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1. Introduction

During the last quarter of the 20th century, California's prison incarceration rate moved in lock step with the nation's, with sharp increases beginning in the late 1970s and peaking at an all-time high around 2006. The subsequent eighteen years, however, witnessed dramatic reductions. The declines in the California incarceration rate were larger than those in other states and of sufficient magnitude to bring down the overall U.S. incarceration rate. As of August 5, 2026, California's prison population (89,259) stood at roughly 50% of its 2006 peak (approximately 176,000).

The near halving of the state's prison population was driven by several factors. First, despite temporary increases in some crime rates during the pandemic, serious crime in California is at historically low levels. Between 2007 and 2025, violent crimes per 100,000 residents declined from 524 to 431 with most of this decline driven by robbery.[1] Over the same period, the number of property offenses per 100,000 declined from 3,043 to 1,786. Fewer crimes translate into fewer arrests, prosecutions, convictions, and ultimately fewer admissions into state prison.

Since 2007, there have also been substantive changes in corrections and sentencing policy. First, the state greatly curtailed the practice of returning people to state prison for technical parole violations (violations of community supervision terms that do not involve a new offense, such as failing to report to a meeting with a parole officer, violating curfew, or failing a drug test), which had been the source of most prison admissions during the period of sustained prison population growth. Second, voters also approved ballot initiatives moderating the state's Three-Strikes Law, redefining several common low-level felonies to misdemeanors, and expanding opportunities for early release. Recent legislation has also curtailed the use of several common sentence enhancements. Finally, policy changes affecting the parole release of people serving long indeterminate and determinate sentences likely increased the likelihood of a parole grant for older inmates and for those who committed their offense at a relatively young age. Collectively, these changes both reduced admissions to California prisons and shortened the effective sentences for those incarcerated.

It is well-known that the late 20th century increase in incarceration rates was not equally distributed across racial and ethnic groups. This is true nationally as well as for California. Incarceration rates grew the most for racial and ethnic minorities, with the largest increases and the highest peak rates experienced by Black and American Indian Californians. Given the large declines in the state's prison population since 2007, what has happened to these racial and ethnic disparities? Moreover, can we attribute the changes since 2007 to the specific changes in policy?

This paper documents changes in inter-racial/ethnic disparities in prison incarceration rates between 2005 and 2024. We focus on changes to community corrections practice, the penal code, and to sentencing enhancements, assessing whether these reforms disparately impacted the incarceration rates of specific racial and ethnic groups. Our analysis uses detailed administrative data from the California Department of Corrections and Rehabilitation (CDCR) covering

[1] See Crime in California: 2025. Coinciding with the decline in robbery is a decline in murder rates from 6.2 to 3.5 per 100,000 and a slight increase in aggravated assaults from 299.5 to 300.1 per 100,000. The time series for rape over this period is not comparable due to a change in the definition of the offense in 2014 that made the crime category more inclusive.

everyone incarcerated in a California state prison during the study period. The data includes the timing of each prison sentence and, most importantly, the conviction offenses, base sentences, and enhancements that make up each prison sentence.

Our principal findings:

- **Racial and ethnic disparities in prison incarceration narrowed considerably.** Between 2005 and 2024, incarceration rates fell the most for Black and American Indian people, followed by Hispanic, White, and Asian people. Because the largest declines occurred for groups with the highest rates at the peak, inter-racial/ethnic disparities narrowed considerably. Large absolute differences nonetheless remain.
- **The absolute Black-White gap fell by nearly half.** From January 2010 (the start of the year preceding the first large reform) to December 2024, the per-capita gap in state prisoners per 100,000 residents between Black and White people fell by 47% (from 1,978 to 1,040). The American Indian-White gap fell by 34% (from 962 to 634), while the Hispanic-White gap fell by 31% (from 189 to 130).
- **Each major reform disproportionately reduced incarceration for groups historically most incarcerated**. Across all five sentencing and corrections policy changes we examine, the largest absolute reductions in incarceration rates occurred for Black and American Indian people, who had the highest pre-reform rates.
- **Realignment (Assembly Bill 109, implemented in 2011) eliminated racial disparities in prison admissions for parole violations.** Before Realignment, Black and American Indian people were admitted to prison for technical parole violations at higher rates than White and Asian/Pacific Islander people. After Realignment, these admissions dropped to near zero across all groups. Realignment also modestly reduced prison admissions for new convictions for non-serious, non-violent, non-sex ("realigned") offenses.
- **Proposition 36 (2012) narrowed inter-racial disparities in third-strike indeterminate life sentences.** The immediate impact was driven by the resentencing of a sizable number of people serving third-strike life sentences for non-violent, non-serious offenses. The longer-term effect operates through fewer admissions of people receiving indeterminate life sentences for less serious offenses.
- **Proposition 47 (2014) narrowed disparities in prison admissions for drug and property offenses.** By reclassifying certain property and drug offenses that could be charged as either felonies or misdemeanors to straight misdemeanors, Proposition 47 narrowed disparities in prison admissions for these offenses and modestly narrowed overall incarceration rate disparities.
- **Enhancement reforms since 2017 have substantially reduced the use of common sentence enhancements, with the largest effects for Black people.** In particular, the use of three case enhancements has declined enormously after legislative reform: the three-year prior-drug enhancement (eliminated under SB 180), the one-year prior-prison enhancement (restricted under SB 136), and the nickel-prior enhancement (judicial discretion added under SB 1393). The share of incarcerated people serving these enhanced sentences has fallen sharply, with declines consistently largest for Black and American Indian people, who were disproportionately subject to these enhancements before reform.

- **Parole reforms since 2014 produced large declines in long-term incarceration, concentrated among Black and American Indian people.** Prison release rates for people serving very long sentences increased substantially after expansions to elderly and youth-offender parole eligibility. As a result, the prison population with long tenures (e.g., 15 to 25 plus years) has declined in recent years. Measured as long-term inmates per 100,000 state residents, these rates declined the most for Black and American Indian people, narrowing inter-group disparities considerably. These declines account for roughly one-third of the decline in Black incarceration rates and roughly 37% of the decline for American Indian people.

The large declines in incarceration rates and the narrowing of inter-group disparities raise further questions about what happened to people who would have been incarcerated under prior policy and how they are faring now. Specifically, do we see improvements in employment rates among the most impacted demographic groups? Do we see changes in arrests, homelessness, or adverse health events? Are people more or less likely to pursue educational opportunities? These questions will be the subject of future reports.

2. What determines a state's incarceration rate and race disparities in incarceration rates?

There are two broad factors that determine the size of a state's prison population: (1) the number of people admitted to prison over a given period, and (2) how long those admitted will remain in custody. Higher admissions rates and longer sentences translate directly into higher incarceration rates.

Beginning with admissions, annual admissions rates are determined by the product of several component rates that together determine the likelihood that someone will be admitted to prison over a given period (for example, between now and a year from now). Consider the following simple equation:

$$\frac{Admissions_t}{Population_t} = \frac{Crimes_t}{Population_t} x \frac{Arrests_t}{Crimes_t} x \frac{Prosecutions_t}{Arrests_t} x \frac{Convictions_t}{Prosecutions_t} x \frac{Admissions_t}{Convictions_t} \quad (1)$$

The left-hand side of equation (1) presents the prison admissions rate (the number of prison admissions during year *t* divided by the population in year *t*), interpreted literally as the probability that someone who is not incarcerated will be admitted to prison in year *t*. The right-hand side of the equation shows that the admissions rate can be rewritten as the product of the crime rate (crimes per population), the clearance rate (arrests per crime), the rate at which arrests result in criminal prosecution, the conviction rate (convictions per prosecution), and the number of admissions to prison among those convicted. A change in any of these probabilities will cause a change in the prison admissions rate and, in turn, the incarceration rate. For example, an increase in crime rates (the first term on the right-hand side of the equation) would increase the prison admissions rate and the incarceration rate, holding all other probabilities constant. Similarly, an increase in crime clearance rates or conviction rates would have similar effects. Greater use of diversion or alternative sanctions (e.g., lower conviction rates for the former and fewer admissions per conviction for the latter) would reduce admissions and, in turn,

prison incarceration rates. As a final example, redefining lower-level felonies that could result in a prison sentence to misdemeanors would reduce admissions among those convicted.

One important avenue by which people are admitted to prison is through technical violations of the terms of their community corrections supervision. Prior to 2011, technical parole violations were the largest source of admissions to California prisons. Such admissions follow a somewhat different path relative to that displayed in equation (1). A person on parole arrested for a technical violation or a new offense may be returned to custody either through a new prosecution (and thus follow the path in equation (1) or through a decision to revoke parole following an arrest. For this reason, a complete discussion of admissions requires incorporation of the possibility of admissions to prison through this additional channel.

Time served (the second major determinant of a state's prison population) is primarily determined by the length of prison sentences and the rate at which incarcerated people earn good conduct credits that can shorten how long they're incarcerated. Most felony offenses resulting in a prison sentence in California receive determinate sentences with lengths pre-specified in the state's penal code. For 97% of prison admissions, sentencing involves imposition of a predetermined fixed sentence from the state's sentencing triad system (a set of prescribed low, middle, and high sentence lengths associated with specific conviction offenses (see Bird et al. 2022b)). If the person is convicted of multiple offenses, each conviction offense can be sentenced to be served consecutively, which would lengthen the sentence, or concurrently, which effectively sets the sentence to the sentence length for the most serious conviction charge (Gill et al., 2024). In addition, sentences may be enhanced either due to the nature of the conduct associated with the offense (for example, use of a firearm, victimizing a vulnerable person, or harming a first responder) or due to some aspect of the person's criminal history, such as prior serious or violent convictions leading to enhancements under the state's Three-strikes Law (Bird et al., 2023).

A small percentage of cases, often involving very serious offenses, receive indeterminate sentences such as 25-years-to-life, and an even smaller percentage receive life terms without the possibility of parole (LWOP sentences). For indeterminate sentences as well as some very long determinate sentences, the amount of time served depends on when and whether the California Board of Parole Hearings grants parole. People receiving indeterminate sentences must serve the sentence minimum (less any credit for good conduct) before becoming eligible for parole.

Disparities in incarceration rates between groups ultimately come down to disparities in either admission rates, average time served, or both. For example, the relatively high incarceration rates for Black people in California relative to White people mean that either admission rates for Black people are higher (due to some combination of higher offending rates, clearance rates - which are the share of reported crimes that result in an arrest, parole revocation rates, conviction rates, and use of prison for people convicted of felonies), or sentences are relatively longer (due to perhaps more serious offending that carries longer prescribed sentences or to aspects of sentencing practices in California that produces particularly long sentences for this group).

This reasoning also suggests that policy changes affecting either admissions or releases may disparately impact the incarceration rates of different groups. For example, if Black Californians

are more likely to be admitted to prison than White Californians, a move toward tougher sentencing will have a relatively larger effect on Black incarceration rates. Likewise, if the likelihood of being prosecuted for a felony is higher for one group relative to another, a move to redefine lower-level felony offenses as misdemeanors will likely produce a larger decrease in prison incarceration for the group with the higher prosecution probability.

3. Criminal Justice Reforms in California that have Impacted Admissions Rates and Sentence Length, and Credit-Earning Rates

Since 2009, California has enacted a series of criminal justice reforms that have transformed the scale and nature of prison incarceration. The reform wave was prompted by two factors. First, the state was subjected to a federal court order to reduce prison overcrowding following years of litigation over health and mental health care services (an order ultimately upheld by the U.S. Supreme Court). This court order resulted in both legislation and court-imposed population reduction measures that permanently altered California's corrections and sentencing policy. Second, public opinion in the state pertaining to some of the most severe aspects of the state's sentencing practices shifted. This shift in public opinion was reflected in a series of successful ballot measures that moderated sentencing severity and in legislative actions that reformed the use of sentence enhancements.

These reforms have impacted the state's incarceration rate by reducing admissions and/or by reducing effective sentence length. Below, we provide a broad overview of reforms and discuss the likely impact of each on the state's prison population using the framework introduced in the previous section.

Early efforts to reduce prison overcrowding included the 2009 introduction of non-revocable parole for particularly low-risk persons released from CDCR custody,[2] as well as efforts to share correctional expenditure savings with counties that reduced probation revocation to prison below historical rates.[3] However, the impacts of these changes on the prison population were limited relative to those of the reforms that followed.

The first major reform occurred in October 2011 with the passage and implementation of AB 109, commonly referred to as Corrections Realignment. The legislation greatly curtailed the practice of returning people on parole to state prison custody for technical parole violations. Specifically, people convicted of mostly non-serious, non-violent offenses were released to the newly created Post-Release Community Supervision (PRCS) program, monitored by county probation departments rather than state parole. Technical violations on PRCS are sanctioned by short stays in county jail or some other alternative sanction. The legislation also mandated that persons convicted of triple-non felonies with no prior serious or violent conviction offenses serve time in county jail rather than state prison. AB 109 led to a sizable reduction in the state prison

[2] Non-revocable parole eligibility was restricted to individuals who were not required to register as a sex offender, not convicted of a serious, violent, or sexual offense, and with no major disciplinary violations while incarcerated. See https://www.cdcr.ca.gov/parole/non-revocable-parole/, (accessed on July 8, 2024).

[3] SB 678 implemented in 2009 shared 40% to 45% of state savings with counties. See the report for the Pew Center for the States as well as the report by the Judicial Council of California.

population (Lofstrom and Raphael, 2016) with a partially offsetting increase in county jail populations (Lofstrom and Raphael, 2013).

Following this legislation, California voters passed a series of ballot measures that tempered sentencing for repeat offenses (Proposition 36), redefined which offenses constitute felonies (Proposition 47) and specified who is eligible for early parole release (Proposition 57).

While many states have repeat-offender sentencing enhancements often referred to as Three-Strikes Laws, California's version of Three Strikes was particularly severe (Bird et al., 2022a). Individuals with one prior conviction for a serious or violent offense are subject to a doubling of their sentence for any subsequent felony. Prior to 2012, any individual with two prior serious or violent convictions received a 25-to-life indeterminate sentence for any subsequent felony conviction. The passage of Proposition 36 (2012) narrowed the application of the third-strike sentence to those with two prior serious or violent convictions who were then convicted of a third serious or violent offense. The change also applied retroactively, permitting the resentencing of individuals serving third-strike sentences for non-serious/non-violent offenses who were sentenced in the pre-Proposition 36 period (Couzens and Bigelow, 2023).

In 2014, voters passed Proposition 47, redefining a subset of "wobbler" offenses (offenses that can be charged as either a misdemeanor or as a felony) as straight misdemeanor offenses. The reform raised the felony threshold for property theft to $950, eliminated the offense of petty theft with a prior, and redefined most drug possession offenses as misdemeanors.[4] Similar to the provisions of Proposition 36, Proposition 47 allowed resentencing petitions to reclassify impacted offenses from felonies to misdemeanors both for those currently serving time and those convicted in the past but no longer in custody (Judicial Council of California, 2016).

Proposition 57, passed in November 2016, created the opportunity for early release for a well-defined subset of incarcerated people and incentivized a larger share of the prison population to engage in rehabilitative programming and to refrain from institutional misconduct. For the first provision, individuals incarcerated for non-violent felonies are newly eligible for early release once they serve the time associated with their primary conviction charge. This primarily impacts people incarcerated for non-violent offenses who were sentenced consecutively for more than one conviction offense or for multiple counts of a given offense but also applies to those serving a sentence for a non-violent offense enhanced as a second strike. The second provision created enhanced opportunities to earn credits for good behavior as well as for programming.

Beyond Realignment and the aforementioned voter initiatives, two further domains of reform have likely impacted the state's prison system: reforms to sentence enhancements, and changes in parole eligibility for people with indeterminate sentences, very long determinate sentences, and sentences of life without the possibility of parole (LWOP). Regarding sentencing enhancements, we have already discussed changes to the state's Three-Strikes Law ushered in by the 2012 ballot initiative. Beyond this change however, the legislature has also moderated the impacts of enhancements through the following reforms:[5]

[4] There are exceptions in Proposition 47 for instances where the individual in question has certain prior convictions.
[5] See Bird et al. (2023) for a full discussion of these reforms.

- SB 180 (2018) eliminated the three-year enhancement for prior drug convictions;
- SB 620 (2018) gave judicial discretion in the striking of certain firearm enhancements;
- SB 1393 (2019) gave judicial discretion in striking "nickel priors," a five-year prison sentence enhancement for each prior serious felony conviction;
- SB 136 (2020) eliminated the one-year enhancement for people with prior felony prison or jail term for most incarcerated persons;
- AB 333 (2022) narrowed the application of gang enhancements;
- SB 81 (2022) provided guidance to judges on how to exercise discretion in striking enhancements in cases with multiple enhancements, lengthy prison terms, and in the presence of mitigating factors; and
- SB 483 (2022) made the provisions of SB 180 and SB 136 retroactive.

This wave of enhancement reforms coincided with a reduction in the number of prison admissions carrying enhanced sentences (Bird et al., 2023).

Discretionary parole decisions apply to the very small share (roughly three percent) of admissions who are sent to prison with indeterminate sentences as well as some very long determinate sentences (those likely to produce lengths of stay greater than 20 years). While these individuals constitute a small share of admissions, they account for roughly a third of the incarcerated population at any point in time. This difference between the percent of admissions and the percent incarcerated on any given day reflects the very lengthy sentences that these individuals receive. Nearly all persons serving indeterminate sentences will become eligible for discretionary parole during their natural lives, with two exceptions: the condemned (the 650 people in California who received death sentences) and individuals who received LWOP sentences for offenses committed as adults. Since 2014, parole eligibility has expanded both by shortening the time to parole eligibility for some and by extending eligibility to others who previously received LWOP sentences. These changes occurred largely through changes to elderly parole and enhanced eligibility for persons who committed their offenses as youth (Shaffer, 2020).

In 2014, eligibility for discretionary parole release was extended to persons aged 60 years or older who had served at least 25 years, including those with determinate sentences but excluding condemned individuals and people with LWOP sentences. In 2021, elderly parole eligibility was extended to those aged 50 or older who had served at least 20 years, with some exceptions.

A series of reforms have also expanded eligibility for discretionary parole for persons who committed their offense at a relatively young age. Prior to 2014, people who were 17 or younger when they committed their offense but were tried and sentenced as adults were not treated differently from older people; their parole eligibility, if any, was governed by the terms of their sentence. This changed with SB 260, which took effect on January 1, 2014, and established youth offender parole hearings for those who committed their controlling offense before the age of 18, to be held during the 15th, 20th, or 25th year of incarceration, depending on the sentence imposed. SB 261 (effective January 1, 2016) extended this eligibility to those who were under the age of 23 when they committed their offense, and AB 1308 (effective January 1, 2018) further extended it to those who were under the age of 26. In addition, SB 394 (effective January

1, 2018) extended eligibility to people serving LWOP sentences for offenses committed before their 18th birthday, who became eligible for a youth offender parole hearing during their 25th year of incarceration (Shaffer, 2020).

Table 1 summarizes this wave of reforms and highlights the likely impacts of each on prison admissions and effective sentence length. Most reforms affected either admissions or effective sentence length, but not both. For example, Corrections Realignment primarily impacted admissions through reduced technical violations and diversion of certain offenses to jail rather than prison. Changes to sentence enhancements likely shortened felony sentences, while Proposition 36, Proposition 57, and changes to parole practice likely shortened time to release. The impact on admissions of these changes, however, is likely negligible. Proposition 47 is the one reform that likely impacted both admissions and sentence length, by reducing admissions for these redefined offenses and likely shortening sentences for multiple-conviction admissions where those offenses were part of the case.

Table 1
Summary of Major Criminal Justice Reforms in California and Their Likely Impacts on Prison Admissions and Effective Sentence Length

Reform	Effect on admissions rate	Effect on sentence length
Corrections Realignment (AB109)	↓ Greatly reduced prison admissions for technical parole violations. Reduced prison admissions for new court commitments for triple-non offenses.	- Likely little to no impact.
Proposition 36	- Likely little to no impact.	↓ Shorter sentences for people with two prior serious or violent offenses convicted of a third non-serious/non-violent felony offense.
Proposition 47	↓ Reduced admissions for drug and property offenses.	↓ Shorter sentences for offenses with possession drug charges and now misdemeanor property offenses.
Proposition 57	- Likely little to no impact.	↓ Reduced effective sentence length for non-violent offenses with consecutive sentences and increased credit earnings for the broader population of people admitted to prison.
Legislative changes in sentence enhancements since 2017	- Likely little to no impact.	↓ Shorter sentences for individuals who in the past would have been subjected to the changed sentence enhancements.
Expansion of youth offender and elderly parole	- Likely little to no impact.	↓ Shorter effective sentences for individuals receiving lengthy indeterminate sentences.

