



California Department of Corrections and Rehabilitation

FALL 2021 POPULATION PROJECTIONS

Division of Correctional Policy Research and Internal Oversight

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Executive Summary

This report presents the California Department of Corrections and Rehabilitation's (CDCR) Fall 2021 adult institution, parole, and juvenile institution population projections. The institution and parole projections are provided through June 2026, and juvenile projections are provided through June 2023.

Similar to past population projections, the Fall 2021 Population Projections incorporate the impacts of several court-ordered population reduction measures, Proposition 47 and Proposition 57.¹ The projections also include the impact of recent policy and process changes implemented in direct response to COVID-19.

The full impact of COVID-19 and recent policy changes on CDCR's populations are still developing, and due to the extraordinary circumstances surrounding the Fall 2021 projections, the authors of this report suggest using caution when interpreting these projection results.

The Spring 2021 Population Projections originally prepared and published by CDCR in January 2021² were subsequently revised for use in the FY 2021-22 State Budget. Intake to reception centers resumed at a faster rate than was anticipated in the preliminary Spring 2021 projections, and as a result, court commitment and institution population projections were adjusted to account for the accelerated admissions. These Spring 2021 (Budget) institution projections are available only for the court commitment and total institution population projections. The Spring 2021 parole and juvenile population projections were not affected by the change.

Adult Institution Population and Court Commitment Projections

The Fall 2021 institution projections are very similar to the Spring 2021 (Budget) projections, ranging from 0.0 to 0.2 percent higher for the early part of the projection cycle, and 0.5 to 1.0 percent lower than the Spring 2021 (Budget) projections for the later part of the projection cycle. The differences between the projections are due to lower admissions of court commitments to CDCR Reception Centers than was assumed in the Spring 2021 (Budget) Population Projections as well updates to the assumptions related to planned credit-earning changes. Additionally, the Fall 2021 Population Projections include estimated impacts for recently expanded eligibility criteria for both elderly parole

¹ Many court-ordered measures were subsequently enacted with the implementation of Proposition 57. Additional information is available at: <https://www.cdcr.ca.gov/3-judge-court-update>. Proposition 47 was passed by voters in November 2014 and reduced penalties for most non-serious, non-violent property and drug crimes by mandating a misdemeanor instead of a felony sentence for certain crimes. Proposition 57 was passed by voters in November 2016. More information is available at: <https://www.cdcr.ca.gov/proposition57/>.

² CDCR's Spring 2021 Population Projections report is available here: <https://www.cdcr.ca.gov/research/wp-content/uploads/sites/174/2021/05/Spring-2021-Population-Projections.pdf>. This report includes projections prior to the adjustments made to account for accelerated admissions.

and the non-violent parole process and were not included in the Spring 2021 (Budget) projections. More information about these changes is available in Appendix B of the report.

The June 30, 2021 institution population of 98,472 inmates is expected to increase 12.9 percent to 111,193 inmates by June 30, 2022, and then increase an additional 3.4 percent, peaking at 114,968 inmates by June 30, 2023. The adult institution population is then expected to decrease in the last three years of the projection cycle, reaching 96,378 inmates by June 30, 2026, a net five-year decrease of 2.1 percent or 2,094 inmates. The Fall 2021 Population Projections anticipate that institution populations will begin to increase in Fiscal Year (FY) 2021-22 as admissions of court commitments to CDCR Reception Centers return to pre-pandemic levels. As admissions to Reception Centers continue, CDCR projects the institution population will see an initial increase, though not to the level it had been pre-COVID-19. After reaching a peak in FY 2022-23, CDCR anticipates the population to return to its pattern of decline related to policy reforms (such as Proposition 57), as well as new credit-earning changes that were implemented in 2021.

The COVID-19 pandemic³, impacted admissions to CDCR throughout 2020. CDCR resumed intake to Reception Centers from county jails in January 2021 and will continue to assess and adjust admissions based on the continuing impacts of COVID-19. The Fall 2021 Population Projections assume that admissions to Reception Centers will surpass pre-pandemic levels at the beginning of FY 2021-22 and then return to pre-pandemic levels in the second half of the fiscal year. CDCR anticipates court commitments to decrease to 33,925 in FY 2022-23 and then remain fairly stable throughout the rest of the projection cycle, ranging from 33,950 commitments in FY 2023-24 to 33,970 commitments in FY 2025-26.⁴

Adult Parole Projections

The parole population on June 30, 2021, was 50,322 parolees. The Fall 2021 Population Projections estimate that the parole population will decrease to 43,440 parolees by June 30, 2022. Over the following three fiscal years, it is anticipated that the parole population will experience a slight decline reaching 42,570 by June 30, 2025. The parole population is expected to reach 38,284 parolees by June 30, 2026. This represents a net five-year decrease of 23.9 percent or 12,038 parolees. The overall decline over the next five years is primarily due to recent changes that allow for a review that may lead to accelerated discharge from parole and shorten the maximum length of parole for most offenders released to parole in July 2020 or later.

³ More information about transfers to CDCR from county jail during the COVID-19 pandemic is available at <https://www.cdcr.ca.gov/covid19/covid-19-response-efforts/#CJL>.

Juvenile Projections

CDCR predicts the total Division of Juvenile Justice (DJJ) average daily population will decrease 10.7 percent from 692 youth offenders in June 2021 to 618 youth offenders by June 2022. The youth offender population is expected to continue its decline by an estimated 20.2 percent to 493 youth by June 2023. The reductions in the youth offender population are a result of Senate Bill (SB) 823 and SB 92 (see Appendix B, page 32). Per SB 823, DJJ ceased intake of new youth commitments sentenced on or after July 1, 2021 with limited exceptions. SB 92 sets a defined closure date of June 30, 2023 for all DJJ facilities and allows counties to establish secure youth treatment facilities as an alternative to DJJ. Intake of youth sentenced prior to June 30, 2021 was expected to end by July 31, 2021. However, as a result of COVID-related precautions and the staggered intake of youth, the Fall 2021 Population Projections anticipate that youth offenders will continue to arrive through December 2021.

CALIFORNIA DEPARTMENT OF CORRECTIONS AND REHABILITATION

FALL 2021 POPULATION PROJECTIONS

1 Introduction

This report presents the California Department of Corrections and Rehabilitation's (CDCR) Fall 2021 adult institution, parole, and juvenile institution population projections. CDCR developed these projections using historical trend data, time series, and simulation modeling techniques. The population projections methodology is described in Appendix A. The Fall 2021 Population Projections incorporate the effects of existing laws and regulations on the state institution and parole populations.

1.1 Changes for the Fall 2021 Population Projections

The Fall 2021 Population Projections include the impact of planned increases to credit-earning for offenders that were also included in the Spring 2021 Population Projections effective May 1, 2021. The Spring 2021 Population Projections also included these changes but assumed they would be implemented on April 1, 2021. Additionally, these projections include the assumed impact of changes to elderly parole and the non-violent offender parole process (NVPP). The implemented changes expanded the eligibility criteria for both elderly parole and NVPP, and is anticipated to decrease the institution population and increase the parole population as eligible inmates are identified and reviewed by the Board of Parole Hearings (BPH). More information about these changes is available in Appendix B of the report.

Unless otherwise noted, the projections do not include the impact of proposed legislation, programs, propositions, or policy changes that have not been signed, affirmed, or implemented as of June 30, 2021.

The Fall 2021 Population Projections assume that CDCR Reception Centers will see elevated admissions through the end of November 2021 while the backlog of court commitments in county jails is being resolved.¹ Admissions of court commitments are expected to decrease to pre-pandemic levels once the backlog is resolved, which is anticipated to be by the end of the calendar year 2021. Additional information about court commitments is included in Section 3.

As a response to COVID-19, CDCR expedited the release of non-violent and non-sex registrant offenders with 180 days or less remaining on their sentences on a rolling basis beginning in July 2020. The last list

¹ As a response to COVID-19, in March 2020, CDCR began a series of suspensions and subsequent re openings of intake of court commitment admissions into CDCR Reception Centers. Between March 2020 and January 2021, CDCR suspended the intake of court commitments into Reception Centers for a total of 174 days. Court commitments that were not admitted to CDCR Reception Centers during this time remained housed in county jail and at the height, counties held 10,755 incarcerated persons on behalf of the state. Intake to CDCR Reception Centers has been continuous since January 2021.

of potentially eligible people was created in July 2021, and only people who appear on the final list will be eligible for expedited release.²

² More information about expedited releases is available at <https://www.cdcr.ca.gov/covid19/frequently-asked-questions-expedited-releases/>

2 Adult Institution and Active Parole Populations

CDCR expects the adult institution population to increase from 98,472 inmates as of June 30, 2021, to approximately 111,193 inmates by June 30, 2022, and then increase to approximately 114,968 inmates by June 30, 2023 (see Table 1). Following these two years of increases, annual decreases are projected through June 2026. The adult institution population is expected to decrease to 96,378 inmates by June 30, 2026, which is a net five-year reduction of 2.1 percent.

The Fall 2021 Population Projections predict the active parole population will decrease 13.7 percent (6,882 parolees) from June 30, 2021, to June 30, 2022. The active parole population is predicted to decrease 23.9 percent (12,038 parolees) to a total of 38,284 parolees by June 2026.

Table 1. Institution and Active Parole Population, June 30, 2012 through June 30, 2026

June 30	Institution			Percent Change	Active Parole	
	Female	Male	Total		Total	Percent Change
Actual						
2012	6,471	128,852	135,323	N/A	69,435	N/A
2013	5,995	127,019	133,014	-1.7%	51,300	-26.1%
2014	6,306	129,294	135,600	1.9%	44,499	-13.3%
2015	5,857	123,325	129,182	-4.7%	45,473	2.2%
2016	5,769	122,874	128,643	-0.4%	43,814	-3.6%
2017	5,971	125,289	131,260	2.0%	45,261	3.3%
2018	5,906	123,511	129,417	-1.4%	47,370	4.7%
2019	5,691	119,781	125,472	-3.0%	50,822	7.3%
2020	4,721	108,682	113,403	-9.6%	53,427	5.1%
2021	3,910	94,562	98,472	-13.2%	50,322	-5.8%
Projected						
2022	4,510	106,683	111,193	12.9%	43,440	-13.7%
2023	4,886	110,082	114,968	3.4%	43,599	0.4%
2024	4,385	99,665	104,050	-9.5%	42,796	-1.8%
2025	4,361	93,963	98,324	-5.5%	42,570	-0.5%
2026	4,379	91,999	96,378	-2.0%	38,284	-10.1%

2.1 Adult Total Institution Population Projections, Comparisons, and Historical Trends

The Spring 2021 Population Projections originally prepared and published by CDCR in January 2021³ were subsequently revised for use in the FY 2021-22 State Budget. Intake to reception centers resumed at a faster rate than was anticipated in the preliminary Spring 2021 projections, and as a result, court commitment and institution population projections were adjusted to account for the accelerated admissions. These Spring 2021 (Budget) institution projections are available only for the court commitment and total institution population projections. Therefore, institution population projection comparisons by gender are not available in the current report.

2.1.1 Comparison of Spring 2021 and Fall 2021 Total Institution Population Projections

The Fall 2021 Population Projections predict a higher total institution population for Fiscal Years (FY) 2021-22 and FY 2022-23, and a lower total institution population for FY 2023-24 and FY 2024-25 than estimated by the Spring 2021 (Budget) Population Projections. The Fall 2021 Population Projections estimate of 111,193 inmates for June 30, 2022, is 0.2 percent or 248 inmates higher than what was projected by the Spring 2021 (Budget) Population Projections (see Table 2). For June 30, 2023, the Fall 2021 Population Projections anticipate the total institution population to be 114,968, which is 0.0 percent (6 inmates) higher than what was anticipated in the Spring 2021 (Budget) Population Projections. By June 30, 2024, the institution population is predicted to decrease to 104,050 inmates, which is 1.0 percent (1,043 inmates) lower than what was predicted in the Spring 2021 (Budget) Population Projections. By June 30, 2025, the institution population is expected to decrease to 98,324 inmates, which is 0.5 percent (505 inmates) lower than what was expected in the Spring 2021 (Budget) Population Projections.

