

# IL CARCERE NEGLI U.S.A., OGGI: UNA FOTOGRAFIA

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## 1. Il Rapporto “*Prisoners in 2013*”.

Il *Bureau of Justice Statistics* del Dipartimento di Giustizia degli Stati Uniti d’America ha pubblicato, nel settembre del 2014, un’interessante rapporto sulle carceri statunitensi, basato su dati aggiornati al 31 dicembre 2013. Il rapporto fotografa la realtà del sistema penitenziario degli U.S.A. per come emerge dai dati statistici raccolti e rappresentati in grafici e tabelle funzionali ad una dettagliata illustrazione delle informazioni più rilevanti<sup>1</sup>.

Il quadro che emerge dal documento che qui presentiamo è sotto diversi profili interessante anche agli occhi del giurista italiano: non solo in chiave comparatistica, ma anche perché gli Stati Uniti (in particolare la California) conoscono da tempo il problema del sovraffollamento carcerario. Si tratta, come è noto, di un’emergenza ormai cronica del nostro sistema penitenziario, che negli U.S.A. si è cercato di superare in vario modo, nel recente passato: addirittura facendo ricorso a soluzioni singolari, come l’apertura delle porte del carcere ai detenuti in sovrannumero rispetto alla capienza delle strutture<sup>2</sup>.

Prima di entrare *in medias res* sono opportune alcune precisazioni.

Anzitutto, i dati riportati nel Rapporto prendono in considerazione la totalità dei detenuti delle sole *carceri statali e federali*: le vere e proprie *prisons*, escludendo le

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<sup>1</sup> I dati statistici riportati nel Rapporto che si segnala sono stati raccolti dal *Bureau of Justice Statistics* nel quadro del *National Prisoners Statistics Program* (NPS), che raccoglie ogni anno i dati sulla situazione penitenziaria degli U.S.A., provenienti dagli *State departments of corrections* (DOC) e del *Federal Bureau of Prison* (BOP).

<sup>2</sup> Cfr. GARGANI A., *Sovraffollamento carcerario e violazione dei diritti umani: un circolo virtuoso per la legalità dell’esecuzione penale*, in *Cass. pen.*, fasc.3, 2011, pag. 1259.

*jails*<sup>3</sup>. Il documento raccoglie numerose informazioni e, per permettere al lettore una lettura rapida e una visione d'insieme, se ne riporta di seguito un breve sommario.

a) Il rapporto si apre con i *dati relativi alla crescita della popolazione carceraria* dal 1978 al 2013 (p. 1).

b) Seguono i dati riguardanti il *tasso di detenzione*, ossia il rapporto tra popolazione di uno Stato e numero di soggetti detenuti negli istituti di pena (p. 6).

c) Le statistiche riportate nel Rapporto forniscono, ancora, una panoramica delle *caratteristiche soggettive dei detenuti* (p. 8).

d) In seguito si trovano i dati relativi a *ingressi e uscite* (p. 9).

e) Ancora, di sicuro interesse è *un focus sullo Stato della California*, che fornisce anche una breve analisi storica del sistema penitenziario di questo Stato che, come si vedrà in seguito, è fortemente afflitto dal problema del sovraffollamento (p. 12).

f) Altrettanto interessanti, ancora, sono: i dati sugli *istituti di pena privati* (p. 13);

g) quelli relativi alle *tipologie di reato più diffuse tra la popolazione penitenziaria* (p. 15).

h) Il rapporto prosegue con un'analisi della *durata media della pena per le diverse tipologie di reato*, comparando l'anno 2002 e il 2012 (p. 18).

i) In seguito, sono evidenziati i dati relativi: alla *presenza di minori* all'interno degli istituti di pena per adulti (p.19);

h) alle giurisdizioni militari (p. 21).

L'analisi si conclude infine con la descrizione delle modalità di raccolta dei dati per ciascuno stato della federazione e con una breve legenda, necessaria, d'altra parte, per comprendere le peculiarità del sistema statunitense (p. 22 ss).

## **2. Andamento della popolazione carceraria e tasso di detenzione.**

Secondo quanto emerge dal rapporto, dal 1978 ad oggi la popolazione carceraria degli Stati Uniti ha subito una *crescita costante*, assestandosi attualmente a 1.574.700 detenuti<sup>4</sup>.

Dall'inizio degli anni 2000 la popolazione delle carceri statunitensi è cresciuta dello 0,7%. Dal 2003 ogni anno il numero di detenuti è aumentato circa di 30.000/40.000 unità, fino al 2008, anno in cui si registra un aumento di minore importanza: circa 12.000 detenuti in più rispetto al 2007. Lo stesso discorso riguarda il passaggio tra il 2008 e il 2009, in cui la popolazione carceraria aumenta di sole 7.000 unità.

In seguito, il *trend* di crescita subisce un arresto nel 2009. Da questo momento risulta un'inversione di tendenza e, quindi, un periodo di lenta decrescita. La

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<sup>3</sup> Le *jails* sono le prigioni di contea in cui vengono trattenuti genericamente gli imputati in attesa di giudizio e i condannati – non necessariamente a titolo definitivo – a una pena inferiore a un anno. Al contrario le *prisons*, statali e federali, accolgono i condannati a pena detentiva superiore a un anno.

<sup>4</sup> I dati sono aggiornati al 31 dicembre del 2013.

deflazione è durata solo tre anni ed ha avuto una portata limitata, essendo diminuita la popolazione carceraria solo del 2,8%. Dal 2012 si registrano nuovi aumenti<sup>5</sup>.

Un secondo dato significativo che emerge dall'analisi statistica, riguarda il *tasso di detenzione*, ossia il rapporto tra la popolazione detenuta nelle carceri<sup>6</sup> e la popolazione statunitense. *Al 31 dicembre 2013 il tasso di detenzione registrato era di circa 478 detenuti ogni 100.000 residenti.*

La linea che ricostruisce l'andamento storico di questo dato può essere descritta come una parabola, in quanto l'andamento è dapprima di crescita costante fino al vertice massimo, avuto nel 2007 quando il tasso di detenzione era di 506/10.000, e poi di decrescita, sempre costante.

Tra la fine del 2012 e la fine del 2013 per ogni 100.000 abitanti il numero di detenuti adulti è diminuito dello 0,3%. Questo significa che il tasso di detenzione è in fase di decrescita. Come appurato al punto precedente, questa deflazione non può essere ricondotta ad una diminuzione della popolazione carceraria, che è, al contrario, aumentata dello 0,3%. E allora si può affermare che *è la popolazione americana a crescere più velocemente di quanto non abbia fatto quella carceraria nell'ultimo periodo.*

I dati relativi all'esperienza italiana rispecchiano in parte quanto riportato dal rapporto sulla situazione statunitense<sup>7</sup>. Da una parte, anche nella storia delle carceri italiane già dall'inizio degli anni '90 si riscontra un sempre maggiore ricorso alla detenzione, che si manifesta con una crescita consistente della popolazione carceraria. Rispetto ai dati del 1991, nel 2013 si registra un aumento della popolazione carceraria pari al 57%: la crescita è stata di più del doppio<sup>8</sup>. Si tratta di un dato davvero significativo, che permette di cogliere una tendenza sempre più forte al ricorso al carcere.

Dall'altra, se l'andamento della crescita della popolazione carceraria statunitense è stato tendenzialmente lineare, al contrario il numero di soggetti trattenuti nelle carceri italiane ha subito ampie variazioni in certi anni, in corrispondenza di determinati interventi legislativi. Si pensi ai provvedimenti di

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<sup>5</sup> Dai dati più recenti forniti dal rapporto, emerge un'inversione di tendenza tra il 2012 e il 2013. In questo breve lasso di tempo gli Stati Uniti d'America hanno registrato un aumento dello 0,3% della popolazione carceraria.

<sup>6</sup> Come evidenziato nella nota precedente, nelle *prisons* si trovano genericamente coloro che sono puniti con pena superiore ad un anno. È necessario evidenziare che il rapporto qui analizzato utilizza come campione d'indagine solo una parte del totale dei trattenuti nelle prigioni federali e statali – dato riportato in questa sede con riferimento alla popolazione carceraria. Infatti, è preso in considerazione solo il 96% (1.516.879) dei detenuti, che sono quelli effettivamente puniti con pena superiore ad un anno – si ricorda che la condanna può anche non essere stata comminata a titolo definitivo.

Quindi da questo momento con il termine “detenuti” si intenderanno i soli condannati con pena a più di un anno di reclusione, trattenuti nelle prigioni statali e federali.

<sup>7</sup> I dati qui citati – aggiornati al 30 novembre 2014 – sono reperibili sul sito internet del Ministero della Giustizia, nella sezione “Strumenti-statistiche”.

<sup>8</sup> DELLA BELLA A., *Sovraffollamento carcerario e alternative alla detenzione: esperienze nazionali a confronto – L'esperienza italiana*, Presentazione in PowerPoint che ha accompagnato la relazione della dott.ssa Angela Della Bella in occasione del Convegno di Milano del 16 ottobre 2014, reperibile in [www.prisonovercrowding.eu/it/working-papers](http://www.prisonovercrowding.eu/it/working-papers).

indulto, come quello del 2006 che ha riportato il numero di detenuti sotto la soglia dei 40.000 mila, o ancora alle c.d. leggi svuota carceri promulgate tra il 2010<sup>9</sup> e il 2012<sup>10</sup>.

Ma ancor più interessanti sono gli sviluppi recenti. In effetti, in seguito all’emanazione dei decreti legislativi del 2013<sup>11</sup>, che sono intervenuti sia sul codice penale, sia su quello di procedura penale, sia sulla legge sull’ordinamento penitenziario (1.354/1975)<sup>12</sup> – oltre ad aver apportato modifiche ai testi unici in materia di stupefacenti e immigrazione – i dati registrano una decrescita del numero dei detenuti nelle nostre carceri pari al 17,6%<sup>13</sup>. La panoramica italiana attuale è, quindi, diversa da quella statunitense, dove la popolazione è ancora in crescita.

Secondo i dati più recenti (aggiornati a inizio giugno 2014) *il tasso di detenzione in Italia è pari a circa 97 detenuti ogni 100.000 abitanti*. Al 31 dicembre 2013, periodo cui si riferiscono i dati statunitensi più aggiornati, il tasso di detenzione era pari a 103 detenuti ogni 100.000 residenti<sup>14</sup>.

Si nota immediatamente la differenza tra il nostro tasso di detenzione e quello statunitense. *Sulla base di un campione di popolazione residente di pari quantità, gli U.S.A. registrano un tasso sei volte superiore al nostro*. Il dato è assolutamente significativo, e ci permette di osservare che il ricorso alla detenzione in carcere è nettamente maggiore negli Stati Uniti.

Il tasso di detenzione italiano è attualmente in deflazione. La decrescita del tasso di detenzione si pone in linea con quella della popolazione carceraria italiana. Questo dato è imputabile a due ragioni: da un lato la popolazione italiana sta crescendo seppure in modo contenuto, dall’altro gli ultimi interventi legislativi hanno comportato un’accelerazione nella decrescita della popolazione carceraria<sup>15</sup>.

Il sovraffollamento è il problema principale che emerge dalle nostre statistiche sulla popolazione carceraria. Il tema verrà affrontato più avanti, ma è bene già subito evidenziare che purtroppo dal rapporto non sono estraibili dati sul tasso di sovraffollamento degli Stati Uniti in generale; al contrario sono forniti, come già anticipato, i soli dati relativi allo Stato della California. L’assenza di riferimenti generali sfortunatamente non ci permette di cogliere dal Rapporto la portata complessiva che il problema ha negli U.S.A.

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<sup>9</sup> Legge n. 199 del 26 novembre 2010 in Gazzetta Ufficiale, 1 dicembre 2010, n.281; e d.l. 22 dicembre 2011, n. 211 conv. in l. 17 febbraio 2012, n. 9 recante *"Interventi urgenti per il contrasto della tensione detentiva determinata dal sovraffollamento delle carceri"*, in Gazzetta Ufficiale, 20 febbraio 2012, n. 42.

<sup>10</sup> Cfr. nota n. 8.

<sup>11</sup> Si fa qui riferimento ai decreti legge n. 78/2013, convertito con modifiche nella legge n. 94/2013 in Gazzetta Ufficiale, 19 agosto 2013, n. 193; e al decreto legge n. 146/2013 convertito anch’esso con modifiche nella legge n. 10/2014 in Gazzetta Ufficiale, 21 febbraio 2014, n. 43.

<sup>12</sup> Cfr. DELLA BELLA A., *Emergenza carceri e sistema penale*, G. Giappichelli Editore, Torino, 2014.

<sup>13</sup> Al 30 giugno 2013, prima dell’entrata in vigore del d.l. 78/2013, il numero di detenuti ospitati nelle carceri italiane era pari a 66.028. Secondo le ultime indagini statistiche, aggiornate al 30 novembre 2014, il numero è sceso a 54.428: 11.600 detenuti in meno.

<sup>14</sup> Nella lettura di questi dati occorre ricordare che gli stranieri irregolari sono ricompresi tra i detenuti, mentre non lo sono tra i residenti.

<sup>15</sup> Cfr. nota n. 8.

### 3. Caratteristiche dei detenuti: tipo di reato e durata della pena.

Dalle statistiche sulle *state prisons*, relative all'anno 2012, emerge che la maggior parte dei detenuti si trova in carcere per *reati contro la persona*. Sono infatti ben il 53,8%, contro il 18,8% che rappresenta i detenuti trattenuti per reati contro il patrimonio. Nella lettura di questo dato occorre, però, evidenziare che la categoria dei reati contro la persona è comprensiva anche di quelli contro il patrimonio commessi con violenza o minaccia (es. la rapina). Seguono poi i reati in materia di stupefacenti (16%) e in materia di ordine pubblico (10,7%).

Molto diversa la situazione delle *federal prisons*. Intanto il rapporto, in questo caso, fornisce una panoramica dell'evoluzione dei dati dal 2001 al 2013. Il dato più interessante riguarda i reati in materia di stupefacenti che rappresentano la categoria di reati maggiormente perseguita dalle autorità federali. In effetti il 50,7% dei detenuti in prigioni federali si trova in carcere per questi reati. Si evidenzia, però, che rispetto al 2001, anno in cui questa categoria di reati rappresentava il 56% del totale, la percentuale si è abbassata.

Inoltre dal rapporto si evince una progressiva diminuzione del numero di soggetti detenuti nelle carceri federali per reati contro la persona, che passa dal 10,2% del 2001 al 7% del 2013. Al contrario sono aumentati i detenuti per reati in materia di ordine pubblico che rappresentano nel 2013 il 35,7% contro il 25,8% del 2001.

Al dato appena descritto si collega quello sulla *durata media della pena*<sup>16</sup>.

Per i reati contro la persona la durata media della pena è di 28 mesi, mentre è di 12 mesi per i reati contro il patrimonio. I detenuti per reati legati alla droga restano in carcere mediamente per una durata di 13 mesi e quelli che hanno commesso reati in violazione di norme sull'ordine pubblico vengono genericamente detenuti per 12 mesi. I dati appena riportati si riferiscono all'anno 2012, è, però, molto interessante osservare che non vi sono praticamente state variazioni rispetto al 2002.

Per quanto riguarda poi le *tipologie di reato maggiormente rappresentate*, la situazione delle *carceri italiane* è relativamente diversa. La maggior parte dei detenuti si trova in carcere per reati contro il patrimonio (25%); seguono poi i reati in materia di stupefacenti (19%), ed infine quelli contro la persona (17%). La percentuale rimanente si riferisce a "altri reati", non specificati (39%)<sup>17</sup>.

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<sup>16</sup> In riferimento a questo dato le informazioni statistiche del rapporto statunitense non sono confrontabili con i dati italiani. Si osserva infatti che il dato relativo alla durata della pena negli Stati Uniti è calcolato sulla base del *quantum* di pena effettivamente espiata a differenza del nostro ordinamento, dove invece la durata è calcolata sulla base della pena inflitta in sentenza.

<sup>17</sup> Cfr. nota n. 8.

#### 4. (continua): sesso, età, razza e nazionalità.

Il numero di detenuti di sesso maschile è nettamente superiore a quello delle detenute donne. Al 31 dicembre del 2013 si parla di 1.412.745 *uomini* contro 104.134 *donne*, che rappresentano solo il 6,9% della popolazione carceraria. Dal rapporto si evince, però, una piccola inversione di tendenza negli ultimi anni; in effetti, negli Stati Uniti *il numero delle donne detenute registra una forte crescita* tra il 2012 e il 2013, pari al 2,3%. Al momento, però, questo aumento è assolutamente incapace di incidere sui dati riportati in precedenza.

Tra le *età* più rappresentate negli istituti penitenziari degli U.S.A. al primo posto alla fine del 2013 si trovava quella compresa tra i 30 e i 34 anni con il 16,7%; con il 15,3% seguono i detenuti appena più giovani, con un'età compresa tra i 25 e 29. Infine, all'ultimo posto si trovano gli *ultra-sessantacinquenni* con il 2,1%. Le percentuali restano le stesse anche se si suddivide il campione di riferimento in base al sesso.

Nel rapporto si riscontra, inoltre, un dato peculiare alle statistiche americane sul carcere, che è assente nelle usuali indagini statistiche italiane. Si tratta della suddivisione della popolazione carceraria in base al parametro della *razza*. Questo elemento è molto interessante soprattutto se lo si accosta ai dati sulle tipologie di reato commesse, citati in precedenza.

Innanzitutto la razza maggiormente rappresentata tra la popolazione carceraria statunitense maschile (1.412.745 detenuti nel 2013) è quella dei *neri* (37,2%), seguono i *bianchi* (32%) e poi gli *ispanici* (22,2%), e infine le altre razze – tra cui gli asiatici, i nativi americani, i nativi dell'Alaska e quelli delle Hawaii e delle altre isole del pacifico – che rappresentano la minoranza (8,4%).

Tra le *donne* (104.134 detenute nel 2013), invece, la razza più rappresentata è quella bianca (49,4%), segue la razza nera (22%) e poi quella ispanica (17%) e le altre razze (11,4%).

In generale *i neri sono i soggetti più rappresentati all'interno della popolazione carceraria e ne costituiscono il 36%*, ovvero più di un terzo. Questo dato fa riflettere, soprattutto in relazione agli ultimi eventi turbolenti che hanno scosso gli Stati Uniti. Si pensi agli episodi di violenza della polizia nei confronti di cittadini di colore e alle manifestazioni di protesta che ne sono seguite; o ancora alle vicende giudiziarie – che destano più di una perplessità – che ne sono conseguite<sup>18</sup>. Tali dati fanno supporre che la sovra-rappresentazione di neri tra i detenuti potrebbe essere una delle ragioni per cui la polizia si rapporta in modo prevenuto con la popolazione di colore.

Sarebbe interessante, oltre che utile, sapere come si suddivide per razze la popolazione statunitense e calcolare per ogni *cluster* il tasso di detenzione. Purtroppo il rapporto non rilascia informazioni in merito.

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<sup>18</sup> Prima fra tutte la sentenza su caso *Brown*, che ha visto l'assoluzione dei poliziotti coinvolti. Questa decisione, considerata discriminatoria, ha generato un'ondata di proteste in molti Stati nel mondo, e lo stesso presidente Barack Obama si è espresso negativamente a riguardo.

Passando ad analizzare il *rapporto fra razze e reati*, l'indagine statistica fornisce dati in riferimento alle sole prigioni statali e aggiornati al 31 dicembre 2012. Ugualmente si ritiene che questo dato sia molto interessante.

Tra i *reati contro la persona* i *neri*, gli ispanici e gli appartenenti alle altre razze, di cui si è parlato in precedenza, sono i più rappresentati con percentuali che si aggirano, per tutte e tre le categorie, attorno al 59%. Al contrario sono i *bianchi* a commettere maggiormente *reati contro il patrimonio* (24,5%). La maggior parte dei detenuti per reati legati alla *droga* appartiene alle razze *nera* e *ispanica* (circa il 15,5%), mentre per i reati relativi all'*ordine pubblico* vengono trattenuti soprattutto ispanici e appartenenti alle c.d. altre razze (non bianchi e non neri).

Ancora, dal Rapporto è possibile evincere che tra i detenuti uomini di 30-34 anni la razza più rappresentata è quella degli ispanici, al contrario i bianchi di sesso maschile trattenuti sono i maggiormente rappresentati nella fascia d'età che va dai 50 anni in su, e i neri sono i più presenti tra i giovanissimi (18-24 anni). Per le donne il discorso è un po' diverso poiché fino ai 40 anni è la razza ispanica ad essere maggiormente rappresentata. Dai 40 in su si alternano quella bianca e quella nera.

Per quanto riguarda il sesso e l'età dei detenuti, i dati italiani rispecchiano quelli statunitensi. In effetti, la maggior parte dei detenuti è di sesso maschile<sup>19</sup> e di età compresa tra i 30 e i 39 anni<sup>20</sup>.

Al contrario il dato più interessante riguarda gli stranieri. Le ragioni di tale importanza sono da ricondurre alla particolarità dei dati italiani in merito.

Come è noto, in Italia vi è una netta sproporzione tra la percentuale di stranieri presenti sul territorio italiano e quella che rappresenta i non cittadini rinchiusi nelle carceri. Gli ultimi dati dell'ISTAT registrano una presenza di stranieri residenti pari al 6,3%. Al contrario gli stranieri rappresentano, al 30 settembre del 2014, circa il 32,4% della popolazione carceraria italiana<sup>21</sup>. Anche tenendo in considerazione che nel primo dato citato, diversamente dal secondo, non rientrano gli stranieri irregolari, ugualmente è difficile pensare che dal 6,3% di stranieri presenti in Italia si possa passare a cifre intorno al 30% aggiungendo i numeri relativi agli irregolari. La sproporzione resta, quindi, un dato assolutamente rilevante e che fa riflettere<sup>22</sup>.

