Theft With Prior	49	15	30.6%	25	51.0%	27	55.1%
Controlled Substance Other	306	82	26.8%	141	46.1%	166	54.2%
Burglary First	2,416	590	24.4%	1,048	43.4%	1,296	53.6%
Controlled Substance Possession	615	145	23.6%	254	41.3%	325	52.8%
Grand Theft	402	106	26.4%	178	44.3%	211	52.5%
Other Assault/Battery	4,851	1,146	23.6%	2,047	42.2%	2,510	51.7%
Other Offenses	1,777	358	20.1%	672	37.8%	860	48.4%
Forgery/Fraud	511	120	23.5%	203	39.7%	244	47.7%
Controlled Substance Possession For Sale	1,665	300	18.0%	589	35.4%	772	46.4%
Arson	180	35	19.4%	66	36.7%	83	46.1%
Assault with a Deadly Weapon	3,779	729	19.3%	1,406	37.2%	1,725	45.6%
Robbery	3,219	546	17.0%	1,112	34.5%	1,441	44.8%
Other Sex Offenses	1,009	205	20.3%	359	35.6%	451	44.7%
Controlled Substance Sales	260	44	16.9%	83	31.9%	111	42.7%
Marijuana Sale	40	8	20.0%	14	35.0%	17	42.5%
Marijuana Possess For Sale	89	7	7.9%	23	25.8%	36	40.4%
Driving Under Influence	1,018	100	9.8%	226	22.2%	322	31.6%

Table 12. One-, Two- and Three-Year Conviction Rates for Offenders Released in the Fiscal Year 2016-17 by Demographics and Characteristics (continued)

		One-Year		Two-Year		Three-Year	
Conviction Rates by Demographics/Characteristics	Number Released	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Commitment Offense (continued)							
Attempted Murder Second	287	16	5.6%	48	16.7%	71	24.7%
Controlled Substance Manufacturing	59	6	10.2%	11	18.6%	14	23.7%
Kidnapping	165	12	7.3%	23	13.9%	34	20.6%
Manslaughter	331	16	4.8%	43	13.0%	66	19.9%
Oral Copulation	63	2	3.2%	9	14.3%	11	17.5%
Penetration With Object	61	2	3.3%	6	9.8%	9	14.8%
Rape	194	9	4.6%	17	8.8%	28	14.4%
Vehicular Manslaughter	130	5	3.8%	10	7.7%	15	11.5%
Lewd Act With Child	904	18	2.0%	46	5.1%	70	7.7%
Murder Second	343	0	0.0%	5	1.5%	9	2.6%
Attempted Murder First	71	0	0.0%	1	1.4%	1	1.4%
Murder First	219	0	0.0%	0	0.0%	3	1.4%
Hashish Possession	1	0	N/A	0	N/A	0	N/A
Marijuana Other	26	2	N/A	7	N/A	11	N/A
Sodomy	16	1	N/A	1	N/A	2	N/A
Sex Registration Requirement							
No	28,659	6,308	22.0%	11,384	39.7%	14,142	49.3%
Yes	3,133	402	12.8%	757	24.2%	981	31.3%

Appendix C: Conviction Rates by County of Release

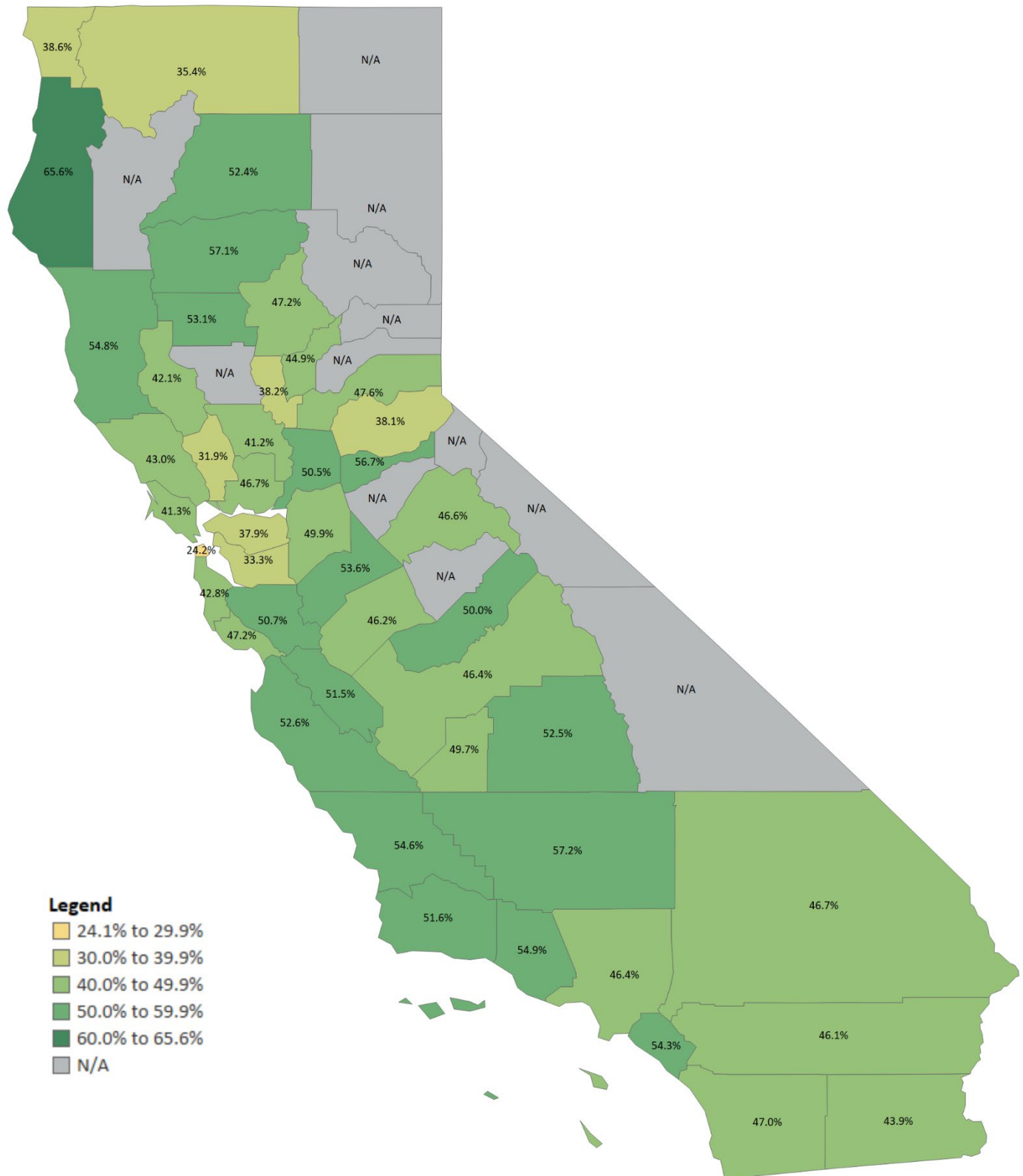
Table 13. Conviction Rates by County of Release

County of Release	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
Alameda County	747	67	9.0%	170	22.8%	249	33.3%
Alpine County	0	0	N/A	0	N/A	0	N/A
Amador County	30	6	20.0%	11	36.7%	17	56.7%
Butte County	299	54	18.1%	111	37.1%	141	47.2%
Calaveras County	27	6	N/A	13	N/A	16	N/A
Colusa County	21	3	N/A	7	N/A	10	N/A
Contra Costa County	406	48	11.8%	112	27.6%	154	37.9%
Del Norte County	44	6	13.6%	15	34.1%	17	38.6%
El Dorado County	97	12	12.4%	28	28.9%	37	38.1%
Fresno County	1,459	249	17.1%	526	36.1%	677	46.4%
Glenn County	32	6	18.8%	11	34.4%	17	53.1%
Humboldt County	125	33	26.4%	62	49.6%	82	65.6%
Imperial County	123	30	24.4%	42	34.1%	54	43.9%
Inyo County	11	3	N/A	4	N/A	5	N/A
Kern County	1,201	354	29.5%	574	47.8%	687	57.2%
Kings County	324	55	17.0%	122	37.7%	161	49.7%
Lake County	121	26	21.5%	44	36.4%	51	42.1%
Lassen County	26	8	N/A	14	N/A	17	N/A
Los Angeles County	9,184	1,979	21.5%	3,465	37.7%	4,263	46.4%
Madera County	136	27	19.9%	48	35.3%	68	50.0%
Marin County	46	8	17.4%	15	32.6%	19	41.3%
Mariposa County	13	3	N/A	7	N/A	7	N/A
Mendocino County	124	34	27.4%	53	42.7%	68	54.8%
Merced County	277	51	18.4%	104	37.5%	128	46.2%
Modoc County	6	1	N/A	2	N/A	3	N/A
Mono County	3	1	N/A	1	N/A	1	N/A
Monterey County	369	100	27.1%	156	42.3%	194	52.6%
Napa County	69	10	14.5%	19	27.5%	22	31.9%
Nevada County	25	4	N/A	11	N/A	13	N/A
Orange County	1,561	476	30.5%	726	46.5%	847	54.3%
Placer County	189	37	19.6%	65	34.4%	90	47.6%
Plumas County	23	4	N/A	5	N/A	7	N/A
Riverside County	2,306	473	20.5%	847	36.7%	1,062	46.1%
Sacramento County	1,573	378	24.0%	634	40.3%	795	50.5%

