

STATE of CALIFORNIA

OIG | OFFICE of the
INSPECTOR GENERAL

Roy W. Wesley, Inspector General
Bryan B. Beyer, Chief Deputy Inspector General

Independent Prison Oversight

Blueprint Monitoring

Ninth Report



July 2018

Fairness ■ Integrity ■ Respect ■ Service ■ Transparency

*Cover image: California State Capitol at Sacramento
Photograph sourced via the Internet
Attribution: the United States Department of Agriculture, Forestry Service*

Electronic copies of reports published by the Office of the Inspector General
are available free in portable document format (PDF)
on our website at www.oig.ca.gov.

We also offer an online subscription service.
For information on how to subscribe,
visit www.oig.ca.gov/pages/mail-list.php.

For questions concerning the contents of this report,
please contact Shaun R. Spillane, Public Information Officer,
at 916-255-1131.

Contents

Selected Definitions for Terms Used in This Report	iv
Summary	1
Introduction	3
Rehabilitative Programs	5
In Prison: Assess Needs	6
Rehabilitation Program Report	7
Case Management Plan	9
OIG Fieldwork Review	9
Academic Education	11
Career Technical Education	12
Preemployment Transitions	14
Substance Use Disorder Treatment	15
Cognitive-Behavioral Treatment	16
Long-Term Offender Program	17
Sex Offender Treatment Program	18
California Identification Card Program	19
Classification and Housing	21
Housing Plan: Global Benchmarks	22
Contract Capacity	22
Proposition 57	23
Milestone Credits	25
Sensitive Needs Yards	27
Security Threat Group Regulations and the Step-Down Program	28
Conclusion	31
Recommendations	35
Appendices	37
Appendix A—Rehabilitative Case Plan: Example	37
Appendix B—Statewide Programming Totals	38
Appendix B—Statewide Programming Totals: Exhibit	39

Selected Definitions for Terms Used in This Report

Ashker Settlement Agreement	On January 26, 2016, the U.S. District Court granted final approval of the settlement agreement for <i>Todd Ashker, et al., v. Governor of the State of California, et al.</i> , Northern District of California, Case No. 4:09-cv-05796-CW (<i>Ashker v. Brown</i>). The agreement involved changes to policies and practices for placing, housing, managing, and retaining inmates who have been validated as prison gang members and associates, along with conditions in each of the department's four security housing unit (SHU) institutions. The agreement was also significant because it allowed the department to address housing challenges, as the movement of step-down program (SDP) inmates from SHU to general-population housing freed up (former) SHU beds to lesser security levels.
California Logic Model	In 2011, an Expert Panel on Adult Offender and Recidivism Reduction Programs issued a report recommending the department implement the California Logic Model. The model consists of eight components for delivering effective rehabilitation by applying evidence-based principles.
California Static Risk Assessment (CSRA)	An assessment tool that considers an inmate's past criminal history and characteristics, such as age and gender. The tool is used to predict the individual's risk to reoffend. Based on the score, the California Static Risk Assessment (CSRA) assigns the inmate a classification category: low, moderate, or high risk.
Core Correctional Offender Management Profiling for Alternative Sanctions (COMPAS)	An assessment tool used to identify criminogenic needs of offenders and parolees based on their responses to interview questions. Criminogenic need categories can include any of the following: substance abuse, anger management, employment problems, criminal personality, and family support. COMPAS results assist in identifying an inmate's criminal risk factors and assess whether the inmate has a low, medium, or high need for certain types of offender rehabilitative programming.
Housing (or Security) Levels	<p>The department's institutions provide four levels of housing, as follows:</p> <ul style="list-style-type: none"> Level I facilities and camps primarily consist of open dormitories with a low-security perimeter. Inmates typically have a placement score from zero through 18. Level II facilities primarily consist of open dormitories with a secure perimeter, which may include armed coverage. Inmates typically have a placement score from 19 through 35. Level III facilities primarily have a secure perimeter with armed coverage and housing units or cellblock housing with cells that are not adjacent to exterior walls. Inmates typically have a placement score from 36 to 59. Level IV facilities have a secure perimeter with internal and external armed coverage and housing units or cellblock housing with cells that are not adjacent to exterior walls. Inmates typically have a placement score above 60. <p>Lower-level housing may be considered as Levels I and II, with higher-level housing as Levels III and IV. It is possible for an inmate to be housed in a facility that does not correspond with his placement score, based on an override by department officials, due to an administrative determinant (irregular placement condition).</p>
Nondesignated Programming Facilities (NDPFs)	Nondesignated programming facilities (NDPFs) do not identify inmates as sensitive needs yard or general population. The department is slowly transitioning its lower-level housing facilities (I and II) into NDPFs, as inmates in these facilities are deemed "programming" inmates. The focus of the NDPF is to offer an environment that provides greater rehabilitative opportunities for inmates demonstrating positive programming efforts.
Proposition 57	In November 2016, California passed Proposition 57, the California Parole for Non-Violent Criminals and Juvenile Court Trial Requirements Initiative, requiring the department to adopt regulations implementing new parole and sentence credit provisions to enhance public safety, and authorizing the department to award sentence credits for rehabilitation, good behavior, or educational achievements.
Security Threat Group (STG)	Within the department, the overarching term "security threat group" now replaces the individual terms "prison gang," "disruptive group," and "street gang."
Sensitive Needs Yard (SNY)	Sensitive needs yards are facilities at several male institutions designated primarily to safely house inmates who are victims of assault, are gang dropouts, or have significant enemy or other safety concerns.
Security Housing Unit (SHU)	A specialized housing unit where inmates have restrictions placed on their movements, privileges, and workgroup status. Inmates in SHU are released to general population if they complete their SHU terms without committing additional acts of misconduct.
Step-Down Program (SDP)	This program provides inmates with increased incentives to promote positive behavior and encourage individuals to stop participating in STG activities, with the ultimate goal to be released from the SHU to general population.

Summary

California Penal Code section 6126 mandates that the Office of the Inspector General (OIG) periodically review the delivery of the reforms identified by the California Department of Corrections and Rehabilitation (the department) in its report titled *The Future of California Corrections: A Blueprint to Save Billions of Dollars, End Federal Court Oversight, and Improve the Prison System* (the *Blueprint*). In January 2016, the department issued *An Update to the Future of California Corrections* (the *Update*), which provides a summary of the goals identified in the initial *Blueprint* and the progress made, along with its future vision for rehabilitative programming, and safety and security.

The OIG sent staff to each of the department's 35 adult institutions, during which time they reviewed and reconciled departmental documents,¹ interviewed staff, and observed departmental programs in operation. This report presents our ninth review of the *Blueprint*, and our findings are based on information collected from December 8, 2017, through February 16, 2018, except for departmental population figures, which extend through March 14, 2018. Of the five key *Blueprint* components the OIG monitors, the department has completed the standardized staffing plan and the inmate classification score system, as well as many of the construction projects, the remainder of which are nearing completion. This report evaluates the two remaining *Blueprint* components—rehabilitative programs and gang management—and changes following the *Update*, such as rehabilitative program expansion, specialized housing, and population management.

The OIG's review found 90 percent of the academic education and 82 percent of the career technical education programs operating during our onsite visits. However, our review also identified ongoing recruitment concerns for positions at two prisons, as further described in the career technical education section. The new statewide rehabilitative programming model resulted in a large increase in slots filled for preemployment transitions, substance use disorder treatment, and cognitive-behavioral treatment in fiscal year 2017–18. The OIG found 91 percent of the preemployment transitions classes fully operational, 91 percent of the substance use disorder treatment slots filled, and 95 percent of the cognitive-behavioral treatment slots filled. Each of these programming areas achieved at least a 32 percent increase

¹ A review of departmental documents and records includes, in part, rehabilitative roster sign-in sheets, a listing of education employees, and a listing of inmate activity groups.

in slots filled since we published our March 2017 report reviewing the *Blueprint*.

The department has not been able to meet its initial *Blueprint* goal of ensuring that at least 70 percent of offenders in its target population receive rehabilitative programming consistent with their criminogenic needs prior to their release. The department demonstrated that only 52 percent of offenders in its target population met this objective during fiscal year 2015–16. Subsequently the department developed a new counting rule to track program information for all offenders instead of focusing on a target population. Minimum participation in a program is defined as the number of offenders who have been enrolled in a program for a minimum of 30 calendar days. Our previous reports reviewing the *Blueprint* discussed the difficulties associated strictly with measuring attendance, whether the inmate attended only one day of class or completed an entire program, and recommended a more substantive measure of participation. The department reported in July 2017 that it began collecting additional data for new reporting methodologies to improve its counting rule methodology.

The department is continuing its efforts to address housing and population challenges, including creating two separate housing options: programming and nonprogramming sensitive needs yards (SNYs). The department has also initiated nondesignated programming facilities (NDPFs) at seven institutions, which are designed to provide rehabilitative environments for offenders who have demonstrated positive programming efforts and a desire to refrain from violent behaviors.

