

Department of Corrections and Rehabilitation

The Benefits of Its Correctional Offender
Management Profiling for Alternative Sanctions
Program Are Uncertain

September 2011 Report 2010-124



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2010-124

The Governor of California
President pro Tempore of the Senate
Speaker of the Assembly
State Capitol
Sacramento, California 95814

Dear Governor and Legislative Leaders:

As requested by the Joint Legislative Audit Committee, the California State Auditor presents this audit report concerning the Department of Corrections and Rehabilitations' (Corrections) use of the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS), which is a software tool that helps to identify the characteristics that cause offenders to commit crimes so they can participate in rehabilitative programs and thereby lessen their likelihood of reoffending.

Our report concludes that the benefits from Corrections' use of COMPAS are, at best, uncertain. Specifically, Corrections' use of COMPAS in its reception centers—facilities where inmates entering the correctional system are evaluated and assigned to a prison—does not meaningfully affect its decision-making concerning prison assignments, and by extension, the rehabilitative programs inmates might access at those facilities. Our discussions with staff from eight of Corrections' 12 reception centers revealed that other non-COMPAS factors, such as an inmate's security level and limited bed space at receiving prisons, play more prominent roles in determining where inmates can be housed. Furthermore, the COMPAS core assessment identifies up to five different needs; however, Corrections has rehabilitative programs that address only two. Corrections has not established regulations defining how COMPAS assessments are to be used despite legal requirements to do so. As a result, we recommend that Corrections suspend its use of COMPAS until it issues regulations addressing these issues and develops a methodology for measuring whether COMPAS is achieving its intended outcome, helping Corrections reduce the State's recidivism rate.

Our review also revealed other problems with Corrections' deployment of COMPAS that negatively affect its usefulness. Some correctional staff we spoke with at reception centers and parole offices indicated a lack of acceptance of COMPAS, suggesting the need for further training or clarification regarding COMPAS's value. Further, Corrections use of COMPAS for placing inmates into its in-prison rehabilitative programs is limited to its substance abuse program. However, we found that many in this program either lack COMPAS assessments or have a low COMPAS-identified need for substance abuse treatment. Moreover, relatively few inmates with moderate to high substance abuse treatment needs, as determined through the COMPAS core assessment, are assigned to a treatment program. Finally, we found that Corrections lacks accounting records demonstrating how much it cost to fully deploy and implement COMPAS at its reception centers, prisons, and parole offices. The lack of such information prevents Corrections from demonstrating accountability for its spending on COMPAS.

Respectfully submitted,

ELAINE M. HOWLE, CPA
State Auditor

Contents

| | |
|---|----|
| Summary | 1 |
| Introduction | 7 |
| Audit Results | |
| The Benefits of the Correctional Offender Management Profiling for Alternative Sanctions Program Have Yet to Be Realized | 17 |
| Corrections Cannot Demonstrate How Much It Cost to Fully Deploy and Administer COMPAS | 38 |
| Recommendations | 42 |
| Response to the Audit | |
| Department of Corrections and Rehabilitation | 45 |
| California State Auditor's Comments on the Response From the Department of Corrections and Rehabilitation | 49 |

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Summary

Results in Brief

The Department of Corrections and Rehabilitation (Corrections) intends to use the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) software to help identify factors that cause inmates to commit crimes, so they can participate in such rehabilitative programs as substance abuse treatment or vocational education to reduce their likelihood of reoffending, thereby reducing overcrowding in the State's prisons. California's high recidivism rates and difficulties with prison overcrowding are well documented. In its October 2010 outcome evaluation report, Corrections reported that 67.5 percent of all felons released during fiscal year 2005–06 returned to prison within three years. Further, in May 2011 the U.S. Supreme Court issued a ruling upholding the authority of a lower court to require that California reduce its inmate population to 137.5 percent of the design capacity of its correctional institutions. As of June 30, 2011, Corrections had more than 144,000 inmates in its various institutions, which were designed to accommodate only 80,000.

However, the prospects that COMPAS will play a meaningful role in helping Corrections ultimately reduce prison overcrowding and lower its recidivism rates are, at best, uncertain. Corrections uses gender-specific versions of two different COMPAS assessments. The COMPAS core assessment identifies the needs of inmates entering the prison system, while the COMPAS reentry assessment evaluates inmates who are about to reenter society on parole. Our review found Corrections' use of COMPAS during its parole planning process is not consistently enforced, while its use in reception centers—where inmates are initially evaluated and assigned to a prison—does not appear to affect decisions on prison assignments and, by extension, the rehabilitative programs inmates might access at those facilities.

Corrections' process at its 12 reception centers for assigning inmates to prisons is complex and considers factors such as an inmate's history of violence, medical needs, gang affiliations, and the available bed space at suitable facilities that can accommodate the inmate's security requirements. Our observations at one reception center and discussions with Corrections' staff at seven others revealed that prison assignments are often not based on COMPAS. Instead, the inmate's security level and the weekly placement restrictions imposed by Corrections' Population Management Unit—the unit responsible for coordinating inmate movement within the prison system—are the primary determinants of prison assignment.

Audit Highlights . . .

Our review of the Department of Corrections and Rehabilitation's (Corrections) use of Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) highlighted the following:

- » *It is uncertain if COMPAS will help Corrections reduce prison overcrowding and lower recidivism rates.*
 - *Corrections' use of COMPAS during its parole planning process is inconsistent.*
 - *Prison assignments made by its reception centers are often not based on COMPAS.*
- » *According to some staff at the reception centers, there is a lack of buy-in on COMPAS across the institutions and the tool does not seem beneficial.*
- » *Corrections has not issued regulations on COMPAS as required nor has it provided training to some staff on how to use the assessment tool.*
- » *The value of using COMPAS to assess an inmate's needs is limited—COMPAS core assessment identifies up to five different needs; however, Corrections has rehabilitative programs that only address two.*
- » *Since Corrections instructed staff to use COMPAS only when placing inmates in its substance abuse treatment program, we question whether COMPAS is a valuable tool for identifying inmates' needs.*
- » *Corrections has not tracked the actual costs of deploying COMPAS and cannot explain how it monitored the project for any cost overruns.*

Our discussions with staff at the reception centers also suggested that some do not see value in using COMPAS. For example, one classification staff representative—who is responsible for the final decision on where an inmate will be sent—told us that she rotates to different prisons each week and that there is a lack of buy-in on COMPAS across the institutions, noting that the tool does not seem beneficial. The classification staff representative also indicated Corrections has not trained staff in her role on how to use COMPAS. Corrections' project manager for COMPAS confirmed that these individuals have not been trained, explaining that reception center staff are still in the process of developing procedures for using COMPAS. According to the project manager, this lack of training would preclude classification staff representatives from consistently considering COMPAS results. An assistant warden at another reception center questioned whether COMPAS identified inmate needs that his staff had not already gleaned from inmate files. Furthermore, we noticed that Corrections has established underground regulations concerning COMPAS's use because they were not adopted in accordance with the California Administrative Procedures Act, nor has it discussed COMPAS in its operating manual.

The value of using COMPAS to assess an inmate's needs is also limited because few programs exist within prisons to treat those needs. The COMPAS core assessment identifies up to five different needs; however, Corrections has rehabilitative programs that address only two—its *academic/vocational education and substance abuse treatment* programs. It has no programs to address *criminal thinking, anger and violence, or family criminality*. Corrections' secretary acknowledged that limited rehabilitative programs could cause some to question the value of using COMPAS but maintained that doing so was still worthwhile, since it avoids guessing which inmates need what services and potentially wasting limited resources on the wrong population. However, the secretary's comments contrast with the fact that more inmates with COMPAS core assessments have substance abuse problems when compared to the number of those with academic/vocational needs, yet the inmate capacity for academic/vocational education programs is five times that of substance abuse treatment programs. Considering that Corrections has instructed its staff to consider COMPAS assessment results only when placing inmates in its substance abuse treatment program, it is questionable whether COMPAS is a valuable tool for determining what rehabilitative programs Corrections needs.

Corrections has also cited budget cuts from fiscal year 2009–10 as a main reason for limited rehabilitative programs. In the 2009 Budget Act, the Legislature required Corrections to cut an unspecified amount from its rehabilitative programs and submit a report on its plan to absorb these cuts while maintaining effective

rehabilitative programs. Its progress report to the Legislature in April 2010 indicated that it shortened the duration of its substance abuse treatment program, which had been from 12 to 36 months, to three months and reduced the number of prisons at which the program is offered. Corrections also reported it developed new education models that prioritize inmate placement based on their risk of reoffending and the time remaining until their release. These budget cuts caused spending on rehabilitative programs to be reduced by \$69.1 million during fiscal year 2010–11.

Our review also raised questions as to whether Corrections was actually putting inmates in the correct rehabilitative programs based on COMPAS. All 11 of its institutions with a substance abuse treatment program treat only a limited number of inmates with moderate to high needs as determined by COMPAS. In February 2011 Corrections had nearly 2,600 inmates with moderate to high needs for substance abuse treatment as determined by COMPAS, but only 800 with moderate to high needs were assigned to substance abuse treatment during that same month. An additional 740 inmates who had no COMPAS assessment and 310 who were assessed as having a low need for substance abuse treatment were enrolled in the program that month. The fact that Corrections' staff can place inmates in the substance abuse treatment program without a COMPAS assessment raises more questions as to whether COMPAS is a valuable screening tool to identify inmates' needs. In addition, Corrections has not developed a plan to measure COMPAS's impact on reducing recidivism, and thus its value is uncertain.

Using the COMPAS reentry assessment as part of the parole planning process has potential benefits for inmates but may not yield lower recidivism rates. Within 240 days of an inmate's release to parole, Corrections' staff administer a reentry assessment that results in a case plan to assist the inmate with transitioning to life outside of prison. The case plan provides the inmate with tasks and goals to pursue after being released, to address identified problems. In addition, the case plan provides the inmate with contact information for programs and resources in the community where he or she will be paroled. Reentry assessments can also potentially provide value to parole agents, eliminating the need to create case plans.

However, the value of using COMPAS reentry assessments on inmates being paroled is questionable, since the inmates are not required to adhere to the goals and tasks in the case plans and parole agents' use of COMPAS has not been consistently enforced. One parole agent indicated he ignores the COMPAS assessments because he has a better knowledge of the area and can recommend programs and services that are free, or at least more affordable. According to the associate director of the Division of Adult Parole

Operations (Parole Operations), parole agents need more in-depth training in how to apply COMPAS assessments to a parole plan that will ultimately reduce recidivism. Parole Operations is currently engaged in a pilot project that clarifies how parole agents should use COMPAS. Some enhancements of the pilot project include requiring—as a condition of parole—that parolees follow the goals and tasks identified in the COMPAS case plan as modified by the parole agent. Corrections has also developed a form that requires parole agents to specify goals and how much time parolees should spend over a certain period of time on meeting those goals. However, the ultimate success of COMPAS relies on staff's willingness to use the assessment tool.

Finally, Corrections has not tracked the actual costs of deploying COMPAS. Our discussions with Corrections' budget and accounting staff revealed that they are unaware of any accounting codes in their systems to track actual costs related to COMPAS deployment. Corrections' deployment of COMPAS has occurred in waves, with its parole units and reception centers beginning to use COMPAS in 2006 and 2007, respectively. Corrections' 33 prison institutions began using COMPAS in March 2011. Our discussions with the COMPAS project's controller and technical project manager indicated that they have not reported the actual costs associated with prison deployment to the California Technology Agency (Technology Agency) because Corrections' accounting system is not set up to separately track and report such costs, including staffing costs for Corrections' information technology personnel associated with deployment of COMPAS core assessments to the 33 prison institutions. Furthermore, Corrections could not support a total of \$14.6 million in actual COMPAS costs that it reported to the Legislature in the governor's proposed budgets for fiscal years 2008–09 and 2009–10. As a result, Corrections cannot demonstrate accountability for its spending on COMPAS or explain how it monitored the project for any cost overruns.

Recommendations

To ensure that the State does not spend additional resources on COMPAS while its usefulness is uncertain, Corrections should suspend its use of the COMPAS core and reentry assessments until it has done the following:

- Issued regulations and updated its operations manual to define how Corrections' use of COMPAS will affect decision making regarding inmates, such as clarifying how COMPAS results will be considered when sending inmates to different prison facilities, enrolling them in rehabilitative programs to address their criminal risk factors, and developing expectations for those on parole.

- Demonstrated to the Legislature that it has a plan to measure and report COMPAS's effect on reducing recidivism. Such a plan could consider whether inmates enrolled in a rehabilitative program based on a COMPAS assessment had lower recidivism rates than those provided rehabilitative programming as a result of non-COMPAS factors.

Once Corrections resumes its use of the COMPAS core and reentry assessments, it should take the following steps to better ensure that COMPAS is a valuable inmate assessment and planning tool:

- Provide ongoing training to classification staff representatives, parole agents, and others who may administer or interpret COMPAS assessment results.
- Develop practices or procedures to periodically compare the demand for certain rehabilitative programs, as suggested by a COMPAS core assessment, to the existing capacity to treat such needs.

To ensure transparency and accountability for costs associated with information technology projects such as COMPAS, Corrections should take the following actions:

- Disclose that it lacks accounting records to support certain COMPAS expenditure amounts it reported to the Technology Agency and seek guidance on how to proceed with future reporting requirements for its deployment of the COMPAS core assessment to its adult institutions.
- Develop policies to ensure that accounting or budget management personnel are involved in the planning phase of future information technology projects so that appropriate accounting codes are established for tracking and reporting actual project costs.

Agency Comments

Corrections disagrees with our recommendation to temporarily suspend its use of COMPAS. Although Corrections acknowledges that it should do more to communicate the value of COMPAS to its employees and provide ongoing training to key staff, it believes suspending COMPAS will result in the loss of the progress it has made, including five years of training, and that it would take years for it to regain its momentum. Corrections did not provide responses to our specific recommendations, but indicated that it would provide additional information in its 60-day, six-month, and one-year responses.

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Introduction

Background

The mission of the Department of Corrections and Rehabilitation (Corrections) is to enhance public protection through safe and secure incarceration of offenders, effective parole supervision, and rehabilitative strategies to successfully reintegrate offenders into California's communities. Corrections' budget for fiscal year 2011–12 is \$10.1 billion, and it estimates that it will oversee 163,000 inmates and 107,000 parolees.

Origins of Correctional Offender Management Profiling for Alternative Sanctions Assessments

In the Budget Act of 2006, the Legislature directed Corrections to contract with correctional program experts to complete an assessment of California's adult prison and parole programs designed to reduce recidivism. As a result, Corrections created the Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (Expert Panel) composed of individuals from across the nation with expertise in the field of corrections. The Expert Panel issued its report in June 2007, recommending that Corrections select and use a tool that would identify an offender's criminal risk factors—attributes directly linked to criminal behavior—so that rehabilitative programs could be identified to treat such factors. The Expert Panel also developed a detailed, sequential description of how California should apply eight principles and practices to deliver effective rehabilitative programming that it called the *California Logic Model*. Concurrently, as a result of legislation (Assembly Bill 900 (AB 900)) chaptered in May 2007, state law was amended to require Corrections to conduct assessments of all inmates and to place them in programs that will aid in their reentry to society and that will most likely reduce chances of reoffending. Citing AB 900 and the Expert Panel's report, Corrections initiated a plan to implement the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) assessments, described in the next section, for identifying the criminal risk factors of inmates entering the prison system and those approaching their parole dates.

