

THE
PEW
CENTER ON THE STATES

one in
31

**THE LONG REACH OF
AMERICAN CORRECTIONS**

MARCH 2009

ABOUT THIS REPORT

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

In 2006, the Pew Center on the States launched the Public Safety Performance Project (PSPP) to help states advance fiscally sound, data-driven policies and practices in sentencing and corrections that protect public safety, hold offenders accountable, and control corrections costs.

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

For fact sheets about the size and cost of the correctional populations in each of the states, see the online version of this report at www.pewcenteronthestates.org/publicsafety.

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Table of Contents

Executive Summary.....	1
America’s Surging Correctional Population.....	4
Community Corrections: Population Growth Exceeds Prisons	4
Sidebar: The Role of Probation and Parole.....	5
Who’s Under Supervision?.....	6
Case Study: Geographic Concentration in Michigan.....	6
Sidebar: An Even Wider Net?.....	10
Prisons: 32% of the Growth, 88% of the Cost.....	11
Community Corrections Far Less Expensive	12
Probation and Parole Stretched Thin	12
Sidebar: Policy Choices Put Bluegrass State in a Bind	15
More Prison Spending Brings Lower Public Safety Returns	17
The Myth of the “Average Prisoner”	17
The Declining Impact of Incarceration on Crime.....	18
Three Strikes for Incarceration.....	19
Prisons Reconsidered.....	20
Community Corrections: A Strategy for Safety and Savings.....	22
Sort Offenders by Risk to Public Safety.....	23
Base Intervention Programs on Science.....	23
Harness Technology	24
Impose Swift and Certain Sanctions for Violations.....	26
Create Incentives for Success	26
Sidebar: “HOPE” for Improvement in Hawaii.....	27
Measure Progress.....	29
A Rare Moment in Time	31
Figures	
7 Million and Counting.....	4
Less Than One-Third Behind Bars.....	5
1 in 31: Doing the Math	5
Who’s Under Correctional Control?	7
Wide Variance in Correctional Control.....	7
Correctional Control in Michigan	8
Prisons Dominate Spending	11
Explosive Growth in Prison Spending	12
State Daily Costs Per Offender	13
Daily Cost Details: Colorado	13
NY Cuts Crime and Incarceration.....	21
Kansas Population Trend.....	29
Endnotes.....	33
Methodology Notes	36
Jurisdictional Notes	38
Appendix Table A-1: National Correctional Populations, 1982-2007	40
Table A-2: State and National Correctional Spending.....	41
Table A-3: State Correctional Populations, Year End 2007	42
Table A-4: Adult Incarceration Rates (Jail and Prison)	43
Table A-5: Adult Community Supervision Rates (Probation and Parole).....	44
Table A-6: Adult Correctional Control Rates (Jail, Prison, Probation and Parole).....	45

Executive Summary

States face the worst fiscal crisis in a generation. Shrinking budgets are forcing governors and legislators to examine all areas of public spending for possible savings, even those that have been off limits.

Corrections is a prime target for cuts. Last year it was the fastest expanding major segment of state budgets, and over the past two decades, its growth as a share of state expenditures has been second only to Medicaid. State corrections costs now top \$50 billion annually and consume one in every 15 discretionary dollars.

The remarkable rise in corrections spending wasn't fate or even the natural consequence of spikes in crime. It was the result of state policy choices that sent more people to prison and kept them there

population reached 2.3 million and, for the first time, one in 100 adults was in prison or jail.

The escalation of the prison population has been astonishing, but it hasn't been the largest area of growth in the criminal justice system. That would be probation and parole—the sentenced offenders who are not behind bars.

With far less notice, the number of people on probation or parole has skyrocketed to more than 5 million, up from 1.6 million just 25 years ago. This means that 1 in 45 adults in the United States is now under criminal justice supervision in the community, and that combined with those in prison and jail, a stunning 1 in every 31 adults, or 3.2 percent, is under some form of correctional control. The rates are drastically elevated for men (1 in 18) and blacks (1 in 11) and are even higher in some high-crime inner-city neighborhoods.

Community Corrections: Big Promise, Little Support

Probation and parole, the dominant community corrections programs, have had larger population growth than prisons but far smaller budget growth. Looking at a handful of states that were able to provide long-term spending figures, eight times as many new dollars went to prisons as went to probation and parole. And while fewer than one out of three offenders is behind bars, almost nine out of 10 corrections dollars are spent on prisons.