La situazione degli U.S.A., per come dipinta dal rapporto in esame, sembra essere molto differente (e riflettere il carattere spiccatamente multiculturale della società americana). Secondo le statistiche il numero di *stranieri* detenuti nelle prigioni statunitensi – aggiornato al 31 dicembre 2013 – è pari al 4,8% della totale popolazione

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<sup>19</sup> Secondo i dati del Ministero della Giustizia, aggiornati al 30 novembre 2014, il numero degli uomini detenuti nelle carceri italiane ammonta a 52.060, mentre le donne sono solo 2.368.

<sup>20</sup> Secondo i dati del Ministero della Giustizia, aggiornati al 30 giugno 2014, i detenuti di età compresa tra i 30 e i 34 anni sono 9.049. Mentre quelli compresi tra i 35 e i 39 sono 9.240. Le età meno rappresentate sono quella tra i 18 e i 20 anni, con 830 detenuti, e quella che va dai 70 anni in su, con 622 detenuti.

<sup>21</sup> Cfr. le statistiche sulla popolazione carceraria, aggiornate al 30 novembre 2014, sul sito internet del Ministero della Giustizia.

<sup>22</sup> Cfr. [GATTA G.L., Immigrati, carcere e diritto penale](#), in questa *Rivista*, 15 maggio 2012.

carceraria<sup>23</sup>. È doveroso sottolineare che in questo dato non sono ricomprese le informazioni circa gli Stati della California, dell'Alaska e del Nevada. D'altra parte, però, altri Stati considerano come stranieri tutti coloro che non sono nati negli U.S.A. indipendentemente dal loro *status* attuale di cittadini.

Nonostante queste precisazioni, la conclusione sembra poter essere sempre la stessa: il numero di stranieri detenuti nelle carceri statunitensi è in proporzione nettamente inferiore a quello degli stranieri presenti negli istituti penitenziari italiani.

In Italia la presenza di situazioni di marginalità sociale tra i detenuti è evidente dalla sovra-rappresentazione di stranieri e tossicodipendenti. Similmente per gli Stati Uniti, osservando in particolare i dati riguardanti le razze, il rapporto mette in luce la presenza di detenuti che provengono da situazioni di marginalità sociale.

## 5. La privatizzazione delle carceri.

Dal rapporto è possibile evincere l'importanza del fenomeno delle carceri private. Il tema merita un accenno sia per la sua complessità, sia per l'attenzione che ha attirato su di sé anche in Italia.

La privatizzazione delle strutture penitenziarie ha preso piede nell'ultimo decennio e ha trovato terreno fertile per il suo sviluppo soprattutto negli Stati Uniti. In Italia, la maggior parte dell'opinione pubblica ha giudicato l'affido a privati della gestione delle carceri contrario alla nostra Costituzione, ed anche la stessa Amministrazione Penitenziaria ha espresso parere fortemente contrario in occasione del Forum della Pubblica Amministrazione del 2002<sup>24</sup>.

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<sup>23</sup> Una curiosità in proposito è messa in luce da Giuseppe Campesi, sociologo e filosofo del diritto, che, analizzando la detenzione amministrativa degli stranieri negli Stati Uniti, mette in luce un dato inquietante: in un rilevante numero di ipotesi gli stranieri irregolari vengono collocati negli istituti di pena assieme agli autori di reati (comuni): è infatti prevista la possibilità di 'affittare posti letto', e sarebbe soluzione adottata per il 50% degli stranieri trattenuti. Cfr. CAMPESI G., *La detenzione amministrativa degli stranieri*. Storia, diritto, politica, Carocci, Roma, 2013, pp. 247.

<sup>24</sup> Roberto Liso, allora rappresentante della DISTRAT-penitenziaria si esprime in modo negativo nei confronti della privatizzazione: *"Le carceri italiane debbono rimanere un'istituzione solamente pubblica, come è espressione della funzione penale nella fase penitenziaria. (...) Si ritiene incongruente ogni ipotesi di "privatizzazione" dell'istituzione - carcere in Italia (ed anche nell'Europa continentale). L'esperienza mista statunitense (che però non ha mai soppresso i "penitenziari di stato"), affonda le radici su un terreno socio-culturale diverso, ispirato a ben altre tradizioni. L'esperienza mista statunitense (che però non ha mai soppresso i "penitenziari di stato"), affonda le radici su un terreno socio-culturale diverso, ispirato a ben altre tradizioni (dall'anglosassone "giurisprudenza creatrice di diritto" ai criteri stessi ed alle finalità che presiedono al recupero dei condannati: spazi territoriali molto ristretti, elevato sviluppo tecnologico della struttura penitenziaria unito a forti economie di personale, pene molto dure ma controbilanciate da un impegnativo sforzo per il successivo reinserimento dei condannati nel circuito socio-economico e produttivo della Nazione statunitense). Si tratterebbe di prendere il meglio da tali esperienze, contemperandolo però con la nostra complessiva realtà giuridico-amministrativa e con gli scopi innanzitutto umanitari garantiti in materia dalla vigente Costituzione italiana. La "privatizzazione" delle carceri avrebbe allora un senso solamente se accompagnata: a) ad un'univoca e capillare capacità di controllo gestionale (in senso lato, e non solamente tecnico-contabile né con riferimento esclusivo al sistema dei controlli "di" o "sulla" gestione) da parte dell'istituzione pubblica centrale; b) ad un tale grado di autonomia "manageriale" per i*



Negli Stati Uniti il fenomeno ha assunto dimensioni consistenti. Le prigioni private accolgono il 7% della popolazione carceraria statale e il 19% di quella federale. Bisogna considerare che in generale vi è stata una diminuzione del 3% dei detenuti affidati a queste strutture tra la fine del 2012 e l'inizio del 2013. Il rapporto sottolinea, però, come comunque i detenuti nelle prigioni di contea alla fine del 2013 fossero ancora numericamente molto inferiori a quelli trattenuti nelle prigioni private – si parla di 85.648 soggetti contro 133.044.

## 6. California e sovraffollamento.

Come già anticipato, il Rapporto si sofferma ad analizzare le condizioni degli istituti penitenziari dello Stato della California con attenzione particolare al rapporto tra la capienza delle strutture detentive e il numero di detenuti. Dai dati analizzati si evince un tasso di sovraffollamento assolutamente elevato.

Questi dati sono di sicuro interesse per il lettore italiano che ha la possibilità di mettere a confronto l'esperienza di sovraffollamento delle carceri del nostro Paese, con quella di questo Stato americano, la cui storia è stata sempre caratterizzata da un tasso di sovraffollamento elevatissimo.

In effetti, è proprio la California ad avere la triste fama di essere lo Stato degli U.S.A. con la peggiore situazione di sovraffollamento delle carceri, tanto che questo problema ha avuto molto eco anche nel nostro Paese, dove è stato oggetto d'indagine e di dibattito. Assolutamente consapevoli che anche in Italia la situazione di sovraffollamento delle carceri rappresenta un serissimo problema anche se in parte ultimamente sono stati compiuti passi verso la sua risoluzione, non si può però non definire la situazione californiana come, forse, ancora più allarmante.

Il tasso di sovraffollamento nelle carceri della California è particolarmente elevato: alla fine del 2013 il numero di detenuti rappresentava il 142,7% del numero dei posti effettivamente disponibili. Si tratta di un dato più alto dell'attuale tasso di sovraffollamento delle nostre carceri che ammonta al 110%<sup>25</sup>.

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*responsabili delle singole strutture (nel nostro ordinamento: i "direttori di carcere", dirigenti o funzionari direttivi) e ad una quantità così "americanamente" rilevante di risorse economiche e strutturali, da garantire a questi operatori un margine accettabile per impostare nella singola unità penitenziaria una conduzione aderente alla fattispecie concreta (in senso sociologico, strutturale, territoriale etc.). Nella realtà europea e soprattutto italiana, al contrario, gli esistenti vincoli normativi e soprattutto economici (anche i forti e condizionanti limiti retributivi uniti però ad un robustissimo e sproporzionato regime di responsabilità dirigenziale-direttiva, segnatamente e specificatamente in Italia) farebbero fallire in partenza ogni ipotesi (o sfida...) di questo genere nel nostro Paese, a meno che i "gestori privati" non ricevano finanziamenti erogati con criteri che in atto non si sarebbe in grado d'individuare neppure ipoteticamente: su un argomento di tanta e delicatissima importanza per la vita della Nazione italiana, si riterrebbe comunque inaccettabile qualunque caduta nel madornale equivoco del "privato è sempre buono, pubblico è sempre cattivo".*

<sup>25</sup> I dati sono aggiornati al 30 novembre 2014. Si ritiene che sul tasso di sovraffollamento italiano abbiano indubbiamente influito gli ultimi provvedimenti legislativi, attestato che a marzo del 2014 il tasso era del 130% e ancora prima, nel 2012 il tasso era del 153%.

Sicuramente la situazione californiana è nettamente migliorata rispetto agli anni precedenti; basti considerare che tra il 2006 e il 2007 il rapporto tra detenuti e posti disponibili era pari al 199,2%. Un dato davvero impressionante.

Quanto si evince dalle statistiche riportate nel rapporto corrisponde alla storia degli interventi legislativi del Governatore della California. L'incremento del sovraffollamento è iniziato alla fine degli anni '90, per continuare nel corso dei primi anni duemila fino al picco massimo del 2006/2007. Tra gli anni '90 e i primi anni 2000, il rapporto tra detenuti e capienza si aggirava intorno 190%.

Ed è proprio a metà degli anni '90 che in alcuni degli Stati Uniti, tra cui la California nel 1994, si diffonde il fenomeno delle leggi dei *"three strikes"*. Questi provvedimenti normativi, facendo riferimento al gioco del baseball, prevedevano che dopo la terza condanna, un soggetto dovesse scontare la pena a vita o, comunque, una pena di durata lunghissima: *"three strikes and you're out"*.<sup>26</sup>

Dal 1994 vi è stato un fortissimo aumento dei detenuti presenti nei penitenziari della California per effetto della legge sui tre *strikes*, il cui numero è in pochi anni passato da meno di 5.000 persone nel 1994 a quasi 45.000 mila nel 2006. Tra l'altro dei vari Stati della federazione che hanno adottato provvedimenti simili, solo la California ha applicato la legge con altissima frequenza<sup>27</sup>.

Tutto questo ha ovviamente contribuito alla crescita esponenziale dei detenuti nelle carceri californiane durata fino al 2010.

Dal 2011, però, il rapporto registra una forte inversione di tendenza nel tasso di sovraffollamento che subisce una considerevole deflazione.

È proprio in questo periodo, infatti, che il Governatore della California, ottemperando all'ordine della *United District Court of California* dell'8 aprile del 2009<sup>28</sup>, che gli imponeva di predisporre entro 45 giorni un piano idoneo a ridurre il numero di detenuti di almeno 46.000 soggetti entro due anni, ha ordinato un vero e proprio svuotamento delle carceri californiane.<sup>29</sup>

I giudici della *United District Court of California* ravvisarono una violazione dell'VIII emendamento della Costituzione degli Stati Uniti, che vieta il ricorso a pene

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<sup>26</sup> Cfr. DELLA BELLA A., *Three strikes and you're out: la guerra al recidivo in California e i suoi echi in Italia*, in *Riv. it. dir. proc. pen.*, 2007, fasc. 2-3, pp. 833-864.

<sup>27</sup> Cfr. DELLA BELLA A., *Three strikes and you're out: la guerra al recidivo in California e i suoi echi in Italia*, p. 836.

Gli altri Stati che hanno adottato la legge dei *three strikes* sono in totale 21, quindi meno della metà di quelli appartenenti alla federazione. Di questi, oltre alla California, solo la Florida, la Georgia, il Maryland, la Virginia e lo stato di Washington hanno applicato questo provvedimento. Da un'indagine aggiornata al 2004 risulta che in California la legge ha trovato applicazione in più di 40.000 casi; al contrario la Georgia in meno di 10.000 e gli altri Stati neanche 5.000 volte.

<sup>28</sup> V. *Coleman/Plata v. Schwarzenegger*, 2009 WL 2430820, E.D. Cal., la cui traduzione italiana, a cura di SALVI G., è leggibile in *Quest. Giust.* 2009, 5 124. Per un commento alla decisione cfr. SALVI G., *Ridurre la popolazione carceraria è un dovere giuridico* (leggendo *Three Judges Court California*, 8 aprile 2009), *ivi*, 122.

Si trattava di una decisione su due *class action* proposte dai detenuti, che lamentavano, in particolare ma non solo, le carenze del sistema di assistenza sanitaria in carcere.

<sup>29</sup> Cfr. GARGANI A., *Sovraffollamento carcerario e violazione dei diritti umani: un circolo virtuoso per la legalità dell'esecuzione penale*, op. cit.

crudeli e disumane. La decisione è stata poi confermata da una sentenza della *Supreme Court of the United States*, anch'essa chiamata a decidere circa la violazione dei diritti umani dei detenuti in corso nelle sovraffollate prigioni californiane<sup>30</sup>.

Numero di detenuti tra giugno 2011 e giugno del 2012 è passato da 164.136 a 136.431. Vi è stata quindi una diminuzione consistente della popolazione carceraria, pari al 17%.

Si tratta di un tentativo di soluzione molto singolare che ha fatto discutere anche in Italia. L'efficacia immediata di questi atti è certamente evidente nei dati statistici, come si è visto. Ci si chiede se si tratta di una soluzione valevole a lungo termine.

L'apertura delle porte delle carceri statali non è stato l'unico provvedimento preso per contrastare il fenomeno del sovraffollamento. Nel novembre del 2012 la California ha approvato una riforma della legge dei *three strikes*, che prevedeva anche che il terzo *strikes* dovesse essere un crimine grave o violento, e non una qualsiasi offesa. Inoltre si prevedeva anche che in certi casi il soggetto condannato al terzo *strike* potesse appellarsi alla Corte per chiedere di ridurre la condanna all'equivalente di una condanna a secondo *strikes*.

In seguito a questo intervento legislativo il numero di detenuti al terzo *strike* è diminuito del 10%, contribuendo così alla riduzione del tasso di sovraffollamento dal 146,3% del 2012 al 142,7% della fine del 2013.

È davvero interessante comparare questa esperienza con quella italiana. Vi sono diverse rilevanti similitudini che meritano attenzione.

Quello descritto in riferimento alla legge dei *three strikes* è un "automatismo carcerario" che trova dei corrispettivi in alcune disposizioni del nostro ordinamento. Con la legge *Ex Cirielli* n. 251 del 2005, il legislatore italiano ha introdotto una serie di disposizioni repressive a carico dei recidivi reiterati<sup>31</sup>.

In breve tale normativa prevedeva, in sostanza, "un trattamento sanzionatorio su misura, ispirato ad una logica di pura neutralizzazione"<sup>32</sup>, che comprendeva, fra l'altro, aumenti di pena, una minore possibilità di applicazione di attenuanti, l'esclusione dell'operatività automatica del meccanismo di sospensione della pena (art. 656 c.p.p.), l'allungamento dei termini di prescrizione (art. 161 co. 2 c.p.p.), e, ancora, una maggiore difficoltà o addirittura l'impossibilità di accedere a misure sostitutive (art. 47ter e 58quater co. 7bis ord. penit., art. 50bis c.p.p.).

Purtroppo dai dati statistici non è possibile valutare né la portata applicativa della legge *Ex Cirielli*, né l'effettivo impatto che essa ha avuto sul sistema penitenziario. Resta il fatto che si tratta di "automatismi" che nella maggior parte dei casi hanno

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<sup>30</sup> Si tratta del caso *Brown v. Plata*, 131 S. Ct. 1910 US Cal. (2011), di cui ha parlato tra gli altri SALVI G., *La Costituzione non permette questo torto: la Corte Suprema degli Stati Uniti e il sovraffollamento carcerario*, in *Quest. Giust.*, 2011, fasc. 6, pp. 205 ss.

<sup>31</sup> Legge n. 251 del 5 dicembre 2005 in *Gazzetta Ufficiale*, 7 dicembre 2005, n. 285.

<sup>32</sup> Cfr. DELLA BELLA A., *Three strikes and you're out: la guerra al recidivo in California e i suoi echi in Italia*, op. cit., p. 859.

come effetto quello di aumentare la popolazione carceraria, ponendosi da ostacolo a soluzioni alternative al carcere.

Attualmente la situazione è in parte diversa. Il decreto legge n. 78/2013 ha, infatti, parzialmente inciso sulla disciplina a carico dei recidivi reiterati.

La novità più consistente della riforma è rappresentata dalla soppressione del divieto di sospensione dell'ordine di esecuzione delle condanne di cui all'art. 656 quinto comma del c.p.p., previsto per i recidivi reiterati. Ancora, è rilevante anche l'eliminazione degli ostacoli che limitavano l'accesso alla misura della detenzione domiciliare per questi soggetti. Questi particolari interventi pare abbiano contribuito alla deflazione del tasso di sovraffollamento evidenziata in precedenza; certo è che ancora esistono alcuni automatismi la cui costituzionalità resta assai dubbia<sup>33</sup>.

Nonostante ad oggi il tasso di sovraffollamento delle nostre carceri non desti particolari preoccupazioni – benché il problema non sia completamente superato – possiamo considerarci ancora in una sorta di stato d'allerta. In California, purtroppo, la situazione rimane, per il momento, ancora allarmante.

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Resta il fatto che è curioso, oltre che di grande interesse, riscontrare un certo parallelismo nelle esperienze dei due Paesi. L'invito allora è quello di continuare a rivolgere uno sguardo all'esperienza californiana, e statunitense in genere, che potranno rappresentare anche in futuro un interessante parametro di confronto.

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<sup>33</sup> Cfr. DELLA BELLA A., *Emergenza carceri e sistema penale*, op. cit., pp. 100 ss.

# Prisoners in 2013

E. Ann Carson, Ph.D., *BJS Statistician*

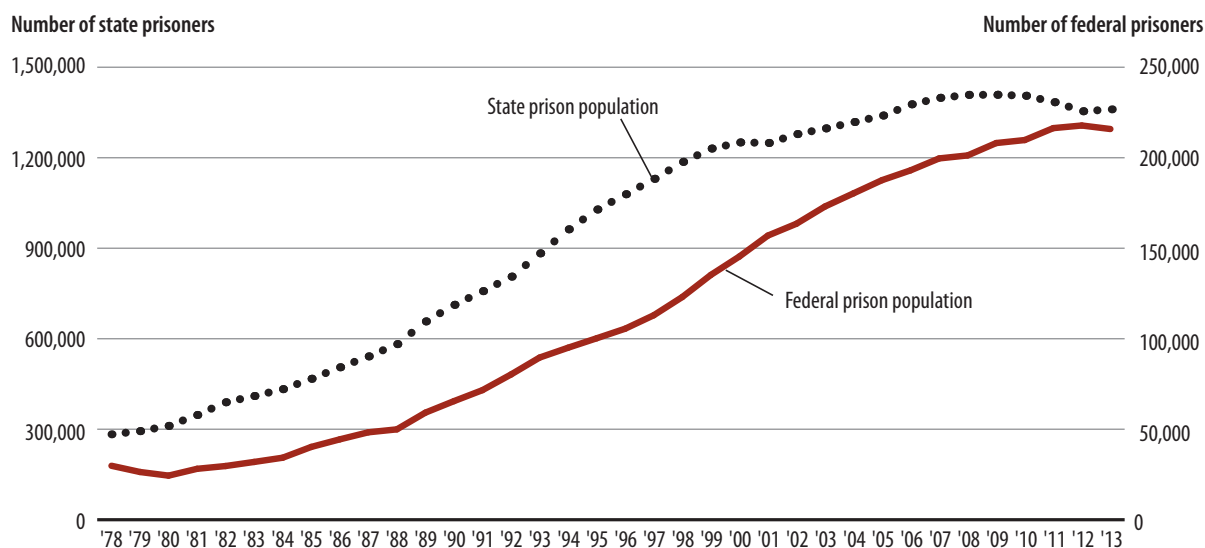
On December 31, 2013, the United States held an estimated 1,574,700 persons in state and federal prisons, an increase of approximately 4,300 prisoners (0.3%) from 2012. This was the first increase reported since the peak of 1,615,500 prisoners in 2009. Although state prisons had jurisdiction over an estimated 6,300 more prisoners at yearend 2013 than at yearend 2012, the increase in prisoners was partially offset by the first decrease (down 1,900 or 0.9%) in inmates under the jurisdiction of the Federal Bureau of Prisons (BOP) since 1980 (**figure 1**).

Prisoners sentenced to more than a year under the jurisdiction of state or federal correctional authorities increased by 5,400 inmates from 2012 to 2013. However, the imprisonment rate for all prisoners sentenced to more than a year in state or federal facilities decreased by less than 1% between 2012 and 2013, from 480 prisoners per 100,000 U.S. residents in 2012 to 478 per 100,000 in 2013.

Female prisoners sentenced to more than a year in state or federal prison grew by almost 3% (2,800 inmates) between 2012 and 2013, while male prisoners increased 0.2% (2,500). Similar to 2012, non-Hispanic blacks (37%) comprised the largest portion of male inmates under state or federal jurisdiction in 2013, compared to non-Hispanic whites (32%) and Hispanics (22%). White females comprised 49% of the prison population compared to 22% black females. However, the imprisonment rate for black females (113 per 100,000) was twice the rate of white females (51 per 100,000).

The statistics in this report are based on the Bureau of Justice Statistics' (BJS) National Prisoner Statistics (NPS) Program, which collects annual data from state departments of corrections (DOC) and the BOP on prisoner counts, prisoners characteristics, admissions, releases, and prison capacity. The 2013 NPS collection is number 89 in a series that began in 1926. Forty-nine states and the BOP reported NPS data for 2013, while data for Nevada were obtained from other sources (see *Methodology*).

