

THE
PEW
CENTER ON THE STATES

One in 100:

Behind Bars in America 2008



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About this Report

The Pew Charitable Trusts applies the power of knowledge to solve today's most challenging problems. Pew's Center on the States identifies and advances effective policy approaches to critical issues facing states.

Launched in 2006 as an initiative of the Center, the Public Safety Performance Project seeks to help states advance fiscally sound, data-driven policies and practices in sentencing and corrections that protect public safety, hold offenders accountable, and control corrections costs.

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For additional information on the Pew Center on the States and the Public Safety Performance Project, please visit www.pewcenteronthestates.org.

Executive Summary

Three decades of growth in America's prison population has quietly nudged the nation across a sobering threshold: for the first time, more than one in every 100 adults is now confined in an American jail or prison. According to figures gathered and analyzed by the Pew Public Safety Performance Project, the number of people behind bars in the United States continued to climb in 2007, saddling cash-strapped states with soaring costs they can ill afford and failing to have a clear impact either on recidivism or overall crime.

For some groups, the incarceration numbers are especially startling. While one in 30 men between the ages of 20 and 34 is behind bars, for black males in that age group the figure is one in nine. Gender adds another dimension to the picture. Men still are roughly 10 times more likely to be in jail or prison, but the female population is burgeoning at a far brisker pace. For black women in their mid- to late-30s, the incarceration rate also has hit the 1-in-100 mark. Growing older, meanwhile, continues to have a dramatic chilling effect on criminal behavior. While one in every 53 people in their 20s is behind bars, the rate for those over 55 falls to one in 837.

While the national incarceration trend remains on the rise, some states report a flattening of growth, or even a decline, figures from January 1 of this year show. Texas' count dropped slightly over the previous year, but with California's massive system dipping by 4,068 inmates, Texas has become the nation's imprisonment leader. New York and Michigan, also among the country's biggest systems, reported declines as well.

There is reason to suspect those states may soon have lots of company.

Prison costs are blowing holes in state budgets but barely making a dent in recidivism rates. At the same time, policy makers are becoming increasingly aware of research-backed strategies for community corrections—better ways to identify which offenders need a prison cell and which can be safely handled in the community, new technologies to monitor their whereabouts and behavior, and more effective supervision and treatment programs to help them stay on the straight and narrow. Taken together, these trends are encouraging policy makers to diversify their states' array of criminal sanctions with options for low-risk offenders that save tax dollars but still hold offenders accountable for their actions.

Policy Choices Drive Growth

In exploring such alternatives, lawmakers are learning that current prison growth is not driven primarily by a parallel increase in crime, or a corresponding surge in the population at large. Rather, it flows principally from a wave of policy choices that are sending more lawbreakers to prison and, through popular "three-strikes" measures and other sentencing enhancements, keeping them there longer. Overlaying that picture in some states has been the habitual use of prison stays to punish

"There isn't a person in public office that's not sensitive to the accusation of being soft on crime. But you don't have to be soft on crime to be smart in dealing with criminals."

*OH Gov. Ted Strickland (D)
The Columbus Dispatch
January 26, 2008*

“There’s a shift away from the mindset of lock them up and throw away the key. That cannot sustain itself.”

*OH State Rep. John J. White
(R-Kettering)
Dayton Daily News
February 11, 2007*

those who break rules governing their probation or parole. In California, for example, such violators make up a large proportion of prison admissions, churning in and out of badly overloaded facilities. Nationally, more than half of released offenders

are back in prison within three years, either for a new crime or for violating the terms of their release.¹

Few doubt the necessity of locking up violent criminals and those who repeatedly threaten community safety. And policy makers understandably are moved to act by especially heinous crimes or victims seeking justice in the name of a loved one.

Increasingly, however, states are discovering that casting such a wide net for prisoners creates a vexing fiscal burden—especially in lean times. Finding enough dollars to house, feed and provide a doctor’s care to a low-risk inmate is a struggle besetting states from Arizona to Vermont. In the absence of tax hikes, lawmakers may find themselves forced to cut or limit other vital programs—from transportation to education and healthcare—to foot the incarceration tab.

That tab, meanwhile, is exploding, fueled in part by staff overtime expenses and a steep rise in inmate healthcare costs. In 1987, the states collectively spent \$10.6 billion of their general funds—their primary pool of discretionary tax dollars—on corrections. Last year, they spent more than \$44 billion, a 315 percent jump, data from the

National Association of State Budget Officers show. Adjusted to 2007 dollars, the increase was 127 percent. Over the same period, adjusted spending on higher education rose just 21 percent.

Taking a Different Tack

Faced with the mushrooming bills, many states are confronting agonizing choices and weathering bitter divisions in their legislatures. But lawmakers are by no means powerless before the budget onslaught. Indeed, a rising number of states already are diversifying their menu of sanctions with new approaches that save money but still ensure that the public is protected and that offenders are held accountable. And some already are reaping encouraging results.

Kansas and Texas are well on their way. Facing daunting projections of prison population growth, they have embraced a strategy that blends incentives for reduced recidivism with greater use of community supervision for lower-risk offenders. In addition, the two states increasingly are imposing sanctions other than prison for parole and probation violators whose infractions are considered “technical,” such as missing a counseling session. The new approach, born of bipartisan leadership, is allowing the two states to ensure they have enough prison beds for violent offenders while helping less dangerous lawbreakers become productive, taxpaying citizens.

No policy maker would choose this path if it meant sacrificing public safety. But gradually, some states are proving that deploying a broad range of sanctions can protect communities, punish lawbreakers and conserve tax dollars for other pressing public needs.

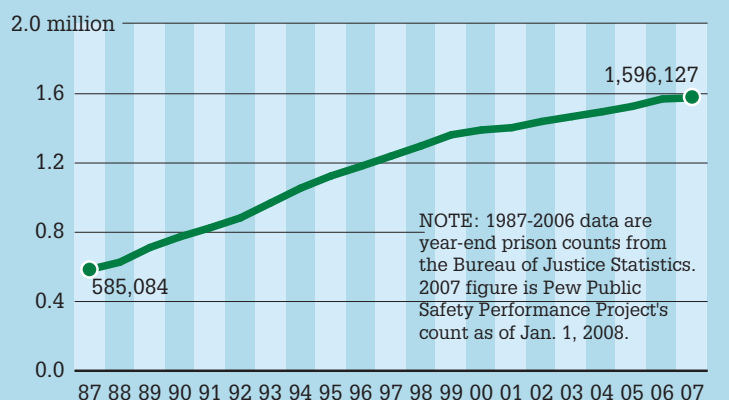
A Snapshot of Prison Growth

The United States incarcerates more people than any country in the world, including the far more populous nation of China. At the start of the new year, the American penal system held more than 2.3 million adults. China was second, with 1.5 million people behind bars, and Russia was a distant third with 890,000 inmates, according to the latest available figures. Beyond the sheer number of inmates, America also is the global leader in the rate at which it incarcerates its citizenry, outpacing nations like South Africa and Iran. In Germany, 93 people are in prison for every 100,000 adults and children. In the U.S, the rate is roughly eight times that, or 750 per 100,000.² (See Appendix A-7 for additional international analysis.)

To produce a fresh portrait of incarceration levels at the start of 2008, Pew conducted a survey of inmate counts from the states and the federal government. Our finding: the U.S. prison population rose by more than 25,000 inmates in 2007—a 1.6 percent rate of growth that brought the national prison census to 1,596,127. Although the 2007 expansion didn't match the 3.1 percent hike during 2006, the growth tracks projections³ and continues a pattern of steady expansion that has characterized the U.S. penal system for more than 30 years.

PRISON COUNT PUSHES UP

Between 1987 and 2007, the national prison population has nearly tripled.



SOURCES: Bureau of Justice Statistics; Pew Public Safety Performance Project

1 in 100 Adults Behind Bars

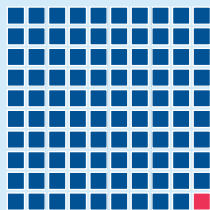
The consequences of that upward trend are many, but few can rival this: more than 1 in 100 adults is now locked up in America. With 1,596,127 in state or federal prison custody, and another 723,131 in local jails, the total adult inmate count at the beginning of 2008 stood at 2,319,258. With the number of adults just shy of 230 million, the actual incarceration rate is 1 in every 99.1 adults.

That statistic masks far higher incarceration rates by race, age and gender. A separate analysis of midyear 2006 data from the U.S. Department of Justice shows that for Hispanic and black men, for instance, imprisonment is a far more prevalent

WHO'S BEHIND BARS

A sampling of incarceration rates by various demographics. Additional information available in Appendix A-6.

According to data analyzed for this report, as of Jan. 1, 2008 more than **1 in every 100 adults is behind bars.**



For the most part, though, incarceration is heavily concentrated among men, racial and ethnic minorities, and 20- and 30-year olds. Among men the highest rate is with black males aged 20-34. Among women it's with black females aged 35-39.

MEN

White men ages 18 or older 1 in 106



All men ages 18 or older 1 in 54



Hispanic men ages 18 or older 1 in 36



Black men ages 18 or older 1 in 15

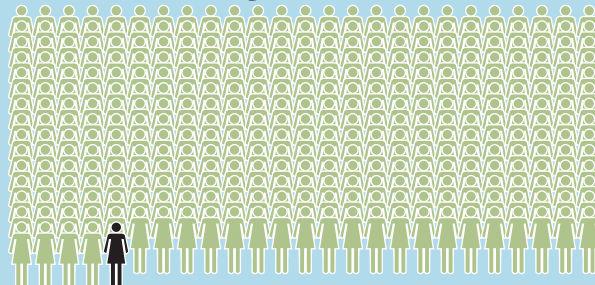


Black men ages 20-34 1 in 9

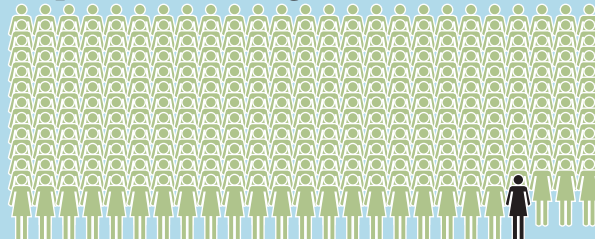


WOMEN

White women ages 35-39 1 in 355



Hispanic women ages 35-39 1 in 297



All women ages 35-39 1 in 265



Black women ages 35-39 1 in 100



SOURCE: Analysis of "Prison and Jail Inmates at Midyear 2006," published June 2007 by the U.S. Department of Justice, Bureau of Justice Statistics. All demographic statistics, with exception of "1 in every 100 adults" are midyear 2006, not 2008 figures.

reality than it is for white men.⁴ The young, meanwhile, are disproportionately more likely to wind up in prison than their elders. While one in every 15 black males aged 18 or older is in prison or jail, for black men over 55, the rate is one in 115. *(See Appendix A-6 for additional analysis of incarceration rates by race, sex and age.)*

“I don’t think we’re getting the worst drug lords into the prisons. We’re just getting the people who went out and got caught. It’s the low-hanging fruit.”

KY State Justice Secretary J. Michael Brown
 Testimony to KY Senate Judiciary Committee
Lexington Herald-Leader
 January 24, 2008

State Trends Vary Widely

Look beneath the national incarceration numbers and you’ll find the growth in 2007 transcended geographical boundaries. A majority of states in all four regions of the country finished the year with more prisoners than they housed at the start. The South led the way, with its population jumping from 623,563 to 641,024—a rise of 2.8 percent. Only three of the 16 states in the southern region reported a drop in inmates, while nine experienced growth exceeding 4 percent. In the West, meanwhile, Arizona outpaced all other states, and in the Northeast, New Hampshire’s population grew the fastest. Among Midwestern states, Iowa was the growth leader, expanding its inmate count by 6.1 percent.