The differences between the Spring 2021 (Budget) and Fall 2021 projections are related to the credit-earning changes for certain offenders. The Spring 2021 (Budget) Population Projections assumed an implementation date of April 1, 2021, for increases to credit-earning, and the Fall 2021 Population Projections include the actual implementation date of May 1, 2021. Additionally, the assumed methodology in which good conduct credits are applied in sentence calculations differs between the Spring 2021 (Budget) and Fall 2021 projections. Moreover, the Fall 2021 population projections include the estimated impact of recent policy changes that expanded the eligibility criteria for both elderly parole and the non-violent offender parole process that were not included in the Spring 2021 (Budget) projections.⁴ Impacts for both of these changes are anticipated to occur beginning FY 2022-23 and result in a decrease to the population.

³ CDCR's Spring 2021 Population Projections report is available here: <https://www.cdcr.ca.gov/research/wp-content/uploads/sites/174/2021/05/Spring-2021-Population-Projections.pdf>. This report includes projections prior to the adjustments made to account for accelerated admissions.

⁴ More information on these changes is available in Appendix B.

Table 2. Comparison of Spring 2021 (Budget) and Fall 2021 Total Institution Population Projections

June 30	Spring 2021 (Budget)	Fall 2021	Difference	Percent Difference
2022	110,945	111,193	248	0.2%
2023	114,962	114,968	6	0.0%
2024	105,093	104,050	-1,043	-1.0%
2025	98,829	98,324	-505	-0.5%
2026	N/A	96,378	N/A	N/A

2.1.2 Total Institution Population Projections

The Adult Institution population is expected to increase 12.9 percent (12,721 inmates) to 111,193 inmates by June 30, 2022, and then increase an additional 3.4 percent (3,775 inmates) to 114,968 by June 30, 2023 (see Table 1 and Figure 1). After these increases, CDCR expects to see annual decreases in the total institution population during FY 2023-24, FY 2024-25, and FY 2025-26. By the end of FY 2023-24, CDCR expects the institution population to decrease by 9.5 percent (10,918 inmates) to 104,050 inmates. The institution population is anticipated to decrease by 5.5 percent (5,726 inmates) to 98,324 inmates in June 2025, and decrease another 2.0 percent to 96,378 inmates by June 2026. After reaching a peak in FY 2022-23, CDCR anticipates the population to return to its pattern of decline related to policy reforms (such as Proposition 57), as well as new credit-earning changes that were implemented in 2021.

2.1.3 Historical Population Trends

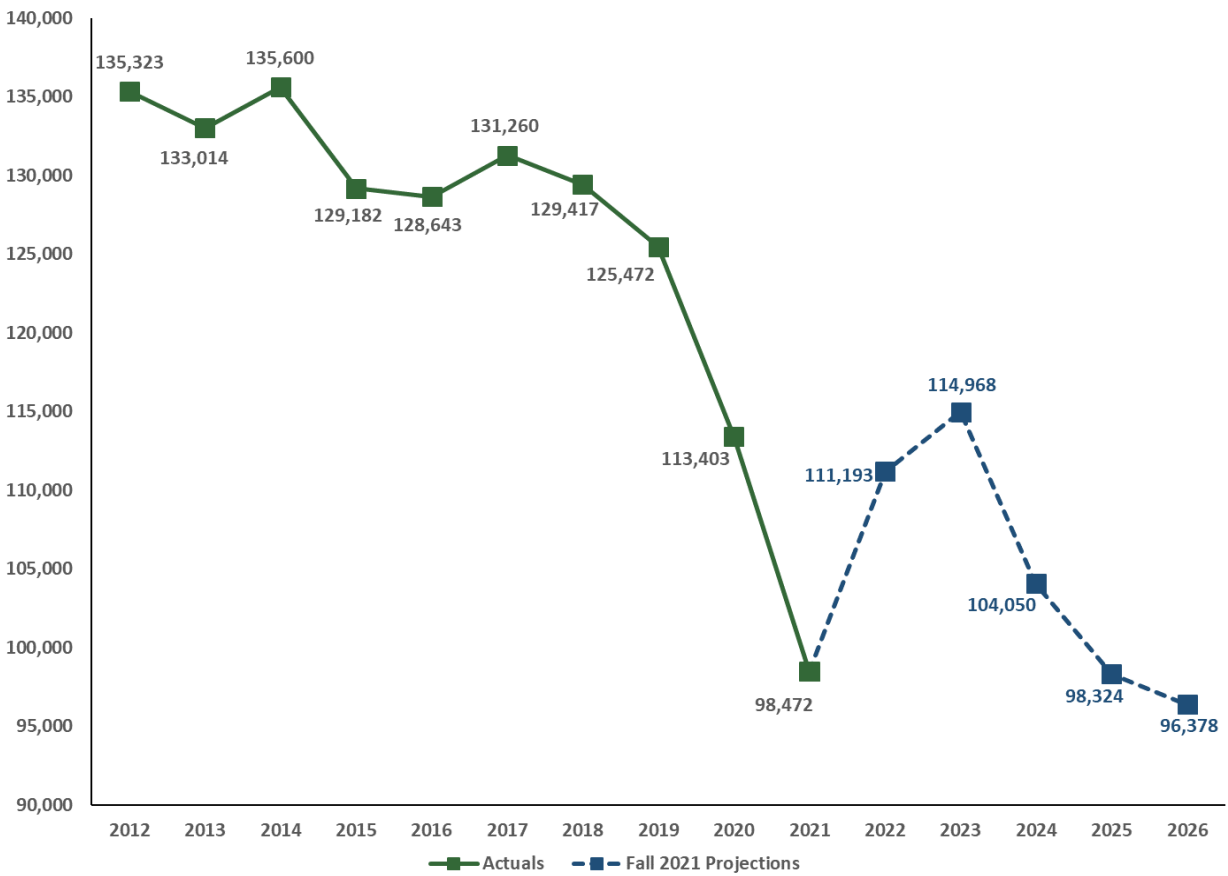
The adult total institution population decreased 1.7 percent (2,309 inmates) between 2012 and 2013, reaching 133,014 inmates on June 30, 2013 (see Table 1 and Figure 1). The population increased 1.9 percent (2,586 inmates) the following year, reaching 135,600 inmates on June 30, 2014. Following that year of growth, the institution population decreased in the two subsequent years to 128,643 inmates on June 30, 2016 (a two-year decrease of 5.1 percent or 6,957 inmates). This decrease was primarily due to the impacts of several court-ordered population reduction measures and Proposition 47. With the exception of 2014, CDCR has observed annual decreases in the institution population each June between the years of 2012 and 2016. The declines were primarily due to the impacts of 2011 Realignment legislation, several court-ordered population reduction measures, and the effects of Proposition 47.⁵ Those decreases were outpaced by longer-term trends that caused growth in groups such as inmates convicted of violent offenses or sentenced to life institution terms, which contributed to a 2.0 percent (2,617 inmates) annual population increase from June 30, 2016, to June 30, 2017 (128,643 to 131,260 inmates).

⁵ Proposition 47 was passed by voter initiative in November 2014 and reduced penalties for most non-serious, non-violent property and drug crimes by mandating a misdemeanor instead of a felony sentence for certain crimes.

The aforementioned court-ordered population reduction measures and the effects of Proposition 47 mainly impacted non-serious, non-violent, and non-sex-registrant offenders. The associated decreases were outpaced by long-term trends in groups such as offenders convicted of violent offenses and sentenced to life institution terms, who were mostly unaffected by the changes. A simultaneous increase in admissions of court commitments also contributed to the increase in the adult institution population in 2016 and 2017. More recently, CDCR has observed a decrease in the institution population, primarily because of Proposition 57 and other recent policy changes.⁶ The adult institution population declined 1.4 percent (1,843 inmates) from 131,260 inmates on June 30, 2017, to 129,417 inmates on June 30, 2018. In 2017, Proposition 57-related changes began to impact the adult institution and parole populations which contributed to the population decline. Proposition 57 and other recent policy changes contributed to a 3.0 percent decrease (3,945 inmates) in the population from 129,417 inmates on June 30, 2018, to 125,472 inmates on June 30, 2019. The total institution population experienced larger decreases over the following two fiscal years. The adult institution population decreased 9.6 percent (12,069 inmates) to 113,403 inmates on June 30, 2020, and then decreased an additional 13.2 percent (14,931 inmates) to 98,472 inmates on June 30, 2021. This decrease in the population is related to the impact on admissions and releases stemming from COVID-19, along with related policy changes that resulted in more offenders being released early.

⁶ Many court-ordered measures were subsequently enacted with the implementation of Proposition 57. Additional information is available at: <https://www.cdcr.ca.gov/3-judge-court-update>.

Figure 1. Total Institution Population Trends and Projections, June 30, 2012 through June 30, 2026



2.2 Adult Institution Population Projections and Population Trends by Gender

2.2.1 Fall 2021 Institution Population Projections by Gender

The male institution population was 94,562 as of June 30, 2021, which is the lowest it has been in recent years. Throughout the five years of the projection cycle, the Fall 2021 Population Projections predict the male institution population to range from 16.4 percent higher and 2.7 percent lower than the actual male population institution was on June 30, 2021. The Fall 2021 Population Projections predict the male institution population to reach 110,082 by June 30, 2023, and 91,999 by June 30, 2026, which is 16.4 percent (15,520 inmates) higher and 2.7 percent (2,563 inmates) lower than the 2021 actual male institution population, respectively (see Table 3).

The female institution population was 3,910 as of June 30, 2021, which is the lowest it has been in several years. Throughout the five years of the projections cycle, the Fall 2021 Population Projections predict the female institution population to range from 11.5 to 25.0 percent higher than the actual female institution population was on June 30, 2021. The Fall 2021 Population Projections predicts the female institution population to reach 4,886 by June 30, 2023, and 4,379 by June 30, 2026, which is 25.0

percent (976 inmates) and 12.0 percent (469 inmates) higher than the 2021 actual female institution population, respectively (see Table 3).

Table 3. Fall 2021 Total Institution Population Projections by Gender

June 30	Male	Female	Total
2021	*94,562	*3,910	*98,472
2022	106,683	4,510	111,193
2023	110,082	4,886	114,968
2024	99,665	4,385	104,050
2025	93,963	4,361	98,324
2026	91,999	4,379	96,378