On August 31, 2015, the department entered into a settlement agreement in *Todd Ashker, et al., v. Governor of the State of California, et al.* (*Ashker v. Brown*), which modified the policies and practices involving inmates whom the department has validated as prison gang members and associates, along with stipulating that the department bring about conditional change in each of its four SHU institutions. The Ashker settlement agreement has resulted in a substantial decline in both the number of step-down program (SDP) participants and the security housing unit (SHU) population. The OIG found only ten remaining SDP participants and four SDP facilitators, compared with the figures from our most recent report reviewing the *Blueprint* in which we noted nine SDP participants and no change from the previous number of four SDP facilitators.

Introduction

In July 2012, the Legislature tasked the Office of the Inspector General (OIG) with monitoring the California Department of Corrections and Rehabilitation's (the department) adherence to *The Future of California Corrections: A Blueprint to Save Billions of Dollars, End Federal Court Oversight, and Improve the Prison System* (the *Blueprint*). California Penal Code section 6126 mandates that the OIG periodically review the delivery of the reforms identified in the *Blueprint*, including, but not limited to:

1. The establishment of and adherence to the standardized staffing model at each institution;
2. The establishment of and adherence to the new inmate classification score system;
3. The implementation of and adherence to the comprehensive housing plan described in the *Blueprint*;
4. Whether the department has increased the percentage of inmates served in rehabilitative programs to 70 percent of the department's target population prior to the inmates' release; and
5. The establishment of and adherence to the new prison gang management system, including changes to the department's current policies for identifying prison-based gang members and associates, and the use and conditions associated with security housing units.

In January 2016, the department issued *An Update to the Future of California Corrections* (the *Update*), which includes a summary of goals identified and progress made, with reference to the initial report, along with the department's future vision for both rehabilitative programming, and safety and security. The *Update* included a goal to modify the target for rehabilitation to a minimum program participation level. Whereas the *Blueprint's* benchmark had proposed that the department serve 70 percent of its target population in rehabilitative programs prior to release, the *Update*, along with the department's new metric for a minimum participation level, did not identify an objective benchmark or standard for the department to achieve. In addition, the *Update* included an expansion of programs to address in-prison substance abuse treatment and long-term offenders, and other new items included

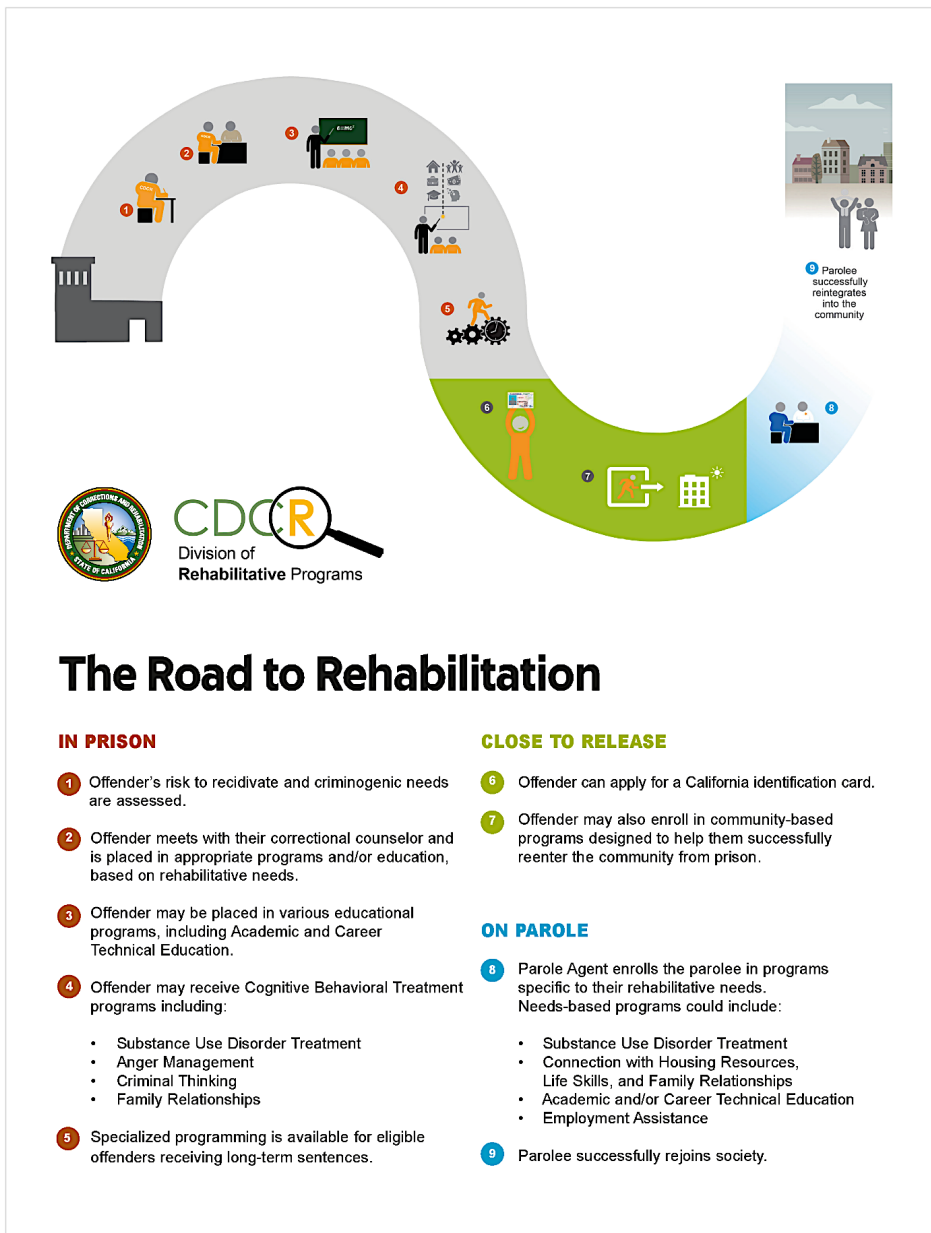
several pilot programs for inmate access to community college courses and in-prison sex offender treatment.

To assess and monitor these reforms, the OIG identified and researched measurable benchmarks, collected and evaluated data, interviewed numerous departmental staff, and compared the assessment results with goals identified in the *Update*. This report presents the results assembled from our ninth review of the department's implementation of its *Blueprint* and the *Update* based on information collected from December 8, 2017, through February 16, 2018, with the exception of departmental population figures, which extend through March 14, 2018. We have organized this report into two sections that represent the key areas the OIG continues to monitor: rehabilitative programs, and classification and housing.

The rehabilitative programs' section outlines the department's current processes for determining which offenders should be prioritized for program placement, as well as its program delivery models. It also provides details about the department's various rehabilitative efforts, including its rehabilitative case plan module, sex-offender treatment program, and long-term offender program. The classification and housing section provides additional information about the department's population management efforts, following the *Update* and the passage of Proposition 57. It also provides details about the status of the department's step-down program (SDP) following the Ashker settlement agreement.

Rehabilitative Programs

The department provides rehabilitative programs to adult offenders during incarceration and upon release. In-prison programming includes academic education, career technical education, preemployment transitions, substance use disorder treatment, and cognitive-behavioral treatment. Upon release, the department provides offenders with substance use disorder treatment, education programs, and employment services. The following illustration depicts the journey an inmate travels from incarceration to release.



Infographic reproduced by permission. Courtesy of the Division of Rehabilitative Programs, the California Department of Corrections and Rehabilitation.

In Prison: Assess Needs

The department uses concepts identified in the California Logic Model to determine its target population for rehabilitative programs. The model requires calculating an inmate's risk to reoffend coupled with an assessment of the inmate's criminogenic needs to determine program placement. The department uses the California Static Risk Assessment (CSRA) to determine an inmate's risk to reoffend and the Core Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) assessment tool to identify an inmate's criminogenic needs.² In addition to assessing these risk and need factors, the department prioritizes placement by the offenders' dates of release, focusing on offenders who are within five years of their earliest possible release date. The department explains that the classification process also considers an offender's needs, interests, and desires, and this process may supersede any assessment-based prioritization.

In December 2017, according to the department, it redefined eligibility criteria, program waiting-list placement, and assignment prioritization to improve offenders' access to rehabilitative programs prior to release. The department stated it is also working with the University of California, Irvine, Center for Evidence-Based Corrections,³ to develop a new program fidelity monitoring tool that will ultimately strengthen the delivery of in-prison programming services. Additionally, the department is meeting quarterly with reentry programming contract providers to work collaboratively and improve the delivery of services. Developing this program monitoring tool for in-prison programming marks a positive departmental step to assist in determining if it is implementing rehabilitation programs with fidelity.