All told, 36 states reported higher numbers as 2008 dawned. Among the eight largest correctional agencies—those with more than 50,000 inmates—four grew (Ohio, Florida, Georgia and the Federal Bureau of Prisons) while four (New York, Michigan, Texas and California) saw their populations dip. Ten states, meanwhile, experienced an inmate population jump of 5 percent or greater, a list topped by Kentucky, with a surge of 12 percent.

Kentucky and Nevada are two states with relatively small correctional systems hit hard by growth. In Kentucky, an indeterminate sentencing structure means the parole board has broad powers to determine when a prisoner is suitable for release—and thus, to a large degree, how big the crowd behind bars will be. Guidelines require

DOING THE MATH

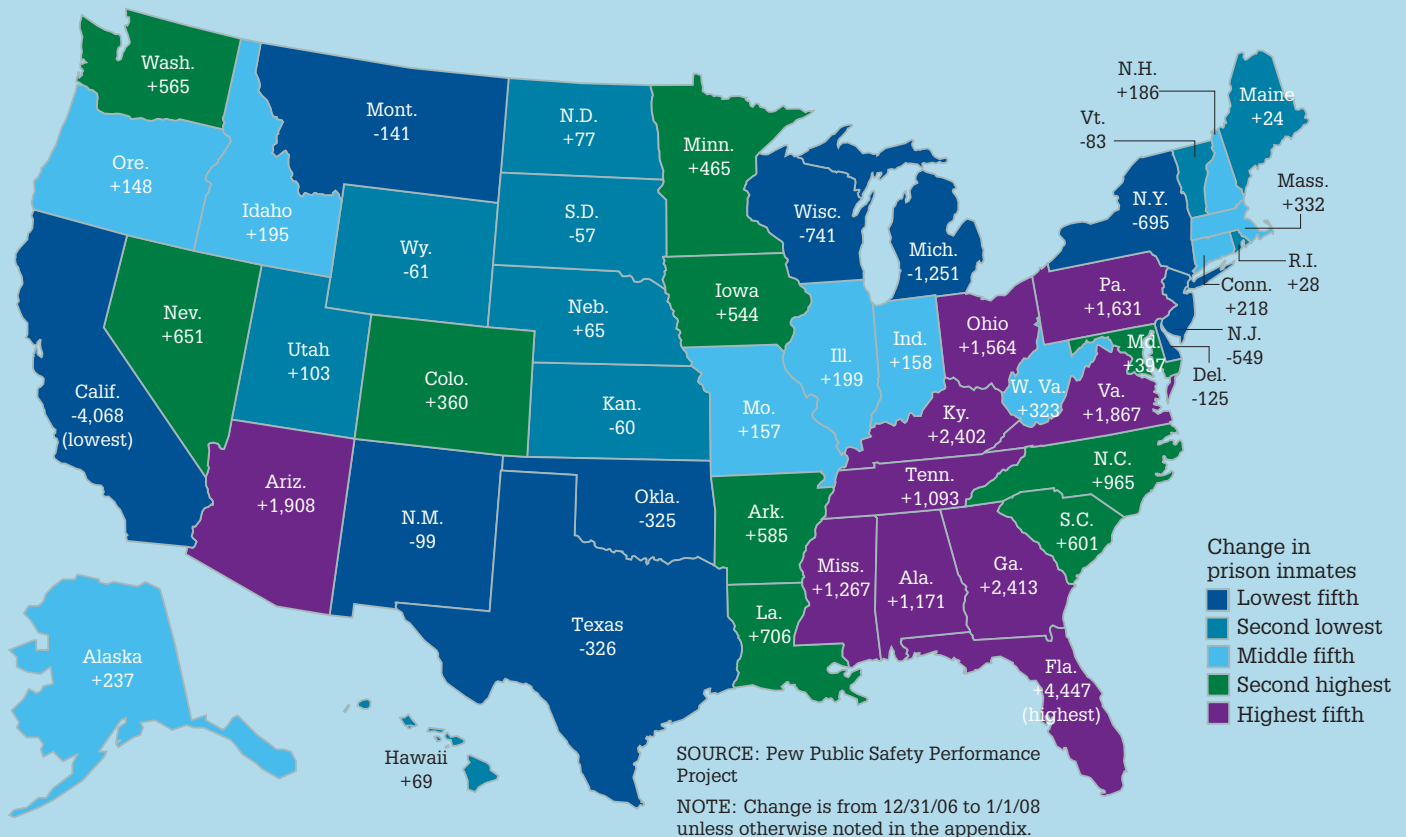
The calculation behind the **1 in 100 U.S. adults behind bars** statistic.

1	2	3
PRISON POPULATION 1,596,127 + JAIL POPULATION 723,131 TOTAL BEHIND BARS 2,319,258	ADULT POPULATION 229,786,080 ÷ TOTAL BEHIND BARS 2,319,258	ONE IN EVERY 99.1 U.S. ADULTS ARE BEHIND BARS

NOTE: See Methodology Notes for jail and adult population estimates.

WIDE VARIANCE IN PRISON GROWTH

State prisoner change, 2007, by quintile



inmates to serve a certain proportion of their sentence, but beyond that, board discretion comes into play in deciding whether to grant or deny parole. Over the past year, under new appointees to the board, the parole grant rate declined and the prison population increased as more inmates stayed locked up for a longer time. The result of this and other policies was a 12 percent jump in the incarcerated population in 2007. Absent a change of direction, projections show the inmate count will continue to rise to nearly 31,000—an increase of 40 percent—over the next decade.

Out West, Nevada at the start of the 2007 legislative session also faced a rapidly expanding prison population, fueled by an unexpected jump in prison admissions from the Las Vegas area. New

forecasts warned that without intervention by the state, the population would continue its steep ascent, climbing from 13,000 prisoners to more than 18,000 over the next 10 years. The fiscal consequences were alarming. Among other things, the growth forced prisoners from Washington and Wyoming who were housed in Nevada back to those states. That meant both lost revenue and new appropriations from the state general fund. At the beginning of 2008, Nevada's jails and prisons held 13,552 inmates, a 5 percent jump over the number incarcerated in the Silver State at the end of 2006.

Florida: A Case Study in Growth

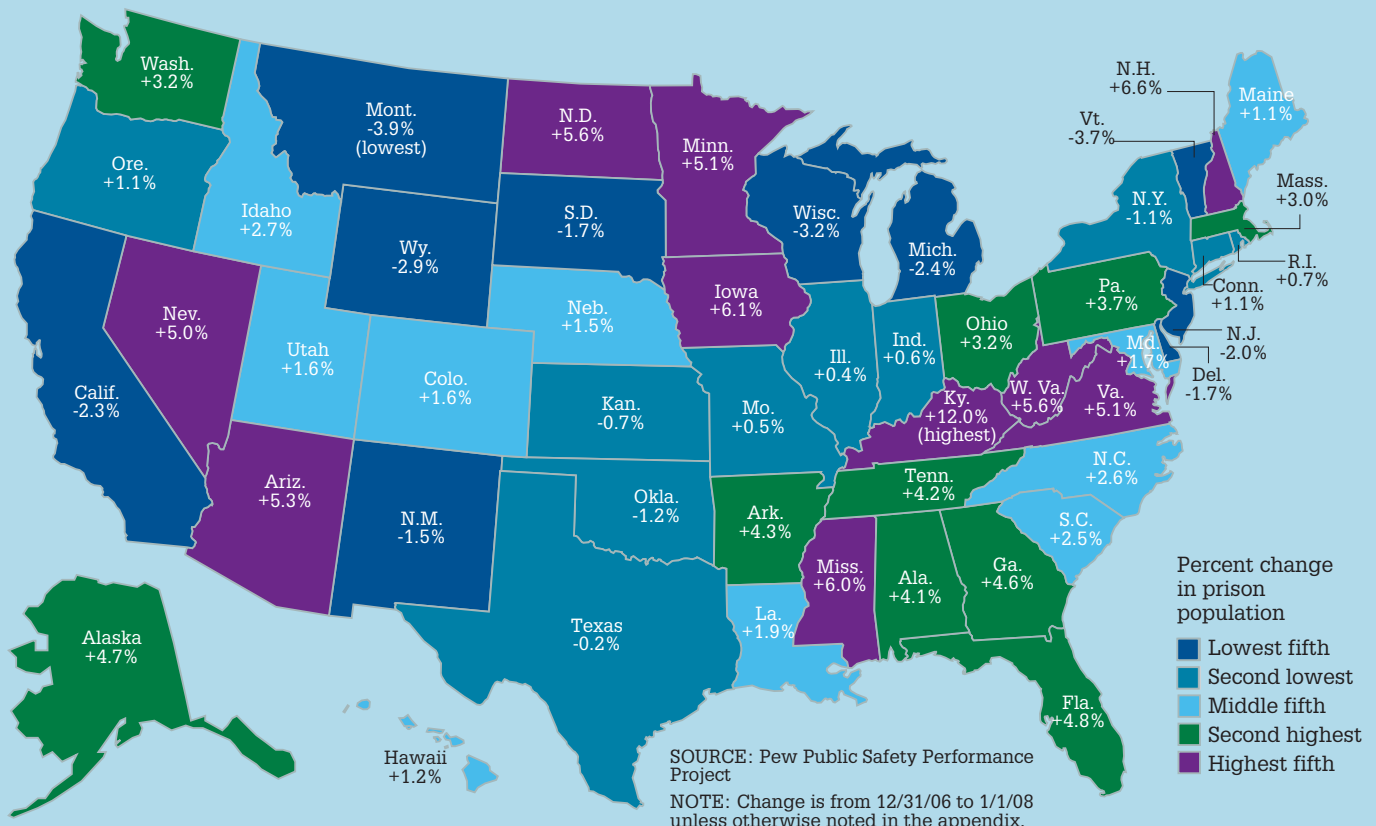
For policy makers keen on understanding the dynamics of prison growth, Florida serves as a compelling case. Between 1993 and 2007, the state's inmate population has increased from 53,000 to over 97,000. While crime and a growing resident population play a role, most of the growth, analysts agree, stemmed from a host of correctional policies and practices adopted by the state.

One of the first came in 1995, when the legislature abolished "good time" credits and discretionary

release by the parole board, and required that all prisoners—regardless of their crime, prior record, or risk to recidivate—serve 85 percent of their sentence. Next came a "zero tolerance" policy and other measures mandating that probation officers report every offender who violated any condition of supervision and increasing prison time for these "technical violations." As a result, the number of violators in Florida prisons has jumped by an estimated 12,000.⁵ Crime in Florida has dropped substantially during this period, but it has fallen as

HIGH GROWTH RATES SPREAD ACROSS NATION

Percent change in state prison populations, 2007, by quintile



much or more in some states that have not grown their prison systems, or even have shrunk them, such as New York.

