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## U.S. PRISON POPULATIONS – TRENDS AND IMPLICATIONS

New figures released by the Bureau of Justice Statistics indicate that the number of inmates in American prisons and jails has exceeded 2 million for the first time. As of June 30, 2002, the number of inmates held in state and federal correctional facilities reached 1,355,748, representing an 82% increase from 743,382 in 1990. Between midyear 2001 and midyear 2002, the state prison population increased 0.9%, while the federal system grew by 5.8%. An additional 665,475 persons were held in local jails, a 64% increase since 1990, yielding a national total of 2,019,234 inmates.

The current rate of incarceration of 702 persons per 100,000 populations leaves the U.S. as the world leader in this regard. The former world leader in incarceration, Russia, has reduced its prison population to a rate of 628 per 100,000, based on an inmate population of 905,000. A prisoner amnesty approved by the Russian Parliament in 2000 has resulted in the release of more than 120,000 to date, with additional prisoners expected to be released by 2004. The U.S. rate of incarceration is generally 5-8 times that of comparable industrialized nations such as Canada and the countries of western Europe.

The attached tables list the world's leading nations in rate of incarceration and provide comparisons of the U.S. rate of incarceration.

### Issues

**Federal Prison Growth** – The federal prison system is now the largest in the country, growing 3% in the first six months of 2002 and accounting for 40% of all prisoner growth from mid-year 2001 to mid-year 2002. Since 1990, the federal prison population has increased 153%, with the most significant portion of that growth coming in drug and public order offenses.<sup>1</sup>

**Federal Sentencing Policy** – The federal prison population continues to grow at a far more rapid rate than state prisons. With 57% of federal prisoners incarcerated for drug offenses, this is largely due to the impact of federal mandatory minimum penalties. Projections by the Department of Justice in 2000 anticipated an increase of 50% in the total federal prison population by 2007 if current trends continued. Unless Congress reconsiders these policies, we can anticipate continued growth. The expansion of the federal prison population is also fueling the growth of the for-profit private prison industry, which houses one in eight federal prisoners.

**Population Trends Affected by Large States** – Texas and California, the second and third largest prison systems behind that of the federal government, often wield significant influence upon national population figures due to the sheer size of their correctional systems. This impact can potentially mask underlying trends that are occurring in other states. In the case of the current

<sup>1</sup> A portion of this growth, estimated at less than 10%, can be attributed to the transfer of District of Columbia inmates into the federal system.

population figures, any discussion of national trends might be misleading, unless one extracts Texas and California from the national figures to assess movement in the remaining 48 states. Since 2001, Texas and California have both experienced significant drops in the size of their prison systems. In Texas this has primarily been a result of a shift in parole policies, resulting in a 49% increase in persons released to parole in 2001 from year 2000 levels, along with an 18% decline in parole revocations. In California the decline has resulted from fewer prison admissions. As noted above, the state prison population rose only 0.9% from midyear 2001 to midyear 2002. However, if Texas and California are removed from the equation, the state prison population increase is almost three times that figure, or 2.3%. This figure is more in line with growth figures of recent years and indicates that discussion of national trends of stabilization may be premature, as other states continue to experience increases.

***Emerging Release Patterns*** – The growth of prison releases is outpacing the rate of admissions, increasing by over 9% at the state and federal level, with over a 20% increase at the federal level. This is an important development considering that sentencing legislation over the last two decades has diminished the role of parole to a significant degree, often replacing discretionary release with mandatory guidelines intended to ensure that individuals spend longer periods of time in prison. However, as the consequences of a larger and aging prison population begin to accumulate upon already stressed state correctional systems, there may be a revisiting of these laws as states examine how they might be able to make more effective use of parole or other release mechanisms.

