DAVID ONEK: Welcome to the Criminal Justice Conversations podcast, a coproduction of the Berkeley Center for Criminal Justice and the Berkeley School of Journalism. I’m your host, David Onek. The podcast, recorded weekly in the Berkeley School of Journalism studios, features in-depth interviews with a wide range of criminal justice leaders: law enforcement officials, policymakers, advocates, service providers, academics and others. The podcast gets behind the sound bites that far too often dominate the public dialog about criminal justice to have detailed, nuanced conversations about criminal justice policy.

Today’s guest is Jeanne Woodford, the former warden of San Quentin State Prison and the former Undersecretary and acting Secretary of the California Department of Corrections and Rehabilitation. Woodford began her career as a correctional officer in San Quentin in 1978, fresh out of college, and rose through the ranks to become San Quentin’s first woman warden by Governor Gray Davis in 2000. In 2004, Governor
Arnold Schwarzenegger tapped Woodford to become Director of the California Department of Corrections and Rehabilitation, and she was subsequently named Undersecretary and then acting Secretary of the department. She later served as the chief probation officer of the San Francisco adult probation department, where she and I had the opportunity to collaborate on some projects. Woodford currently consults statewide on correction issues, and she joins us in studio today. Jeannie Woodford, welcome to the program.

JEANNE WOODFORD: Thank you. It’s a pleasure to be here.

ONEK: Take us back to 1978, when you started as a correction officer in San Quentin after graduating from college. Why did you decide to become a correctional officer as your first job out of college.

WOODFORD: Well, I majored in criminal justice, and it was my goal to actually become a juvenile counselor. But Prop 13 had just passed, and so many of the programs that had been available for juveniles were ended because of the change in how they were funded. And so Sonoma State, when I was about to graduate from Sonoma State, some individuals came from San Quentin State Prison recruiting, and they described being a correctional
officer as being like a social worker. And so I thought, well, that sounds interesting, and I took the test, passed, and was hired as a correctional officer. That wasn’t quite accurate, by the way.

ONEK: That was going to be my next question. So when you started, what was it like? And specifically, what was it like for a woman? I imagine it was very rare for a woman to be a correctional officer back then.

WOODFORD: Back then there were very few correctional officers, and women had not worked any of the housing units at San Quentin. So I was among the first group of women that was placed in the housing units to work with inmates. I will tell you that it was a very difficult time, because the male correctional officers did not want us there. The inmates, for the most part, had an appreciating for having women inside the prison, appropriately so. So I will tell you that it took many years before we were accepted by the male staff. And I used to say, that which doesn’t kill you makes you stronger. And I said that often.

ONEK: What were some of the things that you did to help earn the respect of your male counterparts and inmates in those early
days when they were maybe doubting you?

WOODFORD: All right, I did my best to do the jobs that were given to me, and some of them were very difficult. But example, at that point in time to pull a bar, which is to open the cell doors, took a lot of strength. And many of the women correctional officers couldn’t do it, and they’d have to call the guys over to do it for them. And I really lifted weights and made sure that I had the strength to be able to pull that bar and let the inmates in and out of their cell. I also really let my yes be my yes and my no be my no. I was very clear about what I thought was the right thing to do, and held myself accountable to that standard. So I just really tried to do a good job.

ONEK: You were once attacked by a prisoner who punched you as you were locking a gate. What happened exactly, and what did you learn from that experience?

WOODFORD: Well, we had an incident on the yard, and I was trying to slam the yard door so other inmates couldn’t go out and become involved in the incident. And the inmate hit me in the arm, and the look on his face was really one of shock. He was surprised he had hit me, I think. But what I learned from
that experience was you really had to know where you were and pay attention to your surroundings at all times. And anything can happen inside a prison.