Without a change of direction, Florida is expected to reach a peak of nearly 125,000 inmates by 2013. Based on that projection, the state will run out of prison capacity by early 2009 and will need to add another 16,500 beds to keep pace.⁶

The Costs – High and Climbing Fast

Prisons and jails are “24-7” operations. They require large, highly trained staffs. Their inhabitants are troubled, aging and generally sicker than people outside prison walls. Even absent continued growth, the cost of keeping the nation’s lock-ups running safely is staggering. Total state spending on corrections—including bonds and federal contributions—topped \$49 billion last year, up from \$12 billion in 1987. By 2011, continued prison growth is expected to cost states an additional \$25 billion.⁷

The primary catalyst behind the increase is obvious: prison growth means more bodies to feed, clothe, house and supervise. While figures vary widely by state, the average per prisoner operating cost was \$23,876 in 2005, the most recent year for which data were available. Rhode Island spent the most per inmate (\$44,860) while Louisiana had the lowest per inmate cost, \$13,009.⁸ While employee wages and benefits account for much of the variance among states, other factors—such as the inmate-to-staff ratio—play a role as well. Capital expenses, meanwhile, are difficult to estimate, but researchers cite \$65,000 per bed as the best approximation for a typical medium security facility.⁹

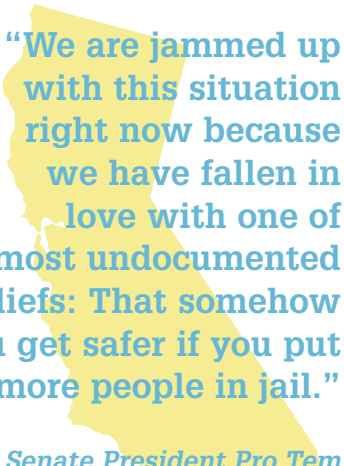
California: \$8.8 Billion and Growing

Remarkably, 13 states now devote more than \$1 billion a year in general funds to their corrections systems. The undisputed leader is California, where spending totaled \$8.8 billion last year. Even

when adjusted for inflation, that represents a 216 percent increase over the amount California spent on corrections 20 years earlier. And last year, the governor signed a bill authorizing another \$7.9 billion in spending, through lease revenue bonds, for 53,000 more prison and jail beds. Texas, with a slightly larger number of inmates, ranks a distant second in spending, investing roughly \$3.3 billion last year.

California vividly symbolizes the financial perils of the state prison business. On top of the perennial political tug-of-war, the state’s whopping corrections budget is shaped by a bevy of court settlements that make predicting and controlling spending tricky. Following successful lawsuits by prisoner plaintiffs, California now is subject to court oversight of inmate medical and dental care, mental health services, its juvenile offenders, and the treatment of disabled inmates. Even its parole revocation system is controlled by a legal settlement, and thereby subject to judicial orders that influence spending.

Healthcare costs have been affected more than any other category. In FY 2000-01, California spent \$676 million on such costs. By FY 2004-05, after the state settled a lawsuit alleging negligent and insufficient medical care, spending had soared to \$1.05 billion, an increase of 55 percent.¹⁰ And that was before a

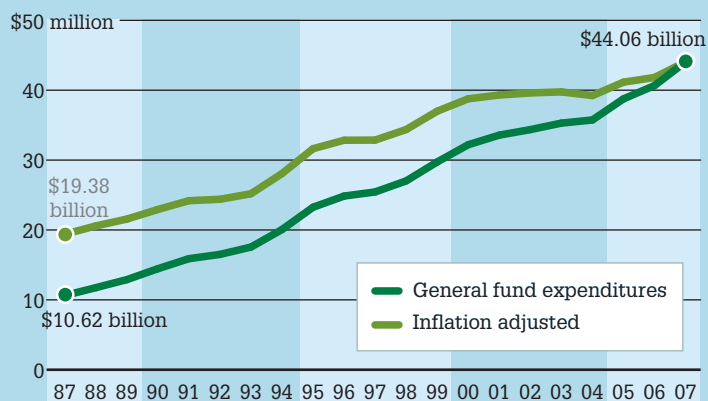


“We are jammed up with this situation right now because we have fallen in love with one of the most undocumented beliefs: That somehow you get safer if you put more people in jail.”

*CA Senate President Pro Tem
Don Perata (D-East Bay)
Associated Press
December 8, 2007*

TWENTY YEARS OF RISING COSTS

Between fiscal years 1987 and 2007, total state general fund expenditures on corrections rose 315 percent.



SOURCE: National Association of State Budget Officers, "State Expenditure Report" series; Inflation adjusted figures are based on a reanalysis of data in this series.

NOTE: These figures represent state general funds. They do not include federal or local government corrections expenditures and typically do not include funding from other state sources.

judge appointed a federal receiver to run prison healthcare, a move that is driving such spending up even more dramatically. It now stands at \$2.1 billion annually, a 210 percent increase since 2000.

Health Care, Geriatrics Drive Costs

As California has learned, medical care is one of the principal cost drivers in corrections budgets today. From 1998 to 2001, healthcare spending in state prisons grew 10 percent annually, a 2004 report by the Council of State Governments found. At the time of the study, medical care costs totaled \$3.7 billion annually and accounted for about 10 percent of correctional spending.¹¹

Under the 1976 U.S. Supreme Court ruling *Estelle v. Gamble*, states are compelled to provide a constitutionally adequate level of medical care, or care that generally meets a "community standard."

Beyond that mandate, the rise in medical outlays largely stems from mushrooming costs associated with special needs populations, including HIV-positive prisoners and geriatric inmates.

Communicable diseases are a particular concern, spreading quickly in a crowded prison environment where risky behaviors such as tattooing and piercing, unprotected sex, fighting and intravenous drug use are not uncommon.¹² Hepatitis C, a blood-borne, life-threatening disease, is the biggest worry. The latest Hepatitis C treatments cost as much as \$30,000 per inmate annually. At one California prison, in Vacaville, the chief medical officer estimates that half of the 3,200 inmates have been infected with Hepatitis C.¹³ Other states put the in-prison prevalence at between 25 and 40 percent.¹⁴

Increasingly, the graying of the nation's prisons is causing costs to swell. While crime remains overwhelmingly a young man's game, between 1992 and 2001, the number of state and federal inmates aged 50 or older rose from 41,586 to 113,358, a staggering jump of 173 percent, a 2004 National Institute of Corrections report found.¹⁵ And older inmates are gradually making up a larger proportion of the overall count. In the federal prisons, for example, about one-quarter of the population was over 50 in 1989. By 2010, that proportion is forecast to grow to one-third. On the state level, Oklahoma recently found that 16 percent of newly admitted inmates were over 45 years old—more than double the rate in 1990.¹⁶

While aging decreases criminal activity, it brings a multitude of challenges in a prison setting. Because they are often preyed upon by younger, stronger inmates, older convicts may require special housing.¹⁷ Hearing and visual impairments, incontinence, dietary intolerance, depression and the early onset of

chronic diseases are other complicating management factors. As a result, the average cost associated with an older prisoner is \$70,000—two to three times that of a younger prisoner.¹⁸

The bottom line: Some crimes are so heinous they warrant a lifetime behind bars. But states are spending more and more on inmates who are less and less of a threat to public safety.

Staff Vacancies, Overtime Spike

Another key cost driver is compensation for the officers who patrol cellblocks.

In 2006, the most recent year for which data were available, there were approximately 4.25 million state government employees. About 11 percent of them—or one in nine—worked in corrections,¹⁹ but prisons are struggling mightily to keep a full complement of officers on staff. The result—the extensive use of overtime—is one of the biggest budget busters confronting states.

In Wisconsin, for instance, overtime rose 27 percent between 2005 and 2006, largely due to an unanticipated 1,200-inmate jump in the prison population.²⁰ California's overtime costs, meanwhile, exploded by 35 percent between 2005 and 2006, as the state struggled to keep its 33 prisons staffed despite nearly 4,000 vacancies. Overtime costs in California topped half a billion dollars in 2006, with 15 percent of the corrections workforce earning at least \$25,000 in overtime that year. Six employees even earned more than the \$212,179 annual salary set aside for Gov. Arnold Schwarzenegger.²¹

The economic picture is so dire in California, where a budget deficit of \$14.5 billion is predicted for the coming fiscal year, that the Republican governor has proposed releasing more than 22,100 inmates before their terms are up. Eligibility would be limited to nonviolent, non-serious offenders, and the plan excludes sex offenders and those convicted of 25 other specific crimes.

Governor Schwarzenegger says the state would save \$1.1 billion through his proposal, but so far it has received a cool reception from both parties in the legislature.

Restitution, Child Support, Tax Payments Lag

While overtime and healthcare costs show up vividly in budget documents, the nation's reliance on incarceration for many low-risk offenders inflicts economic hardship in many other, less obvious ways. If they have a job at all, prisoners are typically unable to earn more than a very low wage, making it unlikely they will pay much, if anything, in child support, victim restitution or taxes. National statistics on such impacts are scarce. But a few state-level reports document the difference incarceration can make.

In a 2001 study, Massachusetts found that more than three-quarters of the state's prison population had paid none of its mandated child support in the previous 12 months. During the same timeframe, more than two-thirds of parolees with child

"Our policy and funding decisions need to be based on good data and the latest research. Unless we have that foundation, I'm not confident we're doing everything we can to fight crime effectively and to be efficient with taxpayer dollars."

*AZ State Sen. John Huppenthal
(R-Phoenix)
Press release
February 6, 2007*

TAKING A BIGGER CUT

In fiscal year 2007, an estimated 1 in every 15 state general fund dollars was spent on corrections.

	Corrections as a percentage of total general fund expenditures, 2007	1987-2007 percentage point change
Oregon	10.9%	+4.6
Florida	9.3%	+3.6
Vermont	9.3%	+5.2
Colorado	8.8%	+5.1
California	8.6%	+3.8
Texas	8.6%	+4.2
Arizona	8.5%	+0.8
Montana	8.3%	+2.4
Oklahoma	7.8%	+4.1
Arkansas	7.7%	+5.1
Maryland	7.6%	-1.5
Louisiana	7.5%	+1.7
Missouri	7.4%	+3.7
Delaware	7.1%	+1.9
Ohio	7.0%	+2.5
South Dakota	7.0%	+3.1
Idaho	6.9%	+3.8
Utah	6.9%	+2.5
South Carolina	6.7%	+0.8
Virginia	6.7%	-8.1
Wisconsin	6.7%	+4.0
New Hampshire	6.6%	+2.5
Nevada	6.4%	-2.1
Pennsylvania	6.2%	+4.1
Iowa	5.9%	+2.6
Washington	5.9%	+2.4
North Carolina	5.7%	+0.9
Kansas	5.6%	+1.3
Tennessee	5.6%	-2.0
Georgia	5.4%	-0.5
Mississippi	5.4%	+1.5
Alaska	5.3%	+2.0
Indiana	5.3%	+0.3
North Dakota	5.3%	+3.7
Illinois	5.2%	+0.8
Kentucky	5.2%	+1.8
Nebraska	5.2%	+1.1
Massachusetts	5.1%	+1.9
New York	5.1%	-2.0
New Jersey	4.9%	+0.7
Rhode Island	4.9%	+1.4
West Virginia	4.6%	+3.3
Connecticut	4.4%	+2.0
New Mexico	4.2%	-0.5
Maine	4.1%	+0.4
Wyoming	4.0%	+0.1
Hawaii	3.8%	+1.3
Minnesota	2.7%	+1.0
Alabama	2.6%	-2.4
National average	6.8%	+1.8

States in bold saw a decrease in the percentage of their general fund dedicated to corrections.

SOURCE: National Association of State Budget Officers, "State Expenditure Report" series; Percentage point increases are based on a reanalysis of data in this series.

