

**Staff Memorandum 2024-19**  
**Presentation from California Policy Lab**  
**on outcomes from resentencing policies**

At its October 2024 meeting, the Committee received a presentation from the California Policy Lab about recidivism outcomes from resentencing and related policies.

The purpose of this memorandum is to place the slide deck used during the presentation into the Committee's record. The Committee's website also has a link to a video of the presentation. No Committee action is required.

Respectfully submitted,

Thomas M. Nosewicz  
Legal Director



COMMITTEE ON  
REVISION OF THE PENAL CODE

# Taking a Second Look: resentencing & non-violent parole reforms in CA prisons

Alissa Skog and Johanna Lacoë

October 29, 2024

# Policies covered in this report

	Summary	Yrs. Svd.	# pax	% Released
Proposition 36 November 2012	Non-violent, non-serious third strike	16.6	2,217	99.5
PC 1170.18(a) November 2014	Prop 47 property and drug	1.4	4,723	100
<i>Brown v. Plata</i> January 2015	Non-violent second strike parole	2.2	4,524	100
Proposition 57 July 2017	Expanded <i>Plata</i> parole eligibility	3.5	5,320	99.6
SB 1437 January 2018	Limited the felony murder and the natural and probable consequences rules	17.4	925	83.6
CDCR resentencing January 2018	Exceptional conduct or changes in sentencing law	12.5	2,219	63.1
SB 483 March 2022	Drug and prior prison enhancement	10.0	682	55.1

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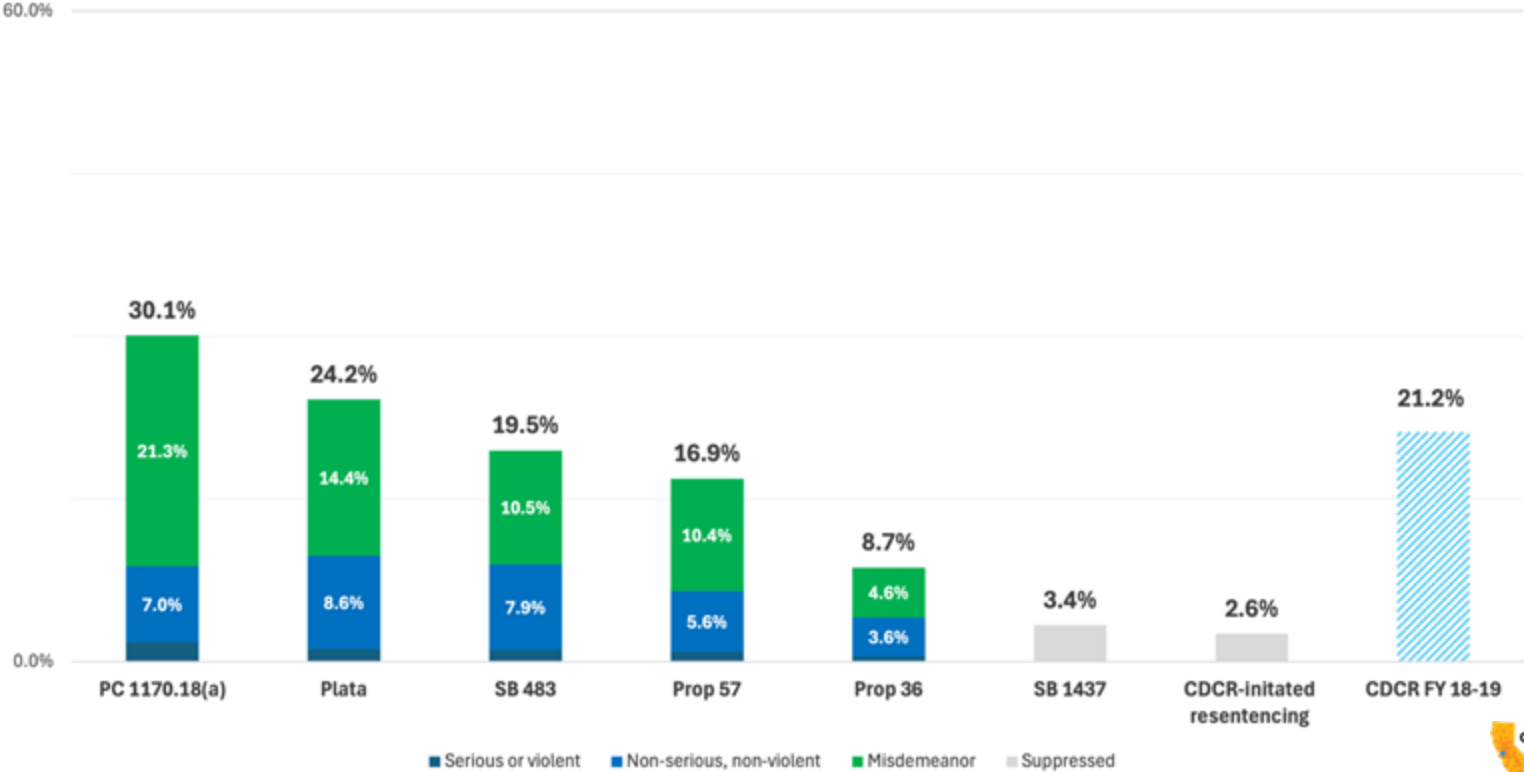
# Key takeaways