4. Empirical Strategy for Estimating the Disparate Impacts of California's Policy Reforms, and Data Description

The policy reforms described above have greatly reduced California's state prison population. Figure 1 presents monthly prison population totals for each month between January 2005 and December 2024. Red vertical lines mark October 2011 (the Realignment month of implementation), November 2014 (the passage and implementation of Proposition 47), and March 2020 (the onset of the COVID-19 pandemic), orienting the eye toward key reforms and other developments that affected correctional populations.[6] The prison population trends downward prior to the implementation of Realignment, likely due to the introduction of non-revocable parole and cost-sharing with counties for below average probation admissions. The figure reveals a sharp drop in the prison population coinciding with Realignment, a smaller but notable drop with the passage of Proposition 47, and sustained declines with the onset of the pandemic that aligned in time with the wave of legislation narrowing sentence enhancements. Relative to the peak population (over 176,000) in the mid-2000s, the prison population declined by nearly half by the end of 2024.

These declines were not experienced evenly across racial/ethnic groups. Figure 2 presents monthly incarceration rates (defined as the number of prison inmates per 100,000 state residents) for White, Black, Hispanic, Asian/Pacific Islander, and American Indian people for the same period. Table 2 compares the incarceration rate in January 2010 to that of December 2024, along with the change in incarceration rates by race/ethnicity. Several patterns stand out. First, inter-group disparities in incarceration rates are enormous: in January 2010, the number of California prisoners per 100,000 state residents was 2,266 for Black people, 1,251 for American Indian people, 477 for Hispanic people, 288 for White people, and 30 for Asian/Pacific Islander people. Second, incarceration rates declined the most for groups with the highest starting rates. Between January 2010 and December 2024, incarceration rates fell by -1,087 for Black people, -478 for American Indian people, -208 for Hispanic people, -149 for White people, and -8 for Asian/Pacific Islander people.

The disparate impacts of some of the policy changes are clearly visible: we observe sharp, differential declines coinciding with the implementation of AB 109 (October 2011). However, the effects of other policy changes (for example, the reform to the Three-Strikes Law or the changes to sentencing enhancements) are difficult to discern from these aggregate trends. Many of these policies impact only subsets of the incarcerated population and are likely to shift incarceration totals with a lag (especially those that alter sentencing length). To understand the differential effects of the policy changes on different groups, we need to focus on the specifics of the sentences imposed, how they have changed, and how they have reshaped the composition of both the currently incarcerated and those admitted to prison.

This is precisely what we do. For each of the policy changes discussed in Section 3, we identify the types of prison admissions and sentences likely to be impacted by the change and provide precise comparisons of the changes in admissions and in the currently incarcerated population.

[6] There were several population reduction measures implemented with the onset of the pandemic. However, the design of these measures likely only had a temporary impact on the state prison population as they deferred admissions and temporarily sped-up releases.

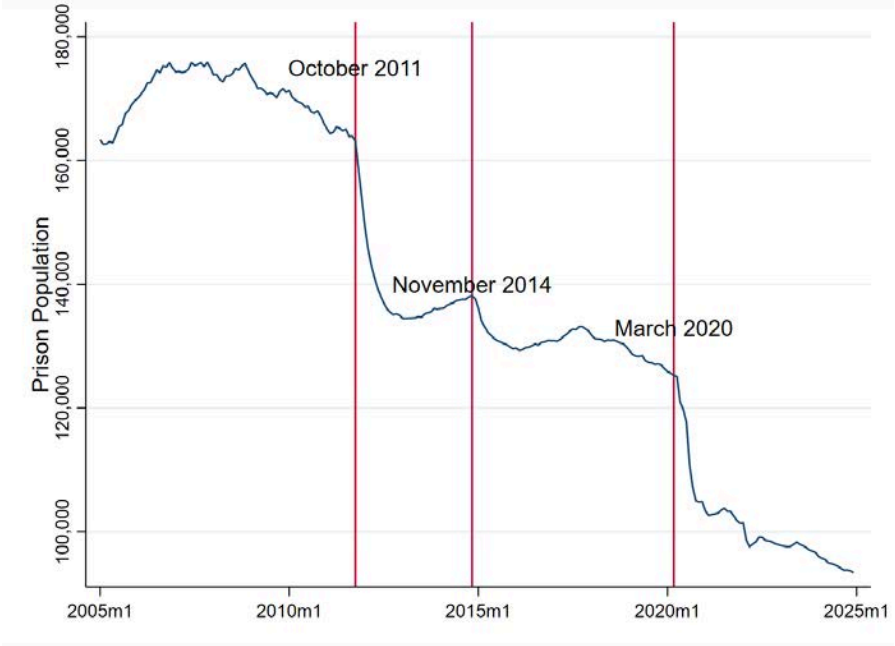
Most importantly, given the focus of this report, we examine how trends in these outcomes differ by race and ethnicity.

For example, Proposition 36 (2012) narrowed the possibility of third-strike, 25-to-life sentences, by requiring that the third conviction offense be for a serious or violent offense in conjunction with two prior serious or violent convictions. The proposition also allowed for the resentencing of people with third-strike sentences where the third offense was not serious or violent. People with third-strike sentences constitute a small portion of the prison population (roughly 9,000 people at the pre-Proposition 36 peak), and the share impacted by the policy change is a subset of those with third-strike convictions. Studying the effect of the legislation requires focusing specifically on people with these convictions, those resentenced, and new admissions with third-strike enhancements. As a further example, Proposition 47 identified specific sections of the penal code for redefinition from wobbler offenses to misdemeanors. Studying its effect on prison admission and incarceration requires focusing on prison terms with conviction offenses singled out under the proposition.

We analyze administrative data maintained by CDCR covering every person who has served time in a California state prison since 2005. The data include information on admission and release dates, sentence types (e.g., determinate, indeterminate, LWOP), sentence lengths, and the component parts that constitute each person's prison sentence. On the last of these, we have data on each conviction offense (by section of the penal, health, or vehicle code that is violated), whether the offense was enhanced due to prior strikes (either a second-strike doubling or a third-strike indeterminate sentence), any imposed conduct enhancements (e.g., use of a firearm), and any imposed case enhancement (e.g., prior serious or violent incarceration, prior prison terms).

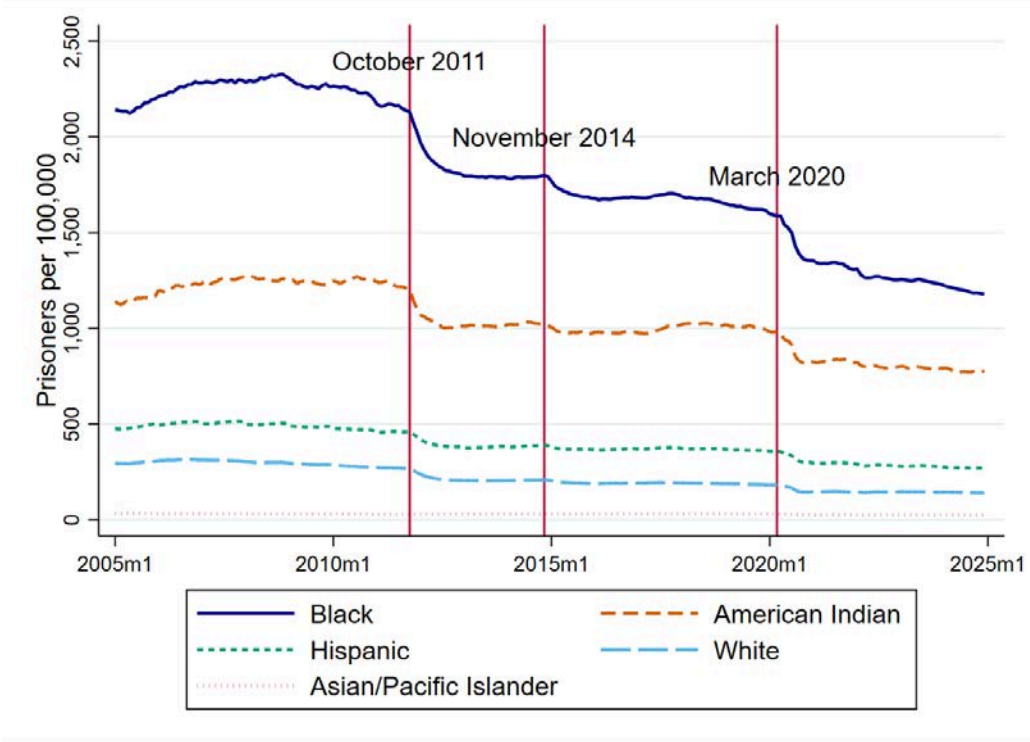
We use this detailed sentencing information along with the demographic information for each prison inmate to focus on the specific types of admissions and prison sentences likely to be impacted by a given policy change, and to characterize the differential impacts of that change. Since the details are policy-specific, we present our definitions of the likely-impacted prison terms and the outcomes of interest alongside each policy-specific analysis below.

Figure 1: Monthly Prison Population, January 2005 through December 2024



Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 2: Prisons Inmates per 100,000 State Residents by Race/Ethnicity, January 2005 through December 2024



Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Table 2
Race/Ethnicity-Specific Prison Incarceration Rates (State Prisoners per 100,000 State Residents) in January 2010 and December 2024

Race/Ethnicity	January 2010	December 2024	Change
White	288.4	139.2	-149.2
Black	2,265.9	1,178.9	-1,087.0
Hispanic	477.4	269.5	-207.9
Asian/Pacific Islander	30.0	21.9	-8.1
American Indian	1,250.7	773.2	-477.5

Tabulated from CDCR administrative records and U.S. Census Bureau population estimates.

5. The Disparate Impacts of California Criminal Justice Reforms

In this section, we analyze the effects of corrections and sentencing reforms in chronological order, beginning with Realignment in 2011 and ending with the changes to release decision-making for people with indeterminate or very long determinate sentences. For each reform, we outline the provisions of the policy change, assess its effects on prison admissions, prison population totals, or both, and examine whether those effects differed by race and ethnicity.

Separating the analysis into individual sections does not imply that the effects of earlier reforms are confined to the narrow time periods surrounding each reform. We find some evidence that the impacts of earlier reforms are sometimes mitigated or magnified by reforms that follow, suggesting important interactions between later and earlier policy changes. Throughout the following sections, we note several examples of such interactions between policy changes, some immediately observable and some apparent only with a time lag.

A. AB 109 (Corrections Realignment)

In April 2011, under pressure from a federal court order to relieve overcrowding in California prisons, the state legislature passed legislation that greatly altered California corrections policy. AB 109 (commonly known as Corrections Realignment) greatly curtailed the practice of returning people to prison for parole violations and devolved responsibility for the sanctioning/incarceration of people convicted of non-serious, non-violent, non-sexual offenses (colloquially referred to as "triple-nons") to California counties. People punished locally for triple-non offenses were able to earn credits against their jail sentences at faster rates and were often sentenced to shorter periods in jail followed by a probation term, known as a "split sentence." People with prior serious or violent convictions could still be sentenced to prison for a triple-non conviction, but, upon release, were supervised by county probation departments under the new Post Release Community Supervision (PRCS) program rather than state parole. For people released from prison who violate the terms of their conditional release, parole violations (except those paroled from life terms) are now sanctioned by short stays in local jails or county-determined alternative sanctions.

The legislation went into effect on October 1, 2011, with immediate impacts on prison admissions and the state prison population. Figure 3 charts monthly prison admissions from January 2005 through October 2014. The figure plots two time series: monthly admissions for a new conviction (referred to as an admission with a new term) and monthly admissions reflecting a return to custody for violating parole terms. Prior to October 2011, both sources of monthly admissions hovered around 5,000 per month. After October 2011, returns for parole revocations dropped to near zero while admissions with new terms declined to between 3,000 and 4,000 per month. The effect on the state's prison population is readily observable (see the trends in Figure 1 above).

The effect of Realignment on admissions with new terms varied by offense type. AB 109 shifted sanctioning responsibility to counties for triple-non offenses committed by people with no prior serious, sexual, or violent convictions. Hence, one would not expect an impact on admissions for

violent offenses and would also not expect admissions for triple-non offenses to drop to zero (since criminal history can determine whether a person receives a prison or jail sentence). This is indeed what we see in the data. Figure 4 charts monthly prison admissions with new terms for four broad offense categories: violent offenses (including sex offenses), property offenses, drug offenses, and public order offenses. We observe little impact of Realignment on admissions for violent offenses. Monthly admissions for property offenses, however, declined from roughly 2,000 to below 1,000, while admissions for drug offenses declined from 1,300 in the months immediately preceding Realignment to around 500, and admissions for public order offenses declined temporarily.

Given the nature of the reform, the reduction in prison admissions coincided with an increase in admissions to county jails across the state, though the offset was far from one-to-one. Lofstrom and Raphael (2013) estimate that for every three-person reduction in the state prison population, the total population of county jails increased by one. To be specific, by June 2012, the prison population declined relative to the same period a year earlier by roughly 26,600 inmates. Over the same period, the total population of county jails increased by 8,600. We do not have detailed administrative data for jails that would permit a group-specific analysis of Realignment comparable to what we can do with the prison data. Tafoya et al. (2016) analyze data for 12 of California's 58 counties in the year following Realignment and find that while the composition of the jail population shifted in terms of the controlling offense, there is no change in the racial/ethnic composition of inmates. The effect of AB 109 on overall incarceration (inclusive of the jail populations) is likely less than what we observe for state prisons alone.

Figure 5 presents monthly parole-revocation admissions per 100,000 state residents by race and ethnicity. Prior to October 2011, inter-group disparities in these admissions rates were enormous: the highest rates were for Black people (an average of approximately 73 per 100,000 state residents) and American Indian people (48 per 100,000), followed by Hispanic people (13 per 100,000), White people (12 per 100,000), and Asian/Pacific Islander people (roughly one per 100,000). After October 2011, average admissions rates for parole violations dropped to roughly one per 100,000 or below for all groups, essentially eliminating the large inter-group disparities that existed before AB 109. Pre- and post-post reform average admissions rates are summarized in Table 3.

Figure 6 presents a comparable analysis of admissions with new terms per 100,000 by race and ethnicity. Before AB 109 we see a similar ordering, with the highest admissions rates for Black people, followed by American Indian, Hispanic, White, and Asian/Pacific Islander people. After AB 109, the average admissions of Black people declined by more than 40%, from roughly 64 per 100,000 to 37 per 100,000. For American Indian people, the admission rate declined from approximately 32 per 100,000 to 20 per 100,000. Declines were more modest for Hispanic, White, and Asian/Pacific Islander people, though their pre-AB 109 admission rates were much lower than they were for Black and American Indian people. Similar to the change in admission rates for parole revocations, we see large declines in the inter-group disparities in new-term admission rates, with the largest absolute declines for groups with the highest pre-reform rates.

The overall effects of Realignment on prison incarceration rates by group are visible in Figure 2 above. We clearly see larger absolute declines in incarceration rates after October 2011 for Black

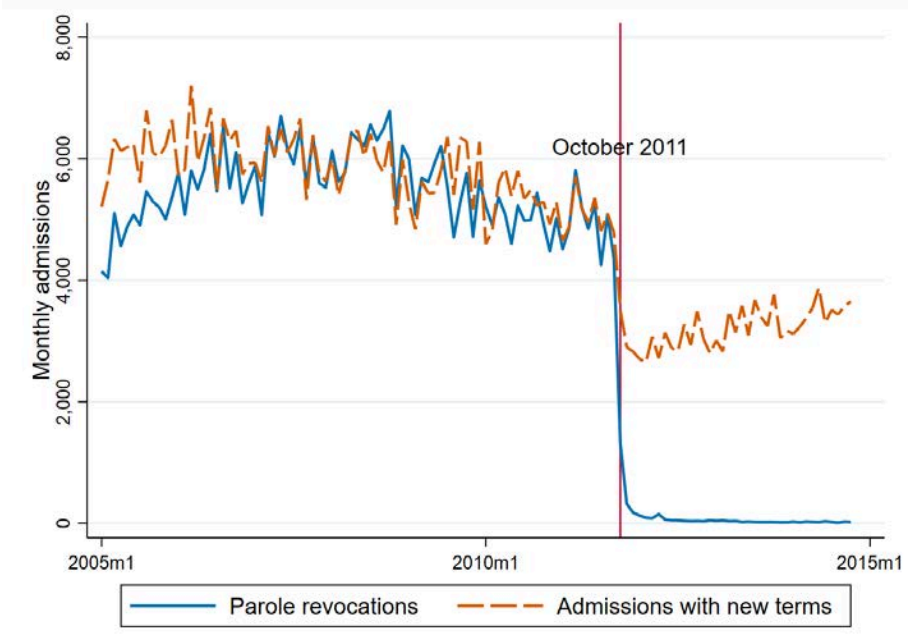
and American Indian people. For more precise estimates, Tables 4 and 5 present comparisons of the number of prison inmates per 100,000 state residents in January 2011 and December 2012 (roughly the two-year period surrounding AB 109's implementation). For each racial/ethnic group and for each of these two months, the tables provide offense-specific incarceration rate estimates for seventeen offense categories (ordered from the most serious violent felony offenses to less serious property and public order offenses).[7] At the bottom of each column, the table presents the overall incarceration rates.

The largest absolute decline in inmates per 100,000 was for Black people (364.4), followed by American Indian people (227.5), Hispanic people (77.5), and White people (68.3). The incarceration rate for Asian/Pacific Islander people increased slightly (by 1.7 per 100,000) yet remained at very low relative to other groups. Even with these declines, there are still enormous inter-group disparities. For example, the Black-White incarceration rate difference in December 2012 stood at 1,603 per 100,000. Nonetheless, the fact that Realignment reduced prison incarceration rates the most for groups with the highest pre-reform rates meant that disparities narrowed in both relative and absolute terms.

The table also reveals that declines in incarceration rates for this period were generally driven by declines in incarceration for parole violations and for less-serious non-violent felony offenses (precisely the offenses and admission types targeted by the legislation).

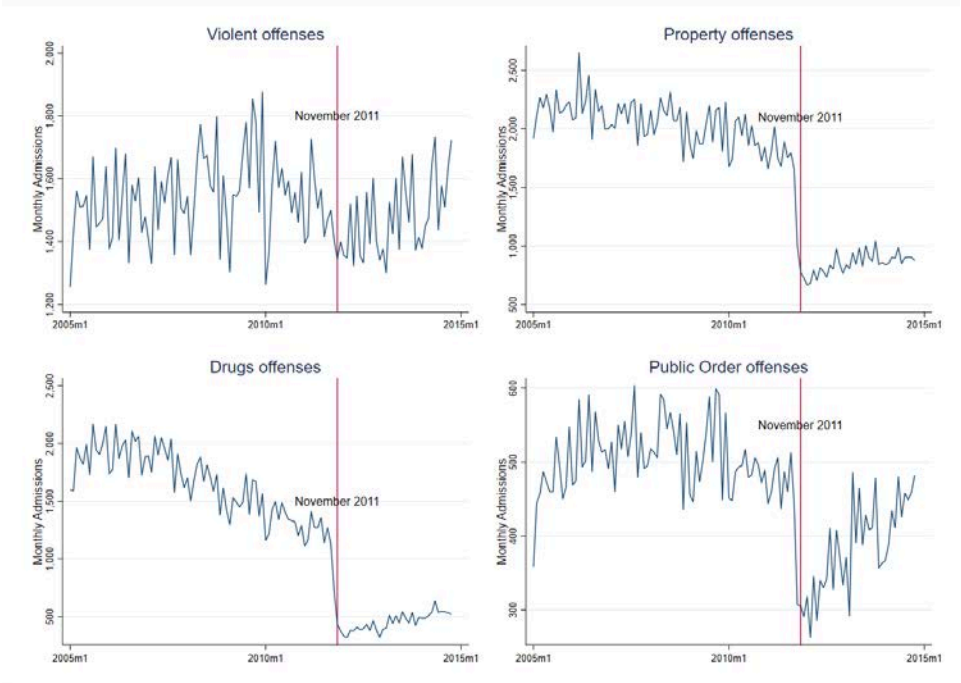
[7] Note, these tabulations use the most serious conviction offense associated with a given prison admission to group prison inmates into offense categories.