NOTE: Michigan does not have a comparable figure because of the state's general fund definition. See Jurisdictional Notes.

support obligations managed to make at least partial payments. Overall, the average prisoner paid only \$206 over the previous year for child support obligations, while the average amount paid by parolees was \$1,538—more than seven times as much.²²

In Florida, meanwhile, statistics show that offenders under supervision in the community make substantial restitution payments to victims. In FY 2004-2005, one study showed, Florida probationers paid more than \$37.3 million in restitution under mandatory financial obligation agreements established at the onset of their supervision.²³

Crowding Out Other Priorities

Year by year, corrections budgets are consuming an ever larger chunk of state general funds, leaving less and less in the pot for other needs. Collectively, correctional agencies now consume 6.8 percent of state general funds, 2007 data show.²⁴ That means one in every 15 dollars in the states' main pool of discretionary money goes to corrections. Considering all types of funds, corrections had the second fastest rate of growth in FY 2006. With a 9.2 percent jump, it trailed transportation but outpaced increases in spending on education and Medicaid.²⁵

Some states spend an even larger proportion of their budgets on corrections. Oregon, for example, directed one in every 10 dollars to corrections, while Florida and Vermont spent one in 11. Minnesota and Alabama are at the other extreme, spending less than 3 percent of

their general fund dollars on corrections. Over the past 20 years, corrections spending took up a larger share of overall general fund expenditures in 42 states.

Some policy makers are questioning the wisdom of devoting an increasingly large slice of the budget pie to incarceration, especially when recidivism rates have remained discouragingly high. Are we getting our money's worth? Is our investment in this system returning sufficient dividends for victims, taxpayers and society at large?

On average, corrections is the fifth-largest state budget category, behind health, elementary and secondary education, higher education and transportation. But nearly all corrections dollars come from the states' own coffers; healthcare, by contrast, draws a majority of funding from the federal government, primarily through Medicaid. For some public officials, that distinction highlights the effect of corrections spending on other priorities.

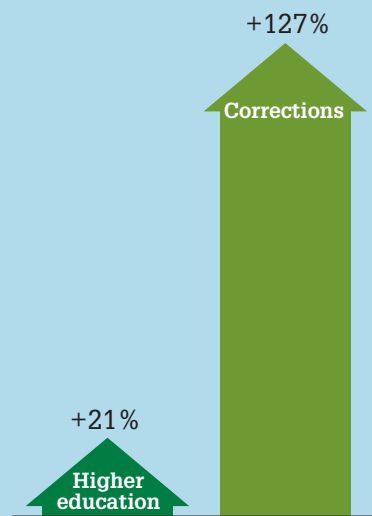
Pre-K, Higher Ed Funding Lags

Higher education is of particular concern. Higher education spending accounts for a roughly comparable portion of state expenditures as corrections, and other than tuition is paid for almost entirely out of state rather than federal funds. States don't necessarily make explicit choices between higher education and corrections funding, but they do have to balance their budgets. So, unlike the federal government, a dollar spent in one area is unavailable for another.

In 1987, states collectively spent \$33 billion of their general funds on higher education. By 2007, they were spending \$72.88 billion, an increase of 121

OF BOOKS AND BARS

Between 1987 and 2007, the amount states spent on **corrections** more than doubled while the increase in **higher education** spending has been moderate.



SOURCE: National Association of State Budget Officers, "State Expenditure Report" series; Inflation adjusted general fund figures are based on a reanalysis of data in this series.

percent. Adjusted to 2007 dollars, the increase was 21 percent. Over the same timeframe, inflation-adjusted corrections spending rose 127 percent, from \$10.6 billion (\$19.4 billion in 2007 dollars) to more than \$44 billion.

"If we don't change the course now, we will be building prisons forever and ever—prisons we can't afford."

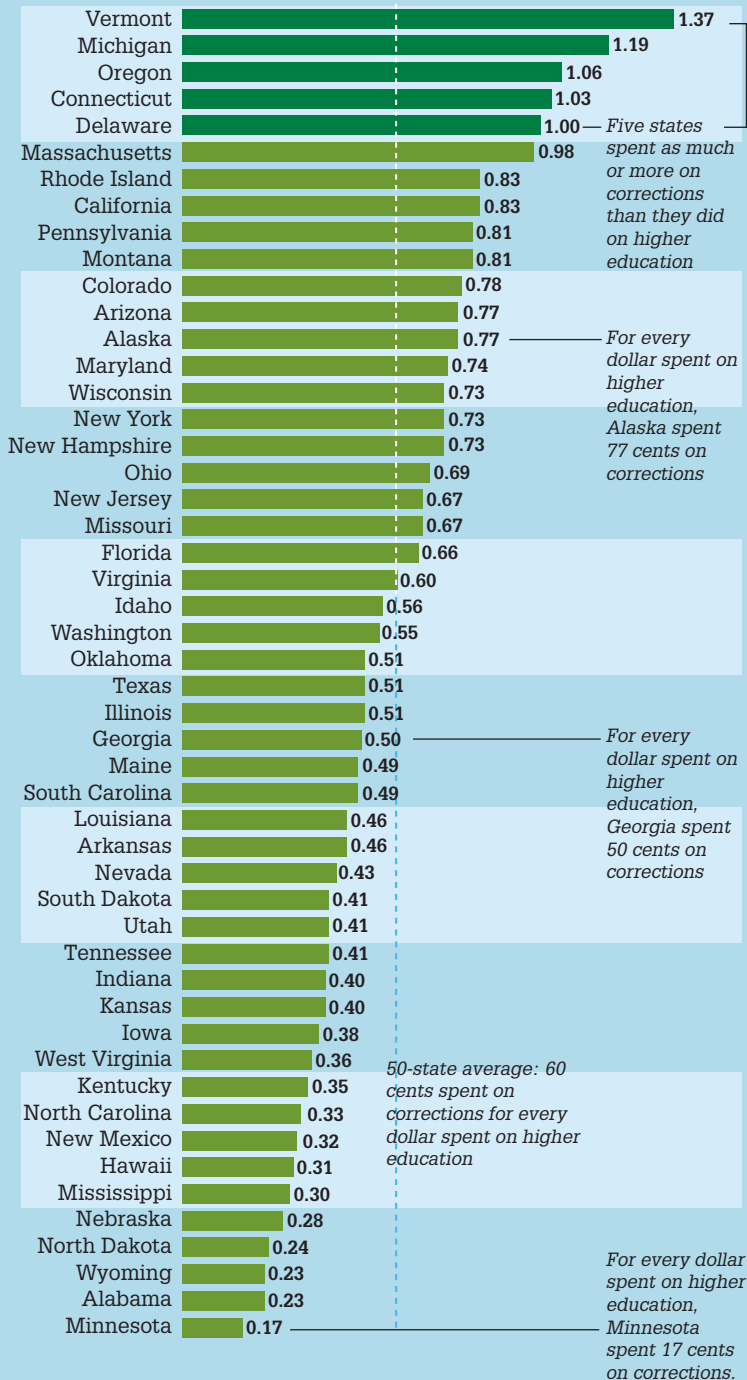
*TX State Senator John Whitmire
(D-Houston)
Chair, Senate Criminal Justice Committee
Austin-American Statesman
January 31, 2007*

Some regional differences were more dramatic. While inflation-adjusted prison spending rose 61 percent in the Northeast in the last 20 years, higher education spending went the other way, dropping by 5.5 percent. In the West, meanwhile, the number of dollars allocated to prisons skyrocketed by 205 percent. At the same time, higher education spending rose just 28 percent.

MAKING DECISIONS WHERE TO SPEND

While states don't necessarily choose between higher education and corrections, a dollar spent in one area is unavailable for another.

Ratio of corrections to higher education spending, 2007



SOURCE: Reanalysis of data presented in the National Association of State Budget Officers, "State Expenditure Report" series

Corrections spending also competes with the funding many states want to devote to early childhood education, one of the most proven crime prevention strategies. Research shows that attending a high-quality pre-kindergarten influences a child's success both in school and in life. One rigorous study that followed severely disadvantaged children into adulthood showed that participation in pre-kindergarten dramatically reduced participation in juvenile and adult crime, and increased high school graduation, employment and earnings, with a total benefit-cost ratio of 16 to 1.²⁶

Backed with such evidence of success, states have substantially increased support for high-quality, voluntary pre-kindergarten. New state pre-k funding exceeded \$525 million in FY 2008, an increase of more than 12 percent over FY07 expenditures, bringing total state investments in early education across the country to \$4.8 billion.²⁷

Increasingly, state policy makers are finding that a dollar spent for pre-k classes now can forestall many more dollars for prison beds down the road.

"It's not good public policy to take all of these taxpayer dollars at a very tough time, and invest it in the prison system when we ought to be investing it in the things that are going to transform the economy, like education and diversifying the economy."

MI Gov. Jennifer Granholm (D)
Associated Press
December 12, 2007

Controlling Crime and Costs

The politics of crime fighting have made most lawmakers understandably wary of advocating a diverse punishment strategy. There are politicians who have seen their careers torpedoed by opponents who used a lone vote, or even a comment, to create a dreaded “soft-on-crime” image at election time.

Still, in some states, policy makers on both sides of the aisle are finding a safe path through this minefield. In some cases, the soaring costs of imprisonment have hindered spending on other vital programs to a degree that many find unacceptable. At the same time, polls show a shift in public attitudes toward crime, which has dropped down the list of issues of most concern to voters.²⁸ Taken together, these factors—coupled with new strategies that can cut recidivism rates—are fueling a bipartisan appetite for new approaches.

Fortunately, public officials today enjoy a panoply of options as they consider how to rein in expansion of their prison population while maintaining public safety. Indeed, policy choices—more than crime rates, general population growth or other factors—are what determine the number of people behind bars. Policy makers largely control the levers that govern who goes in and when they get out. In short, they control their own fiscal destiny.

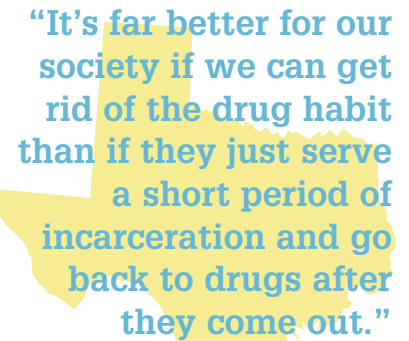
Some states already have broken away from old, prison-fits-all patterns to create more diverse correctional systems that are proving more cost-effective and at least as effective at preventing

offenders from returning to crime and drugs. These systems typically blend incarceration for high-risk and violent offenders with the increased use of other punishments for lawbreakers guilty of less serious crimes. Those at the vanguard include states with longstanding reputations for tough sentencing. Texas, with the second highest incarceration rate in the nation, is one of them.

A New Path in Texas

Between 1985 and 2005, the Texas prison population jumped 300 percent, forcing a vast expansion of prison capacity. After investing \$2.3 billion to add 108,000 beds, Texas didn’t get much of a breather. Within less than a decade, its prisons were teeming and experts forecast the arrival of another 14,000-17,000 inmates within five years.

In 2007, legislators from both parties decided it was time for a course change. Rather than spend \$523 million on more prison cells, they authorized a virtual makeover of the correctional system. Anchoring their approach was a dramatic expansion of drug treatment and diversion beds, many of them in secure facilities. Legislators also approved broad changes in parole practices and



“It’s far better for our society if we can get rid of the drug habit than if they just serve a short period of incarceration and go back to drugs after they come out.”

TX State Rep. Jerry Madden (R-Plano)
Chair, House Corrections Committee

expanded drug courts. In all, the reforms are expected to save Texas \$210 million over the next two years—plus an additional \$233 million if the recidivism rate drops and the state can avoid contingency plans to build three new prisons.²⁹

“It’s always been safer politically to build the next prison, rather than stop and see whether that’s really the smartest thing to do,” said state Sen.

“For continued funding, we have to achieve that goal statewide. The DOC has announced to us our funding will no longer be based solely on how many clients we have, but on our performance.”