*Actual Population

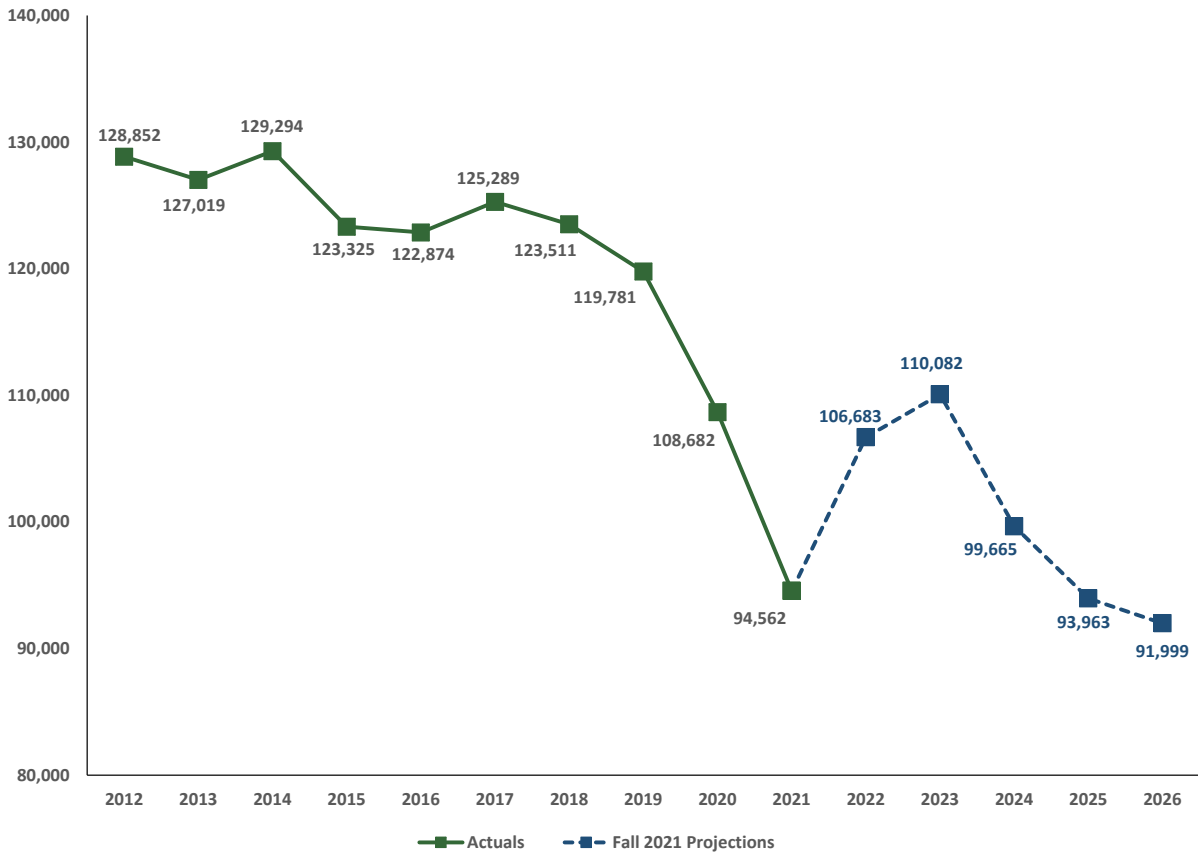
2.2.2 Male Population Projections

The Fall 2021 Population Projections forecast the male institution population to increase to 106,683 by June 30, 2022, and then further increase to 110,082 by June 30, 2023. Following these increases, the male institution population is projected to experience annual decreases for the remainder of the projection cycle. The male institution population is anticipated to decrease to 99,665 by June 30, 2024, to 93,963 by June 30, 2025, and 91,999 by June 30, 2026. The Fall 2021 Population Projections estimates a net five-year decrease of 2.7 percent or 2,563 inmates (see Table 1 and Figure 2). Adult male inmates comprise the majority of the adult institution population, which leads the male population trend to generally follow the total institution population trends.

2.2.3 Male Historical Population Trends

The male population decreased by 1.4 percent (1,833 inmates) from June 30, 2012, to June 30, 2013 (128,852 to 127,019 inmates; see Table 1 and Figure 2). Following that, the male population increased by 1.8 percent in the subsequent year (127,019 to 129,294 inmates). In the two years immediately following the passage of Proposition 47, the male population dropped by 4.6 percent (5,969 inmates) from 129,294 inmates on June 30, 2014, to 123,325 inmates on June 30, 2015, followed by a 0.4 percent decrease (451 inmates) to 122,874 inmates on June 30, 2016. After that decrease, CDCR observed a 2.0 percent increase (2,415 inmates) to 125,289 inmates on June 30, 2017, which was followed by a decrease in subsequent years following the implementation of Proposition 57. On June 30, 2018, the male population decreased to 123,511 inmates, a 1.4 percent decrease (1,778 inmates), and then an additional decrease of 3.0 percent (3,730 inmates) to 119,781 on June 30, 2019. The male population decreased by 9.3 percent (11,099 inmates) to 108,682 inmates by June 30, 2020, and decreased an additional 13.0 percent (14,120 inmates) to 94,562 on June 30, 2021.

Figure 2. Male Population Trends and Projections, June 30, 2012 through June 30, 2026



2.2.4 Female Population Projections

The female population is expected to increase to 4,510 by June 30, 2022, and then continue to increase to 4,886 by June 30, 2023. This will be followed by a decrease to 4,385 by June 30, 2024, and to 4,361 by June 30, 2025. After those decreases, the population is projected to increase slightly to 4,379 by June 30, 2026 (see Table 1 and Figure 3).

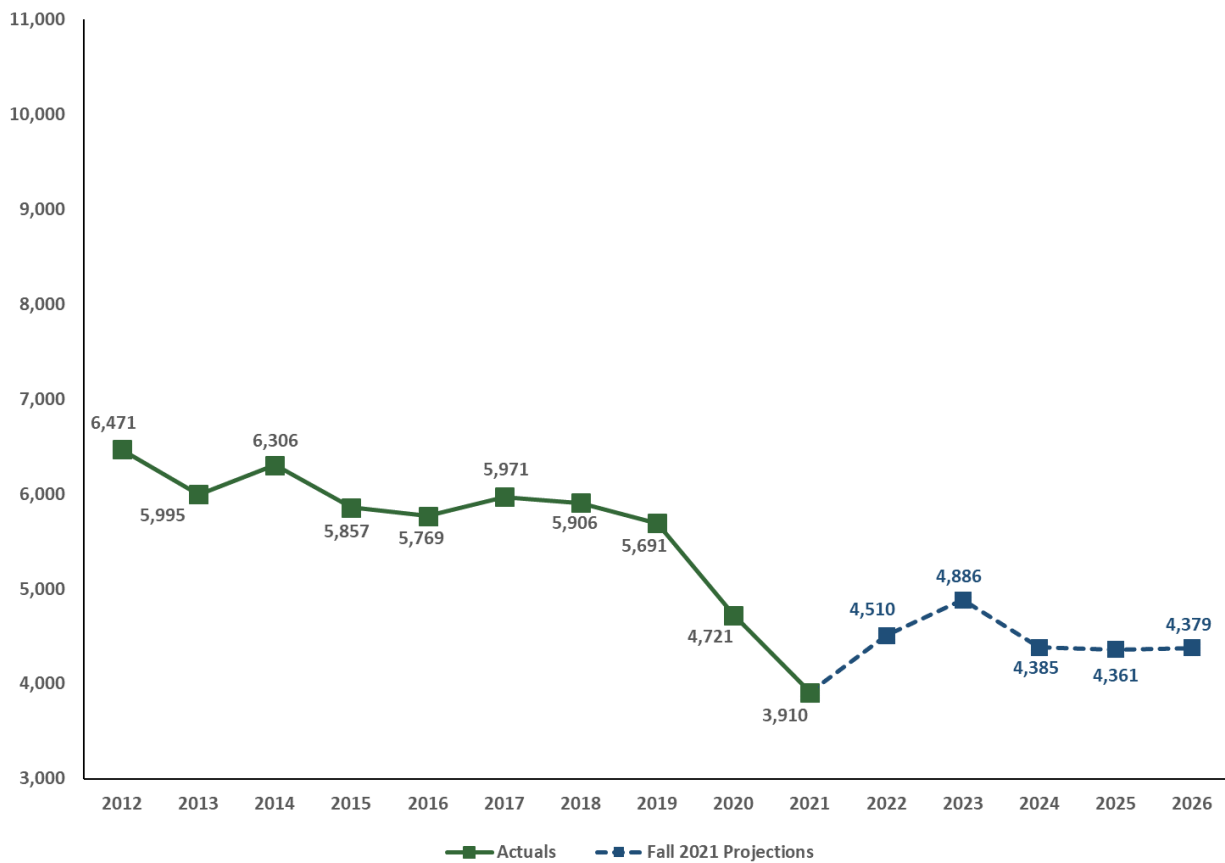
2.2.5 Female Historical Population Trends

Between June 30, 2012, and June 30, 2013, the female institution population decreased 7.4 percent from 6,471 to 5,995 inmates, which was a larger percent decrease observed than in the male population during the same time period (see Table 1 and Figure 3). From June 30, 2013, to June 30, 2014, the female population increased by 5.2 percent from 5,995 to 6,306 inmates. Similar to the male population, this was a reversal of several years of reduction, and it was a larger percentage increase than observed in the male population. In the two subsequent years following the implementation of Proposition 47, CDCR observed a 7.1 percent decrease (449 inmates) in the female population to 5,857 inmates on June 30, 2015, and another 1.5 percent decrease (88 inmates) to 5,769 inmates on June 30, 2016. By June 30, 2017, the female population increased by 3.5 percent (202 inmates) to 5,971 inmates.

Following the implementation of Proposition 57, the female population experienced a decrease of 1.1 percent (65 inmates) to 5,906 inmates on June 30, 2018, followed by a 3.6 percent decrease (215 inmates) to 5,691 inmates on June 30, 2019. As of June 30, 2020, the female population had decreased by 17.0 percent (970 inmates) to 4,721 inmates from the previous year. The following year, the female population experienced an additional 17.2 percent (811 inmates) decline, reaching 3,910 inmates on June 30, 2021.

Quarterly projections of the institution population by gender for FY 2021-22 and FY 2022-23 are available in Appendix D, Tables 16 and 17.

Figure 3. Female Population Trends and Projections, June 30, 2012 through June 30, 2026



3 Court Commitments⁷

3.1 Total Court Commitments, Comparisons, and Historical Trends

3.1.1 Comparison of Spring 2021 and Fall 2021 Total Court Commitment Projections

The Spring 2021 Population Projections originally prepared and published by CDCR in January 2021⁸ were subsequently revised for use in the FY 2021-22 State Budget. Intake to reception centers resumed at a faster rate than was anticipated in the preliminary Spring 2021 projections, and as a result, court commitment and institution population projections were adjusted to account for the accelerated admissions. These Spring 2021 (Budget) institution projections are available only for the court commitment and total institution population projections. Therefore, court commitment projection comparisons by gender are not available in the current report.

The Fall 2021 Population Projections predict 35,100 admissions of court commitments to CDCR Reception Centers in FY 2021-22, which is 3.9 percent (1,440 commitments) lower than anticipated by the Spring 2021 (Budget) Population Projections for the same time period (see Table 4). The Spring 2021 Population Projections assumed that the number of court commitments admitted to CDCR Reception Centers would remain low for several months before increasing to pre-pandemic levels near the end of calendar year 2021. However, after resuming intake on January 11, 2021, admissions to CDCR Reception Centers began approaching pre-pandemic levels in early 2021. The Spring 2021 total court commitment projections for FY 2020-21 and FY 2021-22 originally published in January 2021 were adjusted for the May revise of the State Budget to reflect the higher number of court commitments admitted than originally projected. The Fall 2021 Population Projections expect total court commitments to be 33,925 in FY 2022-23 and 33,950 in FY 2023-24, which is 0.6 percent or 217 commitments lower each fiscal year than the Spring 2021 projections predicted. The Fall 2021 Population Projections predict admissions of court commitments to CDCR Reception Centers to be 33,947 in FY 2024-25 which is 0.7 percent (250 commitments) lower than what was predicted in Spring 2021.

During the COVID-19 pandemic intake from county jails was closed for a total of 174 days between March 2020 and January 2021. The closure created a significant backlog of court commitments in county jails awaiting transfer to state prisons. At the height, counties held 10,755 incarcerated persons on behalf of the state. At the end of June 2021, there was a backlog of approximately 5,300 offenders in county jails waiting to be transferred to CDCR institutions. The Fall 2021 Population Projections assume

⁷ Felon court commitments are a major factor in institution population increase or decline. Higher court commitments generally lead to institution population increase, and lower court commitments generally lead to institution population decline. These general patterns may be counterbalanced by other factors; such as changes in length of stay.

⁸ CDCR's Spring 2021 Population Projections report is available here: <https://www.cdcr.ca.gov/research/wp-content/uploads/sites/174/2021/05/Spring-2021-Population-Projections.pdf>. This report includes projections prior to the adjustments made to account for accelerated admissions.

that CDCR Reception Centers will see elevated admissions through the end of November 2021 while the backlog of court commitments in county jails is being resolved. Once the backlog is resolved, admissions of court commitments to CDCR Reception Centers are projected to decrease to pre-pandemic levels by the end of calendar year 2021.