Table 1 on the following page displays the data for assessment, current as of March 28, 2018. The total inmate population numbered 129,555. The department's Division of Rehabilitative Programs identified

² Inclusion in the target population does not necessarily trigger the placement of inmates into specific programs. COMPAS assessment results are used for placement into cognitive-behavioral treatment and preemployment transitions programs, but the department uses individual case factors for placing inmates into other programs, such as results derived from inmates taking the Tests of Adult Basic Education (TABE®) for ensuring inmates are placed into the appropriate academic program level. Visit <http://tabetest.com> to learn more about the origin of these tests (URL accessed on May 16, 2017).

³ UC Irvine administers a project titled "DRP Program Performance Process Development" in conjunction with the department. Visit <http://ucicorrections.seweb.uci.edu/current-projects/> to learn more about the center and its work. Additional information can be found at <http://ucicorrections.seweb.uci.edu/publications/> and <https://news.uci.edu/2014/10/27/uci-corrections-policy-center-receives-2-million-to-continue-work/>. (URLs accessed on May 14, 2018.)

1,387 inmates under Community Rehabilitative Program Placements supervision or housed in the Department of State Hospitals. Of the remaining 128,168 inmates, 125,926 (98 percent) had received a CSRA risk assessment, and of that group, 63,260 (50 percent) had a moderate or high risk to reoffend. Many offenders are excluded from receiving a COMPAS assessment, such as those with the designations of enhanced outpatient program level of care or higher, life without parole, and condemned. From the 128,168 inmates, 113,512 (89 percent) were eligible to receive a COMPAS assessment, and of that group, 105,631 (93 percent) received a COMPAS assessment.

Table 1. CSRA and COMPAS Assessments

Total Inmate Population	129,555*	Relation to Cohort	
		Percentage	Specific Cohort
Inmates with a CSRA risk assessment	125,926	98%	Inmate population
Inmates with a moderate or high CSRA score	63,260	50%	Inmates with CSRA
Inmates eligible to receive a COMPAS assessment†	113,512	89%	Inmate population
Eligible inmates who received a COMPAS assessment	105,631	93%	Inmates eligible for a COMPAS assessment

* Source: California Department of Corrections and Rehabilitation weekly population report as of March 28, 2018.

† The Division of Rehabilitative Programs excludes inmates on temporary release, such as inmates under supervision as community rehabilitative program placements and housed within the Department of State Hospitals.

Rehabilitation Program Report

As the OIG noted in its prior reviews of the delivery of reforms identified in the *Blueprint*, the department is implementing rehabilitation programs at all institutions; however, it has not been able to provide in-prison rehabilitative programs to 70 percent of its target population. Even if the department had met this goal, it would lack substantive meaning since the counting metric considered inmates being in one program for one day as having their needs partially met. As a result, the department developed a new metric for assessing program participation and is using “minimal participation”—the number of offenders who have been enrolled in a program for a minimum of 30 calendar days—as a minimum threshold for defining offenders participating in rehabilitative programming.

While this updated metric allows the department to count both the number of offenders who attended for a specific period of time and those who completed the programming, it does not account for whether the

inmate attended and participated during this 30-day period, nor does it measure if the program met the inmate's needs.

The department's Division of Rehabilitative Programs is also using five other measures to actively monitor access to programming for rehabilitation, academia, and career technical education, and to address any operational issues involving the delivery of rehabilitative programming. The division is also working collaboratively with other internal divisions to ensure uniform application of these rules throughout the department when referencing rehabilitative data. The department's new internal "Rehabilitation Program Report," effective July 1, 2017, now outlines budgeted capacity, operational capacity, and active enrollments. The five measures are listed below:

- ***Budgeted Capacity*** – the maximum number of available daily program slots based on budgeted staff positions. Budgeted capacity assists in determining the status of rehabilitative programs implemented within institutions statewide consistent with budgeted staff positions.
- ***Active/Operational Capacity*** – the maximum number of available daily program slots based on facility and space limitations along with staff vacancies. This information is compared to the budgeted capacity to identify operational impacts on the ideal budgeted capacity.
- ***Enrollment (Assignment)*** – the number of offenders who have an assignment status of "Assigned" in the Strategic Offender Management System (SOMS) who are considered enrolled in a program. This information allows the department to compare active or operationally available capacity in an effort to ensure it is filling all available classroom seats or program slots.
- ***Completions*** – for each offender who completes a program identified in SOMS, the system will assist in identifying that an offender has appropriately completed the course curricula with the necessary amount of classroom instruction time.
- ***Attendance Rate*** – the percentage of actual classroom hours that offenders attended divided by the sum of actual classroom hours offenders attended, hours of absences due to institutional reasons, hours of excused absences, and hours of unexcused absences. This formula creates a percentage rate of offender "in-classroom" time versus excused and unexcused absences.

Case Management Plan

According to the *Blueprint*, a critical component for successful rehabilitation and reducing recidivism is an effective case management system. The department developed the Strategic Offender Management System (SOMS) case plan module to address this need. The department's project team utilized risk and needs assessments, time to serve, and program profiles to develop an individual case plan that follows an offender throughout his or her incarceration. A case management plan is an integral part of effective rehabilitative programming. Case management plans help ensure that the department assigns offenders to appropriate programs based on their overall risk potential and criminogenic needs. Such plans also help staff determine the type, frequency, and timing of programming an offender should receive to most effectively reduce the likelihood of reoffending. This case plan should also transfer with the offender upon release to parole or to county supervision, as it assists with identifying the most effective follow-up programming.

The department implemented the SOMS' rehabilitative case plan in September 2016, a sample of which is shown in Appendix A of this report. This individualized plan outlines an offender's addressed needs and recommended plans for future programming, providing an incarceration timeline and rehabilitative program recommendations for the offender. Correctional counselors and other in-prison program staff use the plan as a tool to assist with determining offenders' assessed needs for possible program placement into various rehabilitative programs prior to an offender's committee actions.

The rehabilitative case plan also lists the certificates, diplomas, and milestones the offender has earned or reached, and it can be printed. The department also created an offender program overview report containing the same information found in the plan, excluding the incarceration timeline, allowing an offender the ability to maintain a copy upon release to parole or county supervision.

OIG Fieldwork Review

The OIG obtained rehabilitative programming figures for fiscal year 2017–18 from the department's Division of Rehabilitative Programs and performed fieldwork to determine the operational status of each institution's various programs. To determine programs' operational status, the OIG requested figures from the department to learn the number of its authorized rehabilitation staff positions per institution,

discussed any discrepancies with education managers at the institutions, reviewed monthly attendance reports, and visited institutions to conduct spot checks of classrooms. The following three elements must be in place before the OIG can deem a course fully operational: a corresponding instructor, an assigned classroom, and data charting monthly inmate attendance.

Appendix B provides a statewide summary of rehabilitative programs at each institution. It identifies programs the department has planned and their operational status, as determined from OIG inspectors' visits that occurred in December 2017 and January 2018. The following section discusses the current status of these various programs identified from the Division of Rehabilitative Program's data for fiscal year 2017–18.

Table 2 shows the results from the fieldwork our staff completed at all of the department's prisons. We determined that 90 percent of the academic programs and 82 percent of the career technical education programs are operational. This represents an 8 percent increase for academic programs and a 2 percent increase for career technical education programs, compared with the values we published in our 2017 report reviewing the *Blueprint*.

For the three remaining in-prison programs, our fieldwork shows that 91 percent of the substance use disorder treatment slots are filled, 95 percent of the cognitive behavioral slots are filled, and 91 percent of the preemployment transitions classes are fully operational. Each of these programs experienced significant participation increases, rising from 32, 43, and 31 percent, respectively, over the last reporting period. These increases resulted from the new statewide rehabilitative programming model, which expanded treatment classes for substance use disorders, cognitive behaviors, and preemployment transitions to all 35 institutions from the previous number of only 13 reentry hub institutions.

Table 2. OIG Fieldwork Summary of Operational Programs

Programming Types	Program Staff				Differences	
	As of 12/2016–1/2017*		As of 12/2017–1/2018*		Actual	Final
	No. of Persons	Percentage	No. of Persons	Percentage	No. of Persons	Percentage
Academic Education	452	82%	491	90%	39	8%
Career Technical Education	230	80%	250	82%	20	2%
Programming Types	Students in Program				Differences	
	As of 12/2016–1/2017†		As of 12/2017–1/2018†		Actual	Final
	No. of Persons	Percentage	No. of Persons	Percentage	No. of Persons	Percentage
Substance Use Disorder Treatment	2,739	59%	4,087	91%	1,348	32%
Cognitive-Behavioral Treatment	2,818	52%	5,102	95%	2,284	43%
Preemployment Transitions	1,485	60%	2,237	91%	752	31%

* The department's figures for the budgeted (or proposed) staff did not remain constant between FY2016–17 and FY2017–18.

† The department's figures for the budgeted program slots/annual student capacity categories did not remain constant between FY2016–17 and FY2017–18.

Academic Education

The department identified a total of 543 academic positions scheduled to become operational during fiscal year 2017–18.⁴ From December 2017 through January 2018, OIG staff reviewed the institutions' records and performed 35 site visits to determine whether these academic positions, as provided by the department, were fully operational, as shown in Appendix B.