Incarceration understandably costs more. Prisons must house, feed and provide medical care to the

“The fact that so many Americans, including hundreds of thousands who are a threat to no one, are incarcerated means that something is wrong with our criminal justice system and the way we deal with both dangerous criminals and those whose behavior we simply don't like.”

*David Keene, President, American Conservative Union
Personal communication
February 5, 2009*

longer. The sentencing and release laws passed in the 1980s and 1990s put so many more people behind bars that last year the incarcerated

“...Focus must be placed on locking up the most dangerous people instead of diverting time and money to incarcerate the wrong people.”

U.S. Sen. Jim Webb (D-Va.)
<http://webb.senate.gov>

most dangerous offenders. But the price gap is nevertheless staggering: on average, the daily cost of supervising a probationer in fiscal 2008 was \$3.42; the average daily cost of a prison inmate, \$78.95, is more than 20 times as high.

Community corrections agencies have been further strained by a host of added responsibilities. On top of crushing caseloads, new laws, such as statutes mandating lifetime supervision of some offenders, and expanded roles like sophisticated cyber-crime detection, have created new obligations for departments already stretched thin. The expanded duties are a partial recognition of the role that community corrections plays in protecting public safety, but they have come without sufficient investments in staff, equipment and other support.

Despite the meager funding and ballooning workload, there have been significant advances in community supervision. Sophisticated risk assessment tools now help determine which offenders require the most supervision and what sort of monitoring and services they need. Global positioning systems, rapid-result drug tests and other technology can track offenders' whereabouts and behavior. Offender supervision, treatment and re-entry programs are incorporating solid research on how to cut recidivism. Performance incentives are

increasingly available for both offenders and agencies, and managers are doing a better job tracking new arrests, collection of victim restitution and other key outcomes.

Taken together and implemented well, these approaches can produce double-digit reductions in recidivism and save states money along the way. If policy makers want these results, though, they will have to invest in the overburdened system of community corrections.

Opportunity in Crisis

After an extraordinary, quarter-century expansion of American prisons, one unmistakable policy truth has emerged: We cannot build our way to public safety.

Serious, chronic and violent offenders belong behind bars, for a long time, and the expense of locking them up is justified many times over. But for hundreds of thousands of lower-level inmates, incarceration costs taxpayers far more than it saves in prevented crime. And new national and state research shows that we are well past the point of diminishing returns, where more imprisonment will prevent less and less crime.

With the costs of imprisonment rising and the benefits falling, our ability to keep communities safe depends more than ever upon our ability to better manage the 5 million offenders on probation and parole.

The current budget crisis presents states with an important, perhaps unprecedented opportunity to do so. Rather than trying to weather the economic storm with short-term cost saving measures, policy leaders should see this as a chance to retool their sentencing and corrections

“We have to fundamentally rethink prisons.”

Newt Gingrich
American Enterprise Institute forum
March 27, 2008

systems. If we had stronger community corrections, we wouldn't need to lock up so many people at such a great cost. By redirecting a portion of the dollars currently spent on imprisoning the lowest-risk inmates, we could significantly increase the intensity and quality of supervision and services directed at the same type of offenders in the community.

This is not a call to slash funding for prison operations. Though efficiencies undoubtedly can be wrung from prisons¹—like any other government agency—they must be safe and secure and adequately staffed and equipped. Savings significant enough to truly bolster community supervision can come only from reductions of the inmate population large enough to warrant the closure of entire cellblocks or institutions.

This reinvestment strategy wouldn't put a stop to all new crimes. But it would significantly cut recidivism—both for offenders coming out of prison and those diverted from prison in the first place—and do it at a fraction of the cost of a prison bed.

A number of states are seizing the moment, rethinking old policies and reallocating some correctional dollars. Texas and Kansas are off to a strong start, providing community corrections agencies with more resources and authority, but also giving them incentives and holding them accountable for results. States such as Arizona, Michigan, Pennsylvania and Vermont are now following with innovations of their own.

The bipartisan leadership in these states and the advances in correctional practice deserve more than a passing glance, especially in a fiscal crisis that demands more than ever that taxpayer dollars be wisely spent. Armed with the conviction that our current crime and punishment policies are not delivering satisfactory results, policy makers have a chance to both balance their budgets and deliver better public safety.

