



Unsubstantiated Claims for Effectiveness of Rehabilitation Programs

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Summary

Corrections officials often claim that their rehabilitation programs are “evidence-based.” The evidence, however, often does not stand up to critical examination.

Recidivism rates are an important measure in evaluating whether community reentry programs are performing as promised. The California Department of Corrections and Rehabilitation (CDCR) recently published recidivism outcomes for people released from prison during fiscal year 2019-2020 who participated in enhanced alternative custody programs (EACPs).¹

The people participating in reentry programs had lower recidivism rates than the people who did not participate in the programs, but this comparison is likely affected by selection bias, meaning the people who were chosen for these programs may already have been less likely to reoffend for reasons unrelated to the program. Despite this, the press release strongly implies that participation in EACPs caused lower recidivism and frames the observed differences as evidence of “a positive trend in California’s investments to improve public safety.”²

This type of framing is problematic and could easily mislead policymakers and the public into assuming these outcomes were caused by the programs, when in fact they may be attributable to differences in who applies and is selected for participation. We find these statements about the effectiveness of community reentry programs to be inappropriately overstated and not supported by the evidence presented.

Enhanced Alternative Custody Programs

Community reentry programs are designed to support people transitioning out of prison, helping them reintegrate successfully into society and reduce the likelihood of reoffending. In California, “Enhanced Alternative Custody Programs,” or EACPs, are community-based reentry programs operated by CDCR that allow eligible individuals to serve up to the last 12 months of their sentence in the community rather than in state prison. Participants may be housed in a private residence, a transitional care facility, or a residential drug or other treatment program. While in the community, individuals remain under CDCR jurisdiction and are electronically

monitored and supervised by parole agents. Each day in an EACP counts as a day served in lieu of incarceration.³

To be eligible for an EACP, individuals must first be enrolled in one of the prison-based “community reentry programs,” or CRPs (e.g., MCRP for men or FCRP for women), which are specific reentry units within CDCR facilities. Individuals within this pool can then apply for community placement, i.e., an EACP, which allows them to serve part of their sentence outside of prison under supervision.

Participation in EACPs is voluntary, and individuals must apply by submitting an ACP Application and Voluntary Agreement form. The selec-

tion process includes a preliminary assessment of the proposed residence or program, identification of community resources, development of an Individualized Reintegration Plan (IRP), and a thorough review of the individual's criminal history, behavior while incarcerated, and supervision record. Final approval is granted by an Institutional Classification Committee (ICC) chaired by the Warden or designee, ensuring the placement remains appropriate and supportive of reintegration.

The programs provide structured supervision, support services, and resources aimed at addressing factors commonly linked to recidivism, including employment, education, housing stability, and substance use. EACPs often combine residential placement in alternative custody settings, intensive supervision, counseling, and treatment programs. Participants are required to follow their IRP that outlines expectations such as maintaining employment, continuing education, and participating in outpatient treatment, self-help classes, and group programs to support rehabilitation.

Recidivism

Recidivism rates are often used to assess whether these programs are achieving their intended outcomes. The recent CDCR report summarizes three-year recidivism outcomes for individuals who participated in EACPs released during fiscal year 2019-2020, using three-year reconviction rates as the primary measure of recidivism, while rearrest and reincarceration rates are provided as supplemental measures.

According to the report, EACP participants have substantially lower recidivism rates than individuals who did not participate in EACPs, but these findings should be interpreted cautiously. The report presents descriptive statistics rather than a rigorous evaluation of program effectiveness, and the observed differences may reflect pre-existing factors rather than the direct impact of program participation.

For the 1,000 male EACP participants, three-year recidivism rates were 52.8% for rearrests, 26.5% for reconvictions, and 11.4% for

reincarcerations. Among males not participating in EACPs, the rates were higher: 65%, 40.3%, and 18.3%, respectively. A total of 265 of the 1,000 male EACP participants were reconvicted during the three-year period. Of these, 61.5% were for felony convictions, which is higher than the overall statewide release cohort.

For the 360 female EACP participants, the three-year recidivism rates for rearrests, reconvictions, and reincarcerations were 43.9%, 18.3%, and 8.2%, respectively. When compared to females not participating in EACPs, recidivism rates were 61%, 32.9%, and 8.6%, respectively. Of the 360 female participants, 66 were reconvicted during the three-year period, more than half (54.5%) of which were for felony convictions.

Selection Bias

The report presents statistics for a specific group (i.e., people who participated in EACPs) and compares them to those who did not. This type of comparison is vulnerable to a methodological problem called "selection bias." Selection bias arises when the groups being compared differ in important ways before the program even begins. When this occurs, it is unclear whether any observed differences in outcomes are caused by the program itself or by factors that existed beforehand.

In this case, the risk for selection bias is high due to the voluntary nature of the program. Unlike a formal research study, EACP participants are not randomly assigned to programs. Rather, EACP participants are a specific subset of individuals who are eligible and willing to participate. This subset of individuals are already predisposed toward positive outcomes due to individual characteristics, such as motivation, desire to follow rules, or desire to engage in rehabilitation and educational programs. As such, these individuals are not statistically similar to individuals who are ineligible or not interested in participating. Relatedly, the CDCR report states that EACP participants are more likely to score as "low risk" compared to the broader cohort of offenders,⁴ further highlighting this difference.