ONEK: You kind of methodically worked your way up through the ranks at San Quentin and eventually became warden. And there you developed a reputation for championing rehabilitation programs for inmates. You were quoted as saying, quote, the problem is, we haven’t expected much of our inmate population at all. We’ve expected them to do their time. I think we need to raise those standards. Your thoughts on these matters are very similar to some of the previous guests we’ve had on this program, Sonny Schwartz, who we were actually talking about before the program. As you know, she runs model program in San Francisco’s jails, and she said, quote, on this program, the traditional approach is coddling prisoners, who get to sleep all day and watch TV and have their breakfast, lunch and dinner served to them. That’s coddling. Similarly, San Francisco District Attorney, Kamala Harris, who was on this program, has written that, quote, it makes no sense to ignore them in prison and just hope everything works out fine. Why do you think programming for prisoners is so important for public safety?

WOODFORD: Well, I agree with the comments of both Sonny and
Kamala when they talk about the fact that we need to expect something from inmates. And that’s really what programs are about. I think it’s the difference between indeterminate and determinate sentencing. And luckily I began my career in corrections towards the end of indeterminate sentencing. Determinate sentencing had already come into place, but inmates still behaved as if they were there under indeterminate sentencing.

ONEK: For our listeners who might not know the difference, could you give a brief description of determinate versus indeterminate sentencing?

WOODFORD: Yes. Under determinate sentencing, inmates receive a date when they will go home, and they’re released on that date, whether they behave themselves or they do not behave themselves, whether they do anything to improve themselves or not. Under indeterminate sentencing, you have to earn your way home, and you do that by participating in programs and appearing before the board of prison terms who decides whether you’re ready to go home. In this state, we only have a few violent crimes that are still indeterminate, such as life, such as murder first, rather, and murder second. So most inmates are determinate, have determinate sentences inside our prison
system. Under indeterminate sentencing, inmates believe that they must participate in programs and change who they are as a person in order to receive a release date. And I believe that is a system of accountability. Under determinate sentencing, we send people to prison. They do their time. They get to go home. And under determinate sentencing, we took away many of the programs that existed in our California prison system. So inmates can lay around the yard and do nothing all day. They can sit in their cells or involve themselves in gang behavior while they’re incarcerated and still go home. So as I said in the quote, we expect nothing of inmates, and that’s exactly what we get most of the time.

ONEK: You spoke previously about trying to get buy in from the male correctional staff as a new woman correctional worker. What was it like coming in as the very first woman warden and really emphasizing rehabilitation? What kind of pushback did you get from the correctional staff?

WOODFORD: Well, I really didn’t get very much pushback at all from the correctional staff when I became warden, because I had spent my entire career at San Quentin, and people knew me, and they knew I had very high standards for everyone’s behavior, not only my own, but my staff, and for the inmates that were there.
I don’t think anyone that worked at San Quentin would say that I coddled inmates at all. In fact, if I saw inmates laying in the yard, I’d walk up to them and say, gentlemen, I know you have something better to do. You should be in school, or going to an AA meeting. So they, the staff at San Quentin truly understood my beliefs about rehabilitation and setting high standards for inmates and their behavior. And I also expected inmates to treat staff with dignity and respect, and for staff to treat inmates with dignity and respect.

ONEK: This year, $250 million were cut from prison rehabilitation programs due to the budget crisis, including a significant number of programs at San Quentin. What do you think the impact of these cuts will be?

WOODFORD: I’m very concerned about the impact of the cuts in programs inside our prison system, because we’ve made many policy changes in the state, and the policies would be good policies, if we had the programs inside our prison to be sure that people are ready to go home. So for example, the non-revokable parole. Individuals will leave prison without a parole agent assigned to them. For those inmates, that would be a good program, because these are low level inmates, if they received the programming and support they needed while
they were incarcerated and had a plan for returning to their community. But when you have inmates who leave our prison system having participated in nothing while they were there, I’m very concerned about public safety. California has the lowest number of inmates participating in a program of any state in the United States. Prior to these cuts, 50% of our inmates participated in program, and the national average was 33% did not participate, meaning that almost 70% of all inmates in other states participated in programs. With these recent cuts, we even have fewer inmates involved in academic, education or drug rehabilitation programs.