**FIGURE 1**  
Total state and federal prison populations, 1978–2013



Note: Counts based on all prisoners under the jurisdiction of state and federal correctional authorities.

Source: Bureau of Justice Statistics, National Prisoner Statistics Program, 1978–2013.

## HIGHLIGHTS

- State and federal correctional facilities held an estimated 1,574,700 prisoners on December 31, 2013, an increase of 4,300 prisoners over yearend 2012.
- The 3-year decline in the prison population stopped in 2013 due to an increase of 6,300 inmates (0.5%) in the state prison population.
- The federal prison population decreased in size for the first time since 1980 with 1,900 fewer prisoners in 2013 than in 2012.
- The number of prisoners sentenced to more than a year in state or federal prison increased by 5,400 persons from yearend 2012 to yearend 2013.
- The number of persons admitted to state or federal prison during 2013 rose by 4%, from 608,400 in 2012 to 631,200 in 2013.
- The total imprisonment rate for prisoners sentenced to more than a year in state or federal prison decreased by less than 1%, from 480 per 100,000 U.S. residents in 2012 to 478 in 2013.
- Private prisons held 8% of the total U.S. prison population at yearend 2013, and local jails housed an additional 5% of prisoners.
- Prisoners under the jurisdiction of the Federal Bureau of Prisons (BOP) accounted for 31% (41,200) of all inmates housed in private facilities in 2013.
- Almost 3% of black male U.S. residents of all ages were imprisoned on December 31, 2013, compared to 0.5% of white males.
- Inmates sentenced for violent offenses comprised 54% of the state prison population in 2012, the most recent year for which data were available.

### Prison population growth in 28 states offset the decline in federal prisoners

The total number of prisoners under the jurisdiction of state and federal authorities at yearend 2013 (1,574,700 prisoners) increased about 4,300 prisoners over the 2012 total, the first increase since 2009 (table 1). For the first time since 1980, the BOP imprisoned fewer inmates at the end of the year (215,900 prisoners in 2013) than it did the previous year (217,800 prisoners in 2012). After 9 years of average annual growth of more than 2%, the BOP population decreased almost 1% in 2013. The prison population in 28 states increased from yearend 2012 to 2013.

Male prisoners increased from 1,461,600 in 2012 to 1,463,500 in 2013 (up 1,800). Female prisoners increased from 108,800 in 2012 to 111,300 in 2013 (up 2,500). Although females in the BOP increased by 1% in 2013, this was offset by a decrease in male prisoners (table 2). The female prison population increased in 36 states, including Texas, California, Florida, and New York (the states with the largest number of prisoners). Some states with smaller prison populations saw increases greater than 10% in female prisoners: Arkansas (up 26%), Vermont (up 21%), and New Hampshire (up 15%). In comparison, male prisoners increased in 28 states from yearend 2012 to 2013. Arkansas observed a double-digit growth in male prisoners (up 17%).

**TABLE 1**

**Prisoners under the jurisdiction of state or federal correctional authorities, December 31, 2003–2013**

Year	Total	Federal <sup>a</sup>	State	Male	Female
2003	1,468,601	173,059	1,295,542	1,367,755	100,846
2004	1,497,100	180,328	1,316,772	1,392,278	104,822
2005	1,525,910	187,618	1,338,292	1,418,392	107,518
2006	1,568,674	193,046	1,375,628	1,456,366	112,308
2007	1,596,835	199,618	1,397,217	1,482,524	114,311
2008	1,608,282	201,280	1,407,002	1,493,670	114,612
2009	1,615,487	208,118	1,407,369	1,502,002	113,485
2010	1,613,803	209,771	1,404,032	1,500,936	112,867
2011	1,598,968	216,362	1,382,606	1,487,561	111,407
2012	1,570,397	217,815	1,352,582	1,461,625	108,772
2013 <sup>b</sup>	1,574,741	215,866	1,358,875	1,463,454	111,287
<b>Percent change</b>					
Average annual, 2003–2012	0.7%	2.2%	0.5%	0.7%	1.0%
2012–2013	0.3	-0.9	0.5	0.1	2.3

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held.

<sup>a</sup>Includes inmates held in nonsecure privately operated community corrections facilities and juveniles held in contract facilities.

<sup>b</sup>Total and state estimates include imputed counts for Nevada. In addition, Alaska did not submit sex-specific jurisdiction counts to NPS in 2013. See *Methodology* for imputation strategy.

Source: Bureau of Justice Statistics, National Prisoner Statistics Program, 2003–2013.

Jurisdiction	2012			2013			Percent change, 2012–2013		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
U.S. total <sup>a,b</sup>	1,570,397	1,461,625	108,772	1,574,741	1,463,454	111,287	0.3%	0.1%	2.3%
Federal <sup>c</sup>	217,815	203,766	14,049	215,866	201,697	14,169	-0.9%	-1.0%	0.9%
State <sup>a,b</sup>	1,352,582	1,257,859	94,723	1,358,875	1,261,757	97,118	0.5%	0.3%	2.5%
Alabama	32,431	29,782	2,649	32,381	29,660	2,721	-0.2	-0.4	2.7
Alaska <sup>b,d</sup>	5,633	4,934	699	5,081	4,450	631	-9.8	--	--
Arizona	40,080	36,447	3,633	41,104	37,332	3,772	2.6	2.4	3.8
Arkansas <sup>e</sup>	14,654	13,594	1,060	17,235	15,904	1,331	--	--	--
California	134,534	128,436	6,098	135,981	129,684	6,297	1.1	1.0	3.3
Colorado	20,462	18,739	1,723	20,371	18,556	1,815	-0.4	-1.0	5.3
Connecticut <sup>d</sup>	17,530	16,312	1,218	17,563	16,328	1,235	0.2	0.1	1.4
Delaware <sup>d</sup>	6,914	6,348	566	7,004	6,405	599	1.3	0.9	5.8
Florida	101,930	94,945	6,985	103,028	95,757	7,271	1.1	0.9	4.1
Georgia	55,457	51,868	3,589	54,004	50,445	3,559	-2.6	-2.7	-0.8
Hawaii <sup>d</sup>	5,831	5,143	688	5,632	4,972	660	-3.4	-3.3	-4.1
Idaho	7,985	6,977	1,008	7,549	6,523	1,026	-5.5	-6.5	1.8
Illinois <sup>f</sup>	49,348	46,599	2,749	48,653	45,737	2,916	--	--	--
Indiana <sup>g</sup>	28,831	26,265	2,566	29,913	27,078	2,835	--	--	--
Iowa	8,733	7,949	784	8,697	7,983	714	-0.4	0.4	-8.9
Kansas	9,682	8,952	730	9,763	9,026	737	0.8	0.8	1.0
Kentucky	22,110	19,425	2,685	21,030	18,717	2,313	-4.9	-3.6	-13.9
Louisiana	40,172	37,783	2,389	39,299	37,071	2,228	-2.2	-1.9	-6.7
Maine	2,108	1,944	164	2,173	2,013	160	3.1	3.5	-2.4
Maryland	21,522	20,646	876	21,335	20,410	925	-0.9	-1.1	5.6
Massachusetts	11,308	10,549	759	10,950	10,143	807	-3.2	-3.8	6.3
Michigan	43,636	41,647	1,989	43,759	41,700	2,059	0.3	0.1	3.5
Minnesota	9,938	9,228	710	10,289	9,566	723	3.5	3.7	1.8
Mississippi	22,319	20,652	1,667	21,969	20,352	1,617	-1.6	-1.5	-3.0
Missouri	31,247	28,544	2,703	31,537	28,755	2,782	0.9	0.7	2.9
Montana	3,609	3,210	399	3,642	3,230	412	0.9	0.6	3.3
Nebraska	4,705	4,352	353	5,026	4,656	370	6.8	7.0	4.8
Nevada <sup>h</sup>	12,883	11,845	1,038	13,056	11,971	1,085	--	--	--
New Hampshire	2,790	2,583	207	3,018	2,781	237	8.2	7.7	14.5
New Jersey	23,225	22,164	1,061	22,452	21,427	1,025	-3.3	-3.3	-3.4
New Mexico	6,727	6,096	631	6,849	6,195	654	1.8	1.6	3.6
New York	54,210	51,963	2,247	53,550	51,193	2,357	-1.2	-1.5	4.9
North Carolina	37,136	34,675	2,461	36,922	34,430	2,492	-0.6	-0.7	1.3
North Dakota	1,512	1,341	171	1,513	1,356	157	0.1	1.1	-8.2
Ohio	50,876	47,008	3,868	51,729	47,579	4,150	1.7	1.2	7.3
Oklahoma <sup>g</sup>	25,225	22,728	2,497	27,547	24,769	2,778	--	--	--
Oregon	14,840	13,609	1,231	15,362	14,066	1,296	3.5	3.4	5.3
Pennsylvania	51,125	48,380	2,745	50,312	47,668	2,644	-1.6	-1.5	-3.7
Rhode Island <sup>d</sup>	3,318	3,128	190	3,361	3,169	192	1.3	1.3	1.1
South Carolina	22,388	21,051	1,337	22,060	20,669	1,391	-1.5	-1.8	4.0
South Dakota	3,650	3,227	423	3,651	3,209	442	0.0	-0.6	4.5
Tennessee	28,411	26,048	2,363	28,521	26,069	2,452	0.4	0.1	3.8
Texas	166,372	152,823	13,549	168,280	154,450	13,830	1.1	1.1	2.1
Utah	6,962	6,323	639	7,075	6,413	662	1.6	1.4	3.6
Vermont <sup>d</sup>	2,034	1,907	127	2,078	1,924	154	2.2	0.9	21.3
Virginia <sup>g</sup>	37,044	34,150	2,894	36,982	34,133	2,849	--	--	--
Washington	17,271	15,934	1,337	17,984	16,535	1,449	4.1	3.8	8.4
West Virginia	7,070	6,265	805	6,824	6,016	808	-3.5	-4.0	0.4
Wisconsin <sup>g</sup>	22,600	21,375	1,225	22,471	21,232	1,239	--	--	--
Wyoming	2,204	1,966	238	2,310	2,050	260	4.8	4.3	9.2

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. As of December 31, 2001, sentenced felons from the District of Columbia were the responsibility of the Federal Bureau of Prisons.

--Not calculated.

<sup>a</sup>Includes imputed counts for Nevada. See *Methodology* for imputation strategy.

<sup>b</sup>Alaska did not submit sex-specific jurisdiction counts to NPS in 2013. See *Methodology*.

<sup>c</sup>Includes inmates held in nonsecure privately operated community corrections facilities and juveniles held in contract facilities.

<sup>d</sup>Prisons and jails form one integrated system. Data include total jail and prison populations.

<sup>e</sup>Changes to Arkansas' parole system in 2013 contributed to higher counts of inmates under jurisdiction.

<sup>f</sup>State did not submit 2012 NPS data. See *Methodology*.

<sup>g</sup>Counts for 2013 are not comparable to earlier years due to a change in reporting methodology. See *Jurisdiction notes* for more detail.

<sup>h</sup>State did not submit 2013 NPS data. See *Methodology* for imputation strategy.

Source: Bureau of Justice Statistics, National Prisoner Statistics Program, 2012–2013.

Persons under state or federal jurisdiction sentenced to more than a year in prison represented 96% of the total prison population at yearend 2013. There were 5,400 more sentenced prisoners at yearend 2013 (1,516,900 prisoners) than at yearend 2012 (1,511,500 prisoners) ([table 3](#)). Sentenced federal prisoners, which represent 90% of the total BOP population, decreased by 1,500 inmates in 2013. As in the total prison population, the decrease in BOP was offset by an increase in sentenced state prisoners, from 1,314,900 at yearend 2012 to 1,321,800 at yearend 2013. Females sentenced to more than a year in state or federal prison grew by 2,800 inmates, or almost

prison population. The BOP and the 20 states that observed decreases in their sentenced prison populations in 2013 had 10,000 fewer sentenced inmates in prison at yearend 2013 than in 2012 ([table 4](#)). The number of sentenced prisoners grew in 27 states, including three of the four states with the largest prison populations: Texas (up 2%), California (up 1%), and Florida (up 1%). Sentenced prisoners in Georgia, the state with the fourth largest prison population, decreased by 1% at yearend in 2013, reporting 500 fewer prison inmates than in 2012.

**TABLE 3**  
**Sentenced prisoners under the jurisdiction of state or federal correctional authorities, December 31, 2003–2013**

Year	Total	Federal <sup>a</sup>	State	Male	Female
2003	1,408,361	151,919	1,256,442	1,315,790	92,571
2004	1,433,728	159,137	1,274,591	1,337,730	95,998
2005	1,462,866	166,173	1,296,693	1,364,178	98,688
2006	1,504,598	173,533	1,331,065	1,401,261	103,337
2007	1,532,851	179,204	1,353,647	1,427,088	105,763
2008	1,547,742	182,333	1,365,409	1,441,384	106,358
2009	1,553,574	187,886	1,365,688	1,448,239	105,335
2010	1,552,669	190,641	1,362,028	1,447,766	104,903
2011	1,538,847	197,050	1,341,797	1,435,141	103,706
2012	1,511,497	196,574	1,314,923	1,410,208	101,289
2013 <sup>b</sup>	1,516,879	195,098	1,321,781	1,412,745	104,134
<b>Percent change</b>					
Average annual, 2003–2012	0.7%	2.5%	0.5%	0.7%	1.2%
2012–2013	0.4	-0.8	0.5	0.2	2.8

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are based on prisoners with sentences of more than a year under the jurisdiction of state or federal correctional officials.

<sup>a</sup>Includes inmates held in nonsecure privately operated community corrections facilities and juveniles held in contract facilities.

<sup>b</sup>Total and state estimates include imputed counts for Nevada. In addition, Alaska did not submit sex-specific counts or sentence length data to NPS in 2013. See *Methodology* for imputation strategy.

Source: Bureau of Justice Statistics, National Prisoner Statistics Program, 2003–2013.



Jurisdiction	2012			2013			Percent change, 2012–2013		
	Total	Male	Female	Total	Male	Female	Total	Male	Female
U.S. total <sup>a,b</sup>	1,511,497	1,410,208	101,289	1,516,879	1,412,745	104,134	0.4%	0.2%	2.8%
Federal <sup>c</sup>	196,574	184,258	12,316	195,098	182,378	12,720	-0.8%	-1.0%	3.3%
State <sup>a,b</sup>	1,314,923	1,225,950	88,973	1,321,781	1,230,367	91,414	0.5%	0.4%	2.7%
Alabama	31,437	28,915	2,522	31,354	28,787	2,567	-0.3	-0.4	1.8
Alaska <sup>b,d</sup>	2,974	2,690	284	2,682	2,426	256	-9.8	--	--
Arizona	38,402	35,065	3,337	39,062	35,675	3,387	1.7	1.7	1.5
Arkansas <sup>e</sup>	14,615	13,567	1,048	17,159	15,840	1,319	--	--	--
California	134,211	128,180	6,031	135,981	129,684	6,297	1.3	1.2	4.4
Colorado	20,462	18,739	1,723	20,371	18,556	1,815	-0.4	-1.0	5.3
Connecticut <sup>d</sup>	11,961	11,314	647	12,162	11,494	668	1.7	1.6	3.2
Delaware <sup>d</sup>	4,129	3,913	216	4,112	3,879	233	-0.4	-0.9	7.9
Florida	101,930	94,945	6,985	103,028	95,757	7,271	1.1	0.9	4.1
Georgia	53,990	50,510	3,480	53,478	49,953	3,525	-0.9	-1.1	1.3
Hawaii <sup>d</sup>	3,819	3,439	380	3,618	3,271	347	-5.3	-4.9	-8.7
Idaho	7,985	6,977	1,008	7,549	6,523	1,026	-5.5	-6.5	1.8
Illinois <sup>f</sup>	49,348	46,599	2,749	48,653	45,737	2,916	--	--	--
Indiana <sup>g</sup>	28,822	26,256	2,566	29,905	27,070	2,835	--	--	--
Iowa	8,686	7,917	769	8,654	7,951	703	-0.4	0.4	-8.6
Kansas	9,398	8,724	674	9,506	8,815	691	1.1	1.0	2.5
Kentucky	21,466	18,919	2,547	20,330	18,147	2,183	-5.3	-4.1	-14.3
Louisiana	40,170	37,781	2,389	39,298	37,070	2,228	-2.2	-1.9	-6.7
Maine	1,932	1,797	135	1,972	1,836	136	2.1	2.2	0.7
Maryland	21,281	20,410	871	20,988	20,101	887	-1.4	-1.5	1.8
Massachusetts	9,999	9,567	432	9,643	9,200	443	-3.6	-3.8	2.5
Michigan	43,594	41,605	1,989	43,704	41,645	2,059	0.3	0.1	3.5
Minnesota	9,938	9,228	710	10,289	9,566	723	3.5	3.7	1.8
Mississippi	21,426	19,884	1,542	20,742	19,337	1,405	-3.2	-2.8	-8.9
Missouri	31,244	28,541	2,703	31,537	28,755	2,782	0.9	0.7	2.9
Montana	3,609	3,210	399	3,642	3,230	412	0.9	0.6	3.3
Nebraska	4,594	4,255	339	4,929	4,569	360	7.3	7.4	6.2
Nevada <sup>f,h</sup>	12,761	11,723	1,038	12,915	11,830	1,085	--	--	--
New Hampshire	2,790	2,583	207	2,848	2,636	212	2.1	2.1	2.4
New Jersey	23,225	22,164	1,061	22,452	21,427	1,025	-3.3	-3.3	-3.4
New Mexico	6,574	5,954	620	6,687	6,047	640	1.7	1.6	3.2
New York	54,073	51,846	2,227	53,428	51,091	2,337	-1.2	-1.5	4.9
North Carolina	34,983	32,846	2,137	35,181	32,942	2,239	0.6	0.3	4.8
North Dakota	1,512	1,341	171	1,513	1,356	157	0.1	1.1	-8.2
Ohio	50,876	47,008	3,868	51,729	47,579	4,150	1.7	1.2	7.3
Oklahoma <sup>g</sup>	24,830	22,369	2,461	25,496	22,837	2,659	--	--	--
Oregon	14,801	13,574	1,227	15,180	13,895	1,285	2.6	2.4	4.7
Pennsylvania	50,918	48,219	2,699	50,083	47,480	2,603	-1.6	-1.5	-3.6
Rhode Island <sup>d</sup>	1,999	1,916	83	2,039	1,960	79	2.0	2.3	-4.8
South Carolina	21,725	20,485	1,240	21,443	20,147	1,296	-1.3	-1.6	4.5
South Dakota	3,644	3,221	423	3,641	3,200	441	-0.1	-0.7	4.3
Tennessee	28,411	26,048	2,363	28,521	26,069	2,452	0.4	0.1	3.8
Texas	157,900	146,292	11,608	160,295	148,294	12,001	1.5	1.4	3.4
Utah	6,960	6,321	639	7,071	6,409	662	1.6	1.4	3.6
Vermont <sup>d</sup>	1,516	1,443	73	1,575	1,479	96	3.9	2.5	31.5
Virginia <sup>g</sup>	37,044	34,150	2,894	36,982	34,133	2,849	--	--	--
Washington	17,254	15,920	1,334	17,947	16,505	1,442	4.0	3.7	8.1
West Virginia	7,027	6,235	792	6,812	6,011	801	-3.1	-3.6	1.1
Wisconsin <sup>g</sup>	20,474	19,379	1,095	21,285	20,116	1,169	--	--	--
Wyoming	2,204	1,966	238	2,310	2,050	260	4.8	4.3	9.2

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are based on prisoners with sentences of more than a year under the jurisdiction of state or federal correctional officials. As of December 31, 2001, sentenced felons from the District of Columbia were the responsibility of the Federal Bureau of Prisons.

--Not calculated.

<sup>a</sup>Includes imputed counts for Nevada. See *Methodology* for imputation strategy.

<sup>b</sup>Alaska did not submit sex-specific counts or sentence length data in 2013. See *Methodology*.

<sup>c</sup>Includes inmates held in nonsecure privately operated community corrections facilities and juveniles held in contract facilities.

<sup>d</sup>Prisons and jails form one integrated system. Data include total jail and prison populations.

<sup>e</sup>Changes to Arkansas' parole system in 2013 contributed to higher counts of inmates under jurisdiction.

<sup>f</sup>State did not submit 2012 NPS data. See *Methodology* for imputation strategy.

<sup>g</sup>Counts for 2013 are not comparable to earlier years due to a change in reporting methodology. See *Jurisdiction notes* for more detail.

<sup>h</sup>State did not submit 2013 NPS data. See *Methodology* for imputation strategy.

Source: Bureau of Justice Statistics, National Prisoner Statistics Program, 2012–2013.

The U.S. population grew at a faster rate in 2013 than the prison population, causing a decline in the imprisonment rates despite an increase in the number of sentenced prisoners. On December 31, 2013, the imprisonment rate for U.S. residents of all ages was 478 sentenced prisoners per 100,000, and for U.S. residents age 18 or older it was 623 per 100,000 (table 5). These rates decreased from yearend 2012 rates for both residents of all ages (480 per 100,000) and adult residents (626 per 100,000). The state imprisonment rates—the lowest of the past decade—remained unchanged between 2012 and 2013 at 417 per 100,000 U.S. residents of all ages.

On December 31, 2013, 1.2% of adult males, and 0.9% of males of all ages, were serving sentences in state or federal prison. The imprisonment rate for adult males decreased from 1,201 per 100,000 in 2012 to 1,191 per 100,000 in 2013. The adult female imprisonment rate increased by 2% from 2012 to 2013, from 82 to 83 per 100,000. The imprisonment rates for both male and female prisoners declined from their peak rates in 2007.