- Nearly **19,000 people have been released from CDCR under these policies**: 9,000 after resentencing and 10,000 after early parole consideration for non-violent offenses.
- Across all policies covered in this analysis, **fewer than 2% of people were convicted of a new serious or violent felony within one year of release** and fewer than 9% were convicted of a new non-serious, non-violent felony within one year.
- **Overall conviction rates vary** across policy (with one year rates ranging from 3% under SB 1437 to 30% under PC 1170.18(a)), but **misdemeanor convictions are the most common**.
- People released after **serving long sentences had very low recidivism rates**, for example 10% of people released under Prop 36 were convicted a new felony offense within three years, compared to 21% of people released from CDCR in FY 18-19.\*

*\*To help benchmark recidivism rates, we present rates of the [CDCR FY 18-19](#) release cohort, the most recent release cohort for whom CDCR has released recidivism outcomes. The CDCR recidivism rates are fairly consistent across the years covered in this analysis (see [trends](#)).*

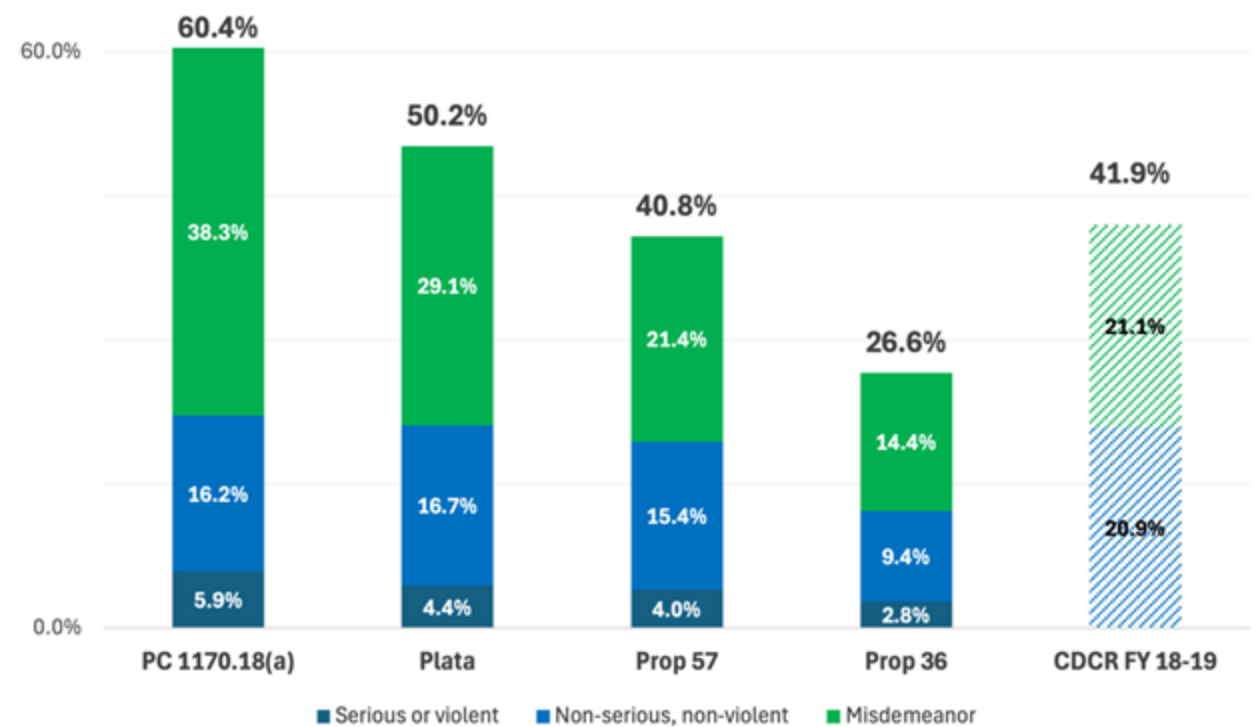
# New conviction rates vary; low serious or violent felony rates