At the conclusion of the fieldwork, the OIG found 491 of the 543 academic positions were fully operational, a 90 percent compliance rate. This reflects an 8 percent increase in academic programs and 39 additional positions, compared with results from our 2017 report reviewing the *Blueprint*. The primary reason academic courses were not operational was due to teacher vacancies (extended leave, workers' compensation, retirement, recruitment, etc.). Table 3 on the following page summarizes the department's academic education program:

⁴ These include courses titled Adult Basic Education (ABE) I, II, and III; High School; General Equivalency Diploma; and Face-to-Face College. ABE I: reading scores between 0.0 and 3.9; ABE II: reading scores between 4.0 and 6.9; and ABE III: reading scores between 7.0 and 8.9.

Table 3. Summary of Academic Education Programs

Academic Education	Proposed Staff	Actual Program Staff	Vacancy Rate (in Percent)	Budgeted Student Capacity	Actual Student Capacity	Vacancy Rate (in Percent)
General Population	308	273	11%	16,764	14,013	16%
Alternative Programming	7	9	22%	444	442	1%
Voluntary Education Program	228	209	8%	26,976	25,080	11%
TOTALS	543	491	10%	44,184	39,535	10%

Source: California's Department of Corrections and Rehabilitation provided the figures for the Proposed Staff and the Budgeted Capacity categories. OIG site-visit reviews identified the amounts for the Actual Program Staff and the Actual Student Capacity categories.

Career Technical Education

The department identified a total of 304 career technical education positions scheduled to become operational during fiscal year 2017–18. From December 2017 through January 2018, OIG staff reviewed the institutions' records and performed site visits to determine whether 304 career technical education positions were fully operational. When our staff concluded their fieldwork, the OIG found 250 of the 304 positions were filled and fully operational, an 82 percent compliance rate. This reflects a 2 percent increase in career technical education programs and an increase of 20 positions, compared with results from our 2017 report reviewing the *Blueprint*.

The most common programs included Office Services and Related Technology, Electronics, Computer Literacy, and Building Maintenance. Table 4 summarizes the department's career technical education program:

Table 4. Summary of the Career Technical Education Program

Career Technical Education	Proposed Staff	Actual Program Staff	Budgeted Student Capacity	Actual Student Capacity	Vacancy Rate (in Percent)
TOTALS	304	250	9,032	7,433	18%

Source: California's Department of Corrections and Rehabilitation provided the figures for the Proposed Staff and the Budgeted Capacity categories. OIG site-visit reviews identified the amounts for the Actual Program Staff and the Actual Student Capacity categories.

Although the overall compliance rate increased, our review identified ongoing recruitment concerns for career technical education positions at two prisons—Salinas Valley State Prison and Richard J. Donovan Correctional Facility. During the OIG visits in January 2018, these prisons were operating only 20 percent (1 out of 5 positions) and 45 percent (4 out of 9 positions) of their courses, respectively. Subsequently, as of May 29, 2018, Salinas Valley State Prison staff reported they had filled three of the institution’s four vacant teacher positions, but did not expect to activate the courses until June 2018.

Richard J. Donovan staff reported, as of May 29, 2018, that they had completed interviews for their vacancies, but as of this publication, each of the four positions remains vacant. They also noted that the welding course on Facility E had been activated in March 2018. The four career technical education positions at Richard J. Donovan have been vacant for approximately 18 to 23 months. Table 5, here and on the following page, presents a detailed summary concerning the career technical education program at these two institutions:

Table 5. Summary of Career Technical Education at Salinas Valley State Prison and the Richard J. Donovan Correctional Facility

Institution	Career Technical Education Program	Facility	Authorized Staff	Actual Staff	Budgeted Student Capacity	Comments
Salinas Valley State Prison	Auto Body	B	1	0	27	No comments.
	Electrical	B	1	0	27	Course has not been operational since June 2017.
	Heating, Ventilating, and Air Conditioning	B	1	0	27	Course has not been operational since June 2017.
	Office Services and Related Technology	B	1	0	27	Instructor was hired but course was pending activation.
	Welding	B	1	1	27	No comments.
	TOTALS	—	5	1	135	—

Continued on next page.

Institution	Career Technical Education Program	Facility	Authorized Staff	Actual Staff	Budgeted Student Capacity	Comments
Richard J. Donovan Correctional Facility	Building Maintenance	E	1	1	27	No comments.
	Carpentry	B	1	0	27	Vacant since November 2016.
	Computer Literacy	D	1	1	27	No comments.
	Electronics	B	1	0	27	Vacant since November 2016.
	Heating, Ventilating, and Air Conditioning	A	1	1	27	No comments.
	Machine Shop	A	1	0	27	Vacant since December 2016.
	Office Services and Related Technology	E	1	1	27	No comments.
	Welding	C	1	0	27	Vacant since July 2016.
	Welding	E	1	0	27	Instructor was hired but shop was not yet activated.
	TOTALS	—	9	4	243	—

Source: OIG site-visit reviews conducted at Salinas Valley State Prison and the Richard J. Donovan Correctional Facility in January 2018 identified actual staff.

Preemployment Transitions

The department designates the preemployment transitions program as a means to provide offenders with employment preparation skills, which will aid them to successfully reenter society. This program is primarily offered during the last six months of incarceration to enable offenders to learn these skills before they are released. This program teaches inmates skills in preparing themselves for entering the workforce and how to search for jobs, managing money, and acquiring financial literacy skills. In addition, it provides offenders with community resources that can help them as they transition back into the community. Under the department's previous reentry hub model, these types of transitional offerings were taught by outside contractors and only offered at reentry

hub facilities. During 2017, the department initiated preemployment transitions at all 35 institutions.

From December 2017 through January 2018, OIG staff reviewed the institutions' records and performed site visits to determine the operational status of preemployment transitions programs statewide. As shown in Appendix B, the OIG found that 2,237 of the planned 2,458 daily slots were fully operational, a 91 percent compliance rate and an increase of 32 percent, compared with results from our 2017 report reviewing the *Blueprint*. This increase also reflects the improved operational status resulting from the new statewide rehabilitative programming model. Table 6 summarizes the department's preemployment transitions program:

Table 6. Summary of the Preemployment Transitions Program

Employment Programs	Program Slots (FY2017–18)	Actual Students in Program (Dec. 2017–Jan. 2018)	Vacancy Rate (in Percent)	Annual Student Capacity (FY2017–18)	Actual Annual Student Capacity (FY2017–18)	Vacancy Rate (in Percent)
Preemployment Transitions	2,458	2,237	9%	22,122	20,133	9%

Source: California's Department of Corrections and Rehabilitation provided the figures for the Program Slots and the Annual Student Capacity categories. OIG site-visit reviews identified the amounts for the Actual Students in Program and the Actual Student Capacity categories.

Substance Use Disorder Treatment

The department offers evidence-based substance use disorder treatment programs that prepare offenders by helping them develop the knowledge and skills necessary to avoid relapse and successfully integrate back into the community. Because some of these classes have transitioned from an open-enrollment concept to those having a set completion date, they have fixed enrollment and completion dates. The offender must complete a minimum of 350 hours, with the training lasting approximately five months. From December 2017 through January 2018, OIG staff reviewed substance use disorder treatment programs statewide to determine whether the department's treatment slots were fully operational.

The OIG found that offenders occupied 4,087 of the 4,480 daily program slots,⁵ a 91 percent compliance rate. This reflects a 32 percent increase in the occupied daily program slots, compared with the results from our 2017 report reviewing the *Blueprint*. Table 7 summarizes the department's contract treatment program for substance use treatment disorders:

Table 7. Summary of the Substance Use Disorder Treatment Program

Contract Treatment Programs	Student Capacity (Program) (FY2017-18)	Actual Students in Program (Dec. 2017-Jan. 2018)	Vacancy Rate (in Percent)	Annual Student Capacity (FY2017-18)	Actual Annual Student Capacity (FY2017-18)	Vacancy Rate (in Percent)
Substance Use Disorder Treatment	4,480	4,087	9%	10,753	9,690	10%

Source: California's Department of Corrections and Rehabilitation provided the figures for the Student Capacity (Program) and the Annual Student Capacity categories. OIG site-visit reviews identified the amounts for the Actual Students in Program and the Actual Student Capacity categories.

Cognitive-Behavioral Treatment

Treatment for cognitive behavior takes a hands-on, practical approach to problem-solving by working to change patterns of thought or behaviors. Offenders have access to treatment programs that offer methods (or modalities) for inmates to learn more about cognitive behaviors; these include discussions concerning criminal thinking, anger management, and the dynamics of family relationships. These programs are now available at all 35 institutions.