Table 4. Comparison of Spring 2021 (Budget) and Fall 2021 Total Court Commitment Projections

Fiscal Year	Spring 2021 (Budget)	Fall 2021	Difference	Percent Difference
2020-21	16,932	*17,068	136	0.8%
2021-22	36,540	35,100	-1,440	-3.9%
2022-23	34,142	33,925	-217	-0.6%
2023-24	34,167	33,950	-217	-0.6%
2024-25	34,197	33,947	-250	-0.7%
2025-26	N/A	33,970	N/A	N/A

*Actual Population

3.1.2 Total Court Commitment Projections

The Fall 2021 Population Projections predict admissions of felon court commitments to Reception Centers to increase back to historical levels in FY 2021-22 with 35,100 commitments. This is a significant increase of 105.6 percent (18,032 commitments) compared to the previous year, yet is only 0.48 percent (168 commitments) higher than pre-pandemic levels of commitments admitted in FY 2018-19 (see Table 5 and Figure 4). This increase is projected to be followed by a 3.3 percent (1,175 commitments) decrease in FY 2022-23. For the remainder of the projection cycle, court commitments are estimated to stabilize. The Fall 2021 Population Projections predict a 0.1 percent increase in FY 2023-24 (25 commitments), a 3 commitments or 0.0 percent decrease in FY 2024-25, and a 0.1 percent (23 commitments) increase in FY 2025-26.

3.1.3 Total Court Commitment – Historical Trends

The number of felon court commitments that were admitted to CDCR decreased by 7.7 percent (39,001 to 35,997 commitments) in FY 2012-13, followed by an increase of 7.9 percent (35,997 to 38,853 commitments) in FY 2013-14. Total court commitments then decreased 8.5 percent in FY 2014-15 (38,853 to 35,547 commitments), primarily due to the passage of Proposition 47.

In FY 2015-16, admissions of felon court commitments increased by 0.3 percent (35,547 to 35,637 commitments), then by 2.6 percent in FY 2016-17 (35,637 to 36,556 commitments). Following these two years of increases, court commitments decreased 1.0 percent in FY 2017-18 (36,556 to 36,204 commitments) and 3.5 percent in FY 2018-19 (36,204 to 34,932 commitments). In FY 2019-20 and FY 2020-21, felon court commitments saw significant decreases of 29.2 percent (34,932 to 24,742 commitments) and 31.0 percent (24,742 to 17,068 commitments) which has not happened since FY 2011-12 when there was a 32.5 percent decrease related to the passing of Realignment legislation.

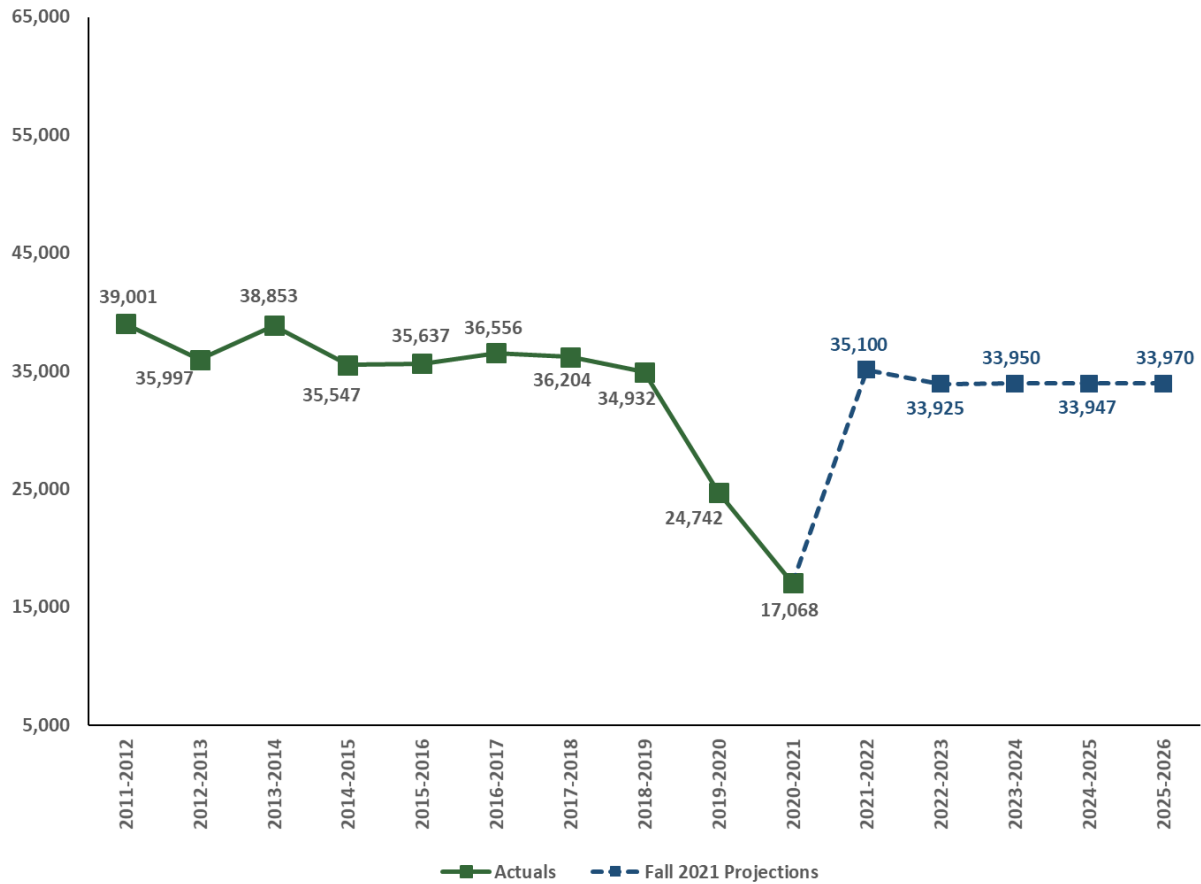
This decrease was mainly due to CDCR temporarily suspending the intake of court commitments into CDCR Reception Centers in response to COVID-19.

Detailed tables showing actual and projected rates of admissions of court commitments into CDCR Reception Centers are shown in Appendix D, Tables 10 through 15.

Table 5. Felon Court Commitments and Projections by Gender, Fiscal Years 2011-12 through 2025-26

Fiscal Year	Commitments							
	Male	Percent of Total	Percent Change	Female	Percent of Total	Percent Change	Total	Percent Change
Actual								
2011-12	35,855	91.9%	N/A	3,146	8.1%	N/A	39,001	N/A
2012-13	33,660	93.5%	-6.1%	2,337	6.5%	-25.7%	35,997	-7.7%
2013-14	36,085	92.9%	7.2%	2,768	7.1%	18.4%	38,853	7.9%
2014-15	33,080	93.1%	-8.3%	2,467	6.9%	-10.9%	35,547	-8.5%
2015-16	33,263	93.3%	0.6%	2,374	6.7%	-3.8%	35,637	0.3%
2016-17	33,958	92.9%	2.1%	2,598	7.1%	9.4%	36,556	2.6%
2017-18	33,526	92.6%	-1.3%	2,678	7.4%	3.1%	36,204	-1.0%
2018-19	32,293	92.4%	-3.7%	2,639	7.6%	-1.5%	34,932	-3.5%
2019-20	22,852	92.4%	-29.2%	1,890	7.6%	-28.4%	24,742	-29.2%
2020-21	15,694	91.9%	-31.3%	1,374	8.1%	-27.3%	17,068	-31.0%
Projected								
2021-22	32,314	92.1%	105.9%	2,786	7.9%	102.8%	35,100	105.6%
2022-23	31,179	91.9%	-3.5%	2,746	8.1%	-1.4%	33,925	-3.3%
2023-24	31,248	92.0%	0.2%	2,702	8.0%	-1.6%	33,950	0.1%
2024-25	31,293	92.2%	0.1%	2,654	7.8%	-1.8%	33,947	0.0%
2025-26	31,357	92.3%	0.2%	2,613	7.7%	-1.5%	33,970	0.1%

Figure 4. Felon Court Commitments and Projections, Fiscal Years 2011-12 through 2025-26



3.2 Court Commitment Projections by Gender

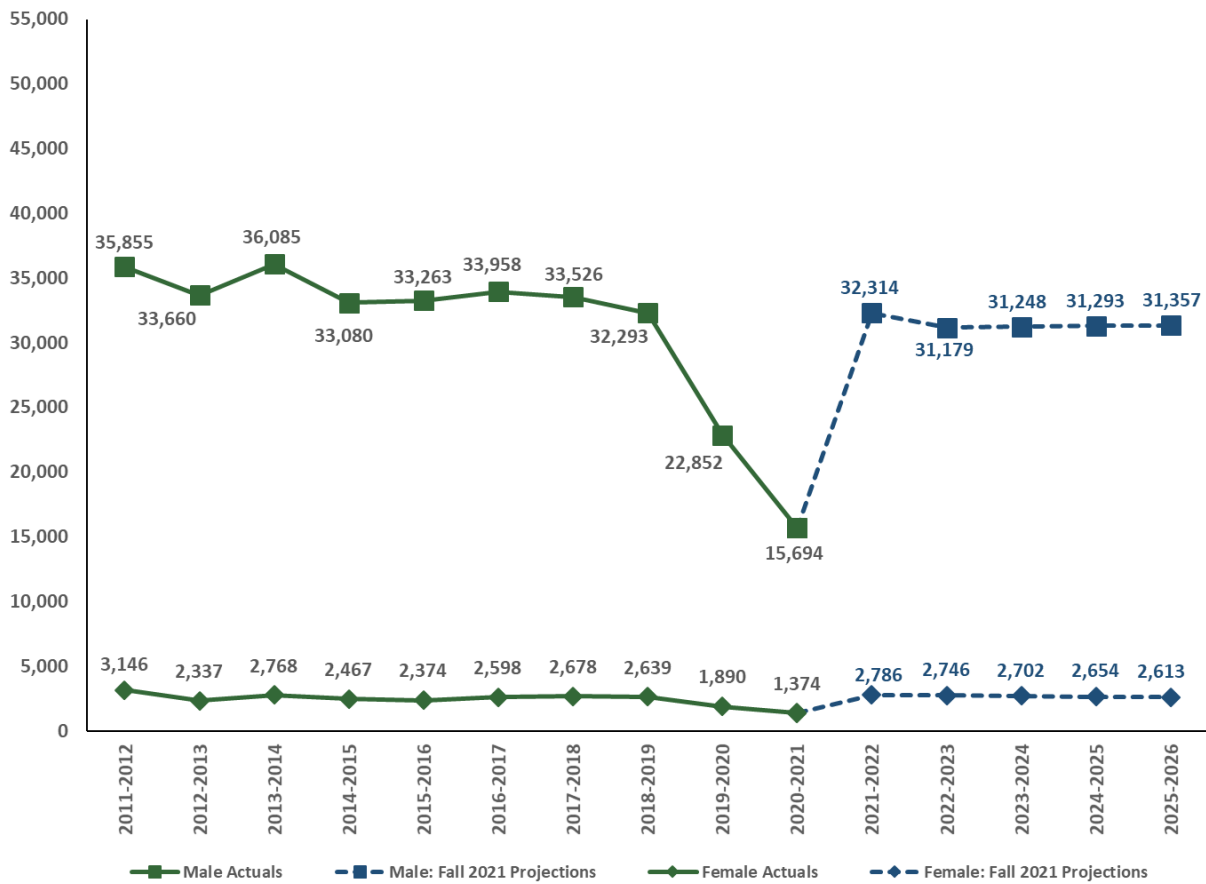
3.2.1 Adult Male Felon Court Commitment Projections

The Fall 2021 Population Projections predict that the number of admissions of male court commitments to CDCR Reception Centers will increase 105.9 percent (16,620 commitments) from 15,694 court commitments admitted in FY 2020-21 to an estimate of 32,314 by FY 2021-22 (see Table 5 and Figure 5). After this initial increase, male court commitments are expected to decrease 3.5 percent (1,135 commitments) in FY 2022-23. For the remainder of the projection cycle, male court commitments are predicted to stabilize with slight increases in each fiscal year. The Fall 2021 Population Projections estimate male court commitments will increase by 0.2 percent (69 commitments) in FY 2023-24, by 0.1 percent (45 commitments) in FY 2024-25, and by 0.2 percent (64 commitments) in FY 2025-26.

