Bureau of Justice Statistics

Prisoners at Midyear 1983

During the 6 months ending June 30, 1983, the U.S. prison population grew by 4.2%, reaching a total of 431,829. The increase was the lowest recorded for a 6-month period since quarterly collection began in 1981 (see figure 1). During the second quarter (April through June), the increase slowed to 1.5%, compared to 2.7% in the first quarter (January through March). Both first and second quarter increases were lower than for the comparable periods in 1982 (see table 1).

The aggregate growth pattern masked refugees held under the jurisdiction of the high since the mid-1970s, reaching record grew about twice as fast as the combined State systems (8.3% v. 3.9%) so far this year (see table 2).

Number of sentenced State and Federal prisoners,

Note: Prior to 1978, NPS reports were based on the

yearend 1925 - midyear 1983

This midvear report on prison population is the 28th Bureau of Justice Statistics Bulletin. When the first bulletin was published in 1981, my predecessor invited readers to comment on the bulletins and to suggest topics to be treated. I wish to renew that invitation and add that any other suggestions for improving the usefulness of the bulletins are also welcome.

Prison population statistics are collected for the Bureau of Justice Statistics by the Bureau of the Census through the National Prisoner Statistics program. This program is made possible by the continuing cooperation of correctional officials in the 50 States and the District of Columbia. Steven R. Schlesinger

Director

Factors in growth

The U.S. prison population experienced substantial increase in 1975 and 1976. followed by 4 years of somewhat slower growth through 1980 (see table 3). Record high gains of 12% in both 1981 and 1982 pushed the prison population beyond the

Among the foremost factors in that growth have been increased crime and stiffened public attitudes toward crime

Jurisdiction

the jurisdiction population. Both figures are shown

for 1977 to facilitate year-to-year comparis

and criminals. The growth in reported crimes during the past decade has been outpaced by the growth in the number of arrests during that period. At the same time, new developments in the criminal justice system fostering more convictions, more convicted persons sentenced to prison, and harsher penalties have contributed to prison growth. At the Federal level, continuing emphasis on the prosecution of white-collar and drug crimes has led to a larger proportion of inmates with longer sentences.

In some jurisdictions, stricter attitudes toward parolees and greater readiness to return parole violators to prison have also served to compound prison population growth, particularly since the number of persons on parole has increased dramatically in recent years. In addition, some States have stiffened penalties for many

Percent increase in U.S. prison June 30, 1983

		Sentenced to:		
Quarter	All prisoners	More than 1 year	1 year or less or unsentenced	
1982 First	3.4	3.1	9.9	
Second	3.3	3.0	9.1	
Third	2.8	3.0	-1.1	
Fourth	2.2	2.3	-2.1	
1983 First	2.7	2.8	4.7	

differing trends at the State and Federal levels. In the Federal system, increases in population have occurred since the end of 1980, following 3 years of decline. The growth was spurred in part by the inclusion in Federal counts of some 2,000 Immigration and Naturalization Service. State prison population growth has been levels in 1981 and 1982, but it appeared to slow somewhat during the first half of 1983. As a result, the Federal system

Table 2 Prisoners taylor jurisdiction of State and Rederal correctional authorities. by region and State, yearend 1982 and first and second guarter, 1983