From December 2017 through January 2018, OIG staff reviewed the institutions' documents and performed site visits to determine whether the department had implemented cognitive-behavioral treatment programs. The OIG found 5,102 of the planned 5,388 daily slots fully operational, a 95 percent compliance rate, as shown in Appendix B. This reflects a 43 percent increase in the occupied daily program slots, compared with the results from our 2017 report reviewing the *Blueprint*.

⁵ This data includes substance use disorder treatment for all institutions (including formerly designated nonreentry hubs, reentry hubs, and long-term offender programs).

As part of its statewide program expansion, the department has also significantly increased its cognitive-behavioral treatment program capacity to 5,388 from 2,352 since our 2017 report reviewing the *Blueprint*. Table 8 summarizes the department's contract treatment program for cognitive-behavioral treatment:

Table 8. Summary of the Cognitive-Behavioral Treatment Program

Contract Treatment Programs	Student Capacity (Program) (FY2017-18)	Actual Students in Program (Dec. 2017-Jan. 2018)	Vacancy Rate (in Percent)	Annual Student Capacity (FY2017-18)	Actual Annual Student Capacity (FY2017-18)	Vacancy Rate (in Percent)
Cognitive-Behavioral Treatment	5,388	5,102	5%	17,928	16,836	6%

Source: California's Department of Corrections and Rehabilitation provided the figures for the Student Capacity (Program) and the Annual Student Capacity categories. OIG site-visit reviews identified the amounts for the Actual Students in Program and the Actual Annual Student Capacity categories.

Long-Term Offender Program

The *Blueprint* called for developing a long-term offender reentry model to be piloted at three institutions projected to have a substantial population of long-term offenders. The department has now expanded the long-term offender program to 30 of its 35 institutions. The program, which is voluntary, provides treatment to offenders who are serving long-term sentences and who are subject to the Board of Parole Hearings' parole suitability process. One of the department's goals in expanding its long-term offender program services is to reduce its need to transfer offenders to other institutions and minimize disruptions to offenders' programming.

The programs include treatments for substance use disorders and cognitive behaviors. For substance use disorder treatment, the OIG found that 643 of the planned 996 daily slots were fully operational, a 65 percent compliance rate. For cognitive-behavioral treatment, the OIG found that 1,646 of the 2,400 daily slots were fully operational, a 69 percent compliance rate. Table 9 on the following page summarizes the department's long-term offender programs:

Table 9. Summary of Long-Term Offender Programs

Long-Term Offender Programs	Student Capacity (Program) (FY2017-18)	Actual Students in Program (Dec. 2017-Jan. 2018)	Vacancy Rate (in Percent)	Annual Student Capacity (FY2017-18)	Actual Annual Student Capacity (FY2017-18)	Vacancy Rate (in Percent)
Substance Use Disorder Treatment	996	643	35%	2,390	1,543	35%
Cognitive-Behavioral Treatment	2,400	1,646	31%	8,496	5,502	35%
TOTALS	3,396	2,289	33%	10,886	7,045	35%

Source: California's Department of Corrections and Rehabilitation provided the figures for the Student Capacity (Program) and the Annual Student Capacity categories. OIG site-visit reviews identified the amounts for the Actual Students in Program and the Actual Annual Student Capacity categories.

Sex Offender Treatment Program

The department intends its cognitive-behavioral interventions for sex offenders (CBI-SO) program to serve offenders who are required to register pursuant to California Penal Code section 290, are within 13 months of their scheduled release date, and are mandated to participate in community-based treatment programs upon release. The program, which is located at the California Substance Abuse Treatment Facility and at California State Prison, Corcoran, provides programming for a maximum of 80 offenders in total for both locations.

The program involves both individual and group treatment sessions. Facilitators deliver treatment up to three hours each day, five days per week, with an average duration of eight months. During the first months of treatment, participants undergo a comprehensive psycho-social assessment that includes two measures to assess the likelihood of recidivism risks for both sexual and general offenses. All departmental staff administering the assessments have been certified⁶ in the application of state-authorized risk assessment tools used for evaluating sex offenders. As of February 2018, 140 offenders have completed this curriculum. Each group has ten offenders per social worker. At the time of our review, six groups of ten inmates were enrolled in the program,

⁶ Per California Penal Code section 290.09 (b) (1), which states: "The sex offender management professionals certified by the California Sex Offender Management Board in accordance with section 9003 who provide sex offender management programs for any probation department or the Department of Corrections and Rehabilitation shall assess each registered sex offender on formal probation or parole using the [state-authorized risk assessment tools for sex offenders] SARATSO dynamic tool, when a dynamic risk factor changes, and shall do a final dynamic assessment within six months of the offender's release from supervision."

and all participants receive the full curriculum, which lasts for eight months.

California Identification Card Program

The *Blueprint* stated the California identification card program (CAL-ID) would be implemented by the department in partnership with the Prison Industry Authority to assist eligible inmates in obtaining state-issued ID cards to satisfy federal requirements for employment documentation. In November 2013, the department's Division of Rehabilitative Programs entered into a contract with the California Department of Motor Vehicles (DMV) to process CAL-IDs for inmates scheduled to be released from custody. The interagency agreement allowed for processing up to 12,000 ID cards annually with a maximum of 1,000 cards per month.

In September 2014, the Governor signed legislation expanding the CAL-ID program to mandate that all eligible inmates released from custody receive valid ID cards. On July 1, 2015, the department entered into an interagency agreement with the DMV to comply with California Penal Code section 3007.05, and expand the CAL-ID program to all 35 institutions. The expansion of the interagency agreement allows the department to purchase over 20,000 ID cards annually with a maximum of 1,722 cards per month. The ID cards are offered to offenders at a reduced fee, and the department provides the cards free of charge to inmates 62 years of age or older.

According to the department, it sent 6,082 applications to the DMV for processing between July 1, 2017, and December 31, 2017. The DMV approved and issued 4,917 ID cards (81 percent), and of those issued, 4,012 inmates (82 percent) were released with an ID card. According to the department, one of the primary barriers to providing ID cards involves inmates who have been incarcerated for more than ten years, as they cannot participate in the program due to the unavailability of DMV records or photographs. Additional barriers include unknown social security numbers, no verifiable address, and individuals who simply choose to not participate. The department is working with the DMV, so a DMV-eligible camera can be provided inside institutions to use in obtaining photographs of inmates who have been incarcerated for more than ten years. This would potentially increase the number of eligible participants for the CAL-ID program. Additionally, the department is in the final stages of increasing opportunities for offenders to receive their CAL-ID cards at their designated parole offices.

(This page left blank for reproduction purposes.)

Classification and Housing

The department updated its comprehensive housing plan and incorporated the components identified in the *Blueprint*. Those components included changes to the inmate classification score system, changes in housing and population density levels, construction, renovations, conversions, activations, closures, and changes to contract beds and the fire camp population.

The results of the comprehensive housing plan are summarized in Appendix B of the department's 2012 *Blueprint* at the institutional level, and status accounting was last provided in the OIG's March 2016 report reviewing the *Blueprint*.

Released in January 2016, the department's *Update* detailed its shifting focus on offenders' custody designations. The *Update* stated the department was considering revisions to existing regulations related to custody designations to allow more programming opportunities for those with lower security designations and reduced levels of supervision.

In November 2016, California passed Proposition 57, a ballot initiative titled California Parole for Non-Violent Criminals and Juvenile Court Trial Requirements, which required the department to adopt regulations implementing new parole and sentence credit provisions to enhance public safety, and authorizing the department to award sentence credits for rehabilitation, good behavior, or educational achievements. The following section provides additional details about the department's classification, housing, and population management efforts.

Security Level	Classification Score
I	0–18 points
II	19–35 points
III	36–59 points
IV	60 points and above

Source: California Department of Corrections and Rehabilitation.

Housing Plan: Global Benchmarks

The *Blueprint* noted the department was under a federal court order to reduce overall prison overcrowding to 137.5 percent of design capacity. The department had previously met the court-ordered prison population cap of 137.5 percent, as required by February 28, 2016.

The department's *Update* noted that the court reaffirmed that the department would remain under the jurisdiction of the court for as long as necessary to continue compliance with this benchmark. In 2016, the department activated 2,376 infill beds at Mule Creek State Prison and Richard J. Donovan Correctional Facility. According to the Defendants' March 2018 Status Report to the three-judge court panel, on March 14, 2018, the court approved including a count of these infill beds at 137.5 percent of designed-bed capacity when measuring compliance with the court's population reduction order. As of March 14, 2018, departmental figures show an in-state prison population of 114,220 inmates housed in the state's 34⁷ adult institutions with a designed-bed capacity of 85,083, which amounts to 134.2 percent of designed-bed capacity. This figure remains below the 137.5 court-ordered population reduction figure.

Contract Capacity

In January 2016, the department's *Update* stated it planned to reduce the out-of-state inmate population to 4,900 inmates for fiscal year 2015–16 to maintain compliance with the inmate population cap. According to departmental population figures effective March 14, 2018, a total of 4,023 inmates are housed out-of-state in Arizona (3,085 inmates) and Mississippi (938 inmates), which is a decrease of 231 inmates, compared with data from our 2017 report reviewing the *Blueprint*.