Deployment and Use of COMPAS

COMPAS is a family of software products that can be used for offender assessment, classification, and case management that was created and is owned by the Northpointe Institute for Public Management, Incorporated (Northpointe). These software products contain various modules that can be customized by Northpointe

to meet the needs of its clients. Northpointe's COMPAS product includes the COMPAS core and COMPAS reentry modules, which can be used to predict incoming and outgoing inmates' risk of reoffending and to assess their criminal risk factors. Both of these modules measure criminal risk factors from different perspectives. The COMPAS core module focuses on events and circumstances in inmates' pasts that led to their criminal acts, such as crime in their social environment or a family history of jail or incarceration. The COMPAS reentry module focuses on criminal risk factors of inmates being released and reentering society, such as difficulty finding a job or controlling their temper. Northpointe owns the rights to both of these modules. Therefore, Corrections can make system modifications only through Northpointe.

Originally, Corrections intended to use the portions of COMPAS that assess both the risk that an inmate will reoffend and the inmate's criminal risk factors. However, the risk of reoffending portion had not been tested to ensure that it was appropriate for California's offender population. In lieu of validating Northpointe's proprietary risk assessment, Corrections opted to develop its own risk assessment, called the California Static Risk Assessment (California risk assessment). According to Corrections, it began using the California risk assessment in February 2009 and ultimately entered into an agreement with Northpointe in January 2010 to include the California risk assessment within COMPAS.

Corrections administers COMPAS's core needs assessments in its reception centers—where incoming inmates are sent for processing, testing, and assignment to prisons—and in its prison institutions if inmates have not already received a COMPAS core assessment. To administer the COMPAS core assessment, Corrections' staff meet with inmates one-on-one and read them the multiple-choice questions and record their responses. See Table 1 for the number of questions in each type of assessment. For the most part, the information provided by inmates cannot be verified because it comes from their personal experiences, and Corrections' staff generally have limited knowledge of these experiences. According to a COMPAS system administrator at Corrections' headquarters, the information in COMPAS may be accessed by certain Corrections' headquarters staff, as well as by a variety of prison staff, including information system analysts, prison management, correctional counselors and supervisors, support staff, and mental health staff. In addition, various other Corrections' units can access COMPAS, including the Office of Correctional Safety, the Office of Research, and the Data and Performance Management Unit.

After a COMPAS core needs assessment is performed, the COMPAS software produces a bar chart identifying whether an inmate has a high, moderate, or low need in five areas included

in the assessment: *substance abuse, criminal thinking, family criminality, academic and vocational education, and anger and violence*. The identified needs help Corrections know which programs might help reduce the inmate’s risk of reoffending after release. Currently, Corrections uses various versions of COMPAS, depending upon an inmate’s gender and whether the offender is entering or leaving prison.

Table 1
Number of Questions in Each Correctional Offender Management Profiling for Alternative Sanctions Needs Assessment

| | MALE INSTITUTIONS | FEMALE INSTITUTIONS |
|---|-------------------|---------------------|
| Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) core assessment | 93 | 188 |
| COMPAS reentry assessment | 45 | 126 |

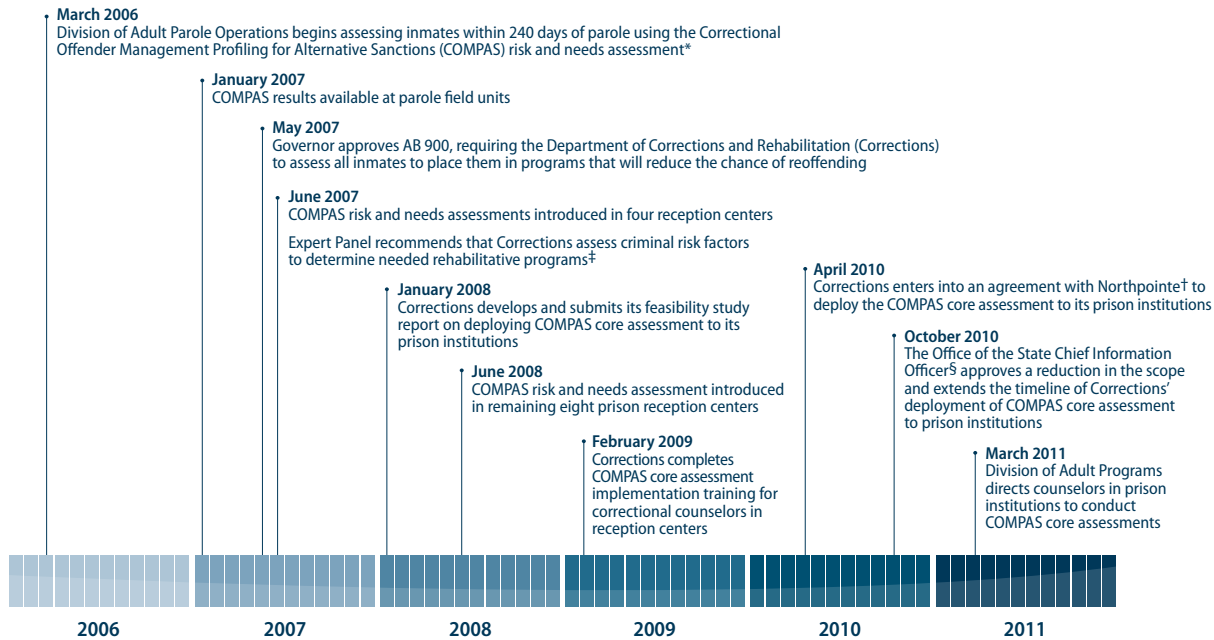
Sources: Northpointe Institute for Public Management, Incorporated, and COMPAS assessment questionnaires.

As shown in Figure 1 on the following page, Corrections started using COMPAS in 2006 for inmates preparing to be released, and the software was subsequently deployed to reception centers; deployment for use in the prison institutions began only recently, in early 2011. Prior to its contract with Northpointe in 2010, Corrections procured services from Northpointe through various purchase orders.

When implementing COMPAS in 2006 within the Division of Adult Parole Operations, Corrections’ vision was to help prepare inmates for community reintegration through prerelease planning and the use of an automated risk and needs assessment tool. Corrections implemented COMPAS as a part of its efforts to establish a preparole planning and placement program.

In response to AB 900, Corrections expanded its use of COMPAS beyond parole into its reception centers and then into the prison institutions. As a result of these expansions, Corrections’ staff will evaluate and review inmates’ criminal risk factors at various points in time during their incarceration. Figure 2 on page 11 depicts Corrections’ vision for how it ultimately plans to use COMPAS at its reception centers, prisons, and parole offices.

Figure 1
Correctional Offender Management Profiling for Alternative Sanctions Implementation Time Line



Sources: Corrections guidance memoranda and its operations manual.

* When Corrections first started conducting COMPAS assessments for inmates nearing parole, it used the COMPAS risk and needs assessments, which was replaced subsequently by the COMPAS reentry assessment.

† Northpointe Institute for Public Management, Incorporated.

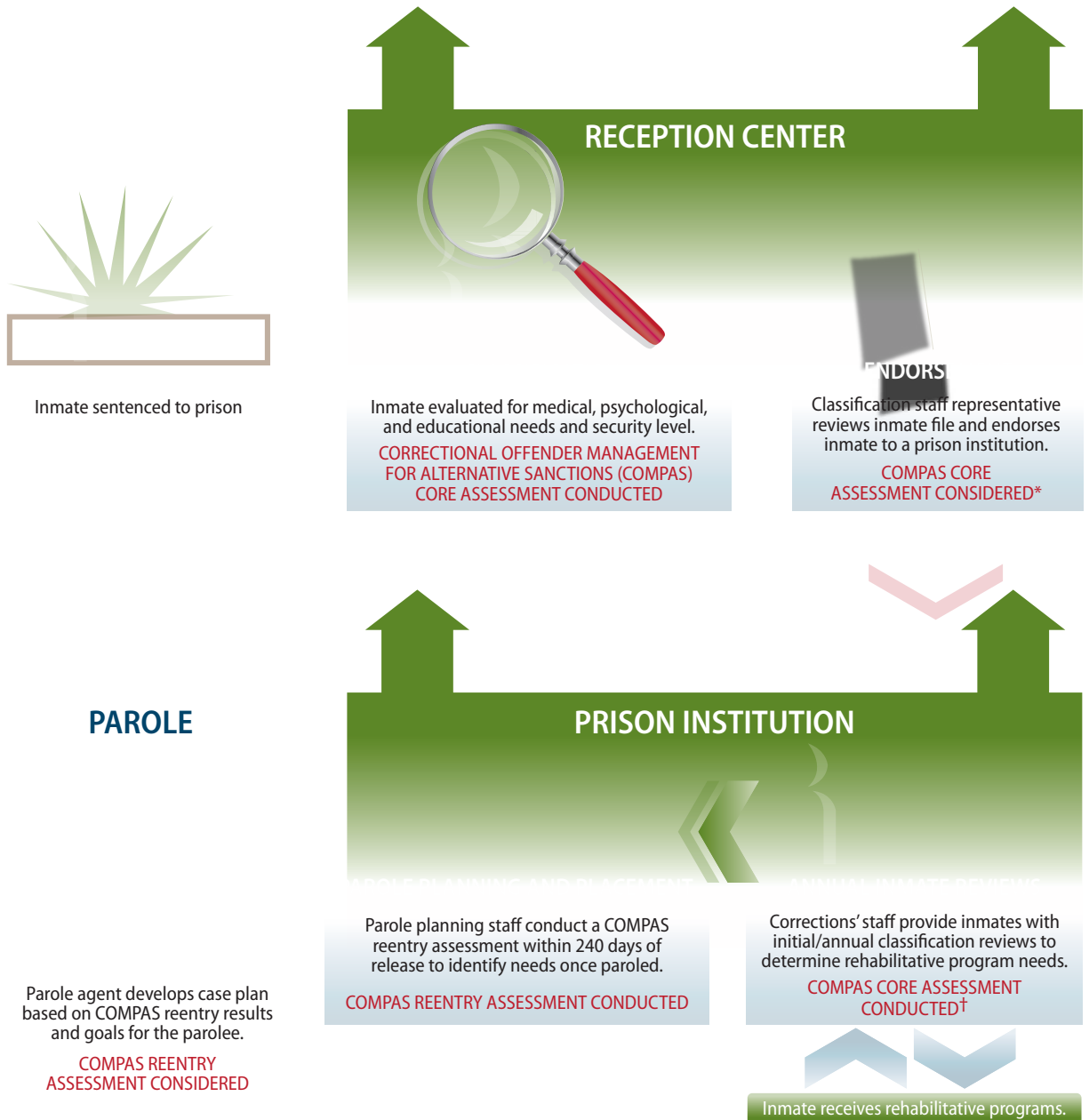
‡ Corrections created the Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs in response to legislative direction to contract with correctional program experts to complete an assessment of California's adult prison and parole programs designed to reduce recidivism.

§ In September 2010 the Office of the State Chief Information Officer was renamed the California Technology Agency.

Corrections' Process for Procuring COMPAS and the Role of Northpointe

Corrections indicated that, before selecting COMPAS as its risk and needs assessment tool for its preparole planning initiative, it reviewed four companies in depth that provided risk and needs assessment instruments, of which COMPAS was one. According to Corrections, it established criteria for product standards that included cost, technical assistance, training, automation, reassessment capabilities, prediction, risk potential, classification requirements, robustness of program, and comprehensiveness. Ultimately, it selected Northpointe's COMPAS risk and needs assessments because Corrections felt that COMPAS most closely mirrored its business rules, was user friendly, and was compatible with the ever-changing needs of Corrections and the offender population.

Figure 2
Department of Corrections and Rehabilitation’s Vision of Correctional Offender Management Profiling for Alternative Sanctions’ Role as Inmates Move Within the Prison System



Sources: Department of Corrections and Rehabilitation’s (Corrections) guidance memoranda and its operations manual.

* Corrections intends that classification staff representatives at reception centers ensure that inmates are sent to prisons that are consistent with their risk and needs scores. For example, inmates with a high risk to reoffend and an indication of a drug problem should be sent to a prison with a substance abuse treatment program.

† Corrections’ staff conduct COMPAS core assessments during initial/annual inmate reviews only if assessments were not conducted when inmates were in a reception center. Corrections plans to have Northpointe Institute for Public Management, Incorporated develop an annual follow-up assessment version of COMPAS for use in its prison institutions.

Corrections acquired COMPAS in 2005 through a leveraged procurement agreement that the Department of General Services (General Services) had established to allow state departments to buy information technology products, software, and certain services at preestablished prices. When General Services did not renew the leveraged procurement agreement beginning in fiscal year 2005–06, Corrections entered into subsequent purchase agreements directly with Northpointe. However, when Corrections decided to expand COMPAS to the general-population prisons, it executed a contract with Northpointe for \$3.97 million with a term running from April 30, 2010, through June 30, 2012.

Northpointe's role in the development and implementation of COMPAS initially focused primarily on providing the software licenses, modifying COMPAS as requested by Corrections, and later assisting with the development and delivery of COMPAS training to Corrections' staff. In its monthly status report to the California Technology Agency for March 2011, Corrections reported that all of its 33 prison institutions had received training and instructions to begin using COMPAS.

COMPAS and the Strategic Offender Management System

Corrections plans to implement the Strategic Offender Management System (SOMS), a fully automated system that will consolidate existing databases and records and replace manual paper processes. According to Corrections' planning documents, SOMS and COMPAS will share certain inmate data. Specifically, SOMS will provide COMPAS with offender identification data, such as the offender's name and Social Security number. COMPAS will provide SOMS with criminal risk factor data for offenders via a real-time Web services interface. Corrections plans to have Northpointe modify COMPAS to allow for an interface with SOMS in subsequent released versions. According to the technical architect on the SOMS project, SOMS will not interface with COMPAS until sometime late in 2012.

Scope and Methodology

The Joint Legislative Audit Committee (audit committee) directed the Bureau of State Audits (bureau) to review Corrections' use of the COMPAS assessment tool for identifying the rehabilitative needs of its inmates. Specifically, the audit committee directed us to review the goals for using COMPAS and evaluate whether any of Corrections' policies, procedures, or planned changes to COMPAS will facilitate achieving these goals. The audit committee also asked us to determine the cost to implement COMPAS, including the

original budget and the actual amount spent to date as well as the costs to administer and maintain COMPAS. To the extent that COMPAS is not complete or fully deployed, the audit committee asked us to identify the budget and projected timeline to fully complete and deploy the program; determine if the contractor's scope of work is sufficient to complete and fully deploy COMPAS; determine if the plans for the program contain a clear path for completing COMPAS, which includes key milestones and their respective costs and completion time frames; and assess whether such estimated costs and timelines are attainable.