ONEK: What do you miss most about being a warden?

WOODFORD: I miss walking around the prison, talking to staff and talking to inmates. I miss working with communities to bring in volunteers. I enjoyed all of that. I enjoyed really trying to think outside the box, because we didn’t have any money, to come up with ideas to keep inmates involved and busy while they’re incarcerated. I really do miss walking inside a prison.

ONEK: You know, talking about walking around the prison and talking to everybody, in different articles that were written
during your tenure there, that was something that really stuck out. Inmates would come up to the authors of the articles and said, I’ve never said anyone like her before. She comes up. She actually cares about me. She asks me how my mom’s doing. She asks this, she asks that. How did people respond the first time you started doing that? I mean, some of them were like, who was that lady who just walked by? And someone else would be like, well, that was the warden. What kind of response did you get when you tried to talk to people for the first time?

WOODFORD: Most of the time inmates were really ready to talk to you, and I mean, they would often have a look of shock on their face that you would bother to ask about their family. But I think they appreciated it, and just from the articles, as you said, several inmates talked about that. And they still do to this day. I was at San Quentin just a few months ago, and inmates would remind me about how I would walk around and talk to them and how much they appreciated it.

ONEK: What’s it like to go back now as a civilian and go back through those doors?

WOODFORD: It’s, it just reminds me of how much I miss being there. It’s good to see the staff. In some ways it’s sad to
see some of the inmates who are still there, who I think are ready for parole. A lot of the lifers that are at San Quentin, who have done everything they can to prove that they’re ready for parole, and some are getting dates, but very few are. So I am sad about that when I walk through there.

ONEK: Let’s talk about your next step. In 2004, Governor Schwarzenegger named you director of what was then called the California Department of Corrections. Shortly after you arrived, the department changed its mission to include rehabilitation and changed its name to the California Department of Corrections and Rehabilitation, or CDCR. Some critics have charged that the change was in name only. What’s your view?

WOODFORD: Well, I do think that it has been in name only as a result of the budget cuts that have happened to the Department of Corrections, and adding the name to the California Department of Corrections was the first step, and certainly some other things had to happen after that. So for example, when you look at the penal code and see the purpose of prisons, it still remains punishment. That’s inconsistent with rehabilitation. The purpose of prison should include punishment, but also should include preparing inmates for their return home, because that's really what public safety is. So I think adding the name,
again, was just the first step, and there’s many more things that need to be done.

ONEK: You were later named Undersecretary and then acting Secretary of CDCR, although you resigned after just a few months in that post. We recently had the current CDCR Secretary, Matt Cate, on the program, and he said, quote, one of my key must haves was that the Governor give me the discretion to run day to day operations in the prisons. That hasn’t always been the case. How much discretion were you given at CDCR? And did that issue influence your decision to resign?

WOODFORD: I was given very little discretion, and it certainly did influence my decision to resign. I think one of the last things I said to the Governor and his staff was, I’m either running this, or I’m not. And it was very clear I wasn’t running it. The politics of Sacramento was really running that department.

ONEK: What were some examples of ways that you weren’t running the department?

WOODFORD: Well, I think you have to define what it is you’re trying to accomplish, and then you have to decide whether you
have the means to accomplish that. So when I brought it to the Governor’s attention, and his staff’s attention, that it would be impossible to provide rehabilitation to inmates unless we have some changes in our sentencing laws, and who we bring into our prison system. And it was very clear that I didn’t have the freedom to publicly talk about that and try to push for those kinds of changes in the department. The administration simply wasn’t going to support that. So if you can’t find a path to success, then you’re not running your department. And if you’re not free to talk about what needs to change to have a successful department and to improve public safety, then you’re not running your department. So for those reasons, I stepped down.

