

1 I, Sarah Mehta, declare:

2 1. I am a Human Rights Researcher at the American Civil Liberties Union (“ACLU”). At the
3 ACLU I work on various issues, including issues relating to criminal justice and prisoners’ rights. I have
4 personal knowledge of the facts set forth in this Declaration and, if called upon, could testify to those
5 facts.

6 2. On May 20, 2015, on behalf of the ACLU, I submitted a request under the California Public
7 Records Act (“PRA”) to the California Department of Corrections and Rehabilitation (“Department” or
8 “CDCR”) seeking demographic and statistical information about prisoners serving life sentences. A true
9 and correct copy of this request is attached as Exhibit A to this declaration.

10 3. Specifically, I requested the number of persons serving life sentences who were under 18 or
11 between 18 and 25 at the time of the offense, lengths of sentences for that population, and racial
12 breakdown for that population. Ex. A at 4. I also requested numbers and percentages of prisoners
13 participating in, and on waiting lists for, various treatment and training programs. *Id.* at 4-5. I noted that
14 “[t]he information sought in this record request will be compiled in an ACLU research document on
15 prisoners and parole and will be made available to the public through our website.” *Id.* at 5.

16 4. Nearly three months later, the Department responded and provided the numbers and percentages
17 of inmates participating in treatment and training programs. A true and correct copy of this letter is
18 attached as Exhibit B to this declaration. As to the statistical and demographic information on the
19 people serving life sentences, and the statistical information on the number of inmates on waiting lists
20 for the treatment and training programs, the Department stated that it would respond to the requests, but
21 needed to extract the information from its databases, which would require an up-front payment from the
22 ACLU. Ex. B. at 2, 4. The ACLU sent in the required payment and the Department cashed the ACLU’s
23 checks.

24 5. Approximately three months after its initial response, and six months after the ACLU’s initial
25 request, the Department informed the ACLU that it had “overlooked [the] statement that this request
26 was for research purposes when [the Department] provided [the] initial response,” and that the
27 Department “need[ed] [the ACLU] to follow the CDCR research protocols.” A true and correct copy of
28

1 this letter is attached as Exhibit C to this declaration.

2 6. The Department then sent a follow-up email, explaining that the “CDCR has a formal research-
3 review process pursuant to PC §§ 3500-3524, California Code of Regulations, Title 15 Article 9.1
4 3369.5 and the Department Operations Manual, Article 19, Section 14020.5 and 14020.5.1,” and that
5 the ACLU must complete the review process to obtain the requested information. The email stated
6 that the requester must submit the Preliminary Assessment Request, CDCR Confidential Data Policy
7 for Research Organizations and Request for Access to Inmate for Research Purpose that it attached to
8 its email. The email also explained that the requester was required to secure Institutional Review
9 Board (“IRB”) approval, submit the IRB approval to the Committee for the Protection of Human
10 Subjects (“CPHS”) and submit both the IRB and CPHS approvals to the CDCR’s External Research
11 and Legislative Reporting Unit. The email stated that once the required information was received, the
12 CDCR Research and Advisory Committee would meet and review the proposal. True and correct
13 copies of the email and attached documents are attached as Exhibit D to this declaration (pagination
14 added).

15 7. The ACLU did not go through the Department’s research review process. Instead, the ACLU
16 sought to compel the Department to disclose the requested information to which it was entitled under
17 the PRA by filing this case.

18 8. After the petitioners filed this case, my counsel at the ACLU Foundation of Northern
19 California informed me that the Department had agreed to produce the information the ACLU had
20 requested and she forwarded me the response letter and records provided by the Department. True
21 and correct copies of the letter and enclosed records are attached as Exhibit E to this declaration.

22 9. The ACLU will use this information as part of a nationwide report on young prisoners, long
23 sentences and parole decision-making. The purpose of the report is to inform the public about who is
24 in our state prisons, how many prisoners enter the prison system in their youth, these prisoners’
25 sentence length, and the length of time these prisoners actually serve in prison if early release is
26 available.

27 10. In collecting data for the ACLU’s report, we requested and received data from 22 states, none
28

1 of which required the ACLU to go through a research review process.

2 11. The ACLU frequently puts out nationwide reports on both sentencing and conditions of
3 confinement, which include data from various states. As part of the ACLU's on-going advocacy
4 around sentencing and parole reform, the ACLU may request similar information from the
5 Department in the future.

6
7 I declare under penalty of perjury under the laws of the State of California that the foregoing is
8 true and correct.

9 Executed this 12 day of September, 2016.

10
11 By: 

12 Sarah Mehta
13 Human Rights Researcher
14 American Civil Liberties Union
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Exhibit A



May 20, 2015

California Department of Corrections and Rehabilitation
PRA Administrators
1515 S Street suite 314S
Sacramento, CA 94283-0001

Re: ACLU Request for Public Records

To Whom It May Concern:

The national office of the American Civil Liberties Union (ACLU) is conducting nationwide research regarding individuals sentenced to prison in their youth, including their length of imprisonment, and their parole grant rate. We are requesting information for every state regarding parole and individuals who were 25 years of age or younger at the time of their offense. To that end, we would appreciate your assistance in providing the information requested below. Pursuant to the California Public Records Act § 6250 et seq., I respectfully request the following statistics from the California Department of Corrections and Rehabilitation for the years 2010 to 2015, broken down by year and in electronic format unless only available in paper:

To the Board of Parole Hearings

1. The number and percentage of prisoners receiving parole consideration (through hearings or other forms of disposition) who were:
 - a. White or Caucasian
 - b. Black or African-American
 - c. Hispanic or Latino
 - d. Asian
 - e. Other.
2. The number and percentage of prisoners granted parole who were:
 - a. White or Caucasian
 - b. Black or African-American
 - c. Hispanic or Latino
 - d. Asian
 - e. Other.
3. The number and percentage of prisoners receiving parole consideration (through hearings or other forms of disposition), and their grant rate, who are:
 - a. Male
 - b. Female

AMERICAN CIVIL LIBERTIES
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OFFICERS AND DIRECTORS
SUSAN N. HERMAN
PRESIDENT