The audit committee also directed us to examine how Corrections is currently using COMPAS and whether its use is meeting established goals and objectives. Specifically, the audit committee asked us to determine whether all new and existing inmates have been assessed and, if not, the timeline for assessing all inmates; the sources of data recorded in COMPAS and whether such information is verified beforehand; whether COMPAS evaluations result in the identification of education programs at a higher level than those the inmate completed during a prior incarceration; the extent to which inmates are enrolled in programs identified through assessments performed with COMPAS; and whether Corrections has measured COMPAS's affect on recidivism rates and, if not, whether Corrections is collecting the necessary information for this measurement. Finally, the audit committee directed us to review and assess Corrections' plan for incorporating COMPAS into the SOMS project.

To address the audit committee's objectives, we performed the procedures shown in Table 2 on the following page. Additionally, we relied on data provided by Corrections. The U.S. Government Accountability Office (GAO), whose standards we follow, requires us to assess the sufficiency and appropriateness of computer-processed information. To comply with this standard, we assessed the reliability of Corrections' Offender Based Information System (OBIS) for the purpose of identifying the number of unique inmates who were released to parole during fiscal years 2007–08 through 2010–11¹ (as displayed in Table 7 on page 33). Specifically, we performed data-set verification procedures, performed electronic testing of key data elements, and assessed the accuracy of OBIS. We did not perform completeness testing of OBIS because the source documents for this system are stored at the 33 adult inmate institutions located throughout the State, making such

¹ For each of the three systems discussed here, fiscal year 2010–11 includes data for the period July 1, 2010, through February 20, 2011, only.

Table 2
Methods of Addressing Audit Objectives

| AUDIT OBJECTIVE | METHOD |
|---|---|
| Review and evaluate the goals and objectives of the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) program. In addition, review and assess the Department of Corrections and Rehabilitation's (Corrections) policies, procedures, and planned changes for determining whether the goals and objectives will be met. | Reviewed relevant laws and COMPAS-related documents, such as Corrections' feasibility study report; Corrections' internal administrative memoranda defining the goals and use of COMPAS within its reception centers, prison institutions, and parole units; and Corrections' communication with the Legislature regarding how it intends to use COMPAS. Finally, we interviewed Corrections' staff from eight reception centers and two parole offices to better understand COMPAS's role in Corrections' business practices. |
| Determine the cost to implement COMPAS, including budgeted amounts and the actual costs to date. Further, determine the cost to administer and maintain the COMPAS program. | Reviewed Corrections' initial and revised budget for its deployment of COMPAS to its prison institutions as reported to the Office of the State Chief Information Officer.* Corrections lacked accounting records that specifically tracked actual COMPAS costs. The lack of accounting information prevented us from fully addressing this audit objective. |
| If COMPAS is not complete and fully deployed, to the extent possible: a) Identify the budget and projected timeline to fully complete and deploy the program. b) Determine if the contractor's scope of work is sufficient to complete and fully deploy the program. c) Determine if the plans for the program contain a clear path for completing COMPAS that includes key milestones and their respective costs and completion timelines. d) Assess whether such estimated costs and timelines are attainable. | Corrections has deployed COMPAS to its reception centers, prison institutions, and parole units. Nevertheless, we performed the following: • Reviewed available budget and project schedule information. • Obtained the scope of work contained in Corrections' contract with its vendor, Northpointe Institute for Public Management, Incorporated, for the deployment of COMPAS to its prison institutions. |
| To the extent possible, examine how Corrections is using COMPAS, the scope of its use, and the extent to which it is operating as designed by determining, at a minimum, the following: a) Whether all new and existing inmates have been assessed. If not, identify the timeline for assessing all inmates. b) The sources of data recorded in COMPAS, whether such data is verified before being entered into COMPAS, and who has access to data in the COMPAS system. c) Whether COMPAS evaluations consistently result in the identification of educational programs at a higher level than those an inmate successfully completed previously. In addition, determine the extent to which inmates are enrolled in programs that address the needs identified through COMPAS. d) Whether Corrections has measured the COMPAS program's impact on any preliminary recidivism rates. If not, determine whether Corrections is collecting the appropriate data to measure its impact on recidivism rates in the future. | We obtained Corrections' various policy memoranda that exclude certain inmates from receiving a COMPAS assessment. To determine the proportion of the total inmate and parolee populations for fiscal years 2007–08 through 2010–11 [†] that received a COMPAS assessment, we analyzed data collected from Corrections' Offender Based Information System, Distributed Data Processing System, and the COMPAS database. [‡] We also interviewed Corrections' staff to determine when they intend to assess all inmates. We observed Corrections' staff administer COMPAS assessments as part of the reception center and preparole planning process at one prison institution, Deuel Vocational Institution. We also considered whether staff verify information prior to entering the information in COMPAS. To determine who has access to COMPAS data, we interviewed Corrections' project manager for COMPAS deployment. We evaluated Corrections' policies for considering COMPAS results when placing inmates into rehabilitative programs. For February 20, 2011, we compared the number of inmates whose COMPAS core assessment determined they had a moderate to high need for substance abuse treatment and were within four to 12 months of their earliest possible release date with the number of inmates who were ultimately placed in rehabilitative programs. We were unable to determine whether COMPAS assessments consistently result in the identification of educational programs at a higher level than those an inmate successfully completed during a prior incarceration because data concerning inmates completing rehabilitative programs is not recorded in a database and, therefore, was not retrievable for this type of analysis. Reviewed Corrections' periodic reports on recidivism measures and determined whether COMPAS was discussed. Interviewed Corrections' staff to determine whether there is a plan to assess COMPAS's affect on recidivism. |
| Review and assess Corrections' plan for incorporating COMPAS into the Strategic Offender Management System (SOMS) project. | Interviewed Corrections' staff involved with the implementation of the SOMS and COMPAS to determine Corrections' vision for how the two systems will share information, and when this functionality will exist. |

Sources: Bureau of State Audits' analysis of audit request 2010-124 and its analysis of information and documentation identified in the Method column of the table above.

* In September 2010 the Office of the State Chief Information Officer was renamed the California Technology Agency.

† Fiscal year 2010–11 includes data for the period July 1, 2010, through February 20, 2011, only.

‡ We assessed the reliability of the data contained in each of these systems and discuss the results beginning on page 13.

testing impractical. We did not identify any errors when performing data-set verification procedures, nor did we identify any illogical information in the key fields used in our analysis. For accuracy testing, we selected a random sample of 29 transactions and tested the accuracy of nine key fields. Of the nine key fields tested, we found errors in two key fields. Based on our testing and analysis, we found that OBIS is of undetermined reliability for the purpose of identifying the number of inmates who were released to parole during fiscal years 2007–08 through 2010–11.

In addition, we assessed the reliability of Corrections' Distributed Data Processing System (DDPS) for the purpose of identifying the number of inmates who were housed in an institution or camp during fiscal years 2007–08 through 2010–11 (as displayed in Table 6 on page 32). Specifically, we performed data-set verification procedures, performed electronic testing of key data elements, and assessed the accuracy of DDPS. We did not perform completeness testing of DDPS because the source documents for this system are stored at the 33 adult inmate institutions located throughout the State, making such testing impractical. We did not identify any errors when performing data-set verification procedures, nor did we identify any illogical information in the key fields used in our analysis. We were unable to test the accuracy of DDPS for the period July 1, 2007, through February 19, 2010, because Corrections had previously destroyed the hard-copy source documents in accordance with its record retention schedule. Therefore, we selected a random sample of five transactions for the period February 20, 2010, through February 20, 2011, and tested the accuracy of five key fields and found no errors. Based on our testing and analysis, we found that DDPS is of undetermined reliability for the purpose of identifying the number of inmates who were housed in an institution or camp during fiscal years 2007–08 through 2010–11.

Finally, we assessed the reliability of Corrections' COMPAS database for the purpose of identifying the number of inmates who received at least one COMPAS assessment (as displayed in tables 6 and 7 on pages 32 and 33, respectively) and the number of inmates housed in an institution or camp on February 20, 2011, who were identified as having a moderate to high criminal risk factor in any of the five areas assessed by the COMPAS core assessment (as displayed in Table 3 and Figure 4 on pages 23 and 27, respectively). Specifically, we performed data-set verification procedures and electronic testing of key data elements and did not identify any issues. We did not perform accuracy and completeness testing of COMPAS because it is a paperless system, and thus, hard-copy source documentation was not available for us to review. Alternatively, following GAO guidelines, we reviewed selected system controls, which included general and business process application controls. General controls are the policies and

procedures that apply to all or a large segment of Corrections' information systems and help ensure their proper operation. Business process application controls are directly related to a specific computerized application, COMPAS in this case, and help to ensure that transactions are complete, accurate, and available. The preliminary results of this review indicate that Corrections has weaknesses in its general controls associated with a large segment of its information systems. The specifics of this review will be published in a separate management letter.

Audit Results

The Benefits of the Correctional Offender Management Profiling for Alternative Sanctions Program Have Yet to Be Realized

Although the Department of Corrections and Rehabilitation (Corrections) has been conducting Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) assessments for inmates about to be released from prison since 2006 and for inmates entering prison since 2007, the benefits of these assessments are unclear. This is mainly due to the limited opportunities for inmates to participate in Corrections' existing in-prison rehabilitative programs, because factors other than COMPAS assessments—such as security and available bed space—take priority in determining where inmates are assigned for housing and, by extension, the rehabilitative programs they might receive at these facilities. Also, Corrections generally has limited capacity in its rehabilitative programs. Even in the only rehabilitative program area where COMPAS plays a role in determining admission—substance abuse treatment—a limited number of inmates with COMPAS-identified needs receive treatment. In addition, Corrections does not have a plan to evaluate whether COMPAS will help it reach its ultimate goal of reducing prison overcrowding and recidivism. Further, according to Corrections, parole agents do not always use COMPAS assessments in developing parole plans for inmates about to be released from prison and parolees are not required to adhere to their COMPAS-generated case plans.

Corrections' Process for Assigning Inmates to Prison Facilities and to Rehabilitative Programs Limits the Usefulness of COMPAS

Corrections uses a complex and multifaceted process for assigning inmates to prison facilities. The complexity of this process has limited Corrections' opportunity to effectively use COMPAS core assessments. Corrections' intent is to use COMPAS core assessments to identify criminal risk factors—attributes directly linked to criminal behavior—and then identify rehabilitative programs to address these factors. Corrections began using COMPAS core assessments in 2008 at its 12 reception centers—facilities that temporarily house incoming inmates until prison assignments are made—so it could make better placement decisions.

State regulations require Corrections' staff to consider many factors when making prison placement decisions. For example, state regulations require that each inmate be assigned to a prison facility with a security level based on his or her placement score—derived from a variety of factors such as the inmate's length of sentence,

The eight reception centers indicated that COMPAS assessments do not play a significant role when deciding where inmates should be housed.

gang activity, mental health, history of prior incarcerations, and behavior during those incarcerations. Further, these regulations instruct Corrections' staff to consider other administrative factors when assigning inmates, such as any known enemies housed within a prison, the inmate's escape risk, medical conditions, prior or current sexual offenses, and history of violence. According to officials from eight of Corrections' 12 reception centers, these criteria are the highest-priority determinants of where an inmate can be housed. As a result, the eight reception centers indicated that COMPAS assessments do not play a significant role when deciding where inmates should be housed. This perspective was confirmed through our own observations at one reception center, where we observed several inmate interviews during which a reception center's staff provided inmates with their placement scores and with the opportunity to request placement at particular prison facilities, as long as they were consistent with the inmates' placement scores.

Limited bed space at receiving prisons can also reduce the opportunity for COMPAS to play a role when assigning inmates to prisons and, by extension, the rehabilitative programs inmates might join. For example, Corrections' Population Management Unit, the unit responsible for coordinating the movement of inmates between prisons, issues weekly guidance on the prisons into which each reception center can place inmates. For example, for the week of March 7, 2011, a male inmate in the High Desert State Prison reception center requiring placement in a prison with a security level of 2—low to moderate security—could be sent to only one of two institutions. The weekly guidance also specifies any overall placement priorities, such as assignments to conservation camps or out-of-state correctional facilities. The March 7, 2011, guidance included a list of eight such priorities, of which placing inmates in a substance abuse treatment program was the last. Three classification staff representatives—individuals with responsibility for deciding where an inmate is placed at the conclusion of their stay at a reception center—with whom we spoke told us that they base their prison assignment decisions primarily on the weekly guidance to the extent the priorities are compatible with the inmate's classification level and medical or psychiatric needs.

Corrections' ability to use COMPAS core assessments to place inmates in rehabilitative programming is further limited since the assessments are being used only for placing inmates in the substance abuse treatment program, even though the COMPAS core assessment identifies an inmate's needs in four other areas. When it expanded its use of COMPAS core assessments to general-population inmates, Corrections issued a March 2011 memorandum to prison wardens and other high-level staff indicating that correctional staff will use the criminal risk factor

scores from COMPAS in conjunction with established priority placement models to assign offenders to programs and locations consistent with their needs. The March 2011 memorandum referenced an attached inmate placement priority matrix (priority matrix).

Corrections' priority matrix establishes criteria for correctional staff to follow when deciding which inmates should participate in certain rehabilitative programs. Our review of the priority matrix found that COMPAS results are to be considered only when the inmate has a need for substance abuse treatment. The placement matrix establishes six different priority groups for substance abuse. In general, inmates who are within 12 months of release from prison and demonstrate a moderate to high risk of committing another crime once released receive priority placement in the program. Results from an inmate's COMPAS assessment indicating a moderate to high need for substance abuse treatment can increase an inmate's priority but is not a primary factor. For example, inmates with a moderate to high need for substance abuse treatment—either as identified by the COMPAS assessment or based on a review of the inmate's file—can fall to the bottom half of the priority matrix if they have a longer amount of time to serve or if their risk of reoffending is low. We also noted that certain inmates were ineligible for the substance abuse treatment program, such as those who have had discipline problems within the last 12 months, those who are active gang members or sex offenders, and those who are subject to deportation. An inmate's priority for placement into Corrections' other rehabilitative programs—namely, its academic and vocational programs—does not depend on COMPAS but is based instead on the inmate's educational background as determined by other non-COMPAS assessments—such as the test of adult basic education—and the inmate's ability to benefit from the program.

Corrections Could Do More to Promote Understanding of COMPAS Core Assessments

Corrections has not implemented COMPAS core assessments in a way that allows its staff to understand the value of using this tool. According to one classification staff representative who indicated that she has been with Corrections for 24 years and rotates each week to a different prison in her region, a lack of buy-in exists across prison institutions regarding the benefits of COMPAS. The classification staff representative also indicated that staff in her position have received no training in incorporating COMPAS results into their decisions when placing inmates into

An inmate's priority for placement into Corrections' academic programs does not depend on COMPAS but is based on non-COMPAS assessments.

prison facilities, and as a result she does not feel that Corrections' headquarters has effectively communicated its expectations with respect to the COMPAS assessments.