ONEK: You later served as chief probation officer of the San Francisco adult probation department. Having viewed criminal justice issues from a state perspective, what surprised you the most about working at the local level?

WOODFORD: What surprised me the most about probation was how broken it was in the state. I think that there’s been some recent law changes that will improve it. But for example, when I went to San Francisco, we really didn’t know how many people we had on probation there. The system showed nearly 20,000, and when we went through and cleaned it up, we ended
up finding about 7,500 individuals on probation. And that was true in many departments around the state. And then I also came to understand that we had 58 counties in California doing 58 different approaches to probation without an overarching strategy for probation in this state. And then it was shocking to me to find that I had so many people on probation in San Francisco, as do other counties, who didn’t live in the city and county of San Francisco. They lived all the way from the Oregon border to San Diego. And so no one was supervising individuals on probation. And the case load sizes were remarkable to me. The highest case load we had was 600 to one. And most of the case loads averaged about 400 to one. So very, very difficult to implement community corrections and do the three legs of probation, which is office visits, home visits and community and neighborhood visits, to be sure individuals are behaving appropriately and attending work or school or drug or alcohol programs that the courts have mandates. So I found probation around the state to be very broken.

ONEK: I want to talk in a moment about a new law that you just mentioned, and the effect you think it will have. But before I do that, what are the challenges to state/county collaboration on criminal justice issues that you saw? Because it’s really essential that the state and county work together on
these issues, I think, in addition to all the issues that you mentioned, and there are many, and they are serious. There’s also the issue of how collaboration happens. And so I’m wondering if you could give your thoughts on that.

WOODFORD: Well, it’s very difficult for the state and counties to collaborate, because there’s such a distrust at the county level of the state, primarily due to funding, what to be local counties would often say when we try to talk about changes is, the state will give us money, but then when they hit a budget crisis, they’ll take it away. So we don’t want to take on a new mission, even if they agree to give us the money, because we know we’ll keep the mission but lose the resources.

ONEK: And it becomes an unfunded mandate, essentially.

WOODFORD: It becomes an unfunded mandate. And so that’s really been the difficult problem with making criminal justice changes in this state. And until we figure out the flow of money, and until we’re able to assure local government that they’ll continue to receive that money, it’s going to be very difficult to make the kind of changes that we should. Probation should be funded by the state. Individuals who have less than a year or even two years to serve, as some states do, shouldn’t even
be going to the state system. They should be kept locally. And we need to right our very broken criminal justice system. We’ve ended up with a state prison system that’s like a huge county jail, with people going in and out, the catch and release program that Joan Pedercilia talks about. And we’ve ended up with the preventative programs not being funded, which obviously leads to the overcrowding of both our county jails and our state prison system.

ONEK: Let’s talk about the bill that was passed last year, SB678, the California Community Corrections Performance Incentive Act. Mark Leno, state senator, the bill’s sponsor was on the show recently and discussed the bipartisan support he was able to garner for the bill. Essentially the bill incentivized county probation departments to improve outcomes for the probationers they supervise and reduce costly prisons admissions. The state will share the resulting state savings with local probation departments. Based on your experience at both the state and county level, how effective do you think this bill will be?

WOODFORD: I think the bill has the potential of being very effective. But it really will have to be monitored very closely, and the lack of information systems in the state will
make that very difficult to do. But there’s really going to have to be a process of insuring that we’re accounting for people appropriately and that outcome measures are being met as they should be.

ONEK: In terms of accounting for people appropriately, of all the problems that you just mentioned with the probation department, the first one really blew my mind, that the San Francisco probation department’s numbers were that off in terms of the, not even knowing how many people were on probation. How is that possible that the system was so broken that you really couldn’t even get a remotely accurate count of how many people you were supposed to be supervising as the chief probation officer?