100,000 residents of Louisiana), Mississippi (692 per 100,000), Oklahoma (659 per 100,000), Alabama (647 per 100,000), and Texas (602 per 100,000) (table 6). The imprisonment rates declined from yearend 2012 to 2013 for Mississippi (down 24 prisoners per 100,000), Louisiana (down 23 per 100,000), and Alabama (down 3 per 100,000), while the rate for Texas (up 1 per 100,000) increased at yearend 2013. Oklahoma's rate also increased in 2013, but this was likely due to a change in reporting methods (see *Jurisdiction notes*).

On December 31, 2013, more than 1% of male residents in Louisiana, Mississippi, Oklahoma, Texas, Alabama, Arkansas, Arizona, and Georgia were in prison. The highest imprisonment rates for females at yearend 2013 were in Oklahoma (136 per 100,000 state female residents), Idaho (127 per 100,000), South Dakota (104 per 100,000), Alabama (103 per 100,000), and Arizona (101 per 100,000).

**TABLE 5**  
**Imprisonment rate of sentenced prisoners under the jurisdiction of state or federal correctional authorities, December 31, 2003–2013**

Year	Per 100,000 U.S. residents					Per 100,000 adult U.S. residents		
	Total <sup>a</sup>	Federal <sup>b</sup>	State <sup>a</sup>	Male <sup>a</sup>	Female <sup>a</sup>	Total <sup>c</sup>	Male <sup>c</sup>	Female <sup>c</sup>
2003	483	52	431	917	62	645	1,242	82
2004	487	54	433	923	64	649	1,248	84
2005	492	56	436	932	65	655	1,257	86
2006	501	58	443	948	68	666	1,275	89
2007	506	59	447	955	69	670	1,282	90
2008	506	60	447	956	69	669	1,279	90
2009	504	61	443	952	67	665	1,271	88
2010	500	61	439	948	66	656	1,260	86
2011	492	63	429	932	65	644	1,236	84
2012	480	62	417	909	63	626	1,201	82
2013 <sup>d</sup>	478	61	417	904	65	623	1,191	83
<b>Percent change</b>								
Average annual, 2003–2012	-0.1%	1.7%	-0.3%	-0.1%	0.4%	-0.4%	-0.4%	0.1%
2012–2013	-0.3	-1.4	-0.1	-0.5	2.1	-0.6	-0.8	1.9

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are based on prisoners with sentences of more than a year under the jurisdiction of state or federal correctional officials.

<sup>a</sup>Imprisonment rate per 100,000 U.S. residents of all ages. These rates are comparable to those in previously published BJS reports.

<sup>b</sup>Includes inmates held in nonsecure privately operated community corrections facilities and juveniles held in contract facilities.

<sup>c</sup>Imprisonment rate per 100,000 U.S. residents age 18 or older.

<sup>d</sup>Total and state estimates include imputed counts for Nevada. In addition, Alaska did not submit sex-specific counts or sentence length data in 2013. See *Methodology* for imputation strategy.

Source: Bureau of Justice Statistics, National Prisoner Statistics Program, 2003–2013, U.S. Census Bureau, resident population estimates for January 1 of the following calendar year provided to BJS.

Imprisonment rate of sentenced prisoners under the jurisdiction of state or federal correctional officials per 100,000 U.S. residents, by sex, December 31, 2012 and 2013

Jurisdiction	2012				2013			
	Total <sup>a</sup>	Male <sup>a</sup>	Female <sup>a</sup>	Total adult <sup>b</sup>	Total <sup>a</sup>	Male <sup>a</sup>	Female <sup>a</sup>	Total adult <sup>b</sup>
U.S. total <sup>c,d,e</sup>	480	909	63	626	478	904	65	623
Federal <sup>f</sup>	62	119	8	81	61	117	8	80
State <sup>c,d,e</sup>	417	790	56	545	417	787	57	542
Alabama	650	1,234	101	847	647	1,225	103	840
Alaska <sup>d,e,g</sup>	405	702	81	544	364	--	--	489
Arizona	583	1,070	101	773	586	1,077	101	775
Arkansas	494	934	70	651	578	1,087	87	760
California	351	674	31	463	353	677	33	464
Colorado	392	715	66	514	384	697	69	502
Connecticut <sup>g</sup>	333	645	35	426	338	654	36	431
Delaware <sup>g</sup>	448	877	46	577	442	863	49	566
Florida	524	999	70	661	524	995	72	659
Georgia	542	1,037	68	723	533	1,020	69	710
Hawaii <sup>g</sup>	273	487	55	349	257	459	50	328
Idaho	499	871	126	680	466	805	127	634
Illinois <sup>h</sup>	--	--	--	--	377	722	44	492
Indiana <sup>i</sup>	440	814	77	581	454	834	85	597
Iowa	282	518	49	368	279	517	45	364
Kansas	325	606	46	433	328	610	48	437
Kentucky	489	875	114	637	462	837	98	600
Louisiana	870	1,673	101	1,148	847	1,633	94	1,114
Maine	145	276	20	181	148	282	20	185
Maryland	360	713	29	466	353	697	29	456
Massachusetts	199	395	15	252	192	380	15	242
Michigan	441	857	39	571	441	856	41	570
Minnesota	184	344	26	241	189	354	26	247
Mississippi	717	1,370	100	954	692	1,328	91	918
Missouri	518	965	88	674	521	968	90	676
Montana	358	633	80	459	357	631	81	458
Nebraska	247	459	36	328	263	489	38	349
Nevada <sup>h,j</sup>	--	--	--	--	--	--	--	--
New Hampshire	211	396	31	266	215	403	32	270
New Jersey	261	511	23	338	252	492	22	325
New Mexico	315	576	59	417	321	585	61	423
New York	276	545	22	352	271	534	23	345
North Carolina	357	688	43	466	356	683	44	463
North Dakota	213	372	49	274	211	371	44	273
Ohio	440	832	65	572	446	839	70	578
Oklahoma <sup>i</sup>	648	1,178	127	858	659	1,191	136	873
Oregon	378	700	62	485	385	712	65	492
Pennsylvania	398	772	41	506	391	759	40	497
Rhode Island <sup>g</sup>	190	376	15	239	194	384	15	243
South Carolina	458	888	51	593	447	863	53	577
South Dakota	434	765	101	575	428	749	104	568
Tennessee	438	824	71	570	438	821	73	568
Texas	601	1,121	88	820	602	1,120	90	819
Utah	242	437	45	351	242	436	46	350
Vermont <sup>g</sup>	242	468	23	302	251	478	30	312
Virginia <sup>i</sup>	451	845	69	582	446	837	68	575
Washington <sup>f</sup>	249	460	38	323	256	472	41	332
West Virginia	378	681	84	477	367	656	85	462
Wisconsin <sup>i</sup>	357	680	38	463	370	704	40	478
Wyoming	379	663	84	496	395	687	91	517

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are based on prisoners with sentences of more than a year under the jurisdiction of state or federal correctional officials. As of December 31, 2001, sentenced felons from the District of Columbia are the responsibility of the Federal Bureau of Prisons.

<sup>a</sup>Imprisonment rate per 100,000 U.S. residents of all ages.

<sup>b</sup>Imprisonment rate per 100,000 U.S. residents age 18 or older.

<sup>c</sup>Includes imputed counts for Nevada. See *Methodology* for imputation strategy.

<sup>d</sup>Alaska did not submit sex-specific counts in 2013. See *Methodology*.

<sup>e</sup>Alaska did not submit sentence length data in 2013. See *Methodology*.

<sup>f</sup>Includes inmates held in nonsecure privately operated community corrections facilities and juveniles held in contract facilities.

<sup>g</sup>Prisons and jails form one integrated system. Data include total jail and prison populations.

<sup>h</sup>State did not submit 2012 NPS data. See *Methodology*.

<sup>i</sup>Counts for 2013 are not comparable to earlier years due to a change in reporting methodology. See *Jurisdiction notes* for more detail.

<sup>j</sup>State did not submit 2013 NPS data. See *Methodology* for imputation strategy.

Source: Bureau of Justice Statistics, National Prisoner Statistics Program, 2012–2013; and U.S. Census Bureau, resident population estimates for January 1 of the following calendar year.

At yearend 2013, 17% of all inmates (253,800) were ages 30 to 34, while an estimated 2% (31,900) were age 65 or older (table 7). An estimated 58% of male inmates and 61% of female inmates in state or federal prison were age 39 or younger. Among males, white prisoners were generally older than black or Hispanic prisoners. An estimated 17,300 inmates age 65 or older (54%) were white males.

BJS uses race and Hispanic origin distributions from its 2004 Survey of Inmates in State and Federal Correctional Facilities to adjust the administrative data from NPS to reflect self-identification of race and Hispanic origin by prisoners (see *Methodology*). On December 31, 2013, about 37% of imprisoned males were black, 32% were white, and 22% were Hispanic. Among females in state or federal prison at yearend 2013, 49% were white, compared to 22% who were black and 17% who were Hispanic.

black male U.S. residents), compared to 1% of Hispanic males (1,134 per 100,000) and 0.5% of white males (466 per 100,000) (table 8). While there were fewer black females in state or federal prison at yearend 2013 than in 2012, black females were imprisoned at more than twice the rate of white females.

Black males had higher imprisonment rates across all age groups than all other races and Hispanic males. In the age range with the highest imprisonment rates for males (ages 25 to 39), black males were imprisoned at rates at least 2.5 times greater than Hispanic males and 6 times greater than white males. For males ages 18 to 19—the age range with the greatest difference in imprisonment rates between whites and blacks—black males (1,092 inmates per 100,000 black males) were more than 9 times more likely to be imprisoned than white males (115 inmates per 100,000 white males). The difference between black and white female inmates of the same age was smaller, but still substantial. Black females ages 18 to 19 (33 inmates per 100,000) were almost 5 times more likely to be imprisoned than white females (7 inmates per 100,000).

**TABLE 7**  
**Sentenced prisoners under the jurisdiction of state or federal correctional authorities, by age, sex, race, and Hispanic origin, December 31, 2013**

Age	Total <sup>a</sup>	Male					Female				
		Total male <sup>a,b</sup>	White <sup>c</sup>	Black <sup>c</sup>	Hispanic	Other <sup>b,c</sup>	Total female <sup>a,b</sup>	White <sup>c</sup>	Black <sup>c</sup>	Hispanic	Other <sup>b,c</sup>
Total <sup>d</sup>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
18–19	1.0%	1.1%	0.6%	1.3%	1.3%	1.1%	0.6%	0.4%	0.9%	1.1%	0.8%
20–24	11.4	11.4	8.6	13.0	12.7	12.4	10.2	8.7	11.3	12.5	10.9
25–29	15.3	15.2	13.2	15.5	17.2	17.2	17.3	16.6	16.5	20.5	20.2
30–34	16.7	16.6	15.1	16.8	18.6	17.9	18.3	18.4	16.9	19.9	21.0
35–39	13.9	13.9	12.7	14.1	15.5	14.2	14.4	14.5	13.9	14.8	14.3
40–44	12.5	12.5	13.0	12.2	12.3	12.4	13.2	13.7	13.4	11.4	11.8
45–49	10.8	10.8	12.2	10.5	9.1	9.5	11.3	11.7	12.1	9.1	9.2
50–54	8.4	8.5	10.4	8.2	6.3	7.0	7.7	8.2	7.8	5.7	6.7
55–59	4.9	5.0	6.4	4.6	3.6	4.0	3.8	3.9	4.3	2.8	3.4
60–64	2.5	2.6	3.7	2.1	1.8	2.1	1.7	2.0	1.7	1.1	1.7
65 or older	2.1	2.2	3.8	1.2	1.4	1.8	1.2	1.4	0.9	1.1	0.8
Total number of sentenced prisoners	1,516,879	1,412,745	454,100	526,000	314,600	118,100	104,134	51,500	23,100	17,600	11,900

Note: Jurisdiction refers to the legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held. Counts are based on prisoners with sentences of more than a year under the jurisdiction of state or federal correctional officials. Nevada did not submit 2013 data to NPS and Alaska did not submit sex-specific counts or sentence length data in 2013. See *Methodology* for imputation strategy.

<sup>a</sup>Detail may not sum to total due to rounding, inclusion of inmates age 17 or younger in the total count, and missing race or Hispanic origin data.

<sup>b</sup>Includes American Indians, Alaska Natives, Asians, Native Hawaiians, Pacific Islanders, persons of two or more races, or additional racial categories in reporting information systems.

<sup>c</sup>Excludes persons of Hispanic or Latino origin.

<sup>d</sup>Includes persons age 17 or younger.

Sources: Bureau of Justice Statistics, National Prisoner Statistics Program, 2013; Federal Justice Statistics Program, 2012–2013; National Corrections Reporting Program, 2012; and Survey of Inmates in State and Federal Correctional Facilities, 2004.

Age	Total <sup>a</sup>	Male					Female				
		Total male <sup>a</sup>	White <sup>b</sup>	Black <sup>b</sup>	Hispanic	Other <sup>a,b</sup>	Total female <sup>a</sup>	White <sup>b</sup>	Black <sup>b</sup>	Hispanic	Other <sup>a,b</sup>
Total <sup>c</sup>	478	904	466	2,805	1,134	963	65	51	113	66	90
18–19	181	340	115	1,092	412	344	14	7	33	17	24
20–24	755	1,382	601	3,956	1,617	1,472	95	73	154	100	131
25–29	1,067	1,937	954	5,730	2,289	2,082	168	140	260	173	232
30–34	1,187	2,183	1,104	6,746	2,529	2,257	180	156	277	169	235
35–39	1,071	1,994	1,009	6,278	2,321	1,951	151	133	240	133	178
40–44	917	1,713	938	5,244	2,007	1,730	131	113	224	107	144
45–49	782	1,464	827	4,486	1,700	1,495	112	90	202	99	135
50–54	567	1,082	615	3,382	1,382	1,171	70	54	128	72	94
55–59	348	679	389	2,132	1,016	750	36	26	72	44	52
60–64	208	415	252	1,269	714	497	19	14	34	25	27
65 or older	70	153	108	406	301	206	5	4	7	8	8
Total number of sentenced prisoners	1,516,879	1,412,745	454,100	526,000	314,600	118,100	104,134	51,500	23,100	17,600	11,900

Note: Counts based on prisoners with sentences of more than a year under the jurisdiction of state or federal correctional officials. Imprisonment rate is the number of prisoners under state or federal jurisdiction with a sentence of more than a year per 100,000 U.S. residents of corresponding sex, age, and race or Hispanic origin. Resident population estimates are from the U.S. Census Bureau for January 1 of the following year. Nevada did not submit 2013 data to NPS, and Alaska did not submit sex-specific counts or sentence length data in 2013. See *Methodology* for imputation strategy.

<sup>a</sup>Includes American Indians, Alaska Natives, Asians, Native Hawaiians, Pacific Islanders, persons of two or more races, or additional racial categories in the reporting information systems.

<sup>b</sup>Excludes persons of Hispanic or Latino origin.

<sup>c</sup>Includes persons age 17 or younger.

Sources: Bureau of Justice Statistics, National Prisoner Statistics Program, 2013; Federal Justice Statistics Program, 2013; National Corrections Reporting Program, 2012; Survey of Inmates in State and Federal Correctional Facilities, 2004; and U.S. Census Bureau, resident population estimates for January 1, 2014.

## States admitted 9,000 more sentenced prisoners in 2013 than they released

Prison admissions of sentenced offenders have lagged behind releases since 2009, contributing to the decline in the overall prison population. (See *Prisoners in 2012: Trends in Admissions and Releases, 1991–2012*, NCJ 243920, BJS web, December 2013.) The total number of admissions to prisons exceeded releases for the first time since 2009 (**table 9**). While federal prison releases outnumbered admissions in 2013 by 1,100 inmates, states admitted an additional 25,000 inmates sentenced to more than 1 year (up 4% from 2012) and released 12,100 fewer prisoners sentenced to more than 1 year (down 2% from 2012). States that observed the largest difference between numbers of admissions and releases in 2013 were Tennessee (2,500 more prison releases than admissions), Texas and Arkansas (2,400 more admissions than releases each), and California (1,900 more admissions than releases).

Thirty-one states showed an increase in the estimated number of persons admitted to prison during 2013 compared to 2012, including Arkansas (up 55%), Georgia (up 24%), and

Wisconsin (up 18%). Among the five states with the largest sentenced prison populations at yearend 2013, four had an increase in admissions and one experienced a decline between 2012 and 2013: California (up 4,000), Georgia (up 3,700), Florida (up 1,300), Texas (up 1,000), and New York (down 300 entries). Idaho (down 19%), Hawaii (down 9%), and South Dakota (down 7%) experienced the largest percentage declines in prison admissions from 2012 to 2013.

Compared to admissions, fewer states (24) had increases in the number of inmates released from 2012 to 2013. Georgia released 4,200 more inmates in 2013 than 2012 (up 30%), while Washington had 2,700 more releases (up 15%) and North Carolina had an additional 1,500 releases (up 12%). However, 25 states and the BOP experienced declines in releases from prison between 2012 and 2013. California released 11,100 fewer prisoners (down 23%) after its large increase in releases in 2011 and 2012 as a result of the state's Public Safety Realignment, and Texas released 8,000 fewer prisoners (down 10%).

Jurisdiction	Admissions <sup>a</sup>					Releases <sup>b</sup>				
	2012 Total	2013 Total	Percent change, 2012–2013	2013 New court commitments <sup>c</sup>	2013 Parole violations <sup>c,d</sup>	2012 Total	2013 Total	Percent change, 2012–2013	2013 Unconditional <sup>c,e</sup>	2013 Conditional <sup>c,f</sup>
<b>U.S. total</b>	608,442	631,168	3.7%	450,150	164,065	636,715	623,337	-2.1%	173,824	399,388
<b>Federal</b>	55,938	53,664	-4.1%	48,818	4,845	56,037	54,785	-2.2%	53,793	461
<b>State</b>	552,504	577,504	4.5%	401,332	159,220	580,678	568,552	-2.1%	120,031	398,927
Alabama	11,203	11,265	0.6	9,191	1,105	11,253	11,488	2.1	3,840	7,498
Alaska <sup>g</sup>	3,906	3,906	--	/	/	3,774	3,774	--	/	/
Arizona	12,970	13,538	4.4	11,069	2,357	13,000	12,931	-0.5	2,108	10,106
Arkansas <sup>h</sup>	5,782	8,987	55.4	2,725	3,964	6,298	6,541	3.9	327	6,158
California	34,294	38,295	11.7	31,895	6,400	47,454	36,353	-23.4	/	/
Colorado	9,409	10,137	7.7	5,379	4,741	10,919	10,220	-6.4	1,454	8,609
Connecticut <sup>g</sup>	5,659	5,492	-3.0	4,597	827	6,014	5,177	-13.9	2,910	2,237
Delaware <sup>g</sup>	3,017	3,142	4.1	2,798	321	4,012	4,251	6.0	261	3,918
Florida	32,265	33,613	4.2	32,373	105	33,661	32,855	-2.4	20,736	11,776
Georgia	15,743	19,478	23.7	17,594	1,878	14,021	18,226	30.0	6,158	11,954
Hawaii <sup>g</sup>	1,524	1,380	-9.4	758	622	1,631	1,615	-1.0	293	802
Idaho	4,568	3,719	-18.6	3,539	180	4,617	3,761	-18.5	509	3,242
Illinois <sup>i</sup>	30,877	30,959	0.3	21,761	9,026	30,108	31,370	4.2	4,460	26,742
Indiana	18,694	19,161	2.5	10,290	8,577	18,555	17,959	-3.2	1,534	16,367
Iowa	4,877	5,159	5.8	3,826	1,325	5,221	5,202	-0.4	1,150	4,002
Kansas	5,060	5,220	3.2	3,719	1,435	4,795	5,133	7.0	1,454	3,651
Kentucky	15,399	15,834	2.8	9,733	5,855	16,215	16,871	4.0	1,237	15,593
Louisiana	17,325	16,770	-3.2	11,958	4,774	17,104	17,646	3.2	1,393	16,066
Maine	846	929	9.8	607	322	1,108	971	-12.4	587	380
Maryland	9,396	9,223	-1.8	5,579	3,640	10,347	9,504	-8.1	1,311	8,108
Massachusetts	2,635	2,567	-2.6	2,290	236	2,871	2,855	-0.6	2,062	763
Michigan	13,888	14,417	3.8	7,845	3,417	13,199	14,307	8.4	898	11,168
Minnesota	7,412	7,687	3.7	4,901	2,786	7,730	7,808	1.0	926	6,862
Mississippi	8,559	8,105	-5.3	5,972	1,915	7,725	8,201	6.2	1,329	6,727
Missouri	18,216	18,983	4.2	10,243	8,737	17,957	18,790	4.6	1,621	17,041
Montana	2,020	2,382	17.9	1,826	556	2,089	2,347	12.4	297	2,037
Nebraska	2,761	2,922	5.8	2,255	586	2,688	2,583	-3.9	761	1,799
Nevada <sup>j</sup>	4,929	5,855	18.8	4,817	1,018	5,556	4,903	-11.8	1,867	3,009
New Hampshire	1,696	1,659	-2.2	861	798	1,555	1,633	5.0	75	1,549
New Jersey	9,976	9,802	-1.7	7,203	2,598	10,817	10,766	-0.5	6,234	4,293
New Mexico	3,580	3,567	-0.4	2,453	1,114	3,371	3,345	-0.8	926	2,403
New York	23,065	22,740	-1.4	13,441	9,206	24,224	23,382	-3.5	2,541	20,550
North Carolina	12,098	14,077	16.4	12,721	1,356	12,327	13,829	12.2	6,341	7,412
North Dakota	1,160	1,222	5.3	684	536	1,069	1,173	9.7	158	1,008
Ohio	21,529	21,998	2.2	19,086	2,899	21,628	21,235	-1.8	9,092	12,003
Oklahoma	7,697	8,019	4.2	5,618	2,401	6,947	7,374	6.1	3,804	3,476
Oregon	5,376	5,532	2.9	3,823	1,499	5,023	5,048	0.5	24	4,828
Pennsylvania	18,492	20,455	10.6	11,479	8,201	18,805	19,632	4.4	3,690	15,773
Rhode Island <sup>g</sup>	868	810	-6.7	659	151	967	885	-8.5	614	270
South Carolina	6,802	6,431	-5.5	5,162	1,259	7,309	6,716	-8.1	2,709	3,931
South Dakota	1,986	1,842	-7.3	1,059	781	1,959	1,820	-7.1	268	1,544
Tennessee	13,922	13,803	-0.9	8,274	5,521	15,955	16,348	2.5	5,034	11,233
Texas	75,378	76,488	1.5	49,825	24,188	82,130	74,093	-9.8	10,661	61,581
Utah	3,142	3,094	-1.5	1,963	1,131	3,063	2,988	-2.4	1,034	1,929
Vermont <sup>g</sup>	1,912	1,858	-2.8	662	1,196	1,963	1,752	-10.7	272	1,474
Virginia	11,727	11,636	-0.8	11,531	105	11,568	11,880	2.7	1,024	10,741
Washington	18,232	21,426	17.5	8,106	13,315	18,181	20,861	14.7	2,353	18,458

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# Admissions and Releases of Sentenced Prisoners, 2012 and 2013

Jurisdiction	Admissions <sup>a</sup>					Releases <sup>b</sup>				
	2012 Total	2013 Total	Percent change, 2012–2013	2013 New court commitments <sup>c,d</sup>	2013 Parole violations <sup>c,d</sup>	2012 Total	2013 Total	Percent change, 2012–2013	2013 Unconditional <sup>d,e,f</sup>	2013 Conditional <sup>d,e,g</sup>
West Virginia	3,525	3,573	1.4	1,729	1,393	3,293	3,780	14.8	1,134	2,104
Wisconsin <sup>k</sup>	6,200	7,343	--	4,645	2,671	7,724	5,475	--	287	5,134
Wyoming	907	1,004	10.7	808	196	878	895	1.9	273	618

Note: Counts based on prisoners with a sentence of more than 1 year As of December 31, 2001, sentenced felons from the District of Columbia were the responsibility of the Federal Bureau of Prisons.