In September 2013, the passage of California Senate Bill 105 authorized the department to increase its level of contracted beds both in- and out-of-state. The bill provided an immediate measure to avoid early release of inmates and allowed the state to comply with the three-judge panel's court order. The bill authorized activating the California City Correctional Facility (CAC), a private prison located in Kern County, which is the first leased facility the department operates. As of

⁷ The three-judge panel's February 10, 2014 court order includes 34 California Department of Corrections and Rehabilitation institutions. California City Correctional Facility is classified as a private prison (leased facility), and its inmate population is not included in the count of the rate of overcrowding at the department's institutions.

March 14, 2018, CAC housed 2,235 offenders, an increase of 86 more prisoners than we reported in our 2017 report reviewing the *Blueprint*.

Housing inmates in modified community correctional facilities (MCCFs) assists with reducing prison overcrowding. In December 2013, the department requested activation of approximately 1,200 contracted beds in the cities of Delano and Shafter, and in March 2014, the department activated the Taft facility with plans to accommodate up to 600 inmates. The department also activated and increased capacity at several private MCCFs, including Central Valley, Desert View, and Golden State.

As of March 14, 2018, the department housed a total of 3,826 inmates in its public and private MCCFs, as shown in Table 11. This reflects a total increase of 240 inmates, compared with results from our 2017 report reviewing the *Blueprint*, which reported on 3,586 inmates housed in MCCFs.

Table 11. Modified Community Correctional Facilities’ Capacity and Population *

Modified Community Correctional Facility	Type	Bed Capacity	Total Population
Delano, Shafter, and Taft	Public	1,818	1,768
Central Valley, Desert View, and Golden State	Private	2,100	2,058
TOTALS		3,918	3,826

* The figures for the MCCFs do not include the other in-state contract beds, which include the Female Community Reentry Facility (260-bed facility), the Female Rehabilitative Community Correctional Center (75-bed facility), and the Community Prisoner Mother Program (24-bed facility).

Source: The California Department of Corrections and Rehabilitation—data as of March 14, 2018.

Proposition 57

In early 2017, the department promulgated emergency regulations implementing Proposition 57. Those regulations were approved by the California Office of Administrative Law on April 13, 2017. The new law enacts the following three key items:

1. Gives inmates the opportunity to earn additional credits for good behavior and participation in rehabilitative, educational, and career training programs;

2. Increases the number of nonviolent offenders eligible for parole consideration and allows parole consideration after nonviolent offenders serve the full term for their primary criminal offense; and
3. Provides juvenile court judges authority over whether juveniles should be sentenced as adults for specified offenses.

As a result of these emergency regulations, a new Good Conduct Credit was implemented on May 1, 2017, and other credit-earning programs (e.g., Milestone Completion, Rehabilitative Achievement, and Educational Merit) were implemented on August 1, 2017. All inmates will be eligible to earn credit, with the exception of condemned inmates and those sentenced to life without the possibility of parole.

According to the department, the earning of credits may advance an inmate's release date if serving a determinate term, or advance an inmate's initial parole suitability consideration hearing if serving an indeterminate term. In February 2018, a total of 1,338 inmates earned credit authorized by Proposition 57 toward their advanced release date.⁸ According to the department, these inmates earned an estimated average of 94.5 days of additional credit, excluding inmates released from fire camps.

The department also initiated a new nonviolent offender parole consideration process that was implemented on July 1, 2017. According to departmental figures, from July 1, 2017, through February 28, 2018, the department made a total of 5,224 referrals to the Parole Board. As of February 28, 2018, the Parole Board reviewed 4,067 referrals on their merits, with 824 inmates approved for release and 3,243 denied release. According to the department, many referrals are pending review, which includes the 30-day period for written input from inmates, victims, and prosecutors.

As part of the process toward implementing permanent regulations, the department filed an Initial Statement of Reasons in support of the regulations and a notice of changes to the text as originally proposed. The regulations were approved for permanent adoption by the California Office of Administrative Law and filed with the Secretary of State's office on May 1, 2018, concluding the regulatory process.⁹

⁸ The department's update to the three-judge panel's court order, March 15, 2018.

⁹ View the update that finalizes the proposition at https://www.cdcr.ca.gov/Regulations/Adult_Operations/docs/NCDR/2017NCR/17-05/Adopted-Regulations-Effective-May-1-2018.pdf (URL accessed June 8, 2018).

Milestone Credits

As an offender progresses through the various rehabilitative programs, the department notes the inmate has completed certain components or “milestones,” with varying amounts of credits awarded upon final program completion. These credits can reduce the amount of time the offender spends in prison. Following the passage of Proposition 57, several changes are in process that will enhance and expand these milestone credits.

To improve the benefits of milestone credits, effective August 1, 2017, the milestone credit-earning eligibility categories were expanded and credit-earning capacities were increased. Credit-earning categories were modified to enable credit-earning by violent offenders, indeterminate sentence offenders, and offenders serving life-term sentences.¹⁰ Offenders now can earn up to 12 weeks of credits in a 12-month consecutive period; prior to August 1, 2017, offenders could earn a maximum of 6 weeks of credits in a 12-month consecutive period. Nonviolent offenders housed at fire conservation camps became eligible for greater credit-earning capacity, up to day-for-day credit.¹¹

Table 12 on the following page presents a sample of various milestone credit changes, which includes the complete Milestone Completion Credit Schedule in the department’s Proposition 57 Revised Regulations:

¹⁰ Condemned inmates and those sentenced to life without the possibility of parole remain ineligible for credit-earning programs.

¹¹ Citation for this source is found online at https://www.cdcr.ca.gov/Regulations/Adult_Operations/docs/NCDR/2017NCR/17-05/Responses-to-Comments-from-the-Renotice-Periods.pdf, which reads in part: “Pursuant to proposed subsection 3043.2(b)(5), two days of credit for every day of incarceration shall be awarded to fire camp inmates who are eligible to earn day-for-day credit pursuant to proposed subsection 3043.2(b)(4)(A) and inmates serving determinate sentences who are not serving terms for violent felonies as defined in Penal Code section 667.5, subdivision (c). Furthermore, pursuant to proposed subsection 3043.2(b)(4)(B), fire camp inmates who are serving determinate terms for violent felonies as defined in Penal Code section 667.5, subdivision (c), shall earn one day of credit for every day of incarceration (50%).” (URL accessed on June 5, 2018.)

Table 12. Sample of Milestone Completion Credit Schedule Changes

Milestone Type	Course Title	Course Description	Course Value Before Aug. 1, 2017	Course Value Effective Aug. 1, 2017
Academic	Adult Basic Education I	4.0 – 4.9 reading grade level	2 weeks	4 weeks
	Criminal Thinking	Thinking For A Change (T4C)	N/A	1 week
	Anger Management	Controlling Anger	N/A	1 week
	Enhanced Outpatient Program Mental Health Treatment Plan	Each 60 hours of treatment plan activities completed	N/A	Repeatable up to a maximum of 6 weeks, per 12 months
	Long-Term Offender Program	Cognitive-Behavioral Treatment – Substance Use Disorder	N/A	4 weeks
	Substance Use Disorder Treatment	Cognitive-Behavioral Treatment – Substance Use Disorder: 6 months	N/A	5 weeks
Career Technical Education	Auto Mechanics	Basic Auto	2 weeks	7 weeks
	Carpentry	Level I	2 weeks	5 weeks
	Office Services and Related Technology	Microsoft Level I	1 week	4 weeks
General	Firefighting	State Fire Marshal-approved Firefighter I Training	2 weeks	7 weeks

Source: California Department of Corrections and Rehabilitation—Proposition 57 Revised Regulations, Milestone Completion Credit Schedule, as of December 1, 2017. URL accessed on April 10, 2018, from <https://www.cdcr.ca.gov/proposition57/>.

Additionally, the department created an education merit credit, allowing offenders who earned a high school diploma or equivalency, a college degree, or offender mentor certification while incarcerated to receive a one-time credit of three to six months. The department applies this credit retroactively. The new rehabilitative achievement credit allows offenders who participate in approved self-help programs to earn an additional four weeks of credits per calendar year. The department has determined that for every 52 hours of program participation, one week can be earned with a maximum of 208 hours in a continuous 12-month period. However, any milestone and rehabilitative achievements credits lost as a result of disciplinary behavior will not be restored.

Sensitive Needs Yards

The department continues its efforts to implement changes for its population in sensitive needs yards (SNY). The department's *Update*, which was issued in January 2016, noted that the SNY cohort is the fastest-growing population group within the prison system, with approximately 41,000 SNY offenders. Departmental goals include allowing greater access to lower-level housing and consideration of other measures, such as programming facilities, that may be effective with this population.