***Expanded Drug Treatment Options*** – The rise of drug offenders in state and federal prisons represents one of the largest sources of growth in the past twenty years, increasing from 23,700 in 1980 to 173,600 by 1990 and 319,600 in 1999. Increasing recognition of the value of treatment in responding to drug abuse has resulted in substantial expansion of treatment-based approaches to drug offenders in recent years, including the nearly 800 drug courts now in operation across the country. While it is too early to evaluate the impact of these sentencing options nationally, some state programs appear to be diverting drug offenders from incarceration. A 1999 study by the Arizona Supreme Court concluded that the state's new policy of diverting drug addicts into treatment had resulted in 2,622 offenders being diverted from prison at an estimated cost savings of \$2.5 million in its first year of operation.

### **Implications for Public Policy**

***Release and Reentry*** – As recent figures indicate, there are now 630,000 persons being released from state and federal prisons every year. This is an important trend to monitor, as individuals and communities struggle to find effective ways with which to address the difficult process of reentry. The Bureau of Justice Statistics reports that 67.5% of prisoners released from prison in 1994 were rearrested within three years and 51.8% were back in prison for a new offense or a violation of their terms of release. Moreover, approximately two-thirds of all recidivism occurs within the first year (and about one-third in the first six months). Unless states provide programs within prisons, as well as ensuring transitional services as inmates reenter society, the revolving door of prison will operate for many.

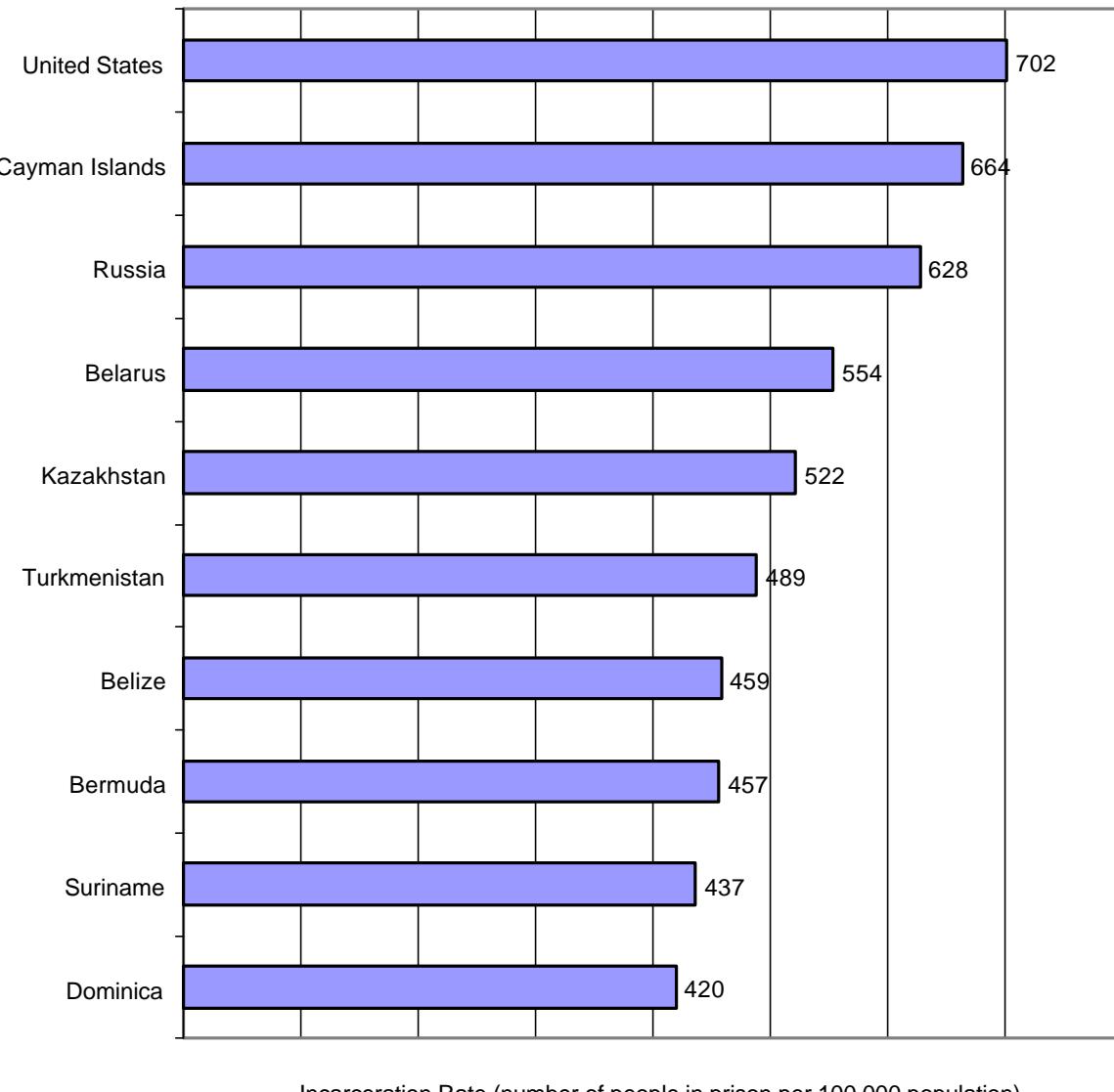
***State Fiscal Budget Pressures: Short Term and Long Term Solutions*** – The National Association of State Budget Officers estimates that for fiscal year 2003 states will face a budget shortage of \$29 billion. This problem will grow more severe in 2004, with deficits estimated to reach \$82 billion. With corrections representing a significant percentage of most state budgets, policymakers have been grappling with ways to reduce the cost of incarceration without jeopardizing public safety. This has led to a number of approaches at the state level. Some states have chosen to release inmates early, close existing prisons, or cut staff and programs. Such steps target the immediate fiscal crisis but do little to address the policies that have created an expanded prison population. Other states have taken a more long term view, seeking to divert offenders from prison in the short term while also enacting legislative changes to some of the determinate sentencing laws that have been adopted over the last decade. Their goal is to divert low-level offenders from a costly stay of incarceration in the future and to make greater use of community-based facilities.