3.2.2 Adult Female Felon Court Commitment Projections

The Fall 2021 Population Projections anticipate the admissions of female court commitments to CDCR Reception Centers to increase 102.8 percent (1,412 commitments) from 1,374 court commitments admitted in FY 2020-21 to an estimate of 2,786 by FY 2021-22 (see Table 5 and Figure 5). After this initial increase, female court commitments are projected to decrease each year for the remainder of the projection cycle. The Fall 2021 Population Projections estimate female court commitments to decrease by 1.4 percent (40 commitments) in FY 2022-23 and by 1.6 percent (44 commitments) in FY 2023-24. CDCR expects the admissions of female felon court commitments to CDCR Reception Centers to decrease by 1.8 percent (48 commitments) in FY 2024-25 and by 1.5 percent (41 commitments) in FY 2025-26.

Figure 5. Felon Court Commitment Trends and Projections by Gender, Fiscal Years 2011-12 through 2025-26



3.3 Felon Second Strike Court Commitment Projections and Historical Trends

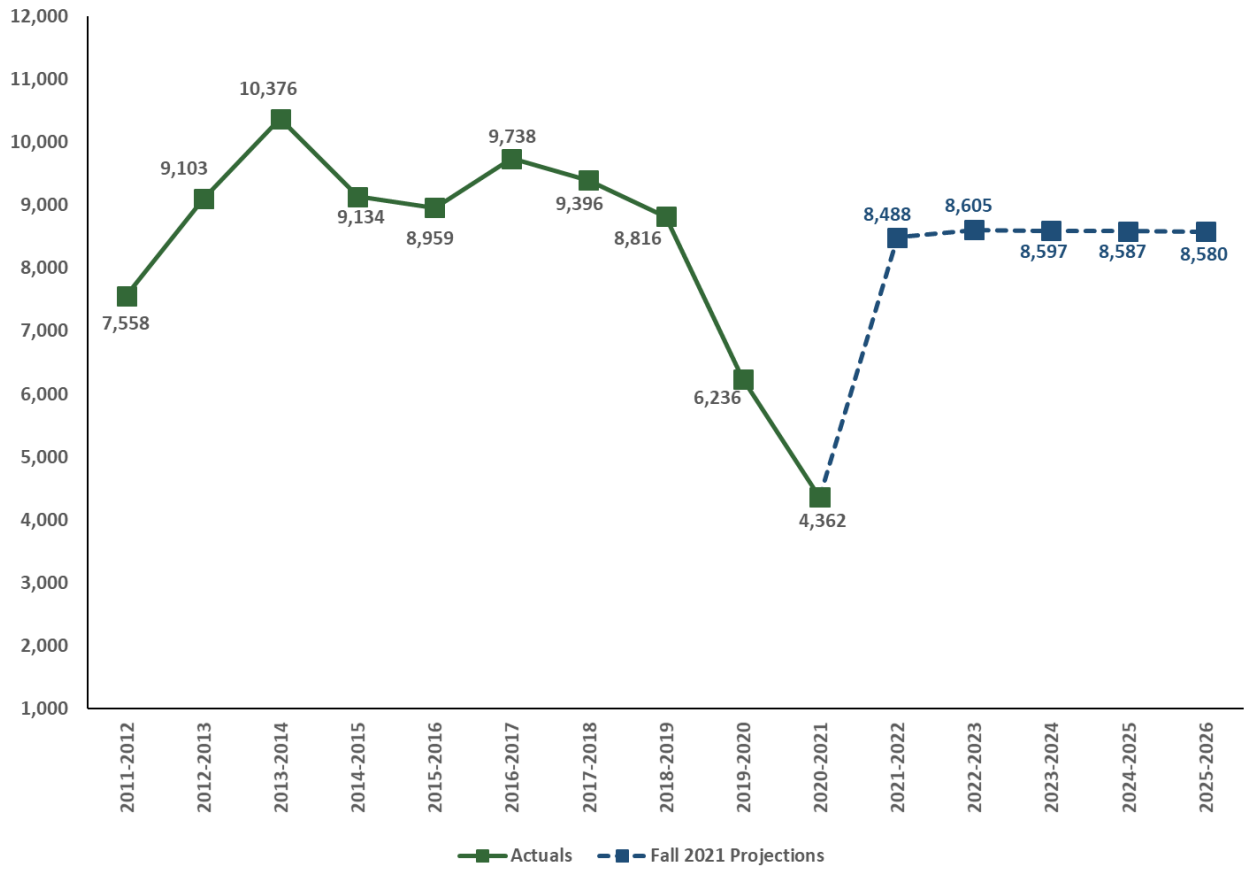
3.3.1 Felon Second Strike Court Commitment Projections

Following the overall trend of total felon court commitments, the Fall 2021 Population Projections predict an increase for FY 2021-22 to 8,488 followed by a relatively stable population for the projections cycle, reaching 8,580 in FY 2025-26 (See Figure 4 and Figure 6).

3.3.2 Felon Second Strike Court Commitment Historical Trends

From FY 2010-11 to FY 2012-13, the number of felon Second Strike court commitments admitted to CDCR increased 20.6 percent from 7,551 to 9,103 Second Strike commitments (see Figure 6). During the two years after the implementation of the 2011 Realignment legislation, admissions of Second Strike court commitments increased to an all-time high, reaching 10,376 commitments in FY 2013-14. However, following the passage of Proposition 47, Second Strike commitments decreased 13.7 percent down to 8,959 commitments in FY 2015-16. After these two years of decreases, Second Strike commitments increased 8.7 percent to 9,738 commitments by FY 2016-17, which was a larger percentage increase than observed in total court commitments. Similar to total felon court commitments, Second Strike court commitments decreased 3.5 percent (342 commitments) from FY 2016-17 to FY 2017-18 and 6.2 percent (580 commitments) from FY 2017-18 to FY 2018-19. During FY 2019-20, admissions of Second Strike court commitments to CDCR Reception Centers decreased 29.3 percent to 6,236 commitments from the previous fiscal year. Second-strike court commitments continued to decrease in FY 2020-2021, declining 30.1 percent (1,874 commitments) to 4,362 commitments.

Figure 6. Actual and Projected Second Strike Court Commitments, Fiscal Years 2011-12 through 2025-26



4 Male Inmate Placement Needs Projections

The Spring 2021 Population Projections originally prepared and published by CDCR in January 2021⁹ were subsequently revised for use in the FY 2021-22 State Budget. Intake to reception centers resumed at a faster rate than was anticipated in the preliminary Spring 2021 projections, and as a result, court commitment and institution population projections were adjusted to account for the accelerated admissions. These Spring 2021 (Budget) institution projections are available only for the court commitment and total institution population projections. Therefore, inmate placement needs projections comparisons are not available in the current report.

Table 6 presents the Fall 2021 male institution population by housing level, based on historical trends. CDCR's Reception Center population was 5,044 inmates on June 30, 2021, an increase from the previous year but lower than historical levels. This increase was driven by the resumption of intake at an elevated rate to CDCR Reception Centers from county jails. CDCR predicts Reception Center needs will increase 47.5 percent (2,398 inmates) to 7,442 inmates in June 2022 and then remain relatively stable in subsequent years. CDCR Reception Center needs are anticipated to gradually increase to 7,679 inmates by June 30, 2026, which is also lower than historical levels and reflects the change implemented in September 2020 that may reduce the time spent in Reception Centers.¹⁰

Of inmates requiring housing in Security Levels I through IV, CDCR predicts an increase in housing needs for the first two years of the projection cycle (FY 2022 and FY 2023), followed by annual incremental decreases. The decrease is due to recent policy changes and the continuing impact of Proposition 57 and COVID-19. The full impact in the later years will require further study as more information becomes available. Level II inmates are expected to encompass the largest portion of the male population, while Level I inmates are expected to represent the smallest portion throughout the projections cycle.

Identifying and understanding the full effect of COVID-19 and other recent policy changes on CDCR's populations by housing level may take some time. Due to the extraordinary circumstances that may potentially impact the Fall 2021 projections, the authors of this report suggest using caution when interpreting these projections. The projections are likely to be refined as we obtain further information and will be reevaluated in Spring 2022.

Quarterly housing level projections through June 30, 2023, and annual housing level projections through June 30, 2026, are available in Appendix D, Tables 19 and 20.

⁹ CDCR's Spring 2021 Population Projections report is available here: <https://www.cdcr.ca.gov/research/wp-content/uploads/sites/174/2021/05/Spring-2021-Population-Projections.pdf>. This report includes projections prior to the adjustments made to account for accelerated admissions.

¹⁰ More information on this change is available in Appendix B.

Table 6. Male Institution Population Projections by Housing Level, June 30, 2021, through June 30, 2026

June 30	Security Level							Total Male
	Reception Center	Level I	Level II	Level III	Level IV	PHU	SHU	
2021 (Actual)	5,044	8,383	41,317	15,910	23,348	7	553	94,562
2022	7,442	8,861	45,758	17,861	25,980	6	775	106,683
2023	7,526	9,160	47,298	18,462	26,855	6	775	110,082
2024	7,521	8,223	42,459	16,573	24,108	6	775	99,665
2025	7,536	7,708	39,803	15,536	22,599	6	775	93,963
2026	7,679	7,519	38,823	15,154	22,043	6	775	91,999

5 Parole Population

5.1 Comparison of Spring 2021 and Fall 2021 Active Parole Population Projections

The Fall 2021 Population Projections predict a lower parole population for the early part of the projection cycle and a higher parole population in the later part, compared to the Spring 2021 Population Projections. The Fall 2021 Population Projections predict an active parole population of 43,440 parolees for June 30, 2022, which is 4.2 percent (1,911 parolees) lower than projected for the same time period in the Spring 2021 Population Projections. By June 30, 2023, the parole population is predicted to peak at 43,599 parolees, which is 3.4 percent (1,548 parolees) lower than what was expected in the Spring 2021 Population Projections. Following this peak, the Fall 2021 Population Projections anticipate the parole population to decrease to 42,796 parolees by June 30, 2024, which is 10.4 percent (4,026 parolees) higher than the was anticipated in the Spring 2021 Population Projections. The Fall 2021 Population Projection predicts the parole population to decrease slightly to 42,570 parolees by June 30, 2025, which is 12.0 percent (4,547 parolees) higher than the Spring 2021 Population Projections (See Table 7 and Figure 7).

The differences between the Spring 2021 and Fall 2021 population projections are related to a few different factors. The Fall 2021 Population Projections incorporate updated impact estimates for recent credit-earning changes that accelerate releases to parole for eligible offenders. In the later part of the projection cycle, differences are related to accelerated institution admissions during 2021 that were not included in the Spring 2021 projections, unlike the institution population projections. When these individuals are released from prison, there will be a temporary increase to the parole population compared to the Spring 2021 projections, beginning around late calendar year 2023. In addition, the Fall 2021 Population Projections incorporate estimated impacts of expanded eligibility for elderly parole and the non-violent offender parole process, which are expected to generate relatively small increases to the parole population.