Table 13. Conviction Rates by County of Release (continued)

County of Release	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
San Benito County	33	7	21.2%	14	42.4%	17	51.5%
San Bernardino County	2,887	493	17.1%	1,072	37.1%	1,349	46.7%
San Diego County	2,169	385	17.8%	785	36.2%	1,019	47.0%
San Francisco County	343	25	7.3%	57	16.6%	83	24.2%
San Joaquin County	835	205	24.6%	348	41.7%	417	49.9%
San Luis Obispo County	163	41	25.2%	78	47.9%	89	54.6%
San Mateo County	222	48	21.6%	80	36.0%	95	42.8%
Santa Barbara County	258	70	27.1%	111	43.0%	133	51.6%
Santa Clara County	765	188	24.6%	330	43.1%	388	50.7%
Santa Cruz County	108	27	25.0%	41	38.0%	51	47.2%
Shasta County	307	73	23.8%	135	44.0%	161	52.4%
Sierra County	1	0	N/A	0	N/A	0	N/A
Siskiyou County	48	5	10.4%	13	27.1%	17	35.4%
Solano County	287	50	17.4%	100	34.8%	134	46.7%
Sonoma County	244	53	21.7%	87	35.7%	105	43.0%
Stanislaus County	577	136	23.6%	243	42.1%	309	53.6%
Sutter County	123	17	13.8%	37	30.1%	47	38.2%
Tehama County	98	23	23.5%	47	48.0%	56	57.1%
Trinity County	12	2	N/A	4	N/A	5	N/A
Tulare County	453	108	23.8%	189	41.7%	238	52.5%
Tuolumne County	58	10	17.2%	18	31.0%	27	46.6%
Ventura County	505	146	28.9%	235	46.5%	277	54.9%
Yolo County	170	29	17.1%	53	31.2%	70	41.2%
Yuba County	107	15	14.0%	34	31.8%	48	44.9%
Directly Discharged	22	2	N/A	6	N/A	9	N/A
Total	31,792	6,710	21.1%	12,141	38.2%	15,123	47.6%

Figure 11. Map of Three-Year Conviction Rates by County of Release



*Table 13 (pages 39 and 40) provides a list of each California County, the number of releases to each county, and one-, two-, and three-year conviction rates.

Appendix D: Change in Recidivism Rate by Demographics and Characteristics Between the Fiscal Year 2015-16 and 2016-17 Release Cohorts

Table 14. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2015-16 and Fiscal Year 2016-17

	FY 2015-16 Number Released	FY 2016-17 Number Released	Number Released Difference	FY 2015-16 Number Convicted	FY 2016-17 Number Convicted	Number Convicted Difference	FY 2015-16 Three-Year Conviction Rate	FY 2016-17 Three-Year Conviction Rate	Three-Year Rate Difference
Total	33,756	31,792	(1,964)	15,059	15,123	64	44.6%	47.6%	3.0
Gender									
Male	31,414	29,551	(1,863)	14,238	14,248	10	45.3%	48.2%	2.9
Female	2,342	2,241	(101)	821	875	54	35.1%	39.0%	3.9
Age at Release									
18 to 19	278	247	(31)	192	181	(11)	69.1%	73.3%	4.2
20 to 24	4,769	4,441	(328)	2,751	2,753	2	57.7%	62.0%	4.3
25 to 29	6,307	6,191	(116)	3,286	3,329	43	52.1%	53.8%	1.7
30 to 34	5,955	5,502	(453)	2,953	2,864	(89)	49.6%	52.1%	2.5
35 to 39	4,898	4,863	(35)	2,163	2,281	118	44.2%	46.9%	2.7
40 to 44	3,419	3,185	(234)	1,259	1,330	71	36.8%	41.8%	5.0
45 to 49	2,995	2,679	(316)	1,070	990	(80)	35.7%	37.0%	1.3
50 to 54	2,531	2,153	(378)	814	754	(60)	32.2%	35.0%	2.8
55 to 59	1,529	1,477	(52)	389	448	59	25.4%	30.3%	4.9
60 and over	1,075	1,054	(21)	182	193	11	16.9%	18.3%	1.4

Table 14. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2015-16 and Fiscal Year 2016-17 (continued)

	FY 2015-16 Number Released	FY 2016-17 Number Released	Number Released Difference	FY 2015-16 Number Convicted	FY 2016-17 Number Convicted	Number Convicted Difference	FY 2015-16 Three-Year Conviction Rate	FY 2016-17 Three-Year Conviction Rate	Three-Year Rate Difference
Race/Ethnicity									
American Indian/Alaskan Native	391	361	(30)	196	206	10	50.1%	57.1%	7.0
White	8,804	8,206	(598)	3,905	3,996	91	44.4%	48.7%	4.3
Hispanic/Latino	14,421	14,055	(366)	6,739	6,735	(4)	46.7%	47.9%	1.2
Black/African American	8,319	7,696	(623)	3,567	3,624	57	42.9%	47.1%	4.2
Asian/Pacific Islander	493	460	(33)	201	202	1	40.8%	43.9%	3.1
Other	1,328	1,014	(314)	451	360	(91)	34.0%	35.5%	1.5
Commitment Offense Category									
Property Crimes	7,035	6,345	(690)	3,751	3,758	7	53.3%	59.2%	5.9
Other Crimes	6,975	6,744	(231)	3,301	3,467	166	47.3%	51.4%	4.1
Drug Crimes	3,932	3,061	(871)	1,707	1,452	(255)	43.4%	47.4%	4.0
Crimes Against Persons	15,814	15,642	(172)	6,300	6,446	146	39.8%	41.2%	1.4
Sentence Type									
Determinate Term	23,761	23,342	(419)	10,777	11,273	496	45.4%	48.3%	2.9
Second Strikers	8,908	7,689	(1,219)	4,067	3,808	(259)	45.7%	49.5%	3.8
Lifers (Indeterminate Term)	723	701	(22)	23	13	(10)	3.2%	1.9%	(1.3)
Proposition 47 Releases	364	60	(304)	192	29	(163)	52.7%	48.3%	(4.4)
Type of Post-Release Supervision									
Post-Release Community Supervision	17,465	16,184	(1,281)	8,559	8,816	257	49.0%	54.5%	5.5
Parole	16,224	15,586	(638)	6,473	6,298	(175)	39.9%	40.4%	0.5
Directly Discharged	67	22	(45)	27	9	(18)	40.3%	N/A	N/A

Table 14. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2015-16 and Fiscal Year 2016-17 (continued)

	FY 2015-16 Number Released	FY 2016-17 Number Released	Number Released Difference	FY 2015-16 Number Convicted	FY 2016-17 Number Convicted	Number Convicted Difference	FY 2015-16 Three-Year Conviction Rate	FY 2016-17 Three-Year Conviction Rate	Three-Year Rate Difference
Serious/Violent Offense									
Serious	8,031	7,253	(778)	3,832	3,600	(232)	47.7%	49.6%	1.9
Violent	7,125	7,247	122	2,096	2,146	50	29.4%	29.6%	0.2
Non-Serious/Non-Violent	18,600	17,292	(1,308)	9,131	9,377	246	49.1%	54.2%	5.1
County of Release									
Kern County	1,293	1,201	(92)	778	687	(91)	60.2%	57.2%	(3.0)
Orange County	1,584	1,561	(23)	849	847	(2)	53.6%	54.3%	0.7
Stanislaus County	551	577	26	279	309	30	50.6%	53.6%	3.0
Santa Clara County	843	765	(78)	429	388	(41)	50.9%	50.7%	(0.2)
Sacramento County	1,687	1,573	(114)	815	795	(20)	48.3%	50.5%	2.2
San Joaquin County	826	835	9	416	417	1	50.4%	49.9%	(0.5)
San Diego County	2,392	2,169	(223)	715	1,019	304	29.9%	47.0%	17.1
All Other Counties	6,773	6,506	(267)	3,002	3,052	50	44.3%	46.9%	2.6
San Bernardino County	3,145	2,887	(258)	1,308	1,349	41	41.6%	46.7%	5.1
Los Angeles County	9,744	9,184	(560)	4,334	4,263	(71)	44.5%	46.4%	1.9
Fresno County	1,549	1,459	(90)	753	677	(76)	48.6%	46.4%	(2.2)
Riverside County	2,526	2,306	(220)	1,128	1,062	(66)	44.7%	46.1%	1.4
Alameda County	776	747	(29)	226	249	23	29.1%	33.3%	4.2
Directly Discharged	67	22	(45)	27	9	(18)	40.3%	N/A	N/A