*Ken Moore, Director,
Reno County (KS)
Community Corrections
The Hutchinson News
January 19, 2008*

John Whitmire of Houston, chairman of the senate’s criminal justice committee. “But we’re at a point where I don’t think we can afford to do that anymore.”

At the start of 2008, the future looked promising in the Lone Star state. For the next five years, new projections by the Legislative Budget Board show, the prison trend is a flat line.

Managing Prison Admissions

As Texas has found, two principal variables govern the size of the crowd on a state’s prison yards—the number of admissions and the length of time an inmate remains behind bars. Even the smallest modifications can yield a marked slowdown—or acceleration—in population growth.

At the front end of the pipeline, states are reaping savings primarily through two maneuvers—the diversion of lower-risk offenders away from prison into less-costly settings and the use of a variety of

“intermediate” sanctions for parolees and probationers who violate conditions of their release.

One common target for diversion is nonviolent offenders with drug addictions or mental illnesses. Since 2004, at least 13 states have adopted legislation creating or expanding community corrections options for nonviolent offenders, including drug courts that combine the “carrot” of substance abuse treatment with the “stick” of penalties for missing treatment or failing a drug test.³⁰

Another focus of diversion programs is those who have broken the rules of their release on probation or parole. In 2005, parole violators accounted for more than one-third of all prison admissions, the federal Bureau of Justice Statistics reports.³¹ Similarly, half the people in U.S. jails are there because they failed on probation in the community.

While some violators are reincarcerated for new crimes, a significant number wind up back in prison for so-called “technical” violations—transgressions such as a failed drug test or missed appointment with a supervisory agent. California locks up massive numbers of violators, scrambling to accommodate them in a sprawling, 171,444-inmate system so crowded that a three-judge panel may order a population reduction. A 2005 study showed that more than two-thirds of parolees in the Golden State were returned to prison within three years of release; of those, 39 percent were due to technical violations.³²

Viewing technical violators as a lesser threat to society than other offenders, states are increasingly opting to punish them with community-based

sanctions. These include a mix of day reporting centers, electronic monitoring systems, and community service. This strategy makes offenders pay for their missteps but keeps prison beds free for more violent and chronic lawbreakers. And, it makes it more likely the violators will be able to pay victim restitution, child support and taxes.

Kansas is among the states giving this approach an aggressive try. In 2006, Kansas faced bleak failure rates among offenders, with probation or parole revocations accounting for two-thirds of prison admissions, and nine out of 10 of those revocations resulting from technical violations. Meanwhile, the state was bracing for a 22 percent increase in its incarcerated population by 2016—and a bill of nearly \$500 million for new prison construction and operations.

To gain a sense of public attitudes about such significant new spending, legislators commissioned a survey, which revealed that most Kansans favored combining some construction with programs to help offenders on probation succeed and avoid reincarceration. At the recommendation of a bipartisan task force, the Kansas Legislature offered grants to community corrections agencies to cut revocations for those on parole and probation by 20 percent. Key elements of the strategy include tracking and monitoring revocations and creating guidelines to assist judges and officers in revocation decisions.³³

“By holding individuals who committed less serious crimes accountable for completing treatment and vocational programs, we will ensure we have space in our prisons to keep violent offenders behind bars,” said Gov. Kathleen Sebelius, a vocal supporter of her state’s direction.

Adjusting Length of Stay

The other key lever states can pull to tame prison growth is adjusting the length of time inmates remain behind bars. In some states with indeterminate sentencing, such as Texas, parole boards are taking pains to ensure their parole grant rates are meeting the minimum level mandated by law. Even a small tweak—such as the 5 percent increase in grants by the Texas Board of Pardons and Parole between 2006 and 2007—can have an appreciable thinning effect on the prison population.

More commonly, states are opting to use “earned time,” or credits that shorten an inmate’s term, to control the prison numbers. Typically, offenders are offered such credits if they complete rehabilitation or education programs, demonstrate good behavior or meet some other benchmark. In addition to freeing up cell space, this strategy aids wardens and correctional officers by giving inmates an incentive to behave, and helps cut reoffense rates by increasing participation in risk-reducing programs.

Nevada is among the states enjoying benefits from this approach. With projections for dramatic prison growth over the coming decade, Nevada at the start of 2007 faced a serious fiscal struggle that threatened spending on other key government services. With public safety paramount, policy makers decided to get creative. First, the legislature

“Community release programs that are conducted under strict guidelines and conditions enhance public safety because offenders who re-enter society under parole supervision are far less likely to re-offend than those who are released without the benefit of a supervised release.”

CT Gov. Jodi Rell (R)
Press release
January 27, 2008

CONTROLLING CRIME AND PRISON POPULATIONS: TWO LEVERS

States that want to protect public safety while slowing the growth of their prison populations can pull two basic policy levers: they can divert a greater number of low-risk offenders from prison; they can reduce the length of time that the lowest-risk offenders stay behind bars; and, of course, they can do some combination of the two.

Both options require strong community corrections programs to ensure that offenders in the community remain crime- and drug-free.

REDUCE PRISON ADMISSIONS	Front-End: Sentencing and Diversion	Drug courts that break the cycle of crime and addiction with frequent drug tests, a continuum of treatment services and increasing penalties for violations. Targeted penalty changes that steer selected low-risk offenders to community corrections programs or modify mandatory minimums. Comprehensive sentencing guidelines that allow states to decide as a matter of policy which types of offenders should go to prison and which are appropriate for community corrections.
	Back-End: Accountability for Parole and Probation Violations	Intermediate sanctions such as day reporting centers for offenders who break the rules of their release, to ensure that each violation receives a swift, certain and proportionate response. Short-term residential facilities for persistent rule violators with substance abuse problems. Performance incentives that shorten terms of supervision for offenders who comply with their conditions and fulfill obligations such as victim restitution and child support.
REDUCE LENGTH OF STAY	Release: Risk Reduction Before Reentry	Risk reduction credits that allow slightly earlier release for inmates who complete treatment and education programs designed to reduce recidivism. Risk-based release instruments that use analysis of actual recidivism patterns to help releasing authorities decide who should remain behind bars and who is ready for release. Sufficient program availability in prisons and the community so release isn't delayed because inmates cannot complete requirements.

NOTE: For a summary of recent and upcoming state activity on sentencing and corrections issues, see National Conference of State Legislatures, "State Sentencing and Corrections Legislation: 2007 Action, 2008 Outlook," January 2008. www.ncsl.org/programs/cj/pewpublicsafety.htm.

and executive branch agreed to expand earned time credits for prisoners, except sex offenders and those convicted of violent crimes. In passing AB 510, lawmakers increased the amount of good time an inmate could earn for good conduct and completion of education and treatment programs. To achieve an added population benefit, Nevada made the law retroactive to prisoners sentenced as long ago as 2000.

So far, the results in Nevada have fulfilled expectations, and, after the bump upward in 2007, the prison population has begun a moderate decline. A commission created to track impacts of the reforms has found no increases in key indicators such as crime, arrests or court filings.

A Final Word

As a nation, the United States has long anchored its punishment policy in bricks and mortar. The tangible feel of a jail or prison, with its surefire incapacitation of convicts, has been an unquestioned weapon of choice in our battle against crime. Recent studies show, however, that a continual increase in our reliance on incarceration will pay declining dividends in crime prevention. In short, experts say, expanding prisons will accomplish less and cost more than it has in the past.³⁴

Meanwhile, the breathtaking rise in correctional costs is triggering alarm in statehouses around the nation. By inevitably reducing the amount of tax dollars that are available for other vital needs, relentless prison growth is drawing closer scrutiny from lawmakers and the public. In some states, that scrutiny has evolved into action, producing encouraging results both for public safety and public spending. These states are finding that by broadening the mix of sanctions in their correctional tool box, they can save money and still make lawbreakers pay.

The national inmate count marches onward and upward, almost exactly as it was projected to do last year. And with one in 100 adults looking out at this country from behind an expensive wall of bars, the potential of new approaches cannot be ignored.

“Nebraska’s prison population is projected to grow in the coming years, and the concept we’ve embraced through community corrections is that there are better solutions to this challenge than to simply build another maximum-security prison.”

NE Gov. Dave Heineman (R)
Press release
February 12, 2007

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Methodology Notes

This report estimates the number of prisoners housed in state and federal correctional facilities as of January 1, 2008. A separate estimate was made for the number of persons in local jail facilities on that date. In order to calculate the national incarceration rate, we also estimated the adult resident population.

The 2008 national incarceration rate in this report is not comparable to the rates published for prior years by the U.S. Department of Justice, Bureau of Justice Statistics (BJS), or to those issued last year by the Pew Public Safety Performance Project. The difference occurs because this report uses the adult resident population to calculate the incarceration rate for adults, while the BJS incarceration rates and the earlier Pew report are based on the total U.S. population, including those under age 18.

This Report	Bureau of Justice Statistics
Inmates/ Adult Population= Adult Incarceration Rate	Inmates/ Total Population= Incarceration Rate

State and Federal Prison Population Estimate

In making the state and federal prisoner population estimate, we took a two-pronged approach to obtain the count of inmates under the jurisdiction of each state's Department of Corrections (DOC) and the Federal Bureau of Prisons (FBOP) on January 1, 2008.

The first phase was a two-page survey which the Association of State Correctional Administrators (ASCA) sent to each DOC and the FBOP requesting its total jurisdictional count as well as certain subpopulations (e.g., pretrial, sentenced, males and females, etc.) comprising the total jurisdictional count. At the same time, the JFA Institute sought to obtain each department's total jurisdictional count through a combination of emails and phone calls to each DOC and searches of the DOC websites for inmate population statistics. The objective was to ensure that through two organizations and two methods we were able to secure the most accurate count for each state and the FBOP. We investigated and reconciled any differences in the total jurisdictional counts, often through follow-up emails or phone calls to the states.

For many DOCs, prisoners under their jurisdiction are housed not only in their own prison facilities, but also in facilities controlled by other agencies (i.e., local jails, other states' prisons, federal prisons, and private prisons). To avoid double-counting, we specified that the states' responses should include the inmates under a DOC's jurisdiction regardless of the inmates' locations, and exclude any inmates housed by a DOC who are not under that DOC's jurisdiction. As a hypothetical example, Mississippi would exclude inmates they are housing in their prisons for Texas while Texas would include its prisoners housed in Mississippi.

Unless otherwise noted, for the January 1, 2008 inmate population count, we utilized the total jurisdictional count that each state DOC provided

on the ASCA survey. For the 2006 inmate population count, we utilized the December 31, 2006 jurisdictional prisoner count from Table 1 of the Bureau of Justice Statistics' "Prisoners in 2006" report. Note that some states provided counts on dates other than January 1, 2008.

Many states provided their total jurisdictional counts before performing the data verification process they would normally undertake before publishing their official counts. As a result, the inmate figures in this report may differ from total jurisdictional counts subsequently published. We expect any such differences to be minor.

State-specific information about the source of the counts and any additional explanations appear in "Jurisdictional Notes" following this section.

The inmate count does not include a significant number of inmates held in facilities other than federal and state prisons and local jails. It excludes those in custody in territorial prisons, facilities administered by U.S. Immigration and Customs Enforcement, military facilities, jails in Indian country, and juvenile facilities. At yearend 2006, there were 126,230 inmates in custody in these facilities, three-quarters of them juveniles, according to the most recent count by the Justice Department. However, the count does include approximately 8,500 juveniles in jails or prisons.

Local Jail Population Estimate

This estimate takes into account people who are incarcerated in local (county and city) jails. Typically these inmates are being held pending trial or have been sentenced to less than a year.

Since there are more than 3,000 local jails in the United States, it was not feasible to conduct a complete national survey. Instead, we extrapolated from the most recent national trends as reported by BJS, which does conduct an annual survey using a sophisticated sampling methodology.