We spoke with the COMPAS user project manager regarding the extent to which classification staff representatives have been trained, and we were told that training has not been provided because reception centers are still developing procedures for using COMPAS. Another classification staff representative indicated that considering COMPAS core assessments as meaningful criteria for assigning inmates to prisons is not feasible due to a lack of rehabilitative programs and the other factors they need to consider, such as an inmate's classification placement score and gang affiliations, among others. An associate warden at the California Correctional Facility for Women told us he doubts whether COMPAS core assessments identify things that his staff do not know about inmates based on the information already available. For example, the associate warden indicated that an inmate's substance abuse problem can be identified based on the individual's arrest history, which was done prior to using COMPAS core assessments. The associate warden also indicated that he does not think many of his staff see the benefit of COMPAS core assessments.

When the Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (Expert Panel) made its recommendations to Corrections that it take an evidence-based approach to rehabilitating inmates, it mentioned that reducing recidivism is not simply a matter of identifying evidence-based programs that produce results, but that the greater challenge lies in changing how Corrections operates. The Expert Panel indicated that political and correctional agency leaders must engage in organizational reengineering tasks to successfully move from traditional warehousing or custodial practices to evidence-based rehabilitation principles and practices. The Expert Panel also discussed the need for Corrections to collaborate with stakeholders as part of this process. However, we see limited evidence that Corrections has reengineered its practices or involved stakeholders such as the staff who are expected to use COMPAS core assessments in prisons. For example, Corrections has issued regulations and adopted a department operations manual that define how its staff are to interact with inmates, covering topics such as how inmates are processed, evaluated, and ultimately released. However, neither Corrections' regulations nor its operations manual discusses how the use of COMPAS fits within Corrections' current practices.

We see limited evidence that Corrections has reengineered its practices or involved stakeholders such as the staff who are expected to use COMPAS core assessments in prisons.

Although Corrections has issued several memoranda since 2008 that attempt to refine and clarify its policy on COMPAS core assessments, these rules were established without public input.

Our legal counsel reviewed three of these memoranda and concluded that they established underground regulations because they were not adopted in accordance with the California Administrative Procedures Act. That law requires departments and agencies to give the public an opportunity to participate in the adoption of state regulations to ensure that such regulations are clear, necessary, and legally valid. Moreover, that same law prohibits enforcement of underground regulations. Corrections' operations manual also specifies that its stakeholders shall have input on the development of its regulations, clarifying that a rule, order, or standard may be considered a regulation if it affects decisions concerning inmate custody, discipline, classification, programming, release date, and other factors, such as those that might influence the terms or conditions of parole. Had Corrections solicited public input from its stakeholders and adopted regulations, it might have been in a better position to ensure that its application of COMPAS in the prison setting is legally enforceable, would be understood by its employees, and would have a demonstrable effect on inmate decision making. Until the Expert Panel's recommendations are heeded, we believe Corrections will continue to implement COMPAS in a way that provides limited value.

Corrections' Limited Rehabilitative Programs Lessen the Value of Its Needs Assessment Tool

In its August 2008 memorandum to reception center and prison staff regarding the use of COMPAS, Corrections explained that alleviating California's prison overcrowding problem and improving rehabilitation outcomes was based, in part, on getting the right person to the right program at the right time. However, the value of using COMPAS core assessments to identify an inmate's criminal risk factors—and thereby the rehabilitative programming required—has been diminished by the lack of programs to treat such factors. Corrections has rehabilitative programs that address only two of the five criminal risk factors currently being identified with COMPAS core assessments in reception centers—*academic/vocational education* and *substance abuse treatment*. In an April 2011 letter to a member of the Legislature, Corrections' secretary recognized that Corrections does not have the financial resources to provide comprehensive education and substance abuse treatment to offenders. Nevertheless, the letter stated that the secretary believes assessing inmate needs is still worthwhile because doing so avoids having Corrections guess which inmates need what services and potentially wasting limited resources on the wrong population. However, the secretary's comments stand in contrast to the fact that more inmates receiving COMPAS core assessments have moderate to high substance abuse problems when compared

Until the Expert Panel's recommendations are heeded, we believe Corrections will continue to implement COMPAS in a way that provides limited value.

to those in need of academic/vocational programs, yet the capacity for academic/vocational programs is more than five times greater than the capacity for substance abuse treatment.

Corrections has limited rehabilitative programs that address COMPAS-identified needs. For example, Table 3 shows the estimated number of inmates who have moderate to high criminal risk factors in the five areas assessed by the COMPAS core assessment, compared to Corrections' estimated capacity to address those needs. For our analysis, we had to estimate the number of inmates who would likely have certain criminal risk factors, since not every inmate has received a COMPAS core assessment. On February 20, 2011, Corrections had an inmate population of 146,111 individuals in its various institutions and camps, of which

35,814—or 24.5 percent—had received at least one COMPAS core assessment. The text box shows how many inmates receiving the assessment had moderate to high criminal risk factors and the type of need identified.

Number of Inmates for Whom a Correctional Offender Management Profiling for Alternative Sanctions Core Assessment Identified Moderate or High Criminal Risk Factors as of February 20, 2011

- Substance abuse treatment needs: 25,512
- Academic/vocational needs: 19,708
- Anger and violence needs: 16,285
- Criminal thinking needs: 15,452
- Family criminality needs: 10,659

Source: Bureau of State Audits' analysis of data collected from the Department of Corrections and Rehabilitation's Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) database, Distributed Data Processing System, and Offender Based Information System.

As of February 20, 2011, 35,814 inmates had received at least one COMPAS core assessment.

The inmates included in the numbers shown in the text box can have multiple moderate to high needs and can thus be included in more than one category. By assuming that those inmates who received COMPAS core assessments are representative of the entire prison population, we were able to arrive at a rough estimate of the potential need that exists for rehabilitative programs. For example, based on the 35,814 inmates that had received COMPAS core assessments, we estimate in Table 3 that 66,438 inmates in the total population have rehabilitative needs related to anger and violence. However, Corrections has no rehabilitative programs in place for this and two other criminal risk factors identified through COMPAS.

When we asked Corrections for its perspective, the director of rehabilitative programs indicated that while Corrections does not contract for services to provide programs for assessed criminal risk factors related to criminal thinking, anger and violence, and family criminality, it has a number of programs provided by volunteers and/or self-help groups that cover these topics, including *Anger Management*, *Families in Conflict*, and *Building a Marriage for Success*. Although Corrections makes these voluntary programs available, we saw no evidence suggesting that Corrections directed its staff to consider COMPAS core assessment results for placement into these other programs.

Table 3
Comparison of the Estimated Number of Inmates With Certain Criminal Risk Factors to the Availability of Rehabilitative Programs by Category
Fiscal Year 2010–11

| CRIMINAL RISK FACTOR IDENTIFIED | OVERALL ESTIMATED NEEDS* | ESTIMATED NEEDS—CONSIDERING TIME LEFT TO SERVE | ANNUAL PROGRAM CAPACITY† |
|---------------------------------|--------------------------|--|--------------------------|
| Academic/vocational education | 80,403 | 16,574 | 43,601 |
| Substance abuse | 104,082 | 17,495 | 7,886 |
| Criminal thinking | 63,040 | NA | NA |
| Anger and violence | 66,438 | NA | NA |
| Family criminality | 43,486 | NA | NA |

Sources: Bureau of State Audits’ analysis of data collected from the Department of Corrections and Rehabilitation’s (Corrections) Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) database, Distributed Data Processing System, and Offender Based Information System, and Corrections’ program capacity estimates.

NA = Not applicable. Corrections has no rehabilitative programs in place for these criminal risk factors identified by COMPAS.

* We calculated the overall estimated needs by determining the ratio of inmates with COMPAS core assessments indicating a moderate or high need in each category to total inmates with at least one COMPAS core assessment (35,814), and multiplying this ratio by the number of inmates who were housed in an institution or camp on February 20, 2011 (146,111). Inmates with more than one moderate to high assessed need are counted in each category.

† Unaudited program capacity information was provided by the chief of Corrections’ Data and Performance Management Unit within the Office of Rehabilitative Program Planning and Accountability.

Table 3 raises questions as to why academic/vocational programs have more than five times the program capacity compared to substance abuse treatment, particularly since substance abuse is the criminal risk factor most often cited by COMPAS. For example, the text box shows that 25,512 out of 35,814 inmates—or 71 percent—with COMPAS core assessments had moderate or high substance abuse treatment needs, whereas only 19,708—or 55 percent—had moderate or high academic/vocational programming needs. Corrections indicated that it reduced the number of its in-prison substance abuse treatment programs in response to budget reductions and that it prioritizes inmate placement into its academic/vocational and substance abuse treatment programs based on a variety of factors, such as the inmate’s risk of reoffending, remaining time left to serve until release, and degree of need—whether identified by the COMPAS core assessment or other assessment tools.

The middle column in Table 3 shows our estimate of the number of inmates who have moderate to high needs for academic/vocational and substance abuse treatment programs and who

generally fall within Corrections' time-left-to-serve guidelines.² As the table illustrates, Corrections has more inmates with moderate or high substance abuse treatment needs—17,495 inmates who are within four to 12 months of release—than the 7,886 capacity in its in-prison substance abuse treatment program. In contrast, Corrections has more capability to address academic/vocational needs, with an annual capacity of 43,601 inmates, while we estimate that there are 16,574 inmates with moderate or high needs who are within 13 to 48 months of release. Our analysis in Table 3 does not consider whether the 16,574 or 17,495 inmates previously received treatment for their needs since Corrections does not have electronic records indicating past participation in rehabilitative programs. When we asked Corrections for its perspective, the director of rehabilitative programs explained that Corrections has not historically been funded based on program need and that using inmate need data to project budgetary and fiscal requirements is a relatively new concept and one that has not been integrated into its funding formulas. The director of rehabilitative programs also explained that Corrections must comply with statutory requirements, such as providing literacy programs in each state prison. Further, Corrections indicated that it is still in the process of determining the best way to determine needed capacity in its rehabilitative programs based on inmate need, length of stay, and other factors.

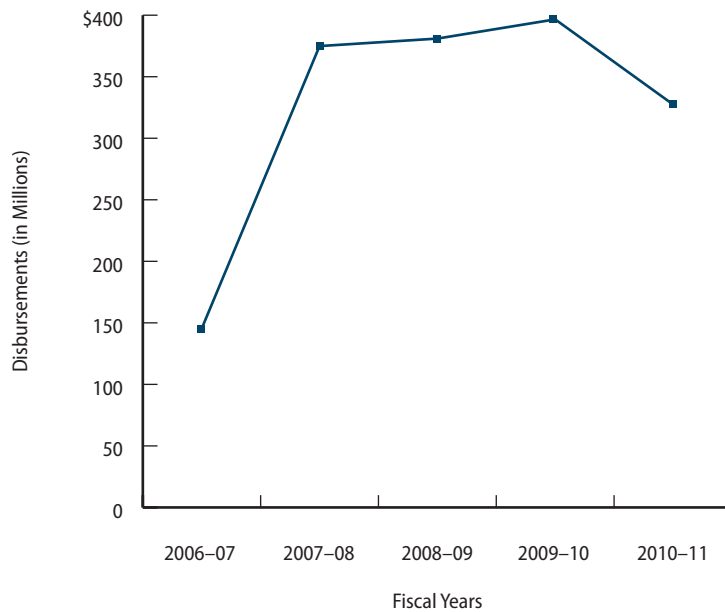
Corrections has cited funding reductions as a factor contributing to its limited adult rehabilitative programs. During fiscal year 2009–10, the Legislature recognized that Corrections' budget included a reduction in funding for inmate and parolee programs designed to reduce recidivism. As a provision of the amended 2009 Budget Act, the Legislature required Corrections to explain and report by August 15, 2009, how it intended to achieve the unspecified cuts. Corrections indicated that it anticipated cutting at least \$250 million from rehabilitative programs, including academic/vocational education, substance abuse treatment, and other programs for inmates and parolees. In its follow-up report to the Legislature in April 2010 regarding its progress toward making these cuts, Corrections explained that it had changed how it delivered rehabilitative programs. Some of the more significant changes included reducing the length of its substance abuse treatment program from a 12- to 36-month program to a three-month program and reducing the number of prisons where this treatment is provided.

Corrections indicated that it anticipated cutting at least \$250 million from rehabilitative programs, including academic/vocational education, substance abuse treatment, and other programs.

² Corrections' guidance generally indicates that inmates should be admitted to academic and vocational education programs when they have 48 months left to serve and to substance abuse programs when they have 12 months left to serve. Further, because these programs take 12 and three months, respectively, to complete, we limited our analysis to inmates with 13 to 48 months left to serve for academic and vocational education and four to 12 months for substance abuse, which allowed Corrections one month to get an inmate placed in the correct program.

Additionally, Corrections reported that it developed new education models that require inmates to be given priority for classes based on their risk of reoffending and how much time they have remaining until release. Corrections stated in April 2010 that \$200 million in reductions would come from funding for adult rehabilitative programs, with another \$50 million in cuts to be shared by parole and female offender programs. Our review of expenditure records maintained by the State Controller’s Office revealed that Corrections has reduced some of its spending on rehabilitative programs. As shown in Figure 3, Corrections’ spending on its Adult Education, Vocation, and Offender programs was at its highest point during fiscal year 2009–10 but fell by \$69.1 million to \$327.7 million disbursed during fiscal year 2010–11.

Figure 3
 Department of Corrections and Rehabilitation Disbursements for Adult Education, Vocation, and Offender Programs



Source: State Controller’s Office.

Notes: Disbursements represent payments made during the fiscal years shown, regardless of the year in which the Legislature provided the Department of Corrections and Rehabilitation (Corrections) with the authority to spend these funds.

Disbursement amounts shown here are limited to Corrections’ activity under the Adult Education, Vocation, and Offender programs (program 45) portion of its budget. This portion includes funding for education, vocational, and in-prison substance abuse programs for adult offenders. Beginning in fiscal year 2010–11, this portion of Corrections’ budget was split into multiple programs (programs 45, 46, and 48).

Corrections' 11 institutions with substance abuse programs treat only a limited number of inmates with moderate to high substance abuse treatment needs, as determined by COMPAS.