Table 14. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2015-16 and Fiscal Year 2016-17 (continued)

	FY 2015-16 Number Released	FY 2016-17 Number Released	Number Released Difference	FY 2015-16 Number Convicted	FY 2016-17 Number Convicted	Number Convicted Difference	FY 2015-16 Three-Year Conviction Rate	FY 2016-17 Three-Year Conviction Rate	Three-Year Rate Difference
CSRA Risk Score									
High	14,560	13,795	(765)	8,785	8,774	(11)	60.3%	63.6%	3.3
Moderate	9,745	9,204	(541)	4,228	4,353	125	43.4%	47.3%	3.9
Low	9,451	8,793	(658)	2,046	1,996	(50)	21.6%	22.7%	1.1
Mental Health Designation									
Mental Health Crisis Bed	66	40	(26)	39	24	(15)	59.1%	60.0%	0.9
Enhanced Outpatient Program	1,308	1,334	26	691	731	40	52.8%	54.8%	2.0
Inpatient	30	80	50	19	42	23	63.3%	52.5%	(10.8)
Correctional Clinical Case Management System	6,416	6,347	(69)	3,113	3,238	125	48.5%	51.0%	2.5
No Mental Health Designation	25,936	23,991	(1,945)	11,197	11,088	(109)	43.2%	46.2%	3.0
Length of Stay									
0 to 6 Months	4,698	4,879	181	2,416	2,711	295	51.4%	55.6%	4.2
7 to 12 Months	8,095	8,150	55	4,176	4,469	293	51.6%	54.8%	3.2
13 to 18 Months	5,237	4,814	(423)	2,478	2,543	65	47.3%	52.8%	5.5
19 to 24 Months	3,547	2,981	(566)	1,689	1,555	(134)	47.6%	52.2%	4.6
2 to 3 Years	3,797	3,353	(444)	1,755	1,575	(180)	46.2%	47.0%	0.8
3 to 4 Years	2,056	1,864	(192)	870	799	(71)	42.3%	42.9%	0.6
4 to 5 Years	1,472	1,213	(259)	480	428	(52)	32.6%	35.3%	2.7
5 to 10 Years	2,780	2,550	(230)	855	718	(137)	30.8%	28.2%	(2.6)
10 to 15 Years	964	907	(57)	234	212	(22)	24.3%	23.4%	(0.9)
15 Years or more	1,110	1,081	(29)	106	113	7	9.5%	10.5%	1.0

Table 14. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2015-16 and Fiscal Year 2016-17 (continued)

	FY 2015-16 Number Released	FY 2016-17 Number Released	Number Released Difference	FY 2015-16 Number Convicted	FY 2016-17 Number Convicted	Number Convicted Difference	FY 2015-16 Three-Year Conviction Rate	FY 2016-17 Three-Year Conviction Rate	Three-Year Rate Difference
Number of CDCR Stays									
1	15,608	15,162	(446)	5,895	6,063	168	37.8%	40.0%	2.2
2	4,660	4,646	(14)	2,216	2,403	187	47.6%	51.7%	4.1
3	2,556	2,295	(261)	1,204	1,190	(14)	47.1%	51.9%	4.8
4	1,935	1,680	(255)	957	871	(86)	49.5%	51.8%	2.3
5	1,587	1,430	(157)	762	791	29	48.0%	55.3%	7.3
6	1,274	1,220	(54)	644	680	36	50.5%	55.7%	5.2
7	1,048	956	(92)	567	556	(11)	54.1%	58.2%	4.1
8	946	851	(95)	532	485	(47)	56.2%	57.0%	0.8
9	785	693	(92)	432	374	(58)	55.0%	54.0%	(1.0)
10	648	552	(96)	351	328	(23)	54.2%	59.4%	5.2
11	524	442	(82)	271	256	(15)	51.7%	57.9%	6.2
12	464	345	(119)	248	208	(40)	53.4%	60.3%	6.9
13	337	281	(56)	181	184	3	53.7%	65.5%	11.8
14	292	245	(47)	164	153	(11)	56.2%	62.4%	6.2
15 or more	1,092	994	(98)	635	581	(54)	58.2%	58.5%	0.3

Table 14. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2015-16 and Fiscal Year 2016-17 (continued)

	FY 2015-16 Number Released	FY 2016-17 Number Released	Number Released Difference	FY 2015-16 Number Convicted	FY 2016-17 Number Convicted	Number Convicted Difference	FY 2015-16 Three-Year Conviction Rate	FY 2016-17 Three-Year Conviction Rate	Three-Year Rate Difference
Commitment Offense									
Vehicle Theft	1,440	1,461	21	934	1,039	105	64.9%	71.1%	6.2
Escape	131	104	(27)	75	73	(2)	57.3%	70.2%	12.9
Other Property	303	321	18	163	203	40	53.8%	63.2%	9.4
Burglary Second	1,051	796	(255)	567	502	(65)	53.9%	63.1%	9.2
Receiving Stolen Property	470	389	(81)	271	236	(35)	57.7%	60.7%	3.0
Possession of Weapon	3,768	3,665	(103)	1,978	2,129	151	52.5%	58.1%	5.6
Petty Theft With Prior	99	49	(50)	44	27	(17)	44.4%	55.1%	10.7
Controlled Substance Other	307	306	(1)	145	166	21	47.2%	54.2%	7.0
Burglary First	2,726	2,416	(310)	1,345	1,296	(49)	49.3%	53.6%	4.3
Controlled Substance Possession	882	615	(267)	467	325	(142)	52.9%	52.8%	(0.1)
Grand Theft	467	402	-65	214	211	-3	45.8%	52.5%	6.7
Other Assault/Battery	4,968	4,851	(117)	2,458	2,510	52	49.5%	51.7%	2.2
Other Offenses	1,771	1,777	6	842	860	18	47.5%	48.4%	0.9
Forgery/Fraud	479	511	32	213	244	31	44.5%	47.7%	3.2
Controlled Substance Possession For Sale	1,931	1,665	(266)	810	772	(38)	41.9%	46.4%	4.5
Arson	190	180	(10)	90	83	(7)	47.4%	46.1%	(1.3)
Assault with a Deadly Weapon	3,714	3,779	65	1,643	1,725	82	44.2%	45.6%	1.4
Robbery	3,176	3,219	43	1,401	1,441	40	44.1%	44.8%	0.7
Other Sex Offenses	1,044	1,009	(35)	449	451	2	43.0%	44.7%	1.7
Controlled Substance Sales	477	260	(217)	163	111	(52)	34.2%	42.7%	8.5
Marijuana Sale	74	40	(34)	30	17	(13)	40.5%	42.5%	2.0
Marijuana Possess For Sale	156	89	(67)	65	36	(29)	41.7%	40.4%	(1.3)
Driving Under Influence	1,115	1,018	(97)	316	322	6	28.3%	31.6%	3.3

Table 14. Three-Year Conviction Rate by Offender Demographics and Characteristics for Offenders Released in Fiscal Year 2015-16 and Fiscal Year 2016-17 (continued)