The department initiated nondesignated programming facilities (NDPFs) to provide housing environments for those inmates demonstrating positive programming efforts and a desire to refrain from committing violence. This change will allow for greater access to lower-level housing and commensurate privileges, along with various rehabilitative programs, including educational, vocational, and religious activities. Offenders recommended for transfer to an NDPF are not required to waive their SNY designation or display a willingness to attend rehabilitative programming before transfer. If an offender refuses a transfer to an NDPF, he is subject to the department's disciplinary process and may be placed into a higher-level housing designation.

The department is using a methodical process to transition to NDPFs, which should allow this change to be closely evaluated. The following listing shows the seven institutions at which the department has initiated NDPFs, along with the corresponding time frames for their initiation:

- Richard J. Donovan Correctional Facility, December 2016;
- California Health Care Facility, February 2017;
- California State Prison, Los Angeles County, April 2017;
- San Quentin State Prison, January 2018;
- California Institution for Men, February 2018;
- California Correctional Institution, April 2018; and
- California Medical Facility, April 2018.

In addition, all enhanced outpatient program and inpatient mental health beds were converted to nondesignated housing in January 2018. The department plans to continue slowly transitioning lower-level¹² and other traditional programming institutions to NDPFs during 2018.

Security Threat Group Regulations and the Step-Down Program

The *Blueprint* identified several measures recommended as a result of a 2007 study performed by California State University, Sacramento, titled *Security Threat Group Identification and Management*. The *Blueprint* stated the department could begin carefully implementing the recommended measures, such as offering graduated housing, a step-down program (SDP) for inmates, support and education for disengaging from gangs, a weighted point system for gang validation, specific use of segregated housing, and social-value programs¹³ in preparation for the inmates' return to a general population or SNY facility.¹⁴ The department initiated the SDP to provide inmates with increased incentives with the objective of promoting positive behavior and stopping participation in security threat group (STG) activities, with the ultimate goal of release from the security housing unit (SHU).

The SDP was implemented at each of the four SHU institutions in October 2012: California Correctional Institution; California State Prison, Sacramento; California State Prison, Corcoran; and Pelican Bay State Prison. In December 2015, more than 1,300 inmates were enrolled in the SDP. However, as a result of the January 2016 settlement agreement reached in *Ashker v. Brown*, the department expedited its review of SDP inmates to determine their eligibility for release from the SHU and to receive a transfer to a general population facility. This has resulted in a substantial decrease of SDP inmates, with the result that, as of this report, SDP inmates are located at only two institutions: California State Prison, Corcoran, and Pelican Bay State Prison.

¹² Inmates housed in lower-security-level facilities, such as Levels I and II, are considered to pose a lower security risk, and these facilities have lower departmental staffing levels.

¹³ These are rehabilitative programs designed to assist inmates in acquiring the social values and behaviors that will aid them as they reintegrate into society.

¹⁴ California Department of Corrections and Rehabilitation's *Blueprint* report issued in May 2012, pp. 18–19. See <https://www.cdcr.ca.gov/2012plan/docs/plan/complete.pdf> to read the online version of the department's report (URL accessed on May 16, 2018).

As of March 2018, seven SDP inmates are housed at California State Prison, Corcoran. Three SDP facilitators work at the prison, providing evidence-based rehabilitative programs, "Building Resilience" and "Bridges to Freedom," to approximately 200 inmates on the Level III and Level IV SNY, and approximately 70 SHU and debriefing-unit inmates.

As of March 2018, three SDP inmates are in the SHU at Pelican Bay State Prison, which has one SDP facilitator and one vacant position due to retirement. Currently, groups meet in the SHU with facilitators providing programming to approximately 70 inmates on a weekly basis. All of the groups currently maintain waitlists. The group topics include communication skills, creative writing, art class, building resilience, book club, and religious studies. The department also offers a book club for the restricted custody general population inmates. In addition, self-journaling workbooks are issued to inmates on a monthly basis and cover such areas as violence prevention, criminal lifestyle, rational thinking, substance abuse, and social values. Facilitators prepare offender evaluations based on behaviors in the group meetings and journal progress. The Division of Rehabilitative Programs had anticipated the restricted custody general population would start classes on April 9, 2018, and it had planned to offer classes in cognitive-behavioral treatment and criminal thinking at that point in time.

SDP facilitators administer and facilitate groups within the institutions and provide participants with an orientation of each step. The facilitators provide participants with frequent reinforcement for, and acknowledgement of, positive behaviors as well as consistent and predictable feedback for negative behavior. They also prepare monthly reports regarding each participant's activities as well as completing documentation for unit classification and institutional classification for each SDP inmate. Facilitators also complete required participant assessments for each inmate and ensure inmates are being provided with enhanced privileges.

The OIG will continue to report on the status of SDP inmates and consult with the department with a shared interest in achieving the goals set out in both the department's *Blueprint* and the Ashker settlement agreement.

(This page left blank for reproduction purposes.)

Conclusion

The department has met its original 2012 *Blueprint* goals regarding establishing and adhering to the following: a standardized staffing model; an inmate classification scoring system; and a comprehensive housing plan. The original *Blueprint* goal the department did not meet was to increase the share of inmates served in rehabilitative programs to 70 percent of its target population prior to release. The *Update* issued in January 2016 identified new goals and detailed the department's focus on modifying custody regulations to create additional programming opportunities for offenders with lower supervision needs (as described in footnote 12 above). The passage of Proposition 57 in November 2016 established a parole consideration process for nonviolent offenders and gives inmates an opportunity to earn additional credits for good behavior and to participate in rehabilitative, educational, and career training programs.

The most significant challenges the department faced in achieving its initial *Blueprint* goals were to provide rehabilitative programming in a comprehensive manner to the target population and to design a methodology capable of tracking the efficacy of the programs it had provided once inmates reenter society. In late 2016, the department began replacing its reentry hub program model with a statewide rehabilitative programming model that expanded preemployment transitions, and treatments for substance use disorders and cognitive behavioral therapy from 13 institutions to all 35 prisons. These programming components are now available statewide at all institutions to inmates.

The department also developed new counting metrics and is using "minimal participation" — the number of offenders who have been enrolled in a program for a minimum of 30 calendar days — as a minimum threshold. This allows the department to count figures for both the offenders who attended for a specific period of time and those offenders who completed the programming. The department began collecting this data on July 1, 2017, and is working to finalize all current reporting mechanisms for its external stakeholders to streamline and ensure consistent information is represented. Additionally, the department's Division of Rehabilitative Programs is using five other measures to actively monitor access to programming for rehabilitation, academics, and career technical education, and to address any operational issues involving the delivery of rehabilitative programming.

Implementing the statewide rehabilitative programming model has significantly increased the percentage of slots filled for preemployment transitions, substance use disorder treatment, and cognitive-behavioral treatment programs. The OIG found that 91 percent of the preemployment transitions classes are fully operational, 91 percent of the substance use disorder treatment slots are filled, and 95 percent of the cognitive-behavioral treatment slots are filled. Each of these programming areas has had substantial increases since last year, with each area achieving at least a 32 percent increase in slots filled.

As part of its rehabilitative efforts, the department implemented a rehabilitative case plan in September 2016, and the department's sex offender treatment program completed its first cohort in December 2016. The department also expanded its Offender Mentor Certification Program from three to four sessions per year and continues to ensure offenders obtain a state-issued ID card prior to release.

The department is modifying classifications for the milestone credit eligibility criteria, increasing milestone credit-earning rates, and changing the parole process for nonviolent second-strike offenders who have served 50 percent of their sentence. The changes to the nonviolent offender parole review process became effective July 1, 2017, and the additional credit-earning opportunities (Milestone Completion, Rehabilitative Achievement, and Educational Merit) became effective August 1, 2017.

The department is also making changes to the SNY population, has developed a new orientation program, and has created two separate housing options—programming and nonprogramming SNYs. The department has also initiated NDPFs at Level II programming facilities to provide housing for offenders who have demonstrated positive programming efforts and a desire to refrain from violence.

The Ashker settlement agreement resulted in comprehensive changes to departmental policies and practices regarding offenders who have been validated as STG members and associates. These changes have resulted in a significant decrease both in the SHU population and of SDP participants. As of March 2018, the department is utilizing only two of the four original SHUs, and only ten remaining SDP participants were still housed in these units. In addition, the department had reduced its SDP facilitator staffing levels from eight to four staff members. The OIG recommends the department utilize the other four vacant positions in concert with the original intent as targeted by the Legislature when it funded them. While the positions were specifically aimed at providing

programming to inmates completing the step-down process, the more general goal was to facilitate programming for inmates coming out of SHU. The legislation recognized that inmates locked up in security housing do not have the same access to programming as other inmates do, and are, in fact, perhaps the very individuals who need this program the most. The OIG recommends that these positions continue to facilitate SHU programming, assuming the SHU and the restricted custody general population justify the workload.

(This page left blank for reproduction purposes.)