Table 1 shows the BJS jail population counts from its recent surveys. There has been considerable fluctuation in the rate of growth over the past six years. The average rate of growth has been 3.56 percent, but the growth rate slowed considerably in 2006.

To help inform our estimate, we surveyed some of the nation's largest jail systems during December 2007. Together these jails represent 12 percent of the nation's jail population. Here we see significant fluctuation, with an overall increase of only 1 percent since midyear 2004.

Since the BJS surveys represent the populations as of June 30, and given that jail populations have severe seasonal fluctuations, the December 2007 jail counts are not directly comparable to the June 30 BJS counts. Still, those counts offer some evidence that jail growth may indeed have slowed. So using the average rate of growth since 2000 may well over-estimate the actual jail population.

For these reasons we decided to use the 2006 growth rate of 2.47 percent. An estimate of the January 1, 2008 population must cover the 18-month period beginning with the last BJS report, from mid-year 2006. So we multiplied the 2.47 percent annual rate by a factor of 1.5 which produces an 18-month growth rate of 3.7 percent. This produced an estimated January 1, 2008 jail population of 794,417.

Table 1: Estimate of Local Jail Growth Rate

Year	Jail Population	% Change
2000	621,149	
2001	631,240	1.62%
2002	665,475	5.42%
2003	691,301	3.88%
2004	713,990	3.28%
2005	747,529	4.70%
2006	766,010	2.47%
Average Change 2000-2006		3.56%
Jan. 2008 estimate	794,417	2.47% (annual) 3.70% (18-month)

Sources: 2000-2006 from Bureau of Justice Statistics, "Prison and Jail Inmates at Mid-Year" series, 2000-2006; Jan. 2008 estimate from JFA Institute

For purposes of calculating the national adult incarceration rate, state prisoners being held in local jails were backed out of the jail figures to avoid double-counting. Our survey of the state prison population included identifying the number of these locally-held state inmates. Based on these figures, the unduplicated count of jail inmates on January 1, 2008 was estimated at 723,131.

January 1, 2008 Local Jail Estimate	794,417
State Inmates in Local Jails (2008)	-71,286
Unduplicated Local Jail Estimate	= 723,131

If the local jail population had grown by 21,397 fewer inmates than we estimate, the national adult incarceration rate would be exactly 1 in 100. That would result in an annual growth rate of 0.61% for the 18 months ending on January 1, 2008. In each year since 2000, the jail growth rate has been at least 2.5 times higher than that. If there was no growth in the jail population between mid-year 2006 and January 1, 2008, the national adult incarceration rate would be 1 in 100.3.

National Adult Population Estimate

There is not an official U.S. Census count of the nation's adult population (persons age 18 years and older) for January 1, 2008. The Census Bureau has issued a total national population estimate for July 1, 2007, but at press time it had not yet released estimates by age.

Such estimates are available from 2000 to 2006. To make our estimate of the January 1, 2008 adult population we applied the average annual change since 2000 to the most recent Census estimate. Specifically, we calculated the average annual

Table 2: U.S. Adult Resident Population Calculation

Year	Population 18 Years and Over	% Change
2000	209,851,322	
2001	212,591,294	1.31%
2002	215,220,145	1.24%
2003	217,710,885	1.16%
2004	220,343,552	1.21%
2005	222,972,821	1.19%
2006	225,662,922	1.21%
Average Change 2000-2006		1.22%
Jan. 2008 estimate	229,786,080	1.22% (annual) 1.83% (18-month)

Source: U.S. Census Bureau, Annual Estimates of the Population by Selected Age Groups and Sex for the United States: April 1, 2000 to July 1, 2006; Jan. 2008 estimate from JFA Institute

percentage change in the census estimates for the population 18 years and over from July 1, 2000 to July 1, 2006. To project forward 18 months from the most recent census estimate, we multiplied the average annual percentage change from 2000 to 2006 (1.22%) by 1.5 and applied that result to the census estimate for July 1, 2006 for the population 18 years and over (Table 2). This yields a January 1, 2008 adult population estimate of 229,786,080.

Calculation of National Incarceration Rate

The actual prisoner counts and estimates above yield the following overall computation of the nation's adult incarceration rate as of January 1, 2008.

State incarceration rates were not calculated for this report due to the lack of statewide jail population counts or a reliable method to estimate them.

Jail Population (estimate, unduplicated)	723,131
Prison Population (state/federal count)	+1,596,127
Total Inmate Population	2,319,258

Adult Population Estimate = 229,786,080
 Inmates/Adults = 1 in 99.1
(or 1,009 inmates per 100,000 adult residents)

Finally, inmate populations were not adjusted for illegal U.S. residents because such residents are not excluded from the census counts upon which our adult population estimate is based.

Cost Estimates

State corrections spending figures in this report are from the most recent data available from the National Association of State Budget Officers (NASBO). NASBO explains that its corrections spending totals include “the costs to build and operate prison systems and may include spending on juvenile justice programs and alternatives to incarceration such as probation and parole.” There is no current national data source that tracks spending on prisons alone. Some states operate parole and probation systems in addition to prison systems, and these costs would be included in the figures. In many other states, probation or juvenile systems operate at the county level or within the judiciary, so these costs would not be included in the state totals. In addition, jails and other correctional programs operated by local jurisdictions are not included in the figures, which reflect spending by state governments.

Jurisdictional Notes

Unless noted below, for the January 1, 2008 inmate population count we used the total jurisdictional count that each state DOC provided on the survey conducted for the Public Safety Performance Project by the Association of State Correctional Administrators (ASCA). For the December 31, 2006 count we used the December 31, 2006 jurisdictional prisoner count from Table 1 of the Bureau of Justice Statistics' "Prisoners in 2006" report.

State	Notes
Alabama	Alabama's 2008 count is the total jurisdictional population on 12/31/2007 shown in the Alabama DOC's December 2007 Monthly Report and reported by phone to the JFA Institute.
Alaska	Alaska's 2008 count was reported by phone to the JFA Institute.
Arkansas	Arkansas' count excludes about 1,500 inmates under the jurisdiction of the Department of Community Correction.
California	California's 2008 count is from 12/31/2007.
District of Columbia	The District of Columbia is not included as a separate jurisdiction in this report. D.C. prisoners were transferred to federal custody in 2001.
Federal Bureau of Prisons	The BOP reported its total as 199,342, which included 189 juveniles and 164 long term boarders. These populations were not counted in this survey, resulting in a comparable total of 198,989.
Florida	Florida's 2008 count is from 12/31/07.
Georgia	Georgia's 2008 count represents the population in or awaiting DOC prison beds on 12/28/2007, and excludes offenders in or awaiting beds in residential probation facilities (5,287).
Illinois	Illinois' 2008 count is from 2/8/08.
Indiana	One component of Indiana's 2008 count (state inmates in local jails) is from 12/28/07; the remaining counts are from 1/1/08.
Iowa	Iowa's 2008 count includes inmates awaiting trial for civil commitment as sex offenders (9). It also includes detainees held for federal pretrial (about 116), a portion of whom are also serving Iowa prison sentences.
Michigan	Michigan's figure for corrections share of general fund spending is not comparable with other states. In 1994, Michigan separated its K-12 education system into a different fund. The resulting general fund was significantly smaller, and thus expenditures for corrections and all other state agencies account for a much greater portion of it. Calculations that would make Michigan's spending patterns comparable with other states were not available.
Minnesota	Minnesota submitted inmate population counts for July 1, 2007; more recent figures were not available.
Mississippi	Mississippi's 1/1/08 count includes offenders pending file review (111) and out on court order (272).
New Hampshire	New Hampshire's 2008 count includes inmates assigned to Administrative Home Confinement (electronic monitoring).
Oklahoma	Oklahoma's 2008 count is from 12/31/2007. Numbers include inmates sentenced in other states but located in either a state or contract facility under the Oklahoma DOC jurisdiction (about 69).
Rhode Island	Rhode Island's 2006 count is based on the total population count on 12/31/06 from Rhode Island Department of Corrections, not on the BJS 2006 count.
Texas	Texas' 2008 count shows the 12/31/07 total population count that is equivalent to the 2006 BJS count, as provided by the Legislative Budget Board to the Public Safety Performance Project. This count includes inmates that Texas does not consider in its counting definition as being part of its prison, state jail and treatment institutions. For example, BJS included in its December 2006 count over 13,000 inmates in county jails sentenced as felons or parole violators awaiting a hearing. TDCJ considers these inmates as being under the jurisdiction of local jail authorities.

Appendices

TABLE A-1 State, Regional and National Prison Counts

	Prison Population 12/31/06	Prison Population 1/1/08	# Change	% Change
U.S. Total	1,570,644	1,596,127	25,483	1.6%
Federal	193,046	198,989	5,943	3.1%
State	1,377,598	1,397,138	19,540	1.4%
<i>Northeast</i>	<i>177,600</i>	<i>178,692</i>	<i>1,092</i>	<i>0.6%</i>
Connecticut	20,566	20,784	218	1.1%
Maine	2,120	2,144	24	1.1%
Massachusetts	11,032	11,364	332	3.0%
New Hampshire	2,805	2,991	186	6.6%
New Jersey	27,371	26,822	-549	-2.0%
New York	63,315	62,620	-695	-1.1%
Pennsylvania	44,397	46,028	1,631	3.7%
Rhode Island	3,779	3,807	28	0.7%
Vermont	2,215	2,132	-83	-3.7%
<i>Midwest</i>	<i>261,466</i>	<i>262,586</i>	<i>1,120</i>	<i>0.4%</i>
Illinois	45,106	45,305	199	0.4%
Indiana	26,091	26,249	158	0.6%
Iowa	8,875	9,419	544	6.1%
Kansas	8,816	8,756	-60	-0.7%
Michigan	51,577	50,326	-1,251	-2.4%
Minnesota	9,108	9,573	465	5.1%
Missouri	30,167	30,324	157	0.5%
Nebraska	4,407	4,472	65	1.5%
North Dakota	1,363	1,440	77	5.6%
Ohio	49,166	50,730	1,564	3.2%
South Dakota	3,359	3,302	-57	-1.7%
Wisconsin	23,431	22,690	-741	-3.2%
<i>South</i>	<i>623,563</i>	<i>641,024</i>	<i>17,461</i>	<i>2.8%</i>
Alabama	28,241	29,412	1,171	4.1%
Arkansas	13,729	14,314	585	4.3%
Delaware	7,206	7,081	-125	-1.7%
Florida	92,969	97,416	4,447	4.8%
Georgia	52,792	55,205	2,413	4.6%
Kentucky	20,000	22,402	2,402	12.0%
Louisiana	37,012	37,718	706	1.9%
Maryland	22,945	23,342	397	1.7%
Mississippi	21,068	22,335	1,267	6.0%
North Carolina	37,460	38,425	965	2.6%
Oklahoma	26,243	25,918	-325	-1.2%
South Carolina	23,616	24,217	601	2.5%
Tennessee	25,745	26,838	1,093	4.2%
Texas	172,116	171,790	-326	-0.2%
Virginia	36,688	38,555	1,867	5.1%
West Virginia	5,733	6,056	323	5.6%
<i>West</i>	<i>314,969</i>	<i>314,836</i>	<i>-133</i>	<i>0.0%</i>
Alaska	5,069	5,306	237	4.7%
Arizona	35,892	37,800	1,908	5.3%
California	175,512	171,444	-4,068	-2.3%
Colorado	22,481	22,841	360	1.6%
Hawaii	5,967	6,036	69	1.2%
Idaho	7,124	7,319	195	2.7%
Montana	3,572	3,431	-141	-3.9%
Nevada	12,901	13,552	651	5.0%
New Mexico	6,639	6,540	-99	-1.5%
Oregon	13,707	13,855	148	1.1%
Utah	6,430	6,533	103	1.6%
Washington	17,561	18,126	565	3.2%
Wyoming	2,114	2,053	-61	-2.9%

Sources: 2006
figures - 12/31/06
Bureau of Justice
Statistics
Jurisdictional
Count of Prisoners

2008 figures -
1/1/2008 Public
Safety
Performance
Project
Jurisdictional
Count of Prisoners

Notes: Change is
from 12/31/06 to
1/1/08 unless
otherwise
explained in
"Jurisdictional
Notes"

Many states have
not completed
their data
verification
process. Final
published figures
may differ slightly.