Table 7. Comparison of Spring 2021 and Fall 2021 Active Parole Population Projections

June 30	Spring 2021	Fall 2021	Difference	Percent Difference
2021	50,793	*50,322	-471	-0.9%
2022	45,351	43,440	-1,911	-4.2%
2023	45,147	43,599	-1,548	-3.4%
2024	38,770	42,796	4,026	10.4%
2025	38,023	42,570	4,547	12.0%
2026	N/A	38,284	N/A	N/A

*Actual Population

5.2 Active Parole Population Projections and Historical Trends

5.2.1 Active Parole Population Projections

CDCR projects the active parole population will experience a decrease of 13.7 percent (6,882 parolees) from June 30, 2021, to June 30, 2022 (50,322 parolees to 43,440 parolees; see Table 9). The Fall 2021 Population Projections predict a slight increase of 0.4 percent (159 parolees) from June 30, 2022, to 43,599 parolees by June 30, 2023. The parole population is expected to decline by 1.8 percent to 42,796 parolees by June 30, 2024 (803 parolees), and will further decrease by 0.5 percent (226 parolees) to 42,570 parolees by June 2025. CDCR predicts the parole population will continue to decline, decreasing by 10.1 percent (4,286 parolees) to reach 38,284 parolees on June 30, 2026. The anticipated decrease in the parole population is related to the changes to earned discharge and the parole cap application that went into effect in October 2020. The policy change allows offenders released to parole on or after July 1, 2020, to serve a maximum two-year parole period as long as they are non-sex registrant determinately sentenced parolees. The cap is three years for those with an indeterminate sentence. Additionally, the earned discharge policy change allows parolees who started their parole prior to July 1, 2020, to be eligible for possible discharge no later than 12 months after release from prison.

5.2.2 Active Parole Historical Trends

The population of active parolees supervised in California decreased by 35.9 percent between 2012, and 2014 (69,435 to 44,499 parolees; see Table 8 and Figure 7). The largest single-year percent decrease of 26.1 percent occurred between June 30, 2012, and June 30, 2013 (69,435 to 51,300 parolees) which coincided with the implementation of the 2011 Realignment legislation. Following four years of decline, the parole population increased by 2.2 percent from June 30, 2014, to June 30, 2015 (44,499 to 45,473 parolees). This change was driven by the effects of Proposition 47 which resulted in approximately 4,700 offenders being resentenced and released from the institution. Most resentenced offenders subsequently served a one-year parole period.¹¹ A short-term 3.6 percent decrease was observed

¹¹ In addition to the impact of resentencing while in CDCR institutions, offenders may also be resentenced while serving time in county jail or under other county-level supervision and subsequently placed on state parole supervision under Proposition 47 (court walkovers).

between June 30, 2015, and June 30, 2016 (45,473 to 43,814 parolees) as Proposition 47 parolees were discharged from parole.

Following this decrease, the active parole population experienced four consecutive years of increase. From June 30, 2016, to June 30, 2017, the population grew by 3.3 percent (43,814 to 45,261 parolees), this was followed by a 4.7 percent increase from June 30, 2017, to June 30, 2018 (45,261 to 47,370 parolees). The parole population experienced a 7.3 percent increase from June 30, 2018, to June 30, 2019 (47,370 to 50,822 parolees), and an additional increase of 5.1 percent from June 30, 2019, to June 30, 2020 (50,822 to 53,427 parolees). The active parole population experienced a decrease of 5.8 percent from June 30, 2020, and June 30, 2021 (53,427 to 50,322 parolees).

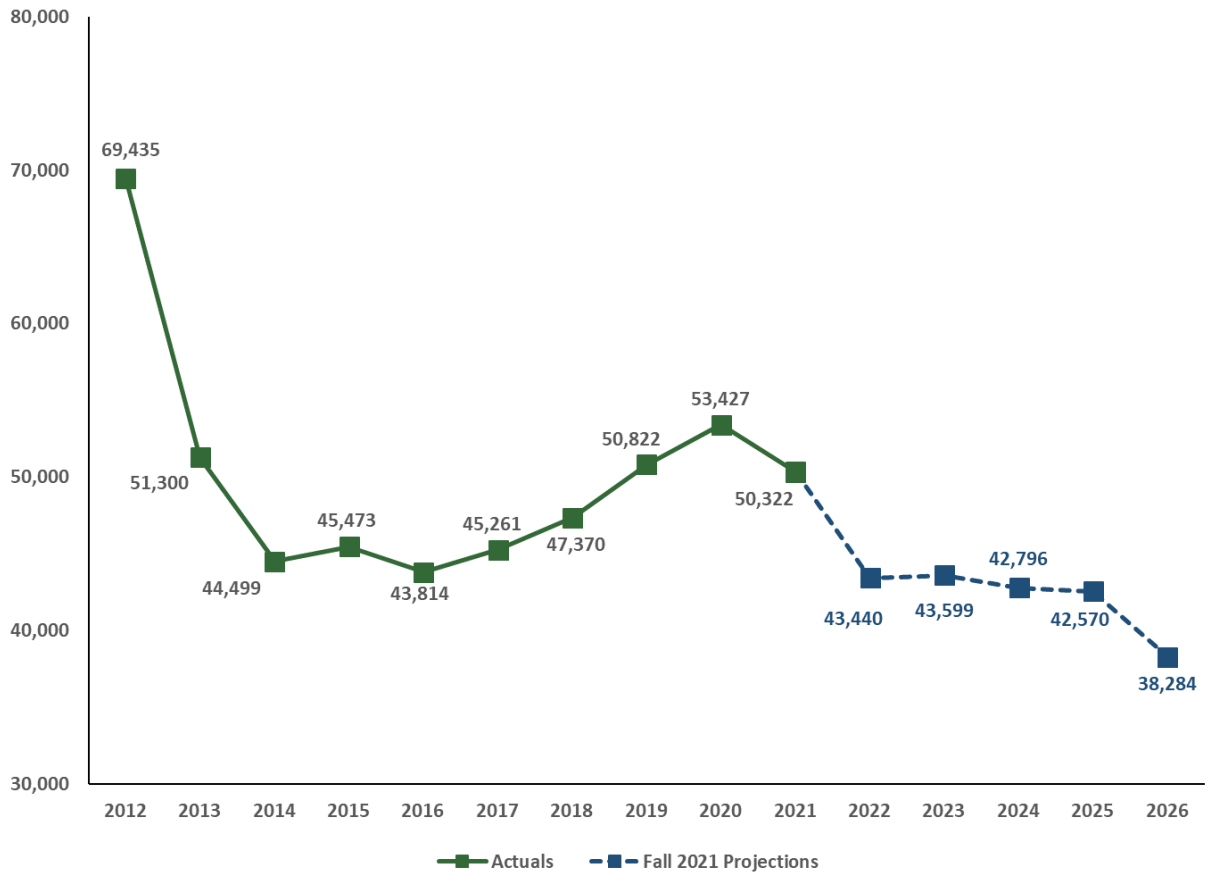
Parole population increases observed in more recent years were related to a growing number of parolees who served life institution terms and were consequently expected to serve long lengths of stay on parole, as well as an increased number of releases from the institutions due to the impacts of Proposition 57 and other recent policy changes. The decrease in the parole population observed from June 30, 2020, to June 30, 2021, is related to the earned discharge policy change which allows certain parolees to be eligible for possible discharge no later than 12 months after release from prison.

Quarterly projections of the active parole population through June 2023 are available in Appendix D, Tables 20 and 21.

Table 8. Active Parole Population Supervised in California, June 30, 2012 through June 30, 2026

June 30	Active Parole	Percent Change
Actual		
2012	69,435	N/A
2013	51,300	-26.1%
2014	44,499	-13.3%
2015	45,473	2.2%
2016	43,814	-3.6%
2017	45,261	3.3%
2018	47,370	4.7%
2019	50,822	7.3%
2020	53,427	5.1%
2021	50,322	-5.8%
Projected		
2022	43,440	-13.7%
2023	43,599	0.4%
2024	42,796	-1.8%
2025	42,570	-0.5%
2026	38,284	-10.1%

Figure 7. Active Parole Population Trends and Projections, June 30, 2012 through June 30, 2026



6 Juvenile Population Projections

6.1 Comparison of Spring 2021 and Fall 2021 Juvenile Population Projections

The Fall 2021 Population Projections predicts the juvenile population to have an Average Daily Population (ADP) of 618 youth by June 2022, which is 18.2 percent (95 youth) higher than the 523 youth predicted in the Spring 2021 Population Projections. The difference between the projections is due to updated assumptions related to Department of Juvenile Justice (DJJ) receptions and releases based on more recent data and observations.

6.2 Juvenile Population Projection

CDCR predicts the total juvenile ADP will reach 618 youth by June 2022, which is a 10.7 (74 youth) decrease from June 2021 (see Table 9). The juvenile ADP is projected to decrease an additional 20.2 percent (125 youth) to reach 493 ADP by June 2023. The projected decline reflects anticipated changes as the Division of Juvenile Justice is realigned to local systems. Intake of youth sentenced prior to June 30, 2021 was expected to end by July 31, 2021. However, as a result of COVID-related precautions and the staggered intake of youth, the Fall 2021 Population Projections anticipate that youth offenders will continue to arrive through December 2021. More information about this change is included in Appendix B.

6.3 Juvenile Population Historical Trends

The male juvenile June ADP decreased 34.9 percent from 934 to 608 youth from June 2012 to June 2018 then increased by 13.3 percent (81 youth) from June 2018 to June 2019 (see Table 9). In June 2020, the male population increased by 6.8 percent to 736 youth compared to 689 in June 2019. The following year the male juvenile ADP decreased 10.1 percent to 662 in June 2021. The female juvenile ADP decreased 3.8 percent from 26 to 25 youth from 2012 to 2018 then increased by 12.0 percent (3 youth) from 2018 to 2019. The female population increased by 7.1 percent (2 youth) to 30 youth in 2020 and remained at 30 ADP for June 2021.

Table 9. Juvenile Average Daily Population and Projected Average Daily Population, June 2012 through June 2023

June	Male	Female	Total
Actual			
2012	934	26	960
2013	709	26	735
2014	665	23	688
2015	665	25	690
2016	678	26	705
2017	613	21	634
2018	608	25	633
2019	689	28	717
2020	736	30	766
2021	662	30	692
Projected			
2022	592	26	618
2023	470	23	493

Appendix A – Methodology, Technical Notes, and Limitations

Methodology and Technical Notes

Most corrections population experts agree that projections beyond two- to three-year time horizons are difficult to model with precision.¹² Due to the need to prepare longer-term projections for planning purposes, this report presents up to five years of projections for some populations. CDCR's Office of Research uses the most current data available to produce its population projections. Routine database updates may cause some reported values to differ from previously reported values.

The adult population projections use historical trend data and a simulation model that projects individual offender movements for the population in custody at the start of the projections and projected future court commitments. The model forecasts anticipated changes in housing levels over the incarceration period and releases from the institution to parole or county post release community supervision. The timing of the projected actions is based on trend data entered into the model.

Juvenile population projections were developed using historical trend data and time series forecasting techniques. Juvenile forecasts were constructed based on weekly average daily populations of all juvenile facilities and juvenile offenders who are the responsibility of DJJ but not physically housed in a DJJ facility. The juvenile population, however, does not include juveniles housed in adult institutions or juveniles under county supervision in accordance with Assembly Bill (AB) 1628.¹³

Beginning with the Spring 2014 Population Projections, the active parole population excludes parolees on non-revocable parole. Parole population values reported in earlier reports included parolees on non-revocable parole.

Beginning with the Fall 2015 Projections, CDCR adopted a new court commitment forecasting procedure that relies solely on data observed after the implementation of 2011 Realignment legislation (October 2011) for determinately sentenced offenders. This approach was employed because sufficient data became available at that point to conduct robust analyses of the predictive power of pre-Realignment compared to post-Realignment data. These analyses have revealed predictions using only data collected after the implementation period are more accurate than predictions using both pre and post-Realignment commitment data.

Additionally, beginning with the Fall 2015 Projections, CDCR utilized offender classification data collected in the Strategic Offender Management System (SOMS). This change resulted in shifts of projected housing placement needs compared to past projections, primarily in housing Levels II and III. The deployment of SOMS in 2013 coincided with a revised classification scoring structure that changed

¹² See *Limitations* below.

¹³ More information on AB 1628 is available in Appendix B.

the cut points for determining housing placements.¹⁴ As inmates were rescored under the new classification structure, there was a data entry lag for some offender information into the legacy Inmate Classification Scoring System. The SOMS data provide a more complete and accurate account of current offender placement needs.

