

Gregg Hart on Rehab, Not Punishment

Santa Barbara County State Assemblymember Talks California Prison Reform and Scandinavian Model

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California's prison system appears just as bad on paper as it does behind prison walls. The state's three-year recidivism rate is roughly 45 percent, and correctional officers die by suicide at a rate 39 percent higher than the rest of the working-age population.

California incarcerated serve their time, but too often, they are convicted of another crime within just a few years after release. About 20 percent return to prison.

But the state is slowly turning toward a new method of incarceration, with help from Norway. It's based on a model of rehabilitation, rather than punishment, which took Norway's nearly 70 percent recidivism rate before adopting the model in the 1990s and cut it down to 20 percent today – the lowest in the world.

Norway equips its prisoners with the skills they need to reenter society, and grants them a modicum of independence – their doors don't have locks, they do their own laundry, and they even cook their own meals with knives from a shared kitchen.

Santa Barbara County Assemblymember Gregg Hart recently toured a few of those Scandinavian prisons, alongside correctional officers and other U.S. representatives, to explore how they could bring that method home.

This year, California Governor Gavin Newsom began the process of adapting and piloting the new "California Model" at San Quentin, with a similar focus on rehabilitation.

Hart thinks they could even adapt the model to the Santa Barbara County Jail. The jail's mental health care and treatment of its residents has been subject to **increased scrutiny** over the past year – eight inmates died in custody between 2022 to October 2023.



After five days touring three Norwegian prisons, Hart came back with a new view on what California's prison system could look like. "They're doing something different, and better," he said. "I think we need to learn some lessons from that."

The *Independent* spoke with Hart about his takeaways from the experience.

What did you learn from your experience? The phrase that stuck with me the most was, "Courts are for punishment. Prison is for making better neighbors." From their very first day in prison, Norway's system is designed to try and give people the skills, training, services and resources to improve their lives and be better integrated in the community when they come back home. Whereas in our prisons, you have to earn access to some of the services that should really be there from day one.

The experiences of correctional officers are also profoundly different. California correctional officers have a really high rate of divorce, alcohol abuse, and mental health issues. We have fewer guards, more prisoners, mass incarceration in very large facilities. It takes a toll on correctional officers; their life expectancy is about 15 years below the national average. In Norway, correctional officers serve as social workers, coaches, and mentors. There's just a sense of normalcy.

I think that there's so many things we can learn. But it's taken a long time for Norway to get where they are – they've been on this path for about 30 years now.

Also, our systems could not be more different. California shouldn't expect to copy what they're doing in Norway – there is no cut-and-paste solution. But we can learn from them and adapt it to California.

There's San Quentin and about 10 other pilot projects happening in prisons all around California, where they're taking it "one yard at a time," and doing things differently, with an eye toward better outcomes. We need to build on these pilot projects and on the San Quentin model, and incrementally change the system. We can't expect giant changes overnight. But small steps and learning as we go is the best way to make progress.

What do you think led to our prison systems being as toxic and unsuccessful as they are? In the 1970s, the sentencing system in the U.S. changed dramatically, and a lot more people were arrested and incarcerated in prisons for drug offenses. Prison populations exploded in California. From 1975 to 2000, it increased from around 300,000 prisoners to about 1.4 million prisoners. I think that's where we got off track – the mass incarceration of so many people in huge prisons, and it became a more punitive system.

In the United States, we incarcerate more people than any other country. For example, in Norway, there are 59 prisoners per 100,000 population. In the United States, it's 740 prisoners per 100,000 population. Right there, you can see the scale and scope of the difference.

In Norway, prison is a last resort; they do a lot of intervention and diversion out of the criminal justice system, with programs and services for lower-level offenses. Even more serious offenders are treated humanely and respectfully, with an eye toward giving them the skills and understanding to change the course of their lives.

They give job training, mental health treatment, parenting classes, violence prevention, whatever the individual person needs, and correctional officers are really the guides for that process. It's very person-centered, whereas in California, because of the sheer numbers and facilities that we have, we're managing large groups of people in a pretty inhumane way.

It's not producing outcomes that we want. It's the classic saying: The definition of insanity is doing the same thing over and over again and expecting different results. We need to find something different.

Other states, like North Dakota, have been pursuing the same sort of reform going back to 2015. What's inspiring California to start this process now? Is this a bipartisan issue? There's two sides that are pushing this. It's internal – folks who have to live in that system and work in it every day, who understand the trauma their colleagues are experiencing – and the folks who recognize that, if we're really going to improve public safety in California, we need to do something about our recidivism rates.

Norway is clearly the best example of success on the planet. So being smart and taking advantage of other people's experience and applying that to California – I don't think it's unique. There were folks from Washington and Oregon and other states on this trip, too. So there's a movement to try and embrace change and do things better. That was really encouraging.

I do think this is a bipartisan issue. There's a consensus between the left and the right that being smart about incarceration is the best path to increasing public safety. I think we struggle with partisanship in the United States. But the model that we have is so expensive and doesn't work. Shifting resources within that system to apply these principles just makes good fiscal sense and good policy sense. And I think, as we see the results from these pilot projects, and hopefully see encouraging outcomes, it's going to be easy to make those financial changes, because you're gonna have the correctional officers supporting it, and you'll have legislative support as well.

We don't have any state prisons in Santa Barbara County. How can this be applied locally? County Jail is a microcosm of the issues at the state level, isn't it? For one, it's a super hard job to be a correctional officer in Santa Barbara County. When I met with them as a county supervisor, I heard that from them. They're proud of the work that they do, but it's difficult. And I think they want a different approach. But it's been really difficult to accomplish that in this county. The sheriff hasn't been a change agent; he hasn't embraced a lot of these ideas.

I think the principles really ought to apply even to county jail. It's evolved over time. California was under great pressure to reduce its prison population and has done tremendous work in the last 10 years. Prison populations have significantly declined, but part of that strategy was shifting prison terms to county jails. So county jail populations have increased to compensate for that – prisoners are serving longer term sentences in county jails.

And yet, we have very modest services available to people at county jail. So I would hope that our sheriff would consider this model, and he would really be well served by going on a tour. I know that my former colleagues on the board of supervisors are very interested in reforms to the criminal justice system, because, for one, it's very expensive. It is not producing the results that we'd like. We've got the same recidivism issues in the county jail as the state prisons do. And so there's opportunity for change here, too.

But the good news is that prison populations in California and in the county jail have been going down over time, because crime has been going down over time. People believe crime is occurring at a much higher rate than it actually is. But if you look at the data, there has been a dramatic decline in criminal behavior over the last 20 years, to some of the lowest levels that's ever been recorded. That's a result of different sentencing strategies at the state level. But the folks that remain in prison and in county jail need better treatment, rehabilitation, and educational services to support their success when they get out. That's the thing; they come back to the community, and we want the community to be safe. So we want people to be prepared to come back and be good neighbors.

When surveying California crime victims and family members, and asking, "What outcome do you want to see for the person who committed this offense against you?" A large majority of the people who responded to public opinion surveys in that context, say, "I want the offender to never do that to anybody else ever again." That's the defining thing. There are people who want that person to be severely punished, sure; they want retribution. But more people want rehabilitation; they want a remedy, because they don't want somebody else to experience what they went through.

We all want the same outcome. We might not see the situation the same way, we might have different values about that. But, at the end of the day, a 25 percent recidivism rate is by and large a better outcome than a 50 percent recidivism rate.

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