	Makal subsamas massalaktas			Percent cha		Number of sentenced
Region and State	12/31/82 <u>T</u>	otal prisoner population 3/31/83	6/30/83	12/31/82 to 6/30/83	3/31/83 to 6/30/83	prisoners per 100,0 population 6/30/83
United States	414,362	425,625	431,829	4.2	1.5	177
Male	396,439	407,127	412,976	4.2	1.4	349
emale .	17,923	18,498	18,853	5.2	1.9	14
ederal institutions ^b	29,673	31,537	32,142	8.3	1.9	11
tate institutions	384,689	394,688	399,687	3.9	1.4	166
fortheast	60,203	61,812	62,799	4.3	1.6	121
Maine	999	1,019	1,041	4.2	2.2	73
	445	448	453	1.8	1.1	47
New Hampshire Vermont	599	612	596	-0.5	-2.6	
Massachusetts ^d	4,623	4,542	4,508 ^e	-2.5	-0.7	82 78 f
Rhode Island ^e	1,037	1,118	1,150	10.9	2.9	89
Connecticut ^e	5,836	5,839	5,534	~5.2	-5.2	107
New York	27,951	28,919	29,802	6.6	3.1	168
New Jerseyd	8,191	8,460	8,613	5.2	1.8	113
Penrisylvania	10,522	10,855	11,102	5.5	2.3	93
orth Central	78,549	79,107	79,965	1.8	1.1	134
Onio	17,317	17,991	18,249	5.4	1.4	169
Indiana	8,790	9,159	9,304	5.8	1.6	162
Illinoisg	14,293	13,954	13,957	-2.4		120
Michigan	15,224	14,481	14,633	-2.4 -3.9	1.0	162
Wisconsin	4,670	4,794	4,649	-0.4	-3.0	96
	2,081	2,148	2,222	-0.4 6.8	-3.0 3.4	50 53
Minnesota Iowa ^{g,h}				-0.5	-2.5	92
	2,829 7,445	2,885 7.526	2,814	-0.5 4.7	-2.5 3.6	157
Missouri	7,445	7,526	7,797			
North Dakota	322	387	402	24.8	3.9	50
South Dakota	791	815	815	3.0	0.0	114
Nebraska ^g Kansas	1,709 3 078	1,711 3 256	1,726	1.0 10.4	0.9 4.3	95 140
outh	3,078 180,946	3,256 185,447	3,397 187,766	10.4 3.8	4.3 1.3	140 229
Delaware <u></u>	-	2,238		3.8 4. 7	-3.6	274
Delaware -	2,062		2,158			
Maryland ^g District of Columbia ^c	11,012	11,288	11,702	6.3	3.7	258
	4,081	4,155	4,338	6.3	4.4	549
Virginia	10,079	10,195	10,320	2.4	1.2	180
West Virginia	1,729	1,436	1,570	-9.2	9.3	81
North Carolina	16,578	17,323	16,418	-1.0	-5.2	249
South Carolina	9,137	9,654	9,729	6.5	0.8	280
Georgia ^d	14,416	14,686	15,510	7.6	5.6	263
Florida d	27,830	27,604	27,830	0.0	0.8	250
Kentuckyd	4,077	4,046	4,136	1.4	2.2	113
Tennessee	7,869	8,750	8,986	14.2	2.7	192
Alabama	9,233	9,108	9,332	1.1	2.5	229
Mississippi	5,484	5,444	5,661	3.2	4.0	215
Arkansas	3,925	3,896d	3,950	0.6	1.4	171
Louisiana	10,935	11,439	11,948	9.3	4.4	270
Oklahoma	6,350	6,815	7,215	13.6	5.9	222
Texas ^h	36,149	37,370	36,963	2.3	-1.1	235
lest	64,991	67,722	69,157	6.4	2.1	146
Montana	914	948	923	1.0	-2.6	114
Idaho	1,047	1,121	1,136	8.5	1.3	117
Wyoming	702	717	722	2.8	0.7	140
Colorado	3,042	3,301	3,310	8.8	0.3	106
New Mexicog	1,718	1,874	1,788	4.1	-4.6	121
Arizona	6,069	6,188	6,384	5.2	3.2	216
Utah	1,216	1,302	1,313	8.0	0.8	82
Nevada	2,712	2,914	3,032	11.8	4.0	331
Washington	6,322	6,309	6,313	-0.1	0.1	147
Oregon	3,867	3,870	3,972	2.7	2.6	150
California	34,640	36,122	37,238	7.5	3.1	143
Alaska ^e Hawaii ^e	1,306 1,436	1,473 1,583	1,391 1,635	6.5	-5.6	210
				13.9	3.3	96

NOTE: Prisoner counts may differ from those reported in previous publications and are subject to revision as updated figures become

... Less than 0.5 percent.

^aUnpublished Bureau of the Census estimates for the resident population on July 1, 1983, were used to calculate rates of incarceration. Sentenced prisoners are defined as those serving sentences of more than one year.

