



California's Older Prisoner Crisis: *Facts and Figures*

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Rising Number of Incarcerated Seniors

- In the past 15 years, the California Department of Corrections and Rehabilitation's (CDCR) population of prisoners over 55 has increased by 500%. As of December 31, 2009, there were 10,969 people over 55 incarcerated in state's prison system. (*California Department of Corrections & Rehabilitation, Data Analysis Unit, Prison Census Data as of December 31, 2007.*)
- In the next 15 years the number of prisoners over 55 is expected to triple to over 30,000. (*Legislative Analyst's Office, Analysis of the 2003-04 Budget Bill, Judiciary & Criminal Justice, Department of Corrections, February 2003.*)

Accelerated Aging in Prison: Why 55 is Considered "Older"

- Research points to a trend of "accelerated aging" in prison, i.e. that a prisoner's physiological age is, on average, seven to 10 years older than his or her chronological age. Research suggests this difference may relate to the stress of incarceration, history of substance abuse, and lack of access to health services prior to incarceration. (*Journal of the American Medical Association, Aging Prisoners Stressing Health Care System, July 2004.*)
- According to a 1999 report produced by the (then named) California Department of Corrections, prisoners age 55 or older were defined as "older offenders." (*California Department of Corrections, Older Inmates: The impact of an Aging Inmate Population on the Correctional System: An Internal Planning Document for the California Department of Corrections, 1999.*)
- According to a 2004 report by the US Department of Justice's National Institute of Corrections which conducted a national survey of 49 correctional state agencies, of those correctional systems that defined "older prisoners", the average qualifying age to be considered "elderly" was 55. Eight correctional systems defined elderly as 55, 7 defined it as 50, and 4 defined it as 60. (*US Department of Justice, National Institute of Corrections, Addressing the Needs of Elderly, Chronically Ill, and Terminally Ill Inmates, 2004.*)
- Once incarcerated, older people face significant challenges aging in an environment ill-equipped to meet their unique needs. Prisons are not designed for seniors. Incarcerated elders must drop to the ground for alarms, climb onto tops bunks, and squat for strip searches. Many seniors are placed in crowded housing units with little consideration for their health and safety needs. Finally, many older prisoners are forced to work jobs that conflict with their functional abilities. (*For more information see Dignity Denied: The Price of Imprisoning Older Women in California, a report produced by Legal Services for Prisoners with Children available at <http://www.prisonerswithchildren.org/news/dignity.htm>*)

The Cost

- Experts agree that it is very inefficient to house the very sick and very old in prison. National data asserts that older prisoners cost three times as much as younger

prisoners. In California that means upwards of \$138,000 per prisoner per year. Exact amounts are difficult to calculate as CDCR does not track spending based on prisoner's age. (*U.S. Department of Justice, National Institute of Corrections, Correctional Health Care: Addressing the Needs of Elderly, Chronically Ill and Terminally Ill Inmates, February 2004.*)

Statistically Low-Risk

- Numerous studies show that age is one of the most reliable predictors of recidivism rates. Nationally, prisoners between the ages of 18 and 29 experience a recidivism rate of over 50%, while those 55 or older experience a rate of only 2%. (*U.S. Department of Justice Bureau of Justice Statistics, Trends in State Parole, 1999 – 2000.*)

Solutions: Releasing Low-risk Seniors

- In its analysis of the 2003-04 budget, the Legislative Analyst's Office asserted that "[e]lder prisoners are costly to care for, yet research indicates that many of these older inmates represent a relatively low risk of reoffending and show high rates of parole success. We estimate that [releasing nonviolent prisoners over 55] would result in state savings of approximately 9 million in the budget year and significantly more in the out-years without jeopardizing public safety." (*Legislative Analyst's Office, Analysis of the 2003-04 Budget Bill, Judiciary & Criminal Justice, Department of Corrections, February 2003.*)
- In June 2004, Governor Schwarzenegger appointed former Governor George Deukmejian to lead an Independent Review Panel charged with investigating and making recommendations on ways to improve the state's adult and youth correctional system. The report recommends that California "establish a program to identify older inmates who could be safely released early from prison." (*California Performance Review, Corrections Independent Review Panel, Reforming California's Youth & Adult Correctional System, June 2004.*)
- California might choose to emulate the Project for Older Prisoners (POPS) as a potential model program that California may emulate. Established in 1989 by law professor Jonathan Turley, POPS partners law students with corrections departments to evaluate low-risk seniors for release. The program exists in five states and has resulted in the early parole of nearly 400 older prisoners with a zero percent recidivism rate. (*For more information about the Project for Older Prisoners (POPS), see Jonathan Turley's Written Testimony on Prisoner Reform & Older Prisoners before the House Judiciary Committee, December 6, 2007.*)

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