Figure 3: Monthly Prison Admissions for Parole Revocation Returns-to-Custody and Admissions with New Prison Terms, January 2005 through October 2014



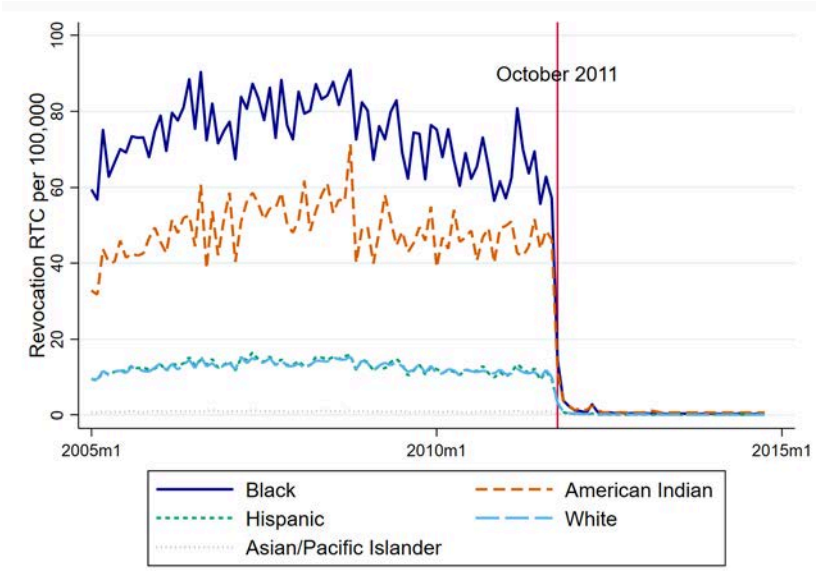
Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 4: Monthly Prison Admissions for New Terms by Broad Offense Category, January 2005 through October 2014



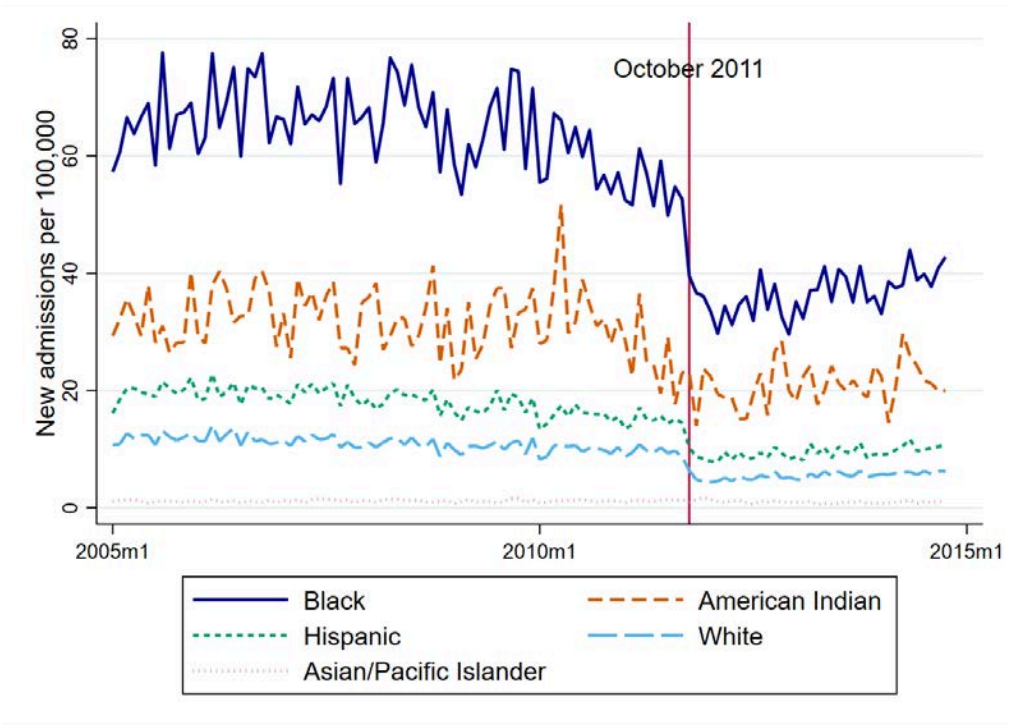
Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 5: Parole Revocation Returns-to-Custody per 100,000 State Residents by Race/Ethnicity, January 2005 through October 2014



Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 6: Prison Admissions with New Terms per 100,000 State Residents by Race/Ethnicity, January 2005 through October 2014



Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Table 3
Annual Admissions Rates per 100,000 by Race/Ethnicity and by Whether Admission is a Parole Revocation or for a New Term for the Period January 2005 through October 2014

Race/Ethnicity	Parole Revocations per 100,000			New Admissions per 100,000		
	Before Nov. 2011	After Nov. 2011	Change	Before Nov. 2011	After Nov. 2011	Change
White	12.44	0.10	-12.34	10.87	5.50	-5.37
Black	73.04	0.54	-72.5	63.98	36.58	-27.40
Hispanic	12.62	0.09	-12.53	17.96	9.42	-8.54
Asian/PI	0.83	0.03	-0.80	1.18	1.01	-0.17
Amer. Ind.	48.09	1.12	-46.97	31.67	21.13	-10.54

Author tabulations from CDCR administrative records.

Table 4
Comparison of White, Black, and Hispanic Incarceration Rates (Prison Inmates per 100,000 California Residents) by Controlling Offense for January 2011 against December 2012

Offense	White			Black			Hispanic		
	Jan 2011	Dec 2012	Change	Jan 2011	Dec 2012	Change	Jan 2011	Dec 2012	Change
Murder	33.7	33.3	-0.4	302.6	305.6	3.0	50.0	52.4	2.4
Manslaughter	4.0	4.0	0.1	51.1	54.9	3.8	11.8	12.9	1.0
Veh. Man.	1.6	1.6	-0.1	3.9	4.5	0.5	2.1	2.1	0.0
Rape/sex assault	31.4	31.1	-0.2	138.9	138.5	-0.5	44.6	46.8	2.2
Robbery	19.3	19.6	0.3	380.3	389.1	8.8	59.6	59.6	-0.1
Assault	35.6	35.6	0.0	314.9	330.9	15.9	91.0	94.2	3.3
Kidnapping	3.1	3.0	-0.1	39.1	41.1	2.0	7.3	7.6	0.3
Arson	1.1	1.2	0.0	5.2	5.3	0.2	0.7	0.7	0.0
Drug Offense	35.1	19.8	-15.3	337.9	186.4	-151.5	60.9	35.1	-25.8
Burglary	26.2	22.1	-4.2	165.8	155.5	-10.3	27.6	22.3	-5.3
Theft/Fraud	16.5	7.6	-9.0	98.9	54.3	-44.6	14.8	6.3	-8.5
Other property	8.5	4.5	-4.0	23.4	17.4	-6.1	7.7	4.6	-3.1
Vehicle theft	9.2	5.8	-3.3	22.1	14.7	-7.4	10.6	6.0	-4.6
Public order	11.3	9.8	-1.4	78.1	68.8	-9.3	24.3	20.9	-3.3
Other property	5.4	4.9	-0.5	36.4	37.0	0.2	9.5	9.2	-0.3
Parole violation	30.7	0.6	-30.1	171.5	1.5	-170.0	35.9	0.2	-35.8
Offense Missing	0.4	0.3	-0.1	1.6	2.1	0.5	0.3	0.3	0.0
Total	273.1	204.8	-68.3	2,171.8	1,807.4	-364.4	458.6	381.2	-77.5

Author tabulations from CDCR administrative records.

Table 5
Comparison of Asian/Pacific Islander and American Indian Incarceration Rates (Prison Inmates per 100,000 California Residents) by Controlling Offense for January 2011 against December 2012

	Asian/Pacific Islander			American Indian		
Offense	Jan 2011	Dec 2012	Change	Jan 2011	Dec 2012	Change
Murder	4.6	4.7	0.1	219.4	220.4	1.0
Manslaughter	0.9	1.3	0.4	29.2	33.3	4.1
Veh. Man.	0.1	0.1	0.0	9.7	10.3	0.6
Rape/sex assault	2.6	3.3	0.7	135.6	133.8	-1.7
Robbery	2.8	4.1	1.3	93.6	99.3	5.7
Assault	4.8	6.6	1.8	252.9	239.8	-13.1
Kidnapping	0.4	0.5	0.1	12.2	12.1	0.0
Arson	0.0	0.1	0.1	3.6	6.1	2.4
Drug Offense	2.5	2.1	-0.4	113.7	73.9	-39.8
Burglary	2.4	2.4	0.0	66.9	56.9	-9.9
Theft/Fraud	1.6	0.8	-0.8	38.9	21.8	-17.1
Other property	0.5	0.4	-0.1	18.2	10.3	-7.9
Vehicle theft	0.7	0.8	0.1	20.1	18.8	-1.3
Public order	1.1	1.5	0.4	60.8	48.4	-12.3
Other property	0.4	0.5	0.1	32.2	24.8	-7.4
Parole violation	2.1	0.0	-2.1	131.3	2.4	-128.9
Offense Missing	0.0	0.0	0.0	3.0	1.2	-1.8
Total	27.5	29.3	1.7	1,241.3	1,013.8	-227.5

Author tabulations from CDCR administrative records.

B. Proposition 36

Through concurrent legislation and a ballot initiative, in 1994 California enacted the most severe repeat-offender sentencing enhancements in the nation under the label "Three Strikes." In its original form, serious and/or violent offenses (consisting mostly of felony offenses committed against a person) counted as strikes on one's criminal history record. Someone with one prior strike (that is to say, one prior serious or violent conviction) had their sentence doubled for any subsequent felony conviction, regardless of whether the subsequent conviction was serious or violent. For individuals with two prior serious or violent convictions (i.e., two prior strikes), a third felony conviction made them eligible for a 25-years-to-life indeterminate sentence (see Bird et al. 2022 for a detailed analysis of three-strikes sentencing in California). Over the first 18 years of this policy, several thousand individuals received life sentences for third offenses that were non-serious, or non-violent.

Proposition 36 (passed in November 2012) limited the application of third-strike sentences to persons with two prior serious or violent offenses convicted of a third serious or violent offense. In addition, the proposition allowed for the resentencing of individuals who had received life sentences for non-violent, non-serious offenses between 1994 and 2012. For this reason, the effect of Proposition 36 on the number of persons serving third-strike sentences may operate through two channels: (1) fewer admissions of people with life-terms for less serious offenses, and (2) the resentencing of people with life-terms to shorter determinate sentences for less serious offenses.

The proposition may also have impacted the number of people in prison serving time on second-strike sentences. Most directly, those who in the past would have received a life term for less serious felonies would now receive second-strike, doubled sentences instead. In terms of indirect effects, public statements and surveys of prosecutors show that prosecutors exercised discretion in applying second- and third-strike sentencing (see Bird et al., 2022) with the aim of avoiding extreme sentences for less serious offenses. Removing the threat of a life term for a non-serious/non-violent offense may have increased the willingness of prosecutors to seek second-strike convictions. Below we see some evidence consistent with this conjecture.

Figures 7 and 8 display the monthly population of inmates serving third-strike indeterminate sentences and sentences that have been doubled due to a prior strike for January 2005 through December 2024. The three-strikes population increased continuously through November 2012, reaching a maximum of roughly 9,000 individuals, then declined quickly following the passage of Proposition 36 (by roughly 1,800 individuals). It stabilized afterward and began to decline again in March 2020. The population serving time with a doubled sentence was much larger by comparison (hovering around 37,000 prior to the passage of Proposition 36), increased by several thousand following the passage of Proposition 36, and then declined back to lower levels with the passage of Proposition 47. As we will discuss in greater detail below, the decline in the second-strike population likely reflects both the effects of Proposition 47 and the implementation

of discretionary parole review.[8] We also observe a large decline in the number of persons serving doubled sentences starting in March 2020. By the end of the period depicted, fewer than 25,000 individuals are serving time with a doubled sentence.

To better understand the factors driving the changes we present trends in third-strike admissions (Figure 9) and second-strike admissions (Figure 10). For both types of sentences, the figures present all monthly admissions, monthly admissions for serious or violent offenses, and monthly admissions for non-serious/non-violent offenses. For third-strike offenses, we observe a small decline in overall admissions in November 2012, no change in admissions for serious or violent offenses, and a more discernible decline in third-strike admissions for non-serious/non-violent offenses. Regarding the latter category, prior to the passage of Proposition 36, third-strike admissions for non-serious/non-violent offenses hovered between one and 14 admissions per month. Following the passage of the proposition, such admissions are zero in most months.

Given the modest decline in third-strike admissions and the very lengthy sentences attached to these admissions, the decline in the three-strikes population cannot be explained by a change in admissions and therefore must be due in large part to resentencing. Indeed, Skog and Lacoe (2025) find that over 2,200 people with third-strike sentences have been resentenced and released from prison under Proposition 36, with most of these resentences occurring in the first few years following passage.

In Figure 10, we see evidence of increases in second-strike admissions that are considerably larger than the decline in third-strike admissions, suggesting a greater tendency of prosecutors to seek such sentences in the aftermath of Proposition 36. This is true for both admissions with second-strike enhancements for non-serious/non-violent offenses (which account for most admissions with doubled sentences) and for admissions with doubled sentences for serious or violent offenses. The figure also reveals notable declines in second-strike admissions with the passage of Proposition 47, especially for non-serious/non-violent offenses. While the reduction in the second-strike population coinciding with the passage of Proposition 47 likely reflects in part a court-ordered population reduction measure targeted at this population, the admissions reduction likely also reflects the effects of the proposition on who is being admitted to prison. We will return to a discussion of this pattern below when we investigate the effects of Proposition 47.

Figures 11 and 12 graphically depict the differential impacts of Proposition 36 by race/ethnicity. Figure 11 presents the number of prison inmates per 100,000 state residents serving a third-strike sentence by race/ethnicity, while Figure 12 presents a comparable time series for people serving second-strike, doubled sentences. Again, the figures present the monthly time series for January 2005 through December 2024. Beginning with the three-strikes population, there are very large inter-group disparities in third-strike incarceration rates prior to Proposition 36. For example, in October 2012 (figures listed in Table 6), the number of Black people serving three-strikes sentences per 100,000 was 183.5. The comparable figure for American Indian people is 78.7. We

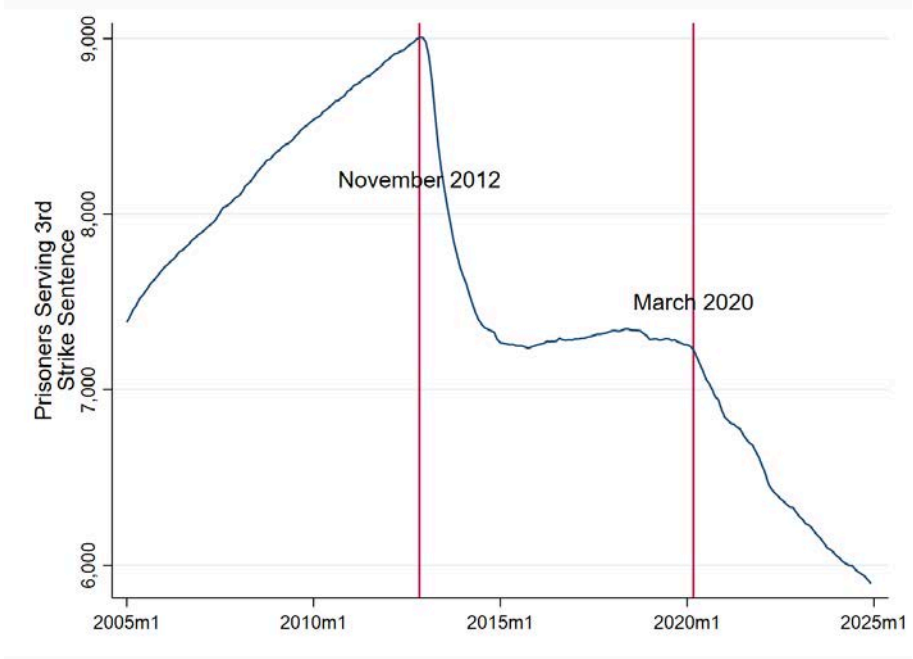
[8] This population reduction measure, implemented as part of the *Brown v. Plata* lawsuit, resulted in the early release of nearly 4,500 individual serving sentences enhanced by a second strike, with 70% of these releases occurring during 2015.

observe much lower third-strike incarceration rates for Hispanic people (15.8), White people (14.8), and Asian/Pacific Islander people (0.6).

Regarding pre and post Proposition 36 changes, we observe the largest declines in three-strikes incarceration rates for groups with the highest rates prior to the passage and a narrowing of the absolute disparities in these outcomes across groups. For example, between October 2012 and October 2015, the three-strikes incarceration rate per 100,000 declined by 35.8 for Black people, 14.6 for American Indian people, 3.4 for Hispanic people, and 3.1 for White people. There is no change in the Asian/Pacific Islander three-strikes incarceration rate. Despite these changes, there are still large inter-group disparities in three-strikes incarceration.

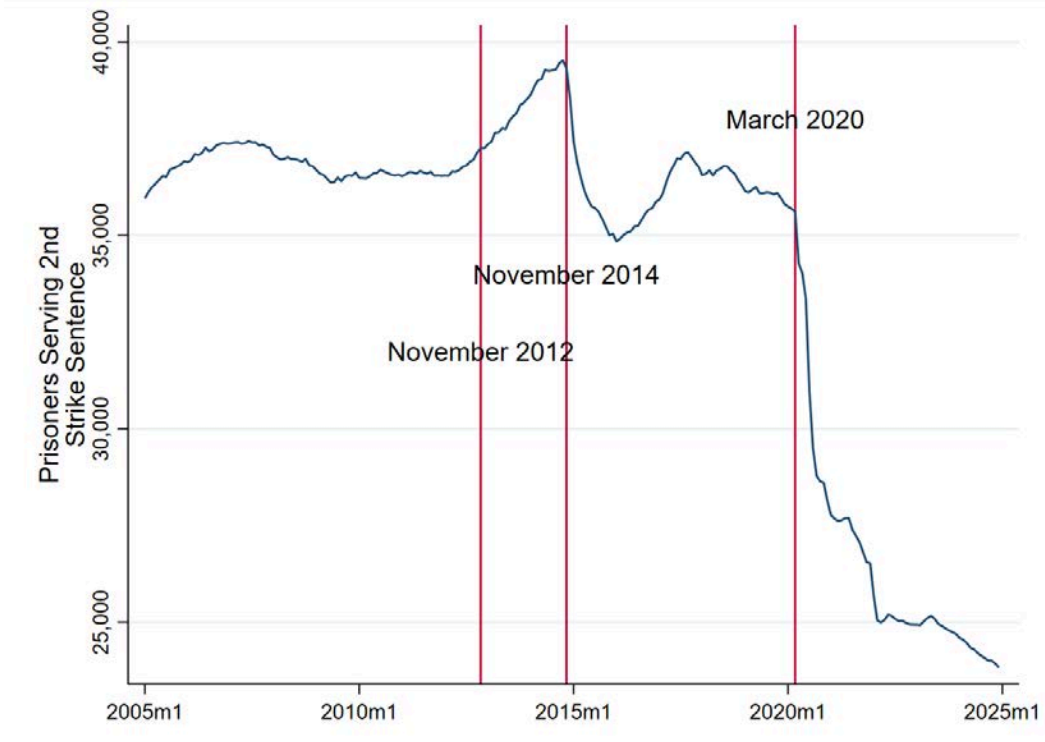
We also observe large inter-group disparities in second-strike incarceration rates (Figure 12). For example, in October 2012 (figures presented in Table 7), the number of people serving a doubled prison sentence due to a prior strike per 100,000 state residents stood at 589.3 for Black people, 269.5 for American Indian people, 93.7 for Hispanic people, 58.2 for White people, and 5.8 for Asian/Pacific Islander people. With the passage of Proposition 36, we see slight increases in these rates for all groups through October 2014, with the largest increases for American Indian and Hispanic people. With the passage of Proposition 47, we see subsequent declines.

