

## **NEW PRISON POPULATION FIGURES: CRISIS AND OPPORTUNITY**

Newly released inmate population figures for 2001 released by the Bureau of Justice Statistics show a continued, but declining, rate of growth for state and federal prisoners. Overall, the state prison population rose by 0.3% and the federal population by 8%. Several developments of note can be seen in the new data:

### **States Responding to High Rates of Incarceration and Costs**

During the past two years, the three states with the highest rates of incarceration – Louisiana, Mississippi, and Texas – each adopted policy responses designed to control the growth of their prison populations. The Louisiana legislature eliminated mandatory minimum sentences for non-violent crimes, scaled back the state’s “three strikes” law, and cut sentence lengths for certain drug and non-violent crimes. The state of Mississippi eased its “truth in sentencing” law by permitting certain first time, non-violent, offenders to become eligible for parole after serving one-fourth of their sentence, rather than the previous proportion of 85%. And Texas increased the number of inmates paroled by 31% from fiscal year 2000 to 2001. These policy initiatives and others in many states in recent years suggest that policymakers are beginning to calculate the massive cost of incarceration to state budgets and attempting to control this source of growth.

### **Federal Prisoner Population Showing No Signs of Stability**

In contrast to the relative stability of the state prison population, the federal prisoner count continues to rise at a strong rate, 8%, (or about 4% if the District of Columbia inmate transfer is not included) compared to 0.3% for the state total. This primarily reflects the ongoing impact of federal drug policies, with drug offenders constituting 57% of federal prisoners. Efforts to modify the much-critiqued crack/cocaine sentencing laws by the U.S. Sentencing Commission and legislation introduced by Senators Hatch and Sessions have met with substantial opposition from the Justice Department. The federal government increasingly is relying on the use of private prisons as well, with 84% of last year’s growth in privatization occurring in the federal system.

### **Black Male Incarceration Rate at Record Level**

The newly released figures show that an estimated one in ten African American males in the age group 25-29 is in state or federal prison, compared to just over 1% of white males. If black male inmates in local jails are added to this count, the proportion rises to nearly one in seven. These unprecedented rates of incarceration portend significant consequences not only for these inmates but also for the African American community at large. The removal of such substantial numbers of young men (and increasingly women) from the community contributes to family dissolution, single parent households, and reduced job prospects upon return to the community. As a result of state-based disenfranchisement laws that restrict voting rights of felons and/or ex-felons, an estimated 13% of black males will be unable to vote in the November 2002 elections.

### **U.S. Still Maintains World Lead in Incarceration**

The 2001 rate of incarceration of 686 inmates per 100,000 population continues to place the U.S. as the world leader in this regard. During the 1990s, Russia and the U.S. had shared this distinction, but growing concern about over-incarceration and dangerous conditions of confinement have led to a Russian amnesty of more than 100,000 prisoners in recent years, resulting in a significant decline in its rate of incarceration to 644 per 100,000.

### **Future Growth Rates Dependent on Policy Choices**

The relatively modest growth of the state prison population in recent years has been due to a combination of lowered rates of crime, stability in prison admissions, and increased use of sentencing options through mechanisms such as drug courts and diversion programs. But sentencing changes of the 1980s and 1990s that lengthen prison terms pose substantial obstacles to a continuation of these trends. Continued stability, or reduced use of imprisonment, will depend on a consideration of policy options. These include the long-term impact of “three strikes” and mandatory sentencing policies, the use of treatment or incarceration as a primary tool in coping with drug abuse, and the provision of adequate resources for community-based prevention and treatment programs.