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

ROBERT B. REMAR
TREASURER

4. The number and percentage of prisoners granted parole who are:
 - a. Male
 - b. Female
5. The number of parole decisions (per year) for prisoners sentenced to "life imprisonment," and of those hearings:
 - a. The number of prisoners who were under 18 years of age at the time of their offense;
 - b. The number of prisoners who were 18-25 years of age at the time of their offense;
6. For each of the categories in request #5 (a)-(b), the number of prisoners who were granted parole;
7. The number of parole decisions (per year) and the grant rate for prisoners serving sentences of:
 - a. 50 years or longer
 - b. 40-50 years
 - c. 30-40 years
 - d. 20-30 years
8. For request #7, the number and percentage of prisoners in each category who were, at the time of their offense,
 - a. under 18 years of age
 - b. 18-25 years of age
9. The number and percentage of parole consideration dispositions conducted each year that were initial parole consideration disposition, and
 - a. The number and percentage of these initial dispositions where parole was granted.
10. Before becoming eligible for parole, the number and percentage of prisoners receiving initial parole dispositions who had served at least:
 - a. 20 years in prison;
 - b. 30 years in prison;
 - c. 40 years in prison.
11. In cases where parole was granted, the number and percentage of prisoners represented by an attorney for the parole hearing;
12. In cases where parole was denied, the number and percentage of prisoners represented by an attorney for the parole hearing;
13. The number and percentage of parole decisions where the prisoner requested reconsideration or review;
14. The number and percentage of cases where a parole board reviewed or reconsidered its parole determination and granted parole;
15. The number and percentage of parole decisions where parole was denied in which the victim or victim's family submitted input against release;

16. The number and percentage of parole decisions where parole was denied in which the victim or victim's family submitted input in favor of release;
17. Regarding the length of time each parole hearing: the average, mode, and range of minutes per prisoner;
18. The number and percentage of prisoners for whom parole was denied whose parole applications were subsequently set for review in:
 - a. One to two years;
 - b. Three years;
 - c. Five years;
 - d. Seven years;
 - e. Ten years;
 - f. Fifteen years.
19. The number and percentage of cases where a prisoner stipulated to their unsuitability for parole under Cal. Code Regs., tit. 15, § 2253, subd. (c);
20. The number and percentage of prisoners since September 16, 2013 who received a parole hearing and who were not eligible for parole prior to September 16, 2013 because they were serving a sentence of life imprisonment without parole for an offense committed as a juvenile;
21. The number and percentage of prisoners since September 16, 2013 who were granted parole and who were not eligible for parole prior to September 16, 2013 because they were serving a sentence of life imprisonment without parole for an offense committed as a juvenile;
22. The number and percentage of prisoners who received parole hearings who were documented as a being a gang member at the time of their conviction, and who are:
 - a. White or Caucasian
 - b. Black or African-American
 - c. Hispanic or Latino
 - d. Asian
 - e. Other.
23. The number and percentage of prisoners granted parole who were documented as being a gang member at the time of their conviction, and who are
 - a. White or Caucasian
 - b. Black or African-American
 - c. Hispanic or Latino
 - d. Asian
 - e. Other.

In addition to the above statistics, we further request any guidance, policies, memoranda or other documents provided to parole board staff regarding:

24. The prisoner's youth at the time of the offense, in particular how youth is considering in any risk assessment protocol;
25. Assistance for a prisoner with a disability during the parole hearing;
26. How to assess a prisoner's rehabilitation;
27. How to weigh different disciplinary infractions in prison.

To the Department of Corrections & Rehabilitation Regarding Prisoner Demographics

28. The number of prisoners currently serving life sentences in your state, and the number of those prisoners who were
 - a. Under 18 years of age at the time of their offense
 - b. 18-25 years of age at the time of their offense.
29. The number of prisoners currently serving sentences of
 - a. 50 years or longer;
 - b. 40-50 years;
 - c. 30-40 years;
 - d. 20-30 years;
30. For each subsection in request #29, the number of prisoners who were
 - a. Under 18 years of age at the time of their offense;
 - b. 18-25 years of age at the time of their offense.
31. For requests # 27-29, the number and percentage of prisoners in each section and subsection who are:
 - a. White or Caucasian;
 - b. Black or African-American;
 - c. Hispanic or Latino;
 - d. Asian;
 - e. Other.
32. The number and percentage of prisoners participating in:
 - a. Vocational training;
 - b. Academic education programming;
 - i. GED;
 - ii. Other educational programming.
 - c. Prison work assignment (institutional and/or prison industry jobs);
 - d. Substance abuse treatment;
 - i. Inpatient/residential treatment;
 - ii. Substance abuse education program;
 - e. Prerelease programs;
 - f. Sex offender programs.
33. The number and percentage of prisoners on a waiting list to participate in the programs listed in request 32 (a) – (f);

34. The average wait time for participation in the programs listed in request 32
(a) – (f).

If this request could be restructured to minimize the demands on your department's resources, I would be happy to discuss alternatives with you. Similarly, should you have any questions regarding the information sought in this request, please call me directly at 212-519-7826.

The ACLU is a nationwide, nonprofit, and nonpartisan organization dedicated to protecting civil rights and civil liberties in the United States. It is the largest civil liberties organization in the country, with offices in the fifty states and over 500,000 members. The ACLU publishes newsletters, news briefings, right-to-know handbooks, and other materials that are widely disseminated to the public. These materials are made available to everyone—including tax-exempt organizations, non-profit groups, and law students and law faculty—for either no cost or for a nominal fee through its public education department. The ACLU also disseminates information through its high-traffic website, <http://www.aclu.org>, which specifically features information obtained through public records requests. *See, e.g.*, <http://www.aclu.org/safefree/torture/torturefoia.html>; http://www.aclu.org/patriot_foia/index.html.

The information sought in this record request will be compiled in an ACLU research document on prisoners and parole and will be made available to the public through our website. Thus, because this request is on a matter of public concern and it is made on behalf of a non-profit organization, we request a fee waiver. If, however, such a waiver is denied, we will reimburse you for the reasonable cost of research. Please inform us in advance if a cost will be assessed.

Please furnish all applicable records to smehta@aclu.org and please do contact me at 212-519-7826 should you have any questions regarding this request. We look forward to your response within ten (10) business days. Thank you for your prompt attention to this matter.