Figure 7: Monthly Population of Persons Serving Third-Strike Sentences, January 2005 through December 2024



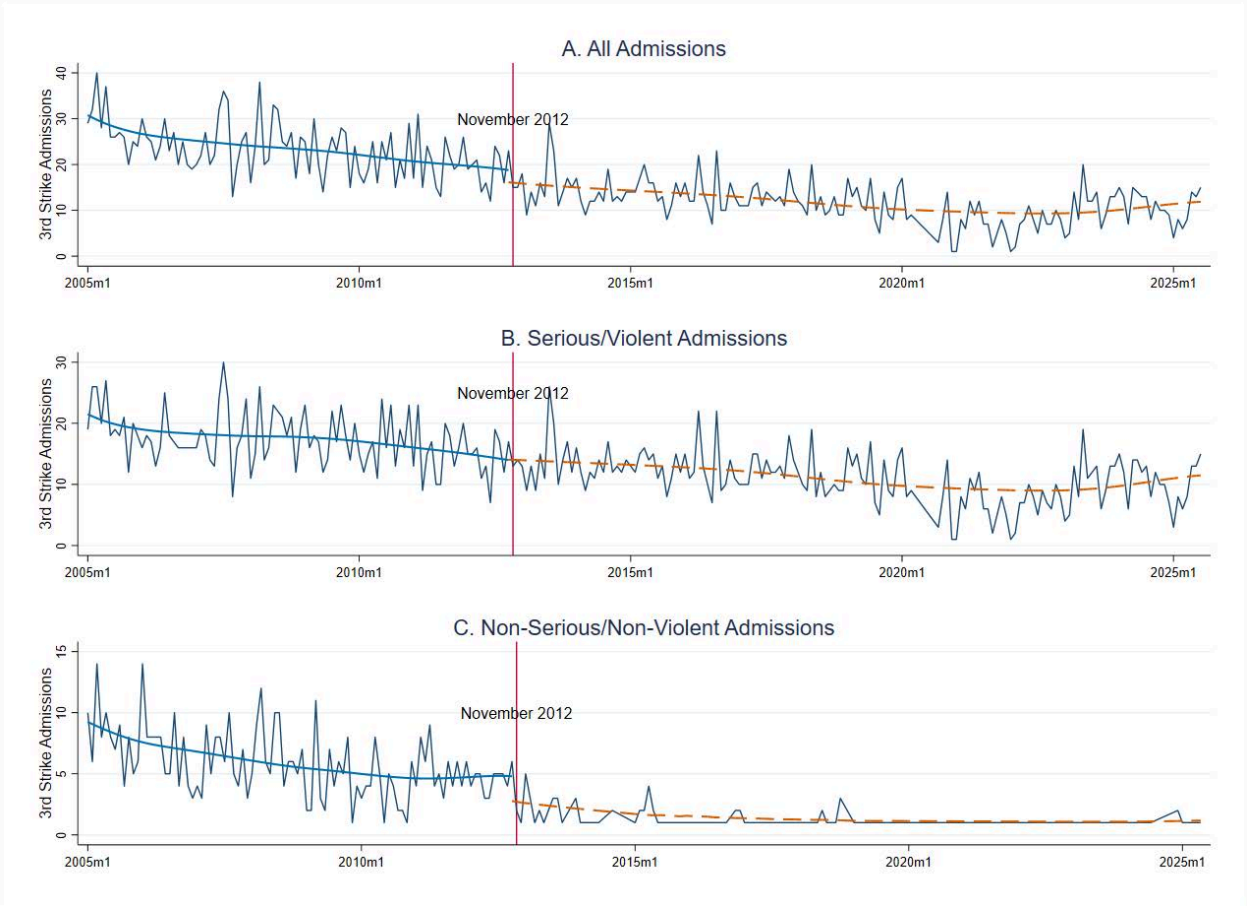
Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 8: Monthly Population of People Serving Second-Strike Sentences, January 2005 through December 2024



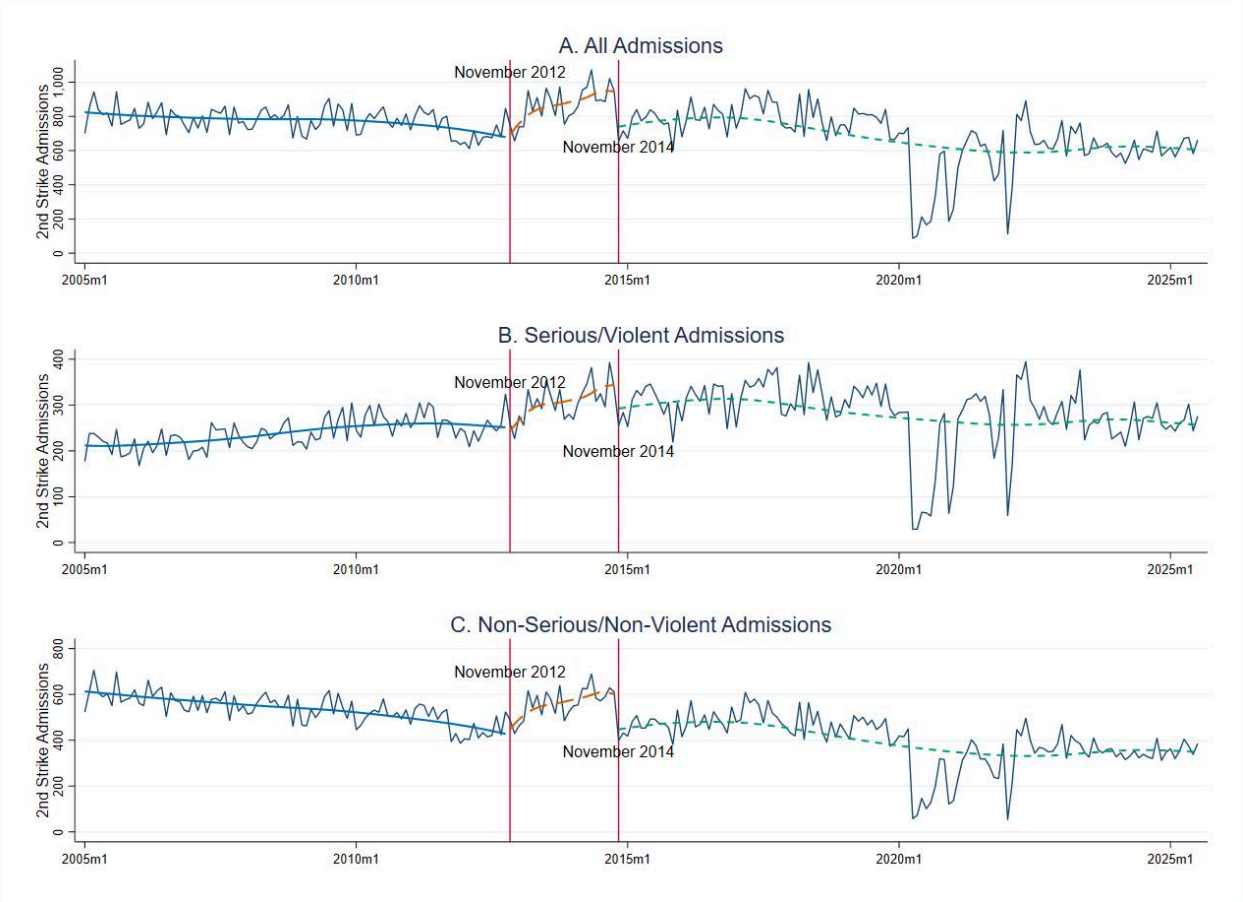
Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 9: Monthly Third-Strike Prison Admissions, January 2005 through December 2024: Overall, for Serious-Violent Third Felonies, and for Non-Serious/Non-Violent Third Felonies



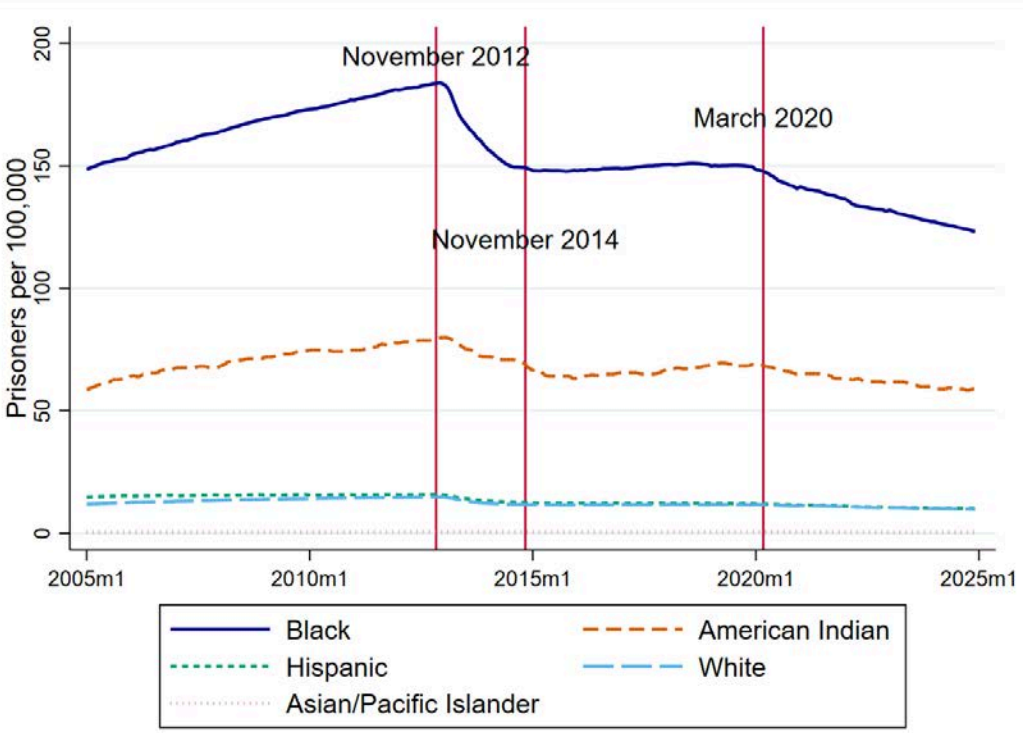
Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 10: Monthly Second-Strike Prison Admissions, January 2005 through December 2024: Overall, for Serious-Violent Third Felonies, and for Non-Serious/Non-Violent Second Felonies



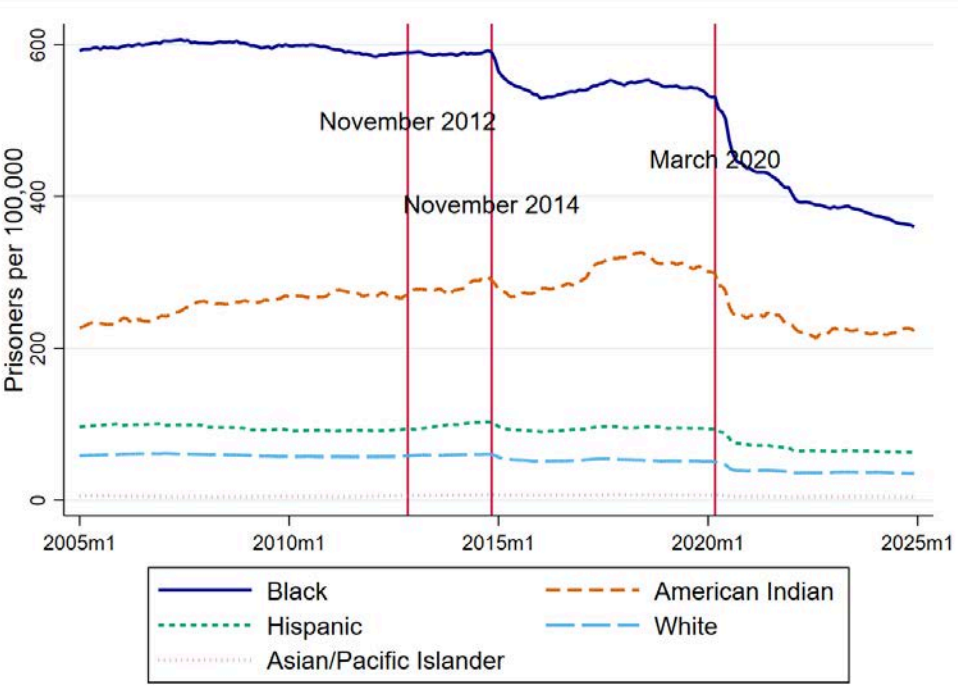
Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 11: Third-Strike Prisoners per 100,000 State Residents by Race/Ethnicity, January 2005 through December 2024



Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 12: Second-Strike Prisoners per 100,000 State Residents by Race/Ethnicity, January 2005 through December 2024



Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Table 6
Inmates Serving a Third-Strike Sentence by Race/ Ethnicity per 100,000 State Residents, October 2012 and October 2015

Race/Ethnicity	October 2012	October 2015	Change
White	14.8	11.7	-3.1
Black	183.5	147.7	-35.8
Hispanic	15.8	12.4	-3.4
Asian/PI	0.6	0.6	0.0
American Indian	78.7	64.1	-14.6

Author tabulations from CDCR administrative records.

Table 7
Inmates Serving a Second-Strike Sentence by Race/ Ethnicity per 100,000 State Residents, October 2012, October 2014, and October 2015

Race/Ethnicity	October 2012	October 2014	October 2015	Change, 2014-2012	Change, 2015-2014
White	58.2	60.6	52.0	2.4	-8.6
Black	589.3	592.2	538.2	2.8	-53.9
Hispanic	93.7	103.0	91.2	9.3	-11.9
Asian/PI	5.8	7.0	6.4	1.2	-0.6
American Indian	269.5	294.1	271.7	24.6	-22.5

Author tabulations from CDCR administrative records.

C. Proposition 47

Proposition 47 was approved by California voters on November 4, 2014, and went into effect the following day. Labeled "The Safe Neighborhoods and Schools Act," the proposition included several provisions that reduced the state's prison population. First, it reclassified simple drug possession offenses that could previously be charged as either a misdemeanor or felony (so-called "wobbler" offenses) to straight misdemeanors. [9]

Second, the proposition redefined several property offenses to misdemeanors, though the impact of the proposition built on an earlier policy change and was somewhat subtle. The general threshold distinguishing petty theft from felony grand theft had already been raised from $400 to $950 by earlier legislation (AB 2372), effective January 1, 2011. Proposition 47 built on this change by closing remaining avenues through which low-value theft could still be charged as a felony. In particular, the proposition created the new offense of shoplifting (PC 459.5), entering an open commercial establishment with the intent to steal property valued at $950 or less, which foreclosed the prior practice of charging such conduct as felony commercial burglary (PC 459). It also added PC 490.2, which provides that obtaining property by theft valued at $950 or less is petty theft notwithstanding any other provision defining grand theft, thereby reaching categories of property that had remained grand theft regardless of value. In addition, the proposition reduced forgery (PC 473), passing bad checks (PC 476a), and receiving stolen property (PC 496) to misdemeanors where the value involved was $950 or less, and it eliminated (with some exceptions) the felony offense of petty theft with a prior (PC 666).

Finally, like Proposition 36, Proposition 47 created a process for persons currently serving prison sentences for these redefined offenses to petition to be resentenced and released from prison, and it permitted persons who had served such sentences in the past to have their felony convictions reclassified as misdemeanors. Persons with prior violent and/or sexual offenses are excluded from the provisions of the proposition (Couzens and Bigelow, 2024).

We begin by investigating the effects of the proposition on the number of prisoners serving sentences for offenses singled out by Proposition 47 as well as the number of admissions. We present separate estimates for the impacted drug offenses (HS11350, HS11357, and HS11377) and the impacted theft offenses (PC 459, PC 473, PC 476a, PC 490.2, PC 496, and PC 666). Figures 13 and 14 present monthly prison population totals for persons serving Proposition 47-impacted drug and theft offenses. Both figures display these populations for the period spanning January 2005 through December 2024. In Figure 13, we observe the population serving time for felony possession offenses peaking in 2006 and then declining steadily, with the decline accelerating at the implementation of Realignment. In the months leading up to the passage of Proposition 47, the prison population serving time for possession offenses was increasing but declined sharply beginning in November 2014. By the end of the period, this population hit historic lows.

Regarding those serving time for impacted property offenses, in Figure 14 we observe a relatively stable population total prior to Realignment (roughly 31,000 persons serving time for

[9] This change applied to possession offenses as defined by HS11350, HS11357, and HS11377 of the state's health and safety code.

Proposition 47 theft offenses), a notable decline of about 6,000 following the implementation of Realignment, and a further discrete decline with the passage of Proposition 47. We also observe a sizable and permanent decline in this population coinciding with the onset of the pandemic. By the end of the period depicted, the prison population serving time on a Proposition 47 theft offense is roughly one-third its size at the beginning of the period.

Figures 15 and 16 present comparable time series covering the same period for prison admissions. There are sharp drops in prison admissions for both impacted drug and theft offenses with the implementation of Realignment as well as the passage of Proposition 47. While we do not have equivalent data to study California's jail population, prior research documents a discrete increase in jail populations with the implementation of Realignment and comparable declines in the jail population with the passage of Proposition 47 (Lofstrom, Bird, and Martin, 2016; Bird et al., 2018). Hence, while the earlier declines in admissions likely reflected diversion to county jails, the declines associated with Proposition 47 are diversions to lesser punishments likely not involving incarceration. Moreover, the impacts of Proposition 47 on incarceration would be larger if we could incorporate comparable data on county jails.

In terms of admissions, there are very few admissions to prison for drug possession, post Proposition 47. Admissions for impacted theft offenses declined from roughly 1,700 a month at the beginning of the period depicted to roughly 500 per month by the end of the period.

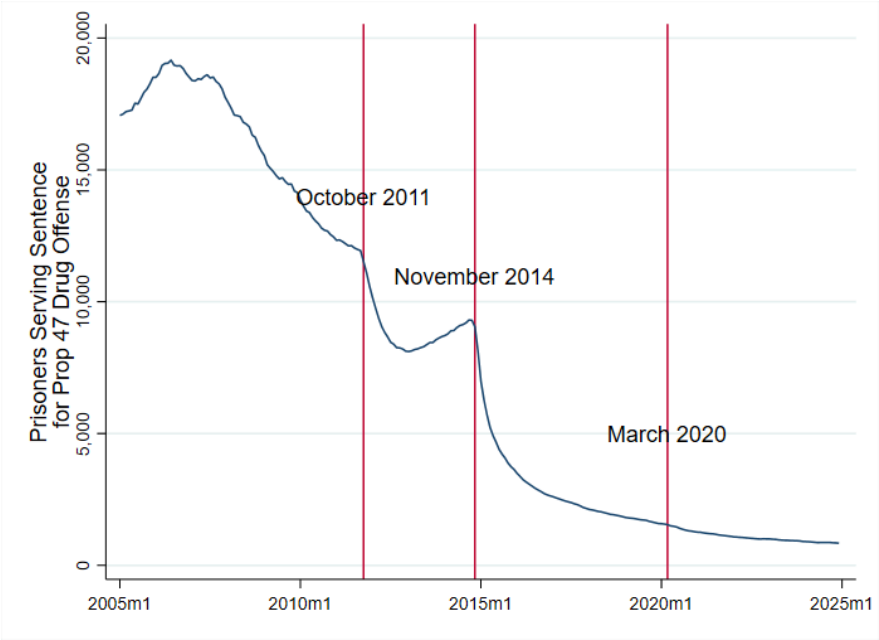
Figures 17 and 18 present incarceration rates for Proposition 47- impacted drug and theft offenses by race/ethnicity, respectively. Again, we display incarceration rates (number of prisoners per 100,000 state residents) for the period from January 2005 through December 2024. The period begins with large racial disparities in incarceration rates for drug possession offenses. However, these disparities narrow during the period preceding Realignment. Like the overall trends, there are notable declines in incarceration rates for these offenses following Realignment as well as following the passage of Proposition 47. We observe the largest declines in incarceration rates for Black people and for American Indian people.

Tables 8 and 9 summarize the direct impacts of Proposition 47 by race and ethnicity. For each group, the table presents the overall incarceration rate (at the bottom of the table) in January 2014 and December 2015 as well as offense-specific incarceration rates based on the most serious conviction charge. Over this period, we observe the largest decline in overall incarceration rates for Black people (-105.1), followed by American Indian people (-47.4), White people (-15.4), and Hispanic people (-11.4). There is a slight increase in overall incarceration rates for Asian/Pacific Islander people; however, the incarceration rate for this group is very low. Given that declines were the largest for groups with the highest incarceration rates, Proposition 47 narrowed inter-racial incarceration rate disparities.

Looking at specific offense categories, it becomes clear that the declines in incarceration rates are driven by declines in incarceration rates for drug offenses and property offenses. We do not observe notable changes in the incarceration rates for person/violent offenses and other offenses not singled out by the proposition.

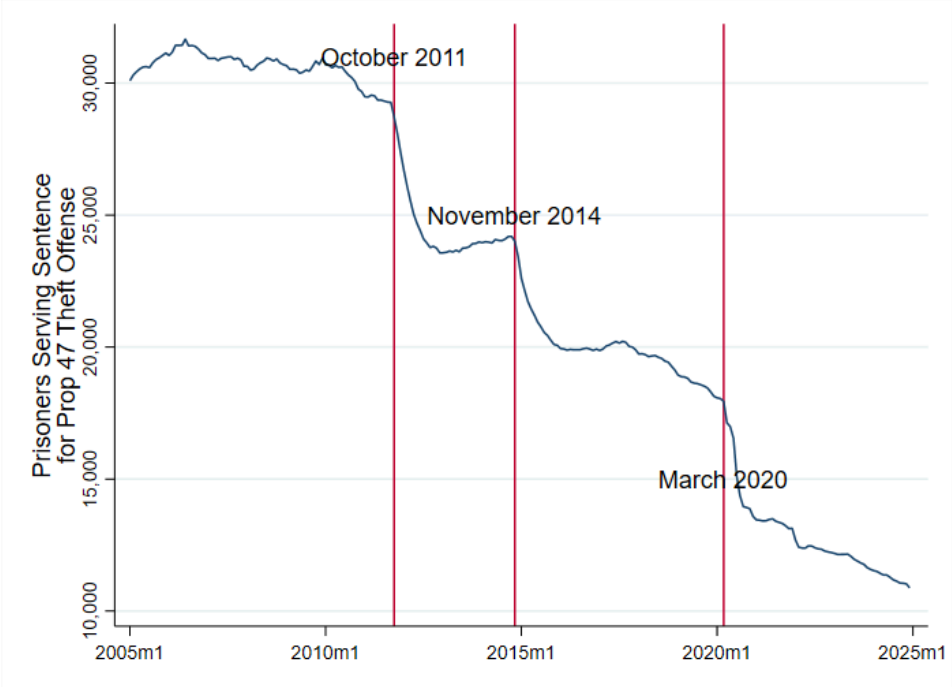
Our analysis of admissions and population counts involving offenses enhanced by a second strike suggests that the proposition may have had an indirect effect on this population. While the coincident early release of people with second strikes ordered by the federal court overseeing *Brown v. Plata* likely explains the lion's share of the decline in the second-strike population, the discrete decline in second-strike admissions with the implementation of Proposition 47 is suggestive of such an indirect effect. Such an indirect effect implies that a portion of the individuals who would have been sentenced to prison prior to Proposition 47 were receiving doubled sentences due to their criminal histories. With these cases now being prosecuted as misdemeanors, the strike enhancement would no longer apply. This is one illustration of how the various aspects of California sentencing policy may interact with one another in subtle ways.