Fig 1: One-year conviction rates for all policies



# Most new convictions within 3 years are for misdemeanors

**Fig 2:** Three-year new conviction rates for Prop 36, PC 1170.18(a), Plata, and Prop 57



# Recidivism risk generally decreases with age and time served, increases with criminal history

	Prop 36	PC 1170.18(a)	Plata	Prop 57	SB 1437	CDCR initiated	SB 483
Age at release	↓	↓	↓	↓		↓	↓
Female		↓	↓	↓		↓	
Time served	↓	↓	↓	↓			↓
Any prior prison		↑	↑	↑		↑	
Prior convictions	↑	↑	↑	↑	↑	↑	↑

**Table note:** Arrows represent factors that are statistically significant (at  $p < 0.05$  or higher) and positively correlated (red) or negatively correlated (green) with a new conviction. Prop 36, PC 1170.18(a), Plata, and Prop 57 measure new convictions three years after release, whereas SB 1436, CDCR-initiated, and SB 483 measure new convictions one year after release. Full results [here](#).



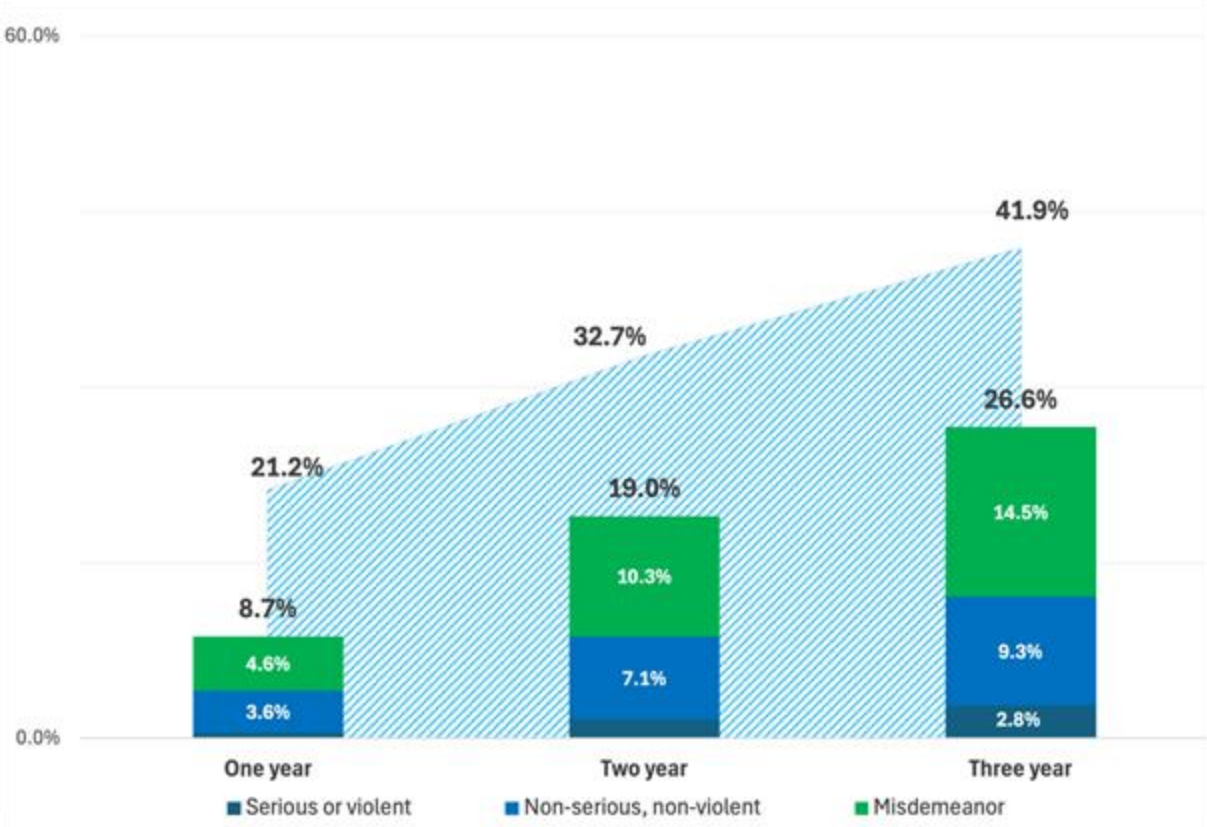
# Characteristics of people released under Prop 36, CDCR-initiated resentencing, and SB 1437