WOODFORD: Well, I think there was a real lack of attention to the computer system that existed there. The leadership that had been in place there apparently wasn’t paying attention to their data at all. There weren’t any reports coming across the chief’s desk when I arrived there that would let you know how many people were coming on probation, how many people had been let off of probation. So I had to implement those kind of statistics and standards so that I began getting reports of how many people were submitted for their probation to end, because
they had completed a year of exemplary behavior, for example, or how many people were coming off probation. So it really was starting from ground zero, with the first step being cleaning up all the data that existed, and then implementing procedures to be sure that the data remained clean, that people were coming into the probation system in the computer and leaving the probation system in the computer when their time was up.

ONEK: One of the other things that amazed me when I learned about it is that there are people who can be on both probation and parole simultaneously, and then also could be on probation in several different counties simultaneously, but no one knows, there’s no coordination among the counties or the state and the county to know that these folks have multiple probation officers and parole officers. They also have multiple commitments they need to make in all these different places that even the most high functioning person would be impossible to meet all your conditions if you have to go to one county to sign in, and then another county, and then do something at the state. What can be done about that issue?

WOODFORD: Well, I first became aware of that flying on a plane from New York with a mother whose son was on probation in three counties. And so when I went back, I had, it was shortly after
I was hired as the chief of adult probation, and I started asking questions. I did find that we had many people on both probation and parole. So a bill has been passed that you will be on probation where you live. What the CPOC, the Chief Probation Officers of California, is trying to do is work with the courts to implement that change. So with that change, you will only be on state probation in one county, as they implement that. That doesn’t solve the problem of being on probation and parole, and I think that there needs to be a more integrated system that resolves that in the next few years.

ONEK: Speaking of parole, let’s talk about the big parole reforms happening at the state level now. The Legislature recently approved sweeping changes to the system. Matt Cate called the parole changes a landmark achievement, but some law enforcement and crime victims groups have expressed grave concerns over provisions that provide for the early release and reduced supervision of some offenders in order to provide more intensive supervision for high risk offenders. What do you think of the parole changes that have been recently made in the state?

WOODFORD: Well, I’m in agreement with the parole changes in theory. And I don’t think that is an early release. I mean,
the programs provide credits for individuals under certain circumstances.

ONEK: Right. That term has kind of become a red flag issues, how you describe it, yes.

WOODFORD: Exactly. But providing incentives, such as credits, is a method that’s used all across the United States and very successfully in many states. What concerns me about the changes is the fact that we will still will have individuals leaving our prison system, even if they left when they were supposed to, without these new credits, who did not participate in any program at all. And I think that should be a concern. So I’m in agreement with the parole changes, but I absolutely believe that no inmate should walk out of a prison without a parole plan that’s realistic, without knowing where they’re going to lay their head that night, without knowing what resources are available to them in the community.

ONEK: It just seems very troubling that these rehabilitation cuts are happening at the same time as these parole reforms, because when you’re having reforms where you’re having more people, the low level folks not being supervised closely, you would think that’s where you want to invest in the
rehabilitation when they’re in so that they really won’t need supervision when they get out. And so I mean, I think that’s what you were getting at, but I think it’s a troubling combination right now, and I think that the danger is that as there begin to be cases or high profile cases of folks who get out and commit a new crime, and we’ve already seen some examples of this, that how do you talk about that in a way, looking at the big picture, so that folks don’t just focus on the handful of crimes that are committed by people coming out, which frankly, no matter what you do in the best system in the world, that’s going to happen sometimes. Can you speak to that issue a little bit?

WOODFORD: Well, I think people need to keep in mind that before individuals were leaving the prison system earlier than they had been. They were assigned, they had parole agents. They were on parole, and they were committing crimes then, too. So I think that when I hear the concern of law enforcement is, now they have to prosecute those crimes. Well, that’s a good thing. It’s very difficult for me to understand how a prosecutor would think that’s a bad thing. If someone commits a new crime, they need to be held accountable. One of the problems before was, individuals were being returned to state prison on a parole violation where they served an average of four months, and many
of those, about 70% of those returns were for actual crimes, but they were be treated as a technical violation.