Figure 13: Prisoners Serving Time on a Drug Offense that is Reclassified under Proposition 47



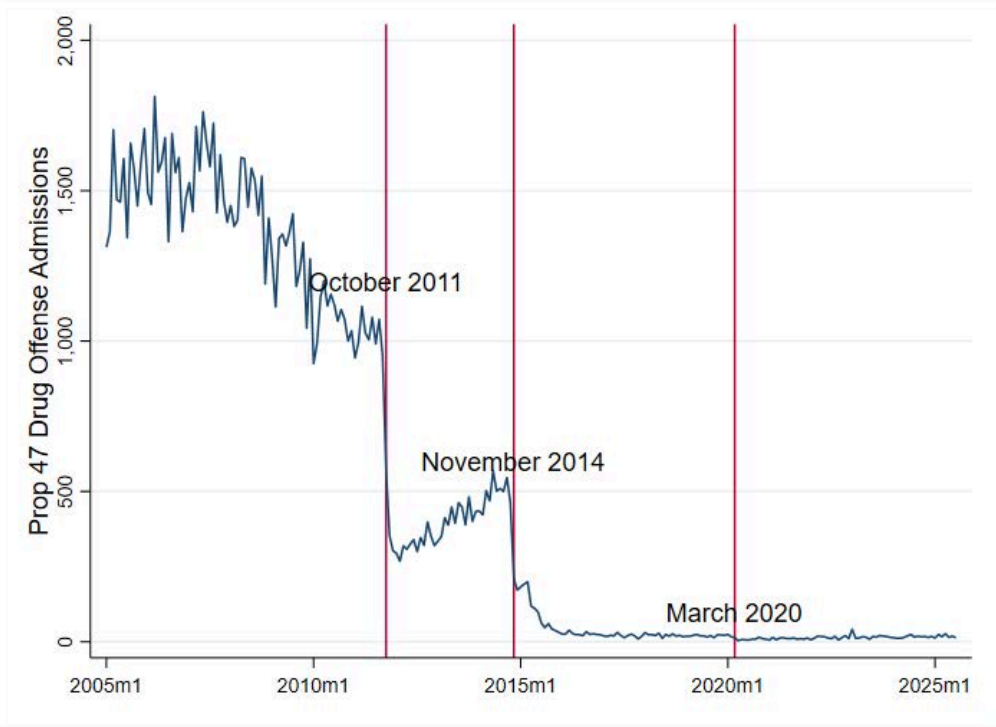
Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 14: Prisoners Serving Time on a Property Offense that is Reclassified under Proposition 47



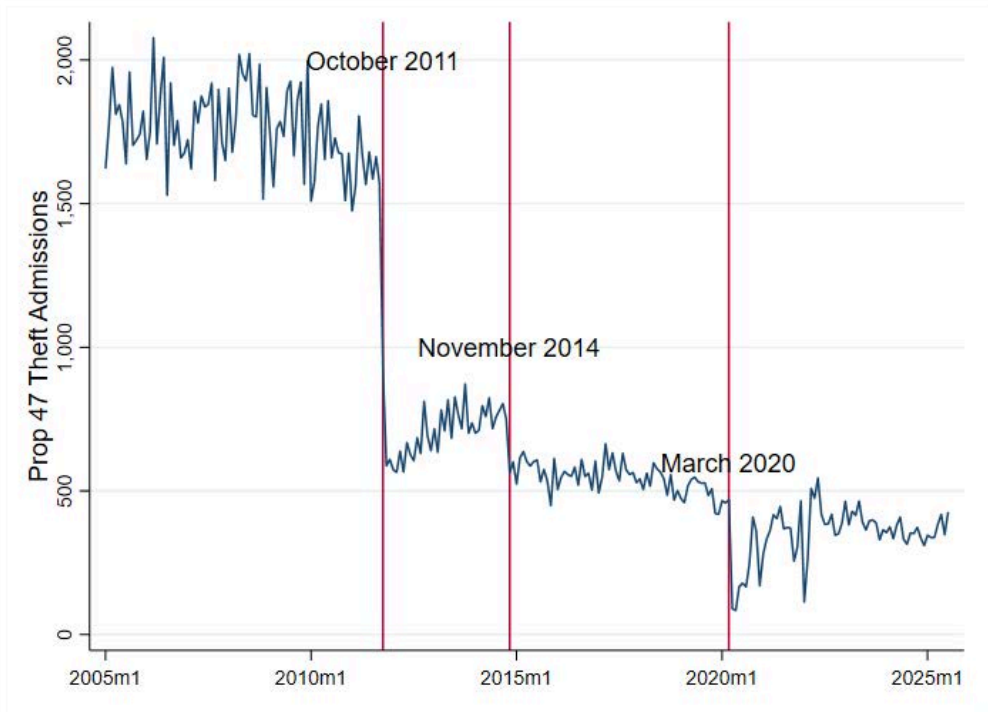
Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 15: New Admissions for Proposition 47 Drug Offenses



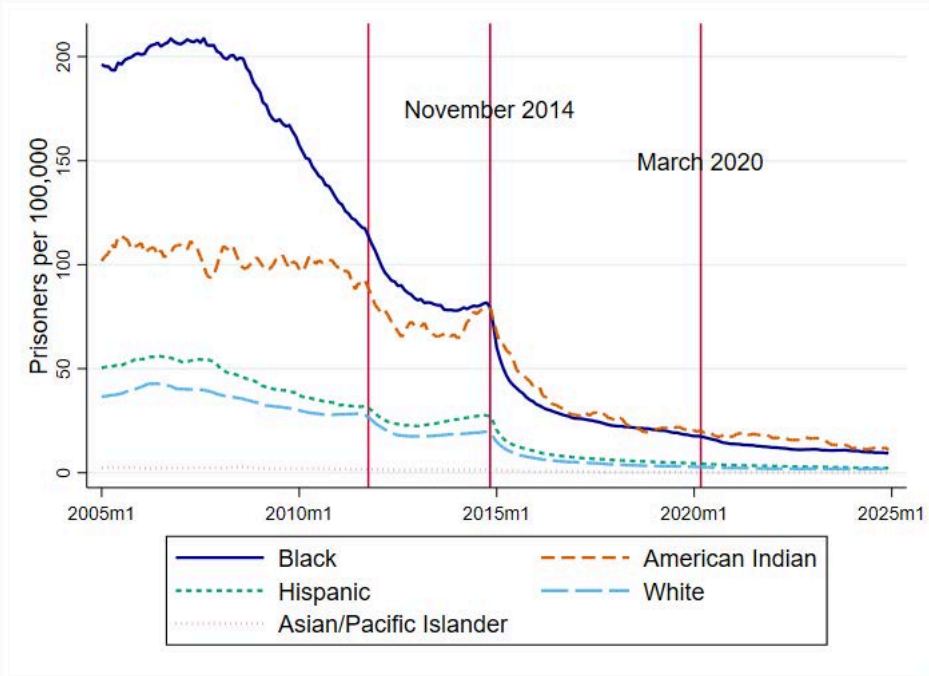
Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 16: New Admissions for Proposition 47 Theft Offenses



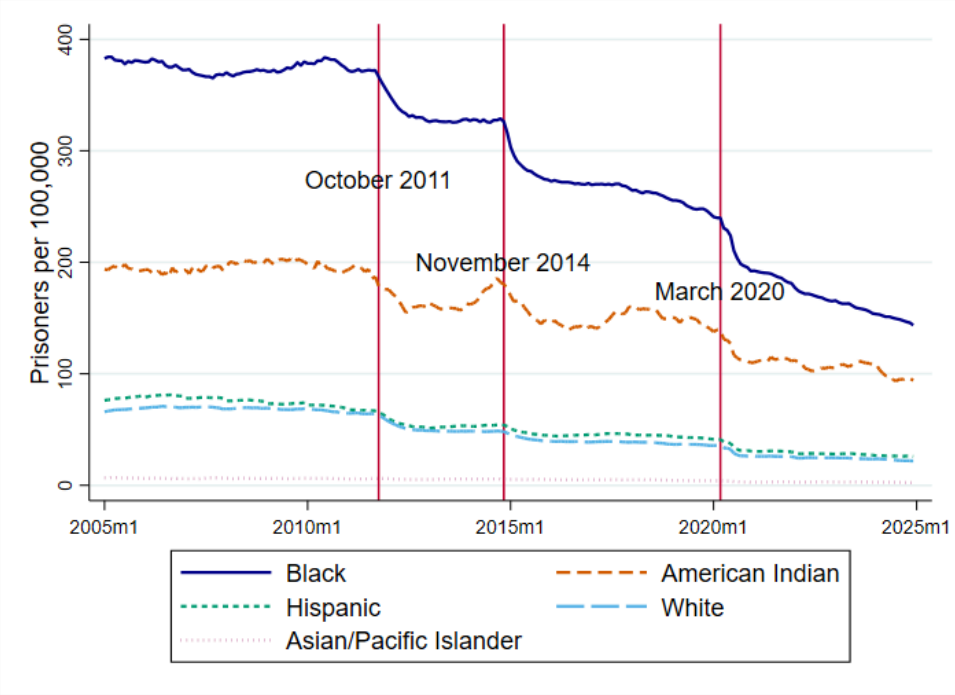
Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 17: Proposition 47 Drug-Offense Prisoners per 100,000 State Residents by Race/Ethnicity, January 2005 through December 2024



Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 18: Proposition 47 Theft-Offense Prisoners per 100,000 State Residents by Race/Ethnicity, January 2005 through December 2024



Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Table 8
Comparison of White, Black, and Hispanic Incarceration Rates (Prison Inmates per 100,000 California Residents) by Controlling Offense for January 2014 against December 2015

Offense	White			Black			Hispanic		
	Jan 2014	Dec 2015	Change	Jan 2014	Dec 2015	Change	Jan 2014	Dec 2015	Change
Murder	32.9	31.8	-1.1	305.3	303.1	-2.2	52.2	52.6	0.4
Manslaughter	4.2	4.3	0.1	55.5	57.2	1.7	12.9	13.5	0.6
Veh. Man.	1.5	1.6	0.1	4.2	4.3	0.1	2.0	2.0	0.1
Rape/sex assault	30.8	31.3	0.5	139.5	140.1	0.6	46.3	48.9	2.6
Robbery	20.3	20.6	0.3	391.9	391.4	-0.5	58.5	58.5	-0.1
Assault	37.2	38.2	1.0	341.5	357.6	16.1	96.0	101.1	5.1
Kidnapping	2.9	2.6	-0.3	41.1	40.9	-0.3	7.5	7.4	-0.1
Arson	1.2	1.3	0.1	5.3	5.2	-0.2	0.8	1.0	0.2
Drug Offense	18.7	11.1	-7.6	147.9	81.5	-66.4	32.4	19.9	-12.5
Burglary	22.4	18.1	-4.3	159.4	137.5	-21.8	22.6	18.4	-4.2
Theft/Fraud	6.3	3.7	-2.6	47.9	18.8	-29.1	5.7	3.0	-2.6
Other property	4.1	2.4	-1.7	16.4	9.0	-7.4	4.6	2.7	-1.8
Vehicle theft	5.4	5.6	0.2	12.2	12.6	0.4	6.4	7.3	0.9
Public order	10.5	10.2	-0.3	75.6	76.6	1.0	21.6	21.4	-0.2
Other property	5.2	5.3	0.1	38.8	41.6	2.8	9.0	9.1	0.1
Parole violation	0.0	0.0	0.0	0.3	0.4	0.1	0.1	0.1	0.0
Offense Missing	0.4	0.6	0.2	1.6	1.6	0.0	0.4	0.7	0.3
Total	204.1	188.7	-15.4	1784.5	1679.4	-105.1	379.0	367.6	-11.4

Author tabulations from CDCR administrative records.

Table 9
Comparison of Asian/Pacific Islander and American Indian Incarceration Rates (Prison Inmates per 100,000 California Residents) by Controlling Offense for January 2014 against December 2015

	Asian/Pacific Islander			American Indian		
Offense	Jan 2014	Dec 2015	Change	Jan 2014	Dec 2015	Change
Murder	4.8	0.1	216.1	202.1	-14.0	159.2
Manslaughter	1.3	0.0	33.3	35.7	2.4	25.1
Veh. Man.	0.2	0.0	7.9	6.7	-1.2	4.4
Rape/sex assault	4.1	0.6	137.4	131.3	-6.1	90.3
Robbery	4.5	0.5	101.7	106.5	4.8	86.9
Assault	7.8	1.3	245.1	254.7	9.6	143.0
Kidnapping	0.6	0.1	13.9	10.9	-3.0	16.9
Arson	0.1	0.0	6.7	9.1	2.4	2.1
Drug Offense	1.4	-0.5	73.2	49.6	-23.6	34.3
Burglary	2.3	-0.1	52.0	48.4	-3.6	48.0
Theft/Fraud	0.7	-0.3	13.9	4.2	-9.7	10.2
Other property	0.3	-0.2	13.3	10.3	-3.0	5.0
Vehicle theft	0.5	-0.1	16.3	14.5	-1.8	8.0
Public order	1.4	0.1	65.4	60.5	-4.9	25.2
Other property	0.6	0.0	23.6	27.8	4.2	12.8
Parole violation	-	-	0.6	0.6	0.0	0.2
Offense Missing	0.1	0.0	0.6	0.6	0.0	0.3
Total	29.1	30.7	1.6	1021.0	973.6	-47.4

Author tabulations from CDCR administrative records.

D. Reforms to Sentence Enhancements

Criminal sentences in California typically involve a prescribed sentence for each conviction offense and the possibility of add-ons referred to as sentence enhancements for specific characteristics of the offense or the individual's criminal history. Base sentence lengths for specific offenses are prescribed by statute, with most convicted people receiving determinate (fixed-length) sentences and some receiving indeterminate (open-ended) sentences, such as 25-years-to-life. Sentence enhancements extend the length of the term beyond the base sentence.

California has over 100 possible sentence enhancements, though there are a handful (e.g., enhancement for second or third strike, gun enhancements, prior-prison enhancements) that constitute most applied enhancements (Bird et al., 2023). Enhancements fall into two broad categories. Offense enhancements (sometimes referred to as conduct enhancements) are applied to specific aggravating circumstances of the crimes, for example whether a gun was involved or the crime was gang related. Case enhancements add time due to aspects of the individual's criminal history. One of the most frequently applied case enhancements over the 21st century in California is a one-year enhancement for each prior prison term. A doubled sentence for a felony offense for someone with a prior strike is also frequently applied.

As noted above, there have been several recent reforms to the use of enhancements that either limit their application or increase the ability of judges to strike the application of specific types of enhancements, with all these reforms having effective dates of January 1, 2018, or later.

The specific reforms include:

- SB 180 (2018) eliminated the three-year enhancement for most prior drug convictions;
- SB 620 (2018) permitted judicial discretion in the striking of certain firearm enhancements;
- SB 1393 (2019) permitted judicial discretion in striking "nickel prior" enhancements, a five-year enhancement for each prior serious felony conviction;
- SB 136 (2020) eliminated the one-year enhancement for each prior felony prison or jail term;
- AB 333 (2022) narrowed the application of gang enhancements;
- SB 483 (2022) made the provisions of SB 180 and SB 136 retroactive.

Of the reforms creating new rules, three apply to case enhancements (reforms to the three-year prior-drug enhancement, one-year prior prison enhancement, and the nickel-prior enhancement) and two apply to offense enhancements (reforms to the application of firearm and gang enhancements).

Figure 19 displays trends in the inmate population (top row of figures) and new admissions (bottom row of figures) involving one of the reformed case enhancements. The first column presents trends for the one-year prior-prison enhancement, the second column presents trends for the nickel-prior enhancement, while the final column presents trends for the drug-prior, three-year enhancement. For each graph we use vertical lines to mark three key dates: two red

lines marking the implementation of Realignment and Proposition 47 and a blue line marking the effective date of the reform to the specific enhancement.

The one-year prior prison enhancement has historically been the most frequently used. There were roughly 600 monthly admissions with this enhancement in the pre-Realignment period, dropping to between 200 and 400 monthly admissions prior to its reform, and then dropping to near zero in most months since the reform. At the peak prison population, nearly 20,000 inmates were serving sentences that carried this enhancement. By December 2024, this declined to fewer than 5,000.[10] Moreover, given that monthly admissions were zero in most months following the reform, the population serving time with this enhancement will likely continue to decline.

The nickel-prior enhancement is applied to far fewer admissions (between 100 and 200 monthly admissions prior to the reform in 2019). Nonetheless, given the length of this enhancement, the population incarcerated with a nickel-prior enhancement was of a similar order of magnitude to those with the more frequently applied one-year prior prison enhancement. While we did not see the application of this enhancement going to zero post reform, we did see distinctly lower application in the post-reform period, with monthly admissions subject to this enhancement typically below 50 per month.

Of the three reformed case enhancements, the three-year prior-drug enhancement was the least applied, with monthly admissions of around 100 pre-Realignment, and dropped to roughly 25 post-Realignment, and then declined to single digits in the post-reform period. The population serving a prison sentence lengthened by a drug enhancement was much smaller than the comparable population serving time with the other case enhancements. At its peak, this population stood at slightly fewer than 3,500. By December 2024, the population serving time with such enhancements declined to below 100.

Figure 20 presents comparable trends for the two reformed offense enhancements, with the first column showing trends for gun enhancements and the second showing trends for gang enhancements. For gun enhancements, the population serving time with these enhancements trended downward after each reform, alongside a modest decline in average monthly admissions. The reform did not eliminate enhancements entirely but given that they are typically applied in more serious felony cases, it is not surprising that expanded judicial discretion produced only modest declines in admissions.

Monthly admissions for gang enhancements have been trending downward since late 2014. Post-reform, however, this decline accelerated, with monthly admissions of fewer than 20 per month.

[10] To be sure, the population reductions for people with some of these enhancements likely reflect in part the aforementioned population reductions ordered by the federal court as well as discretionary parole release under Proposition 57. Internal preliminary research at the California Policy Lab suggests that roughly 4,500 people were released due to the court order with most occurring in 2015. An additional 5,500 have been released earlier because of Proposition 57 beginning in 2018. A detailed report on the effects of Proposition 57 is forthcoming. In addition, after 2022 there were many people in prison who were resentenced under the provisions of SB 483 through removal of these enhancements. Some were likely released immediately following resentencing, while others had their expected time to release shortened.

Bird et al. (2023) documented large inter-racial/ethnic disparities in the proportion of California prison inmates with some form of an enhanced sentence. For example, in July 2022 roughly 78% of Black inmates and 70% of American Indian inmates were serving sentences lengthened by an enhancement (compared to 66% and 58% for Hispanic and White inmates are 66% and 58%, respectively). They also documented a similar ordering by race/ethnicity in the percent of admissions since 2015 that carry an enhanced sentence. In analyzing the source of the disparity, most of the gaps were explained by inter-group differences in criminal history, as well as inter-group differences in offense severity.

The higher prevalence of enhanced sentences among certain groups suggests that the recent enhancement reforms may have had disparate effects on group-specific incarceration rates. We assess whether this is the case in Tables 10 through 14.

Tables 10, 11, and 12 focus on the one-year prior prison enhancement, the nickel-prior enhancement, and the prior-drug enhancement, respectively. The structure of the three tables is similar. The first column presents the number of inmates per 100,000 state residents with the enhancement attached to their sentences in the month prior to the reform's implementation.[11] The next column presents the number of inmates per 100,000, whose original sentence included the sentence enhancement in December 2024. The third column presents the number of inmates per 100,000 in December 2024 that were serving a sentence lengthened by the enhancement. Note that the difference between the figures in the second and third column is driven by people who were resentenced and had their enhancement removed yet were still incarcerated as of December 2024.

The final two columns present two estimates of the impact of the reform: the change in the number of inmates whose original sentence was lengthened by the specific enhancement (column (2) minus column (1)) and the change in the number of currently incarcerated inmates that were serving a sentence that lengthened by the specific enhancement (column (3) minus column (1)). Note, the second set of changes are all slightly larger, reflecting the impact of resentencing on those who are still incarcerated. Each column provides separate estimates by race/ethnicity.

In Table 10, we observe the largest decline in the incarceration rates subject to the one-year prior prison enhancements for Black people, followed by American Indian people, people in the other/unknown category, Hispanic people, White people, and Asian people. The difference between the change in the number incarcerated with original sentences subject to the enhancement and the change in the currently incarcerated subject to the enhancement is sizable. For example, the two respective declines were 119 and 173 inmates per 100,000 for Black people, suggesting a sizable impact of retroactive resentencing on the impact of this enhancement. The differential impacts across groups vary considerably. Using the figures in the final column (accounting for resentencing), the decline in inmates per 100,000 subjected to this enhancement was 173 for Black people, 145 for American Indian people, 31 for Hispanic people, 26 for people in the other/unknown category, 22 for White people, and 2 for Asian people.

[11] Recall, the implementation dates are January 2019 for the one-year prior-prison reform and for the nickel prior, and January 2018 for the three-year, prior-drug enhancement.