	CDCR FY 18-19	Prop 36	CDCR initiated	SB 1437
Female (%)	7.3	1.6	6.0	12.4
Black (%)	23.9	45.6	33.0	39.8
Hispanic (%)	44.8	25.3	42.3	41.4
White (%)	25.4	25.2	17.8	10.2
Age at offense (median)	N/A	36.6 years	29.5 years	21.1 years
Time served (median)	1.5*	16.6 years	12.5	17.4 years
First admission to CDCR (%)	48.1	2.3	42.8	77.9

\*CDCR does not report time served in the FY18-19 outcomes report; this is CPL's estimate based on the reported categories.

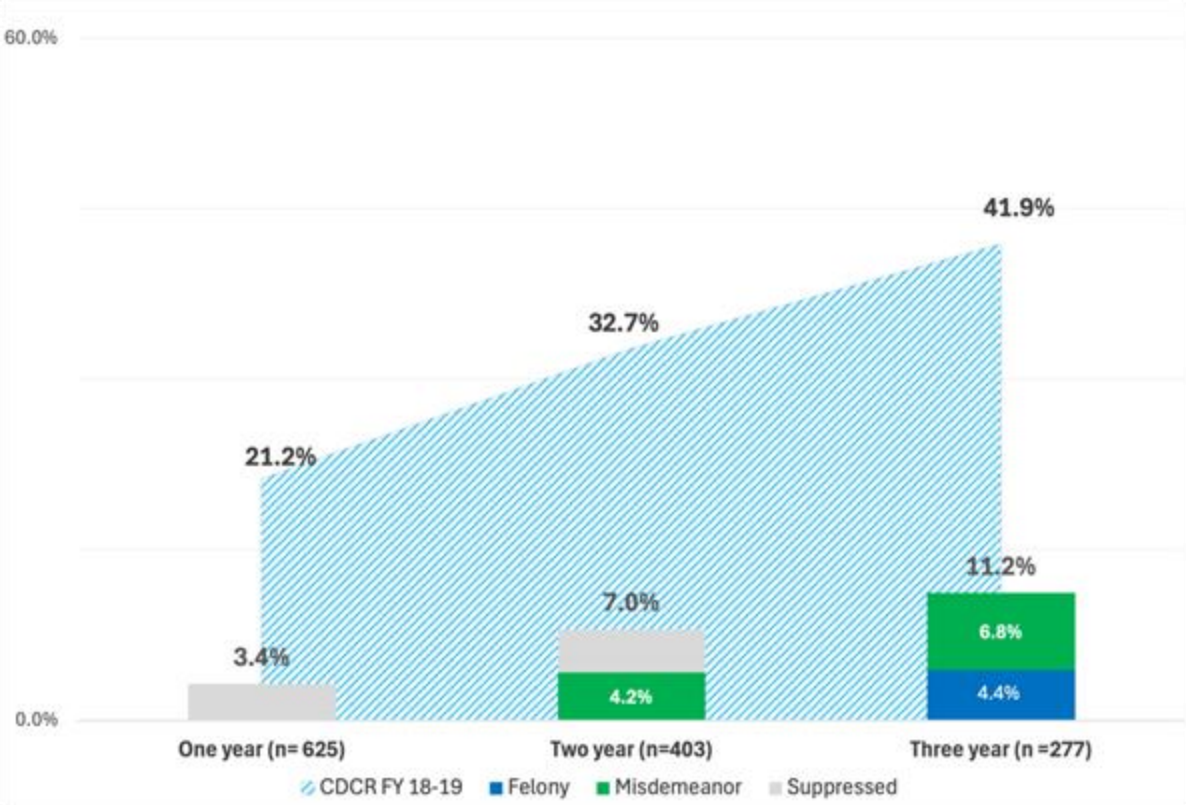
# New conviction rates are low after Prop 36 resentencing