Sincerely yours,



Sarah Mehta
Human Rights Researcher
American Civil Liberties Union
125 Broad Street, 18th Floor
New York, NY 10004

Exhibit B

OFFICE OF LEGAL AFFAIRS

Benjamin T. Rice
General Counsel
P.O. Box 942883
Sacramento, CA 94283-0001



August 11, 2015

Ms. Sarah Mehta
American Civil Liberties Union
125 Broad Street
New York, NY 10004

Re: Public Records Request for Demographics and Rehabilitation Statistics,
Reference 2015-003973

Dear Ms. Mehta

This letter is in response to your request for public records dated May 20, 2015, in which you requested public records of statistics related to parole and rehabilitative programs. It is my understanding the Board of Parole Hearings is responding to items 1 through 27 of your request, this letter responds to items 28 through 34 of your request. The CDCR reviewed your request and pursuant to the California Public Records Act (PRA), the CDCR partially denies your request for the following reason(s):

Government Code sections 6254(f) and 6254(k); Article I, section 3 of the California Constitution; Penal Code sections 841.5, 1203.05, 2081.5, 2600, 3003(e)(4), 11075-11076, 11081, 11141-11143, 13102, 13201, and 13302-13304; Evidence Code section 1040; part 2.11 of title 42 of the Code of Federal Regulations; section 1232g of title 20 of the United States Code; section 703, Title 11 of the Code of Regulations; sections 3000, 3321, and 3370 of Title 15 of the California Code of Regulations; *Procunier v. Superior Court of Monterey County* (1973) 35 Cal.App.3d 211; *Runyon v. Board of Prison Terms and Paroles* (1938) 26 Cal.App.2d 183; *People v. Gauden* (1974) 36 Cal.App.3d 942; and *Yarish v. Nelson* (1972) 27 Cal.App.3d 892.

Additionally, while we believe we can fully complete your request, due to new inmates still being processed and possible data anomalies, we might not include all inmates that meet your criteria.

The CDCR's Offender Information Services Branch will address the following items from your request:

28. The number of prisoners currently serving life sentences in your state, and the number of those prisoners who were

- (a). Under 18 years of age at the time of their offense
- (b) 18-25 years of age at the time of their offense.

29. The number of prisoners currently serving sentences of

- (a) 50 years or longer;
- (b) 40-50 years;
- (c) 30-40 years;
- (d) 20-30 years;

30. For each subsection in request #29, the number of prisoners who were

- (a) Under 18 years of age at the time of their offense;
- (b) 18-25 years of age at the time of their offense.

31. For requests # 27-29, the number and percentage of prisoners in each section and subsection who are:

- (a) White or Caucasian;
- (b) Black or African-American;
- (c) Hispanic or Latino;
- (d) Asian;
- (e) Other.

To complete the CDCR response, OISB staff will need to write a SAS program to extract the necessary information from our databases. Government Code Section 6253.9(b) allows CDCR to request payment for the cost of compiling your data request. The estimated cost for compiling this data is \$247.79. The payment must be received prior to the release of the data. Remit payment by a cashier's check or money order to the "California Department of Corrections and Rehabilitation," 1515 S Street, Room 314S, Sacramento, CA 95811, Attention: Dennis M. Beaty and include the following reference in the "memo field" on the payment: 2015-003973

The CDCR's Division of Rehabilitative Programs will address the following items:

32. The number and percentage of prisoners participating in:

- (a) Vocational training;

Response: As of June 30, 2015, there were 5,988 inmates enrolled in CDCR's Career Technical Education (CTE) programs or 5.0% of the in-

state prison population. CDCR has the capacity to provide CTE programs to 8,854 inmates or approximately 7.5% of the in-state prison population.

- (b) Academic education programming;
 - (i) GED;
 - (ii) Other educational programming.

Response: As of June 30, 2015, there were 33,263 inmates enrolled in CDCR Academic programs or 28.0% of the in-state prison population. CDCR has the capacity to provide Academic programs to 41,409 inmates or approximately 34.8% of the in-state prison population.

- (c) Prison work assignment (institutional and/or prison industry jobs);

Response: This request is denied because it does not describe an existing record. The Division of Rehabilitative Programs does not have the ability to report on institutional or prison industry jobs.

- (d) Substance abuse treatment;
 - (i) Inpatient/residential treatment;

Response: As of June 30, 2015, there were 2,471 inmates enrolled in CDCR's Substance Abuse Treatment program or 2.1% of the in-state prison population. CDCR has the capacity to provide Substance Abuse Treatment to 3,124 inmates at one time or approximately 2.6% of the in-state prison population.

- (ii) Substance abuse education program;

Response: The Division of Rehabilitation does not provide Substance Abuse Education. However, AA and NA programs are provided by the Division of Adult Institutions.

- (e) Prerelease programs;

Response: The CDCR needs further clarification of this item in order to complete a response. Please provide a specific definition for what you mean by prerelease programs. However, CDCR has established Reentry Hubs at designated institutions and provides relevant services specifically to inmates who are within four years of release and who demonstrate a willingness to maintain appropriate behavior to take advantage of these services. Reentry Hub programming is geared to ensure that, upon release,

offenders are ready for the transition back into society. Cognitive Behavioral Treatment (CBT) programming is the core of Reentry Hub programming and addresses the following major areas: Substance Abuse Treatment, Criminal Thinking, Anger Management and Family Relations. In addition, the Transitions program (Employment Program) is offered to prisoners in the 14 Reentry Hubs and the California Identification Card Program is offered at all CDCR institutions. The Reentry Hubs have 4,256 slots currently filled or 3.6% of the in-state inmate population. It should be noted that the same inmate may occupy multiple slots depending on his or her assessed criminogenic needs.

(f) Sex offender programs.

Response: The in-custody sex offender program was staffed on July 1, 2015. Currently, no inmates have been assigned to the pilot program. The program is slated to have 80 slots.

33. The number and percentage of prisoners on a waiting list to participate in the programs listed in request 32 (a) - (f):

34. The *average* wait time for participation in the programs listed in request 32 (a) - (f).

To complete the CDCR response to items 33 and 34 above, DRP staff will need to extract the necessary information from our databases. Government Code Section 6253.9(b) allows CDCR to request payment for the cost of compiling your data request. The estimated cost for compiling this data is \$890.70. The payment must be received prior to the release of the data. Remit payment by a cashier's check or money order to the "California Department of Corrections and Rehabilitation," 1515 S Street, Room 314S, Sacramento, CA 95811, Attention: Dennis M. Beaty and include the following reference in the "memo field" on the payment: 2015-003973

If you have any questions regarding this letter, please feel free to contact me at 916 324-3224 to discuss this matter further.