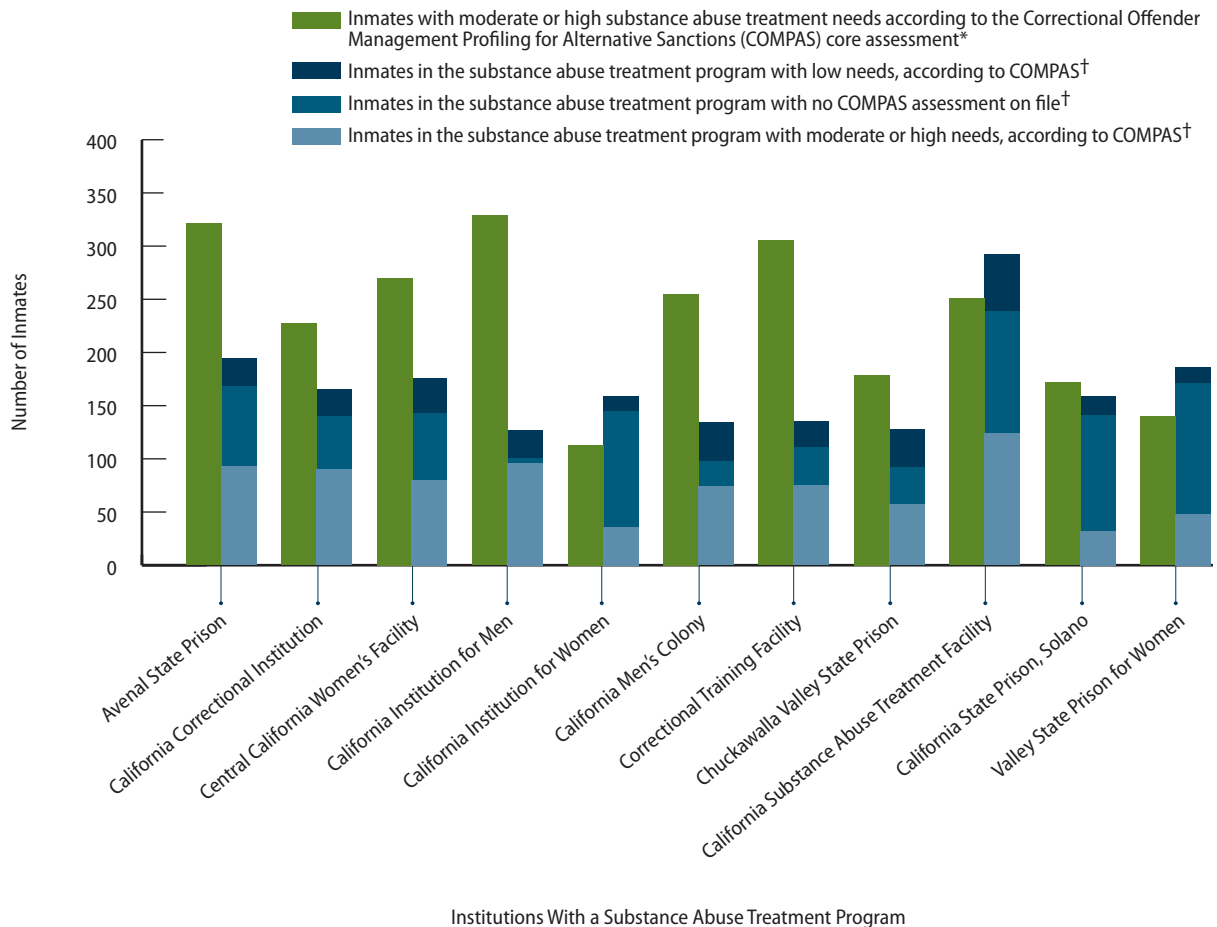
Inmates With Substance Abuse Problems Are Not Always Placed in Rehabilitative Programs, and Corrections Lacks a Plan to Measure COMPAS's Impact on Recidivism

Corrections uses COMPAS core assessments only to determine an inmate's admission to its substance abuse treatment program. Limited capacity in the treatment program, along with other exclusionary factors—such as gang membership or recent disciplinary problems—can prevent an inmate with substance abuse problems from receiving treatment. Our review found that Corrections' 11 institutions with substance abuse programs treat only a limited number of inmates with moderate to high substance abuse treatment needs, as determined by COMPAS. In February 2011, the 11 institutions shown in Figure 4 housed nearly 2,600 inmates that had moderate to high substance abuse treatment needs as identified through a COMPAS core assessment and that were within four to 12 months of their earliest possible release date. However, according to Corrections, only about 800 inmates with moderate to high needs—as determined by COMPAS core assessments—were assigned to the substance abuse treatment program during that same month. An additional 740 inmates assigned to the program had no COMPAS assessment on file, and 310 had a COMPAS assessment that indicated a low substance abuse need. Corrections' policies allow its staff to assign inmates with a documented history of substance abuse to the substance abuse treatment program, regardless of whether they have received a COMPAS core assessment. However, these broad guidelines and the limited controls Corrections has to ensure that staff consider COMPAS likely contribute, in some part, to the statistics shown in Figure 4. Finally, while Figure 4 shows that COMPAS's impact on getting inmates into the substance abuse program is at best uncertain, Corrections currently lacks a plan to measure COMPAS's contribution to reducing recidivism and prison overcrowding, the ultimate goal of using COMPAS in the first place.

Relatively few inmates with moderate to high substance abuse treatment needs, as determined through a COMPAS core assessment, are assigned to Corrections' treatment program. For each of the 11 institutions that have such a treatment program, Figure 4 provides two pieces of information. First, it depicts the number of inmates with moderate to high substance abuse treatment needs as determined by a COMPAS core assessment and who are roughly within Corrections' time-left-to-serve guidelines. For example, Figure 4 shows that as of February 20, 2011, Avenal State Prison had 321 inmates with moderate to high substance abuse treatment needs who were within four to 12 months of their earliest possible release date. The figure also shows—based on Corrections' February 4, 2011, analysis of current participants in its substance abuse treatment program as of that date—that Avenal State Prison had 93 inmates in

the program who had moderate to high needs according to a COMPAS core assessment, while another 75 had no COMPAS assessment, and 27 were assessed as having a low need. Although it is possible that some of the 321 inmates at Avenal State Prison with moderate to high substance abuse treatment needs, as well as the inmates at the other 10 institutions that had similar needs, had previously received substance abuse treatment prior to February 4, 2011, we could not determine the number of inmates in this category because Corrections does not have electronic records indicating an inmate’s history in rehabilitative programs.

Figure 4
Comparison of Inmate Needs Versus Placement in a Substance Abuse Treatment Program in February 2011



Sources: Bureau of State Audits’ (bureau) analysis of data collected from the Department of Corrections and Rehabilitation’s (Corrections) COMPAS database, Offender Based Information System, and Distributed Data Processing System, and the chief of Corrections’ Data and Performance Management Unit.

* The bureau’s analysis of the number of inmates in an institution that had a moderate or high COMPAS core substance abuse treatment needs assessment and four to 12 months left to serve as of February 20, 2011.

† These numbers were provided to us by the chief of the Data and Performance Management Unit and indicate the number of inmates with a low or moderate to high substance abuse treatment need according to COMPAS, or that had no COMPAS core assessment on file but were in a substance abuse treatment program in an institution on February 4, 2011. We did not verify the accuracy of these numbers.

COMPAS core assessments may not be a key factor in whether an inmate gets into the in-prison substance abuse treatment program.

Nevertheless, Figure 4 shows a significant number of inmates participating in the substance abuse treatment program at certain institutions with either no COMPAS core assessment or one showing low needs, raising questions as to whether Corrections is maximizing its use of the COMPAS core assessment to place the right inmates into the substance abuse treatment program. As a result, COMPAS core assessments may not be a key factor in whether an inmate gets into the in-prison substance abuse treatment program, as suggested by Figure 4.

Our review also noted limited monitoring on the part of Corrections' headquarters staff to ensure that its prison personnel consistently consider and act on COMPAS core assessments. Given the importance of COMPAS core assessments to Corrections' efforts to ultimately reduce prison overcrowding, we expected that Corrections would have performed periodic quality control reviews of inmate assignments into the substance abuse treatment program, such as by periodically sampling different prisons to verify that COMPAS core assessments were being used as called for in its placement policies. Instead, Corrections' oversight of staff's use of COMPAS core assessments is more limited. According to Corrections' chief of Rehabilitative Programming and Accountability (rehabilitative accountability chief), Corrections' Adult Programs Division holds quarterly teleconferences with the correctional staff at the institutions to have them discuss and explain placement decisions that do not appear to meet requirements. The basis for the discussion is a chart similar to Figure 4 that shows, among other things, summary data of the characteristics of inmates assigned to substance abuse treatment programs in the institutions that offer such programs, including characteristics such as inmates' time left to serve and COMPAS's identified need for substance abuse treatment. According to the rehabilitative accountability chief, most explanations are that inmates' central files reveal a history of substance abuse. According to Corrections' director of rehabilitative programs, an in-depth file review may provide an indication of a substance abuse treatment need that may not have been captured by the COMPAS core assessment. However, Corrections' explanation that its staff are able to make placement decisions without considering COMPAS core assessment results, and that such results may not identify a substance abuse treatment need, only serves to raise more questions as to whether the COMPAS core assessment is a valuable tool.

Corrections also does not have a plan to evaluate whether the COMPAS core or reentry assessments will help it reach its ultimate goal—reducing prison overcrowding and recidivism. When making the business case for implementing COMPAS at its institutions, Corrections indicated that it would provide a critical link to an overall case management system to track the progress of offenders in their individual rehabilitative programming, which would ultimately lead to a reduction in recidivism. During the audit we asked the director of Corrections' Division of Internal Oversight and Research

(research director) to explain how Corrections intended to evaluate whether COMPAS was assisting it in meeting this goal. The research director indicated that because COMPAS is an assessment tool designed to identify the needs of offenders, and does nothing to alter offender behavior, COMPAS alone is unable to have a direct impact on recidivism. The research director explained that Corrections will continue to evaluate the impact of rehabilitative programs on recidivism rates and that it plans to use COMPAS data in future recidivism reports as a way to describe its population of offenders, similar to how age and gender are categorized in Corrections' current recidivism report.

Measuring COMPAS's effect on Corrections' ultimate goal of reducing recidivism would seem critical to ensure that it is a valuable tool in achieving its intended outcome. To do this, Corrections would need to collect information on which inmates were placed in rehabilitative programs as a result of COMPAS and whether these inmates eventually returned to prison once released. Also, comparing recidivism rates between groups that received rehabilitative programming as a direct result of COMPAS versus those that received programming as a result of other considerations could provide Corrections with important insight into how much value COMPAS provides in ensuring that the right inmate gets into the right program. Although certain inmate information may not be stored electronically, such as historical data on an inmate's participation in or completion of the substance abuse treatment program, Corrections could consider other approaches, such as file reviews of a representative sample of inmates, to address these questions. However, doing so would require a clear documentation trail showing that COMPAS played a role in Corrections' decision to provide an inmate with rehabilitative programming. Corrections' March 2011 memorandum to its staff regarding COMPAS's implementation for its prison institutions discussed the expectation that classification committees document their decisions to assign inmates to rehabilitative programs and to cite COMPAS core assessment scores as appropriate. However, since this is a new policy and the rollout of COMPAS to the prison institutions is fairly recent, Corrections may need to monitor whether this is occurring to ensure that it can ultimately measure COMPAS's impact.

Corrections Does Not Intend to Use COMPAS to Assess All Inmates

In an effort to manage increased workload for reception center staff and parole staff, Corrections has excluded certain offenders from receiving COMPAS core and reentry assessments. As of March 31, 2011, Corrections had completed COMPAS core assessments in its reception centers for nearly 80,000 inmates and COMPAS reentry assessments for more than 171,000 inmates nearing parole.

In January 2007 the Division of Adult Parole Operations (Parole Operations) issued a memorandum indicating that COMPAS reentry assessments were available for inmates nearing parole, with certain exceptions as shown in Table 4. These exclusions were modified twice, in February 2010 and in December 2010, to help parole operations attain its goal of completing assessments on 100 percent of offenders eligible to receive one.

Table 4
Offenders Who Have Been Excluded From Receiving a Correctional Offender Management Profiling for Alternative Sanctions Reentry Assessment

| EXCLUSIONS | JANUARY 2007* | FEBRUARY 2010 | DECEMBER 2010 |
|---|------------------|------------------|------------------|
| Offenders/parolees serving their entire sentence in a county jail | ✓ | ✓ | ✓ |
| Enhanced outpatient [†] | ✓ | | |
| U.S. Immigration and Naturalization Service/deportation cases | ✓ | | |
| Mexican national offenders pending deportation to Mexico who have an active hold with U.S. Immigration and Customs Enforcement or a prior deportation order | | ✓ | ✓ |
| Other offenders with a prior U.S. Immigration and Customs Enforcement deportation order | | ✓ | |
| Parole violators returned to custody | | ✓ | ✓ |
| Civil addicts [‡] | | ✓ | ✓ |
| Interstate cases [§] | | ✓ | ✓ |
| Offenders approved for nonrevocable parole | | ✓ | ✓ |
| Offenders housed at locations other than prisons | | ✓ | ✓ |

Sources: Department of Corrections and Rehabilitation procedures guide and policy memoranda.

* In January 2007 the Division of Adult Parole Operations issued a memorandum indicating that Correctional Offender Management Profiling for Alternative Sanctions reentry assessments were available only for parolees with a new commitment or for parole violators returned to custody. The memorandum specifically excludes the first three populations listed in this table, but is silent as to whether the remaining inmate populations are excluded.

† The Enhanced Outpatient Program provides care to mentally disordered inmate patients who would benefit from a therapeutic environment that is less restrictive than inpatient settings. This includes inmates participating in the Transitional Case Management Program, which prepares seriously mentally disordered inmate patients for parole.

‡ The Civil Addict Program provides treatment and rehabilitation to persons convicted of felonies and misdemeanors whose crimes were attributable to the repeated use of narcotics.

§ Interstate cases relate to inmates that are transferred from out of state to be supervised in California, or California inmates being supervised by other states.

|| Under nonrevocable parole, parolees are not returned to prison for a parole violation.

Certain inmates in the reception centers have also been excluded from receiving a COMPAS core assessment, as shown in Table 5. In September 2008 the associate director of the Division of Adult Institutions notified staff at reception centers that they could exclude certain inmates while they were familiarizing themselves with the

COMPAS core assessments, but only if needed to ensure that all inmates are processed expeditiously through the reception center. In March 2009 the chief deputy secretary of adult operations issued a memorandum acknowledging that the learning process and proficiency in the COMPAS program by reception center counseling staff would take time and provided an updated list of inmates to be temporarily excluded from receiving an assessment.

Table 5
Offenders Who Have Been Excluded From Receiving a Correctional Offender Management Profiling for Alternative Sanctions Core Assessment in the Reception Centers

| EXCLUSIONS | SEPTEMBER 2008 | MARCH 2009 | MARCH 2010 |
|---|----------------|------------|------------|
| Inmates paroling from a reception center with less than 60 days to serve | ✓ | | |
| Inmates with a current or pending security housing unit term* | ✓ | | |
| Inmates with sensitive needs | ✓ | | |
| Inmates designated as enhanced outpatient level of care [†] | | ✓ | ✓ |
| Inmates designated as security housing unit or psychiatric services unit [‡] | | ✓ | ✓ |
| Inmates designated as mental health crisis bed [§] | | ✓ | |
| Inmates paroling from a reception center with less than 90 days to serve | | ✓ | |
| Inmates designated as low risk (score of 1) on the California Static Risk Assessment | | | ✓ |
| Inmates designated as a parole violator returned to custody with less than 90 days to serve | | | ✓ |
| Inmates with an active U.S. Immigration and Customs Enforcement hold | | | ✓ |
| Inmates designated as condemned | | | ✓ |
| Inmates with an earliest possible future parole date more than 10 years away | | | ✓ |
| Inmates serving a life term with a minimum eligible future parole date more than 5 years away | | | ✓ |

Source: Department of Corrections and Rehabilitation policy memoranda.