Beginning with the Spring 2016 Projections, the adult institution population includes offenders in alternative custody and community re-entry programs, as well as offenders on medical parole. CDCR made this change to create a more comprehensive view of the adult offender population serving an institution term. The authors of this report recommend exercising caution when comparing projections published in past reports.

The California population data used to calculate the commitment rates to an institution are based on demographic data obtained from the California Department of Finance.¹⁵ These population data are provided for calendar year midpoints (July 1). For this report, data for two points in time were averaged to afford a closer fit to the state fiscal year.

Limitations

Although CDCR's population projections are designed to be as accurate as possible, it is difficult to model projections beyond a two- to three-year time horizon with precision. Nevertheless, this report provides up to five years of projections for some populations.

The projections do not currently incorporate any assumptions about the individuals awaiting trial and/or sentencing due to COVID-19 related court closures and related backlogs. These individuals could generate a temporary increase in admissions to CDCR in the future. As additional data become available, future projections may include an adjustment to account for these groups. The impact of COVID-19 and recent policy changes on CDCR's populations are still developing, and the authors of this report suggest using caution when interpreting these projection results.

¹⁴ A summary of the findings by the related study is available at: <https://www.cdcr.ca.gov/news/2012/03/09/new-study-makes-recommendations-for-cdcrs-inmate-classification-score-system>

¹⁵ State of California, Department of Finance, Report P-3: State and County Population Projections by Race/Ethnicity, Detailed Age, and Gender, 2010-2060, Sacramento, California, July 2021.

Appendix B – Significant Chaptered Legislation, Initiatives, and Policy Changes¹⁶

Adults

Legislation

Chapter 334, Statutes of 2020, [Assembly Bill (AB) 3234]

Signed by Governor and chaptered on September 30, 2020. Modified the minimum age limitation for the elderly parole Program to 50 years of age and requires the person to have served a minimum of 20 years of continuous incarceration in order to be eligible for elderly parole. Under the previous law, AB 1448, inmates were eligible for elderly parole review once they turned 60 and had served 25 continuous years of incarceration. Persons who were previously ineligible for elderly parole because they were convicted of 1st degree murder of a peace officer or convicted under the Three Strikes Law, are now eligible for elderly parole once they turn 60 and have served 25 continuous years of incarceration.

The Board of Parole Hearings (BPH) has until December 31, 2022, to complete hearings for all persons immediately eligible for hearing under AB 3234 and it is assumed that hearings will begin in July 2022. *The estimated impact of this legislation is factored into the Population Projections with an assumed implementation date of July 1, 2022.*

Chapter 590, Statutes of 2019, [Senate Bill (SB) SB 136]

Signed by Governor and chaptered on October 8, 2019. Removed from the law is a one-year enhancement for prior non-violent institution terms. *The estimated impact of this legislation is factored into the Population Projections with an assumed effective date of January 1, 2020.*

Chapter 577, Statutes of 2019, (AB 965)

Signed by Governor and chaptered on October 8, 2019. Allows Educational Merit Credits to be applied to an offender's Youth Eligibility Parole Date. *The estimated impact of this legislation is factored into the Population Projections with an assumed effective date of January 1, 2020.*

Chapter 471, Statutes of 2015, (SB 261)

Required the Board of Parole Hearings (BPH) to conduct youth offender parole hearings to consider the release of offenders who committed specified crimes when they were under 23 years of age and subsequently sentenced to a state institution. *The impact of this legislation is factored into the Population Projections to the extent the impact is in trend.*

¹⁶ Information about Significant Legislation, Initiatives, and Policy Changes implemented prior to 2014 may be found in earlier population projections reports available at <https://www.cdcr.ca.gov/research/population-reports>.

Initiatives

Proposition 57 – Public Safety and Rehabilitation Act of 2016.

The proposition 1) increased the number of non-violent offenders eligible for parole consideration and allowed parole consideration after serving the full term of the sentence for their primary offense; 2) authorized CDCR to award sentence credits for rehabilitation, good behavior, or educational achievements; and 3) provided juvenile court judges authority to decide whether juveniles age 14 and older should be sentenced as adults for specified offenses. *This proposition was passed into law on November 8, 2016, and is factored into the Population Projections.*

Proposition 47 – Criminal Sentences, Misdemeanor Penalties, Initiative Statute.

Required misdemeanor instead of felony sentence for certain drug possession offenses. Required misdemeanor instead of felony sentence for the following crimes when the amount involved is \$950 or less: petty theft, receiving stolen property and forging/writing bad checks. Allowed felony sentence for these offenses if a person has had a previous conviction for crimes such as rape, murder, or child molestation or is a registered sex offender. Required resentencing for persons serving felony sentences for these offenses unless the court finds unreasonable public safety risk.

The proposition resulted in fewer commitments to state institutions from the court. Proposition 47-related decreases in the institution population include the effect of resentencing avoided court commitments. The impact of avoided court commitments is assumed to continue indefinitely. *This proposition was passed into law on November 4, 2014, and is factored into the Population Projections.*

Policy Changes

Changes to the Non-Violent Offender Parole Process (NVPP)

Effective January 29, 2021, the California Supreme Court in the case of *In re Gadlin*, held that under Proposition 57, individuals required to register as a sex offender (Penal Code section 290) based on a prior conviction could no longer be categorically excluded from non-violent parole consideration. The Court also held that the Department's regulations cannot exclude inmates for a current offense unless defined by the regulations as a violent felony. This means inmates both previously and currently convicted of a registerable sex offense are now eligible for the non-violent parole process after serving the full term of their primary offense, as long as their current term is non-violent.

All persons who became eligible for parole consideration as a result of the Gadlin decision and who otherwise meet the eligibility requirements for parole consideration under Proposition 57 will be referred to the BPH by July 1, 2021.

The estimated impact of this change is factored into the Population Projections with an assumed effective date of July 1, 2021.

Change in Credit-earning for Violent Offenders and All Non-Violent Second Strikers

CDCR will implement changes to good conduct credits with a planned effective date of May 2021. Based on the changes, a violent offenders' credit-earning rate will increase from 20 percent to 33.3 percent. For all non-violent second strikers, the credit-earning rate will increase from 33.3 percent to 50 percent. These changes will advance the offender's release dates and provide greater incentives for offenders to engage in good conduct. The policy will result in a decrease in the institution population.

The estimated impact of this change is factored into the Population Projections with an operationally effective date of May 1, 2021.

Reduced Time in Reception Center

Effective September 2020, CDCR implemented changes to the Reception Center process that may shorten the time in the Reception Center from historical levels of 90 to 120 days to 30 days. However, due to current transfer restrictions in place surrounding the COVID-19 pandemic, the Fall 2021 Population Projections assume that the Reception Center process may take up to 60 days to complete through the calendar year 2021. Shorter time in Reception Centers would result in population decreases in Reception Centers and would allow offenders to begin earning enhanced good conduct credits faster as these credits are not earned while offenders are pending classification in the Reception Center.

The estimated impact of this change is factored into the Population Projections with an assumed effective date of September 1, 2020, and additionally incorporates an assumption that the process may take up to 60 days process through the end of the 2021 calendar year.

Changes to Lengths of Parole Terms and Earned Discharge Process

A change made in the Fiscal Year 2020-21 Budget process¹⁷ allows offenders released to parole on or after July 1, 2020, to serve a maximum two-year parole period as long as they are non-sex registrant determinately sentenced parolees. A three-year cap would apply to parolees who were indeterminately sentenced. These changes require the Division of Adult Parole Operations to review parolees for possible discharge no later than 12 months after release from prison.

Additionally, parolees who started their parole period prior to July 1, 2020, would be reviewed for discharge under an updated discharge review policy.

The estimated impact of this change is factored into the Population Projections with an operationally effective date of October 1, 2020.

¹⁷ Reflected in statutory changes Chapter 29, Statutes of 2020, (SB 118).

Actions to Reduce Population and Maximize Space in response to COVID-19:

- CDCR expedited the release of incarcerated persons serving a sentence for non-violent offenses, who do not have to register as a sex offender and had 60 days or less to serve in April 2020.
- In July 2020 CDCR announced an additional series of release actions in an effort to further reduce the population to maximize space for physical distancing and isolation/quarantine efforts. CDCR expedited the release of non-violent and non-sex registrant offenders with 180 days or less remaining on their sentences on a rolling basis beginning in July 2020. The last list of potentially eligible people was created in July 2021.¹⁸
- CDCR implemented a one-time Positive Programming Credit that provided 12 weeks of credit to eligible offenders as of July 9, 2020, who did not have any serious rule violations between March 1 and July 5, 2020.¹⁹

The impacts of these actions are factored into the Population Projections.

Supplemental Reforms to Credit-Earning

Implemented to enhance the credits made available under Proposition 57. These policy changes became operationally effective in May 2019.

- Rehabilitative Achievement Credit: Prospectively increased credit-earning from 7 days to 10 days per 52 hours of participation, up to a maximum of 40 days of credit per year.
- Educational Merit Credit: Increased credit-earning from 90 days to 180 days for General Equivalency Diplomas (GED), High School Diploma, or equivalent.
- Changes to 60-day release restriction for certain offenders unless otherwise required by statute.

Parole Determination Process for Indeterminately-sentenced Non-violent Offenders

Created a process for certain indeterminately-sentenced non-violent offenders to be reviewed for parole consideration by BPH after serving the full term of their primary offense effective January 2019.

¹⁸ More information about expedited releases is available at <https://www.cdcr.ca.gov/covid19/frequently-asked-questions-expedited-releases/>.

¹⁹ More information about Positive Programming Credits is available at <https://www.cdcr.ca.gov/covid19/memo-positive-programming-credits/>.

Automatic Restoration of Forfeited Credits

Effective on April 3, 2019, California Code of Regulations, Title 15, section 3329.5 allows for Good Conduct Credits forfeited by Rules Violation Reports (RVR) to be automatically restored. Previously, offenders were required to apply for restoration once eligible. *This change is expected to increase restored credits and a consequent decrease in length of stay for impacted offenders. However, the impact of the change was not able to be quantified and is not included in the population projections.*

Penal Code Section 1170(d) Recall and Resentencing Changes

Changed Penal Code section 1170(d) authorizing the resentencing of an offender to a lesser sentence under certain circumstances. *These changes were made as part of the FY 2018-19 Budget.*

Court-ordered Measures Subsequently Enacted with the Implementation of Proposition 57

CDCR implemented the following policies and programs subsequently enacted with the implementation of Proposition 57. *The impact is assumed to continue indefinitely and is factored into the Population Projections.*

- Credit-earning change for specific offenders: Prospectively increased credit-earning for non-violent, non-sex-registrant Second Strike offenders from 20 percent to 33.3 percent, and allowed these offenders to earn milestone credits for rehabilitative programs. *This policy became operationally effective in February 2014.* Prospectively increased credit-earning for all offenders designated Minimum Custody who were eligible to earn day-for-day (50 percent) credits to two days of credit for each day served (2-for-1). *This policy became effective by court order on January 1, 2015.*
- Parole determination process for certain Second-Strike offenders: Created a process for certain non-violent, non-sex-registrant Second Strike offenders to be reviewed for parole consideration by BPH once 50 percent of their sentence has been served. *This policy became effective by court order on January 1, 2015.*

Utilization of Administrative Determinants and Increased Access to Rehabilitative Programs

The California Code of Regulations, Title 15, sections 3375 and 3375.2, allows for the placement of offenders in facilities with higher or lower security levels than indicated by offender placement scores. In order to expand access to rehabilitative programs for offenders who have demonstrated positive programming, CDCR clarified its application of these regulations in July 2016. *This policy change is factored into the Population Projections and is expected to result in an overall decreased need for male Level IV housing and a corresponding net increased need for male Level II and III housing.*

Segregated Housing

Effective in June 2015, the regulations provided for shorter segregated housing unit stays based on offender behavior and reduced the number of offenses that may result in Security Housing Unit (SHU) terms. *The projections incorporate the effects of the Ashker settlement, which outlined a process for ending indeterminate SHU terms.*

Juveniles

Legislation

Chapter 337, Statutes of 2020, (SB 823)

The legislation will realign the Division of Juvenile Justice to local systems. As a result of the changes, commitments to DJJ will end July 31, 2021. *This change is factored into the Population Projections.*

Chapter 18, Statutes of 2021, (SB 92)

This legislation will, commencing July 1, 2021, allow counties to establish secure youth treatment facilities for wards who are 14 years of age or older who have been adjudicated and found to be a ward of the court based on an offense that would have resulted in a commitment to the Division of Juvenile Justice, as provided. This bill also sets a defined closure date of June 30, 2023 for all DJJ facilities. *This change is factored into the Population Projections.*

Initiatives

Proposition 57 – Public Safety and Rehabilitation Act of 2016.