The District of
Columbia is not
included. D.C.
prisoners were
transferred to
federal custody in
2001.

TABLE A-2 State Corrections Spending, FY 2007

	General Fund (in millions)	Percent of General Fund
State total	\$44,062	6.8%
<i>Northeast</i>	<i>\$8,010</i>	<i>5.2%</i>
Connecticut	\$661	4.4%
Maine	\$122	4.1%
Massachusetts	\$1,139	5.1%
New Hampshire	\$92	6.6%
New Jersey	\$1,468	4.9%
New York	\$2,622	5.1%
Pennsylvania	\$1,638	6.2%
Rhode Island	\$157	4.9%
Vermont	\$111	9.3%
<i>Midwest</i>	<i>\$8,443</i>	<i>6.9%</i>
Illinois	\$1,125	5.2%
Indiana	\$649	5.3%
Iowa	\$313	5.9%
Kansas	\$312	5.6%
Michigan*	\$2,063	22.6%
Minnesota	\$438	2.7%
Missouri	\$586	7.4%
Nebraska	\$172	5.2%
North Dakota	\$55	5.3%
Ohio	\$1,766	7.0%
South Dakota	\$74	7.0%
Wisconsin	\$890	6.7%
<i>South</i>	<i>\$14,182</i>	<i>6.8%</i>
Alabama	\$388	2.6%
Arkansas	\$314	7.7%
Delaware	\$240	7.1%
Florida	\$2,719	9.3%
Georgia	\$998	5.4%
Kentucky	\$454	5.2%
Louisiana	\$552	7.5%
Maryland	\$1,084	7.6%
Mississippi	\$227	5.4%
North Carolina	\$1,083	5.7%
Oklahoma	\$461	7.8%
South Carolina	\$444	6.7%
Tennessee	\$619	5.6%
Texas	\$3,292	8.6%
Virginia	\$1,136	6.7%
West Virginia	\$171	4.6%
<i>West</i>	<i>\$13,427</i>	<i>7.9%</i>
Alaska	\$227	5.3%
Arizona	\$895	8.5%
California	\$8,795	8.6%
Colorado	\$599	8.8%
Hawaii	\$205	3.8%
Idaho	\$179	6.9%
Montana	\$142	8.3%
Nevada	\$222	6.4%
New Mexico	\$241	4.2%
Oregon	\$684	10.9%
Utah	\$324	6.9%
Washington	\$832	5.9%
Wyoming	\$82	4.0%

Source: National Association of State Budget Officers, State Expenditure Report FY 2006. FY 2007 NASBO figures are estimates.

Notes: Michigan's percentage is not comparable with other states. See Jurisdiction Notes for additional detail about Michigan's figure.

The District of Columbia is not included. D.C. prisoners were transferred to federal custody in 2001.

TABLE A-3 State Spending on Corrections and Higher Education, FY 1987-2007

	State General Fund Higher Education Spending, FY 2007 (in millions)	Ratio of Corrections to Higher Education General Fund Spending, FY 2007	Ratio of Corrections to Higher Education General Fund Spending, FY 1987	Change in Ratio, FY 1987-2007
State total	\$72,888	0.60	0.32	0.28
<i>Northeast</i>	<i>\$10,253</i>	<i>0.78</i>	<i>0.46</i>	<i>0.32</i>
Connecticut	\$644	1.03	0.35	0.68
Maine	\$247	0.49	0.31	0.18
Massachusetts	\$1,160	0.98	0.30	0.68
New Hampshire	\$126	0.73	0.29	0.44
New Jersey	\$2,204	0.67	0.49	0.18
New York	\$3,587	0.73	0.61	0.12
Pennsylvania	\$2,015	0.81	0.20	0.61
Rhode Island	\$189	0.83	0.32	0.51
Vermont	\$81	1.37	0.37	1.00
<i>Midwest</i>	<i>\$15,377</i>	<i>0.55</i>	<i>0.25</i>	<i>0.30</i>
Illinois	\$2,209	0.51	0.30	0.21
Indiana	\$1,610	0.40	0.24	0.16
Iowa	\$827	0.38	0.16	0.22
Kansas	\$785	0.40	0.23	0.17
Michigan	\$1,728	1.19	0.38	0.81
Minnesota	\$2,558	0.17	0.09	0.08
Missouri	\$880	0.67	0.25	0.42
Nebraska	\$604	0.28	0.16	0.13
North Dakota	\$229	0.24	0.08	0.16
Ohio	\$2,551	0.69	0.28	0.41
South Dakota	\$182	0.41	0.16	0.25
Wisconsin	\$1,214	0.73	0.20	0.54
<i>South</i>	<i>\$28,874</i>	<i>0.49</i>	<i>0.32</i>	<i>0.17</i>
Alabama	\$1,712	0.23	0.25	-0.03
Arkansas	\$683	0.46	0.14	0.32
Delaware	\$239	1.00	0.45	0.56
Florida	\$4,110	0.66	0.34	0.32
Georgia	\$1,979	0.50	0.28	0.22
Kentucky	\$1,281	0.35	0.21	0.14
Louisiana	\$1,193	0.46	0.41	0.05
Maryland	\$1,456	0.74	0.71	0.03
Mississippi	\$760	0.30	0.20	0.10
North Carolina	\$3,310	0.33	0.19	0.14
Oklahoma	\$897	0.51	0.27	0.25
South Carolina	\$911	0.49	0.35	0.14
Tennessee	\$1,527	0.41	0.36	0.04
Texas	\$6,444	0.51	0.17	0.34
Virginia	\$1,903	0.60	0.79	-0.19
West Virginia	\$469	0.36	0.11	0.26
<i>West</i>	<i>\$18,623</i>	<i>0.72</i>	<i>0.30</i>	<i>0.42</i>
Alaska	\$296	0.77	0.48	0.29
Arizona	\$1,158	0.77	0.39	0.38
California	\$10,652	0.83	0.32	0.51
Colorado	\$764	0.78	0.18	0.60
Hawaii	\$666	0.31	0.23	0.08
Idaho	\$322	0.56	0.19	0.37
Montana	\$175	0.81	0.29	0.52
Nevada	\$513	0.43	0.44	0.00
New Mexico	\$762	0.32	0.29	0.03
Oregon	\$648	1.06	0.34	0.71
Utah	\$799	0.41	0.23	0.17
Washington	\$1,507	0.55	0.23	0.32
Wyoming	\$361	0.23	0.13	0.10

For every
dollar Ohio
spent on
higher
education,
it spent 69
cents on
corrections.

Source: Data and reanalysis of data from National Association of State Budget Officers, State Expenditure Reports. FY 2007 NASBO figures are estimates.

Notes: The District of Columbia is not included. D.C. prisoners were transferred to federal custody in 2001.

TABLE A-4 National Corrections and Higher Education Spending Trends, FY 1987-2007

		Corrections as Percent of All State General Fund Spending	State General Fund Corrections Spending (in millions)	State General Fund Higher Education Spending (in millions)	Ratio of Corrections to Higher Education General Fund Spending	National Prison Population
Sources: Spending data is from National Association of State Budget Officers, State Expenditure Reports or reanalysis thereof. FY 2007 NASBO figures are estimates.	2007	6.8%	\$44,062	\$72,888	0.60	1,596,127
	2006	6.8%	\$40,661	\$67,792	0.60	1,570,861
	2005	7.2%	\$38,755	\$63,202	0.61	1,527,929
	2004	7.0%	\$35,744	\$59,819	0.60	1,496,629
	2003	7.2%	\$35,285	\$61,638	0.57	1,468,601
	2002	6.9%	\$34,364	\$61,784	0.56	1,440,144
	2001	6.9%	\$33,571	\$62,079	0.54	1,404,032
	2000	7.1%	\$32,195	\$58,119	0.55	1,391,261
	1999	7.1%	\$29,733	\$52,470	0.57	1,363,701
	1998	5.9%	\$27,021	\$51,461	0.53	1,299,096
	1997	6.8%	\$25,440	\$48,352	0.53	1,240,659
	1996	4.3%	\$24,847	\$46,279	0.54	1,181,919
	1995	4.4%	\$23,251	\$44,588	0.52	1,125,874
	1994	3.9%	\$20,062	\$41,812	0.48	1,054,702
	1993	3.5%	\$17,547	\$40,137	0.44	969,301
	1992	5.6%	\$16,504	\$39,567	0.42	882,500
	1991	5.7%	\$15,890	\$39,267	0.40	825,559
	1990	5.5%	\$14,453	\$38,729	0.37	773,919
	1989	5.3%	\$12,887	\$36,919	0.35	712,364
	1988	6.9%	\$11,744	\$35,108	0.33	627,600
	1987	5.0%	\$10,619	\$33,026	0.32	585,084

Note: 1987-2006 prison populations from Bureau of Justice Statistics

2007 prison population from this report (as of 1/1/08 for most states)

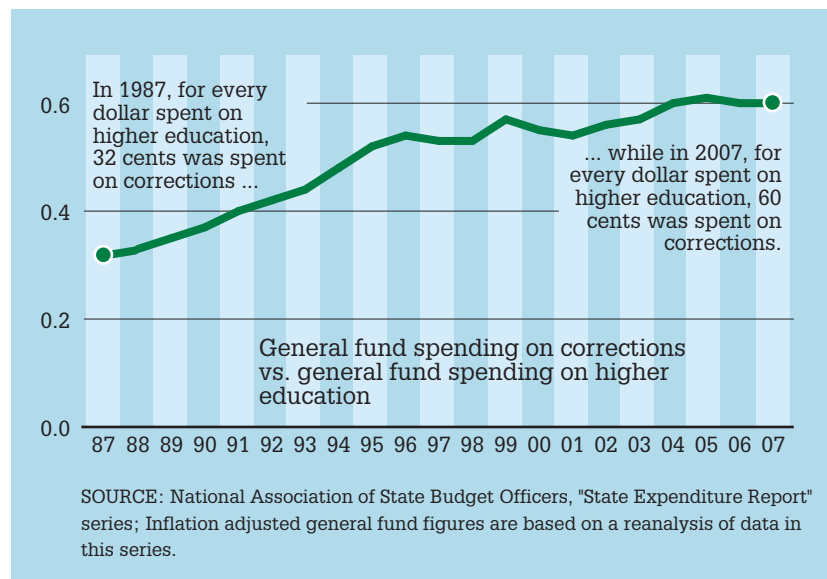


TABLE A-5 State Employees in Corrections Workforce, 2006
(by Region) (by Percent)