ONEK: In fact, a lot of cops on the street were very frustrated by that. They would rather see a new prosecution than a parole violation, where they arrest the guy. He gets his parole revoked, and then they see him on the same corner three months later.

ONEK: Absolutely. Inmates would tell me the best time to commit a crime is when you’re on parole, because you’ll probably get four months for stealing a car. So that wasn’t a deterrent at all. In fact, many researchers believe that the lack of accountability created the crime statistics among parole violators that we had, the highest in the nation. So in many ways, I think prosecuting new crime could actually bring down our crime rate, which was the experience in New York. In fact, I talked recently to a woman from New York who could not believe that in this state we would call criminal behavior a technical violation. And in New York, if you commit a new crime, you’re going to be prosecuted. And she said that it actually, she’s a researcher, and I’ve forgotten her name, and I’m sorry, but she said it actually improved policing, because people did a better job of investigating crime, which assisted with convictions.
So in fact, I think it could bring down our crime rate. But if we’re trying to do preventative work, we really need to be concerned about the fact that we’re letting anybody out of a prison without having done anything with that individual to change their behavior. For example, I believe that we’re the only state that provides absolutely no sex offender treatment while individuals are incarcerated. That should scare all of us. We have many inmates, about 80%, who suffer from alcohol or drug addiction, and we’ve actually reduced the number of people who will be involved in any kind of drug treatment at all. And individuals who leave with those kinds of issues, who have no resources, certainly should concern all of us.

ONEK: A final question, and I’m going to actually ask you the same question I asked Matt Cate when he was on the program. The Governor’s term in office is nearing its end. A new governor will be elected in November. What advice would you give the next governor, whoever it may be, about priorities for CDCR going forward?

WOODFORD: I believe that the current governor came into his job with a clear direction for the Department of Corrections. He said to me personally, corrections ought to correct. But after he lost the six initiatives on the ballot, he seemed to
lose his energy for trying to make the changes in the California Department of Corrections and rehabilitation. So the advice I would give the new governor coming in is, when you set your goals for the California Department of Corrections, it’s going to be very difficult, but I think you need to stick with what your plan is and see it through and understand that the politics are going to be very tough. But once the changes that are needed are implemented, we will have improved public safety in this state, and I think the next governor could be a hero if he or she actually implements the changes that are needed in terms of our sentencing laws and in terms of bringing appropriate programs to individuals who will be returning to our society, returning to the streets of California.

ONEK: Given that the budget crisis has reached the extent that it has, don’t you think the next governor really has an opportunity, a unique opportunity to do something about the prison crisis, given how much it’s costing the state right now and the fact that the state is essentially bankrupt?

WOODFORD: I thought that as we started having these huge budget deficits, that it was a real opportune time to really look at criminal justice in California and decide what is the cheapest and most effective way to achieve public safety. But it hasn’t
materialized. We’ve had small changes, but not the kind of changes that we need to bring down the cost and improve the effectiveness of the Department of Corrections. I would hope we would get there as we begin to understand that for every inmate we put in prison, that means that we have less teachers, that we have less police officers on the street. And really the greatest deterrent to crime is solving crime. And so if you move your money out of incarceration and move it to prevention and to solving crime, you really can improve public safety.

ONEK: Jeannie Woodford, thanks so much for joining us.

WOODFORD: My pleasure.

ONEK: Please tune in next week when we’ll be joined by Ben Jealous, President and CEO of the NAACP. Thank you for listening to the Criminal Justice Conversations podcast. You can find this episode of the podcast, and all prior episodes on our website at www.law.berkeley.edu/cjconversations. You can also become a fan of the Criminal Justice Conversations podcast on Facebook. The podcast is engineered by Milt Wallace. Our editor is Callie Shenafelt, and our program intern is Eve Ekman. I’m David Onek. Thanks for listening.