^bFederal Bureau of Prisons data include the following number of persons held under jurisdiction of the Immigration and Naturalization Service: 1,203 on 12/31/82; 1,066 on 3/31/83; and 1,062 on 6/30/83.

epigures include both jail and prison inmates: jails and prisons are combined in one system.

^dFigures for Georgia, Massachusetts, and New Jersey exclude State prisoners held in local jails. Figures for Kentucky include State prisoners awaiting release in local jails but exclude those awaiting transfer to prison. First quarter figures for Arkansas exclude State prisoners held in local jails.

^eMassachusetts' third quarter figure is for June 29, 1983.

f Massachusetts cannot distinguish inmates by sentence length; therefore, the incarceration rate is based on the total population.

gTotal population counts are accurate: however, the number of sentenced prisoners, on which the incarceration rate is based, is estimated.

hFigures for Iowa and Texas exclude inmates under State jurisdiction but not in State

ⁱFigures exclude adult inmates under the jurisdiction of the California Youth Authority.

crimes or have added prison terms to crimes that formerly earned jail stays.

Changing public attitudes toward crime in the 1970s set in motion actions and reactions that have helped shape prison population trends. Certain mechanisms resulted in rapid growth that in turn engendered countermeasures designed to relieve overcrowding. Some of these latter measures are now themselves coming under attack as public sentiment against early release mounts.

Among the mechanisms that have affected prison growth are a series of laws and guidelines that vary from State to State but have as their goals the reduction of sentence disparities, the reduction of discretion on the part of judges and releasing authorities, and a focus on deterrence and incapacitation as penal objectives. Examples of such measures are determinate and mandatory sentencing laws and sentencing and parole release guidelines.1

Determinate sentencing laws establish specific sentences or sentence ranges from which a judge must choose once a person is convicted. They preclude release by a parole authority prior to the expiration of sentence. Mandatory sentencing laws require imprisonment, as opposed to probation or other alternatives, for specific offenders or offenses. Sentencing and parole release guidelines provide authorities with a structured set of procedures that allow decisions to be made using specified measurable criteria.

Measures designed to relieve crowding

The record growth since the mid-1970s (see table 3) pushed many State correctional systems beyond their capacities and led to a period of increased court intervention in the prisons. As of January 28, 1983, there were 38 States and the District of Columbia either under court order to remedy prison conditions, especially overcrowding, or with legislation on these issues pending.

Some States are operating prison systems at as much as 30% over capacity. To alleviate crowding, prisoners have been housed in tents, sheds, military stockades, and trailers. In addition, the backlog of State prisoners in local jails has continued to grow, resulting in increased tension between State and local authorities over which system is best able to handle the excess volume.

During the 1980s, efforts have been made in several areas to deal with the influx of prisoners, including building more prisons, double- and triple-celling, and early release and commutation programs. To date, new prison construction, while

Change in total prison population, 1974-midyear 1983 Percent Number Year 1974 10.5 1975 1976 253,816 278,000 9.5 291,667 4.9 1977 (custody) 1977 (jurisdiction) 300,024 NA 2.4 2.3 4.9 307,276 1979 1980 314.457

329.821

414.362

431.829

12.0

12.2 4.2 (6 mos.)

Table 3.

1981

1983 midyear

NOTE: Before 1977, NPS reports were based on the custody population. Beginning in 1977, they were based on the jurisdiction population. Both figures are shown for 1977 to facilitate year-to-year comparison. NA Not applicable.

adding bedspace, has not kept pace with the increasing demand; however, more prisons are on the way. It is estimated that prison building projects totaling nearly \$2 billion are currently underway in at least 39 States.2

It is yet too early to tell whether the other measures will withstand court scrutiny, as some have already come under attack in higher courts. Multiple-celling has been challenged in numerous court cases, but in the 1981 Rhodes v. Chapman case the Supreme Court held that doublecelling is not in itself a violation of prisoners' rights, since cell size is not the only factor in determining adequacy of prison conditions. More recently, the U.S. Supreme Court went beyond Rhodes. In Smith v. Fairman, decided in May of 1983, it rejected an appeal from an Illinois inmate who shared a 6x9-foot cell for periods up to 20 hours a day.