/Not reported.

--Not calculated.

<sup>a</sup>Excludes transfers, escapes, and those absent without leave (AWOL), and includes other conditional release violators, returns from appeal or bond, and other admissions. See *Methodology*.

<sup>b</sup>Excludes transfers, escapes, and those absent without leave (AWOL), and includes deaths, releases to appeal or bond, and other releases. See *Methodology*.

<sup>c</sup>U.S. and state totals by type of admission and release exclude counts for Alaska and California. See *Jurisdiction notes*.

<sup>d</sup>Includes all conditional release violators returned to prison for either violations of conditions of release or for new crimes.

<sup>e</sup>Includes expirations of sentence, commutations, and other unconditional releases.

<sup>f</sup>Includes releases to probation, supervised mandatory releases, and other unspecified conditional releases.

<sup>g</sup>Prisons and jails form one integrated system. Data include total jail and prison populations.

<sup>h</sup>The increase in the number of parole revocations for technical violations for 2013 is due to changes to the Arkansas parole system. See *Jurisdiction notes*.

<sup>i</sup>State did not submit 2012 NPS data. See *Methodology* for imputation strategy.

<sup>j</sup>State did not submit 2013 or 2012 NPS data. See *Methodology* for imputation strategy.

<sup>k</sup>Counts for 2013 are not comparable to earlier years due to a change in reporting methodology.

Source: Bureau of Justice Statistics, National Prisoner Statistics Program, 2012–2013.

The 2013 California state prison custody population was stable (down 0.2% or 290 inmates) after decreasing by 29,500 between 2010 and 2012 due to the Public Safety Realignment (PSR) policy, (table 10). PSR was designed to alleviate crowding in the state prison system by sentencing new nonviolent, nonserious, and nonsex offenders to local jail facilities starting on October 1, 2011.<sup>1</sup>

**TABLE 10**  
**California state prison custody population, facility operational and design capacities, and percent capacity, December 31, 2000–2013**

Year	Design capacity	Custody population	Custody population as a percent of design capacity
2000	80,467	152,859	190.0%
2001	79,957	149,654	187.2
2002	80,587	152,225	188.9
2003	80,487	155,657	193.4
2004	80,890	158,307	195.7
2005	87,250	162,545	186.3
2006	83,551	166,445	199.2
2007	82,936	162,841	196.3
2008	84,066	158,931	189.1
2009	84,056	160,866	191.4
2010	84,181	152,575	181.2
2011	84,130	138,274	164.4
2012	84,130	123,090	146.3
2013	86,054	122,798	142.7
<b>Percent change</b>			
Average annual, 2003–2012	0.4%	-1.8%	
2012–2013	2.3	-0.2	

Note: Counts based on all inmates in physical custody of California state prisons and camps, regardless of sentence length. These may differ from previously published custody counts due to the exclusion of private prison beds from the custody population in this table.

Sources: Bureau of Justice Statistics, National Prisoner Statistics Program, 2000–2013; California Department of Corrections and Rehabilitation monthly population reports, December 31, 2000–2013, [http://www.cdcr.ca.gov/Reports\\_Research/Offender\\_Information\\_Services\\_Branch/Monthly/Monthly\\_Tpop1a\\_Archive.html](http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Monthly/Monthly_Tpop1a_Archive.html), accessed August 12, 2014.

<sup>1</sup>Offenses as specified in the Public Safety Realignment Act.

The state increased the reported design capacity of its prisons by 1,900 inmates (up 2%), which measures the number of inmates that can be accommodated based on facility designs that assume one inmate in each cell or single-level bunks in dormitory settings. The total inmate capacity of 86,100 beds was the state’s highest since 2005.

California significantly reduced the crowding in its state prisons, from a high of 199% of design capacity in 2007 to 143% of design capacity in 2013.<sup>2</sup> Both the prison custody population and design capacity reported by California to the National Prisoner Statistics (NPS) program include inmates held in state prison and camp facilities. The custody count reported to NPS was approximately 4,100 inmates higher than the count that met the court’s mandate, while the design capacity count in NPS was approximately 4,500 inmates higher. Therefore, percent capacity calculated using NPS values will differ from those used by the three-judge court. (Refer to the California Department of Corrections and Rehabilitation website ([www.cdcr.ca.gov](http://www.cdcr.ca.gov)) for weekly updates on California’s targets for meeting the court’s mandate.) In February 2014, the three-judge court panel extended the state’s original deadline to meet the 137.5% design capacity requirement by 2 years, from May 2013 to February 2016. At the same time, the court limited the number of persons that could be housed in out-of-state prison facilities to a total of 8,900.

In November 2012, voters in California approved changes to the three strikes law, including the requirement that the third strike be a serious or violent felony, instead of any type of felony.<sup>3</sup> In addition, a prisoner serving a third-strike sentence could petition the court to reduce the sentence to the equivalent of a second-strike sentence in some instances. These changes contributed to the reduction of three-strike offenders in

<sup>2</sup>The three-judge court ruling mandates that California reduce overcrowding in the 34 state prison facilities, and does not include private facilities or work camps in either the capacity or population counts used to determine compliance with the ruling (see [http://www.cdcr.ca.gov/News/3\\_judge\\_panel\\_decision.html](http://www.cdcr.ca.gov/News/3_judge_panel_decision.html)).

<sup>3</sup>In California, any individual convicted of a new felony after having had at least one prior serious felony conviction is required to receive a sentence twice the length of the new felony’s base sentence (two strikes). Individuals committing a third felony offense are mandated to serve sentences of 25 years to life.

*Continued on the next page*



California state prisons by 10% between December 2012 (8,900 three-strike inmates) and June 2013 (8,000) (table 11). By June 2013, 26% of all inmates in California state prisons had their sentences doubled in length under the two-strike provision of the three-strikes law, and an additional 6% were serving three-strike sentences. Inmates serving the doubled sentence lengths of two strikes increased 4%, from 33,300 inmates in December

<sup>4</sup>Data are from the June 2013 Statewide Prison Census, the December 2012 Statewide Prison Census, and the June 2007 Statewide Prison Census accessed on the CDCR website ([http://www.cdcr.ca.gov/Reports\\_Research/Offender\\_Information\\_Services\\_Branch/Annual/CensusArchive.html](http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Annual/CensusArchive.html)), accessed May 29, 2014.

2012 to 34,700 in June 2013.<sup>4</sup> This growth was mainly due to increased admissions of two-strike offenders, since many of the resentenced three-strike offenders had little time left to serve on their newly reduced sentences. The number and proportion of California state prisoners serving life sentences with and without parole increased from 25,100 inmates (14% of the total prison population) in June 2007 to 30,800 inmates (23%) in June 2013. In total, 55% of California inmates (74,200 prisoners) in June 2013 were serving sentences enhanced by either two strikes, three strikes, or life or death sentences, compared to 40% in June 2007 (69,900 prisoners).

**TABLE 11**  
**California state prisoners serving enhanced sentences or sentences of life or death, June 2007–June 2013**

Year	Month	Total prisoners*	California state prisoners serving sentences of—					Percent of prisoners serving enhanced or life/death sentences
			Two strikes	Three strikes	Life with parole	Life without parole	Death	
2007	June	173,274	36,054	8,089	21,595	3,545	639	40.4%
	December	171,568	35,670	8,203	21,970	3,622	639	40.9
2008	June	171,069	35,373	8,244	22,424	3,713	650	41.2
	December	171,161	35,160	8,342	22,854	3,814	654	41.4
2009	June	167,981	34,491	8,427	23,254	3,888	666	42.1
	December	168,905	34,572	8,515	23,712	3,974	675	42.3
2010	June	165,919	34,499	8,584	24,143	4,085	687	43.4
	December	162,976	34,365	8,667	24,579	4,177	697	44.5
2011	June	164,186	34,844	8,780	25,135	4,303	715	44.9
	December	148,807	33,179	8,797	25,384	4,419	718	48.7
2012	June	136,431	32,782	8,872	25,685	4,511	723	53.2
	December	133,883	33,251	8,876	25,927	4,610	725	54.8
2013	June	134,160	34,699	7,975	26,095	4,687	734	55.3

\*May differ from counts submitted to National Prisoner Statistics (NPS) Program due to differences in methodology.

Source: California Department of Corrections and Rehabilitation quarterly Statewide Prison Census reports, [http://www.cdcr.ca.gov/Reports\\_Research/Offender\\_Information\\_Services\\_Branch/Annual/CensusArchive.html](http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Annual/CensusArchive.html), accessed May 29, 2014.

**In 2013, the number of prisoners held in private facilities decreased, while those in local jail facilities increased**

The total number of state and federal prisoners housed in private facilities decreased 3%, from 137,200 at yearend 2012 to 133,000 at yearend 2013. Private prisons held 7% of the total state prison population and 19% of the federal prison population on December 31, 2013. After using private prisons in 2012, Kentucky and Wisconsin reported having no prisoners housed in private prison facilities at yearend 2013 (table 12). Alaska reduced the number of prisoners held in an out-of-state private facility by moving inmates to a new state prison in 2013. While California increased the number of private prisoners by 1,400 inmates in 2013, Texas imprisoned 4,100 fewer inmates in private facilities at yearend 2013. New Mexico had the highest proportion of prisoners housed in private facilities (44%), followed by Montana (40%), Idaho (36%), and Oklahoma (26%).

In comparison to the declining number of inmates in private prisons, prisoners held in local jail facilities increased 2%, from 83,600 at yearend 2012 to 85,600 at yearend 2013. State DOCs were responsible for the entire growth in prisoners held in local jails, with Arkansas housing an additional 2,300 prisoners and Texas an additional 1,700 prisoners in local jail facilities. Louisiana housed more than half (52%) of its total yearend 2013 prison population in local jail facilities, which was a 5% decrease (1,100 prisoners) from yearend 2012. Kentucky (39%) and Mississippi (29%) held large percentages of their prison population in local facilities, but both states also saw declines from 2012 to 2013.

Jurisdiction	Inmates held in private prisons <sup>a</sup>				Inmates held in local jails			
	2012	2013	Percent change 2012–2013	Percentage of total jurisdiction, 2013	2012	2013	Percent change 2012–2013	Percentage of total jurisdiction, 2013
<b>U.S. total</b>	137,220	133,044	-3.0%	8.4%	83,501	85,648	2.6%	5.4%
<b>Federal<sup>b</sup></b>	40,446	41,159	1.8%	19.1%	795	788	-0.9%	0.4%
<b>State</b>	96,774	91,885	-5.1%	6.8%	82,706	84,860	2.6%	6.2%
Alabama	538	554	3.0	1.7	2,382	2,090	-12.3	6.5
Alaska <sup>c,d</sup>	1,733	27	-98.4	0.5	0	0	--	0.0
Arizona	6,435	6,405	-0.5	15.6	0	0	~	0.0
Arkansas	0	0	~	0.0	584	2,916	399.3	16.9
California	608	2,026	233.2	1.5	0	0	~	0.0
Colorado	3,939	3,898	-1.0	19.1	134	187	39.6	0.9
Connecticut <sup>c</sup>	817	725	-11.3	4.1	0	0	~	0.0
Delaware <sup>c</sup>	0	0	~	0.0	0	0	~	0.0
Florida	11,701	11,801	0.9	11.5	1,197	1,175	-1.8	1.1
Georgia	7,900	7,900	0.0	14.6	4,896	4,887	-0.2	9.0
Hawaii <sup>c</sup>	1,636	1,421	-13.1	25.2	0	0	~	0.0
Idaho	2,725	2,745	0.7	36.4	467	662	41.8	8.8
Illinois	/	0	~	~	/	0	~	~
Indiana	4,251	4,438	4.4	14.8	797	1,418	77.9	4.7
Iowa	0	0	~	0.0	0	0	~	0.0
Kansas	83	95	14.5	1.0	0	3	~	0.0
Kentucky	812	0	-100.0	0.0	8,487	8,213	-3.2	39.1
Louisiana	2,956	3,158	6.8	8.0	21,571	20,505	-4.9	52.2
Maine	0	0	~	0.0	72	65	-9.7	3.0
Maryland	27	29	7.4	0.1	178	130	-27.0	0.6
Massachusetts	0	0	~	0.0	196	329	67.9	3.0
Michigan	0	0	~	0.0	42	55	31.0	0.1
Minnesota	0	0	~	0.0	614	963	56.8	9.4
Mississippi	4,334	4,394	1.4	20.0	6,528	6,378	-2.3	29.0
Missouri	0	0	~	0.0	0	0	~	0.0
Montana	1,418	1,459	2.9	40.1	488	497	1.8	13.6
Nebraska	0	0	~	0.0	32	47	46.9	0.9
Nevada <sup>e</sup>	/	/	~	~	/	/	~	~
New Hampshire	0	0	~	0.0	43	27	-37.2	0.9
New Jersey	2,717	2,735	0.7	12.2	109	119	9.2	0.5
New Mexico	2,999	2,984	-0.5	43.6	0	0	~	0.0
New York	0	0	~	0.0	0	10	~	0.0
North Carolina	30	30	0.0	0.1	0	0	~	0.0
North Dakota	0	0	~	0.0	106	9	-91.5	0.6
Ohio	5,343	5,487	2.7	10.6	0	0	~	0.0
Oklahoma	6,423	7,051	9.8	25.6	2,373	2,406	1.4	8.7
Oregon	0	0	~	0.0	0	5	~	0.0
Pennsylvania	1,219	546	-55.2	1.1	489	857	75.3	1.7
Rhode Island <sup>c</sup>	0	0	~	0.0	0	0	~	0.0
South Carolina	16	15	-6.3	0.1	374	364	-2.7	1.7
South Dakota	15	16	6.7	0.4	64	53	-17.2	1.5
Tennessee	5,165	5,103	-1.2	17.9	8,618	7,790	-9.6	27.3
Texas	18,617	14,538	-21.9	8.6	10,814	12,527	15.8	7.4
Utah	0	0	~	0.0	1,574	1,626	3.3	23.0
Vermont <sup>c</sup>	504	499	-1.0	24.0	0	0	~	0.0
Virginia <sup>f</sup>	1,559	1,554	-0.3	4.2	7,389	6,974	--	18.9
Washington	0	0	~	0.0	279	163	-41.6	0.9
West Virginia	0	0	~	0.0	1,735	1,116	-35.7	16.4
Wisconsin	18	0	-100.0	0.0	70	11	-84.3	0.0
Wyoming	236	252	6.8	10.9	4	16	300.0	0.7

Note: As of December 31, 2001, sentenced felons from the District of Columbia are the responsibility of the Federal Bureau of Prisons.

/Not reported.

--Not calculated.

~Not applicable.

<sup>a</sup>Includes prisoners held in the jurisdiction's own private facilities, as well as private facilities in another state.

<sup>b</sup>Includes federal prisoners held in nonsecure, privately operated facilities (9,255), as well as prisoners on home confinement (3,076).

<sup>c</sup>Prisons and jails form one integrated system. Data include total jail and prison populations.

<sup>d</sup>During 2013, all Alaska prison inmates held in out-of-state private facilities were moved to a new in-state public facility.

<sup>e</sup>Nevada did not submit 2012 or 2013 NPS data. See *Methodology*.

<sup>f</sup>Count is not comparable to previous years due to a change in reporting methodology for inmates in local jails in 2013.

Source: Bureau of Justice Statistics, National Prisoner Statistics Program, 2012–2013.

## Drug offenders

In 2012 (the most recent year for which data were available), 54% of inmates in state prisons were serving sentences for violent offenses (707,500 prisoners), and 19% (247,100) were convicted of property offenses (**table 13** and **table 14**). Robbery (179,500) was the most common violent offense among state prisoners in 2012, followed by murder and nonnegligent manslaughter (166,800) and rape or sexual assault (160,900). A higher percentage of males (55%) were imprisoned for violent offenses than females (37%).

As with the imprisonment rates presented in table 7, the race and Hispanic origin estimates have been adjusted using the 2004 Survey of Inmates in State Correctional Facilities to

Equivalent proportions of black (58%) and Hispanic (60%) prisoners were convicted of violent offenses, while the percentage of white inmates (49%) serving time for violent crimes was smaller. The percentage of white prisoners convicted of any sexual assault (17%) was greater than black (8%) and Hispanic (13%) prisoners.

Drug offenders comprised 16% (210,200 inmates) of the total state prison population in 2012. Twenty-five percent of female prisoners were serving time for drug offenses, compared to 15% of male prisoners. Similar proportions of white, black, and Hispanic offenders were convicted of drug and public-order crimes.

**TABLE 13**

**Estimated percent of sentenced prisoners under state jurisdiction, by offense and sex, race, and Hispanic origin, December 31, 2012**

Most serious offense	Total inmates <sup>a</sup>	Male	Female	White <sup>b</sup>	Black <sup>b</sup>	Hispanic	Other <sup>a,b</sup>
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%
<b>Violent</b>	53.8%	55.0%	37.1%	49.3%	58.3%	59.9%	58.8%
Murder <sup>c</sup>	12.7	12.8	11.1	9.9	13.7	14.9	17.0
Manslaughter	1.3	1.3	2.5	1.6	1.0	1.2	1.9
Rape/sexual assault	12.2	13.0	2.3	17.0	8.0	13.2	12.6
Robbery	13.7	14.0	8.7	8.2	20.4	13.4	10.0
Aggravated or simple assault	10.7	10.8	8.9	9.3	11.5	13.6	13.2
Other violent	3.2	3.2	3.7	3.3	3.6	3.6	4.1
<b>Property</b>	18.8%	18.1%	28.2%	24.5%	16.0%	12.9%	17.3%
Burglary	9.9	10.2	6.9	12.0	9.4	8.0	8.6
Larceny-theft	3.7	3.3	9.1	5.2	3.2	1.9	3.3
Motor vehicle theft	0.9	0.9	0.8	1.2	0.5	1.0	1.6
Fraud	2.0	1.5	8.4	2.9	1.4	0.8	2.1
Other property	2.2	2.2	3.0	3.2	1.4	1.2	1.9
<b>Drug</b>	16.0%	15.4%	24.6%	14.0%	15.9%	15.1%	11.7%
Drug possession	3.7	3.5	6.7	4.0	4.0	4.2	3.7
Other drug <sup>d</sup>	12.2	11.8	17.9	10.0	11.9	11.0	8.0
<b>Public-order<sup>e</sup></b>	10.7%	10.8%	8.9%	11.6%	9.5%	11.5%	11.5%
<b>Other/unspecified<sup>f</sup></b>	0.8%	0.7%	1.2%	0.6%	0.3%	0.5%	0.7%
<b>Total number of sentenced inmates</b>	1,314,900	1,225,900	89,000	462,600	498,100	271,700	82,500

Note: Estimates are based on state prisoners with a sentence of more than a year under the jurisdiction of state correctional officials. Detail may not sum to total due to rounding and missing offense data. See *Methodology*.

<sup>a</sup>Includes American Indians, Alaska Natives, Asians, Native Hawaiians, Pacific Islanders, persons of two or more races, or additional racial categories in reporting information systems.

<sup>b</sup>Excludes persons of Hispanic or Latino origin and persons of two or more races.

<sup>c</sup>Includes nonnegligent manslaughter.

<sup>d</sup>Includes trafficking and other drug offenses.

<sup>e</sup>Includes weapons, drunk driving, and court offenses; commercialized vice, morals, and decency offenses; and liquor law violations and other public-order offenses.

<sup>f</sup>Includes juvenile offenses and other unspecified offense categories.

Sources: Bureau of Justice Statistics, National Prisoner Statistics Program and National Corrections Reporting Program, 2012; and Survey of Inmates in State Correctional Facilities, 2004.