	FY 2015-16 Number Released	FY 2016-17 Number Released	Number Released Difference	FY 2015-16 Number Convicted	FY 2016-17 Number Convicted	Number Convicted Difference	FY 2015-16 Three-Year Conviction Rate	FY 2016-17 Three-Year Conviction Rate	Three-Year Rate Difference
Commitment Offense (continued)									
Attempted Murder Second	249	287	38	59	71	12	23.7%	24.7%	1.0
Controlled Substance Manufacturing	57	59	2	10	14	4	17.5%	23.7%	6.2
Kidnapping	182	165	(17)	41	34	(7)	22.5%	20.6%	(1.9)
Manslaughter	317	331	14	62	66	4	19.6%	19.9%	0.3
Oral Copulation	63	63	0	15	11	(4)	23.8%	17.5%	(6.3)
Penetration With Object	64	61	(3)	8	9	1	12.5%	14.8%	2.3
Rape	202	194	(8)	33	28	(5)	16.3%	14.4%	(1.9)
Vehicular Manslaughter	162	130	(32)	14	15	1	8.6%	11.5%	2.9
Lewd Act With Child	998	904	(94)	93	70	(23)	9.3%	7.7%	(1.6)
Murder Second	372	343	(29)	11	9	(2)	3.0%	2.6%	(0.4)
Attempted Murder First	56	71	15	2	1	(1)	3.6%	1.4%	(2.2)
Murder First	222	219	(3)	8	3	(5)	3.6%	1.4%	(2.2)
Hashish Possession	2	1	(1)	1	0	(1)	N/A	N/A	N/A
Marijuana Other	46	26	(20)	16	11	(5)	34.8%	N/A	N/A
Sodomy	25	16	(9)	3	2	(1)	N/A	N/A	N/A
Sex Registration Requirement									
No	30,429	28,659	(1,770)	14,043	14,142	99	46.2%	49.3%	3.1
Yes	3,327	3,133	(194)	1,016	981	(35)	30.5%	31.3%	0.8

Appendix E: Arrest, Conviction and Return-to-Prison Rates for Offenders Released in Fiscal Year 2002-03 through 2016-17

Figure 12. One-Year Arrest, Conviction, and Return-to-Prison Rates by Fiscal Year

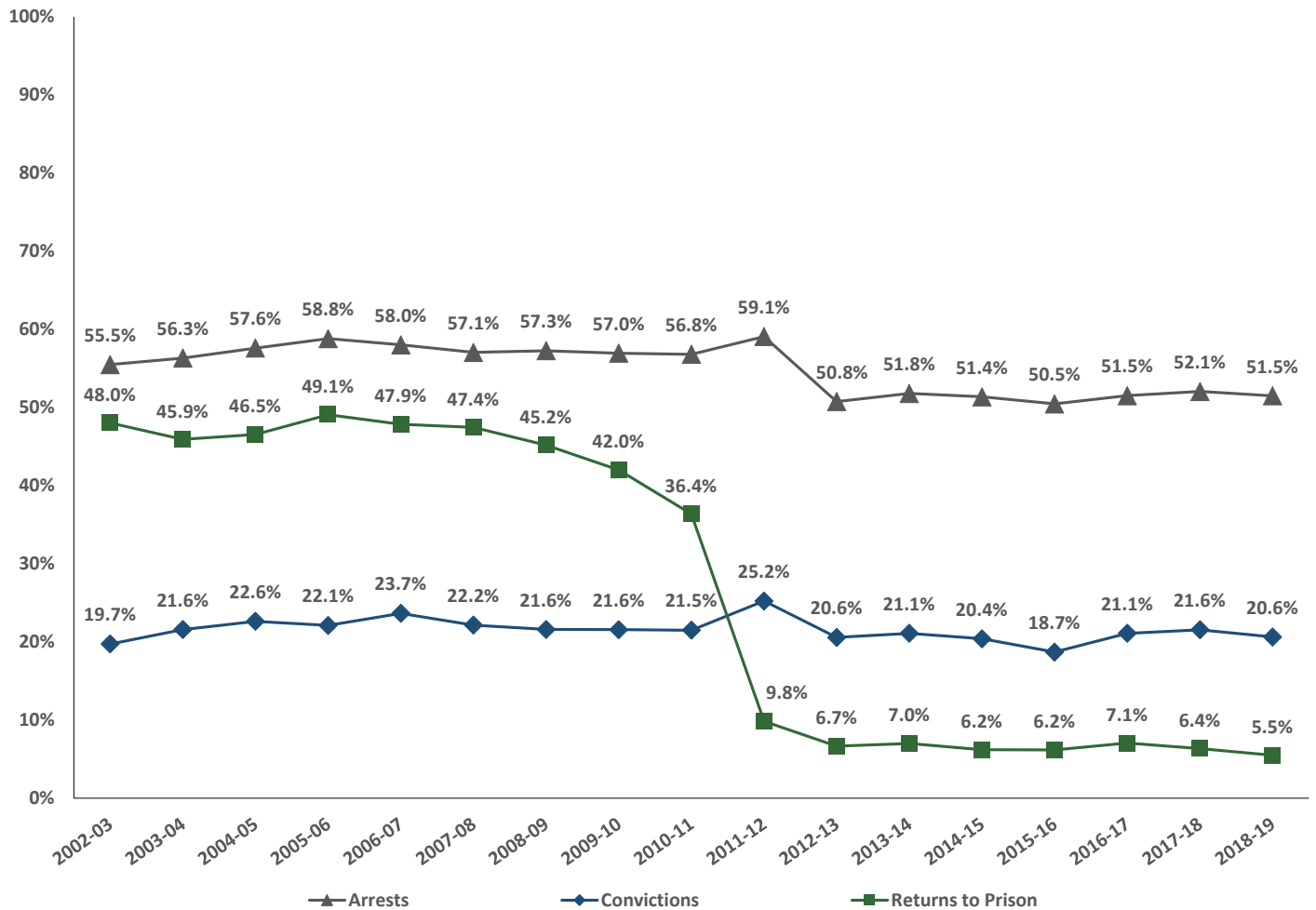


Figure 13. Two-Year Arrest, Conviction, and Return-to-Prison Rates by Fiscal Year

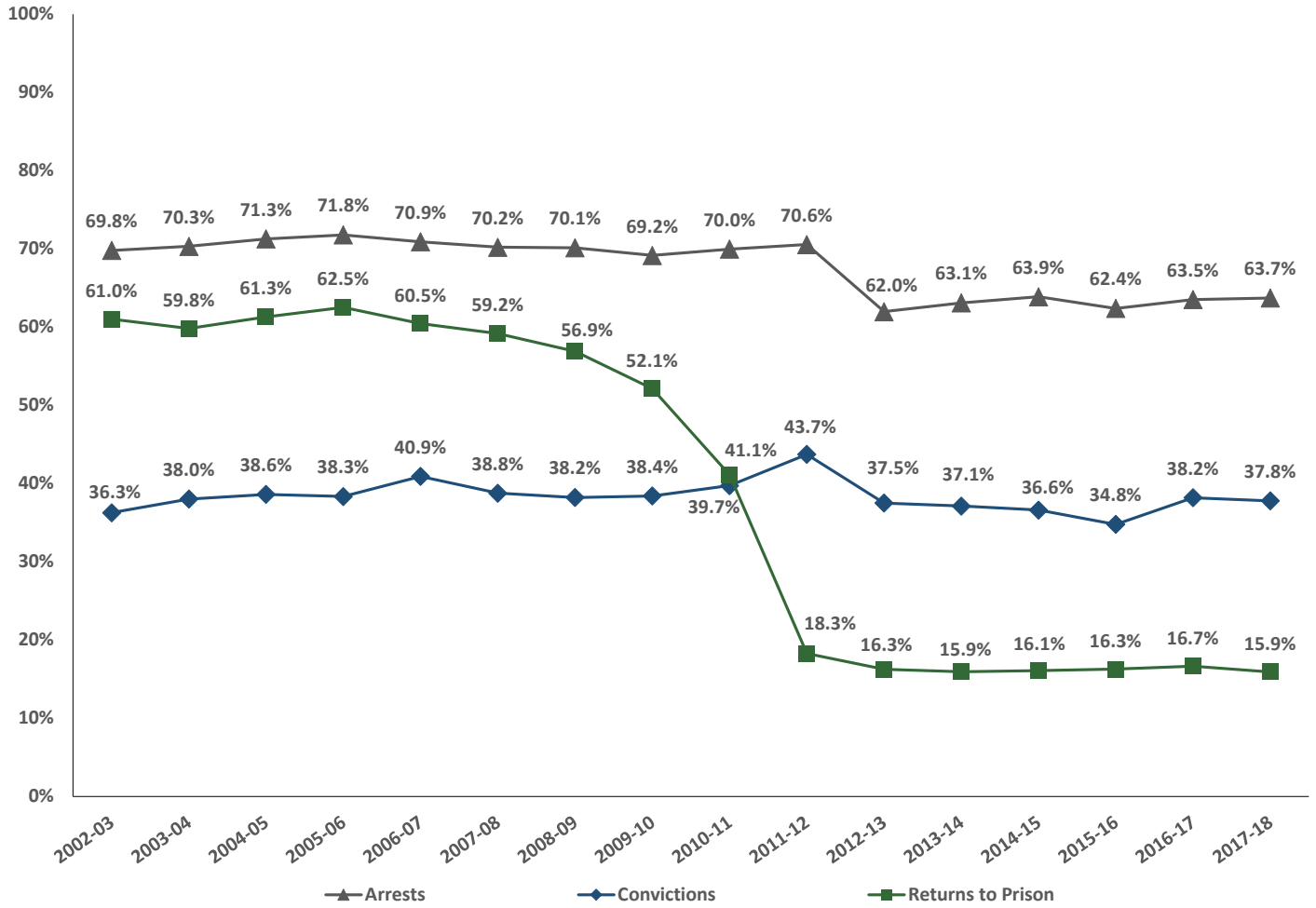


Figure 14. Three-Year Arrest, Conviction, and Return-to-Prison Rates by Fiscal Year