***Prevention and Treatment Approaches*** – Half the growth in state prison populations during the decade of the 1990s was due to an increase in violent offenders in prison (although only 28% for women). One approach to slowing or reducing this trend is to invest resources into crime prevention and treatment programs. Of the violent offenders in state prison in 1997, half (51%) were under the influence of drugs or alcohol at the time of their offense. These figures suggest that adopting more broad-based approaches to substance abuse could have alleviated some of the prison expansion of recent years.

### **Conclusion**

There are currently a number of factors that will play important roles over the coming years in determining future trends in the nation's correctional systems. While the federal system continues to grow at a notable pace, there are indications that the growth in the state prison system has begun to level off. However, while some of the larger state correctional systems have begun to employ means to reduce the number of those incarcerated, other states continue to increase their prison populations. State fiscal crises place an enormous burden on correctional administrators to seek ways in which to make their prison systems more efficient, and many are seeking long term changes through the legislature. However, unless states revisit sentencing legislation and investigate the wisdom and effectiveness of these policies, there will continue to be upward pressure on prison populations. Moreover, there needs to be consideration of how states prepare inmates for release, as this is a strong determinant of future recidivism rates.

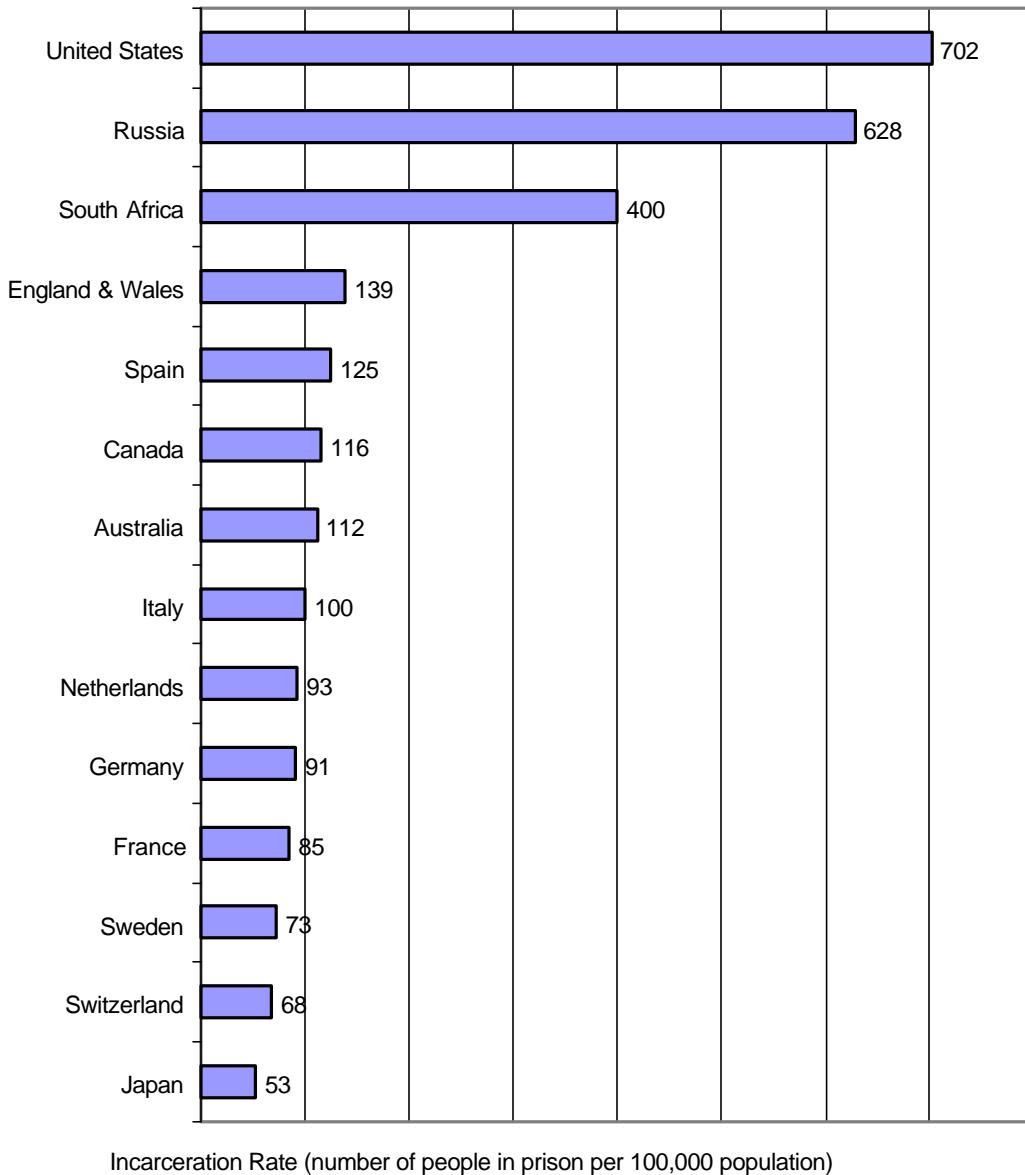
### TEN LEADING NATIONS IN INCARCERATION RATES



Incarceration Rate (number of people in prison per 100,000 population)

**Source:** Rate for the US from *Prison and Jail Inmates at Midyear 2002*; for all other nations, International Centre for Prison Studies available online at [www.prisonstudies.org](http://www.prisonstudies.org). Incarceration data were collected on varying dates and are the most current data available as of 2003.

### RATE OF INCARCERATION IN SELECTED NATIONS



**Source:** Rate for the US from *Prison and Jail Inmates at Midyear 2002*; for all other nations, International Centre for Prison Studies available online at [www.prisonstudies.org](http://www.prisonstudies.org). Incarceration data were collected on varying dates and are the most current data available as of 2003.