* Security housing units house inmates whose conduct endangers the safety of others or the security of the institution.

† The Enhanced Outpatient Program (EOP) provides care to mentally disordered inmate patients who would benefit from a therapeutic environment that is less restrictive than inpatient settings.

‡ The psychiatric services unit provides secure housing and care for inmates with diagnosed psychiatric disorders who require placement in housing equivalent to a security housing unit at the EOP level of the mental health delivery system.

§ The mental health crisis bed provides short-term inpatient care for seriously mentally disordered inmate patients awaiting transfer to a hospital program or being stabilized on medication prior to transfer to a less restrictive level of care.

According to a March 2010 memorandum, Corrections temporarily suspended COMPAS assessments between August 2009 and March 2010 as one of several measures to assist in expediting inmate processing times at reception centers. The memorandum further stated that upon resuming COMPAS assessments, temporary exclusionary criteria for the COMPAS core assessments would be applied, as shown in the last column in Table 5, in the reception

centers in an effort to achieve compliance with state law, while at the same time maintaining the demanding level of production necessary to prevent backlogs in the county jails and reception centers.

Tables 6 and 7 show the history of Corrections in conducting COMPAS core and reentry assessments of inmates for the last four fiscal years. Table 6 compares the number of inmates in Corrections' institutions during fiscal years 2007–08 through 2010–11 to the number who had received a COMPAS core assessment in each respective fiscal year. Table 7 compares the number of inmates released to parole during the same period to the number who received a COMPAS core or reentry assessment prior to parole during each respective fiscal year. The data in these tables clearly show a significant gap between the number of inmates under Corrections' supervision and the number assessed using COMPAS. However, Corrections continues to gain ground on assessing inmates with the COMPAS core assessment, having assessed 0.2 percent of the population in fiscal year 2007–08 and 26.5 percent partway through fiscal year 2010–11.

Table 6
Inmates Assessed by the Department of Corrections and Rehabilitation Using the Correctional Offender Management Profiling for Alternative Sanctions Core Assessment
Fiscal Years 2007–08 Through 2010–11

| | FISCAL YEAR | | | |
|--|-------------|---------|---------|----------|
| | 2007–08 | 2008–09 | 2009–10 | 2010–11* |
| Number of inmates who were housed in an institution or camp during the fiscal year† | 276,998 | 269,960 | 258,123 | 208,714 |
| Number of inmates who received at least one Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) core assessment as of the last day of the fiscal year‡ | 453 | 30,174 | 44,572 | 55,231 |
| Percentage of inmates who have received a COMPAS core assessment | 0.2% | 11.2% | 17.3% | 26.5% |

Sources: Bureau of State Audits' analysis of data collected from the Department of Corrections and Rehabilitation's COMPAS database, Distributed Data Processing System, and Offender Based Information System.

* Fiscal year 2010–11 includes data for the period July 1, 2010, through February 20, 2011, only.

† These numbers represent the number of inmates who spent at least one day in an institution or camp during each fiscal year.

‡ If an inmate received a COMPAS core assessment in any one of these fiscal years, that assessment would be counted for each subsequent year the inmate was incarcerated in an institution or camp.

Table 7
Parolees Assessed by the Department of Corrections and Rehabilitation Using a Correctional Offender Management Profiling for Alternative Sanctions Core or Reentry Assessment Fiscal Years 2007–08 Through 2010–11

| | FISCAL YEAR | | | |
|--|-------------|---------|---------|----------|
| | 2007–08 | 2008–09 | 2009–10 | 2010–11* |
| Number of inmates released to parole during the fiscal year [†] | 117,881 | 114,611 | 107,462 | 70,643 |
| Number of inmates who received a Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) core or reentry assessment within the 12-month period before their first release to parole during the fiscal year | 62,206 | 57,447 | 35,986 | 14,946 |
| Percentage of inmates who have received a COMPAS core or reentry assessment | 52.8% | 50.1% | 33.5% | 21.2% |

Sources: Bureau of State Audits’ analysis of data collected from the Department of Corrections and Rehabilitation’s COMPAS database and Offender Based Information System.

* Fiscal year 2010–11 includes data for the period July 1, 2010, through February 20, 2011, only.

† These numbers represent the number of inmates released to parole during the fiscal year. Our analysis included an inmate’s initial release to parole as well as those inmates who were released to parole after serving time for a parole violation.

Corrections does not have a timeline for assessing all inmates and is not clear on its goal for completing assessments of unexcluded, or eligible, inmates. A policy memorandum issued in March 2011 announcing the implementation of COMPAS for general-population inmates states that all offenders, other than those with a low risk of reoffending, will have a COMPAS needs assessment completed within approximately 18 months of that implementation. However, Corrections’ secretary stated in an April 2011 letter to the chair of the Senate Rules Committee that Corrections estimates it will take approximately 18 months—to September 2012—to have the majority of eligible inmates assessed. The rehabilitative accountability chief stated that Corrections plans to complete assessments for 100 percent of all unexcluded inmates in the next 18 months. However, she stated that she is still in the process of developing more exclusionary criteria for general-population inmates, which could affect Corrections’ timeline for assessing all inmates. Consequently, it is not clear at this time how many inmates Corrections plans to assess or how long it will take to assess them.

Corrections' COMPAS Reentry Assessment Tools May Benefit Paroling Inmates, but Their Effect on Recidivism Is Unclear

The potential benefits from Corrections' use of the COMPAS reentry assessment on inmates approaching parole are more readily apparent than the benefits of using COMPAS in reception centers. Within 240 days of an inmate's release to parole, Corrections' staff administer a COMPAS reentry assessment, which results in a case plan that can assist the prisoner with transitioning to life outside of prison. The case plan considers the factors that caused the inmate to commit a crime in the first place, such as problems with substance abuse or anger management issues, and provides the inmate with tasks and goals to pursue once released to address such factors. The case plan also takes the additional step of providing the inmate with contact information for programs and resources in the communities where he or she will be paroled.

The COMPAS reentry assessment also has potential value for the parole agents who monitor parolees. One output from performing the assessment is a reentry summary document that provides useful background information on the inmate, such as information on substance abuse problems, education level, and vocational skills. The reentry summary also provides the parole agent with information obtained from a review of the inmate's file as compared to information obtained through an interview, highlighting inconsistencies for the parole agent to consider when developing the inmate's parole plan.

Inmates are not consistently compelled to follow their COMPAS case plan as a condition of parole, and parole agents—those who monitor parolees—do not appear to routinely use COMPAS-related information.

However, the benefits from administering COMPAS in the larger context of Corrections' goal of reducing recidivism is unclear, since inmates are not consistently compelled to follow their COMPAS case plan as a condition of parole, and parole agents—those who monitor parolees—do not appear to routinely use COMPAS-related information when developing case plans and supervising parolees. According to Parole Operations' associate director, parole agents' use of COMPAS has been inconsistent, and more training is required to show them how to apply COMPAS assessments to a parole plan that will address the inmate's criminal risk factors and thereby reduce recidivism. Corrections' Parole Operations began conducting a pilot project in August 2010 called the California Parole Supervision and Reintegration Model (pilot project), which includes requiring certain parolees, as a condition of their parole, to address their criminal risk factors as established in their COMPAS case plans or as directed by their parole agent.

Performing COMPAS reentry assessments can be beneficial to inmates facing parole. According to one parole services associate (PSA)—an individual who is responsible for administering the reentry assessment to prison inmates—the case plan resulting from

the reentry assessment can reduce the inmate's stress by allowing him or her the opportunity to begin planning for rehabilitation sooner. For example, inmates can use their case plans to begin contacting resources while still in prison to prepare to meet their goals even before they meet with their parole agent. PSAs develop an inmate's case plan following a file review and an interview. COMPAS reentry assessments for men contain 45 questions and those for women contain 126 questions focusing on areas such as whether the inmate has issues with anger and substance abuse while also focusing on factors such as whether the inmate will face housing or employability problems once released. The female versions of the assessments include additional questions focusing on personal relationships, parenting issues, and abuse. Once the questionnaire is completed, the PSA can produce a bar chart from COMPAS showing the degree to which the inmate has certain needs that, if not addressed, could cause the individual to commit another crime. In general, the COMPAS reentry assessment classifies these criminal risk factors as either unlikely, probable, or highly probable.

The value to the inmate receiving a reentry assessment is that the case plan provides a listing of community resources that can be accessed in response to higher-level needs identified by COMPAS. According to its policies and procedures, Corrections' staff are required to develop a case plan that addresses all highly probable and probable needs, establishing a minimum of one goal, task, and service provider for each need. Our review of some of the COMPAS case plans demonstrated that they appeared to provide the inmate with specific and useful information. For example, one case plan we reviewed furnished an inmate with information on how to find short-term housing by providing an address and phone number for a homeless shelter. This case plan also identified resources to treat the inmate's drug addiction by providing contact information for various residential and outpatient drug programs. Finally, the case plan gave the inmate helpful resources and contact information for finding a job. For example, the case plan told the inmate where he could go to get his identification card or driver's license, obtain his Social Security card, and develop job skills.

Parole agents can also benefit from using COMPAS reentry assessments. According to Corrections' June 2009 memorandum regarding the mandatory use of COMPAS in Parole Operations, the COMPAS reentry assessment is designed to provide a standardized and consistent report on an offender's needs for parole agents and to propose community-based programs that can best assist the offender in his or her reintegration efforts. Although Parole Operations allows its parole agents to review and make changes to

COMPAS reentry assessments for men contain 45 questions and those for women contain 126 questions focusing on areas such as whether the inmate has issues with anger and substance abuse.

the COMPAS-generated case plan, the associate director of Parole Operations stated that one of the intended benefits of the case plan is to help reduce the parole agent's workload.

However, the value of the COMPAS reentry assessment toward reducing recidivism is uncertain because paroling inmates are not required to adhere to the goals and tasks outlined in their COMPAS case plan. Further, Parole Operations acknowledged that parole agents' use of COMPAS has been inconsistent and that more training is required. Under state regulations, Corrections' staff must inform paroled inmates of the conditions they must follow at least 45 days before they are released to parole. As discussed earlier, Corrections' regulations do not discuss how COMPAS is to be used with its other practices. Our audit found that Parole Operations' various administrative memoranda concerning the implementation and use of COMPAS do not discuss how or whether goals or tasks outlined in the COMPAS case plan can influence the conditions of parole. Our legal counsel reviewed the June 2009 memorandum and concluded that it was an unenforceable underground regulation.

We spoke with one parole agent in the Santa Rosa parole office who indicated he tells parolees that addressing the goals in their case plans is voluntary, but that failure to participate is noted in their file and may affect parole decisions made by the Board of Parole Hearings. A parole administrator who oversees multiple parole officers echoed this perspective. However, without a process to monitor that parolees actually address the criminal risk factors identified on their case plans, the success of COMPAS in helping Corrections reduce recidivism seems to rely on parolees voluntarily addressing the factors that caused them to commit a crime.

There is also uncertainty as to the benefit of the COMPAS reentry assessment because parole agents do not always see value in or actually use the case plan that is produced. Some parole agents we spoke with indicated that they may have more knowledge of the available programs located in the communities where an inmate will be paroled. According to one parole agent who works in Stockton, he usually does not review the COMPAS case plan because his knowledge of the area enables him to recommend programs and services that are free or at least more affordable. The Stockton parole agent explained that the COMPAS case plan often includes programs and services outside of the parolee's area or lists programs that require payment.

One parole agent said he usually does not review the COMPAS case plan because his knowledge of the area enables him to recommend programs and services that are free or at least more affordable.

A parole unit supervisor in the Stockton office confirmed this perspective, stating that some parole agents prefer to develop their own case plans as they believe they know the parolee and the available resources better than COMPAS does. We also heard similar statements from a parole agent in the Santa Rosa office, who

indicated that he makes modifications to the case plan when the services listed are no longer available, are not accessible, or are not affordable. Although our audit did not focus on the location and the affordability of programs cited on COMPAS case plans, our review of some of these plans revealed that some of the suggested services do cost money, while others are free. For example, one parolee's COMPAS case plan listed two residential sober living facilities that cost \$371 and \$700 per month, respectively. Other services listed on this same parolee's case plan, such as organizations that provide emergency and short-term housing, did not specify whether or not they had a cost.

Parole Operations Has Made Efforts to Improve Staff Perspectives on COMPAS Reentry

Parole Operations appears to recognize that it has more work to do to ensure that COMPAS reentry is better understood and used by its staff. In August 2010 the director of Parole Operations issued an e-mail to Corrections' parole staff indicating that COMPAS reentry was not being used to the fullest extent of its capabilities and imploring his staff to use the COMPAS reentry assessment tool to enhance effectiveness. In May 2011 the associate director of Parole Operations acknowledged that parole agents are not consistently using the COMPAS reentry assessment and that although some training has been provided, more in-depth training is required on criminal risk factors and how to apply the COMPAS reentry assessment to a parole plan that will address those needs to ultimately reduce recidivism.

The associate director also pointed to a pilot project currently underway within Parole Operations that should help improve parole agents' use of COMPAS. This pilot project, taking place at select units within each of its four parole regions, includes procedures that further explain the use of COMPAS reentry when supervising parolees. Among the COMPAS-related procedures in the pilot project are requirements that parolees who are released after October 2010 have, as a condition of their parole, a requirement that they work toward completing the tasks established by their parole agent for addressing their criminal risk factors. According to the pilot project's guidelines, these needs should be derived from the COMPAS reentry case plan or from the parole agent's direct observation of the parolee. Further, Parole Operations has developed a form called the *Goals and Progress Report* that requires parole agents to specify goals and how much time parolees should spend over a certain period of time toward meeting those goals. For example, one or two months after receiving direction from a parole agent, the parolee will report back on the same form indicating how much time was spent on

The associate director also pointed to a pilot project currently underway within Parole Operations that should help improve parole agents' use of COMPAS.

achieving certain goals, such as looking for a job, attending an anger management program, or practicing money management. However, the pilot program operations manual does not specify whether parole agents are required to verify this reported information.

The pilot project appears to be a positive step in that it establishes a monitoring process to better ensure that parolees address their criminal risk factors. However, the ultimate success of COMPAS reentry assessments relies on Corrections' staff's willingness to use the assessment tool and their belief that it is a worthwhile instrument. Similar to our observations of Corrections' use of COMPAS core assessments in the reception centers, it appears that Corrections still has more work remaining to foster greater acceptance and use of the COMPAS reentry assessment. One way in which it could have obtained greater acceptance and understanding of this assessment tool, by both parole agents and external stakeholders, would have been to develop regulations, as required by the California Administrative Procedures Act, and sections in its operations manual that discuss its use. The process for adopting regulations requires public input from interested stakeholders, such as parole agents or prisoner advocacy groups, and is intended to ensure that any adopted rule or regulation can be clearly understood.