Early release programs typically set in motion a rollback procedure in which some inmates' parole eligibility or release dates

are moved forward whenever the prison population exceeds capacity for a certain number of days. Some aspects of early release have also been challenged in court.

In addition, some sentencing guidelines factor in a bedspace count so that, should the prison system be at or near capacity, judges have a means of determining the most appropriate cases for diversion from prison at the sentencing stage.

State-by-State growth patterns for the

State patterns

first 6 months of 1983 reveal: • A total of 10 States reported prison population declines during the first 6 months of 1983; however, in 5 States the decline was less than 1%. One State (Fiorida) remained at the same level, while the remaining jurisdictions, including the Federal system and the District of Columbia, increased. • Seven States reported increases of at least 10% during the first 6 months of 1983, compared to 15 States during the first half of 1982 (see table 4). • Five States added more than 1,000 inmates to their rolls, compared to seven in the same period of 1982. • Two States (Texas and California) exceeded the Federal prison system in size, the same as in June 1982. • Thirteen States held more than 10.000 inmates, one more State than in June of

The four largest State correctional systems (California, 37,238; Texas, 36,963; New York, 29,802; and Florida, 27,830) together accounted for a third of all State prison inmates. Among the four, California and New York continued to have rapid growth, while in Texas and Florida growth abated.

Following increases of 19% in 1981 and 18% in 1982, California's high growth of 8% during the first half of 1983 led it to surpass Texas as the State with the largest prison population. California was one of

Table 4. The prison situation at midvear 1983

States with 10,000 or more prisoners		States with increases of 10% or more since 1982		States with increases of 500 or more since 1982		States with in- carceration rates or 200 or more per 100,000 U.S. population	3
California Texas New York Florida Ohio North Carolina Georgia Michigan Illinois Louisiana Maryland Pennsylvania Virginia	37,238 36,963 29,802 27,830 18,249 16,418 15,510 14,633 13,957 11,948 11,702 11,102 10,320	North Dakota Tennessee Hawaii Oklahoma Nevada Rhode Island Kansas	24.8 14.2 13.9 13.6 11.8 10.9 10.4	California New York Tennessee Georgia Louisiana Ohio Oklahoma Texas Maryland South Carolina Pennsylvania Indiana	2,598 1,851 1,117 1,094 1,013 932 865 814 690 592 580 514	Nevada South Carolina Delaware Louisiana Georgia Maryland Florida North Carolina Texas Alabama Oklahoma Arizona Mississippi	3 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2

NOTE: The District of Columbia, as a wholly urban area, is excluded from the list of States with high incarceration rates.

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¹ See Setting prison terms, Bureau of Justice Statistics NCJ-76218, August 1983, NCS-76218.

² July 1983 survey by the Prisons Division of the National Institute of Corrections

the early States to enact determinate sentencing. In addition to existing statutes requiring mandatory prison terms for violent criminals, the legislature recently enacted a similar law on property crimes, including residential burglary. Attempts to address overcrowding through early release programs that are set in motion when prison population exceeds capacity have met with opposition in California. In addition, a January 1983 law did away with automatic good time. specifying that inmates can now earn good time only by participating in educational or work programs; on the other hand, good time can now amount to half the sentence length, up from a third previously.

Texas' slowdown, from an increase of 6% in the first half of 1982 to an increase of 2% in the first half of 1983, is linked in part to an early release program that moves up the supervised mandatory release date of some inmates by 180 days.

In New York, increased court resources (including longer hours for court sessions and more judges) have resulted in higher commitment rates. New York's prison population grew by 7% during the first 6 months of 1983 v. 9% for all of 1982.

Florida's population, which experienced growth rates of 14% in 1981 and 18% in 1982, leveled off during the first half of 1983. Ohio's continued high growth rate (5% for the first half of 1983, following annual rates of 11% in 1981 and 16% in 1982) has been linked to a high crime rate and a correspondingly high number of admissions to prison.