Fig 3: New conviction rates for people released under Prop 36



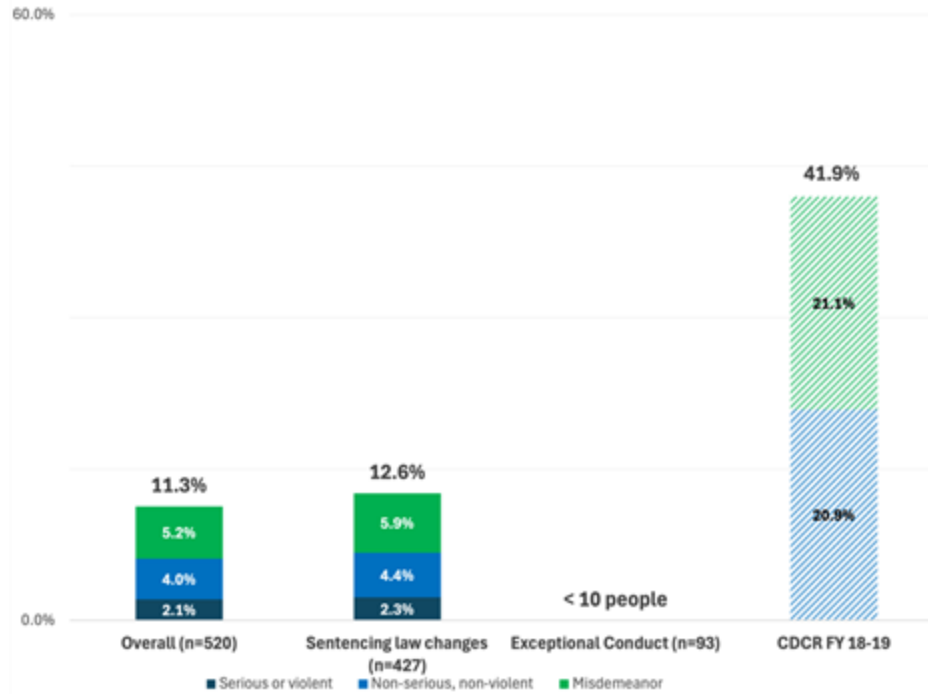
# New conviction rates are low after SB 1437 resentencing