Corrections Cannot Demonstrate How Much It Cost to Fully Deploy and Administer COMPAS

Corrections lacks accounting records indicating how much it cost to deploy and administer COMPAS to its parole units and reception centers, and acknowledges that it did not establish accounting codes to track such costs. Further, even though the California Technology Agency (Technology Agency), which approves and oversees state technology projects, required Corrections to report the actual costs of the COMPAS deployment to its prisons, it has not done so. When we spoke with the COMPAS project's controller and technical project manager, they acknowledged that they were not reporting actual costs to the Technology Agency, stating that Corrections' accounting system was not set up to report this information. We corroborated Corrections' statements when we asked it to provide records from its accounting system to support a sample of actual expenditure amounts recorded on its tracking spreadsheet (cost tracking workbook). Corrections was unable to do so in all cases, including \$2.1 million in Corrections' salary costs. As a result, Corrections cannot demonstrate that it has provided accurate and complete cost information to the Technology Agency regarding its deployment of COMPAS to its 33 prisons and monitored the project for cost overruns. Further, the lack

Corrections cannot demonstrate that it has provided accurate and complete cost information to the Technology Agency regarding its deployment of COMPAS to its 33 prisons and monitored the project for cost overruns.

of complete expenditure information for all phases of COMPAS deployment and administration prevents Corrections from demonstrating accountability for its spending.

Corrections recognized the importance of tracking actual costs for the deployment and administration of COMPAS to its prisons when it established its project management plan in 2010, requiring that the project's controller be responsible for managing and reporting on the project's costs to the executive steering committee and the Technology Agency. The project management plan also stated that actual project costs would be validated via invoices or other written documentation in Corrections' accounting system. With this expectation in mind, we asked Corrections to provide us with the reports from its accounting system that would support specific expenditure amounts for the COMPAS project. Specifically, we asked Corrections to support \$2.1 million in reported staff costs associated with the COMPAS project charged during fiscal year 2009–10 and \$1.1 million in other one-time contract costs from fiscal year 2010–11, as well as other expenditure amounts exceeding \$500,000. In response to our request, Corrections indicated that it could not provide accounting reports to support its \$2.1 million in staff costs, stating that its accounting system lacked the functionality required to provide this information. However, this lack of functionality raises questions as to how Corrections developed this expenditure amount for staff costs in the first place. Instead, Corrections simply provided the cost tracking workbook that we were attempting to verify. For the remaining \$1.6 million in COMPAS costs that we asked Corrections to support, it provided accounting records and invoices that did not match the amounts recorded in its cost tracking workbook for the COMPAS project. For example, when we asked Corrections to provide the accounting records supporting the \$1.1 million in one-time contract costs reported for fiscal year 2010–11, it provided accounting records totaling more than \$1.2 million. Although Corrections attempted to explain the discrepancy by indicating it paid a June 2011 invoice that was not reflected in the cost tracking workbook, such an explanation seems unlikely, since Corrections' accounting unit had no record of a June 2011 invoice. The last invoice Corrections had paid to Northpointe Institute for Public Management, Incorporated (Northpointe) during fiscal year 2010–11 was dated May 31, 2011, for \$20,000 in project management fees, which does not fully explain the discrepancy.

The lack of accurate information in its cost tracking workbook also results in Corrections providing the Technology Agency with suspect or inaccurate information regarding COMPAS's costs. For example, in its March 2010 report to the Technology Agency, Corrections reported that it had incurred \$4.1 million in one-time staff costs; however, this amount includes the previously discussed

Corrections indicated that it could not provide accounting reports to support its \$2.1 million in reported COMPAS staff costs, stating that its accounting system lacked the functionality required to provide this information.

\$2.1 million in Corrections' salary costs that it cannot support. Further, Corrections also reported to the Technology Agency in the same month that it had incurred \$606,000 in one-time contractor costs associated with Northpointe. However, although Corrections had received Northpointe invoices for \$952,000 through March 30, 2010, it had yet to pay any of these invoices. When we asked Corrections' technical project manager to explain the source for the \$606,000, she stated that the amounts that Corrections reports to the Technology Agency include actual expenditures and amounts it plans to spend in the future based on the invoices received. However, as evidenced by the previous example, it does not appear that Corrections has been following this practice.

In addition to not being able to report accurate cost information to the Technology Agency, Corrections also lacks verifiable information that would indicate how much it has spent to deploy and administer COMPAS in its reception centers and its various parole units. As stated in the Introduction, Corrections began deployment of COMPAS to Parole Operations and its reception centers in 2006 and 2007, respectively. The associate director of Parole Operations confirmed that Corrections did not establish accounting codes to specifically track COMPAS's implementation, explaining that these costs were absorbed in other parole-related budget areas. Additionally, staff from Corrections' Budget and Management Branch indicated that Corrections did not establish accounting codes for costs related to implementing COMPAS at reception centers because reporting this information was not necessary for presentation in the annual budget. However, providing this information was necessary for COMPAS's deployment to Corrections' 33 prison institutions. In the governor's proposed budgets for fiscal years 2010–11 and 2011–12, Corrections reported actual COMPAS costs of \$5.7 million for fiscal year 2008–09 and \$8.9 million for fiscal year 2009–10, for a total of \$14.6 million in actual COMPAS costs. When we asked Corrections' accounting and budget staff to explain how it arrived at these amounts, the associate director of the Budget and Management Branch told us that they were unaware of any COMPAS-specific accounting codes and did not specifically answer our question regarding how the branch arrived at the expenditure amounts reported.

Corrections reported actual COMPAS costs of \$5.7 million for fiscal year 2008–09 and \$8.9 million for fiscal year 2009–10, for a total of \$14.6 million in actual COMPAS costs that it could not explain.

Although we were not able to verify Corrections' costs to deploy and administer COMPAS in its various reception centers, prison institutions, and parole units because it does not track these costs, Table 8 provides Corrections' budget for deploying COMPAS to its 33 prison institutions as approved by the Technology Agency. Given that this budget focuses only on deploying COMPAS to Corrections' 33 prison institutions, Table 8 does not include the potentially significant continuing staffing costs associated with COMPAS, such as the numerous PSAs that administer

the COMPAS reentry assessments in Corrections' 33 prisons. During fiscal year 2009–10, Corrections had more than 140 PSAs, who, according to Corrections, spent 72 percent of their time administering COMPAS reentry assessments. With the midpoint salary of a PSA being roughly \$52,116 per year, this equates to more than \$5.2 million in annual continuing COMPAS costs.

Table 8
Department of Corrections and Rehabilitation's Current Budget for Deploying the Correctional Offenders Management Profiling for Alternative Sanctions to Its Prison Institutions

| INFORMATION TECHNOLOGY COSTS | PROJECTED COSTS |
|---|--------------------|
| One-Time Costs | |
| Staff | \$4,339,381 |
| Hardware | 687,948 |
| Software purchase/license | 177,979 |
| Other contract services | 606,000 |
| Data center services | 2,380 |
| Other | 253,400 |
| Total one-time costs | \$6,067,088 |
| Annual Maintenance and Operations Costs | |
| Staff | \$761,647 |
| Software maintenance/licenses | 409,958 |
| Contract services | 428,108 |
| Data center services | 132,763 |
| Other | 361,500 |
| Total continuing annual maintenance and operations costs | \$2,093,976 |

Source: Department of Corrections and Rehabilitation's special project report submitted to the California Technology Agency and approved October 2010.

The majority of Corrections' proposed one-time costs for deployment of COMPAS to its prisons, as shown in Table 8, are for its own staff, totaling \$4.3 million out of the nearly \$6.1 million in one-time costs. Of these one-time staffing costs, nearly two-thirds are for limited-term project management and training staff. The remaining one-third is for staff within Corrections' enterprise information service and information technology divisions. Hardware for the COMPAS implementation makes up the next largest portion of one-time costs in the COMPAS budget, representing 11 percent of the budget, or nearly \$688,000, which included additional servers, laptops, and network printers. Following the deployment of COMPAS to all prisons, Corrections estimates continuing annual maintenance and operating costs of nearly

\$2.1 million, which includes \$762,000 in staff costs for Corrections' enterprise information service and information technology personnel; however, as we mentioned earlier, this amount excludes costs associated with correctional staff at the general population prisons and reception centers who will be administering COMPAS core assessments to inmates. Annual continuing costs also included \$410,000 for software maintenance and licenses provided by Northpointe. Finally, the budget shown in Table 8 does not reflect additional software customization costs that Corrections intends for Northpointe to make to COMPAS. These customizations were originally budgeted at an additional \$549,000 in one-time costs, which includes activities such as creating a shortened version of COMPAS for use during inmates' annual reviews in prison.

Although we could not verify Corrections' total costs for deploying COMPAS to its reception centers, prisons, and parole units, Corrections' accounting staff were able to provide verifiable accounting records indicating that Northpointe has received \$4.9 million related to its work on COMPAS, of which \$1.2 million pertained to Corrections' efforts to deploy COMPAS to its prison institutions. Further, Corrections provided records indicating that it had paid \$480,000 to the University of California for a validation study on COMPAS. Although we obtained evidence of Corrections' spending on COMPAS amounting to only \$5.4 million, Corrections' actual spending on COMPAS is significantly higher due to staffing costs such as for its information technology personnel and its more than 140 PSAs.

Recommendations

To ensure that the State does not spend additional resources on COMPAS while its usefulness is uncertain, Corrections should suspend its use of the COMPAS core and reentry assessments until it has done the following:

- Issued regulations and updated its operations manual to define how Corrections' use of COMPAS will affect decision making regarding inmates, such as clarifying how COMPAS results will be considered when sending inmates to different prison facilities, enrolling them in rehabilitative programs to address their criminal risk factors, and developing expectations for those on parole.
- Demonstrated to the Legislature that it has a plan to measure and report COMPAS's effect on reducing recidivism. Such a plan could consider whether inmates enrolled in a rehabilitative program based on a COMPAS assessment had lower recidivism rates than those provided rehabilitative programming as a result of non-COMPAS factors.

Once Corrections resumes its use of the COMPAS core and reentry assessments, it should take the following steps to better ensure that COMPAS is a valuable inmate assessment and planning tool:

- Provide ongoing training to classification staff representatives, parole agents, and others that may administer or interpret COMPAS assessment results.
- Develop practices or procedures to periodically determine whether its staff are using COMPAS core or reentry assessments as intended. Such a process might include performing periodic site visits to corroborate that COMPAS is being used as required.
- Develop practices or procedures to periodically compare the demand for certain rehabilitative programs, as suggested by a COMPAS core assessment, to the existing capacity to treat such needs.

To ensure transparency and accountability for costs associated with information technology projects such as COMPAS, Corrections should take the following actions:

- Disclose that it lacks accounting records to support certain COMPAS expenditure amounts it reported to the Technology Agency and seek guidance on how to proceed with future reporting requirements for its deployment of the COMPAS core to its adult institutions.
- Develop policies to ensure that accounting or budget management personnel are involved in the project planning phase of future information technology projects so that appropriate accounting codes are established for reporting actual project costs.

We conducted this audit under the authority vested in the California State Auditor by Section 8543 et seq. of the California Government Code and according to generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives specified in the scope section of the report. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Respectfully submitted,



ELAINE M. HOWLE, CPA
State Auditor

Date: September 6, 2011

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For questions regarding the contents of this report, please contact Margarita Fernández, Chief of Public Affairs, at 916.445.0255.

(Agency comments provided as text only.)

August 18, 2011

State of California–Department of Corrections and Rehabilitation
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Ms. Elaine M. Howle*
State Auditor
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555 Capitol Mall, Suite 300
Sacramento, CA 95814

Dear Ms. Howle:

The California Department of Corrections and Rehabilitation (CDCR) is submitting this letter in response to the Bureau of State Audits' (BSA) report entitled, ***“Department of Corrections and Rehabilitation: The Benefits of Its Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) Program Are Uncertain.”***

①

While CDCR appreciates the effort and resources BSA committed to this report, as well as the professionalism of BSA's staff in conducting the review, we are profoundly disappointed in the report's ultimate recommendation. We do not believe the audit's findings support the recommendation to suspend the use of COMPAS. Furthermore, we are convinced that doing so would severely jeopardize CDCR's rehabilitative mission. Following is our initial response to the audit findings and recommendations.

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As the report notes, in 2006, as part of the Budget Act, the Legislature instructed CDCR to convene a panel of correctional program experts to make recommendations specific to improving rehabilitative outcomes and reducing recidivism. As a result of this effort, in June 2007, the Expert Panel on Adult Offender Reentry and Recidivism Reduction Programs (Expert Panel) released its report to the Legislature entitled, “A Roadmap for Effective Offender Programming in California.” As part of this report, the Expert Panel recommended CDCR adopt what they coined the “California Logic Model” to “operationalize these [evidence-based] principles and practices so California can deliver a core set of effective rehabilitation programs to its adult offenders.” The California Logic Model includes eight basic steps – the second of which is to “assess criminogenic needs.” COMPAS is CDCR's method of meeting this objective, specifically by assessing an offender's criminogenic needs, i.e., the dynamic risk factors that put an offender at risk to reoffend.

CDCR acknowledges COMPAS has not yet been fully implemented. Due to the State's fiscal crisis and several recent budget reductions, CDCR has been forced to adjust its implementation plan periodically and readjust priorities numerous times. However, despite these constraints and challenges, CDCR has continued to make significant progress in its implementation of COMPAS. For example, since CDCR began implementation of COMPAS in 2006, as part of the prerelease planning process, the percentage of active parolees with a COMPAS assessment has increased to approximately 96 percent of active parolees as of November 2010. Since CDCR

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* California State Auditor's comments begin on page 49.