Estimated sentenced prisoners under state jurisdiction, by offense and sex, race, and Hispanic origin, December 31, 2012							
Most serious offense	Total inmates <sup>a</sup>	Male	Female	White <sup>b</sup>	Black <sup>b</sup>	Hispanic	Other <sup>a,b</sup>
<b>Total</b>	1,314,900	1,225,900	89,000	462,600	498,100	271,700	82,500
<b>Violent</b>	707,500	674,300	33,100	228,100	290,300	162,900	48,600
Murder <sup>c</sup>	166,800	156,900	9,800	45,800	68,400	40,400	14,000
Manslaughter	17,700	15,500	2,200	7,500	5,200	3,300	1,600
Rape/sexual assault	160,900	158,800	2,000	78,500	40,100	35,900	10,400
Robbery	179,500	171,700	7,700	37,900	101,500	36,500	8,300
Aggravated or simple assault	140,100	132,100	7,900	43,200	57,100	36,800	10,900
Other violent	42,500	39,200	3,300	15,300	18,000	9,900	3,400
<b>Property</b>	247,100	222,100	25,100	113,400	79,600	35,100	14,300
Burglary	130,700	124,500	6,100	55,500	46,900	21,700	7,100
Larceny-theft	49,100	41,000	8,100	24,100	15,900	5,200	2,700
Motor vehicle theft	11,800	11,100	700	5,300	2,500	2,800	1,300
Fraud	26,300	19,000	7,400	13,500	7,200	2,200	1,700
Other property	29,200	26,500	2,700	14,900	7,100	3,300	1,500
<b>Drug</b>	210,200	188,400	21,900	64,800	79,300	41,100	9,600
Drug possession	49,100	43,200	6,000	18,400	19,900	11,300	3,000
Other drug <sup>d</sup>	161,100	145,200	15,900	46,400	59,400	29,800	6,600
<b>Public-order<sup>e</sup></b>	140,200	132,200	7,900	53,500	47,300	31,300	9,500
<b>Other/unspecified<sup>f</sup></b>	10,000	8,900	1,100	2,800	1,500	1,300	600

Note: Estimates are based on state prisoners with a sentence of more than a year under the jurisdiction of state correctional officials. Detail may not sum to total due to rounding and missing offense data. See *Methodology*.

<sup>a</sup>Includes American Indians, Alaska Natives, Asians, Native Hawaiians, Pacific Islanders, persons of two or more races, or additional racial categories in reporting information systems.

<sup>b</sup>Excludes persons of Hispanic or Latino origin and persons of two or more races.

<sup>c</sup>Includes nonnegligent manslaughter.

<sup>d</sup>Includes trafficking and other drug offenses.

<sup>e</sup>Includes weapons, drunk driving, and court offenses; commercialized vice, morals, and decency offenses; and liquor law violations and other public-order offenses.

<sup>f</sup>Includes juvenile offenses and other unspecified offense categories.

Sources: Bureau of Justice Statistics, National Prisoner Statistics Program and National Corrections Reporting Program, 2012; and Survey of Inmates in State Correctional Facilities, 2004.

Between 2001 and 2013, more than half of prisoners serving sentences of more than a year in federal facilities were convicted of drug offenses (**table 15** and **table 16**). On September 30, 2013 (the end of the most recent fiscal year for which federal offense data were available), 98,200 inmates (51% of the federal prison population) were imprisoned for possession, trafficking, or other drug crimes. Since 2001, the percentage of federal prisoners convicted of violent,

property, and drug offenses has decreased. Federal prisoners serving time for public-order crimes—including weapons offenses, racketeering, extortion, and regulatory offenses—has increased, from 26% in 2001 to 36% in 2013. The percentage of inmates in federal facilities serving time for immigration offenses remained stable over the past 13 years. There were fewer (down 1,500) felony immigration offenders in 2013 than in 2012.

Estimated sentenced prisoners under the custody of federal correctional authorities, by offense, September 30, 2001–2013													
Most serious offense	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
<b>Total</b>	137,574	143,690	152,693	153,776	160,524	167,051	173,979	176,081	184,553	186,545	193,043	193,861	193,775
<b>Violent</b>	14,000	14,500	14,500	15,100	15,200	15,100	14,800	14,600	14,300	13,900	13,800	13,700	13,600
Homicide <sup>a</sup>	1,900	2,100	2,200	2,400	2,500	2,500	2,500	2,600	2,500	2,400	2,400	2,400	2,400
Robbery	9,200	9,300	9,300	9,400	9,300	9,100	8,800	8,500	8,300	8,000	7,800	7,500	7,300
Other violent	2,900	3,100	3,100	3,300	3,400	3,500	3,500	3,500	3,500	3,500	3,700	3,800	3,800
<b>Property</b>	10,200	10,300	10,800	8,300	8,100	8,500	9,000	9,600	10,100	10,300	10,700	11,200	11,500
Burglary	600	600	500	500	500	500	500	400	400	400	400	400	400
Fraud	6,200	6,400	6,700	5,200	5,200	5,500	6,000	6,700	7,300	7,500	7,800	8,400	8,800
Other property	3,400	3,400	3,500	2,600	2,400	2,500	2,500	2,400	2,400	2,400	2,500	2,400	2,300
<b>Drug<sup>b</sup></b>	77,000	80,600	85,300	85,300	87,800	91,500	95,200	94,300	97,700	97,800	99,900	98,900	98,200
<b>Public-order</b>	35,500	37,400	41,200	44,100	48,200	50,700	53,700	56,400	61,200	63,500	67,400	68,800	69,200
Immigration	14,800	15,400	16,700	16,800	18,100	17,600	17,800	17,800	19,600	19,700	21,500	20,600	19,100
Weapons	12,100	13,600	15,800	18,700	21,300	23,400	25,100	26,400	27,800	28,400	29,200	29,600	30,000
Other	8,500	8,400	8,700	8,600	8,900	9,700	10,800	12,100	13,800	15,300	16,800	18,600	20,100
<b>Other/unspecified<sup>c</sup></b>	800	900	900	1,000	1,200	1,300	1,200	1,300	1,200	1,100	1,200	1,200	1,200

Note: Estimates are based on prisoners with sentences of more than 1 year under federal custody as of September 30 of each year, and include inmates sentenced on U.S. district court commitments, District of Columbia superior court commitments, and violators of probation, parole, supervised release, and mandatory release. Estimates may differ from federal offense statistics previously published by BJS due to differences in methodology. Data are from the Federal Justice Statistics Program (FJSP) and may differ from NPS and the online FJSP data tool. See *Methodology*.

<sup>a</sup>Includes murder, negligent, and nonnegligent manslaughter.

<sup>b</sup>Includes trafficking, possession, and other drug offenses.

<sup>c</sup>Includes offenses not classified.

Sources: Bureau of Justice Statistics, Federal Justice Statistics Program, 2001–2013.

**TABLE 16**

**Estimated percent of sentenced prisoners under the custody of federal correctional authorities, by offense, September 30, 2001–2013**

Most serious offense	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
<b>Total</b>	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
<b>Violent</b>	10.2%	10.1%	9.5%	9.8%	9.4%	9.0%	8.5%	8.3%	7.7%	7.5%	7.2%	7.1%	7.0%
Homicide <sup>a</sup>	1.4	1.5	1.4	1.6	1.5	1.5	1.5	1.5	1.4	1.3	1.2	1.2	1.2
Robbery	6.7	6.5	6.1	6.1	5.8	5.5	5.0	4.8	4.5	4.3	4.0	3.9	3.8
Other violent	2.1	2.1	2.0	2.1	2.1	2.1	2.0	2.0	1.9	1.9	1.9	2.0	2.0
<b>Property</b>	7.4%	7.2%	7.0%	5.4%	5.1%	5.1%	5.2%	5.4%	5.5%	5.5%	5.6%	5.8%	6.0%
Burglary	0.4	0.4	0.3	0.3	0.3	0.3	0.3	0.2	0.2	0.2	0.2	0.2	0.2
Fraud	4.5	4.4	4.4	3.4	3.2	3.3	3.5	3.8	4.0	4.0	4.1	4.3	4.5
Other property	2.5	2.3	2.3	1.7	1.5	1.5	1.4	1.4	1.3	1.3	1.3	1.2	1.2
<b>Drug<sup>b</sup></b>	56.0%	56.1%	55.9%	55.5%	54.7%	54.8%	54.7%	53.6%	53.0%	52.4%	51.8%	51.0%	50.7%
<b>Public-order</b>	25.8%	26.0%	27.0%	28.7%	30.0%	30.3%	30.8%	32.0%	33.2%	34.0%	34.9%	35.5%	35.7%
Immigration	10.8	10.7	10.9	10.9	11.2	10.5	10.2	10.1	10.6	10.6	11.1	10.6	9.9
Weapons	8.8	9.5	10.3	12.2	13.2	14.0	14.4	15.0	15.1	15.2	15.1	15.3	15.5
Other	6.2	5.8	5.7	5.6	5.5	5.8	6.2	6.9	7.5	8.2	8.7	9.6	10.4
<b>Other/unspecified<sup>c</sup></b>	0.6%	0.6%	0.6%	0.6%	0.8%	0.8%	0.7%	0.7%	0.7%	0.6%	0.6%	0.6%	0.6%
<b>Total number of sentenced prisoners</b>	137,574	143,690	152,693	153,776	160,524	167,051	173,979	176,081	184,553	186,545	193,043	193,861	193,775

Note: Estimates are based on prisoners with sentences of more than 1 year under federal custody as of September 30 of each year, and include inmates sentenced on U.S. district court commitments, District of Columbia superior court commitments, and violators of probation, parole, supervised release, and mandatory release. Estimates may differ from federal offense statistics previously published by BJS due to differences in methodology. Data are from the Federal Justice Statistics Program (FJSP) and may differ from NPS and the online FJSP data tool. See *Methodology*.

<sup>a</sup>Includes murder, negligent, and nonnegligent manslaughter.

<sup>b</sup>Includes trafficking, possession, and other drug offenses.

<sup>c</sup>Includes offenses not classified.

Source: Bureau of Justice Statistics, Federal Justice Statistics Program, 2001–2013.

Across the major offense categories, the median time served was largely unchanged for state prisoners released in 2012 who were initially admitted on new court commitments (i.e., non-parole violations), compared to those released a decade earlier (**table 17**). State prisoners released after serving time for a violent offense were incarcerated for a median of 28 months in both 2002 and 2012, compared to 12 months for property offenders and 13 to 14 months for drug offenders. Prisoners released in 2012 who had been admitted on new convictions for murder or nonnegligent manslaughter had a median time served of 153 months, compared to 102 months

prisoners released in 2012 than for those released in 2002. In general, the median time served for prisoners released in 2002 and 2012 was lower for females than for males, although the variance of the estimates was high. The median time served by females newly convicted of sexual offenses did not change for prisoners released in 2002 and 2012. For male sexual offenders, the median time served increased during this period. Both males and females imprisoned for murder or nonnegligent manslaughter and released in 2012 spent more time in prison than those released in 2002.

**TABLE 17**  
**Median time served by released state prison inmates admitted on new court commitments, by sex and offense, 2002 and 2012**

Most serious offense	Released in 2002				Released in 2012			
	Number of releases	All inmates	Male	Female	Number of releases	All inmates	Male	Female
<b>Violent</b>	82,900	28 mos.	29 mos.	19 mos.	117,400	28 mos.	29 mos.	20 mos.
Murder <sup>a</sup>	4,800	102	103	86	6,900	153	158	103
Manslaughter	2,700	40	41	35	3,200	42	44	35
Rape/sexual assault	17,400	38	38	29	21,800	48	48	29
Robbery	24,000	34	35	20	32,300	34	35	25
Aggravated or simple assault	27,400	18	19	15	43,100	17	18	16
Other violent	6,600	17	17	13	10,100	17	17	14
<b>Property</b>	86,400	12 mos.	13 mos.	10 mos.	111,500	12 mos.	12 mos.	10 mos.
Burglary	31,300	16	17	12	46,200	15	15	11
Larceny-theft	21,300	11	11	9	26,700	11	11	10
Motor vehicle theft	5,800	11	11	8	6,000	11	12	10
Fraud	15,300	10	11	9	17,600	11	11	10
Other property	12,700	11	11	9	14,900	10	11	8
<b>Drug</b>	96,100	14 mos.	14 mos.	11 mos.	105,900	13 mos.	14 mos.	10 mos.
Drug possession	28,200	11	11	9	33,300	10	11	8
Other drug <sup>b</sup>	67,900	15	16	12	72,600	15	16	11
<b>Public order<sup>c</sup></b>	38,600	11 mos.	11 mos.	9 mos.	71,100	12 mos.	13 mos.	9 mos.
<b>Other/unspecified<sup>d</sup></b>	2,100	14 mos.	15 mos.	13 mos.	4,200	12 mos.	13 mos.	10 mos.
Total number of releases <sup>e</sup>	317,400		283,700	33,700	413,400		364,700	48,700

Note: Estimates based on prisoners with a sentence of more than 1 year who entered prison on a new court commitment. Detail may not sum to total due to rounding and missing offense data. Offense distributions are based on the 35 states that submitted to both the 2002 and 2012 National Corrections Reporting Program (NCRP) data collection, while estimated counts of releases represent data for all states based on NPS. See *Methodology*.

<sup>a</sup>Includes nonnegligent manslaughter.

<sup>b</sup>Includes trafficking, possession, and other drug offenses.

<sup>c</sup>Includes weapons, drunk driving, and court offenses; commercialized vice, morals, and decency offenses; and liquor law violations and other public-order offenses.

<sup>d</sup>Includes juvenile offenses and other unspecified offense categories.

<sup>e</sup>Excludes transfers, AWOLs, and escapes. See *Methodology*.

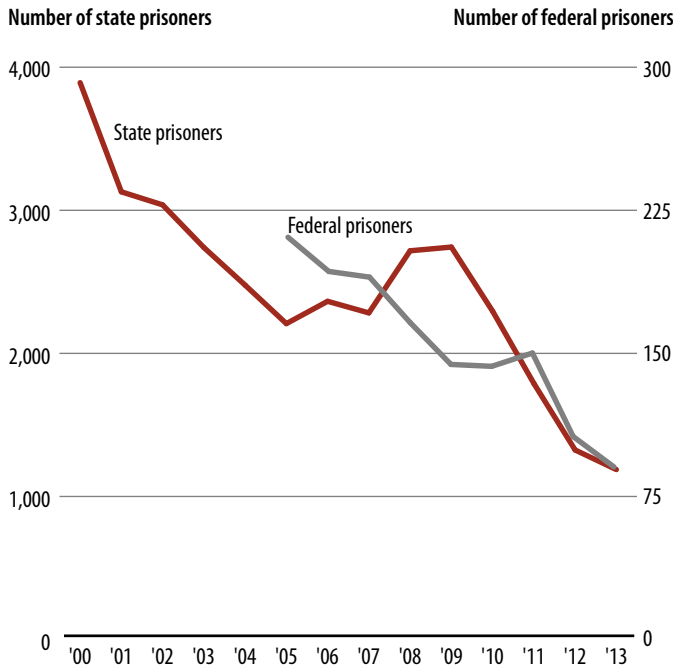
Sources: Bureau of Justice Statistics, National Prisoner Statistics Program and National Corrections Reporting Program, 2002 and 2012.

states held 1,200 youth (inmates age 17 or younger) in adult prison facilities at yearend 2013, a 69% decrease from 2000, when NPS began asking states for data on these inmates (figure 2). Prisoners age 17 or younger comprised less than a tenth of a percent of inmates held in state prison facilities in 2013 (0.09%). The majority of these inmates (96%) were males, and 23% (275 inmates) were held in Florida and New York (table 18). Other states with large counts of prisoners age 17 or younger held in adult facilities include Georgia (92 inmates), Connecticut (88), Michigan (73), Texas (69), and Illinois and North Carolina (68 inmates each).

The BOP does not house inmates age 17 or younger in its general prison population. Instead, these prisoners are held in separate contract facilities, and some are under the jurisdiction of U.S. probation but in the custody of the BOP. The number of youth in BOP contract facilities has only been captured from 2005 forward but has decreased 58% over this period. Similar to the youngest inmates in the state prison population, federal prisoners age 17 or younger comprise a small fraction of the total BOP population (0.04%).

At yearend 2013, the BOP had custody of 25,800 inmates it identified as noncitizens, 35% of the total number of reported noncitizens held in prisons. Because some states define noncitizens as those born outside the U.S. regardless of current citizenship status, caution should be used in making comparisons across jurisdictions. Texas, Florida, Arizona, and New York reported the largest populations of noncitizen inmates in custody on December 31, 2013. Of those prisoners identified by the states and BOP as noncitizens, 4% (3,400 inmates) were females.

**Inmates age 17 or younger held in adult state and federal prison facilities, 2000–2013**



Note: Counts based on inmates age 17 or younger in custody of state and federal correctional authorities, regardless of sentence length. The Federal Bureau of Prisons holds inmates age 17 or younger in private contract facilities. Counts for BOP may include some inmates under the jurisdiction of U.S. probation being held by the BOP in private contract facilities.

Source: Bureau of Justice Statistics, National Prisoner Statistics Program, 2000–2013.



Jurisdiction	Noncitizen inmates			Inmates age 17 or younger		
	Total	Male	Female	Total	Male	Female
<b>U.S. total<sup>a</sup></b>	73,665	70,226	3,439	1,188	1,140	48
<b>Federal<sup>b</sup></b>	25,804	23,833	1,971	0	0	0
<b>State<sup>a</sup></b>	47,861	46,393	1,468	1,188	1,140	48
Alabama	206	203	3	41	39	2
Alaska <sup>c,d</sup>	/	/	/	/	/	/
Arizona	4,967	4,846	121	58	55	3
Arkansas	213	205	8	14	13	1
California <sup>a</sup>	/	/	/	/	/	/
Colorado <sup>e</sup>	1,269	1,215	54	1	1	0
Connecticut <sup>c</sup>	555	537	18	88	86	2
Delaware <sup>c</sup>	353	329	24	7	7	0
Florida <sup>f,g</sup>	7,090	6,868	222	144	136	8
Georgia	2,577	2,451	126	92	87	5
Hawaii <sup>c,h</sup>	331	293	38	0	0	0
Idaho	420	397	23	17	17	0
Illinois	1,955	1,903	52	68	67	1
Indiana	646	638	8	32	30	2
Iowa	230	227	3	15	15	0
Kansas	346	341	5	0	0	0
Kentucky	244	228	16	14	14	0
Louisiana	83	82	1	23	23	0
Maine	20	19	1	0	0	0
Maryland <sup>e</sup>	634	613	21	22	18	4
Massachusetts <sup>h</sup>	711	683	28	3	2	1
Michigan	510	505	5	73	72	1
Minnesota	531	517	14	13	13	0
Mississippi	17	17	0	8	8	0
Missouri <sup>e,h</sup>	516	487	29	13	13	0
Montana	15	15	0	1	1	0
Nebraska	222	222	0	15	15	0
Nevada <sup>d</sup>	/	/	/	/	/	/
New Hampshire	118	110	8	0	0	0
New Jersey	1,391	1,365	26	8	8	0
New Mexico	152	148	4	0	0	0
New York <sup>e</sup>	4,148	4,010	138	131	127	4
North Carolina	1,439	1,407	32	68	64	4
North Dakota	17	16	1	0	0	0
Ohio	527	507	20	20	17	3
Oklahoma <sup>e</sup>	1,196	1,131	65	4	3	1
Oregon	1,163	1,138	25	0	0	0
Pennsylvania	1,073	1,046	27	28	28	0
Rhode Island <sup>c</sup>	62	61	1	0	0	0
South Carolina	494	476	18	27	26	1
South Dakota	100	95	5	0	0	0
Tennessee <sup>e</sup>	281	269	12	8	7	1
Texas	8,803	8,593	210	69	67	2
Utah	283	281	2	1	1	0
Vermont <sup>c</sup>	22	20	2	2	2	0
Virginia	481	466	15	9	9	0
Washington	882	857	25	24	23	1
West Virginia	22	20	2	0	0	0
Wisconsin	504	496	8	27	26	1
Wyoming	42	40	2	0	0	0

Note: The definition of non-U.S. citizen varies across jurisdictions. Use caution when interpreting these statistics.

/Not reported.

<sup>a</sup>Total U.S. and state counts of noncitizen inmates for 2013 will be lower than expected due to the exclusion of California data. California did not report data in 2013, but in 2012 California reported 15,079 noncitizens inmates.

<sup>b</sup>The Federal Bureau of Prisons holds inmates age 17 or younger in private contract facilities; 89 such inmates were housed in contract facilities in 2013.

<sup>c</sup>Prisons and jails form one integrated system. Data include total jail and prison populations.

<sup>d</sup>State did not submit 2013 NPS data.

<sup>e</sup>Non-U.S. citizens are defined as foreign-born.

<sup>f</sup>Includes both confirmed and suspected alien inmates.

<sup>g</sup>Counts of noncitizens in 2013 are not comparable to earlier years due to a change in the definition of citizenship. See *Jurisdiction notes*.

<sup>h</sup>Citizenship based on inmate self-report.

Source: Bureau of Justice Statistics, National Prisoner Statistics Program, 2013.



On December 31, 2013, 1,421 service personnel were held under military jurisdiction (table 19). A larger percentage of military personnel (26%) were sentenced to 1 year or less of confinement compared to the state (4%) and federal (10%) prison populations. Almost half (48% of 685 inmates) of all service personnel under military jurisdiction had served in the Army, and this branch of service had custody over the majority (57%) of all prisoners under military confinement.

While the total number of military service personnel held under military jurisdiction decreased by 1% from yearend 2012 to yearend 2013, the count of prisoners sentenced to

52% of the sentenced prisoners under military jurisdiction on December 31, 2013, followed by service members in the Air Force (20%), Navy (14%), and Marines (13%). Between 2012 and 2013, the number of Air Force personnel sentenced to at least 1 year increased 18%, from 182 inmates in 2012 to 215 in 2013. During the same time period, Navy personnel under military jurisdiction decreased by 16%.