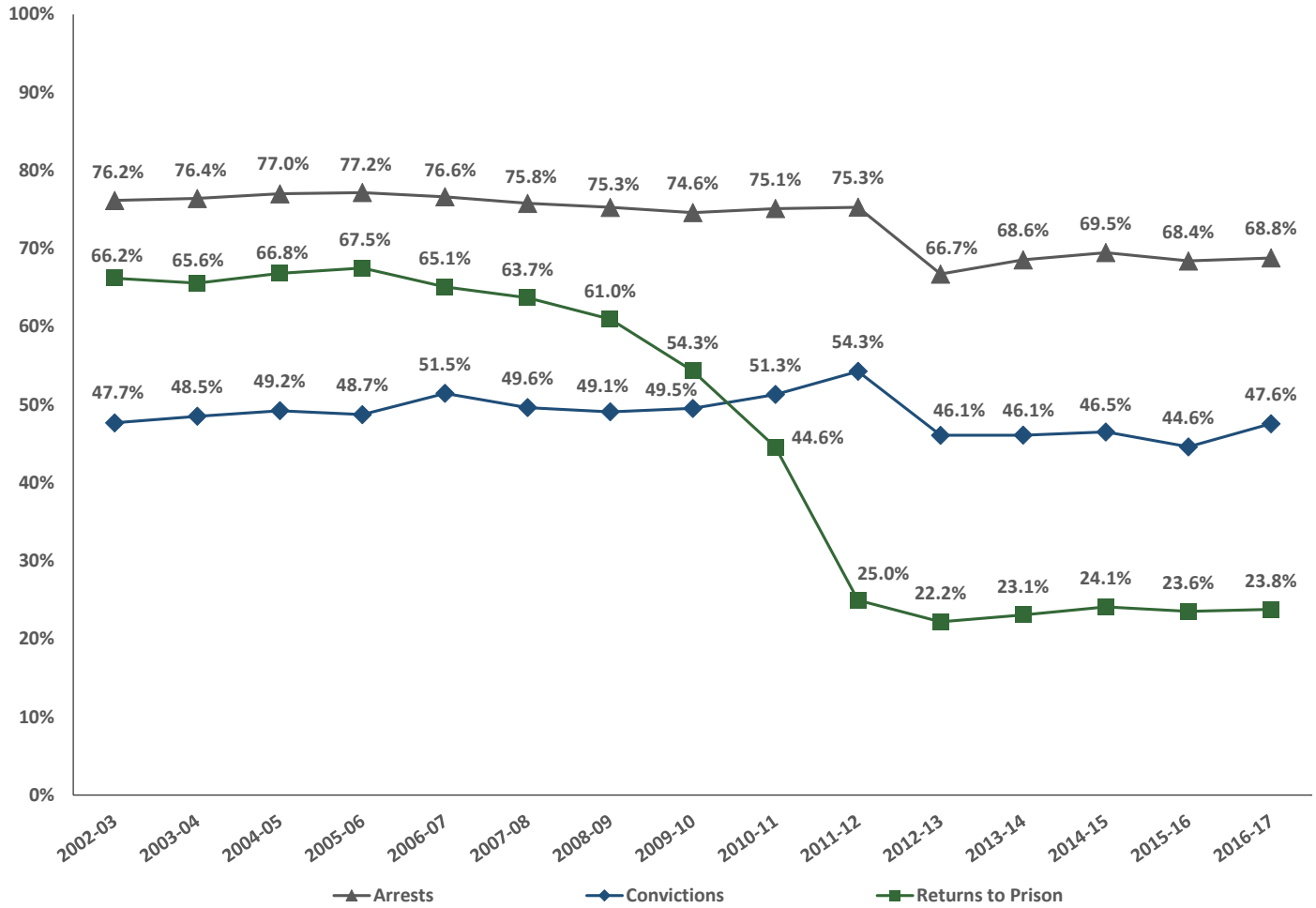


Table 15. One-, Two-, and Three-Year Arrest Rates by Fiscal Year

Fiscal Year	Number Released	One-Year		Two-Year		Three-Year	
		Number Arrested	Arrest Rate	Number Arrested	Arrest Rate	Number Arrested	Arrest Rate
2002-03	99,482	55,204	55.5%	69,449	69.8%	75,765	76.2%
2003-04	99,635	56,127	56.3%	70,070	70.3%	76,135	76.4%
2004-05	103,647	59,703	57.6%	73,881	71.3%	79,819	77.0%
2005-06	105,974	62,331	58.8%	76,079	71.8%	81,786	77.2%
2006-07	112,665	65,369	58.0%	79,893	70.9%	86,330	76.6%
2007-08	113,888	64,981	57.1%	79,978	70.2%	86,309	75.8%
2008-09	110,356	63,193	57.3%	77,412	70.1%	83,080	75.3%
2009-10	103,867	59,159	57.0%	71,837	69.2%	77,495	74.6%
2010-11	94,888	53,911	56.8%	66,399	70.0%	71,284	75.1%
2011-12	74,875	44,236	59.1%	52,829	70.6%	56,371	75.3%
2012-13	35,790	18,165	50.8%	22,184	62.0%	23,885	66.7%
2013-14	33,113	17,153	51.8%	20,893	63.1%	22,700	68.6%
2014-15	39,205	20,142	51.4%	25,047	63.9%	27,239	69.5%
2015-16	33,756	17,034	50.5%	21,061	62.4%	23,094	68.4%
2016-17	31,792	16,378	51.5%	20,199	63.5%	21,871	68.8%
2017-18	35,521	18,489	52.1%	22,635	63.7%	N/A	N/A
2018-19	36,391	18,740	51.5%	N/A	N/A	N/A	N/A

Table 16. One-, Two-, and Three-Year Conviction Rates by Fiscal Year

Fiscal Year	Number Released	One-Year		Two-Year		Three-Year	
		Number Convicted	Conviction Rate	Number Convicted	Conviction Rate	Number Convicted	Conviction Rate
2002-03	99,482	19,643	19.7%	36,087	36.3%	47,443	47.7%
2003-04	99,635	21,509	21.6%	37,881	38.0%	48,350	48.5%
2004-05	103,647	23,464	22.6%	40,022	38.6%	51,026	49.2%
2005-06	105,974	23,428	22.1%	40,635	38.3%	51,650	48.7%
2006-07	112,665	26,657	23.7%	46,106	40.9%	57,980	51.5%
2007-08	113,888	25,233	22.2%	44,164	38.8%	56,525	49.6%
2008-09	110,356	23,831	21.6%	42,181	38.2%	54,175	49.1%
2009-10	103,867	22,410	21.6%	39,908	38.4%	51,456	49.5%
2010-11	94,888	20,403	21.5%	37,710	39.7%	48,689	51.3%
2011-12	74,875	18,894	25.2%	32,746	43.7%	40,644	54.3%
2012-13	35,790	7,363	20.6%	13,423	37.5%	16,496	46.1%
2013-14	33,113	6,990	21.1%	12,295	37.1%	15,264	46.1%
2014-15	39,205	8,003	20.4%	14,355	36.6%	18,235	46.5%
2015-16	33,756	6,312	18.7%	11,743	34.8%	15,059	44.6%
2016-17	31,792	6,710	21.1%	12,141	38.2%	15,123	47.6%
2017-18	35,521	7,659	21.6%	13,423	37.8%	N/A	N/A
2018-19	36,391	7,508	20.6%	N/A	N/A	N/A	N/A