Ms. Elaine M. Howle
Page 2

- 3 began implementing COMPAS at the reception centers in 2007, the percent of inmates with a core COMPAS assessment increased to 20 percent in November 2010. In March 2011, CDCR began implementation of COMPAS at the general population prisons and in the few short months since then, the percentage of inmates assessed with a core COMPAS has grown to 25 percent. This progress should not be minimized. Currently, California is only 1 of 19 states conducting both risk and needs assessments of adult offenders on a statewide level. If CDCR were to discontinue implementing COMPAS now, this progress, including five years of training, would be lost and it would take years to regain our momentum.
- 5 BSA's report minimizes the challenges CDCR faces in bringing about a culture change toward evidence-based corrections. We do not doubt there are staff throughout our institutions and parole regions who question the value of COMPAS and believe they can do their jobs just as well without it. We agree CDCR can and should do a better job of communicating with our staff and others about the value of COMPAS and its role in evidence-based efforts to reduce recidivism. We are currently working on training plans for parole and institution staff. We concur with BSA's recommendations to continue to provide training, perform periodic site visits, and reassess capacity based on the information gathered from COMPAS. However, we do not agree that we should suspend the use of COMPAS. By doing so, CDCR risks losing any ground we have made in our cultural change toward effective rehabilitative practices. We refuse to return to the method of simply placing an offender in the next slot available—regardless of their criminogenic needs.
- 6 the use of COMPAS. By doing so, CDCR risks losing any ground we have made in our cultural change toward effective rehabilitative practices. We refuse to return to the method of simply placing an offender in the next slot available—regardless of their criminogenic needs.
- 7 BSA's report questions COMPAS's value because CDCR also takes other factors into consideration when assigning inmates to prisons or placing them into programs. CDCR disagrees with this notion and argues that any correctional system must consider other factors, such as security risk, and medical/mental health needs when placing offenders. Doing so does not minimize the importance of considering criminogenic needs as well. As to why CDCR has not been using COMPAS specifically for assignment into education programs, Northpointe was only able to distinguish between academic and vocational needs in our most recent release. This distinction will allow us the flexibility necessary to incorporate these needs into our priority placement procedures. Ultimately, the point that BSA's report fails to acknowledge is that until all inmates are assessed, CDCR will be limited in our ability to fully integrate COMPAS into the program assignment process. Suspending COMPAS at this point, as BSA recommends, would make it impossible for CDCR to achieve this goal in the near future and could possibly devastate any future efforts in this area.
- 8 CDCR will be limited in our ability to fully integrate COMPAS into the program assignment process. Suspending COMPAS at this point, as BSA recommends, would make it impossible for CDCR to achieve this goal in the near future and could possibly devastate any future efforts in this area.
- 9 In addition, the BSA report appears to confuse inmate needs for needed capacity. Just because a certain number of offenders have a particular need does not mean CDCR must have enough slots for each of those inmates to receive services. Determining capacity for particular programs requires taking into consideration the length of the program (i.e., if a program lasts 90 days, 4 inmates can participate in 1 slot per year), other exclusionary criteria (i.e., certain inmates may have a need, but are not able to access the program for other reasons), and the appropriate timeframe for the program (i.e., in order to support a seamless continuum to aftercare or post-releases services, some programs are best offered immediately prior to release). By failing to acknowledge these other factors, BSA has oversimplified its data analysis and come to a misleading conclusion.
- 9 the appropriate timeframe for the program (i.e., in order to support a seamless continuum to aftercare or post-releases services, some programs are best offered immediately prior to release). By failing to acknowledge these other factors, BSA has oversimplified its data analysis and come to a misleading conclusion.
- 10 CDCR strongly disagrees with BSA's assertion that the value of COMPAS is lessened because of CDCR's limited rehabilitative programs, and feels strongly that the opposite is true. Our limited funding makes it even more

Ms. Elaine M. Howle
Page 3

critical that we do not waste precious resources by placing inmates into the wrong program or even into the right program at the wrong time. Furthermore, our COMPAS assessments will provide valuable information in helping us to determine how to best allocate additional funding when it becomes available in the future. If we suspend COMPAS now, we may lose this ability.

BSA's claim that CDCR does not intend to use COMPAS to assess all inmates is also misleading. In order to maximize the effectiveness of COMPAS while phasing in implementation (as noted earlier, CDCR only began conducting COMPAS assessments at the general population prisons in March 2011), CDCR is currently prioritizing the assessment of those offenders who are most likely to need programs first, i.e., those with shorter lengths of stay who do not meet other exclusionary criteria. Once this population is assessed, CDCR intends to broaden its use of COMPAS until eventually all inmates will be assessed by COMPAS.

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CDCR is pleased BSA acknowledged the value of our new parole model, the California Parole Supervision and Reintegration Model, which began implementation in late 2010 and includes new supervision strategies as well as the integration of COMPAS into field level operations. This new model is scheduled to be expanded to an additional 20 parole units statewide beginning in October 2011, with the next roll-outs scheduled every six months thereafter. Given BSA's endorsement, we do not understand why BSA would recommend suspending COMPAS, which would put this new model at risk.

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BSA recommends CDCR should not implement COMPAS until it has a plan to measure COMPAS's affect on recidivism reduction. COMPAS is an assessment tool; it is not a treatment modality, as characterized in the report. By design, this tool, in and of itself, will never be able to alter offender behavior. To impact behavior, appropriate treatment must be provided. The COMPAS assessment is a critical step to identifying treatment needs, but only the treatment, and not the assessment, will impact recidivism. CDCR plans to use the COMPAS assessment data as one component of many within an evaluation framework to assess the effectiveness of CDCR rehabilitative programs in future recidivism reports. BSA's recommendation to suspend use of COMPAS would make such future evaluation plans impossible.

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Regarding the transparency and accountability for costs associated with COMPAS, BSA suggests CDCR has not appropriately tracked COMPAS related expenses. The primary justification for this assumption appears to be that specific accounting codes were not initially established for COMPAS and that CDCR is unable to determine all of the staffing costs associated with COMPAS. Given the large number of projects CDCR has going at any given point in time and the fact projects like COMPAS cross many different program areas and incorporate various efforts, it is not surprising a system as large and (until recently) as antiquated as CDCR's was not set up to track all expenditures or portions of expenditures across program areas for every single project. That being said, however, CDCR does agree a different approach for reporting project-related expenditures is necessary and we are working on enhancements to establish proper codes to track all future expenditures for projects, such as COMPAS. With respect to the staffing costs associated with COMPAS, CDCR believes BSA has drawn a misleading conclusion. Specifically, CDCR does not track the portion of staff time, particularly among the correctional counselors, parole service associates, and subject matter experts, dedicated to COMPAS because this duty is integrated within their broader job duties.

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Ms. Elaine M. Howle
Page 4

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While we disagree with the report's ultimate conclusion, we appreciate BSA's work on this report and will address the specific recommendations in a corrective action plan at 60-day, 6-month, and 1-year intervals. If you have questions regarding CDCR's response or would like to further address our above concerns, please contact me at (916) 323-6001.

Sincerely,

(Signed by: Scott Kernan)

SCOTT KERNAN
Undersecretary (A), Operations

Comments

CALIFORNIA STATE AUDITOR'S COMMENTS ON THE RESPONSE FROM THE DEPARTMENT OF CORRECTIONS AND REHABILITATION

To provide clarity and perspective, we are commenting on the Department of Corrections and Rehabilitation's (Corrections) response to our audit. The numbers below correspond to the numbers we have placed in the margin of Corrections' response.

We are disappointed that Corrections did not respond to our specific recommendations, instead stating only that it believes the audit's findings do not support a recommendation to suspend the use of the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS). Corrections indicated that it plans to provide more detailed responses regarding our specific recommendations in its 60-day, six-month, and one-year responses. We look forward to providing the Legislature with an update on Corrections' efforts in early 2012. In the meantime, we will provide the Joint Legislative Audit Committee with Corrections' 60-day and six-month response to our audit report's recommendations.

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We stand by the findings and conclusions reached in our audit report. Our recommendation on page 42 that Corrections temporarily suspend COMPAS is based on Corrections' failure to follow the public rulemaking process and issue regulations defining how COMPAS's use will affect inmates and those serving parole. Corrections has a legal obligation to issue such regulations under the Administrative Procedures Act as we state on page 21 of the audit report. Furthermore, as we state on that same page, had Corrections solicited public input from its stakeholders and adopted regulations, it might have been in a better position to ensure that its application of COMPAS was legally enforceable, understood by its employees, and would have a demonstrable effect on inmate decision making.

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We question Corrections' contention that it made significant progress in implementing COMPAS. As we describe on pages 26 through 29 of this report, although Corrections administers COMPAS assessments to inmates, it does not consistently use those assessments to make program placement decisions. Further, as we describe on page 36, paroling inmates are not required to adhere to the tasks and goals outlined in their COMPAS case plans and parole agents' use of COMPAS have been inconsistent. Although Corrections began using COMPAS in 2006, the fact that much more remains to be done calls into question how much progress Corrections has actually made. Simply administering COMPAS

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assessments is different than actually using them to place inmates in rehabilitative programs that affect positive outcomes in inmates and parolees.

- ④ In its response, Corrections indicated that as of November 2010, 96 percent of its active parolees had received COMPAS assessments, which varies significantly from the assessment data we present in Table 7 on page 33 of this report. When we asked Corrections how it arrived at 96 percent, the associate director of parole operations explained that Corrections limited its analysis to a subset of its parolees, such as those parolees with active parole status who were not excluded from receiving a COMPAS assessment, as described in Table 4 on page 30. In contrast, our methodology focused on all offenders that were released to parole. Furthermore, Corrections considered any COMPAS assessment the offender had received regardless of when it was conducted, whereas we only considered COMPAS assessments conducted within 12 months of the offender's first release to parole for each of the fiscal years we analyzed. We believe our approach is more reasonable and we stand by the data presented in Table 7.
- ⑤ Corrections asserts that our audit report minimizes the challenges it faces in bringing about culture change towards evidence-based corrections. To clarify, our audit focused on Corrections' practices for using COMPAS and not its culture.
- ⑥ Corrections' response incorrectly implies that our audit recommendation to temporarily suspend COMPAS assessments will cause it to return to its old methods of placing an offender in the next slot available for rehabilitative programs, regardless of an inmate's needs. Corrections has other assessment tools to identify inmate needs for certain rehabilitative programs. For example, Corrections currently uses the Test of Adult Basic Education for placement into its academic programs, while inmates' problems with substance abuse could be identified through a review of their arrest histories. Finally, it is questionable whether Corrections has substantially changed from the "old methods" it describes in its response since, as we state on page 18, COMPAS does not play a significant role in reception centers when determining where inmates will be housed, and by extension the rehabilitative programs they might access at their assigned prison facilities. Figure 4 on page 27 also shows a significant number of inmates accessing the in-prison substance abuse program either without a COMPAS assessment or demonstrating a low need for this program.
- ⑦ Corrections has misread our report. We do not question the value of assessing an inmate's criminal risk factors (i.e. criminogenic needs) for placement into rehabilitative programs. Instead, as we state on pages 17 and 18 of the audit report, state regulations

already require Corrections' staff to consider many factors—such as an inmate's security level or escape risk—when making prison placement decisions, and by extension the rehabilitative programs inmates may access at those prisons. By recommending that Corrections suspend COMPAS until it issues regulations, we intend for Corrections to determine both how best to implement COMPAS given these other factors, and to ultimately decide whether COMPAS can be implemented in a meaningful way.

Corrections' response states the audit report failed to acknowledge that until all inmates are assessed, Corrections will be limited in its ability to fully integrate COMPAS into its rehabilitative program assignment process. However, it is unclear what Corrections believes we failed to acknowledge, because it did not explain what it means by "limited in its ability to fully integrate COMPAS." Nevertheless, our audit report correctly points out that Corrections lacks regulations defining its use of COMPAS on inmates and parolees, lacks capacity in its in-prison rehabilitative programs that reflect COMPAS-determined needs, and lacks a timeline for assessing all inmates and parolees with COMPAS. Furthermore, our audit report acknowledges that Corrections excludes numerous types of inmates and parolees from receiving COMPAS assessments in order to accommodate Corrections' workload.

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Corrections is wrong. Its response states that the audit report appears to confuse inmate need for rehabilitative programs with treatment capacity, stating that just because a certain number of inmates have a particular need does not mean Corrections must have treatment slots for each inmate. Our report makes no such conclusion or implication. Instead, our analysis of the data in Table 3 on page 23 considered inmates with certain rehabilitative needs based on their amount of time left to serve given Corrections' own program assignment policies and our consideration of the length of these programs. Further, Table 3 reflects the annual capacity of these programs, not the number of program slots. Finally, although Corrections incorrectly claims that we have oversimplified our analysis and reached a misleading conclusion, we note that Corrections' own response neither specifically critiques our analysis nor offers its own perspective on what a correct conclusion would be.

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We stand by our conclusion that the value of COMPAS is diminished when there are few rehabilitative programs to address COMPAS-identified needs. Although Corrections claims that COMPAS can help it determine where to invest resources in its rehabilitative programs, it appears that it has not been using COMPAS for this purpose based on Table 3 on page 23, which shows that the annual capacity for academic and vocational education programs is higher than the annual capacity for substance abuse treatment, even though more inmates have COMPAS-identified

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substance abuse treatment needs. Further, as evidenced by Figure 4 on page 27, Corrections assigns inmates with low need according to COMPAS into its substance abuse treatment programs instead of only assigning inmates that COMPAS assesses as having a moderate to high need. This practice stands in contrast to Corrections' assertion that COMPAS assessments allow staff to assign the right inmates to the right programs at the right time.

- ⑪ We disagree with Corrections' assertion that our conclusion is misleading. As noted on page 33 of our report, Corrections expressed a plan as of April 2011 to assess the majority of inmates not already excluded from COMPAS assessment by approximately September 2012. As we show in tables 4 and 5 on pages 30 and 31 of our report, Corrections has progressively increased the number of inmate subgroups that are excluded from receiving COMPAS assessments. In addition, Corrections indicated on page 33 of our report that it intends to exclude even more inmates from receiving a COMPAS assessment.
- ⑫ Corrections questions why it should temporarily suspend COMPAS reentry assessments given our positive comments about its pilot project in its Division of Adult Parole Operations (Parole Operations). Our reasons for recommending a temporary suspension of COMPAS reentry assessments include Corrections' lack of regulations as explained in comment #2. Furthermore, for context, the pilot project is being followed by relatively few parole offices and does not represent a systemwide process for Parole Operations. Moreover, Parole Operations pilot project has not concluded. We look forward to hearing about the results of the pilot project in Corrections' periodic responses to our report.
- ⑬ Corrections' response takes a narrow view of how it can assess the value of COMPAS and incorrectly asserts that the audit report characterizes COMPAS as a treatment program. On page 1 of the audit report, we state that COMPAS is a software tool used to help identify factors that cause inmates to commit crimes, so they can participate in certain rehabilitative programs to reduce their likelihood of reoffending. Furthermore, our recommendation on page 42 that Corrections develop a methodology for measuring COMPAS's effect on recidivism, prior to resuming COMPAS, is intended to ensure that Corrections can demonstrate to the Legislature and the public that COMPAS's effectiveness will be measured. On page 29 of the audit report, we describe one potential methodology Corrections could follow.
- ⑭ Corrections incorrectly states that we based our conclusion that it has not appropriately tracked COMPAS-related expenses based on assumptions. Our conclusion is based on assertions from the COMPAS project controller and technical project manager that

they were not reporting actual costs of COMPAS to the California Technology Agency as required because Corrections' accounting system was not set up to report this information as stated on page 38 of the report. Further, we corroborated Corrections' assertion by asking for accounting records supporting a sample of COMPAS expenditures and reviewing those documents. As we describe on pages 39 and 40, Corrections was unable to support some of these amounts.

It is not clear why Corrections believes we provided a misleading conclusion regarding its failure to track staffing costs associated with COMPAS. As we indicate in our report on page 39, Corrections reported \$2.1 million in staff salaries; however, by its own admission, Corrections was unable to provide any accounting records or other support demonstrating how it arrived at this amount.

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cc: Members of the Legislature
Office of the Lieutenant Governor
Milton Marks Commission on California State
Government Organization and Economy
Department of Finance
Attorney General
State Controller
State Treasurer
Legislative Analyst
Senate Office of Research
California Research Bureau
Capitol Press