We see similar patterns for the change in inmates admitted with the nickel prior in Table 11, though here the declines for Black people were far larger than those for other groups. Specifically, the number of inmates per 100,000 who were incarcerated in December 2024 with an effective nickel prior enhancement declined by 147 for Black people, 39 for American Indian people, 24 for people in the other/unknown category, 19 for Hispanic people, 10 for White people, and 2 for Asian people. The declines are monotonically larger for groups with larger pre-reform populations impacted by this enhancement.

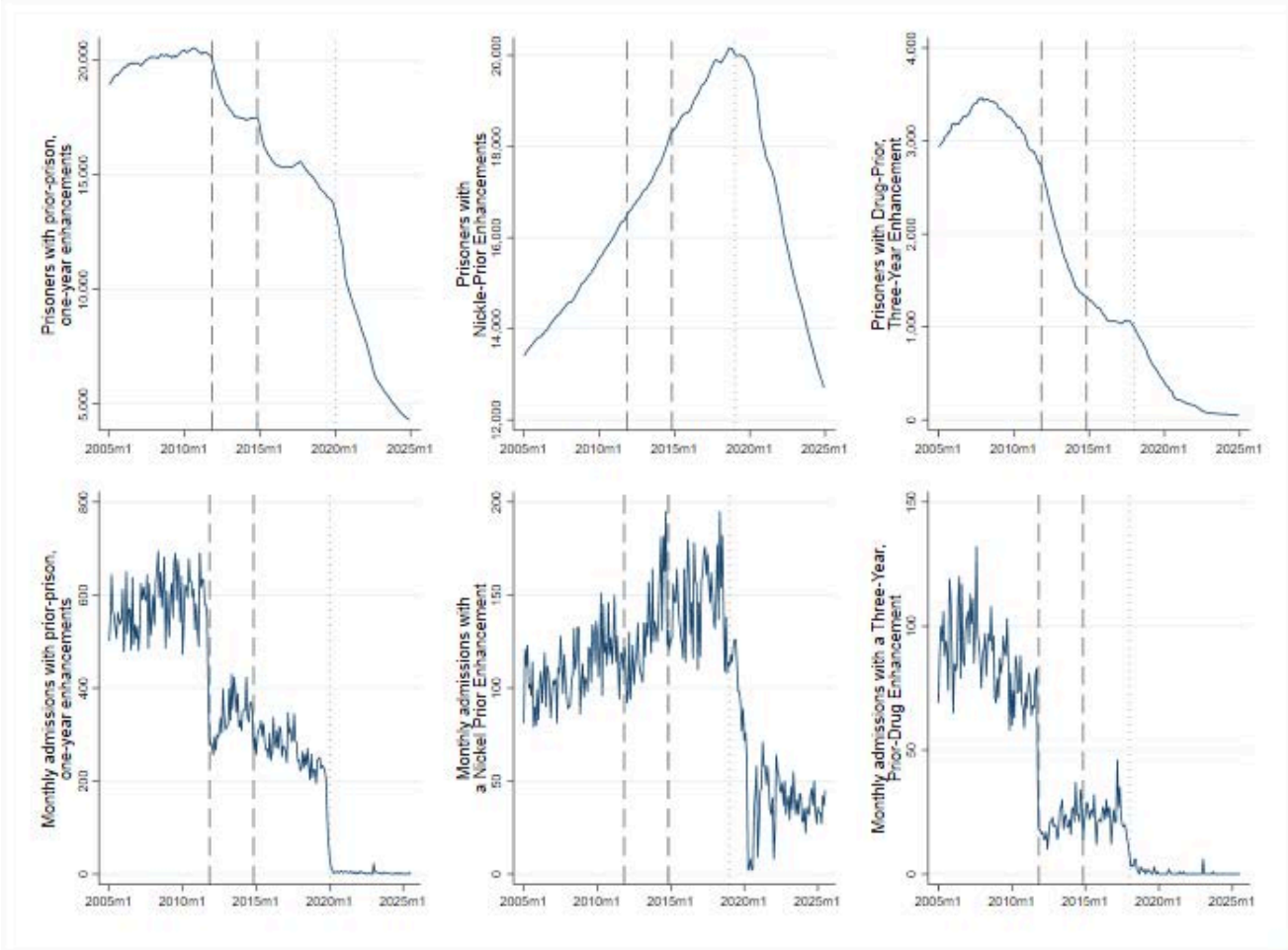
Table 12 presents the results for the three-year, prior-drug enhancement. Again, we see the largest declines in the impacts of this enhancement for Black people, with the second largest impact on Hispanic people. Here, however, there was a small number of inmates impacted by this enhancement prior to the reform.

Tables 13 and 14 present similar tabulations for people whose sentences are lengthened by gun or gang enhancements, respectively. Since these policy changes were not applied retroactively, the structure of these tables is slightly different. For each enhancement type we present the number of inmates per 100,000 state residents subject to the enhancement in the month preceding the policy reform, in December 2024, and the pre-post changes. Again, we observe the largest impacts of reforms to these two enhancements for Black inmates, with a decline in the number per 100,000 from 494 in December 2017 to 414 in December 2024 (a decline of 80). There are also notable yet smaller declines for Hispanic people (a decline of 16 per 100,000) and American Indian people (13), and much smaller declines for White people (3) and Asian people (2).

Finally, Table 14 presents results for gang enhancements. The number of inmates per 100,000 residents subject to this enhancement was much lower than those with gun enhancements (when we compare their respective pre-reform periods). In the pre-period, the rate was highest for Black people (72 per 100,000) and Hispanic and American Indian people (29 and 19 per 100,000, respectively), and generally quite low for White and Asian people (1 and 2 per 100,000, respectively). There was a post-reform decline in the number of prison inmates subject to this enhancement, with all racial/ethnic groups experiencing declines. Again, the declines were largest for the groups with highest pre-reform incarceration rates (Black and Hispanic people in particular).

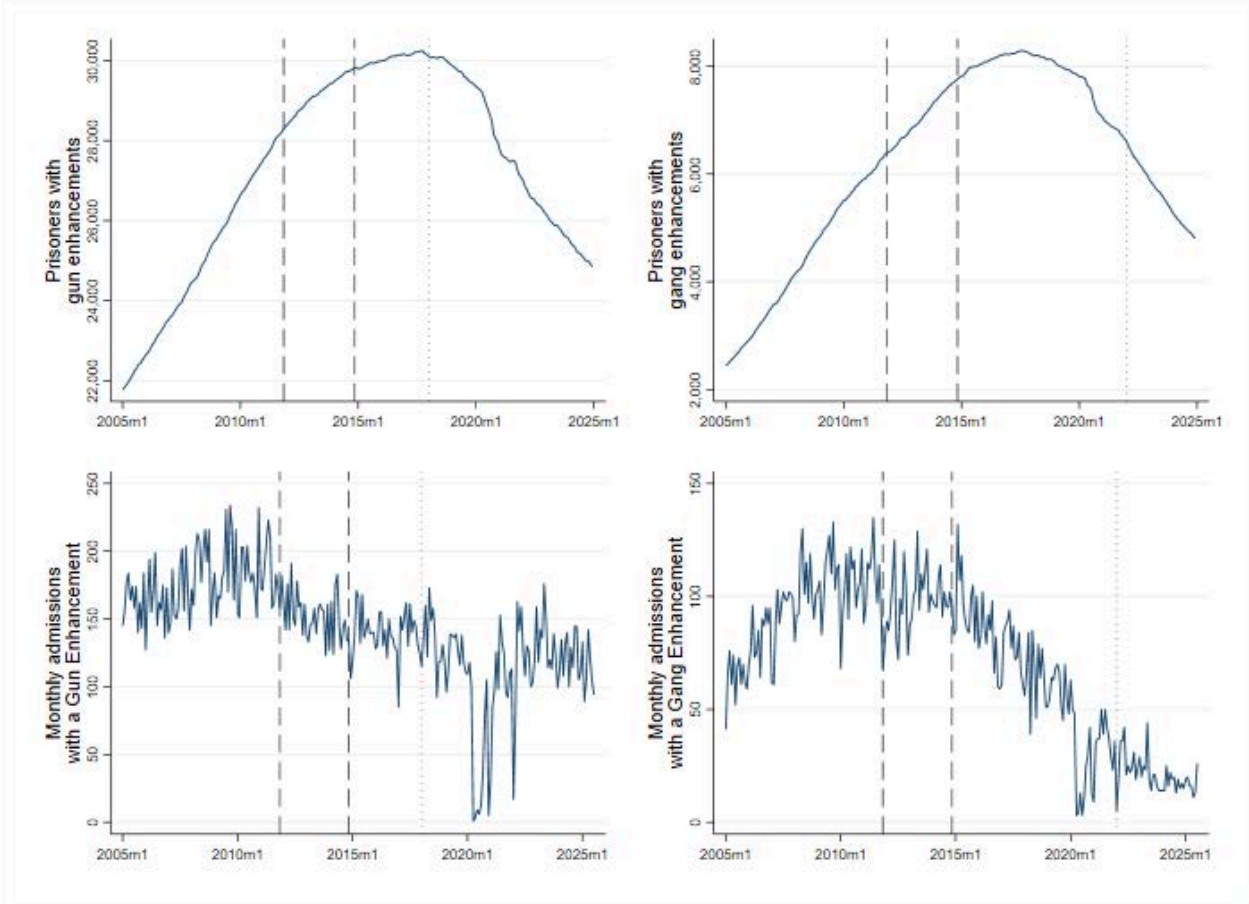
To summarize, reforms to sentencing enhancements since 2017 have reduced both the number of people admitted to prison with these enhancements tied to their sentences and the number incarcerated at a given point in time with enhanced sentences. The effects of these reforms were consistently larger for racial and ethnic groups that were disproportionately subjected to these enhancements before reform. Given that Black, American Indian, and Hispanic people were more likely to be serving enhanced sentences (with the highest rates for Black people), these reforms have narrowed inter-racial disparities in the impacts of this set of sentencing practices.

Figure 19: Monthly Incarcerated Population and Monthly New-Conviction Admissions with Case Enhancements Impacted by Recent Reforms



Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24

Figure 20: Monthly Incarcerated Population and Monthly New-Conviction Admissions with Conduct Enhancements Impacted by Recent Reforms



Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24.

Table 10
Inmates per 100,000 With a One-Year, Prior-Prison Sentence Enhancement on their Original Sentence (December 2019 and December 2024) and Currently Incarcerated with a One-Year, Prior-Prison Sentence Enhancement (December 2024) by Race/Ethnicity

	Original Sentence Includes Enhancement		Currently incarcerated with enhancement		
Race/Ethnicity	Dec. 2019 (1)	Dec. 2024 (2)	Dec. 2024 (3)	Change, (2) – (1)	Change, (3) – (1)
White	23.6	6.2	1.6	-17.4	-22.0
Black	197.3	78.5	24.4	-118.8	-172.9
Hispanic	33.6	9.8	2.7	-23.8	-30.9
Asian/PI	1.8	0.3	0.1	-1.4	-1.7
Am. Indian	160.6	53.8	15.4	-106.8	-145.2
Other/Unknown	29.3	9.0	3.0	-20.3	-26.2

Table 11
Inmates per 100,000 With a Nickel Prior Sentence Enhancement on their Original Sentence (December 2018 and December 2024) and Currently Incarcerated with a Nickel Prior Sentence Enhancement (December 2024) by Race/Ethnicity

	Original Sentence Includes Enhancement		Currently incarcerated with enhancement		
Race/Ethnicity	Dec. 2018 (1)	Dec. 2024 (2)	Dec. 2024 (3)	Change, (2) – (1)	Change, (3) – (1)
White	25.8	17.3	16.3	-8.5	-9.5
Black	374.9	244.6	228.0	-130.2	-146.9
Hispanic	45.0	27.4	25.8	-17.6	-19.1
Asian/PI	3.3	1.6	1.5	-1.6	-1.7
American Indian	148.8	117.8	110.1	-31.0	-38.7
Other/Unknown	56.5	33.9	32.6	-22.6	-24.0

Table 12
Inmates per 100,000 With a Three-Year, Prior-Drug Sentence Enhancement on their Original Sentence (December 2017 and December 2024) and Currently Incarcerated with a Three-Year, Prior-Drug Sentence Enhancement (December 2024) by Race/Ethnicity

	Original Sentence Includes Enhancement		Currently Incarcerated with Enhancement		
Race/Ethnicity	Dec. 2017 (1)	Dec. 2024 (2)	Dec. 2024 (3)	Change, (2) – (1)	Change, (3) – (1)
White	2.2	0.1	0.0	-2.1	-2.2
Black	10.6	0.8	0.4	-9.7	-10.1
Hispanic	2.6	0.1	0.1	-2.5	-2.5
Asian/PI	0.3	0.0	0.0	-0.3	-0.3
American Indian	1.2	0.0	0.0	-1.2	-1.2
Other/Unknown	2.5	0.0	0.0	-2.5	-2.5

Table 13
Inmates per 100,000 With a Gun Enhancement on their Original Sentence (December 2017 and December 2024) by Race/Ethnicity

Race/Ethnicity	December 2017 (1)	December 2024 (2)	Change, (2) – (1)
White	21.3	18.0	-3.3
Black	494.1	414.0	-80.1
Hispanic	89.8	73.7	-16.1
Asian/PI	7.2	5.7	-1.5
American Indian	164.5	151.7	-12.8
Other/Unknown	149.9	85.8	-64.1

Table 14
Inmates per 100,000 With a Gang Enhancement on their Original Sentence (December 2021 and December 2024) by Race/Ethnicity

Race/Ethnicity	December 2021 (1)	December 2024 (2)	Change, (2) – (1)
White	1.2	0.9	-0.3
Black	72.1	55.4	-16.7
Hispanic	29.3	20.5	-8.9
Asian/PI	1.5	0.7	-0.8
American Indian	19.4	15.4	-4.0
Other/Unknown	16.4	10.5	-5.8

E. Reforms to Parole Release for Indeterminately Sentenced Inmates and Inmates with Exceptionally Long Determinate Sentences

Most of the reforms that we have discussed thus far directly impact either the admissions rates or sentences of people with determinate sentences.[12] People with determinate sentences are released via formula, with their earliest possible release date determined by their sentence length, less credits earned for good behavior and time served prior to admission to CDCR. People serving long indeterminate sentences are released at the discretion of the Board of Parole Hearings (BPH). For these inmates, there is a minimum eligible parole date (MEPD) determined by the lower bound of their sentence. Once eligible for parole, BPH reviews cases through a hearing process that is based largely on an assessment of the risk the person poses to public safety.[13]

Since 2014, eligibility for discretionary parole release has expanded, both increasing the population eventually eligible for parole review and likely moving up the MEPD for many long-term prison inmates. Moreover, many of these reforms have extended eligibility to inmates with extremely long determinate sentences (some of whom carry sentences much longer than the natural lives of humans). To summarize what we have already discussed above:

- In 2014, eligibility for discretionary parole release was extended to people aged 60 years or older who had served 25 years, including persons with determinate sentences but excluding the condemned and people with LWOP sentences.
- In 2021, elderly parole eligibility was extended to those aged 50 or older who had served at least 20 years of their sentence, with some exceptions.
- Effective in 2014, youth offender parole hearings were established for people who committed their controlling offense before the age of 18, providing a parole hearing during the 15th, 20th, or 25th year of incarceration, depending on the sentence imposed; previously, such individuals were sentenced and became parole eligible as adults.
- In 2016, this eligibility was extended to those who were under the age of 23 when they committed their offense, and in 2018 it was further extended to those under the age of 26.
- As of 2018, people who receive LWOP sentences for offenses committed prior to their 18th birthday are eligible for a youth offender parole hearing during their 25th year of incarceration.

Figures 21 and 22 visualize these policy changes for elderly parole and juvenile parole respectively. Figure 21 presents current age along the horizontal axis and current time served along the vertical axis, shading the age-time served combinations eligible for elderly parole as of 2014 and 2021, with a clear visualization of the expansions of eligibility in these two years. Figure 22 for juvenile parole plots time served on the vertical axis and age at the time the offense was committed along the horizontal axis. It shows that no special parole consideration existed for people who committed their offense as juveniles before 2014; youth offender parole was created that year by SB 260 (age 18 and under) and then expanded in 2016 (age 23 and under) and 2018 (age 26 and under), with SB 394 (2018) extending eligibility to juvenile LWOP cases after 25 years served. Prior to 2014, people who were under 18 at the time of their offense received no

[12] Of course, our analysis of Proposition 36 pertains to indeterminate life terms. However, for people resentenced under the proposition, sentences were converted from indeterminate to determinate sentences.
[13] See Schaeffer (2020) for a detailed description of California's parole review procedures.

special parole consideration; their parole eligibility, if any, was governed by the terms of their sentence. Dedicated youth offender parole eligibility dates to 2014.

The result of these reforms is that currently in California, only individuals with LWOP sentences for offenses committed at age 18 or older and the condemned are ineligible for release during their natural lives. Everyone else, including determinately-sentenced people with extremely long sentences, are eligible for release once they meet the age and time-served criteria.

In 2019, the BPH changed their procedures for parole review by introducing a structured decision-making framework (SDMF) for evaluating cases. The SDMF is a structured professional judgment model that assembles and evaluates both clinical and actuarial risk assessments and provides a rubric for decision-making by parole board members. Shaffer (2020) notes that the new framework was intended to increase the structure and transparency of hearing decisions, focus evaluations primarily on risk to public safety, and improve uniformity and consistency across cases.

To evaluate the impacts of these reforms on the prison population and the disparate impacts, if any, on different racial/ethnic groups, we focus here on population counts and release rates for subsets of the prison population defined by how long they had been in prison at a given in point in time (what we refer to as "length-of-stay" categories). Specifically, we would not expect a reform such as elderly parole to impact the count of inmates who, as of a given date, have served two years or less (since eligibility for release currently requires being over 50 years of age and having served 20 years). Declines in population should be concentrated among people who have served substantial amounts of time. We assess this proposition by sub-dividing the inmate population by their current length of stay and analyzing how these sub-populations have changed over time.

A more direct gauge of the impact of these reforms is to calculate the release rate for a given length-of-stay group and assess whether these rates are increasing or decreasing over time. The release rate is calculated by dividing the number of releases from a given length-of-stay subset of the population by the given population's total. An increase in the release rate for a specific group translates into a shortening of the average time until release.

Before discussing trends in population totals and release rates, Tables 15 through 18 present descriptive statistics about prison population sub-groups defined by current length of stay. Table 15 describes the distribution of the prison population in select years by the time served as of the date of the count. Discretionary parole reforms should be most likely to impact the longer length-of-stay categories (i.e., 15 to 20 years, 20 to 25 years, 25 plus). While most of the prison population have current lengths of stay of five years or less, there is a sizable percentage (15% to 17%) that have served twenty years or more in each year listed in the table.

Table 16 displays the distribution of the length-of-stay sub populations by the controlling sentence type (determinate, indeterminate, LWOP, condemned). For the shorter length-of-stay group (fewer than five years), the overwhelming majority (over 99%) are serving a determinate sentence. For individuals with very long lengths of stay, determinate sentences constitute fewer than 10% of the population, with the lion's share serving indeterminate sentences and a smaller

percentage serving LWOP sentences or who are condemned. This pattern is similar in both 2005 and 2024.

Table 17 presents the distribution of inmates across sentence types by race and ethnicity. Again, we present separate tabulations for 2005 and 2024. The figures clearly reveal that Black and American Indian inmates have the highest share with an indeterminate sentence or LWOP sentence, though the latter group is relatively small. Finally, Table 18 displays the distribution of sub-populations defined by current length of stay across racial/ethnic groups. Consistent with the patterns in Table 17, we see larger shares of Black and American Indian people among those who have been in prison for the longest times.

Taken together, these descriptive statistics indicate (1) inmates who have high current lengths of stay constitute a sizable minority of the prison population, (2) these inmates are overwhelmingly indeterminately sentenced, though a sizable minority are determinately sentenced, (3) most of these long-term inmates are likely eligible or will become eligible for discretionary release under current rules, and (4) Black and American Indian people are over-represented among these long length-of-stay subsets.

Figure 23 presents monthly population counts for the prison population by the length-of-stay categories used in the descriptive statistics. We mark three specific months with vertical lines to orient the eye: October 2011 (Realignment), November 2014 (Proposition 47), and March 2020 (the onset of the pandemic). The effects of the major reforms we have discussed thus far are most readily observable on the population that has served less than two years at the time of the population count, and perhaps also among those who have served two to five years. There is some evidence of a discrete decline in the population who had served 15 to 20 years in 2012, with the passage of Proposition 36 reforming the Three-Strikes Law. For those with the longest current tenures (people having served twenty years or more) there is little notable impact of these earlier reforms. However, we do see substantial declines in these populations that appear to have accelerated after 2014. For example, the population with 20 to 25 years of time served declined from over 12,000 people at the beginning of the period to below 6,000 by the end, with much of the decline occurring post-2014 and accelerating in recent years. Similarly, the population that has served 25 years declined from nearly 18,000 to below 10,000.