Sincerely,



Dennis M. Beaty
Assistant General Counsel
PRA and Business Infrastructure Legal Team

Exhibit C

OFFICE OF RESEARCHP.O. Box 942883
Sacramento, CA 94283-0001

November 9, 2015

Sarah Mehta
Human Rights Researcher
American Civil Liberties Union
125 Broad Street, 18th Floor
New York, NY 10004

RE: Public Records Act Request Number 2015-003973

Dear Ms. Mehta:

This letter is in response to your request for public records dated May 20, 2015 and received by the Office of Research, California Department of Corrections and Research (CDCR) on June 11, 2015.

Unfortunately, we overlooked your statement that this request was for research purposes when we provided our initial response. We need you to follow the CDCR research protocols. To expedite the process, see the attached External Research Review Process package. Your request can be submitted electronically.

If you have any questions, please contact Ashely Gabbard, Program Evaluation Unit, at (916) 324-8890. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Atkinson", with a circled number "4" to the right.

JAY ATKINSON
PRA Coordinator
Office of Research/Offender Information Services Branchcc: Wayne Babby, Deputy Director, Office of Research
Kathryn Clark, Attorney, Office of Legal Affairs
Dennis Beaty, Attorney, Office of Legal Affairs
Ashely Gabbard, Program Evaluation Unit

Exhibit D

From: Gabbard, Ashley L@CDCR <Ashley.Gabbard@cdcr.ca.gov>
Sent: Monday, November 09, 2015 10:12 AM
To: DeVoe, June@CDCR
Subject: CDCR External Research Review Process
Attachments: Preliminary Assessment Request.doc; CDCR Confidential Data Policy for Research Organizations.pdf; Request for Access to Inmate for Research Purpose (2).pdf

Importance: High

To whom it may concern:

The California Department of Corrections & Rehabilitation (CDCR) Office of Research (OR) received your message regarding your research.

CDCR has a formal research review process pursuant to PC §§ 3500 – 3524, California Code of Regulations, Title 15, Article 9.1 3369.5, and Department Operations Manual, Article 19, Section 14020.5 and 14020.5.1. Please reference the steps below and the attached documents to complete the process.

- 1) Researcher completes the attached documents and submits (reply to this email) to the CDCR External Research and Legislative Reporting Unit:
 - Preliminary Assessment Request
 - Request for Access to Inmate for Research Purpose (only needed if there will be contact with inmates via surveys, interviews, etc.)
 - CDCR Confidential Data Policy for Research Organizations (only a signed copy of page 13 is needed)
- 2) CDCR External Research and Legislative Reporting Unit reviews preliminary assessment forms.
- 3) Researcher secures local http://www.ecfr.gov/cgi-bin/text-idx?SID=951057004afe918f6c77699bef69bc19&mc=true&node=pt45.1.46&rgn=div5#se45.1.46_1108http://www.ecfr.gov/cgi-bin/text-idx?SID=951057004afe918f6c77699bef69bc19&mc=true&node=pt45.1.46&rgn=div5#se45.1.46_1108 Institutional Review Board (IRB) approval.
- 4) Researcher submits local IRB approval to the Committee for the Protection of Human Subjects (CPHS) for Information Practices Act review.
 - Note: CPHS is not part of CDCR. Researchers may check the http://www.oshpd.ca.gov/boards/cphs/http://www.oshpd.ca.gov/boards/cphs/CPHS_website or contact them directly for more information about this step.
 - CPHS conducts an Information Practices Act review and provides approval to researcher.
- 5) Researcher submits CPHS and IRB approvals to the CDCR External Research and Legislative Reporting Unit.
- 6) The CDCR Research Advisory Committee (RAC) will meet and review the proposal.
- 7) If the RAC approves the proposal, CDCR will then send the researcher a CDCR Research Approval Letter.

- 8) After receiving a CDCR Research Approval Letter, the researcher will work with the External Research and Legislative Reporting Unit who will contact the appropriate parties within CDCR to begin the project.
- 9) If the researcher's proposal is denied, the CDCR will issue a CDCR Research Denial Letter citing the reasons for denial.

Please note that steps 3 (IRB approval) and 4 (CPHS approval) may be completed before or during step 2. In other words, time could be saved if approval from outside organizations is obtained while, or before, awaiting CDCR review of the preliminary assessment forms.

If you have any questions about the steps outlined above or about the process my contact information is listed below.

Sincerely,

Ashley Gabbard
Program Evaluation Unit
Office of Research
Phone Number: 916-324-8890

<http://saveourwater.com/http://saveourwater.com/>

External Research Preliminary Assessment Request Phase I

The California Department of Corrections and Rehabilitation (CDCR) Office of Research requests completion of this form by researchers requesting permission to conduct research at CDCR facilities and/or to access CDCR administrative data and records. **No further processing of your request can occur until all requested information is obtained.**

1. Proposed Research Title:
2. Researcher's Name & Title:
3. Researcher's Contact Information:
Mailing Address:
Phone number:
Email:
4. Alternate Name & Contact Information (if applicable):
5. Researcher's Affiliation:
6. Abstract/Research Summary. Please summarize your proposed research in 200-250 words. Your summary should include the research question being addressed, why the research has value, who you will be studying, and your research design and methodology:
7. Source of Funding (include approved and potential fund):
8. CDCR sponsoring or supporting project (if applicable):
9. Estimated beginning and ending dates of the study: From: _____ To: _____
10. Longitudinal Study? Yes _____ No _____
11. Estimated departmental staff time to be devoted to this project (including data programming, custody staff, etc.)
12. Additional operating or equipment costs to the State, including alterations to or additions of space:

13. Estimated time required of inmate subjects:

14. Will there be any compensation to inmates for participation in research? Please specify:

15. The mission of the CDCR is to enhance public safety through safe and secure incarceration of offenders, effective parole supervision, and rehabilitative strategies to successfully reintegrate offenders into our communities. Describe any potential value that your research may contribute to CDCR's mission:

16. Describe the objectives and purpose of the proposed study (include specific research questions):

17. Description of research methods and approaches:

18. Description of the measuring devices to be used (e.g. scales, tests, questionnaires, etc.). If conducting interviews, please describe how interviews will be conducted (i.e. logistics, process, estimated time required, number of inmates involved, etc.):

19. Institution(s) and/or parole unit(s) where researcher intend to collect data. Also include the desired/target sample population and size:

20. If requesting access to administrative data and records, please describe the type of data needed, and/or list of data variables and time period. Specify whether identifiable information is requested and explain why access to this information is necessary to conduct this study (Note: If requesting access to administrative data and records, IRB approval needs to be obtained from the Committee for the Protection of Human Subjects in Phase II):

21. Description of security measures that ensures safeguards against loss or unauthorized (accidental or intentional) access, use, disclosure, modification, or destruction of confidential data. Include data storage procedures:

22. Received Institutional Review Board approval?
Yes_____ No_____ Pending_____

23. Other relevant information related to this study:

For Official Review Only

Does the research support CDCR's mission? Yes _____ No _____

Value added to CDCR in carrying out its mission? Yes _____ No _____

Is research permissible under legal and ethical requirements? Yes _____ No _____

Is identifiable data being requested? Yes _____ No _____

Soundness of methodology? Yes _____ No _____

Can CDCR accommodate the impact on existing resources? Yes _____ No _____

Does impacted programs support this research? Yes _____ No _____

Program: _____ Yes _____ No _____

Program: _____ Yes _____ No _____

Program: _____ Yes _____ No _____

Estimated programming time: _____

Does reviewer recommend approval of this research? Yes _____ No _____

**Office of Research
Confidentiality and Security
Requirements for
Research Organizations**

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 - 4. Vulnerability Assessments and Mitigation Validation**
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- I. Risk Analysis**
- J. Contingency Plans**
- K. Rules of Aggregation**
 - 1. Requirement**
 - 2. Prerelease Edits**
 - 3. Minimum Data Cell Size**

IV. Requirements Document Update and Revision

- A. Update**
- B. Revision**

I. GENERAL PROVISIONS

In addition to any other contract provisions, researchers and research organizations shall be responsible for maintaining the confidentiality and security of California Department of Corrections & Rehabilitation (CDCR) confidential data. No exceptions from these policies shall be permitted without the explicit, prior, written approval of CDCR.

II. DEFINITIONS

For the purposes of these requirements, the stated terms have the following meaning:

Research - Federal policy regarding the protection of human subjects (56FR28003) defines research as: "... a systematic investigation, including research, development, testing and evaluation, designed to contribute to generalizable knowledge." The California State Penal Code § 3500 expands this definition to include data upon which such knowledge may be based, and requires that such knowledge can be corroborated by accepted scientific observation and inferences.

This definition encompasses research and evaluation conducted by CDCR employees, contractors, faculty at institutions of higher education, researchers with private research firms, governmental agencies, and students. Projects that involve personal interaction with wards or adult offenders committed to and paroled by the CDCR, program evaluation, clinical trials of interventions, and any requests by outside researchers for access to wards, adult offenders, staff, or data are subject to this review and approval process.

Audit Trail - Systems information identifying all accesses to the source file, including source/location of access, date and time, user-id, targeted service and activity performed, success or failure of the access, the completion status of the access (e.g. "failed authentication," or "successful," or "user terminated") and any record and field modified.

Confidential Data - Information, the disclosure of which is restricted or prohibited by any provision of law. Some examples of "confidential information" include, but are not limited to, "personal information" about individuals as defined in California Civil Code Section 1798.3 of the Information Practices Act (IPA) if the disclosure of the "personal information" is not otherwise allowed by the IPA. Confidential data includes confidential identifiers.

Confidential Identifiers - Specific personal identifiers such as name, social security number, address and date of birth.

De-identification – Assignment of unique identifiers to confidential identifiers such that the individual cannot be identified through the unique identifier.

Information Assets - Information assets include anything used to process or store information, including (but not limited to) records, files, networks and databases; and information technology facilities, equipment (including personal computer systems), and software (owned or leased).

Information Security Incidents - Any event (intentional or unintentional) that causes the loss, damage to, destruction, or unauthorized exposure or disclosure of CDCR information assets or confidential data.

Researcher or Research Organization (hereafter, **Research Organization**) - An individual or organization conducting research of potential benefit to CDCR and the State of California which requires access to CDCR confidential data.

III. CONFIDENTIAL DATA SECURITY

A. Access to CDCR Confidential Data

1. *Request and Redisclosure:* All research organizations seeking access to CDCR confidential data shall submit a written request to CDCR. The research organization shall not redisclose or re-release CDCR confidential data.
2. *Referral for Request:* The research organization shall refer any persons not affiliated with the research organization nor included under this contract with the CDCR to the CDCR to request access to the confidential data.
3. *Local Institutional Review Board Approval:* The research organization shall submit a copy of its project approval from the organization's Institutional Review Board (IRB) as a condition of receiving CDCR confidential data. If the research organization does not have a local IRB, it may submit documentation of reliance on another IRB for review of its projects.
4. *Committee for the Protection of Human Subjects Approval:* The research organization shall submit a copy of its project approval letter from the Committee for The Protection of Human Subjects (CPHS) for the California Health and Human Services Agency (CHHSA) as a condition of receiving CDCR confidential data. The research organization shall also submit an annual update to the CPHS approval, as well as any approval letters for any revisions to the project as a condition of continued access to CDCR confidential data.

B. Confidential Data Security Requirements

1. *Research Organization Responsibility:* The research organization is responsible for security of the CDCR confidential data.
2. *Level of Protection:* The research organization shall ensure that electronic media containing confidential data is protected at the level of the confidential data.
3. *General Requirements:* The research organization shall have adequate security measures. These measures shall include, but are not limited to, the development of passwords and access controls to protect the security of the data from any individual who is not authorized to access the data. All research organizations, and their staff, shall:

- a. Designate, in advance, the individuals who will have access to CDCR confidential data.
- b. At the point an authorized individual requests access to confidential data, confirm his or her identity.
- c. When there is a need to discuss CDCR confidential data within the office, discuss the information in an enclosed room, if possible.
- d. Neither use nor store CDCR confidential data on wireless devices. For purposes of this requirement, "wireless devices" include, without limitation, notebook computers or Personal Digital Assistants (PDAs) equipped for 802.11x wireless networking. This restriction shall apply whether or not the data are encrypted.

4. *Data Transmission:*

- a. *General Requirement:* The research organization shall ensure the confidentiality of confidential data transmission.
- b. *Data transferred via tape, cartridge or CD:* All confidential data that is transferred on tapes, cartridges or CDs shall be encrypted and placed in separate files with identifiers and a crosswalk on one file, the crosswalk and remaining data on another file, with the files transported separately. Additionally, the tapes, cartridges and CDs shall be delivered using a bonded accountable mail service.
- c. *Data transferred electronically:* The research organization may not transfer CDCR confidential data via File Transfer Protocol (FTP) without prior written approval of CDCR. All CDCR confidential data must be encrypted before it can be transfer via FTP. All FTP accounts that transfer confidential data shall be highly restricted in access by the research organization and shall be accessible to only those research organization staff that needs access for performance of the research. These accounts shall maintain an audit trail. No other accounts on the research organization's computers may have access to these FTP accounts. The research organization shall maintain a current listing of the personnel who have access to the FTP account.
- d. *Data transferred via paper copy:* Paper copies of confidential data shall be mailed using double envelopes and shall be delivered using a bonded accountable mail service. Paper copies of confidential data shall be stored in a locked file cabinet. Access to the key shall be highly restricted.