At yearend 2013, 65% (690 inmates) of all military service personnel sentenced to more than 1 year in confinement were in the custody of the Army. The Navy held an additional 360 inmates (34% of all military personnel), a 12% increase from yearend 2012.

**TABLE 19**  
**Prisoners under military jurisdiction, by branch of service, December 31, 2012 and 2013**

	Total population <sup>a</sup>		Percent change, 2012–2013	Sentenced population <sup>b</sup>		Percent change, 2012–2013
	2012	2013		2012	2013	
<b>Total</b>	1,435	1,421	-1.0%	1,014	1,056	4.1%
<b>Military branch of service</b>						
Air Force	263	287	9.1%	182	215	18.1%
Army	687	685	-0.3	531	552	4.0
Marine Corps	266	241	-9.4	126	139	10.3
Navy	214	195	-8.9	173	145	-16.2
Coast Guard	5	13	160.0	2	5	150.0
<b>In custody of—</b>						
Air Force	52	37	-28.8%	6	4	-33.3%
Army	809	817	1.0	685	690	0.7
Marine Corps	89	65	-27.0	2	2	0.0
Navy	485	502	3.5	321	360	12.1

<sup>a</sup>Includes all prisoners under military jurisdiction regardless of sentence length.

<sup>b</sup>Includes prisoners sentenced to more than 1 year under military jurisdiction.

Source: National Prisoner Statistics Program, 2012–2013.

**Alabama**—Prisons have not recently been rated for official capacity, but the majority of Alabama prisons are operating in a state of overcrowding. Currently, 26,145 beds are in operation; this represents the physical capacity for inmates but is not based on staffing, programs, and services. Operational capacity differs from the Bureau of Justice Statistics (BJS) definition.

**Alaska**—Alaska submitted total custody and jurisdiction counts for 2013, as well as total admissions and releases. None of the counts were broken down by sex, so the sex distribution from the 2012 NPS data submitted by Alaska was used in 2013. The numbers of admissions and releases were inconsistent with prior years' estimates. BJS used the counts from 2012 to represent admissions and releases in 2013. Alaska built and populated a new state prison during 2013, returning most of its inmates held in an out-of-state private facility to Alaska. See *Methodology* for a description of the data imputation procedure.

**Arizona**—Jurisdiction counts are based on custody data and inmates in contracted beds, but do not include inmates held in other jurisdictions as Arizona receives an equal number of inmates from other jurisdictions to house. Other admissions include persons returned from deportation. In 2013, the Arizona Department of Corrections (DOC) entered into an agreement with the county probation department to avoid dual supervision of inmates. Under this agreement, the Arizona DOC waived supervision for many more inmates than it did in 2012, leading to an increase in the number of conditional releases to probation programs. Other conditional releases include releases onto other community supervision programs. Other releases include persons deported halfway through serving their prison terms.

**Arkansas**—Jurisdiction counts grew to the highest level ever in the state during 2013 due in part to changes made in the summer of 2013 to the state's parole system, which increased the county jail backlog and led to growth in the number of inmates under the jurisdiction of the Arkansas prison system. The adjustments in the parole system also led to a large increase in the number of parole revocations for technical violations between 2012 and 2013. Other conditional releases include those made to boot camps.

**California**—Due to a high-level data conversion project by the California Department of Corrections and Rehabilitation, the movement data used to report detailed counts of admissions and releases was not available in time for publication of this report. Population counts for inmates with maximum sentences of more than 1 year include felons who are temporarily absent, such as in court, in jail, or in a hospital. The majority of temporarily absent inmates are absent for fewer than 30 days. Jurisdiction counts for unsentenced inmates include civil addicts who are enrolled for treatment and are not serving a criminal conviction sentence, but are under the jurisdiction of the California Department of Corrections and Rehabilitation. California is unable to

differentiate between inmates held in federal facilities and those held in other states' facilities. Changes in design capacity are based on information from an annual facilities planning and management report.

**Colorado**—Jurisdiction and custody counts include a small, undetermined number of inmates with a maximum sentence of 1 year or less. Admission and release data for inmates who are absent without leave (AWOL) or who have escaped are estimated. Other admissions include returns from the Colorado State Hospital and those due to an audit of admissions. Other releases include court orders and youthful offender system discharges. Design and operational capacities do not include the privately run facilities in Colorado.

**Connecticut**—Prisons and jails form one integrated system. All NPS data include jail and prison populations. New court commitment admissions include inmates admitted in 2013 on accused status, but who received a sentence later in 2013. Counts of other types of admissions and releases include persons with legitimate types of prison entries and exits that do not match BJS categories. Legislation in July 1995 abolished the capacity law. A facility's capacity is a fluid number based on the needs of the department. The needs are dictated by security issues, populations, court decrees, legal mandates, staffing, and physical plant areas of facilities that serve other purposes or have been decommissioned. The actual capacity of a facility is subject to change.

**Delaware**—Prisons and jails form one integrated system. All NPS data include jail and prison populations. Capacity counts include the halfway houses under the DOC.

**Federal Bureau of Prisons (BOP)**—Data reflect inmates under BOP jurisdiction on December 28, 2013. Jurisdiction counts include inmates housed in secure private facilities where the BOP had a direct contract with a private operator, as well as inmates housed in secure facilities where there was a subcontract with a private provider at a local government facility. Jurisdiction counts also include inmates housed in jail or short-term detention and others held in state-operated or other nonfederal secure facilities.

Counts include 9,255 inmates (8,010 males and 1,245 females) held in nonsecure, privately operated community corrections centers or halfway houses and 3,076 offenders on home confinement (2,623 males and 453 females). A total of 86 male and 3 female juveniles were held in contract facilities; these inmates were included in the jurisdiction totals but excluded from the counts of private, locally operated, or federally operated facilities. Some of these juveniles are under the jurisdiction of U.S. probation but are being housed in the custody of the BOP in contract facilities. Due to information system configuration, Asians and Native Hawaiians or other Pacific Islanders are combined, and inmates of Hispanic origin are included in the race categories. On December 28, 2013, the BOP held 70,943 male and 4,500 female inmates of Hispanic origin.

combine those with and without a new sentence. Expirations of sentence include good-conduct releases that usually have a separate and distinct term of supervision, as well as releases from the residential drug abuse treatment program. Other types of conditional releases include conditional medical release, provisional release supervision, program supervision, mandatory conditional release, and reinstatement of parole. Other releases include court-ordered terminations, compassionate release, and releases based on the amount of time served. The BOP population on December 28, 2013, was 174,242 inmates (excluding contracted and private facilities), and the rated capacity on that date was 130,907. The crowding rate was 33%.

**Florida**—Other types of admissions include those who violated program supervision. In 2013, five inmates received other unconditional releases through vacated sentences and full pardons. Other conditional releases include provisional release supervision, conditional medical release, program supervision, and parole reinstatement. Since count of noncitizen inmates is based on citizenship status, as opposed to previous years' determination based on country of birth, 2013 statistics are not comparable to earlier years.

**Georgia**—Females are not housed in privately operated correctional facilities in Georgia. Subtotals of race, sex, and sentence length for jurisdiction and custody counts were adjusted by the Georgia DOC using interpolation to match the overall totals. Counts of admissions and releases were adjusted using interpolation to balance the jurisdictional populations on January 1, 2013, and December 31, 2013.

**Hawaii**—Prisons and jails form one integrated system. All NPS data include jail and prison populations. In custody and jurisdiction counts, sentenced felon probationers and probation violators are included with the counts of prisoners with a total maximum sentence of 1 year or less. Jurisdiction counts include dual-jurisdiction (state of Hawaii or federal) inmates currently housed in federal facilities and in contracted federal detention center beds. Other release types include inmates released to state hospitals, other programs, or on own recognizance. Hawaii does not have a rated capacity for the integrated prisons and jail system. Information on foreign nationals held in correctional facilities was based on self-reports by inmates.

**Idaho**—Idaho defines rated capacity as 100% of maximum capacity and operational capacity as 95% of maximum capacity. Design capacity is based on original facility-designed occupancy.

**Illinois**—All population counts are based on jurisdiction. Population counts for inmates with over 1 year maximum sentence include an undetermined number of inmates with a 1-year sentence. Counts of escape admissions and releases include one escape from a minimum security facility and one while at court, while the remaining escapes occurred at adult transition centers. Other admission and release types include

admissions and release movements not reported in other categories required to balance yearend populations. Illinois did not submit NPS data in 2012, so BJS imputed data for this jurisdiction. Refer to the *Methodology* section in *Prisoners in 2012: Trends in Admissions and Releases 1991-2012* (NCJ 243920, BJS website, December 2013) for a description of the 2012 data imputation procedure.

**Indiana**—Indiana now includes contracted work release beds in custody and jurisdiction counts; therefore, the 2013 counts are not comparable to previous years' data. Other types of admissions include inmates on active supervision or who were admitted for prior charges.

**Iowa**—In 2009, the Iowa DOC began including offenders on work release, the Operating While Intoxicated population, and Iowa inmates housed in out-of-state prisons in its jurisdiction counts. Iowa data included in BJS reports prior to 2009 were custody counts only. The admission and release data quality and methodology were updated in 2013; therefore, changes from previous years' counts may reflect these updates. Counts of AWOL admissions and releases are of the work release and Operating While Intoxicated populations. Escape admissions and releases are of the prison population only. Transfer admissions include those entering from other jurisdictions with an Iowa prison sentence. Other conditional releases include inmates released to special sentences.

**Kansas**—Admissions and releases reflect movements of the custody population with the exception of transfers, which include all Kansas prisoners regardless of custody status. Other types of unconditional releases include inmates released for court appearances, those released on appeal or bond, and other final releases. Other types of conditional releases include unsupervised and supervised releases and inmates released back onto parole.

**Kentucky**—Other types of admissions include entries to residential programs and other special admissions. Other types of conditional prison releases include exits to home incarceration and returns to community service. Kentucky no longer houses prisoners in private facilities; its private prison contract expired on June 30, 2013.

**Louisiana**—Jurisdiction and capacity counts are correct as of December 26, 2013.

**Maine**—Fewer male state prisoners are housed in county facilities due to overcrowding at the local level. The state has been adding capacity and double-bunking at prisons. Counts of inmates age 17 or younger reflect only those held in adult correctional facilities.

**Maryland**—The number of inmates with maximum sentences of more than 1 year is estimated by taking the percentages for these prisoners from the automated totals and applying them to the manual totals submitted for NPS. The number of male inmates included in the jurisdiction count of prisoners held in other state facilities may include a small number of female

Pacific Islanders may be included in the count of American Indian/Alaska Natives. Maryland's system does not distinguish between AWOL and escape releases, nor does it record the sex of inmates housed in out-of-state private prisons. The count of admissions by new court commitments may include a small but undetermined number of returns from appeal or bond. Other admissions include errors made in returns from release. The count of unconditional releases includes court-ordered releases and a small but undetermined number of releases to appeal or bond. Other release types include interstate compact releases and releases of new admissions that were counted twice.

**Massachusetts**—By law, offenders in Massachusetts may be sentenced to terms of up to 2.5 years in locally operated jails and correctional institutions. This population is excluded from the state count, but is included in published population counts and rates for local jails and correctional institutions. Jurisdiction counts exclude approximately 2,630 inmates (2,511 males and 119 females) in the county system (local jails and houses of correction) who are serving a sentence of more than 1 year, but these inmates are included in imprisonment rate calculations at the request of the Massachusetts DOC. Jurisdiction and custody counts may include a small but undetermined number of inmates who were remanded to court; transferred to the custody of another state, federal, or locally operated system; or subsequently released. In 2013, there was an increase in inmates transferred to local jails prior to their release from prison as part of a step-down initiative for reentry; this accounts for the increase in the number of persons under Massachusetts' jurisdiction held in local jail facilities. Other types of admissions include returns from court release, mostly of inmates released unconditionally as a result of the 2012 state drug lab incident involving drug test falsifications by one of the chemists. The number of unconditional releases ordered by the courts in 2013 decreased in the aftermath of the 2012 state drug lab incident. The number of inmates released on discretionary parole continued to increase in 2013, after legislative changes enacted in 2011 to reduce these releases caused fluctuations in the number and rate of persons released on parole in 2011 and 2012.

**Michigan**—Michigan's new database system treats Hispanic as an ethnicity rather than a race. Because this is currently an optional field, the numbers for Hispanics are significantly underreported, and the state included them in the white race category. Releases and admissions of escaped inmates consist predominantly of zero-tolerance escapes from community residential programs. Releases to appeal or bond and admissions of inmates returning from appeal or bond are not disaggregated by length of time out to court; these counts represent the net difference between all movements to and from court. Operational capacity includes institution and camp net operating capacities, as well as the population of community programs on December 31, 2013, since community programs do not have a fixed capacity.

crew programs. The number of inmates housed in local jails increased during 2013 due to higher-than-anticipated prison commitments and the achievement of the prison bed capacity figure. Admissions and releases due to AWOL or escape, returns from or releases to appeal or bond, and releases due to transfer are not included in Minnesota's database file. Minnesota only measures operational capacity.

**Mississippi**—Custody counts exclude county regional facilities, while jurisdiction counts include these facilities. Local jails and county regional facilities are included in the jurisdiction count of inmates housed at local facilities. Parole and conditional release violators are not distinguished by their sentence status in the Mississippi file. Total operational capacity on December 31, 2013 was 25,691.

**Missouri**—Other types of unconditional releases include court-ordered discharges and compensation. Other types of conditional releases include parole board holdover returns. The Missouri DOC does not have the design capacity of its older prisons, nor does it update design capacity for prison extension or improvements. Missouri does not use a rated capacity. The state defines operational capacity as the number of available beds, including those temporarily offline. Noncitizen data are based on self-reported place of birth.

**Nebraska**—By statute, inmates are housed where they are sentenced by the judge and are never housed in local jails or by another state to ease prison crowding. One person was released unconditionally in 2013 by having his sentenced vacated. Other admissions and other conditional releases reflect movements in the reentry furlough program population. Nebraska defines operational capacity as its stress capacity, which is 125% of design capacity for designated facilities. The total design and operational capacities for institutions that house females include one female multicustody facility. The department operates two co-ed facilities that represent a design capacity of 290 and are counted in the male design and operational capacities.

**Nevada**—Nevada did not submit NPS data in 2012 or 2013. See *Methodology* for a description of the data imputation procedure.

**New Hampshire**—The new offender database management system reports the number of inmates who are under New Hampshire's jurisdiction but housed in other state facilities in a different manner from NPS submissions prior to 2010. New Hampshire's operating capacity is defined as the inmate population on any given day.

**New Jersey**—Population counts for inmates with a maximum sentence of more than 1 year include inmates with sentences of a year. The New Jersey DOC has no jurisdiction over inmates with sentences of less than 1 year or over unsentenced inmates. One person was returned to prison after having been released by the court in 2013. Reporting of other conditional releases include those to an intensive supervision program, while other



releases include inmates brought too soon from the county jails into the state prison system, then released back to the county jails, other transfers, and errors.

**New Mexico**—New Mexico does not include its inmates housed in other states under the interstate compact agreement in its total jurisdiction count. According to BJS definitions, these inmates should be included in the total state jurisdiction, and were in this report.

**North Carolina**—As of December 1, 2011, North Carolina prisons no longer house misdemeanor offenders with sentences of less than 180 days. Captured escapees are not considered a prison admission type in North Carolina, and escape is not considered a type of prison release. Other types of unconditional releases include court-ordered and interstate compact releases. Supervised mandatory releases are post-release offenders. Post-release supervision is defined as a reintegration program for serious offenders who have served extensive prison terms. This form of supervision was created by the Structured Sentencing Act of 1993. Rated capacity is not available.

**North Dakota**—Capacity counts account for double-bunking in the state penitentiary.

**Ohio**—Population counts for inmates with a maximum sentence of more than 1 year include an undetermined number of inmates with a sentence of 1 year or less. Counts of inmates who are under Ohio's jurisdiction but housed in federal or other state facilities are estimates. Counts of admission and release types reflect revised reporting methods. Admissions of parole violators without a new sentence include only formally revoked violators. Returns and conditional releases involving transitional control inmates are reported only after movement from confinement to a terminal release status occurs.

**Oklahoma**—Jurisdiction counts include offenders in a DOC jail program, those in court, and escapees in the custody of local jails, as well as those sentenced to the DOC but not yet in custody. Prior to 2013, those not yet in custody were not included in the counts. Most inmates with sentences of less than 1 year were part of the Oklahoma Delayed Sentencing Program for Young Adults. Offenders in the custody of other states and the BOP are mostly escapees. Only DOC facilities have an approved capacity determined by the Board of Corrections according to the standards of the American Correctional Association. Noncitizen status is determined by country of birth.

**Oregon**—Most offenders with a maximum sentence of less than 1 year remain under the custody of local counties rather than the Oregon DOC. Oregon does not recognize rated capacity.

**Pennsylvania**—Pennsylvania no longer houses prerelease inmates in privately operated correctional facilities, which accounts for the decrease from 2012 counts of prisoners in private facilities. The number of persons housed in local facilities increased at yearend 2013, and the number of inmates

to state prisons. Four females were released to state hospitals in 2013. Other types of unconditional releases include vacated sentences and convictions.

**Rhode Island**—Prisons and jails form one integrated system. All NPS data include jail and prison populations. Jurisdiction counts include inmates who have dual jurisdiction, or those serving Rhode Island sentences out of state while also serving that state's sentence. The Rhode Island data system records Hispanic as a race rather than an ethnicity and does not capture Native Hawaiian and Other Pacific Islanders or persons identifying as two or more races, including those who may identify themselves as Hispanic second to another race. Prison admissions classified as escape returns include admissions under home confinement, serving out of state, and minimum-security facilities. Other types of unconditional releases consist of court or court order discharges, while other types of conditional releases include discharge to the Institute for Mental Health.

**South Carolina**—The December 31, 2013, custody count of unsentenced individuals includes Interstate Compact Commission inmates. As of July 1, 2003, the South Carolina Department of Corrections (SCDC) began releasing inmates due for release and housed in SCDC institutions on the first day of each month. Since January 1, 2014, was a holiday, inmates eligible for release on January 1 were released on December 31, 2013. Therefore, the inmate count was at its lowest point for the month on December 31, 2013. All inmates in private facilities in South Carolina were housed in private medical facilities. The local facilities holding inmates on December 31, 2013, include designated facilities, a juvenile justice facility (1 male), and persons AWOL from county or local facilities.

South Carolina does not have a specific race code to designate persons identifying two or more races. These individuals are included in other specific race groups or labeled as "other race." Other types of unconditional releases consist of remands. Conditional release counts include inmates released under community supervision after serving 85% of their sentence under truth in sentencing. There are two paroling authorities within the adult correctional system in South Carolina. The Intensive Supervision Administrative Release Authority of SCDC assumed Youthful Offender Act (YOA) Parole Board duties on February 1, 2013; prior to that, the Youthful Offender Branch of SCDC handled YOA paroles. SCDC paroled 828 offenders sentenced under the YOA, and the South Carolina Department of Probation, Parole, and Pardon Services paroled 417 non-YOA sentenced offenders. The SCDC has implemented new intensive supervision services, which are designed to promote community safety and ensure the successful reentry of young offenders back into the community. These individuals were counted as other conditional releases in 2012, but in 2013 were classified as parolees. South Carolina uses the operational capacity concept in its management reports and other requested surveys.

those under the sentence of probation who, as a condition of probation, must serve up to 180 days in state prison. South Dakota does not separate discretionary and presumptive parole releases. The operational capacity reported is planned capacity. South Dakota does not have rated or design capacities. The reporting system for the South Dakota DOC does not have a category for inmates of two or more races. These inmates are included in the counts of “other” race prisoners.

**Tennessee**—The sex of five inmates could not be identified and were counted as males in the jurisdiction counts.

**Texas**—Offenders in custody were all offenders serving time in a facility owned and operated by the Texas Department of Criminal Justice at the time of data collection. Jurisdiction counts include offenders in custody and those held in privately operated prisons, intermediate-sanction facilities, substance abuse felony punishment facilities, pre-parole transfer facilities, and halfway houses; offenders temporarily released to a county for less than 30 days; and offenders awaiting paperwork for transfer to state-funded custody. Capacities exclude county jail beds because they do not have a minimum or maximum number of beds available for paper-ready and bench-warrant inmates. Admissions and releases include offenders received into an intermediate-sanction facility, which is a sanction in lieu of revocation. These offenders were counted in the parole violator category, although these were not revocations. Other admissions include transfers between divisions and adjustments. Other releases include executions and transfers between divisions.

**Utah**—Other types of unconditional release include discharges of cases or inmate holds.

**Vermont**—Prisons and jails form one integrated system. All NPS data include jail and prison populations. In 2013, Vermont added the option to capture Hispanic origin. Not all inmates’ records may have been updated by December 31, 2013, and race distributions from 2013 are not comparable to previous years’ data. Vermont does not have the ability to record on persons identifying as two or more races. Other types of conditional releases include furlough reintegrations.

**Virginia**—Jurisdiction counts were for December 31, 2013. As of September 1, 1998, the state is responsible for inmates with a sentence of 1 year or more, or a sentence of 12 months plus 1 day. The state was responsible for a 1-year sentence, while local authorities were responsible for sentences of 12 months or less sentence. In 2012, the number of inmates housed in local facilities was taken from Compensation Board reports which were not available for 2013. Instead, the number of inmates housed in local facilities in 2013 was obtained from DOC data. Native Hawaiians and Pacific Islanders are included in the Asian race category. Admissions and releases are

Other releases include unauthorized and court-ordered releases. The Virginia DOC maintains a count of beds (called authorized capacity) that is provided as the measure of rated capacity in this survey. The number of beds assigned by rating officials (Virginia DOC) to institutions takes into account the number of inmates who can be accommodated based on staff, programs, services, and design.