Fig 4: New conviction rates for people released under SB 1437



# Less than 10 people resentenced due to exceptional conduct were reconvicted within three years

**Fig 6:** Three-year new conviction rates for people released through CDCR-initiated resentencing





# Thank you

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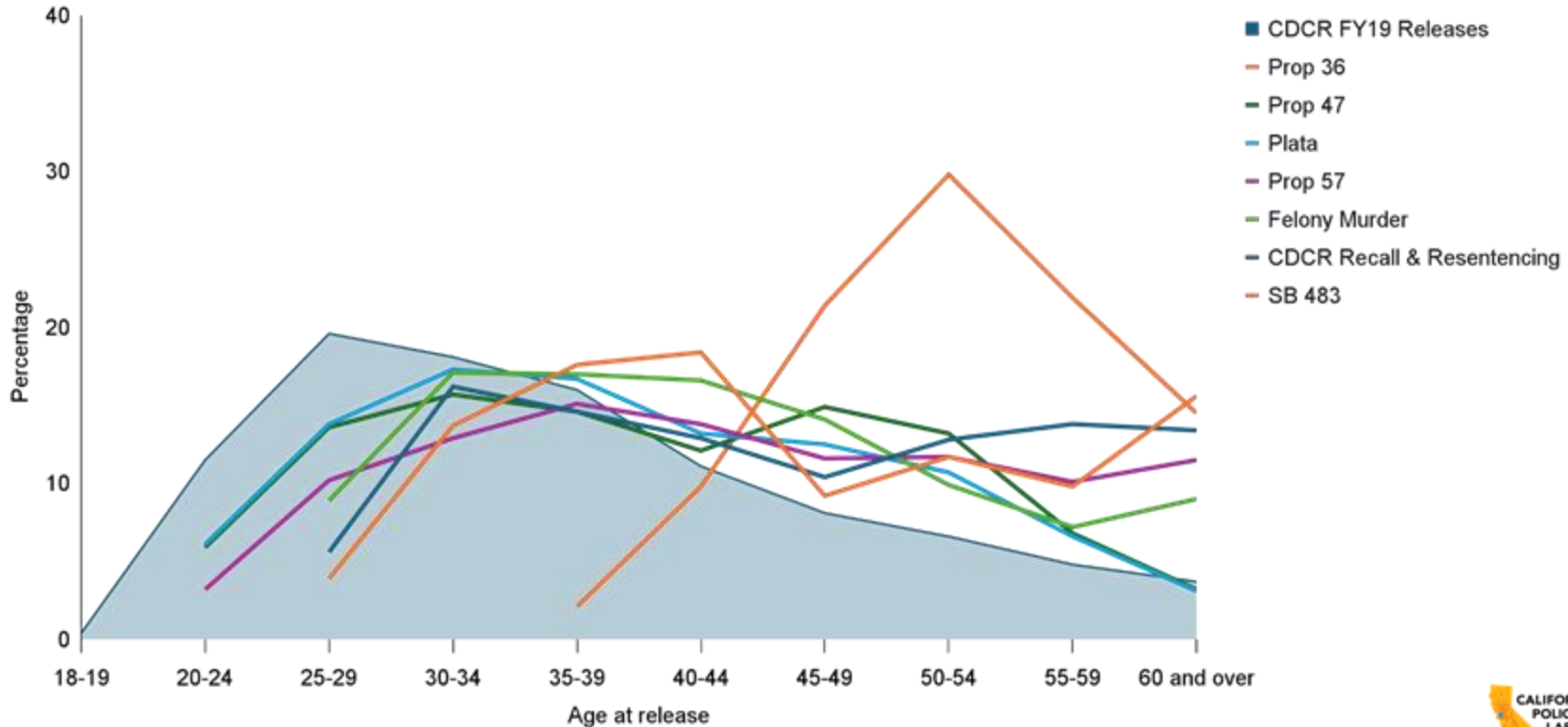
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Reference slides