State total	11.0%
<i>Northeast</i>	<i>10.2%</i>
Connecticut	12.6%
Maine	6.1%
Massachusetts	7.1%
New Hampshire	7.1%
New Jersey	6.5%
New York	13.6%
Pennsylvania	10.9%
Rhode Island	8.2%
Vermont	8.3%
<i>Midwest</i>	<i>10.3%</i>
Illinois	10.3%
Indiana	8.3%
Iowa	6.0%
Kansas	8.5%
Michigan	12.8%
Minnesota	5.2%
Missouri	13.9%
Nebraska	8.6%
North Dakota	3.8%
Ohio	11.8%
South Dakota	6.3%
Wisconsin	14.0%
<i>South</i>	<i>12.1%</i>
Alabama	5.7%
Arkansas	8.5%
Delaware	11.0%
Florida	15.1%
Georgia	15.9%
Kentucky	5.2%
Louisiana	8.7%
Maryland	13.1%
Mississippi	6.4%
North Carolina	15.0%
Oklahoma	8.4%
South Carolina	9.9%
Tennessee	8.8%
Texas	16.9%
Virginia	11.7%
West Virginia	8.7%
<i>West</i>	<i>10.3%</i>
Alaska	6.9%
Arizona	14.5%
California	12.8%
Colorado	9.7%
Hawaii	4.2%
Idaho	8.4%
Montana	6.3%
Nevada	13.5%
New Mexico	7.8%
Oregon	8.8%
Utah	6.5%
Washington	7.7%
Wyoming	7.4%

State total	11.0%
Texas	16.9%
Georgia	15.9%
Florida	15.1%
North Carolina	15.0%
Arizona	14.5%
Wisconsin	14.0%
Missouri	13.9%
New York	13.6%
Nevada	13.5%
Maryland	13.1%
California	12.8%
Michigan	12.8%
Connecticut	12.6%
Ohio	11.8%
Virginia	11.7%
Delaware	11.0%
Pennsylvania	10.9%
Illinois	10.3%
South Carolina	9.9%
Colorado	9.7%
Tennessee	8.8%
Oregon	8.8%
Louisiana	8.7%
West Virginia	8.7%
Nebraska	8.6%
Kansas	8.5%
Arkansas	8.5%
Idaho	8.4%
Oklahoma	8.4%
Vermont	8.3%
Indiana	8.3%
Rhode Island	8.2%
New Mexico	7.8%
Washington	7.7%
Wyoming	7.4%
Massachusetts	7.1%
New Hampshire	7.1%
Alaska	6.9%
New Jersey	6.5%
Utah	6.5%
Mississippi	6.4%
Montana	6.3%
South Dakota	6.3%
Maine	6.1%
Iowa	6.0%
Alabama	5.7%
Minnesota	5.2%
Kentucky	5.2%
Hawaii	4.2%
North Dakota	3.8%

Source: Reanalysis of U.S. Census Bureau, State Government Employment and Payroll data

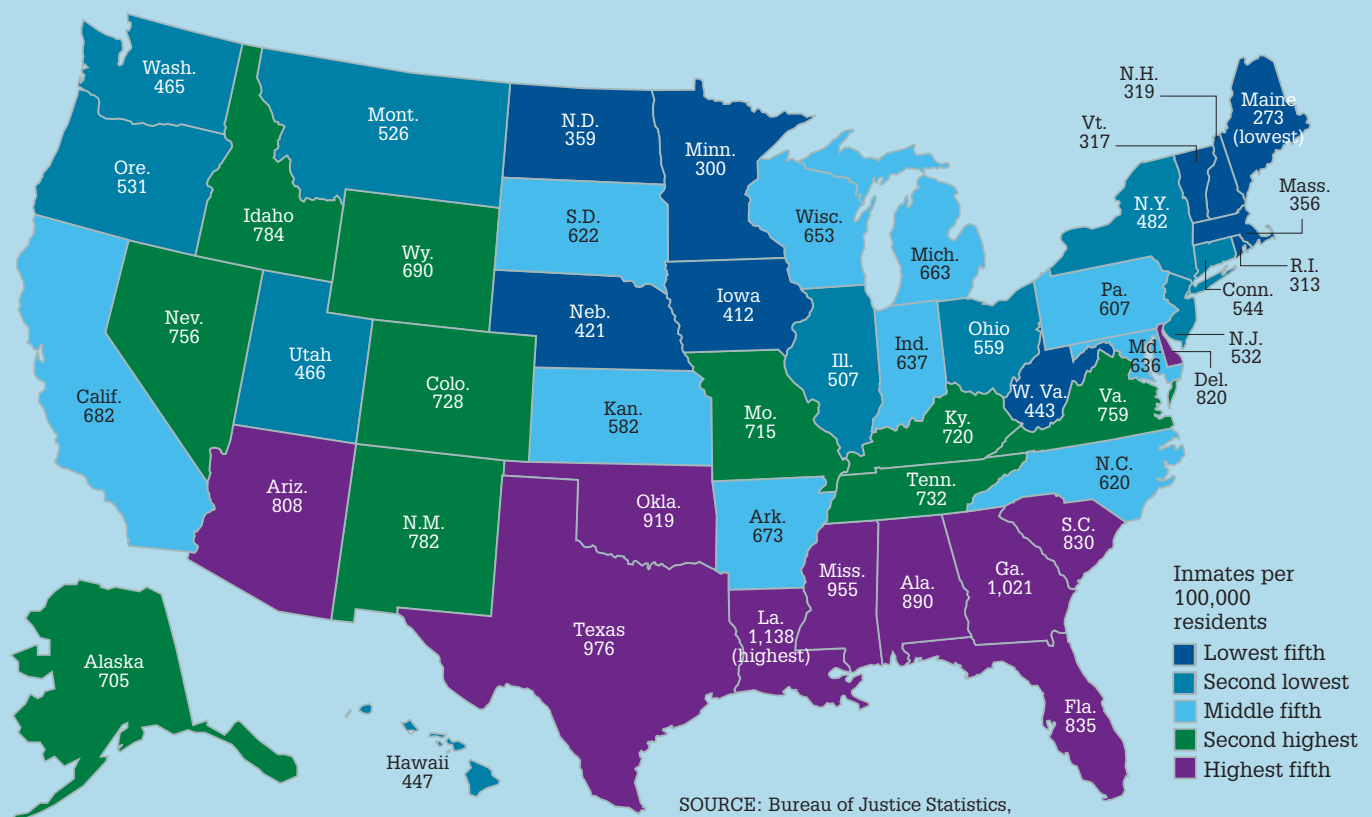
TABLE A-6

1 in X: Incarceration Rates by Sex, Race/Ethnicity, Age & State

	All				Men				Women			
	All	White	Black	Hispanic	All	White	Black	Hispanic	All	White	Black	Hispanic
All ages	133	245	41	96	72	136	21	54	746	1064	279	658
18+	102	194	29	64	54	106	15	36	580	859	203	436
18-19	101	191	36	85	57	107	19	47	833	1235	382	571
20-24	53	103	17	41	30	60	9	24	345	453	157	289
25-29	53	104	17	43	30	59	9	26	333	443	140	328
30-34	54	92	17	47	30	53	9	27	270	343	108	300
35-39	63	104	19	55	36	61	10	32	265	355	100	297
40-44	76	124	24	66	43	71	13	38	352	500	125	358
45-54	153	266	45	101	83	148	23	55	893	1333	307	709
55+	837	1249	264	383	391	588	115	184	8333	11111	3571	3846

Source: All data are from BJS, "Prison and Jail Inmates at Midyear 2006," or reanalysis thereof.

For example, this cell indicates that 1 in every 115 black males 55 years or older was behind bars on June 30, 2006.

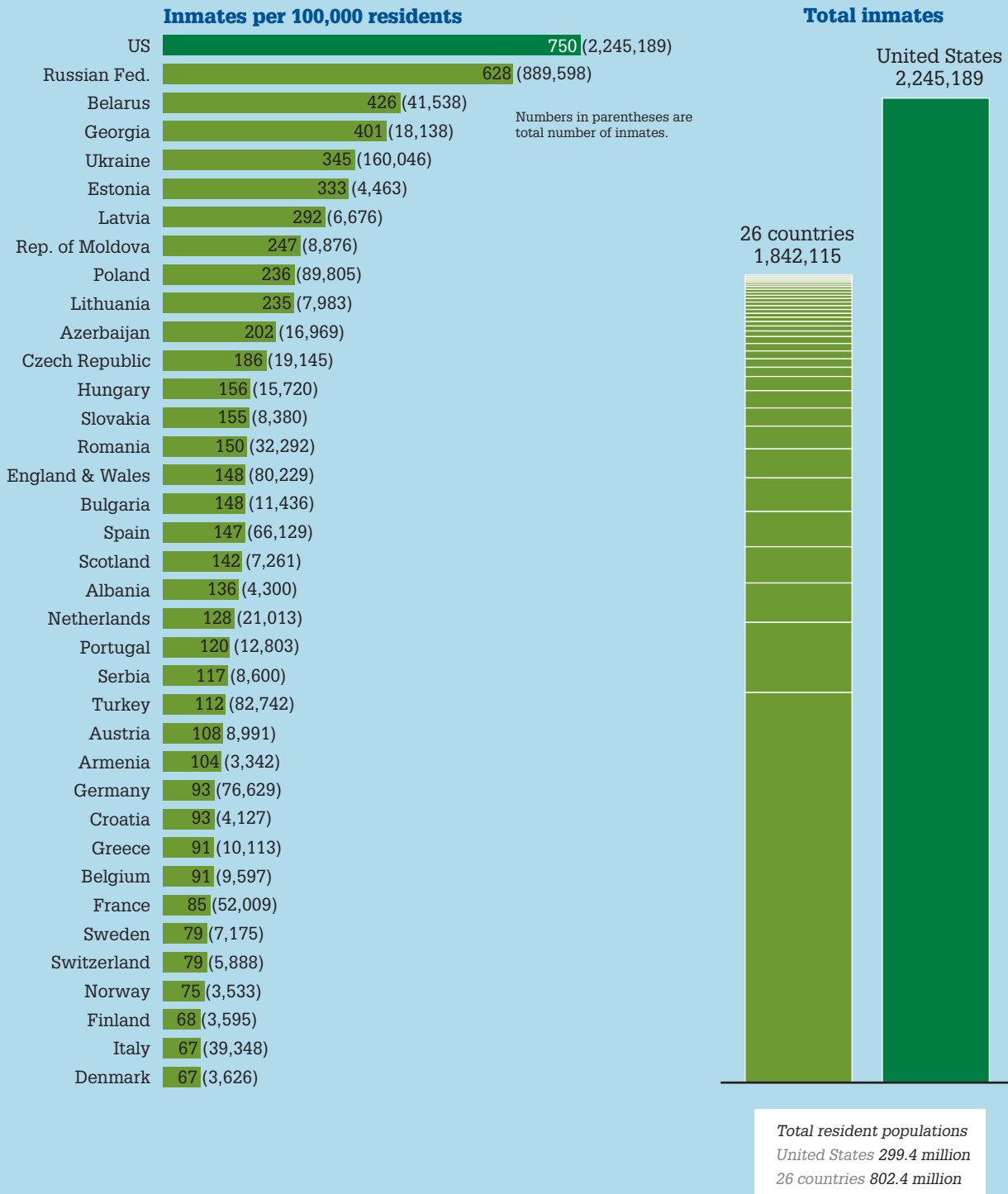
STATE INCARCERATION RATES, 2005, BY QUINTILE

SOURCE: Bureau of Justice Statistics, "Prison and Jail Inmates at Midyear 2005"

TABLE A-7

INTERNATIONAL COMPARISONS

The U.S. inmate population compared to the 26 largest European inmate populations (years vary).



SOURCE: International Centre for Prison Studies at King's College, London, "World Prison Brief." Data downloaded January 2008.

NOTE: Rates are for total number of residents, not just adults. Figures in this chart may not align with others due to differences in counting methods.



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