Figure 24 presents monthly release rates for each grouping for the period 2005 through 2024. Recall, higher release rates indicate a shortening of the expected value of time until release while lower release rates indicate a lengthening of this value. Among those with the shortest tenure (having served less than two years), we observe a decline in release rates with Realignment, a short-lived increase in release rates following Proposition 47, and then relative stability except for a spike in release rates with the onset of the pandemic. These results are consistent with the content of these reforms. Realignment reduced the population of persons serving very short terms for parole violations, leaving behind a population serving longer terms (hence the decline in release rates). Proposition 47 permitted retroactive resentencing, likely causing a temporary increase in release rates as those who successfully petitioned to have their sentences shortened were released earlier than they otherwise would have been. Finally, CDCR's population reduction measures during the pandemic caused temporary increases in the release rates for those with short sentences.

We observe greater stability in release rates for those who have served two to five years and those who have served five to ten years. We also observe spikes in the release rates for these groups with the onset of the pandemic. Moreover, among those in the two-to-five-year category, there appears to be a decline in the release rates in the most recent years while among those in the five-to-ten-year group there appears to be an increase in release rates in recent years. We suspect that this latter pattern must be driven by reforms to sentence enhancement and changes in the composition of the inmate population within these time-served categories.

There is clear evidence of trends in release rates for inmates with substantial time served, with the strongest increases among those who have served the most time. Release rates for people with 10 to 15 years served were stable through 2015 and more than tripled by the end of the period. For those with 15 to 20 years served, average monthly release rates in 2024 were more than ten times the average for 2005. The comparable increase for those with 21 to 25 years served was 26-fold, and those with 25 or more years, 52-fold.

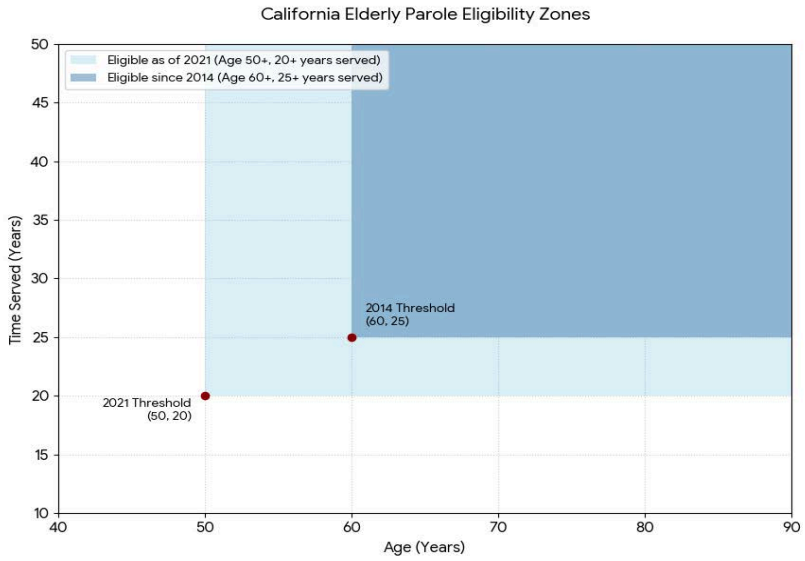
It is worth pausing for a moment to consider the meaning of these changes in release rates. To a first approximation, one divided by the release rate provides an estimate of the average amount of time that people in this category will serve before being released from CDCR (for whatever reason).[14] For those having served 10 to 15 years or more, the average monthly release rate in 2005 (0.004) implies an average additional time to release of approximately 351 months (or 29.2 years). By 2024, the average monthly release rate for this group had risen to roughly 0.009, implying an average additional time to release of roughly 112 months (9.3 years). The very low average release rates in 2005 for persons in the longer-tenure categories implied average times to release that far exceeded a human lifespan. By 2024 however, the higher release rates indicate an average time to release of 11.8 years among those with 15 to 20 years in CDCR custody, 10.3 years for those with 21 to 25 years, and 8.5 years for those with lengths of stay more than 25 years.

Having shown overall trends in prison population and release rates among those serving the longest sentences, we now turn to an assessment of disparate impact of policy. Tables 19 and 20 present inmate populations per 100,000 state residents for January 2010 and December 2024 by race/ethnicity. Within each group and for each month we present separate incarceration rate estimates by the amount of time inmates have served in a CDCR institution as well as the overall incarceration rate (the last row of figures in each table). There are sizable declines in long-term prison incarceration rates, with particularly large declines for Black and American Indian people. For example, the Black population with 25 plus years of time declined by 135 per 100,000, which is 91% of the overall decrease in the incarceration rate for White people. Similarly, there are large reductions in the incarceration rates of Black people with 20 to 25 years of time (a decline of 94 per 100,000) and 15 to 20 years (a decline of 125 per 100,000). Collectively, these three categories account for roughly 33% of the decline in the overall prison incarceration rate for Black individuals.

[14] Some of the releases used to tabulate release rates reflect the death of the person in question given the lengthy time served. We tabulated monthly release rates subtracting releases due to deaths in custody as well as overall release rates. The patterns using these alternative rates are nearly identical to what we observe in Figure 24.

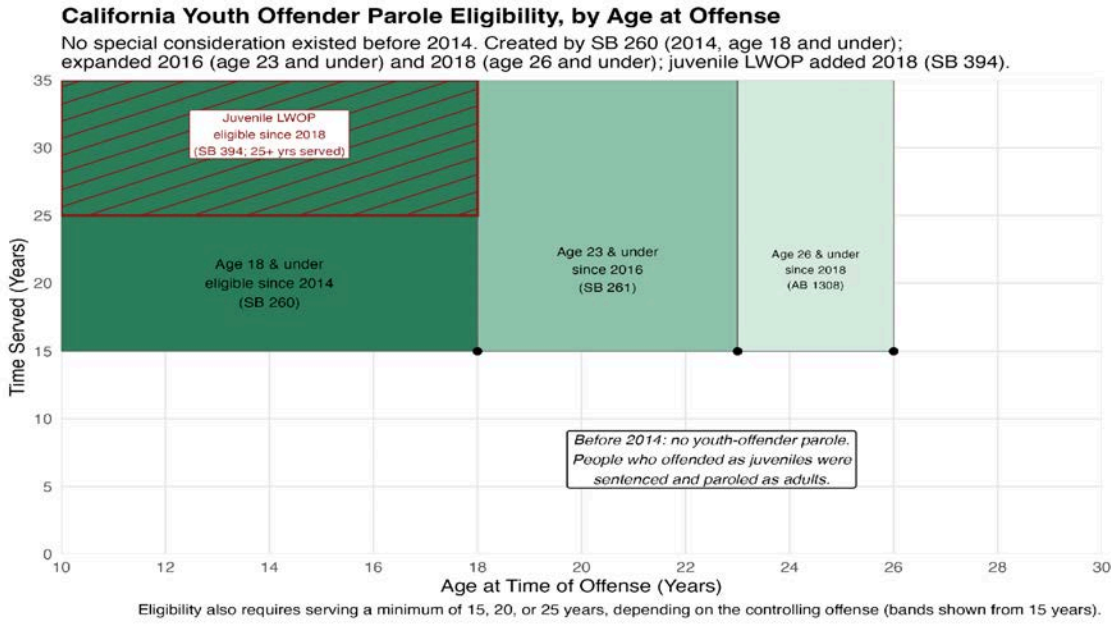
Among American Indian indviduals, we document a decline in the incarceration rate of those with more than 25 years of time of 65 per 100,000, of 56 per 100,000 for those with 20 to 25 years, and 55 per 100,000 among those with 15 to 20 years. Collectively these three categories account for 37% of the decline in incarceration for this group. Among White people, decline in long-term incarceration (people who have served 15 years or more) accounts for roughly 22% of the overall decline, while the comparable figures for Hispanic people and Asian/Pacific Islander people are 27% and 58%. These groups however have much lower long-term incarceration rates at the beginning of the period, and thus the absolute decline in long-term incarceration rates is much smaller.

Figure 21: Elderly Parole Eligibility Criteria



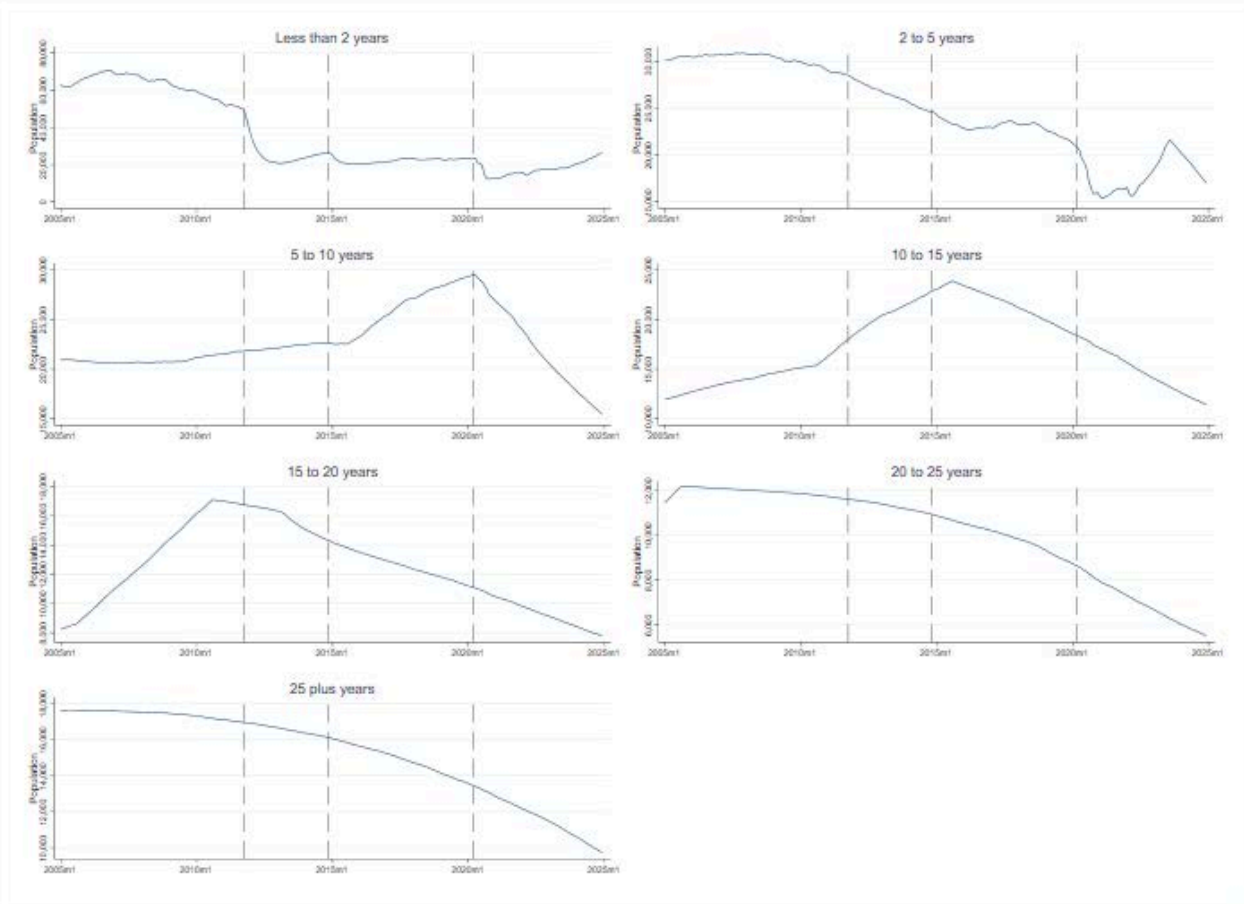
Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24.

Figure 22: Youth Offender Parole Criteria



Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24.

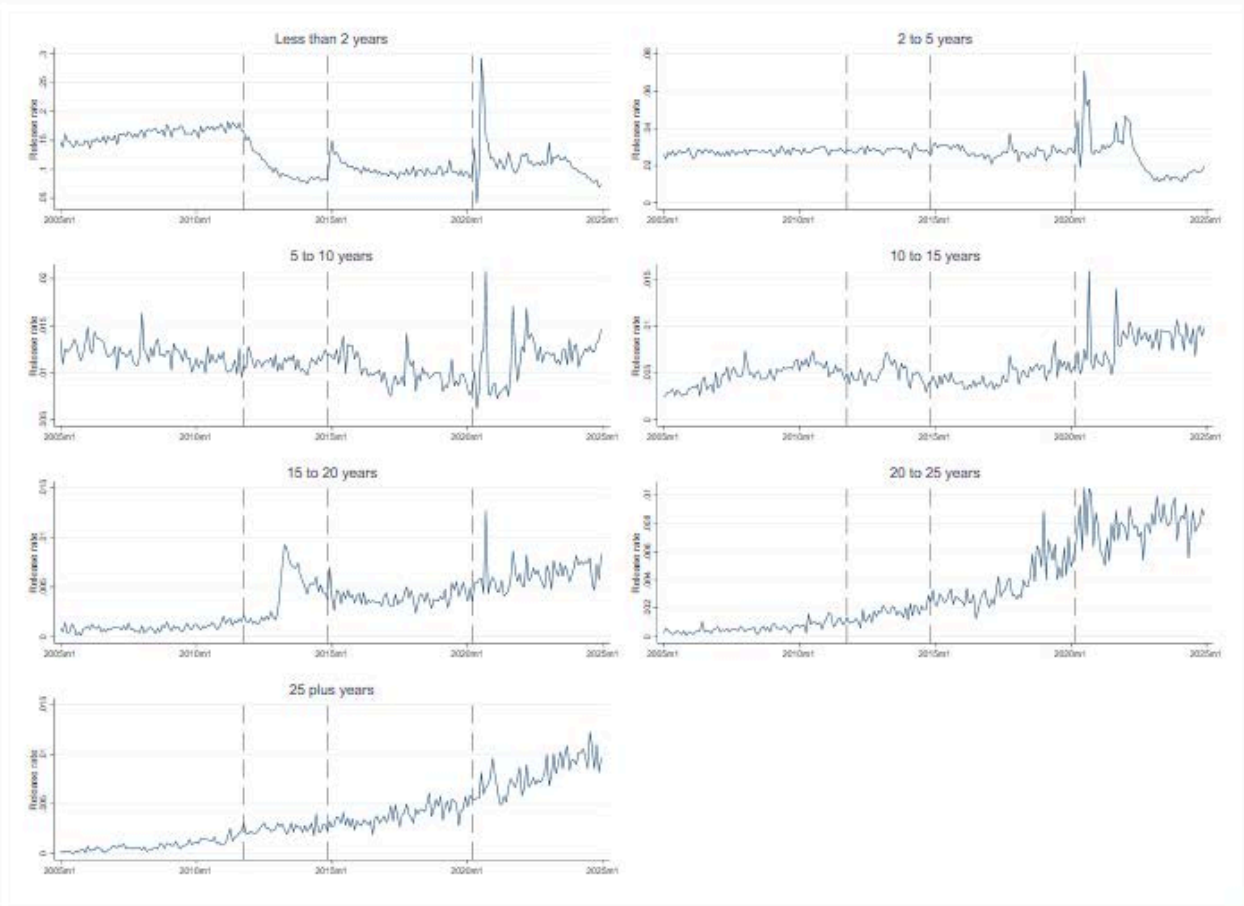
Figure 23: Monthly Prison Population, 2005 through 2024, by Length-of-Stay Categories



Note. Length-of-stay categories reflect the amount of time served at CDCR as of the time of each monthly population count. E.g. Among those incarcerated in January 2015, approximately 25,000 people had served less than 2 years.

Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24.

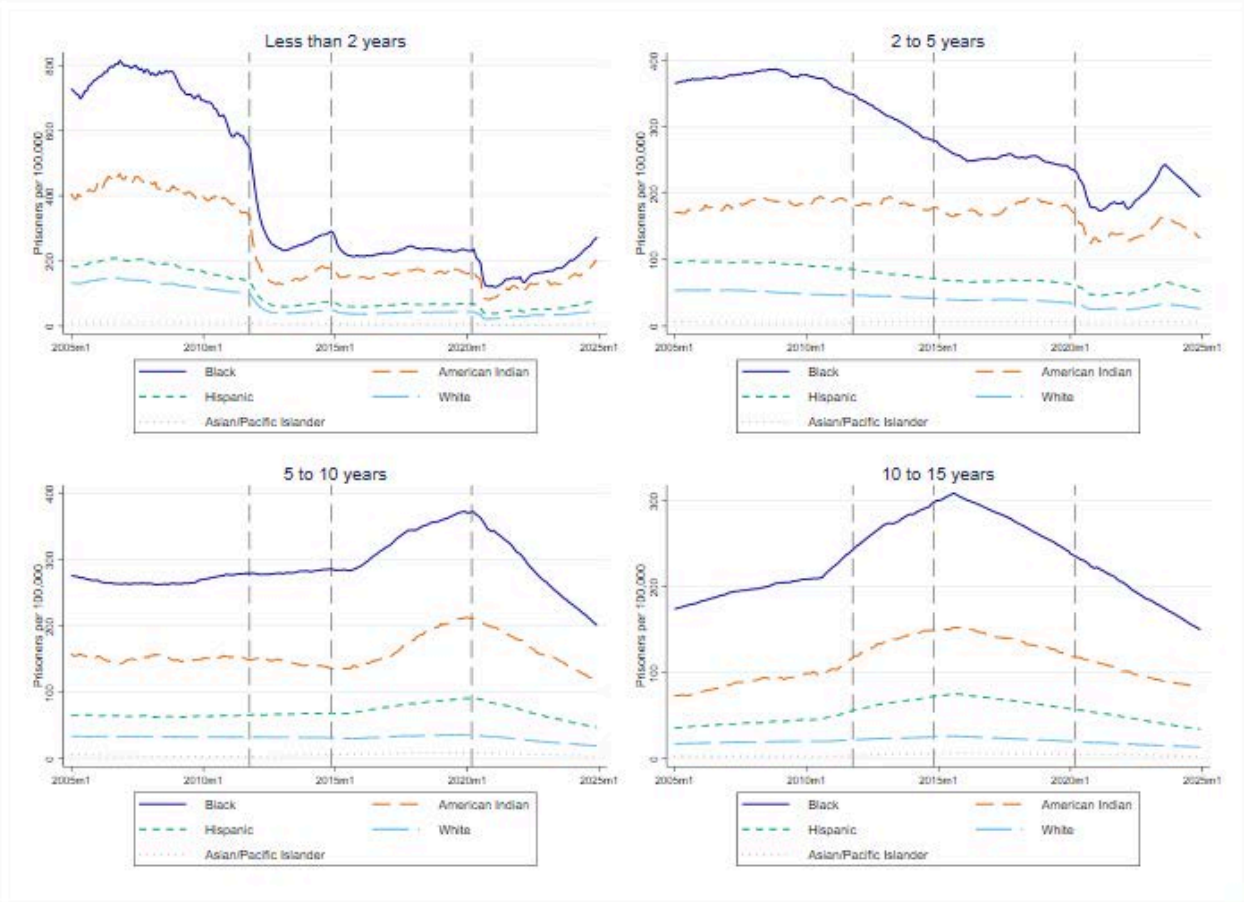
Figure 24: Monthly Release Rates, 2005 through 2024, by Length-of-Stay Categories



Note. Length-of-stay categories reflect the amount of time served at CDCR. We define these categories both for those released in each month (the numerator of the release rate) as well as all inmates in each month (the denominator of the release rate).

Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24.

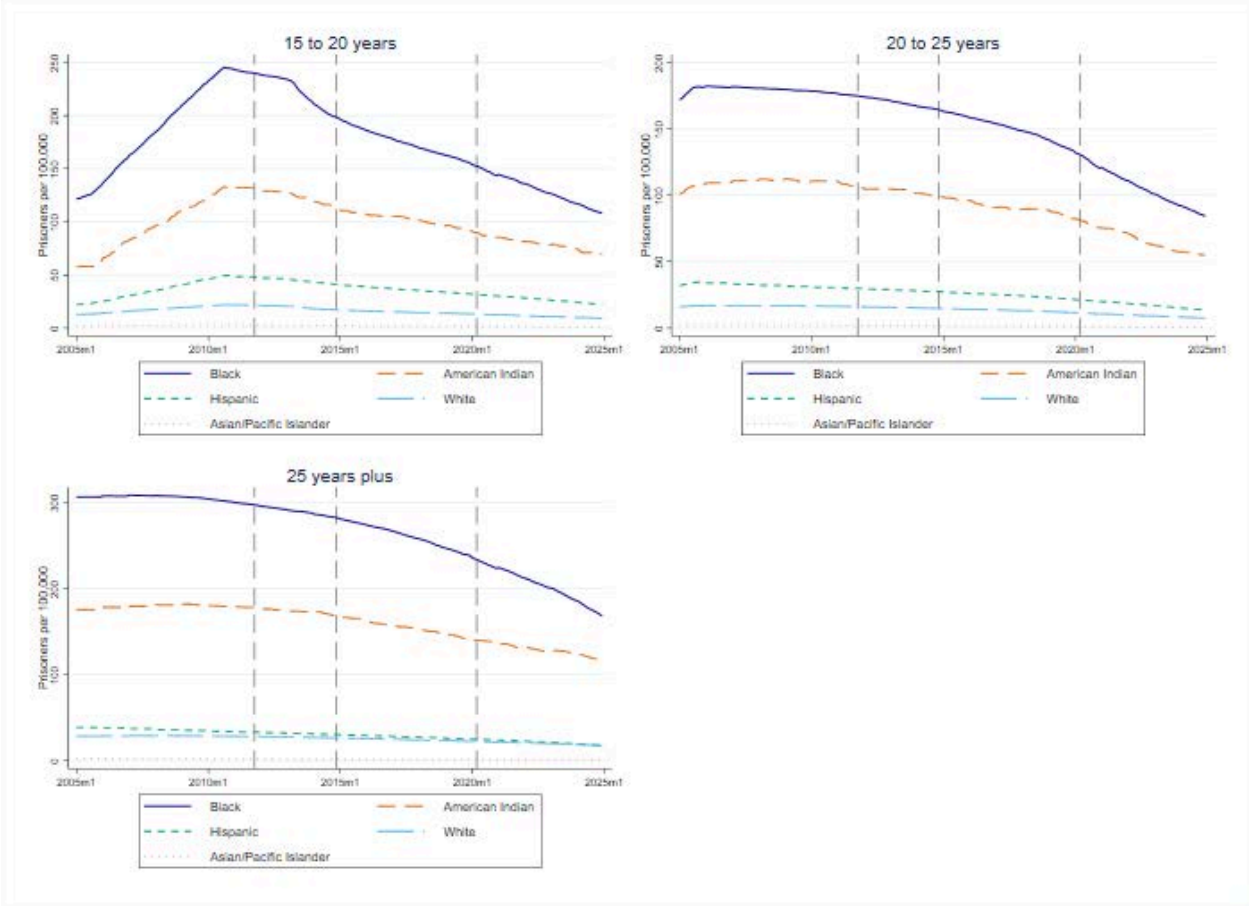
Figure 25: Prisoners per 100,000 State Residents by Race/Ethnicity, January 2005 through December 2024 for those Incarcerated for Less than 2 Years, 2 to 5 Years, 5 to 10 Years, and 10 to 15 Years



Note. Length-of-stay categories reflect the amount of time served at CDCR as of the time of each monthly population count.

Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24.

Figure 26: Prisoners per 100,000 State Residents by Race/Ethnicity, January 2005 through December 2024 for those Incarcerated for 15 to 20, 20 to 25, and 25 Plus years



Note. Length-of-stay categories reflect the amount of time served at CDCR as of the time of each monthly population count.

Data source: California Department of Corrections and Rehabilitation (CDCR), 2005-24.

Table 15
Distribution of Inmate Population by Length-of-Stay Categories, Select Months from January 2005 through December 2024

	January 2005	January 2010	January 2015	January 2020	December 2024
2 years or less	38.56	34.79	18.43	18.45	28.28
2 to 5 years	18.43	17.52	17.85	16.89	18.23
5 to 10 years	12.85	12.37	16.58	23.3	16.55
10 to 15 years	7.31	8.85	16.95	14.76	12.25
15 to 20 years	5.05	9.45	10.42	8.9	8.36
20 to 25 years	7.02	6.92	7.98	6.93	5.9
25 plus years	10.79	10.1	11.79	10.78	10.44

Note. Columns sum to 100%. Length-of-stay categories reflect the amount of time served at CDCR as of the time of each monthly population count.

Table 16
Distribution of Inmates by Sentence Type Within Length-of-Stay Categories, January 2005 and December 2024

Panel A: January 2005							
	2 years or less	2 to 5 years	5 to 10 years	10 to 15 years	15 to 20 years	20 to 25 years	25 plus years
Determinate	99.89	99.66	98.41	92.44	70.87	24.64	9.14
Indeterminate	0.09	0.29	1.44	7.12	28.16	68.95	76.61
LWOP	0.02	0.05	0.13	0.32	0.79	5.66	12.16
Condemned	0.00	0.00	0.01	0.13	0.18	0.75	2.09
Panel B: December 2024							
	2 years or less	2 to 5 years	5 to 10 years	10 to 15 years	15 to 20 years	20 to 25 years	25 plus years
Determinate	93.26	83.82	65.86	44.77	24.44	14.06	6.39
Indeterminate	5.92	14.29	30.27	47.78	63.8	72.88	70.57
LWOP	0.80	1.83	3.69	6.86	10.58	11.81	19.85
Condemned	0.02	0.06	0.18	0.59	1.18	1.25	3.18

Note. Columns within panels sum to 100%. Length-of-stay categories reflect the amount of time served at CDCR as of the time of each monthly population count.

Table 17
Distribution of Inmates Across Sentence Types Within Race/Ethnicity Categories, January 2005 and December 2024

Panel A: January 2005

	White	Black	Hispanic	Asian/PI	American Indian	Other/ Unknown
Determinate	84.3	79.46	85.41	82.09	76.94	68.47
Indeterminate	13.46	17.95	13.2	15.69	19.03	27.93
LWOP	1.81	2.25	1.23	1.95	3.68	3.24
Condemned	0.43	0.34	0.16	0.27	0.35	0.36

Panel B: December 2024

	White	Black	Hispanic	Asian/PI	American Indian	Other/ Unknown
Determinate	61.48	56.9	65.44	65.58	58.11	47.61
Indeterminate	31.63	35.33	29.85	27.34	33.69	41.54
LWOP	5.91	7.02	4.34	6.66	7.45	9.86
Condemned	0.98	0.75	0.37	0.42	0.75	0.99

Note. Columns within panels sum to 100%.

Table 18
Distribution of Inmate by Race/Ethnicity Within Length-of-Stay Categories, January 2005 and December 2024

Panel A: January 2005							
	2 years or less	2 to 5 years	5 to 10 years	10 to 15 years	15 to 20 years	20 to 25 years	25 plus years
White	33.03	27.99	25.17	22.7	24.21	21.88	25.35
Black	25.5	26.82	29.04	32.14	32.49	33.09	38.36
Hispanic	37.08	40.25	39.28	37.61	33.84	35.4	27.69
Asian/PI	0.78	0.95	1.26	1.2	1.05	0.92	0.65
American Indian	1.12	0.99	1.31	1.06	1.21	1.53	1.73
Other/Unknown	2.49	3.01	3.94	5.29	7.19	7.18	6.22
Panel B: December 2024							
	2 years or less	2 to 5 years	5 to 10 years	10 to 15 years	15 to 20 years	20 to 25 years	25 plus years
White	23.00	20.19	16.47	15.74	15.78	18.32	23.96
Black	22.39	24.73	28.20	28.44	30.00	33.16	37.47
Hispanic	49.19	49.37	49.48	48.57	46.39	40.16	29.56
Asian/PI	1.69	1.99	1.89	1.7	0.86	0.76	0.64
American Indian	1.17	1.22	1.18	1.15	1.38	1.56	1.87
Other/Unknown	2.56	2.51	2.78	4.4	5.58	6.04	6.51

Note. Columns within panels sum to 100%. Length-of-stay categories reflect the amount of time served at CDCR as of the time of each monthly population count.

Table 19
Comparison of White, Black, and Hispanic Incarceration Rates (Prison Inmates per 100,000 California Residents) by Current Length of Stay, January 2010 against December 2024

	White			Black			Hispanic		
Length of stay grouping	Jan 2010	Dec 2024	Change	Jan 2010	Dec 2024	Change	Jan 2010	Dec 2024	Change
2 years or less	120.0	45.9	-74.1	693.3	272.8	-420.5	166.3	80.8	-85.4
2 to 5 years	48.6	26.0	-22.6	378.4	194.2	-184.3	91.3	52.3	-39.0
5 to 10 years	32.9	19.2	-13.7	270.5	201.0	-69.4	63.6	47.6	-16.0
10 to 15 years	20.3	13.6	-6.7	208.7	150.0	-58.6	45.0	34.6	-10.5
15 to 20 years	21.1	9.3	-11.8	232.8	108.0	-124.8	46.3	22.5	-23.7
20 to 25 years	16.6	7.6	-9.0	178.4	84.3	-94.1	30.7	13.8	-16.9
25 plus years	28.9	17.6	-11.3	303.9	168.5	-135.4	34.3	17.9	-16.4
Total	288.4	139.2	-149.1	2265.9	1178.9	-1087.1	477.4	269.5	-207.9

Note. Author tabulations from CDCR administrative records. Length-of-stay categories reflect the amount of time served at CDCR as of the time of each monthly population count.

Table 20
Comparison of Asian/Pacific Islander and American Indian Incarceration Rates (Prison Inmates per 100,000 California Residents) by Current Length of Stay, January 2010 against December 2024

	Asian/Pacific Islander			American Indian/Native American		
Length of stay grouping	Jan 2010	Dec 2024	Change	Jan 2010	Dec 2024	Change
2 years or less	11.1	6.8	-4.3	397.0	198.4	-198.6
2 to 5 years	4.9	5.1	0.2	186.6	132.5	-54.2
5 to 10 years	3.5	4.4	0.9	151.4	117.1	-34.3
10 to 15 years	3.2	2.9	-0.2	99.7	84.5	-15.2
15 to 20 years	3.0	1.0	-1.9	124.0	69.1	-54.9
20 to 25 years	2.2	0.6	-1.6	110.7	55.0	-55.6
25 plus years	2.2	0.9	-1.2	181.2	116.5	-64.7
Total	30.0	21.9	-8.1	1250.6	773.2	-477.4

Note. Author tabulations from CDCR administrative records. Length-of-stay categories reflect the amount of time served at CDCR as of the time of each monthly population count.

6. Conclusion

The wave of criminal justice reforms in California over roughly the past 15 years has transformed corrections in the state. The prison population has almost halved, admissions for parole violations are now rare — rather than a principal source of admissions, less serious felony convictions are less likely to receive prison sentences, enhancements are used more sparingly, and almost everyone serving a very long sentence, whether determinate or indeterminate, has the chance of leaving prison during their natural lives. The effects of these changes have disproportionately impacted the incarceration rates of demographic groups with high incarceration rates before the reform wave. We document very large declines in prison incarceration rates for Black people followed by American Indian people. We also see declines for other racial/ethnic groups (White and Hispanic people), though the absolute changes are smaller. Overall, inter-racial disparities in prison incarceration have narrowed considerably. Moreover, for each of the policy changes that we study here, we find disparate effects on the admissions and incarceration rates of those groups most likely to be involved with the criminal justice system.

To be sure, large disparities remain, and the cross-group ranking has not changed. Roughly 1.2% of the Black population in California is currently incarcerated in a state prison, a rate nearly 8.5 times that for White Californians (0.14%). Incarceration rates for American Indian people also remain quite high.

We have said very little about the other major source of incarceration in California, namely county jails. While somewhat smaller than the state's prison population, the average daily population count of county jails has exceeded 80,000 in some years. As we noted above, at least one major reform likely led to trans-institutional shifts in where people served time. Realignment increased the use of jails both for community corrections violations and for sanctions for less serious offenses. This raises the question of whether our focus on prisons masks widening disparities in jail incarceration rates.

This is not the case. While there is some evidence that the jail population increased in the wake of Realignment, it subsequently declined with the passage of Proposition 47 and has continued to decline in recent years. For example, Figure 27 shows that the average daily jail population exceeded 80,000 during the early pre-reform years but has declined to roughly 60,000 in the years since the pandemic. Moreover, analysis of jail survey data collected by the U.S. Bureau of Justice Statistics suggests that the racial and ethnic composition of the jail population has been constant over the period depicted. A constant proportional composition across racial/ethnic groups translates into greater absolute declines in jail incarceration rates for groups with higher starting jail incarceration rates.[15]

[15] While we do not have data from California on the racial composition of California jails, the federal government conducts an annual survey of jails where they record population totals for specific institutions by race/ethnicity. Using the Annual Survey of Jails for 2013 and 2023, we estimate that the percentage of inmates that are White decreases from 31 to 25 and the percentage of jail inmates that are Black increases from 20% to 22%, while the percentage of inmates who are Hispanic increases from 44% to 47%. From the Jail Profile Survey conducted by the California Board of State and Community Corrections, we note that the average daily jail population in 2013 and 2023 declined from 81,818 to 59,321. Combined with these percentage estimates, this suggests that the population of White jail inmates declined by 10,533, the population of Black inmates declined by 4,499, while the population of

The findings here raise several questions concerning the consequences of the large declines in incarceration and the distributional impacts. First, how are people faring today who would have been incarcerated under prior policy, and what are they doing? Are they more or less likely to be employed, arrested, or to experience housing insecurity or health emergencies? Have these reforms affected participation in drug treatment programs? These are important questions for future research.

A major question concerns whether these reforms have impacted public safety. Several analyses have examined the effects of Realignment and Proposition 47 on crime rates (Lofstrom and Raphael, 2016; Dominguez, Lofstrom, and Raphael, 2022). This research generally finds no evidence of an impact on violent crime rates, though there is evidence of a modest increase in motor vehicle theft following Realignment and a small effect of Proposition 47 on larceny theft. There is little research on the effects of reforms to sentence enhancements or the impacts of changes to discretionary parole. These are areas that deserve greater attention.

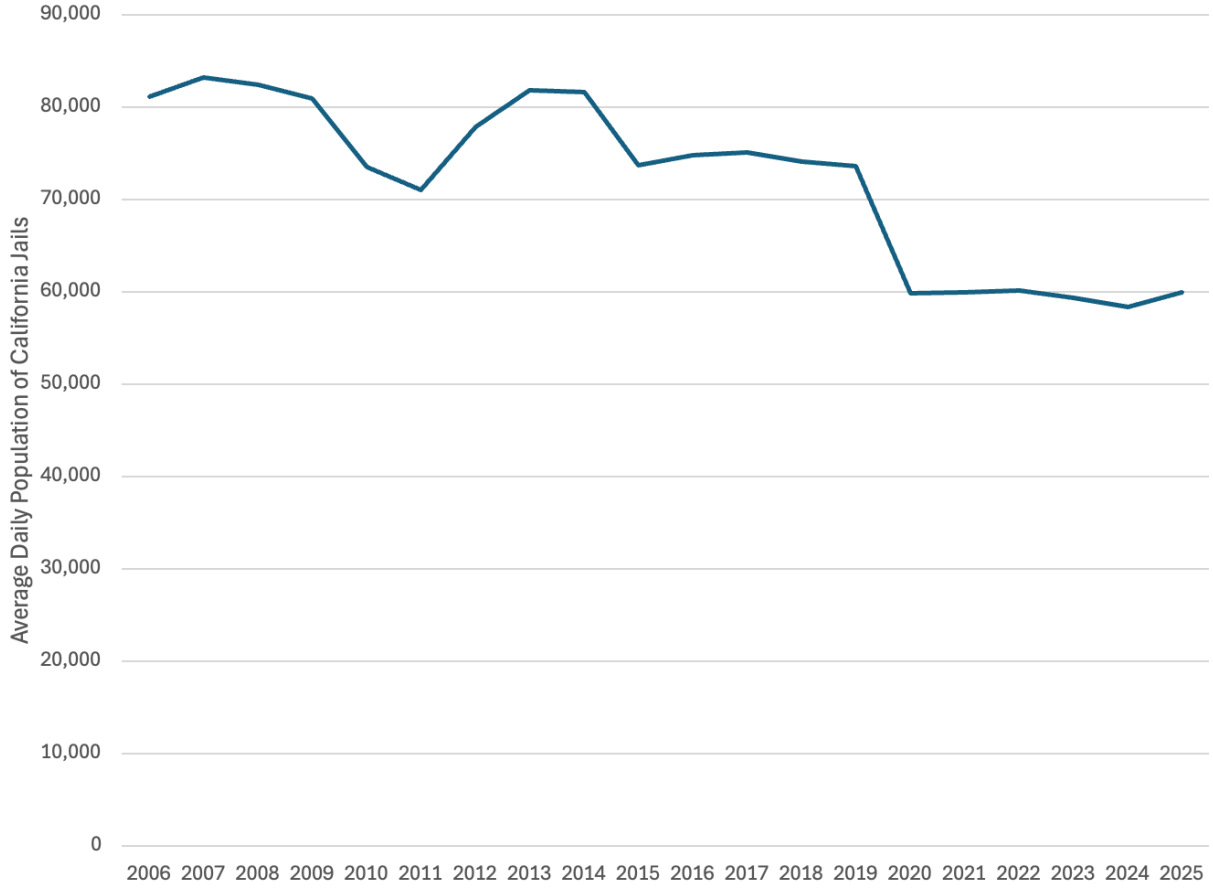
As a preliminary assessment however, we can compare broad crime rates in California to what has happened in the United States more generally. Figure 28 charts crime trends for all serious felony offenses for 2005 through 2025, with California trends depicted with the solid trend lines and trends in the remainder of the U.S. depicted with the dashed trend lines.[16] There are some differences between California and the rest of the nation. For example, murder rates were higher in California in the earlier years (2005 through 2008) but fell below and remained below the national rate thereafter. The number of rapes per 100,000 is lower in California, yet with similar trends to the national rate.[17] Robbery and motor vehicle theft rates are consistently higher in California relative to the national rate. However, the trends over time for these two crimes are comparable for California and the nation. The one offense where we perhaps see a recent departure of California from the nation is aggravated assault, where we see a larger increase in California relative to the national rate with the onset of the pandemic. This crime aside, however, the figures suggest that crime trends in California during this period of massive reform are similar to the rest of the nation with some notable exceptions.

Hispanic inmates declined by 8,119. If we express this change relative to the population using 2023 population totals, these imputations imply that the jail incarceration rate per 100,000 state residents declined by 79 for White people, 207 for Black people, and by 51 for Hispanic people. Hence, trends in jail populations have also served to narrow inter-group disparities in overall incarceration rates inclusive of local and county jails.

[16] To tabulate trends in the remainder of the U.S. we calculate the population-weighted average annual crime rate (measures as crimes per 100,000) for all states not including California.

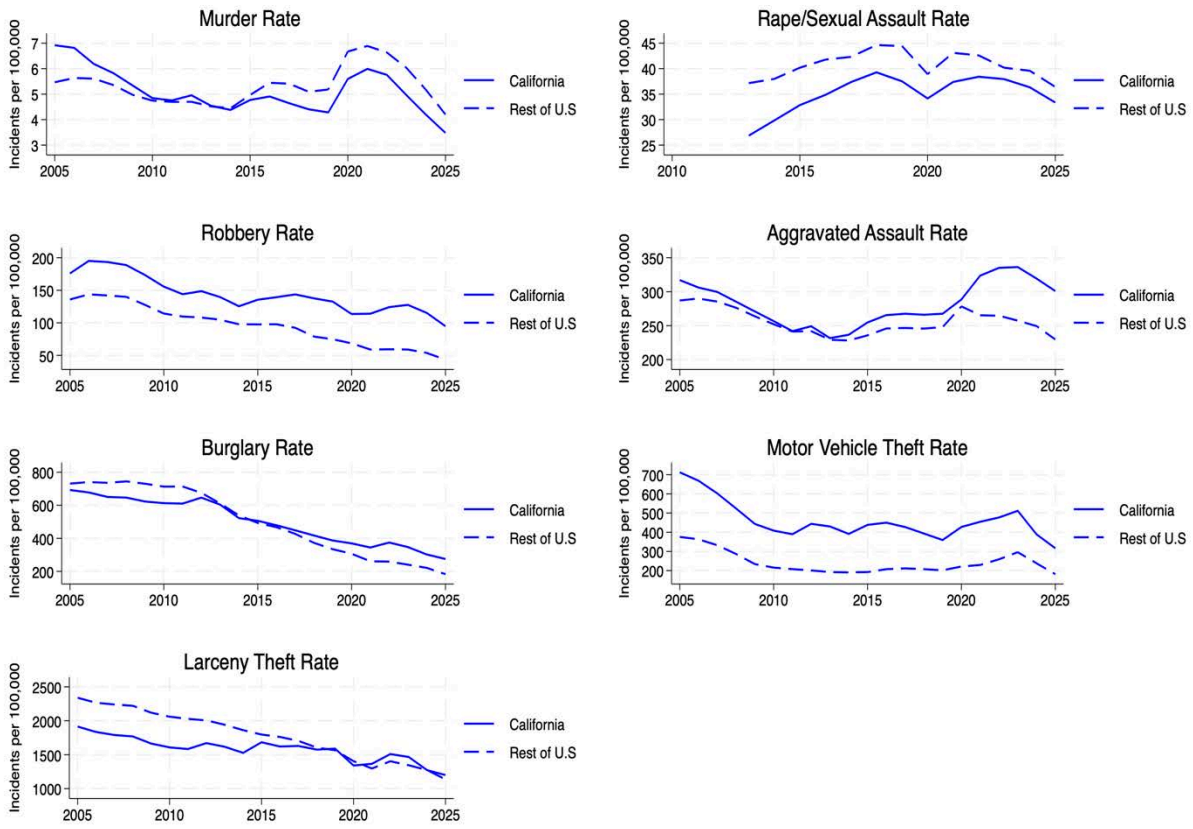
[17] Note, the rape time series starts in 2013 due to a change in the definition of the offense toward a more inclusive definition that went into effect in that year. The increase in early years following the definition reflects in part staggered adoption of the new definition across police departments in the state.

Figure 27: Average Daily Population of California Jails



Source: Jail Profile Survey, California Board of State and Community Corrections

Figure 28: Comparison of Crime Trends, California to the United States, 2005 through 2025



Source: U.S. Department of Justice (2026)

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