North Carolina's early release program, along with a new sentencing law decreasing the amount of time served, may be linked to a 1% decline in its prison population. In addition, revisions in goodtime regulations have made most inmates' sentences shorter.

Georgia's prison population grew at the rate of 8% during the first 6 months of 1983, following a very high percentage growth of 13% in the corresponding period of 1982. Courts in that State have limited the number of State prisoners that can be held in local jails. The State has also increased prison capacity, while at the same time experiencing a slowdown in

Michigan, with the Nation's eighth largest prison population, is perhaps the most frequently cited State in terms of response to prison overcrowding. Michigan experienced severe crowding following a 1978 referendum eliminating good time from the sentences of many prisoners. In response, the State passed a Prison Overcrowding Emergency Powers Act in 1981 that has since been invoked five times. The law provides a mechanism for reducing the prison population to less than 95% of capacity whenever the population exceeds capacity for more than 30 days.

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October 1983, NCJ-91034

As a result, Michigan's prison population has stabilized, with an increase of 0.2% in 1981 and declines of 3% in 1982 and 4% during the first 6 months of 1983.

The Illinois prison population dropped from increases of 11% in 1981 and 5% in 1982 to a decline of 2% in the first half of 1983. Illinois also has an early release program that is triggered when the prison population nears capacity. However, in midvear 1983, the Illinois Supreme Court invalidated the practice of giving any individual prisoner more than one meritorious award consisting of 90 days good time, as had been done previously under the program.

Some States with very large percentage increases had relatively small prison populations that tend to increase much more rapidly than some large prison systems. In all, seven States had 6-month increases of at least 10%. North Dakota, with a 25% increase, held 402 prisoners and had the second lowest incarceration rate of any State, 50 prisoners per 100,000 population. In Tennessee, with a 14% increase, some prisoners who used to serve time in jail are now being sent to prison.

Hawaii's 14% increase is linked to more crime and large numbers held awaiting trial in Hawaii's combined jail/prison system. Rhode Island also has a combined jail/prison system. Its 11% increase reflects a growth in the number of drunkdriving suspects held awaiting trial. In addition, parole guidelines have resulted in longer sentence lengths.

Oklahoma, also with a 14% increase, reports more commitments and longer sentences. Nevada's 12% increase has been linked to a "get tough" attitude, particularly regarding parole releases. Kansas, with a 10% increase, enacted a determinate sentencing law in mid-1982.

The largest decline for the 6-month period was recorded in West Virginia, but it all took place in the first quarter. Connecticut registered a 5% decline, all of which took place in the second quarter. Illinois, Massachusetts, Michigan, and North Carolina were the only other States with declines of at least 1% for the 6 months ending June 30, 1983. Four other States (Iowa, Vermont, Washington, and Wisconsin) had declines of less than 1%.

Incarceration rate continues to climb

One measure of the extent to which States are imprisoning offenders is the incarceration rate. It is traditionally presented as the number of people in prison for every 100,000 people living in the State. The two functions of an incarceration rate are 1) it allows comparisons to be made between two or more States as if those States each had the same number of people living in them and 2) it allows comparisons to be made over time for an individual State, or for the Nation as a whole, without distortion from any population changes that may have occurred.

At midyear 1983 incarceration rates ranged from 47 in New Hampshire to 331 in Nevada-a range considerably narrower than that for the prison population in absolute numbers (402 in North Dakota to 37,238 in California). Nothing can be directly inferred from the broad range of incarceration rates except that the differences are not due to differences in population size.

Some of the factors affecting incarceration rates are institutional ones such as the presence of a combined jail/prison system, the extent to which probation is used as an alternative to prison, the dividing line between sentences served in prison and sentences served in jail, different sentencing structures, different parole practices, and the relative efficiency of police and court systems. Other factors include the degree of urbanization in the State, the amount of tourism, the size of the transient and commuter population, and the age and sex composition and other characteristics of the State's population. And, finally, there is the State crime rate. The incarceration rate for the United States as a whole is affected by all of these State variations. Nevertheless it is an important measure of longterm trends in the use of imprisonment.

