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THE STATE

Governor Aims to Rehabilitate Prison System

• His push to reduce recidivism by preparing inmates for life outside is a break with tradition.

By Jenifer Warren, Times Staff Writer

SACRAMENTO — Who would have thought the Terminator would give bad guys a second chance?

By embracing rehabilitation for felons, a strategy long given the cold shoulder in California prisons, Gov. Arnold Schwarzenegger is veering sharply from the law-and-order mantra of his Republican Party.



Through a series of recent steps, the governor who personified toughness on the movie screen has emphasized education, job training, drug treatment and counseling for inmates to improve the odds that they would get out and go straight.

He also has freed 83 murderers who had done their time and won the endorsement of the parole board.

Unlike most of his crusades on other fronts, which reflect traditional GOP positions, Schwarzenegger's turn to rehabilitation takes him into territory where few California politicians — Republican or Democrat — have recently trod.

"It's amazing to see," said political scientist Stuart Scheingold, an author of two books on the politics of crime. "I think it's further evidence that the era of political demagoguery on crime may be ending."

Analysts say there is little at stake politically for Schwarzenegger as he goes down the rehabilitation path. Though some victims' groups are wary, no opponent will get far calling the governor a "girlie man" on crime.

"It's like Nixon going to China," said Martin Kaplan, associate dean of USC's Annenberg School for Communication. "If anybody has a baseline reputation as being a tough guy, it's Conan or the Terminator. So the charge that he's soft on crime is not likely to stick."

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Schwarzenegger also has made clear that although he believes in redemption, he supports stiff criminal sentences. Last year, his opposition to Proposition 66, which would have relaxed the state's three-strikes law, was decisive in killing the measure.

And unlike previous governors, this one has forsworn campaign contributions from the powerful prison guards union. He apparently sees little political risk in pursuing policies that may alienate union leaders.

That said, even Schwarzenegger's aides acknowledge that prison reform is not an issue that commands much public attention. And although polls show support for leniency toward nonviolent drug offenders, some political consultants suspect that the "throw away the key" mentality that has held sway for 25 years is alive and well.

"I think it's a hard sell," said Garry South, political advisor to former Gov. Gray Davis, a Democrat whose punitive prison and parole policies were legendary. "I just don't think taxpayers want to see billions of dollars spent on teaching violent criminals how to do macrame and become auto mechanics."

Spokesmen for the governor say his reforms are not about mollycoddling felons; they represent his vow to fix what's broken in state government. The \$6.5-billion correctional system, they note, is in full meltdown, with well over half of all adult parolees landing back in prison within two years. Failing to act, the aides say, would be irresponsible.

"There are some people who need to be warehoused for the rest of their lives," said Rob Stutzman, the governor's communications director. "But if we can rehabilitate others — reintroduce them to society so they can provide for their families and pay taxes — then that's a virtuous thing, a sensible thing and economically smart."

After years of inertia, prison reform advocates can hardly contain their enthusiasm over the new direction. But so far, Schwarzenegger has not said how he would pay for his ambitious plan. In fact, in a seemingly contrary move, this year's proposed budget actually includes a \$95-million cut to programs.

Still, reformers take heart from a simple statement that seems to reflect the governor's belief that incarceration should be about more than mere punishment: "Corrections," Schwarzenegger has said more than once, "should correct."

His interest in rehabilitation may stem in part from personal experiences. As a bodybuilder in the mid-1970s, Schwarzenegger routinely went behind bars to promote weightlifting and fitness.

Recalling the experience, he said he found "an enormous need for prisoners to have something positive to focus on while they're in there, something to continue with when they're released," according to a 1984 Universal Studios news release.

In her book "Arnold: An Unauthorized Biography," Wendy Leigh writes that a late brother of Schwarzenegger's, Meinhard, spent at least a year in prison for an assault related to drinking. Aides to the governor said they were unaware of the episode.

John Burton, the recently retired leader of the state Senate, said he suspects that Schwarzenegger's experiences pumping iron with convicts may have cemented his sense that "inner change is possible."

"I think he truly believes we should help people — especially the kids — come out better than when they went in," said Burton, a Democrat.

Duf Sundheim, California's GOP chairman, said it's logical for Schwarzenegger to have faith in rehabilitation: "He's a real optimist, a believer that we can all do better tomorrow than we did yesterday."

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To turn around corrections, experts agree, Schwarzenegger has a long road to travel.

The prison system's ills have been well documented. They include rampant violence and the extended use of isolation cells in juvenile lock-ups, and out-of-control costs and shoddy medical care in adult facilities. Last year, a federal judge became so disgusted with the situation that he threatened to place the prisons in receivership.

It was not always this way. From the 1940s to the 1970s, the California correctional system was a leader, setting standards copied by other states. But as the inmate population surged, the system grew exponentially. Managers struggled to keep up.

At the same time, attitudes toward violent offenders began to harden and crime became a hot-button issue. In 1977, a change in the state penal code reflected this: "The Legislature finds and declares that the purpose of imprisonment for crime is punishment," said language adopted that year.

"We just lost our way with respect to preparing offenders for their return to the community," Corrections Secretary Roderick Q. Hickman has said.

The result is a recidivism rate that is tops in the nation. For Schwarzenegger, that represents intolerable failure, aides say.

Soon after his election, he became intrigued by the sprawling size of the correctional system, its perennial budget overruns and the "revolving door" that brings back so many parolees.

A series of ugly episodes, especially in the juvenile prisons, further piqued his interest, advisors say. They included the videotaped beating of two young inmates by correctional counselors, and an incident in which an officer allowed his police dog to bite a prisoner — even though the inmate was following orders and lying on the floor.

"This was not a state-run operation he could take much pride in," said Peter Siggins, the governor's counsel and legal affairs secretary. "In fact, he found some of these incidents shameful and disturbing."

In response, Schwarzenegger has set California's vast correctional system on a dramatically new course. In the youth system, he settled a lawsuit over prison conditions and agreed in court documents to fully overhaul the system, rebuilding it along the lines of more therapeutic models delivering positive results in other states.

With the adult system, his actions so far have been less concrete. He has appointed new correctional leaders who favor programs that prepare inmates for release, and has proposed a reorganization that gives rehabilitation equal status with custodial functions. The new philosophy is even reflected in a proposed new name: the Department of Corrections and Rehabilitation.

But the Golden State is playing catch-up. Since 2000, most states — many out of fiscal necessity — have tweaked their sentencing laws to reduce inmate populations, diverted drug offenders into treatment instead of prison, or put rehabilitation back into the correctional mix.

Expanding and improving education, job training and substance abuse programs will not be cheap, though experts say some savings will accrue as fewer ex-convicts cycle back into prison.

Corrections officials say that before programs get off the ground — and need substantial funding — the administration will complete an exhaustive national search to find out which approaches have proved successful. Academic researchers have been brought in to conduct that task and lay the road map for rehabilitation's comeback.

"The governor wants this system fixed," Hickman said, "but we're going about it strategically so we get the results we want."

Among the researchers who are on board and lending advice is Joan Petersilia, a respected UC Irvine criminologist. For 15 years, she said, she testified at Capitol hearings and made numerous other efforts to bring about change in the California corrections system, and nothing happened.

Today's atmosphere, she said, is completely different.

"I am 100% convinced," Petersilia said, "that the people the governor has appointed [as corrections leaders] are the right people at the right time — sincere and determined to give this terribly broken system what I call an extreme makeover."

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