Table 17. One-, Two-, and Three-Year Return-to-Prison Rates by Fiscal Year

Fiscal Year	Number Released	One-Year		Two-Year		Three-Year	
		Number Returned	Return Rate	Number Returned	Return Rate	Number Returned	Return Rate
2002-03	103,934	49,924	48.0%	63,415	61.0%	68,810	66.2%
2003-04	103,296	47,423	45.9%	61,788	59.8%	67,734	65.6%
2004-05	106,920	49,761	46.5%	65,559	61.3%	71,444	66.8%
2005-06	108,662	53,330	49.1%	67,958	62.5%	73,350	67.5%
2006-07	115,254	55,167	47.9%	69,691	60.5%	75,018	65.1%
2007-08	116,015	55,049	47.4%	68,643	59.2%	73,885	63.7%
2008-09	112,877	51,010	45.2%	64,244	56.9%	68,803	61.0%
2009-10	104,981	44,104	42.0%	54,713	52.1%	57,022	54.3%
2010-11	95,690	34,810	36.4%	39,331	41.1%	42,661	44.6%
2011-12	75,733	7,456	9.8%	13,843	18.3%	18,908	25.0%
2012-13	36,527	2,435	6.7%	5,937	16.3%	8,110	22.2%
2013-14	33,449	2,348	7.0%	5,334	15.9%	7,726	23.1%
2014-15	39,399	2,447	6.2%	6,336	16.1%	9,505	24.1%
2015-16	33,861	2,091	6.2%	5,512	16.3%	7,976	23.6%
2016-17	31,975	2,255	7.1%	5,324	16.7%	7,607	23.8%
2017-18	35,899	2,284	6.4%	5,718	15.9%	N/A	N/A
2018-19	36,748	2,020	5.5%	N/A	N/A	N/A	N/A

Appendix F: Correctional Policies and Initiatives

The following section describes recent correctional policies and practices and their influence on post-release outcomes. CDCR has also expanded rehabilitative programs and changed its classification system to allow for increased program access. At the time of this report's development, California's local facilities and State prisons also accelerated the release of some offenders due to the COVID-19 pandemic.¹⁹ Although it takes time to examine both the temporary and lasting impacts of correctional policies on CDCR's population, CDCR will continue to provide this information as it becomes available.

Public Safety Realignment

Assembly Bill (AB) 109, California's Public Safety Realignment Act (Realignment) became law on October 1, 2011. Realignment required certain offenders be sentenced to and serve parole revocations in county jails, rather than state prison. Realignment changed the parole revocation process so that only offenders previously sentenced to a life term (lifers) and some sex offenders can be revoked to prison.²⁰

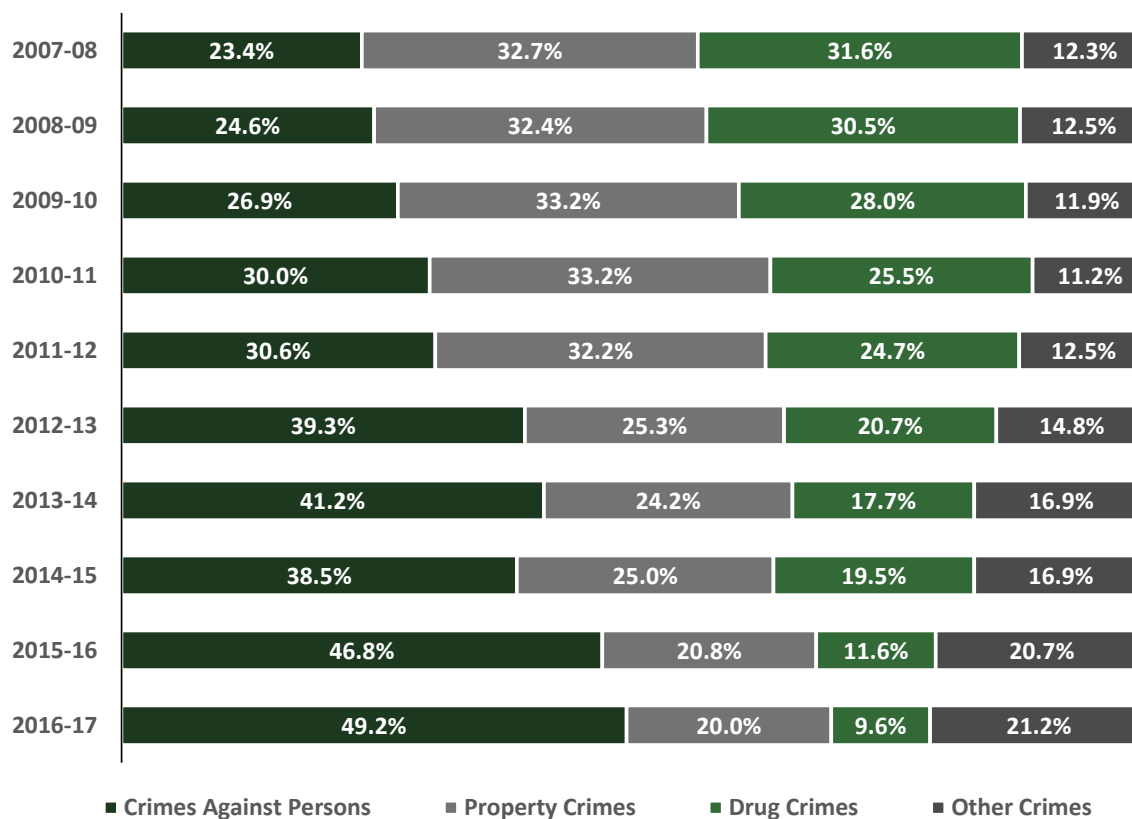
Realignment also changed the state's system of post-release supervision. Prior to Realignment, most offenders released from CDCR were released to parole and supervised by parole agents. Most non-serious, non-violent, and non-sex registrant offenders are released to Post-Release Community Supervision, which is administered by county probation departments; whereas most high-risk sex offenders, lifers, and offenders committing a serious or violent crime are released to parole and supervised by parole agents.

The FY 2016-17 release cohort represents the fifth cohort of CDCR offenders whose period of release (July 1, 2016 to June 30, 2017) and three-year follow-up period (ending no later than June 30, 2020) occurred after the implementation of Realignment. Realignment had some pronounced effects on CDCR's population, including a large drop in the number of offenders admitted to and released from prison each fiscal year, the composition (e.g., demographics and characteristics) of those offenders, and substantial decreases in one of CDCR's supplemental measures of recidivism: the three-year return-to-prison rate.

¹⁹ For more information regarding COVID-19, releases, and departmental updates may be found at: <https://www.cdcr.ca.gov/covid19/>

²⁰ Penal Code section 3000.08 remands persons on parole pursuant to section 3000.0, subdivision (b), paragraph (4) to the custody of CDCR. For more information regarding specific sex offenses, please see Penal Code 3000.0(b)(4). For more information regarding decreases to returns to prison for parole violations, please see Appendix E Type of Return to Prison.

Figure 15. Percentage of Releases by Commitment Offense Category for the Fiscal Year 2007-08 through Fiscal Year 2016-17 Release Cohorts



After Realignment, the arrest and conviction rates for CDCR releases remained fairly stable with minor fluctuations. In contrast, the return-to-prison rate saw a series of substantial decreases, attributed to a decrease in parole violations.²¹ The small fluctuations observed over the last four release cohorts and the recent decrease observed among the current FY 2016-17 release cohort indicate stability in the return-to-prison rate.

Proposition 47

Proposition 47 was passed by California voters in November 2014 and reduced penalties for certain non-serious, non-violent property and drug crimes by mandating a misdemeanor sentence instead of a felony. It also allowed offenders serving sentences in prison for felony offenses to petition the courts for resentencing under new sentencing provisions.²² Proposition 47 was implemented in November 2014

²¹ With the exception of offenders previously sentenced to a life term (lifers) and some sex offenders. Penal Code section 3000.08 remands persons on parole pursuant to section 3000.0, subdivision (b), paragraph (4) to the custody of CDCR. For more information regarding specific sex offenses, please see Penal Code 3000.0(b)(4). For more information regarding decreases to returns to prison for parole violations, please see Section 4.3 Type of Return to Prison.

²² More information regarding Proposition 47 may be found at: <https://www.courts.ca.gov/prop47.htm>

prior to the 2016-17 release cohort's period of release (July 1, 2016 to June 30, 2017) and was active during all of the cohort's three-year follow-up period.

Most offenders eligible under Proposition 47 provisions were resentenced and released during FY 2014-15, shortly after the measure was passed. Fifty-nine offenders belonging to the FY 2016-17 release cohort were released under Proposition 47. Offenders committed to CDCR for property and drug crimes, such as those released under Proposition 47, historically have higher recidivism rates than offenders committed for serious/violent offenses (e.g., crimes against persons). Higher conviction rates were observed among Proposition 47 releases in recent cohorts and may have had the effect of influencing the recidivism rate upward. Proposition 47's influence on the three-year conviction rate has waned as the number of Proposition 47 releases has sharply declined since FY 2014-15.