- e. *Data transferred via fax:* CDCR confidential data may not be transmitted by fax. CDCR non-confidential information may be transmitted by fax, provided that the research organization confirms the recipient fax number before sending, takes precautions to ensure that the fax was appropriately received, maintains procedures to notify recipients if the research organization's fax number changes, and maintains fax machines in a secure area.
5. *Physical Security:* The research organization shall provide for the management and control of physical access to information assets (including Personal Computer systems and computer terminals) used in performance of this contract. In addition, the organization shall provide for the prevention, detection, and suppression of fires, and the prevention, detection, and minimization of water damage. The physical security measures taken shall include, but not be limited to:
- a. Implementing security measures to physically protect data, systems and workstations from unauthorized access and malicious activity.
 - b. Logging the identity of persons having access to restricted facilities and the date and time of access.
 - c. Restricting the removal of CDCR confidential data from the authorized work location.
 - d. Placing devices used to access CDCR confidential data in areas not accessible by the public or unauthorized personnel. For purposes of this requirement, "devices" shall include, but not be limited to, dumb terminals, personal computers and printers.
 - e. Preventing printed records, microfilmed records, and records stored on any electronic media (including, without limitation, diskette, hard drive, or optical media) from unauthorized access or viewing by unauthorized persons, whether in work areas, in transit, or in storage.
6. *Storage:* CDCR confidential data shall be stored in a place physically secure from access, use, modification, disclosure, or destruction by an unauthorized person. All media containing confidential information shall be stored in a secured area (a locked room or locked file cabinet). Keys to these locks shall be held by a limited number of research organization personnel. Confidential information in electronic format, such as magnetic tapes or discs, shall be stored and processed in such a way that an unauthorized person cannot retrieve the information by computer, remote terminal or other means.

7. *Encryption:* The research organization shall encrypt CDCR confidential data, whether for transmission or in storage, using non-proprietary, secure generally-available encryption software. The CDCR confidential data shall be encrypted upon receipt from CDCR and shall remain encrypted other than when in active use by the research organization. Proprietary encryption algorithms shall not be acceptable. Passwords or biometrics templates used for user authentication shall be encrypted using Double Encryption Standards (DES), or better, one-way only encryption. Data encryption shall meet the National Institute of Standards and Technology (NIST) Advanced Encryption Standard (AES).
8. *De-identification:*
 - a. *Assignment of Unique Identifier:* The research organization shall remove confidential identifiers from CDCR confidential data, and substitute unique identifiers, as soon as possible but no later than 60 days after receipt of the CDCR confidential data.
 - b. *No connection before de-identification:* CDCR confidential data that includes confidential identifiers shall not be used or stored in a device connected to the Internet or to a Local Area Network (LAN) until the confidential identifiers have been removed from the data.
 - c. *Data Outputs:* Full-time security personnel shall review all data outputs prior to removal from secured work areas to ensure that they are in an aggregated and non-confidential form. Personal identifiers must be removed, geographic identities must be specified only in large areas, and as needed, variables must be recoded in order to protect confidentiality.

C. Security Manual or Package

The research organization shall maintain a security manual or package which describes safeguards against loss or unauthorized (accidental or intentional) access, use, disclosure, modification, or destruction of confidential data.

D. Ownership and Destruction of Confidential Data

1. *Ownership and Return or Destruction:* All data used, compiled, developed, processed, stored, or created under this contract are the property of CDCR. All such data shall either be returned to CDCR in an agreed upon format within 30 days of termination of the contract or destroyed. If the data are returned, the research organization shall provide the CDCR with the media and an inventory of the data and files returned.

2. *Methods of Destruction:* The research organization shall destroy all confidential data not returned when the authorized use ends in accordance with approved methods of confidential destruction (via shredding, burning or certified or witnessed destruction). Destruction standards shall be in accordance with the National Security Center Standards (“*A Guide to Understanding Data Reminiscence in Automated Information Systems*”).

E. Research Organization Staff

1. *Former Employees:* The research organization shall ensure that confidential data are not accessible to former employees of the research organization.
2. *Employee Authorization:* The research organization shall maintain a record of the access authorization for each individual employee that has access to the confidential data. The research organization’s security systems administrator designated pursuant to Section III. H. 1. shall maintain an appointment/separation checklist for each employee which documents how access authorization was modified when any employee terminates employment or changes duties.

F. Information Security Incidents

1. *Notification:* The research organization shall within 24 hours notify the CDCR or its designated agent, the institution’s IRB, and the CHHSA CPHS of any actual or attempted information security incidents, as defined above. Information security incidents shall be reported by telephone to:

Denise M. Allen
Chief of Research
Department of Corrections & Rehabilitation
1515 S Street, Suite 221N
Sacramento, Ca 95814
(916) 650-6955

2. *Cooperation:* The research organization shall cooperate with CDCR, its own IRB and the CHHSA in any investigations of information security incidents.
3. *Isolation of system or device:* The system or device using CDCR confidential data and affected by an information security incident shall be immediately removed from operation until correction and mitigation measures have been applied. CDCR must be contacted prior to placing the system or device, containing CDCR data, back in operation. The affected system or device shall not be returned to operation without approval by CDCR.

G. Confidentiality Statements

1. *Requirement:* All staff of the research organization with actual or potential access to CDCR confidential data shall read and sign a Confidentiality Agreement (see page 13).
2. *Supervisory Review:* The supervisor of the employee shall review the signed Confidentiality Agreement with the employee and document this review.
3. *Submission:* The signed original Confidentiality Agreement shall be submitted to the CDCR Project Representative.
4. *Annual Notification:* The research organization shall provide to CDCR in January of each calendar year a current list of authorized users and a newly signed Confidentiality Agreement for all authorized users.