Recommendations


1. The Office of the Inspector General recommends that the department clarify how it is meeting an inmate's rehabilitative needs and improve upon its existing performance measures:
 - The department should take steps to implement a data collection plan that documents current and future in-prison programming. The department should utilize existing Strategic Offender Management System (SOMS) data, if deemed reliable, to identify individual offender progress in rehabilitation programming. Existing SOMS data includes, in part: a California Static Risk Assessment (CSRA) score; a Core Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) score; times and hours an inmate attended programming; program start and graduation dates; and program completion or reason for dropout.
 - The department's new metric for assessing program participation defines "minimal participation" as the number of offenders who have been enrolled in a program for a minimum of 30 calendar days. However, this metric does not identify if an inmate attended and participated during this 30-day period nor does it measure if the inmate actually completed the program or if it met the inmate's needs. Thus, an attendance participation rate should be added as a metric to account for a minimum attendance benchmark during this period, such as 70 percent. Alternatively, the department can identify the number and percentage of inmates who actually complete a program after they have met the 30-day enrollment benchmark.

2. The Office of the Inspector General recommends that the department take the following actions to increase the percentage of operational courses:
 - Require each Supervisor of Correctional Education Programs to provide regular updates to the Director of the Division of Rehabilitation Programs regarding the difficulties programs face in recruiting and retaining sufficient teachers, especially for positions remaining vacant for more than 90 days.
 - For teacher positions considered “hard-to-fill” or those the department has actively “attempted to fill,” develop a plan to assess and prioritize filling vacancies based on the potential impact a teacher could make for the inmates in providing rehabilitative services to them.¹⁵

¹⁵ Pursuant to Chapter 28, Statutes of 2015 (Senate Bill 98), California Government Code section 12439 was abolished. This code section required the State Controller’s Office to abolish positions that are vacant for six consecutive monthly pay periods.

Appendices

Appendix A—Rehabilitative Case Plan: Example



Logout
CPED: 08/20/2017 (EPRD)

Name: _____	CDC#: _____	PID #: _____
Curr. Loc.: CCWF-Facility B	Control Date: 08/20/2017	Control Date Type: EPRD
Area/Bed: B 508 1 / 023003U	Housing PGM: General Population (GP)	Job Title: TRN / Transitions
Custody: Medium (A) (C4)	Security Level: Level 2 (20)	WK/PV Group: A1 / A
DOB: _____	Ethnicity: Hispanic ()	TABE (Read): 09.9
DDP: Adequate Cognitive Functioning (NCF)	Mental Health: GP - General Population (A)	DPPV: None

Date:

Risk (CSRA Score): 2 (M)

TABE Reading Score: 09.9 **TABE Math:** 03.4

Verified GED: N **Verified HS Diploma:** N

Needs (from COMPAS)

Assessment Date: 12/10/2015	Version: Core Women's v.7 Needs Assessment
Substance Abuse: 100 - High	Educational Problems: 0 - Low
Criminal Personality: 0 - Low	Employment Problems: 0 - Low
Anger: 0 - Low	Support from Family of Origin: 100 - High

Recommended Rehabilitative Programs Timeline

Program Name	Program Start Date	Program End Date	2016	2017	2018	2019	2020	2021	2022	2023
General Education Dev	12/01/2016	05/30/2017								
College (Correspondence)	05/31/2017	08/20/2017								

Current and Completed Rehabilitative Programs Timeline

Program Name	Program Start Date	Program End Date	2009	2010	2011	2012	2013	2014	2015	2016
Transitions	10/19/2016									
Adult Basic Education III	09/13/2016									
Anger Management (Reentry)	04/29/2016	08/03/2016								
Criminal Thinking (Reentry)	04/22/2016	07/26/2016								
Family Relationships (Reentry)	03/04/2016	08/31/2016								
Sub. Abuse Pgm (Reentry)	03/04/2016	08/03/2016								

Certificates and Diplomas

Milestones

Date Completed	Milestone Name (MCC)	Milestone Credit Value in weeks
07/29/2016	Criminal Thinking	01
08/03/2016	Anger Management	01
08/03/2016	Substance Abuse Treatment	06
08/31/2016	Family Relationships	01

Source: The California Department of Corrections and Rehabilitation Strategic Offender Management System, Rehabilitative Case Plan, for an inmate housed at California Correctional Women's Facility.

Appendix B—Statewide Programming Totals

The information displayed on the following page identifies the statewide operational status of the rehabilitation programs in fiscal year 2017–18, in summary format for each type of rehabilitation program, including academic education, career technical education, and preemployment transitions, as well as the contract treatment programs for substance use disorders and cognitive behaviors. The OIG performed fieldwork to assess these programs' operational status at each institution.

The first set of columns identifies the number of proposed teacher positions and the number of budgeted student capacity, as identified by the department. For the contract programs, the first set displays the budgeted student capacity for each program as well as its budgeted annual capacity. The next set of columns displays the results from the OIG's fieldwork, identifying the number of programs or program slots that were fully operational when the fieldwork was performed. These columns also display the projected annual capacity for the contract programs based on existing enrollment figures. The third set of columns identifies the differences between the number of courses that were supposed to be operational and corresponding student capacity, and the number of courses found by the OIG to be operational and the actual number of students served.

The OIG conducted its fieldwork from December 2017 through January 2018. Therefore, the numbers presented herein may have changed since the date we published this report.

Appendix B—Statewide Programming Totals: Exhibit

Types of Programming	CDCR Figures	OIG Fieldwork	CDCR Figures	OIG Fieldwork	Differences	
	FY2017-18	December 2017- January 2018	FY2017-18	December 2017- January 2018	(Actual - Proposed)	
Academic Education	Proposed Staff	Actual Program Staff	Budgeted Capacity	Actual Student Capacity	Staffing Differences	Capacity Differences
General Population	308	273	16,764	14,013	-35	-2,751
Alternative Programming	7	9	444	442	2	-2
Voluntary Educ. Program	228	209	26,976	25,080	-19	-1,896
TOTALS	543	491	44,184	39,535	-52	-4,649
Career Technical Education	Proposed Staff	Actual Program Staff	Budgeted Capacity	Actual Student Capacity	Staffing Differences	Capacity Differences
Auto Mechanics	18	17	486	459	-1	-27
Auto Body	15	12	405	324	-3	-81
Building Maintenance	29	22	783	594	-7	-189
Carpentry	16	13	432	351	-3	-81
Computer Coding	1	1	27	21	0	27
Computer Literacy	30	27	1,553	1,391	-3	-162
CORE	0	1	0	27	1	27
Cosmetology	3	3	81	81	0	0
Electrical Works	20	12	540	324	-8	-216
Electronics	32	26	864	702	-6	-162
HVAC	15	10	405	270	-5	-135
Landscaping	1	1	27	27	0	0
Machine Shop	4	3	108	81	-1	-27
Masonry	15	14	405	378	-1	-27
Office Services and Related Technology (OSRT)	52	46	1,485	1,269	-6	-216
Painting	4	3	108	81	-1	-27
Plumbing	13	11	351	297	-2	-54
Roofing	1	1	27	27	0	0
Sheet Metal	1	1	27	27	0	0
Small Engine Repair	10	9	270	243	-1	-27
Welding	24	17	648	459	-7	-189
TBD	0	0	0	0	0	0
TOTALS	304	250	9,032	7,433	-54	-1,566
Employment Programs	Program Slots	Actual Students in Program	Annual Student Capacity	Actual Student Capacity	Student Differences	Capacity Differences
Pre-Employment Transitions (PET)	2,458	2,237	22,122	20,133	-221	-1,989
TOTALS	2,458	2,237	22,122	20,133	-221	-1,989
Contract Treatment Programs	Student Capacity (Program)	Actual Students in Program	Annual Student Capacity	Actual Student Capacity	Student Differences	Capacity Differences
Substance Use Disorder Treatment (SUDT)	4,480	4,087	10,753	9,690	-393	-1,063
Cognitive-Behavioral Treatment (CBT)	5,388	5,102	17,928	16,836	-286	-1,092
TOTALS	9,868	9,189	28,681	26,526	-679	-2,155
Long Term Offender Program	Student Capacity (Program)	Actual Students in Program	Annual Student Capacity	Actual Student Capacity	Student Differences	Capacity Differences
Substance Use Disorder Treatment (SUDT)	996	643	2,390	1,543	-353	-847
Cognitive-Behavioral Treatment (CBT)	2,400	1,646	8,496	5,502	-754	-2,994
TOTALS	3,396	2,289	10,886	7,045	-1,107	-3,841

Source: The California Department of Corrections and Rehabilitation's Division of Rehabilitative Programs provided the types of programming and departmental Figures for FY2017-18, and OIG actual figures were from site-visit reviews conducted from December 2017 to January 2018.

(This page left blank for reproduction purposes.)

Blueprint Monitoring

Ninth Report

OFFICE *of the* INSPECTOR GENERAL

Roy W. Wesley
Inspector General

Bryan B. Beyer
Chief Deputy Inspector General

STATE *of* CALIFORNIA
July 2018