In addition to resentencing for some offenders, the sentencing provisions of Proposition 47 affected the types of post-release convictions (i.e., felony or misdemeanor). Specifically, the percentage of post-release convictions for felony drug/alcohol crimes decreased and the percentage of misdemeanor drug/alcohol crimes increased. The most substantial decreases in post-release convictions for felony drug/alcohol crimes occurred between the FY 2012-13 and 2013-14 release cohorts (increased 7.6 percentage points) and FY 2013-14 and 2014-15 release cohorts (increased 6.7 percentage points). A similar pattern, though less pronounced, was observed among felony and misdemeanor property crimes that fell under Proposition 47 guidelines. Recent increases in misdemeanor drug/alcohol and property crimes have been gradual since the FY 2014-15 release cohort and indicate the immediate effects of Proposition 47 on post-release convictions has stabilized. Future cohorts may see stability with small fluctuations in terms of the percentage of felony and misdemeanor convictions.

Proposition 57 and Other Correctional Policies and Initiatives

The FY 2016-17 cohort was released before the expansion and implementation of several rehabilitative programs. During the three-year follow-up period, CDCR made changes to its classification system, allowing for increased program access and expanded vocational, academic, and rehabilitative programs. Additionally, CDCR was in the process of developing the Integrated Substance Use Disorder Treatment (ISUDT) program, which will include comprehensive enhancements to treat substance use disorders among California's prison population.

Proposition 57 was passed in November 2016 and allows eligible CDCR offenders to earn credits for good behavior and approved rehabilitative educational achievements.²³ Proposition 57 increased the amount of credits that may be earned through the Good Conduct Credit (GCC), and Milestone Completion Credit (MCC) Programs, and also added two new types of credits: Rehabilitative Achievement Credit (RAC) and Educational Merit Credits (EMC). Proposition 57 also established a parole consideration process for determinately sentenced and indeterminately sentenced non-violent

²³ More information regarding Proposition 57 and changes to credit earnings may be found at: <https://www.cdcr.ca.gov/proposition57/>

offenders, who serve the full term for their primary criminal offense and demonstrate no current or unreasonable risk to the public.

While the FY 2016-17 cohort was released before enhancements and full implementation of rehabilitative programming and Proposition 57, CDCR will monitor any early impacts Proposition 57 may have on the composition of CDCR's release cohorts, as well as the three-year return-to-prison rate and type of post-release convictions.

Appendix G: Evaluation Design

Definitions

The State of California defines recidivism as “conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction.”²⁴ The definition also allows for supplemental measures of recidivism including: new arrests, returns to custody, criminal filings, or supervision violations. In prior reports, CDCR used a supplemental measure, the three-year return-to-prison rate, as the primary measure of recidivism. Commencing with the 2016 Outcome Evaluation Report, CDCR implemented the State of California’s definition of recidivism and used the three-year conviction rate as the primary measure of recidivism.²⁵

The three-year conviction rate is defined as follows:

“An individual convicted of a felony and incarcerated in a CDCR adult institution who was released to parole, released to Post-Release Community Supervision, or directly discharged during Fiscal Year 2016-17 and subsequently convicted of a felony or misdemeanor offense within three years of their release date.”

The conviction rate is calculated using the ratio of the number of offenders in the release cohort who were convicted during the follow-up period to the total number of offenders in the release cohort, multiplied by 100.

$$\text{Conviction Rate} = \frac{\text{Number Convicted}}{\text{Release Cohort}} \times 100$$

Appendix E of this report provides supplemental recidivism rates using arrest and return-to-prison data for year-to-year comparisons. Three-year rates for each of the supplemental measures are available from FY 2002-03 through 2016-17. One-year and two-year rates are available for the FY 2017-18 release cohort and one-year rates are available for the FY 2018-19 release cohort.

Methods

This report provides conviction rates at one-, two-, and three-year intervals for offenders released from CDCR’s Division of Adult Institutions (DAI) between July 1, 2016 and June 30, 2017 (FY 2016-17). The release cohort includes: 1) offenders who were directly discharged from CDCR; 2) offenders who were

²⁴ Section 3027 of California Penal Code required the Board of State and Community Corrections to develop a state-wide definition of recidivism.

²⁵ CDCR’s Recidivism Report series was previously titled the “Outcome Evaluation” report series. The 2018 Recidivism Report followed the 2017 Outcome Evaluation Report. Previous reports were referenced by the calendar year in which they were published (i.e., 2017, 2018). Commencing with the Recidivism Report for Offenders Released from the California Department of Corrections and Rehabilitation in FY 2014-15, the report title references the fiscal year in which offenders were released from CDCR. All of these reports provide recidivism rates (arrest, conviction, and return-to-prison rates) for offenders released in a given fiscal year, with this current report providing rates for offenders released in FY 2016-17.

released to parole or PRCS for the first time on their current term; and 3) offenders who were released to parole on their current term prior to FY 2016-17, returned to prison on this term and were then re-released during FY 2016-17. Convictions are further examined according to offender demographics (e.g., gender and age) and offender characteristics (e.g., commitment offense and sentence type).

Data Sources

Data were extracted from CDCR's Strategic Offender Management System (SOMS), CDCR's system of record, to identify offenders released between July 1, 2016 and June 30, 2017 and to determine which released offenders returned to state prison during the three-year follow-up period. Arrest and conviction data were obtained from DOJ's Criminal Justice Information System and the California Law Enforcement Telecommunications System.

Data Limitations

Data quality is important with all analyses performed by CDCR's Office of Research. The intent of this report is to provide summary (aggregate) information, rather than individual information. The aggregate data are strong when a large number of records (releases) are available for analysis, but are less robust as subgroups are influenced by nuances associated with each case. Therefore, caution should be exercised when interpreting results associated with fewer records. As such, conviction rates are only presented for offender releases (i.e., denominators) equal to or greater than 30.

Conviction rates are fixed at three years, meaning the follow-up period is considered complete and no further analyses are performed. Arrest, conviction, and return-to-prison data presented in Section 4 of this report may see slight fluctuations, particularly as the one-year and two-year rates are updated in subsequent reporting years. These data are routinely updated in accordance with criminal justice system processing. As data become available, subsequent reports will be updated.

Appendix H: Definition of Terms

Arrest

Taking a person into custody, in a case and in the manner authorized by the law, California Penal Code (PC) section 834.

California Static Risk Assessment (CSRA)

The CSRA is a validated risk assessment tool that utilizes demographic and criminal history data to predict an offender's risk of conviction at the time they are released from CDCR. The tool produces a risk number value that will predict the likelihood that an offender will incur a conviction within a three-year period after release from CDCR. Risk categories designated by the CSRA include low, moderate, and high (high includes high-risk drug, high-risk property and high-risk violence).

Cohort

A group of individuals who share a common characteristic, such as all offenders who were released during a given fiscal year.

Commitment Offense Category

Refers to the category of offense (property crimes, drug crimes, other crimes, and crimes against persons) that an offender committed prior to their release from in Fiscal Year 2016-17.

Controlling Crime or Commitment Offense

The most serious offense for which the offender was sentenced to prison on that term.

Conviction

A judgment, based either on the verdict of a jury or a judicial officer or on the guilty plea of the defendant that the defendant is guilty.

Correctional Clinical Case Management System (CCCMS)

The CCCMS facilitates mental health care by linking offenders/patients to needed services and providing sustained support while accessing such services. CCCMS services are provided to inmate-patients whose condition is relatively stable and whose symptoms are largely controlled in an outpatient setting with the general population at all institutions.

Correctional Offender Management for Profiling Alternative Sanctions (COMPAS)

The COMPAS is a tool utilized to determine an offender's need in areas such as substance abuse, criminal thinking, and education. Offenders are categorized as having no need, a probable need, or a highly probable need for services and treatment.

County of Release

The county to which an offender is released. Conviction rates by county should be interpreted with caution as offenders may leave the county to which they are released and may be convicted in a county other than their county of release.

Determinate Sentencing Law (DSL)

Established by Penal Code section 1170 in 1977, Determinate Sentencing Law identifies a specified sentence length for convicted felons who are remanded to state prison. Essentially, three specific terms of imprisonment (low, middle, and high) are assigned for crimes, as well as enhancements (specific case factors that allow judges to add time to a sentence). Opportunities to earn “credits” can reduce the length of incarceration.