H. Security Systems Administrator Duties

1. *Designation:* The research organization shall designate a single person as the security systems administrator. The name of the individual so designated shall be supplied to the CDCR.
2. *Access Control:* The security systems administrator shall have the ability to change or remove the computer access authorization of an individual having access to the system at any time.
3. *Employee Verification:* The research organization shall verify that the employee who performs the duties of the security systems administrator is a trusted person who has demonstrated in past jobs a capability to perform in this role. Additionally, the research organization's security clearance procedures shall ascertain if the employee who performs the duties of security systems administrator has any past employment background which would call into question their ability to perform this role successfully.
4. *Vulnerability Assessments and Mitigation Validation:* The security systems administrator shall assess system security vulnerabilities and validate mitigation actions performed; and shall disable all applications components and services that are not required to process or store CDCR confidential data.
5. *Security Patches and Upgrades:* The security systems administrator shall ensure that security patches and upgrades released by the respective manufacturers of the components of the information assets used to process CDCR confidential data are promptly applied to the components. Patches and upgrades downloaded from public networks shall be applied only if digitally-signed by the source and only after the security systems administrator has reviewed the integrity of the patch or upgrade.

I. Risk Analysis

The research organization shall carry out a risk analysis with sufficient regularity to identify and assess vulnerabilities associated with all information assets owned, maintained, or used by the research organization that are used to process or store CDCR confidential information, and shall define a cost-effective approach to manage such risks. Specific risks that shall be addressed include, but are not limited to, those associated with accidental and deliberate acts on the part of employees and outsiders; fire, flooding, and electrical disturbances; and loss of data communications capabilities. The research organization shall advise the CDCR or its designated agent of any vulnerability that may present a threat to CDCR confidential data and of the specific safeguards taken for protecting the CDCR confidential data. The research organization shall take the necessary steps to protect the CDCR confidential data.

J. Contingency Plans:

Contingency plans shall be established and implemented for the research organization's information assets containing CDCR confidential information to assure that operations can be back to normal in minimum time after natural or man-made disasters, unintentional accidents, or intentional acts such as sabotage. These plans shall include, but not be limited to the regular backup of automated files and databases, secure storage, recovery, and restarting planning procedures.

K. Rules of Aggregation.

1. *Requirement:* Aggregated, as used in this subsection, refers to a data output report that does not allow identification of an individual. All reports developed by the research organization shall contain CDCR data only in aggregated form. No disaggregate data identifying individuals shall be released to unauthorized staff, outside parties, or to the public.
2. *Prerelease Edits:* The data system of the research organization shall have prerelease edits, which shall not allow the production of data cells that do not comply with the requirements of this section.
3. *Minimum Data Cell Size:* The minimum data cell size shall be five participants for any data table released to outside parties or to the public.

IV. Requirements Document Update and Revision

- A. *Update:* These policies will be reviewed by CDCR semi-annually for conformance to current law and changes in technologies.
- B. *Revision:* The CDCR Information Security Officer, with input and concurrence from The Research and Advisory Committee, will be responsible for updating and distributing revisions to these policies.

CONFIDENTIALITY AGREEMENT

I, the undersigned Principal Investigator _____ an employee of _____

(Research organization or University), hereby acknowledge that records, documents and data provided by the California Department of Corrections & Rehabilitation (CDCR), are subject to strict confidentiality requirements imposed by state law including California Penal Code § 3521; the California Code of Regulations (Title 15, Article 9.1); the California Civil Code § 1798.24-1798.24b; SB 13, an act to amend Section 1798.24 of the Civil Code.

I confirm that the appropriate data security staff has reviewed the provisions of California state laws including the penalties for breaches of confidentiality.

I confirm that appropriate data security staff has reviewed the confidentiality and security policies of the CDCR.

I understand that any unauthorized use, dissemination or distribution of CDCR confidential information is a crime.

I hereby agree that I will not use, disseminate or otherwise distribute confidential records or said documents or information either on paper or by electronic means other than in the performance of the specific authorized research. I understand that unauthorized use, dissemination or distribution is grounds for immediate termination of my organization's agreement with the CDCR and may subject me to penalties both civil and criminal.

Principal Investigator (Faculty Advisor)

Date

(Data Security Staff)

Date

**State of California
Department of Corrections and Rehabilitation
Request for Access to Inmates for Research Purpose**

Access to Department of Corrections and Rehabilitation youthful and/or adult offenders for research purposes is expressly covered by the California Penal Code Section 3521, the Code of Regulations (Title 15, Article 9.1) and the California Civil Code Sections 1798.24-1798.24b. I agree to obtain informed consent from any participant in this study. I agree to protect the rights and welfare of wards, inmates and parolees, and maintain security for all personal information with the following exception: certain types of information revealed by youthful offenders participating in research projects must be disclosed to Juvenile Justice Division staff. Mandatory disclosures include allegations of child abuse, threats of harm to themselves or others, and involvement in serious criminal activity previously unreported. This requirement must be included in the consent form for youthful research participants.

All dissertations must designate the Faculty Advisor as the Principal Investigator and the Faculty Advisor must sign all agreements.

I agree to protect the identity of any subject involved in this research (Civil Code Section 1798.24 (t)) and that any report or publication will not identify specific individuals.

I, the undersigned, agree to abide by the provisions of the Government Code and Penal Code Sections discussed above and agree to abide by all California Department of Corrections and Rehabilitation Rules and Regulations.

I further agree to provide the Department of Corrections and Rehabilitation with a copy of any report or publication based upon this research.

Principal Investigator (signature): _____

Principal Investigator (printed): _____

Affiliation: _____ **Date:** _____

Students who wish to conduct research must also sign this agreement in addition to their faculty advisor who is designated as the Principal Investigator:

Student Researcher (signed): _____

Student Researcher (printed): _____

Affiliation: _____ **Date:** _____

Exhibit E

OFFICE OF RESEARCH

P.O. Box 942883
Sacramento, CA 94283-0001



August 3, 2016

Ms. Sarah Mehta
Human Rights Researcher
American Civil Liberties Union
125 Broad Street, 18th Floor
New York, NY 10004

RE: Public Records Act Request Number 2015-003973

Dear Ms. Mehta:

This letter is in response to your request for public records dated May 20, 2015, and received by the Office of Research, California Department of Corrections and Rehabilitation on June 11, 2015.

You requested the following information for:

28. The number of prisoners currently serving life sentences in your state, and the number of those prisoners who were
 - (a) Under 18 years of age at the time of their offense
 - (b) 18-25 years of age at the time of their offense.
29. The number of prisoners currently serving sentences of
 - (a) 50 years or longer;
 - (b) 40-50 years;
 - (c) 30-40 years;
 - (d) 20-30 years;
30. For each subsection in request #29, the number of prisoners who were
 - (a) Under 18 years of age at the time of their offense;
 - (b) 18-25 years of age at the time of their offense.
31. For requests #28-29, the number and percentage of prisoners in each section and subsection who are:
 - (a) White or Caucasian;
 - (b) Black or African-American;
 - (c) Hispanic or Latino;
 - (d) Asian;
 - (e) Other.