**Washington**—Offenders sentenced to 1 year or less and unsentenced offenders generally reside in county jails, but revisions to law allow certain inmates with sentences of less than 1 year to be housed in prison. These inmates are included in the total jurisdiction counts. Native Hawaiians and Pacific Islanders are included in the Asian race category. In 2013, nineteen inmates were released unconditionally when their sentences were vacated.

**West Virginia**—Other types of admissions and releases included those to and from the Anthony Center for Young Adults and Diagnostics. Other types of unconditional releases included court-ordered releases.

**Wisconsin**—Counts for 2013 were calculated using a different methodology than in previous years and therefore are not comparable to previous years’ data. Custody measures include inmates without Wisconsin sentences who were physically housed in a Wisconsin prison. Jurisdiction measures include inmates with Wisconsin sentences, regardless of where they were physically located. Sentence length for custody and jurisdiction counts was determined by calculating the time between an inmate’s admission date and their maximum discharge date. If the maximum discharge date was not recorded then the inmate’s mandatory release date was used. This may not accurately reflect whether the inmate was initially sentenced to 1 year or less or more than 1 year. Unsentenced inmates were those who had not yet had data entered reflecting their mandatory release date and maximum discharge date; some of these inmates may have been sentenced, but the DOC was unable to determine the sentence length at the time they responded to NPS. This mainly affected probation offenders in the Milwaukee facility on temporary hold. Sentence length for admissions was calculated as the time between an inmate’s admission date and their maximum discharge date, or mandatory release date if the maximum discharge date was not available. Admissions for parole violators without a new sentence include offenders on parole who were admitted for alternatives to revocation. Sentence length for prison releases was calculated as the time between an inmate’s admission date and their actual release date, so this may not accurately reflect whether they were sentenced to more than 1 year. Native Hawaiian and Pacific Islander inmates are included in the Asian category.

**Adult imprisonment rate**—The number of prisoners under state or federal jurisdiction sentenced to more than 1 year per 100,000 U.S. residents age 18 or older.

**Average annual change**—Average (mean) annual change across a specific period.

**Capacity, design**—The number of inmates that planners or architects intended for a facility.

**Capacity, highest**—The maximum number of beds reported across the three capacity measures: design capacity, operational capacity, and rated capacity.

**Capacity, lowest**—The minimum number of beds across the three capacity measures: design capacity, operational capacity, and rated capacity.

**Capacity, operational**—The number of inmates that can be accommodated based on a facility's staff, existing programs, and services.

**Capacity, rated**—The number of beds or inmates assigned by a rating official to institutions within a jurisdiction.

**Conditional releases**—Includes discretionary parole, mandatory parole, post-custody probation, and other unspecified conditional releases.

**Conditional release violators**—Readmission to prison of persons released to discretionary parole, mandatory parole, post-custody probation, and other unspecified conditional releases.

**Custody**—Prisoners held in the physical custody of state or federal prisons or local jails, regardless of sentence length or authority having jurisdiction.

**Imprisonment rate**—The number of prisoners under state or federal jurisdiction sentenced to more than 1 year per 100,000 U.S. residents of all ages.

**Inmate**—A person incarcerated in a local jail, state prison, federal prison, or a private facility under contract to federal, state, or local authorities.

**Jail**—A confinement facility usually administered by a local law enforcement agency that is intended for adults, but sometimes holds juveniles, for confinement before and after adjudication. Such facilities include jails and city or county correctional centers; special jail facilities, such as medical treatment or release centers; halfway houses; work farms; and temporary holding or lockup facilities that are part of the jail's combined function. Inmates sentenced to jail facilities usually have a sentence of 1 year or less. Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont operate integrated systems, which combine prisons and jails.

**Jurisdiction**—The legal authority of state or federal correctional officials over a prisoner, regardless of where the prisoner is held.

**New court commitments**—Admissions into prison of offenders convicted and sentenced by a court, usually to a term of more than 1 year, including probation violators and persons with a split sentence to incarceration followed by court-ordered probation or parole.

**Parole violators**—All conditional release violators returned to prison for either violating conditions of release or for new crimes.

**Prison**—A long-term confinement facility, run by a state or the federal government, that typically holds felons and offenders with sentences of more than 1 year. However, sentence length may vary by state. Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont operate integrated systems, which combine prisons and jails.

**Prisoner**—An individual confined in a correctional facility under the legal authority (jurisdiction) of state or federal correctional officials.

**Sentenced prisoner**—A prisoner sentenced to more than 1 year.

**Supervised mandatory releases**—Conditional release with postcustody supervision generally occurring in jurisdictions using determinate sentencing statutes.

**Unconditional releases**—Expirations of sentences, commutations, and other unspecified unconditional releases.

Started in 1926 under a mandate from Congress, the National Prisoner Statistics (NPS) Program collects annual data on prisoners at yearend. The Bureau of Justice Statistics (BJS) sponsors the survey, and the U.S. Census Bureau serves as the data collection agent. BJS depends entirely on voluntary participation by state departments of corrections and the Federal Bureau of Prisons (BOP) for NPS data.

The NPS distinguishes between inmates in custody and prisoners under jurisdiction. To have custody of a prisoner, a state or the BOP must hold that inmate in one of its facilities. To have jurisdiction over a prisoner, the state or BOP must have legal authority over that prisoner, regardless of where the prisoner is incarcerated or supervised. Some states were unable to provide counts that distinguish between custody and jurisdiction. (See *Jurisdiction notes* to determine which states did not distinguish between custody and jurisdiction counts.)

The NPS jurisdiction counts include persons held in prisons, penitentiaries, correctional facilities, halfway houses, boot camps, farms, training or treatment centers, and hospitals. Counts also include prisoners who were temporarily absent (less than 30 days), in court, or on work release; housed in privately operated facilities, local jails, or other state or federal facilities; and serving concurrent sentences for more than one correctional authority.

The NPS custody counts include all inmates held within a respondent's facilities, including inmates housed for other correctional facilities. The custody counts exclude inmates held in local jails and in other jurisdictions. With a few exceptions, the NPS custody counts include inmates held in privately operated facilities.

Respondents to NPS surveys are permitted to update prior counts of prisoners held in custody and under jurisdiction. Some statistics on jurisdiction and sentenced prison populations for prior years have been updated in this report. All tables showing data based on jurisdiction counts, including tables of imprisonment rates, were based on the updated and most recently available data that respondents provided.

Admissions include new court commitments, parole violator returns, and other conditional release violator returns; transfers from other jurisdictions; returns of prisoners who were absent without leave (AWOL), with or without a new sentence; escape returns, with or without a new sentence; returns from appeal or bond, and other admissions. For reporting purposes, BJS admission counts exclude transfers from other jurisdictions, AWOL returns, and escape returns.

Releases include unconditional releases (e.g., expirations of sentence or commutations), conditional releases (e.g., probations, supervised mandatory releases, or discretionary paroles), deaths, AWOLs, escapes from confinement, transfers to other jurisdictions, releases to appeal or bond, and other releases. For reporting purposes, BJS release counts exclude AWOLs, escapes, and transfers to other jurisdictions.

The NPS has historically included counts of inmates in the combined jail and prison systems in Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont. The District of Columbia has not operated a prison system since yearend 2001. Felons sentenced under the District of Columbia criminal code are housed in federal facilities. Jail inmates in the District of Columbia are included in the Annual Survey of Jails. Some previously published prisoner counts and the percentage change in population include jail inmates in the District of Columbia for 2001, the last year of collection. Additional information about the NPS, including the data collection instrument, is available on the BJS website.

### Nonreporting states

As of June 26, 2014, Nevada had not reported any 2012 or 2013 custody, jurisdiction, admission, release, or capacity data to the NPS. Using the same method as in *Prisoners in 2012: Trends in Admissions and Releases, 1991-2012* (NCJ 243920, BJS web, December 2013), BJS compared past NPS submissions from Nevada with analogous counts reported on the state's departments of corrections (DOC) websites. To generate admission and release estimates for Nevada, BJS used the monthly statistical abstracts published on the Nevada DOC website (<http://www.doc.nv.gov/?q=node/270>). BJS calculated the distributions of admission and release types by applying the average distribution for these measures from the most recent 5 years of submitted Nevada NPS data, and compared these with the state's 2013 submission of National Corrections Reporting Program (NCRP) data. For counts of total and sex-specific custody, jurisdiction, and racial and Hispanic origin distribution of the custody population, BJS used the weekly fact sheet dated December 26, 2013 ([http://www.doc.nv.gov/sites/doc/files/pdf/stats/fact\\_sheets/2013/12/Fact\\_Sheet\\_Weekly\\_12262013.pdf](http://www.doc.nv.gov/sites/doc/files/pdf/stats/fact_sheets/2013/12/Fact_Sheet_Weekly_12262013.pdf)). BJS compared these counts with NCRP data. Using the average of the past 5 years of submitted NPS data from Nevada, BJS applied the proportion of unsentenced prisoners and prisoners with sentences of 1 year or less or more than 1 year for these measures to the 2013 custody and jurisdiction totals, which assumes that the distribution of sentence length has been stable since 2006. BJS also assumed that the proportion of the Nevada prison jurisdiction population housed in local jails in 2013 was the same as that reported in 2011. BJS did not estimate a prison capacity count for Nevada for 2012 or 2013.

The Alaska DOC had not released its annual offender profile for 2013 (<http://www.correct.state.ak.us/administrative-services/research-records>) as of June 26, 2014, nor could BJS find any data concerning the size of the 2013 Alaska prison population on the Alaska DOC website. The DOC provided total sentenced and unsentenced custody counts and estimates for total jurisdictional population and total admissions and releases in mid-June, 2014. Alaska did not submit sex-specific estimates, so BJS used the distribution of males and females from Alaska's 2012 NPS data to obtain population counts



submitted estimates for annual admissions and releases were inconsistent with data submitted in the past, so BJS decided to substitute 2012 admission and release data for Alaska in 2013. Without external 2013 data that BJS could use to make an estimate based on past years' comparisons of DOC published data and NPS submissions, BJS decided to reuse the data submitted by Alaska in 2012 in 2013.

### **Military correctional data**

BJS obtains an annual count of service personnel under military jurisdiction from the Office of the Under Secretary of Defense for Personnel and Readiness. BJS disaggregates these data by the branch in which inmates served, the branch having physical custody of the inmate, and whether the inmate was an officer or enlisted.

### **Estimating yearend counts of prison population by age, sex, and race or Hispanic origin**

National-level estimates of the number of persons by race under the jurisdiction of state prisons on December 31, 2013, were based on an adjustment of NPS counts to comply with Office of Management and Budget (OMB) definitions of race and Hispanic origin. OMB defines persons of Hispanic or Latino origin as a separate category. Race categories are defined exclusive of Hispanic origin. OMB adopted guidelines for the collection of these data in 1997, requiring the collection of data on Hispanic origin in addition to data on race.

Not all NPS providers' information systems categorize race and Hispanic origin in this way. In 1991, the earliest time point in the analysis, only a few states were able to report information on Hispanic origin separately from race. BJS adjusts the NPS data on race and Hispanic origin by the ratio of the relative distribution of prisoners by race and Hispanic origin in self-report inmate surveys that use OMB categories for race to the relative distribution of prisoners by race and Hispanic origin in the NPS data. For this report, the 2004 Survey of Inmates in State Correctional Facilities was used to calculate the ratio used for statistics on racial distributions in 2013. The ratio obtained by comparing the within-year relative distributions by race and Hispanic origin was then multiplied by the NPS distribution in a year to generate the estimate of persons by race and Hispanic origin.

Estimates of the total number of sentenced prisoners by age, sex, race, and Hispanic origin on December 31, 2013, were generated by creating separate totals for federal and state prisons. For the federal estimates, each sex-race count that BOP reported to the NPS was multiplied by the ratio of the age category count within the sex-race combination in the Federal Justice Statistics Program (FJSP) to the FJSP total count within the sex-race combination (e.g., FJSP white males ages 18 to 19 divided by FJSP white males). The resulting product yielded the FJSP-adjusted NPS counts for each sex-race combination by age group (e.g., white male prisoners ages 18 to 19 in the federal prison system). State prison age distributions

estimates were added together to obtain national estimates for yearend prison populations.

### **Estimating imprisonment rates by age, sex, and race or Hispanic origin**

BJS calculated age-specific imprisonment rates for each age-sex-race group by dividing the estimated number of sentenced prisoners within each age group under jurisdiction on December 31, 2013, by the estimated number of U.S. residents in each age group on January 1, 2014. BJS multiplied the result by 100,000 and rounded to the nearest whole number. Totals by sex include all prisoners and U.S. residents, regardless of race or Hispanic origin.

### **Estimating offense distribution in the state and federal prison populations by age, sex, and race or Hispanic origin**

BJS employed a ratio adjustment method to weight the individual-level race and Hispanic origin or sex-specific offense data from the NCRP to the state prison control totals for sex and the estimated race or Hispanic origin from the NPS, which yielded a national offense distribution for state prisoners. Inmates missing offense data were excluded from the analysis prior to the weighting. Because data submission for the NCRP typically lags behind that of the NPS, state offense distribution estimates are published for the previous calendar year.

In past *Prisoners* bulletins, BJS did not include data on felons sentenced by the superior court in the District of Columbia in its federal offense distributions. However, the federal prison offense distribution in *Prisoners in 2012* has been updated. (See *Prisoners in 2012: Trends in Admissions and Releases, 1991–2012*, NCJ 243920, BJS web, December 2013.) In 2007 BJS began limiting the distributions to prisoners sentenced to more than 1 year in federal facilities. To standardize the time series of federal data and to permit comparison between the state and federal offense data, BJS has reissued the federal data starting in 2001, when felons sentenced in the District of Columbia became the responsibility of the BOP. Data presented in table 15 and table 16 are drawn from FJSP and are limited to inmates sentenced to more than 1 year in federal custody. The data are further limited to inmates sentenced on U.S. district court commitments, District of Columbia superior court commitments, and those returned to federal custody following violations of probation (both federal and District of Columbia), parole, supervised release, or mandatory release. Due to these methodological differences, the estimates in table 15 and table 16 will differ from previously published federal offense distributions presented in past *Prisoners* bulletins, as well as from those presented in the FJSP web tool (<http://www.bjs.gov/hjsrc/>) or *Federal Justice Statistics* bulletins and statistical tables (<http://www.bjs.gov/index.cfm?ty=tp&tid=6>). Since FJSP is a custody collection, the total count of prisoners in table 15 and table 16 will differ from the jurisdiction count of prisoners reported to NPS.

state and federal correctional authorities provide three measures of their facilities' capacity: design capacity, operational capacity, and rated capacity. Estimates of the prison populations as a percentage of capacity are based on a state or federal custody population. In general, state capacity and custody counts exclude inmates held in private facilities, although five states include prisoners held in private facilities as part of the capacity of their prison systems: Florida, Georgia, Idaho, Louisiana, and Mississippi. For these states, prison population as a percentage of capacity includes inmates held in the states' private facilities.

### California sentencing data

Data presented in table 11 on the number of inmates in California state prisons who received sentences of life, death, or enhanced sentences under the state's two- and three-strikes laws were downloaded from the California Department of Rehabilitation and Corrections' website on May 29, 2014. The counts come from the table 10 of the Prison Census Data reports, published quarterly: [http://www.cdcr.ca.gov/Reports\\_Research/Offender\\_Information\\_Services\\_Branch/Annual/CensusArchive.html](http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Annual/CensusArchive.html).

the median time served by prisoners released in 2002 and 2012 was calculated using state prison release data from NCRP. The analysis was limited to the 35 states that provided inmate-level data on released prisoners in both years. Only those prisoners identified as having been admitted for a new offense were included in the calculation, because the inclusion of those admitted on parole violations after having already served a portion of their original sentence would artificially depress the median time served. Only inmates released through escapes, transfers, and AWOLs were excluded from the analysis; all other types of release were retained. Individuals with missing dates or type of admission were excluded. To obtain the estimated total number of releases for all inmates, males, and females, the NCRP distribution of persons admitted on new court commitments and released in 2002 or 2012 was applied to the NPS total release count for these years. Estimated counts of releases per offense applied the NCRP distribution of these releases to the aforementioned total. This assumes that states not participating in NCRP in 2002 and 2012 had similar offense distributions to states that did submit data.

Prison facility capacity, custody population, and percent capacity, December 31, 2013

Jurisdiction	Type of capacity measure			Custody population	Custody population as a percent of—	
	Rated	Operational	Design		Lowest capacity <sup>a</sup>	Highest capacity <sup>a</sup>
Federal <sup>b</sup>	130,907	...	...	174,242	133.1%	133.1%
Alabama <sup>c</sup>	...	26,145	13,318	26,271	197.3%	100.5%
Alaska <sup>d</sup>	/	/	/	5,054	/	/
Arizona	36,681	42,025	36,681	34,626	94.4	82.4
Arkansas	14,424	14,479	13,885	14,295	103.0	98.7
California <sup>c</sup>	...	...	86,054	122,798	142.7	142.7
Colorado	...	14,121	13,183	16,286	123.5	115.3
Connecticut	/	/	/	16,594	/	/
Delaware <sup>c</sup>	5,775	5,210	4,161	6,798	163.4	117.7
Florida <sup>e</sup>	...	114,995	...	100,940	87.8	87.8
Georgia <sup>e</sup>	60,638	54,583	...	53,701	98.4	88.6
Hawaii	...	3,327	2,291	3,752	163.8	112.8
Idaho <sup>c,e</sup>	...	6,924	7,010	7,219	104.3	103.0
Illinois	32,075	32,075	28,192	48,653	172.6	151.7
Indiana	...	30,917	...	28,495	92.2	92.2
Iowa <sup>f</sup>	...	...	7,109	8,106	114.0	114.0
Kansas	9,180	9,233	9,164	9,515	103.8	103.1
Kentucky	12,157	13,062	13,857	12,141	99.9	87.6
Louisiana <sup>e</sup>	18,121	15,531	16,764	18,794	121.0	103.7
Maine	2,339	2,033	2,339	2,073	102.0	88.6
Maryland	...	23,465	...	21,676	92.4	92.4
Massachusetts	...	...	8,029	10,622	132.3	132.3
Michigan <sup>c,g</sup>	44,846	43,985	...	43,704	99.4	97.5
Minnesota	...	9,099	...	9,391	103.2	103.2
Mississippi <sup>e</sup>	...	25,691	...	15,591	60.7	60.7
Missouri <sup>c</sup>	...	31,681	...	31,499	99.4	99.4
Montana	1,679	...	...	1,666	99.2	99.2
Nebraska <sup>c</sup>	...	3,969	3,175	5,012	157.9	126.3
Nevada <sup>h</sup>	/	/	/	/	/	/
New Hampshire <sup>c</sup>	...	2,848	2,190	2,848	130.0	100.0
New Jersey	19,461	20,959	22,902	19,528	100.3	85.3
New Mexico	6,485	7,428	7,428	3,783	58.3	50.9
New York	52,855	53,408	52,330	53,312	101.9	99.8
North Carolina	...	39,206	33,615	37,176	110.6	94.8
North Dakota <sup>i</sup>	1,044	991	1,044	1,571	158.5	150.5
Ohio	34,986	...	...	46,224	132.1	132.1
Oklahoma <sup>c</sup>	18,607	18,607	18,607	18,313	98.4	98.4
Oregon <sup>i</sup>	...	...	14,362	14,605	101.7	101.7
Pennsylvania <sup>c</sup>	47,780	47,780	47,780	49,735	104.1	104.1
Rhode Island	3,989	3,774	3,973	3,168	83.9	79.4
South Carolina	...	23,806	...	21,534	90.5	90.5
South Dakota <sup>c</sup>	...	3,633	...	3,596	99.0	99.0
Tennessee	22,264	21,528	...	15,655	72.7	70.3
Texas <sup>c</sup>	161,173	154,901	161,173	140,839	90.9	87.4
Utah	...	7,191	7,431	5,382	74.8	72.4
Vermont	1,681	1,681	1,322	1,579	119.4	93.9
Virginia <sup>c</sup>	31,658	...	...	28,431	89.8	89.8
Washington	16,799	16,488	...	17,760	107.7	105.7
West Virginia	4,948	5,778	4,948	5,708	115.4	98.8
Wisconsin <sup>c</sup>	...	22,923	17,181	22,443	130.6	97.9
Wyoming	2,288	2,288	2,407	2,036	89.0	84.6

...Not available. Specific type of capacity is not measured by state.

/Not reported.

<sup>a</sup>Population counts are based on the number of inmates held in custody of facilities operated by the jurisdiction. Excludes inmates held in local jails, other states, or private facilities unless otherwise stated.

<sup>b</sup>Federal custody count reported for the calculation of capacity includes an additional 412 inmates compared to the yearend custody reported in National Prisoner Statistics (NPS).

<sup>c</sup>State defines capacity in a way that differs from BJS's definition. See *Jurisdiction notes*.

<sup>d</sup>Alaska did not report 2013 capacity data to NPS, and new facility construction prevents BJS from using prior years' data.

<sup>e</sup>Private facilities included in capacity and custody counts.

<sup>f</sup>Both capacity and custody counts exclude inmates in community-based work release facilities.

<sup>g</sup>Capacity counts include institution and camp net operating capacities and the population of community programs on December 31 since these programs do not have a fixed capacity.

<sup>h</sup>Nevada did not report 2013 NPS data.

<sup>i</sup>State did not report 2013 capacity or custody data to NPS. Data are from 2012.

Source: Bureau of Justice Statistics, National Prisoner Statistics Program, 2013.



The Bureau of Justice Statistics of the U.S. Department of Justice is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal, and local levels. BJS collects, analyzes, and disseminates reliable and valid statistics on crime and justice systems in the United States, supports improvements to state and local criminal justice information systems, and participates with national and international organizations to develop and recommend national standards for justice statistics. William J. Sabol is acting director.

This report was written by E. Ann Carson. Todd Minton, Laura Maruschak, Sheri Simmons, and Josephine Palma verified the report.

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