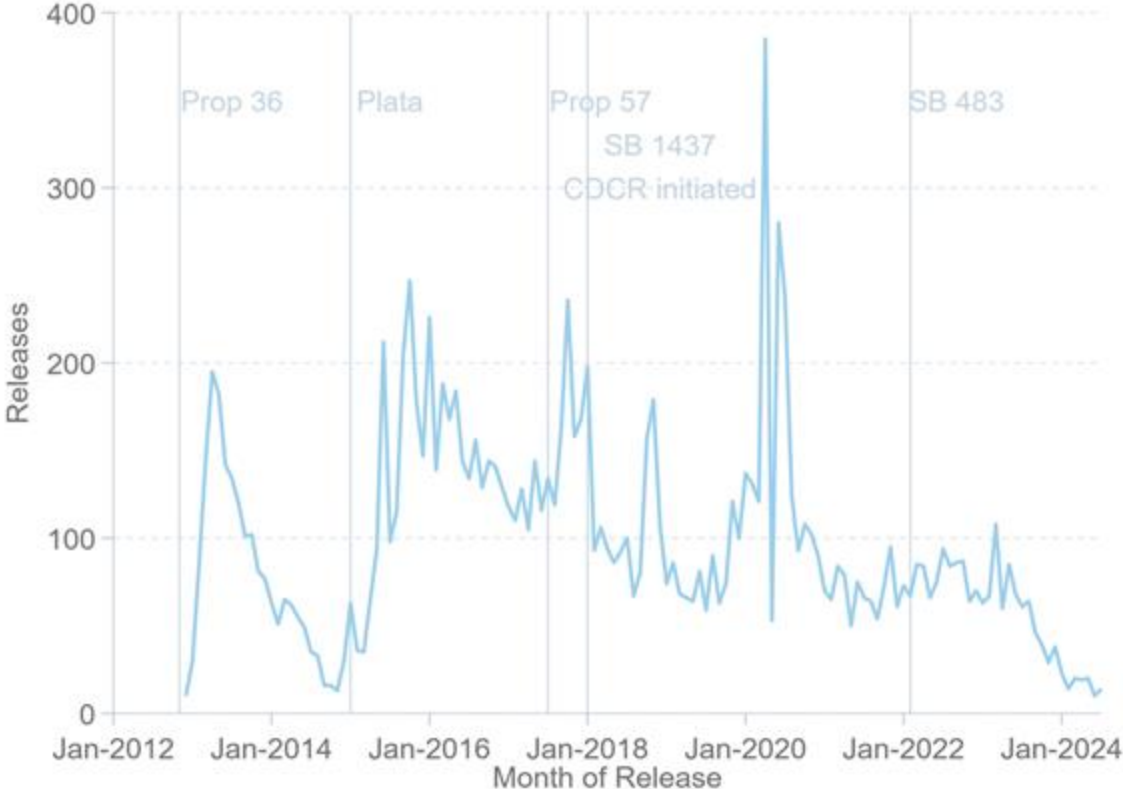
# People affected by these policies are older, on average