Your request has been completed. Attached please find five (5) tables. The first table shows the number of offenders in state prison with a life sentence, by age group at time of offense and race/ethnicity, as of June 30, 2016. Tables two through five show the number of offenders

Ms. Sarah Mehta
Page 2

in state prison broken out by age group at time of offense and race/ethnicity, as of June 30, 2016; where each sentencing year's groupings, specified in your request (i.e., 20-29 years, 50 years plus) constitutes a separate table. Thus "Table 2" is just those sentenced to 50 years plus, "Table 3" is just those sentenced to 40-49 years, and so forth, through "Table 5".

Please note the following caveats for the tables mentioned above:

- Those captured in Table 1 as having a "Life Sentence" include inmates serving a life sentence with or without the possibility of parole, and 3rd strikers. Inmates serving a determinant or condemned sentence were excluded.
- Since there would have been an overlap capturing individuals who are serving a 30 year, 40 year or 50 year sentence using the requested break-out of a sentence of 20-30, 30-40, 40-50 and 50+ years, we used sentencing ranges of 20-29, 30-39, 40-49, and 50+ years respectively.
- The ethnicity/race data for the Latino/Hispanic category was based on the following report: Overview of Race and Hispanic Origin: 2010, *2010 Census Briefs*. On Page 2 of the report, it stipulates that, "Definition of Hispanic or Latino Origin Used in the 2010 Census "Hispanic or Latino" refers to a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race. (See <http://www.census.gov/prod/cen2010/briefs/c2010br-02.pdf>). The other categories were based on a combination of additional information specified in the above mentioned report, and CDCR data for the specified races requested.

Sincerely,



JAY ATKINSON
PRA Coordinator
Office of Research/Offender Information Services Branch

cc: Peter Thyberg, Attorney, CDCR
Dennis Beaty, Attorney, CDCR
Kathryn Clark, Attorney, CDCR
Philip Thomas, BPH

Attachment

Table 1
 Number of Offenders in State Prison
 With a Life Sentence
 By Age Group at Time of Offense and Race/Ethnicity
 As of June 30, 2016

	Age Group at Time of Offense						Total	
	Under 18		18 to 25		Remainder			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Race/Ethnicity								
White	265	8.9%	2,102	13.5%	5,846	27.7%	8,213	20.7%
Black	942	31.5%	5,393	34.6%	6,893	32.7%	13,228	33.3%
Latino\Hispanic	1,480	49.4%	6,756	43.3%	6,635	31.4%	14,871	37.5%
Asian	20	0.7%	120	0.8%	164	0.8%	304	0.8%
Other	287	9.6%	1,234	7.9%	1,560	7.4%	3,081	7.8%
Total	2,994	100.0%	15,605	100.0%	21,098	100.0%	39,697	100.0%

These data values may differ from those previously published due to database updates.

Table 2
 Number of Offenders in State Prison
 With a Sentence of 50 Years or Longer
 By Age Group at Time of Offense and Race/Ethnicity
 As of June 30, 2016

	Age Group at Time of Offense						Total	
	Under 18		18 to 25		Remainder			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Race/Ethnicity								
White	2	8.3%	37	11.5%	231	35.6%	270	27.2%
Black	11	45.8%	139	43.2%	178	27.5%	328	33.0%
Latino\Hispanic	10	41.7%	106	32.9%	184	28.4%	300	30.2%
Asian	1	4.2%	2	0.6%	5	0.8%	8	0.8%
Other	0	0	38	11.8%	50	7.7%	88	8.9%
Total	24	100.0%	322	100.0%	648	100.0%	994	100.0%

These data values may differ from those previously published due to database updates.

Table 3
 Number of Offenders in State Prison
 With a Sentence of 40 to 49 Years
 By Age Group at Time of Offense and Race/Ethnicity
 As of June 30, 2016

	Age Group at Time of Offense						Total	
	Under 18		18 to 25		Remainder			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Race/Ethnicity								
White	0	0	22	7.8%	132	25.8%	154	18.6%
Black	9	24.3%	103	36.5%	138	27.0%	250	30.1%
Latino\Hispanic	26	70.3%	135	47.9%	190	37.2%	351	42.3%
Asian	1	2.7%	2	0.7%	3	0.6%	6	0.7%
Other	1	2.7%	20	7.1%	48	9.4%	69	8.3%
Total	37	100.0%	282	100.0%	511	100.0%	830	100.0%

These data values may differ from those previously published due to database updates.

Table 4
 Number of Offenders in State Prison
 With a Sentence of 30 to 39 Years
 By Age Group at Time of Offense and Race/Ethnicity
 As of June 30, 2016

	Age Group at Time of Offense						Total	
	Under 18		18 to 25		Remainder			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Race/Ethnicity								
White	5	2.9%	76	8.0%	321	23.0%	402	16.0%
Black	52	30.6%	308	32.4%	409	29.3%	769	30.5%
Latino\Hispanic	96	56.5%	511	53.7%	564	40.3%	1,171	46.5%
Asian	2	1.2%	2	0.2%	14	1.0%	18	0.7%
Other	15	8.8%	55	5.8%	90	6.4%	160	6.3%
Total	170	100.0%	952	100.0%	1,398	100.0%	2,520	100.0%

These data values may differ from those previously published due to database updates.

Table 5
 Number of Offenders in State Prison
 With a Sentence of 20 to 29 Years
 By Age Group at Time of Offense and Race/Ethnicity
 As of June 30, 2016

	Age Group at Time of Offense						Total	
	Under 18		18 to 25		Remainder			
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Race/Ethnicity								
White	29	4.1%	306	8.6%	1,250	24.6%	1,585	17.0%
Black	180	25.6%	1,124	31.5%	1,509	29.7%	2,813	30.1%
Latino\Hispanic	430	61.1%	1,842	51.6%	1,957	38.6%	4,229	45.2%
Asian	11	1.6%	34	1.0%	49	1.0%	94	1.0%
Other	54	7.7%	265	7.4%	309	6.1%	628	6.7%
Total	704	100.0%	3,571	100.0%	5,074	100.0%	9,349	100.0%

These data values may differ from those previously published due to database updates.