The rate of incarceration for the United States was 177 sentenced prisoners per 100,000 U.S. population, up from 170 per 100,000 at yearend 1982. Since 1974, the rate has increased by 70%, a rise that has been attributed to the related factors of increased crime rates and the maturing of the baby boom generation. Based on the prison-prone age group of 20-29-yearold males, the rate was considerably higher and continues to rise. Moreover, this age group has not yet peaked. Thus, even if the incarceration rate for 20-29year-olds remained at the same level, their numbers would continue to drive the prison population upward during the 1980s.

Slower growth among short-sentence inmates

The number of prison inmates who were unsentenced or who had sentences of a year or less rose 1% to a total of 18,619 for the 6 months ending in June. Such

inmates are concentrated in a few States. including the seven with combined jail/prison systems, which account for almost a third of the total (see table 5). Other States with large numbers of inmates sentenced to a year or less or with no sentence included North Carolina and California. In North Carolina, where these prisoners account for 8% of all prisoners, adult misdemeanants with a minimum term of 181 days or more serve their time in State facilities; in other States, such prisoners typically go to local jails. California has a relatively large group of unsentenced narcotics users committed to prison under civil (noncriminal) statutes.

In State institutions, the unsentenced group and those with sentences of a year or less increased at a slower rate than those with sentences of more than a year (3% v. 4%). The differential was due in part to the impact of sentencing reduction mechanisms on those with short sentences. The group declined in the Federal system by 3%, as compared to an 11% gain among those sentenced to more than 1

Table 5. Short/no sentence inmates in States with combined jail/prison systems	S
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State	Number	Percen of tota
Hawaii	674	41.2
Connecticut	2,124	38.4
Alaska	438	31.5
Vermont	170	28.5
Rhode Island	290	25.2
Delaware	500	23.2
District of Columbia	890	20.5

Table 6. Women in State and Federal institutions, 1974-midyear 1983					
Year	Number	Percent change	Percent of prison popu- lation		
1974	8,091	***************************************	3,5		
1975	9,667	19.5	3,8		
1976	11,170	15.5	4.0		
1977 (custody)	12,041	7.8	4.1		
1977 (jurisdiction)	12,279	NA	4.1		
1978	12,746	3.8	4.2		
1979	12,995	2.0	4.3		
1980	13,420	3.3	4.1		
1981	15,456	15.2	4.2		
1982	17,923	16.0	4.3		
1983 midyear	18,853	5.2 (6	4.4		

NOTE: Before 1977, NPS reports were based on the custody population. Beginning in 1977, they were based on the jurisdiction population. Both figures are shown for 1977 to facilitate year-to-year-comparison NA Not applicable.

year. Federal emphasis on the prosecution of the most serious crimes may be a factor in the decline.

Women's growth rate faster than that of men

The number of women in State and Federal prisons reached 18,853 on June 30, 1983, an increase of 5% over yearend 1982. The rate was slightly higher than the 4% growth rate registered for men. Women still account for only 4% of the total prison population and their incarceration rate was far below that of men-

Table 7.	States with more than 500 women inmates				
State	Percent of all Number inmates		Percent increase 12/31/82 to 6/30/83		
California	1,883	5.1	13.9		
Texas	1,639	4.4	-2.3		
Florida	1,263	4.5	1.4		
Ohio	982	5.4	9.1		
New York	818	2.7	0.0		
Georgia	764	4.9	15.2		

3.9

Michigan

North Carolina

14 per 100,000 vs. 349 per 100,000. Women constitute a somewhat higher proportion of Federal prison inmates (6%) than of State prison inmates (4%), largely because of the nature of the crimes (e.g., higher proportions imprisoned for Grug crimes and forgery, fraud, and embezzlement) for which Federal prisoners are

655

643

Since data on the total prison population were first collected in 1974, the number of women has increased by 133%. compared to 86% for men (see table 6). Typically, however, they are held for less serious crimes. Among women, 8% had sentences of a year or less or were unsentenced, compared to 4% of the men.

As of June 1983, three States held more than 1,000 women, while five States held between 500 and 1,000 women (see table 7). Despite their slightly higher growth rate, the number of women declined in 17 States, while the number of men declined in 9 States.

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