Provided juvenile court judges authority to decide whether juveniles age 14 and older should be sentenced as adults for specified offenses. *This proposition was passed into law on November 8, 2016, and is factored into the Population Projections.*

Appendix C – Glossary of Terms²⁰

ADP (Average Daily Population): The average population per day for a stated population for a specified time period, usually one year.

DJJ 290: Juvenile sex registrants.

DJJ 707(b): Serious and violent juvenile offenders.

DJJ AB 1628: Youth who leave DJJ but are not put on parole, rather they are released back to communities for probation supervision.

DJJ Contract Cases (P): Youth held under a contract agreement for alternative county placement court-ordered by the Juvenile Court to DJJ. They have been previously housed by DJJ and have been released to the county for probation supervision under AB 1628, and are now returning to custody.

DJJ “E” Cases: Youth sentenced to adult institution but sent to DJJ if under 18 years of age regardless of educational status. They will transfer to adult facilities at age 18 unless they can serve their time and be eligible to be out on parole prior to reaching age 21.

DJJ “M” Cases: Youth committed to adult institution and court-ordered to DJJ for housing. They are housed at DJJ until they reach age 21 at which time they are transferred to adult facilities.

DOF: Department of Finance.

DISCHARGE: When an offender is no longer under the jurisdiction of CDCR.

DSL: Cases that fall under the Determinate Sentencing Law.

FELON: A person convicted of a felony offense and sentenced to state institution by the court.

IN FACILITY: A juvenile offender who is physically located and housed in a DJJ facility.

LEVEL I, II, III, IV: The security level, and therefore the facility level, assigned to offenders based on their classification score ranges. The higher the score, the higher the security level.

OFF FACILITY: Any juvenile offender who is the responsibility of DJJ but is not physically in a DJJ facility. This could include juvenile offenders who are in a medical facility, out to court, or being housed in an adult facility.

PAL (Parolee-At-Large): A felon parolee who absconds (hides) from parole supervision.

²⁰ Some terms may not be used in this report.

PAROLE: After the institution term is served, offenders are supervised in the community by CDCR for an established period up to the statutory maximum.

PAROLEE: A felon released from confinement in a state institution to supervision in the community by CDCR, as defined in Penal Code section 3000.08.

PENDING REVOCATION: A parolee who has been charged with violating a condition of parole and placed in CDCR custody pending investigation to determine if revocation time will be assessed.

PHU: Protective Housing Unit.

POST RELEASE COMMUNITY SUPERVISION (PRCS): Felons released from confinement in a state institution who do not meet the criteria for state parole supervision are released to PRCS for community supervision at the local level.

PV-RTC (Parole Violator-Returned to Custody): A parolee who has violated the conditions of parole and has been returned to the institution.

PV-WNT (Parole Violator-Returned with a New Term): A parolee who has received a court sentence for a new crime and has been returned to the institution.

RECEPTION CENTER: An institution designated as a center for the reception of prisoners newly committed to CDCR.

SERIOUS/VIOLENT: Serious, as defined in Penal Code (PC) sections 1192.7(c) and 1192.8, and Violent as defined in PC section 667.5(c).

SHU: Security Housing Unit.

SOMS: Strategic Offender Management System.

SUSPENSION: The interruption of a parole period, usually by absconding. Time on suspension is not credited to the period of parole.

TOTAL RESPONSIBLE POPULATION: All individuals in the juvenile population regardless of status or place of residence, for whom the DJJ is responsible. This includes all off facility, AB 1628, parole detainees, and youth responsible to DJJ but housed in adult institutions.

Appendix D – Population Projections Tables 10 to 21

Tables 10 through 15 display actual and projected court commitments as rates relative to the California state population ages 18 to 49, for the total population and by gender. Actual rates are displayed for Fiscal Years (FY) 2011-12 through 2020-21 and projected rates are displayed for FY 2021-22 through 2025-26.

Table 10. Actual Felon Court Commitments, Fiscal Years 2011-12 through 2020-21

Fiscal Year	Felon Court Commitments	State Population Ages 18-49 (in Thousands)*	Commitment Rate
2011-12	39,001	17,187	226.9
2012-13	35,997	17,208	209.2
2013-14	38,853	17,220	225.6
2014-15	35,547	17,231	206.3
2015-16	35,637	17,230	206.8
2016-17	36,556	17,230	212.2
2017-18	36,204	17,226	210.2
2018-19	34,932	17,193	203.2
2019-20	24,742	17,104	144.7
2020-21	17,068	17,035	100.2

Table 11. Actual Male Felon Court Commitments, Fiscal Years 2011-12 through 2020-21

Fiscal Year	Felon Court Commitments	State Population Ages 18-49 (in Thousands)*	Commitment Rate
2011-12	35,855	8,759	409.4
2012-13	33,660	8,778	383.5
2013-14	36,085	8,795	410.3
2014-15	33,080	8,811	375.4
2015-16	33,263	8,821	377.1
2016-17	33,958	8,832	384.5
2017-18	33,526	8,842	379.2
2018-19	32,293	8,833	365.6
2019-20	22,852	8,789	260.0
2020-21	15,694	8,756	179.2

**Source of state population data is the California Department of Finance.
See Appendix A, Methodology and Technical Notes.*

Table 12. Actual Female Felon Court Commitments, Fiscal Years 2011-12 through 2020-21

Fiscal Year	Felon Court Commitments	State Population Ages 18-49 (in Thousands)*	Commitment Rate
2011-12	3,146	8,428	37.3
2012-13	2,337	8,430	27.7
2013-14	2,768	8,425	32.9
2014-15	2,467	8,420	29.3
2015-16	2,374	8,410	28.2
2016-17	2,598	8,398	30.9
2017-18	2,678	8,384	31.9
2018-19	2,639	8,361	31.6
2019-20	1,890	8,315	22.7
2020-21	1,374	8,279	16.6

Table 13. Fall 2021 Projected Felon Institution Court Commitments, Fiscal Years 2021-22 through 2025-26

Fiscal Year	Felon Court Commitments	State Population Ages 18-49 (in Thousands)*	Commitment Rate
2021-22	35,100	17,033	206.1
2022-23	33,925	17,063	198.8
2023-24	33,950	17,114	198.4
2024-25	33,947	17,178	197.6
2025-26	33,970	17,250	196.9

**Source of state population data is the California Department of Finance. See Appendix A, Methodology and Technical Notes.*

Table 14. Fall 2021 Projected Male Felon Institution Court Commitments, Fiscal Years 2021-22 through 2025-26

Fiscal Year	Felon Court Commitments	State Population Ages 18-49 (in Thousands)*	Commitment Rate
2021-22	32,314	8,761	368.8
2022-23	31,179	8,783	355.0
2023-24	31,248	8,815	354.5
2024-25	31,293	8,852	353.5
2025-26	31,357	8,892	352.7

Table 15. Fall 2021 Projected Female Felon Institution Court Commitments, Fiscal Years 2021-22 through 2025-26

Fiscal Year	Felon Court Commitments	State Population Ages 18-49 (in Thousands)*	Commitment Rate
2021-22	2,786	8,272	33.7
2022-23	2,746	8,280	33.2
2023-24	2,702	8,300	32.6
2024-25	2,654	8,327	31.9
2025-26	2,613	8,358	31.3

*Source of state population data is the California Department of Finance.
See Appendix A, Methodology and Technical Notes

Table 16. Institution Population by Quarter and Gender, Fiscal Years 2021-22 through 2022-23

	Actual June 30, 2021	Fiscal Year 2021-22				Fiscal Year 2022-23			
		Sep 30	Dec 31	Mar 31	Jun 30	Sep 30	Dec 31	Mar 31	Jun 30
Total Male Population	94,562	96,718	100,454	103,432	106,683	106,475	109,472	108,411	110,082
Total Female Population	3,910	4,060	4,210	4,360	4,510	4,660	4,810	4,885	4,886
Total Population	98,472	100,778	104,664	107,792	111,193	111,135	114,282	113,296	114,968

Table 17. Average Daily Institution Population by Quarter and Gender, Fiscal Years 2021-22 through 2022-23

	Fiscal Year 2021-22					Fiscal Year 2022-23				
	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Fiscal Year Average	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Fiscal Year Average
Total Male Population	95,889	98,714	101,807	104,964	100,344	106,323	108,543	108,731	108,708	108,076
Total Female Population	3,985	4,135	4,285	4,435	4,210	4,585	4,735	4,873	4,960	4,788
Total Population	99,874	102,849	106,092	109,399	104,554	110,908	113,278	113,603	113,668	112,864

Table 18. Projected Institution Population by Quarter and Housing Level, Fiscal Years 2021-22 through 2022-23

Fiscal Year	Quarter Ending	Security Level							Male	Female	Total Population
		Reception Center	Level I	Level II	Level III	Level IV	PHU	SHU			
2021-22	Sep 30	5,705	8,128	41,968	16,382	23,829	6	700	96,718	4,060	100,778
	Dec 31	5,563	8,477	43,771	17,085	24,852	6	700	100,454	4,210	104,664
	Mar 31	6,738	8,637	44,597	17,408	25,321	6	725	103,432	4,360	107,792
	Jun 30	7,442	8,861	45,758	17,861	25,980	6	775	106,683	4,510	111,193
2022-23	Sep 30	7,775	8,813	45,506	17,763	25,837	6	775	106,475	4,660	111,135
	Dec 31	7,321	9,123	47,110	18,389	26,748	6	775	109,472	4,810	114,282
	Mar 31	6,679	9,086	46,915	18,313	26,637	6	775	108,411	4,885	113,296
	Jun 30	7,526	9,160	47,298	18,462	26,855	6	775	110,082	4,886	114,968

Table 19. Projected Institution Population by Housing Level, June 30, 2021 through June 30, 2026

June 30	Security Level							Male	Female	Total Population
	Reception Center	Level I	Level II	Level III	Level IV	PHU	SHU			
2021 (Actual)	5,044	8,383	41,317	15,910	23,348	7	553	94,562	3,910	98,472
2022	7,442	8,861	45,758	17,861	25,980	6	775	106,683	4,510	111,193
2023	7,526	9,160	47,298	18,462	26,855	6	775	110,082	4,886	114,968
2024	7,521	8,223	42,459	16,573	24,108	6	775	99,665	4,385	104,050
2025	7,536	7,708	39,803	15,536	22,599	6	775	93,963	4,361	98,324
2026	7,679	7,519	38,823	15,154	22,043	6	775	91,999	4,379	96,378

Table 20. California Active Parole Population by Quarter, Fiscal Years 2021-22 through 2022-23

	Actual June 30, 2021	Fiscal Year 2021-22				Fiscal Year 2022-23			
		Sep 30	Dec 31	Mar 31	Jun 30	Sep 30	Dec 31	Mar 31	Jun 30
Total Population	50,322	49,379	48,349	45,985	43,440	42,124	42,850	43,932	43,599

Table 21. California Average Daily Active Parole Population by Quarter, Fiscal Years 2021-22 through 2022-23

	Fiscal Year 2021-22					Fiscal Year 2022-23				
	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Fiscal Year Average	First Quarter	Second Quarter	Third Quarter	Fourth Quarter	Fiscal Year Average
Total Population	49,676	49,035	47,269	44,536	47,629	42,533	42,591	43,330	43,114	42,892



**California Department of Corrections and Rehabilitation
Division of Correctional Policy Research and Internal Oversight
Office of Research**