**Fig 7:** Distribution of age at release by policy and CDCR FY19 release cohort



# Releases under policies, by month of release

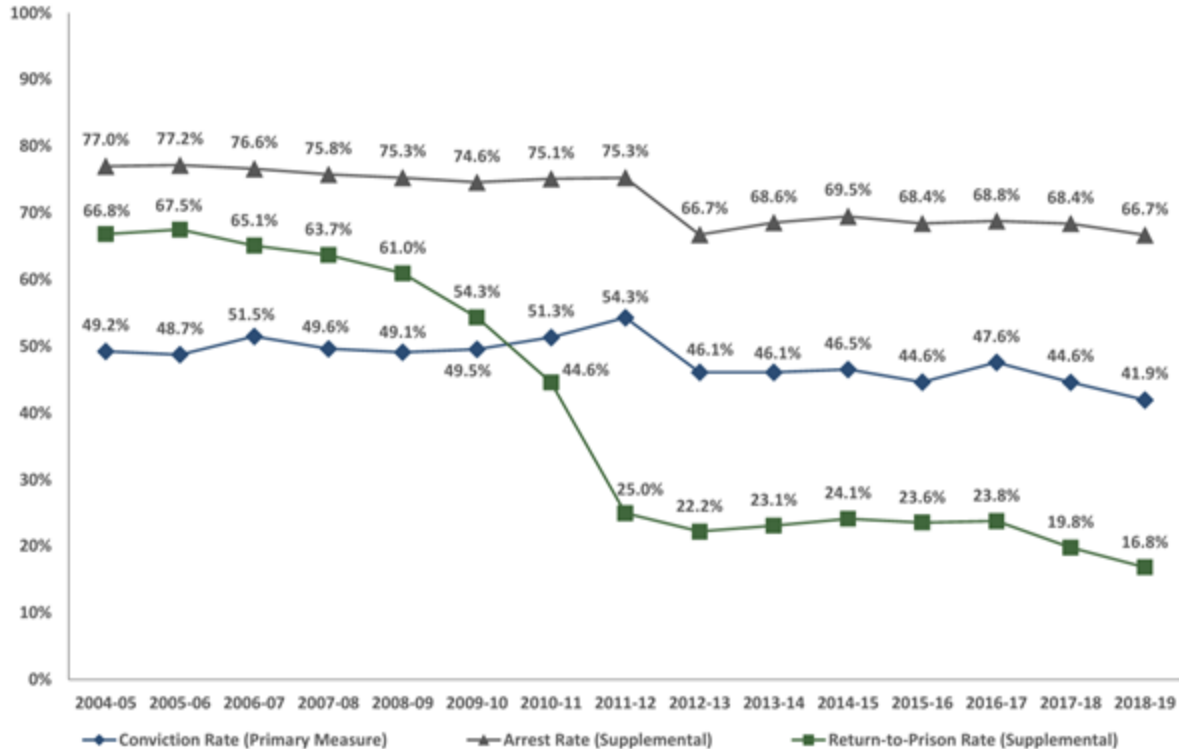
Fig 8: Distribution of releases, by month of release





# CDCR recidivism rates are consistent FY 12-13 to FY 18-19

Fig 8: CDCR three year recidivism rates for FY05-FY19



# LPM of the likelihood of new conviction in three years

	<b>Prop 36</b>	<b>PC 1170.18 (a)</b>	<b>Plata</b>	<b>Prop 57</b>
Age at release	-0.0120*** (0.00146)	-0.0147*** (0.000782)	-0.0145*** (0.00084)	-0.0146*** (0.00077)
Female	-0.0669 (0.0728)	-0.154*** (0.0259)	-0.0733** (0.0278)	-0.0670* (0.0284)
Time served	-0.00790*** (0.0022)	-0.00743** (0.00256)	-0.0177*** (0.00264)	0.00595*** (0.00167)
Any prior prison	0.0823 (0.0218)	0.108*** (0.0241)	0.0846*** (0.0211)	0.0813*** (0.0209)
Prior convictions	0.0155*** (0.00218)	0.0205*** (0.00141)	0.0252*** (0.0178)	0.0206*** (0.00153)
Constant	0.809*** (0.101)	1.009*** (0.0355)	0.989*** (0.0414)	1.047*** (0.0408)
<b>N</b>	<b>2,177</b>	<b>4,714</b>	<b>4,522</b>	<b>4,349</b>

# LPM of the likelihood of new conviction in one year

	SB 1436	CDCR-initiated	SB 483
Age at release	-0.00211 (0.00126)	-0.00213*** (0.000516)	-0.015*** (0.00319)
Female	-0.0392 (0.0346)	-0.0409* (0.0192)	-0.0719 (0.197)
Time served	-0.0005 (0.0013)	-0.0002 (0.00083)	-0.00633** (0.00209)
Any prior prison	0.0665 (0.130)	0.0325** (0.0121)	0.0665 (0.130)
Prior convictions	0.00836* (0.00387)	0.0512*** (0.00116)	0.0183** (0.00688)
Constant	0.0840 (0.0387)	0.120*** (0.0334)	0.410 (0.309)
<b>N</b>	<b>625</b>	<b>1,150</b>	<b>266</b>

Note: Include controls for controlling offense, race/ethnicity, time to release after policy implementation, and month of release. \* p<0.05 \*\*p<0.01 \*\*\*p<0.001