Because participation is voluntary, it is particularly likely that participants differ from nonparticipants in both observable and unobservable ways, such as motivation to succeed or access to supportive social networks, making it impossible to determine if the program itself caused better outcomes. In other words, people who chose to participate were likely better candidates for “going straight” than those who chose not to. Therefore, any better outcomes among participants cannot be confidently attributed to their participation in the program.

Misconceptions

It is important to note that the recidivism report is a routine statistical report that the CDCR produces, and its main purpose is to present findings on the recidivism rates of released offenders in an understandable manner that is accessible to a wide audience. While statistical reports provide valuable insights, it is essential to understand the limitations of the data before drawing conclusions based on them.

Statistical reports do not test a specific hypothesis or idea; they simply present information without rigorous examination. In contrast, a formal research study uses research methods that are strong enough to establish cause and effect. Although this requires extensive planning, it increases confidence in the findings. To establish an argument of causality in this case, a formal research study would need to either 1) randomly assign people to programs, ensuring differences between groups are distributed by chance, or 2) compare participants to a statistically similar group of nonparticipants, differing only in program exposure. This is often referred to as establishing “baseline equivalence.” Without establishing baseline equivalence, comparing two groups of people who are self-selected into groups (instead of mandated or randomly selected) is like comparing apples to oranges.

Despite this, the accompanying press release entitled “Recidivism Rates Drop for Community Reentry Participants” strongly implies causality, claiming that participants are “significantly less likely” to recidivate. The press release goes on to

say that, “these findings show a positive trend in California’s investments to improve public safety,” and encourages readers to look to CDCR’s other recidivism briefings to “learn more about the positive impact of CDCR programming.”⁵ This wording implies a causal relationship between program participation and reduced recidivism, even though the report itself is purely descriptive and does not employ the methods needed to establish causality.

Framing the observed differences as program “benefits” risks misleading policymakers and the public into assuming these outcomes were caused by the programs, when in fact they may be attributable to differences in who applies and is selected for participation. This kind of framing could influence funding and policy decisions based on overstated evidence of effectiveness. A more precise press release would have emphasized that these findings are encouraging but preliminary, and that further research is needed to determine whether participation in EACPs directly reduces recidivism.

Conclusion

The CDCR’s latest recidivism report showed that participants in EACPs had lower three-year conviction, arrest, and reincarceration rates compared with nonparticipants. However, in its accompanying press release, CDCR framed these differences as evidence that EACP participation caused lower recidivism. Such wording strongly implies causality, even though the report itself is descriptive and does not provide the methodological basis for causal claims. Regrettably, CDCR has a history of such unsubstantiated claims.⁶

The findings are not sufficient to establish causation. The CDCR report lacks the necessary design and controls to rigorously assess the program’s impact on recidivism outcomes. Individuals who are eligible and choose to apply for EACPs are likely different from those who do not. The observed differences, therefore, likely reflect these pre-existing characteristics rather than the direct effect of EACP participation.

Overstating these results risks misleading policymakers and the public about the program's effectiveness. A rigorous evaluation using methods such as randomized assignment or carefully matched comparison groups is needed to determine whether EACP participation itself reduces

recidivism and to identify the true drivers of successful reentry. Until such evaluations are conducted, statements implying causality should be avoided to ensure policymakers and the public have an accurate understanding of program outcomes.



The Criminal Justice Legal Foundation is a nonprofit, public interest law organization promoting the interests of the law-abiding public and victims of crime in the criminal justice system. CJLF believes that an effective system of law enforcement and appropriate punishment of those who have committed serious crimes is essential to a free and orderly society. Such a system is achievable while respecting the constitutional rights of those accused or convicted of crimes. To this end, CJLF engages in advocacy in the courts and research to better inform the public and policy makers. These Research in Brief reports are a part of this effort.

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Endnotes

1. Cal. Dep't of Corrections & Rehab., Supplemental Recidivism Rates for Enhanced Alternative Custody Program Participants, <https://www.cdcr.ca.gov/research/wp-content/uploads/sites/174/2025/08/Recidivism-Rates-for-EACP-Participants-FY-2019-20.pdf>.
2. Cal. Dep't of Corrections & Rehab., News Release: Recidivism Rates Drop for Community Reentry Participants (Aug. 20, 2025), <https://www.cdcr.ca.gov/news/2025/08/20/recidivism-rates-drop-for-community-reentry-participants/>.
3. Cal. Dep't of Corrections & Rehab., Alternative Custody Program, <https://www.cdcr.ca.gov/rehabilitation/pre-release-community-programs/alternative-custody-program/>.
4. Supp. Recidivism Rates, *supra* note 1, at 1.
5. News Release, *supra* note 2.
6. Elizabeth Berger, *Recidivism trends in California: New CDCR report*, Crime & Consequences (Feb. 22, 2024), <https://www.crimeandconsequences.blog/?p=10055>.