Direct Discharge

A direct discharge is a release status for offenders that are released directly from prison and do not receive parole supervision or Post-Release Community Supervision.

Enhanced Outpatient Program (EOP)

A mental health services designation for mentally disordered inmate-patients receiving treatment at a level similar to day treatment services for patients who have shown an inability to function in the General Population. EOP provides a setting that is less restrictive than inpatient, but more intensive than CCCMS. The inmate-patients assigned to the EOP level of care do not require nursing care and are often transitioning from inpatient care and or may have a serious mental illness that is of long duration with moderate to severe and persistent functional impairment(s).

Gender

Gender is utilized to distinguish between data reported for males and females.

Indeterminate Sentencing Law (ISL)

Established by Penal Code section 1168 in 1917, the Indeterminate Sentencing Law allowed judges to determine a range of time (minimum and maximum) a convicted felon would serve. Different felons convicted for the same crimes could spend varying lengths of time in prison; release depended on many factors, including each prisoner’s individual conduct in prison. After the minimum sentence passed, felons were brought to a parole board to identify the actual release date. Indeterminate Sentencing was replaced by Determinate Sentencing (Penal Code section 1170) in 1977. After the implementation of Determinate Sentencing, only individuals with life sentences and third strikers are considered “indeterminately” sentenced since the parole board determines their release.

Inpatient Care

A mental health services designation for inmate patients whose conditions cannot successfully be treated in an outpatient setting or through short-term Mental Health Crisis Bed placement. Patients may require acute or intermediate levels of care, available at some prisons and State Hospitals.

Lifer

A lifer is a term used to refer to an offender sentenced under Indeterminate Sentencing Law to an indeterminate term. A lifer may or may not be eligible for parole.

Length of Stay

The length of time an offender spends in prison during a prison term. Typical lengths of stay range from zero to six months up to 15 years or more.

Manual California Static Risk Assessment (CSRA)

Offenders who do not have automated criminal history data from the Department of Justice (DOJ) must have their CSRA score calculated manually. Calculations are completed with a review of a paper copy of the offender's rap sheet.

Mental Health Crisis Bed (MHCB)

A mental health service designation for inmate patients that provides short-term treatment (usually less than 10 days) for severe episodes of psychiatric distress or mental disorder.

Parole

A period of conditional supervised release following a prison term. Prior to Public Safety Realignment, almost all offenders released from CDCR were placed on state parole supervision after their release. After Public Safety Realignment, most serious or violent offenders, high-risk sex offenders, and offenders released after serving a life term are released to CDCR parole supervision, and most non-serious, non-violent, non-sex registrant offenders are released to county supervision.

Parole Violation (Law or Technical)

A law violation occurs when a parolee commits a crime while on parole and returns to CDCR custody (RTC) by action of the Board of Parole Hearings rather than by prosecution in the courts. A technical violation occurs when a parolee violates a condition of his/her parole that is not considered a new crime and returns to CDCR custody.

Parole Violator Returning with a New Term (PV-WNT)

A parolee who receives a court sentence for a new crime committed while under parole supervision and returned to prison. Realignment changed the parole revocation process so that only offenders

previously sentenced to a life term (lifers) and some sex offenders can be revoked to prison. The vast majority of parole violations are served in county jail.

Post Release Community Supervision (PRCS)

Post Release Community Supervision is a form of supervision provided to an offender who has been released from a CDCR institution to the jurisdiction of a county agency, pursuant to the Post Release Community Supervision Act of 2011. Prior to Public Safety Realignment, almost all offenders released from CDCR were placed on state parole supervision after their release. After Public Safety Realignment, most non-serious, non-violent, and non-sex registrant offenders are released to PRCS.

Proposition 47

Proposition 47, The Safe Neighborhoods and Schools Act, was passed on November 5, 2014 and reclassified certain theft and drug offenses from felonies to misdemeanors. Proposition 47 also allowed offenders serving sentences in prison for felony offenses to petition the courts for resentencing under new misdemeanor provisions. It also allowed offenders who completed their sentences for felony convictions to apply to reclassify those convictions to misdemeanors.

Proposition 57

Proposition 57, the Public Safety and Rehabilitation Act of 2016 was passed into law on November 8, 2016. Proposition 57 increased the number of non-violent offenders eligible for parole consideration and allowed for parole consideration after an offender served the full term of their sentences for the primary offense. Proposition 57 also authorized CDCR to award sentence credits for rehabilitation, good behavior, or educational achievements. Proposition 57 also allows juvenile court judges the authority to determine whether juveniles age 14 and over should be sentenced as adults for specific offenses.

Race/Ethnicity

The race/ethnicity categories are used to describe specific sub-populations of CDCR. The categories CDCR use for reporting include American Indian/Alaskan Native, Hispanic/Latino, White, Black/African American, Asian/Pacific Islander and Other.

Recidivism

Conviction of a new felony or misdemeanor committed within three years of release from custody. Convictions are CDCR's primary measure of recidivism.

Registered Sex Offender

An offender is designated as a registered sex offender if CDCR records show that the offender has at some point been convicted of an offense that requires registration as a sex offender under Penal Code section 290. This designation is permanent in CDCR records.

Release Type

Release type refers to the type of release an offender is categorized under and includes direct discharge, parole or PRCS.

Return-to-Prison

An individual convicted of a felony and incarcerated in a CDCR adult institution who was released to parole, discharged after being paroled, or directly discharged during FY 2015-16 and subsequently returned to prison within three years of their release date.

Second Strikers

An inmate who has a prior serious or violent felony conviction pled and proven in court and who is convicted of any new offense, which results in the new term being doubled.

Sentence Type

The type of sentence an offender is categorized under, such as determinate sentences (including second strikers) and indeterminate sentencing (including third strikers, lifers and condemned inmates). For the purposes of this report, offenders are categorized as sentenced under Determinate Sentencing Law, Indeterminate Sentencing Law (Lifers), Second Strike Offenders, or Proposition 47 Releases. Proposition 47 changed some offenses from felonies to misdemeanors, which affected the sentence type of some offenders.

Serious Felony Offenses

Serious felony offenses are specified in Penal Code section 1192.7(c) and Penal Code section 1192.8

Stay

A stay is any period of time an offender is housed in a CDCR institution. Each time an offender returns to prison, it is considered a new stay, regardless of the reason for returning.

Substance Use Disorder Treatment (SUDT)

The SUDT refers to treatment programs offered in the prison or aftercare setting for substance use.

Term

A term is a sentence an offender receives from a court to be committed to CDCR for a length-of-time. If an offender is released after serving a term and is later returned-to-prison for a parole violation, the offender returns and continues serving the original (current) term. If that offender returns for committing a new crime, the offender begins serving a new term.

Violent Felony Offense

Violent felony offenses are specified in Penal Code section 667.5(c).



**California Department of Corrections and Rehabilitation
Division of Correctional Policy Research and Internal Oversight
Office of Research**

PEOPLE v. WILLIAMS
Case No. S262229

PROOF OF SERVICE (CCP 1013a, 2015.5)

I declare under penalty of perjury that the following is true and correct:

I am a citizen of the United States and employed in the City and County of San Diego. I am over the age of eighteen (18) years and not a party to the within above-entitled action; my business address is 3549 Camino del Rio South, Suite D, San Diego, California 92108; on this date I mailed the MOTION FOR JUDICIAL NOTICE addressed as follows:

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I also served, via the TrueFiling system, the following parties:

Appellate Defenders, Inc.

Attorney General
San Diego, CA 92186-5266

The above copies were deposited in the United States mail, first class postage prepaid, at San Diego, California. I declare under penalty of perjury that the foregoing is true and correct. Executed May 28, 2024, at San Diego, California.

/s/ Rebecca P. Jones
REBECCA P. JONES

STATE OF CALIFORNIA
Supreme Court of California

PROOF OF SERVICE

STATE OF CALIFORNIA
Supreme Court of California

Case Name: **PEOPLE v.
WILLIAMS**

Case Number: **S262229**

Lower Court Case Number: **D074098**

1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My email address used to e-serve: **jones163313@gmail.com**
3. I served by email a copy of the following document(s) indicated below:

Title(s) of papers e-served:

Filing Type	Document Title
MOTION	2024-05-28 Motion for judicial notice

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This proof of service was automatically created, submitted and signed on my behalf through my agreements with TrueFiling and its contents are true to the best of my information, knowledge, and belief.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

5/28/2024

Date

/s/Rebecca Jones

Signature

Jones, Rebecca (163313)

Last Name, First Name (PNum)

Rebecca P. Jones, Attorney at law PC

Law Firm