America's Surging Correctional Population

Last year, the Pew Center on the States reported that for the first time, more than 1 in every 100 adults in the United States was confined behind bars. That sobering news came as a shock for many Americans and sparked discussions about incarceration and its fiscal and social costs in the media, at universities, in statehouses, and around dinner tables.

For policy makers, the 1 in 100 milestone was a reminder that state policy choices have driven the rise in prison populations. The explosive prison growth of the past 30 years didn't happen by accident, and it wasn't driven primarily by crime rates or broad social and economic forces beyond the reach of state government. It was the direct result of sentencing, release and other correctional policies that determine who goes to prison and how long they stay.²

Community Corrections: Population Growth Exceeds Prisons

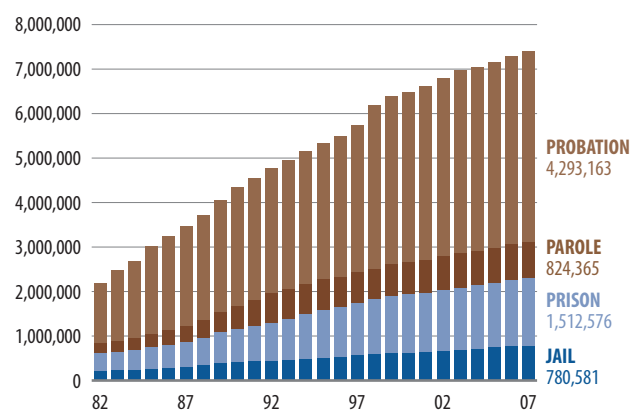
While the 1 in 100 statistic has seeped into the national consciousness, many Americans remain unaware that a much larger number of offenders are not behind bars at all but receive their punishment in the community. The raw numbers illustrate this story in dramatic fashion. During the past quarter-century, the number of prison and jail inmates has grown by 274 percent. The additional 1,680,661 inmates brought the total population in custody to 2.3 million. During the same period, the number under community

supervision grew by a staggering 3,535,660 to a total of 5.1 million. Though the percentage increase of those under community supervision was not as large as the growth of those in custody, the absolute number of probationers and parolees grew by more than twice as much.

In 1982, 72 percent of offenders were managed in the community, with about 28 percent behind bars. At the end of 2007, the most recent year for which figures are available, 31 percent were locked up and 69 percent were on probation or parole. So over the past quarter century, the nation has put 1.6 million more people behind bars, yet prisons and jails still hold roughly the same proportion of offenders and criminal suspects. (See Appendix A-1 for complete figures.)

7 MILLION AND COUNTING

Led by probation, the correctional population has tripled in 25 years.



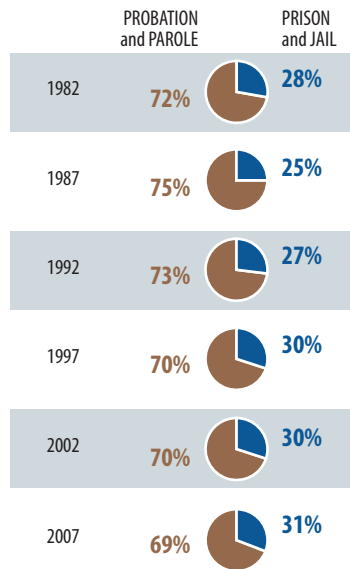
SOURCE: Bureau of Justice Statistics Correctional Surveys available at <http://www.ojp.usdoj.gov/bjs/glance/tables/corr2tab.htm>.

NOTE: Due to offenders with dual status, the sum of these four correctional categories slightly overstates the total correctional population.

AMERICA'S SURGING CORRECTIONAL POPULATION

LESS THAN ONE-THIRD BEHIND BARS

Despite a 274 percent increase in incarceration, the vast majority of offenders under correctional control remain in the community.



SOURCE: Calculation based on data from the Bureau of Justice Statistics Correctional Surveys available at <http://www.ojp.usdoj.gov/bjs/glance/tables/corr2tab.htm>.

Adding up all probationers and parolees, prisoners and jail inmates, you'll find America now has more than 7.3 million adults under some form of correctional control. That whopping figure is more than the populations of Chicago, Philadelphia, San Diego and Dallas put together, and larger than the populations of 38 states and the District of Columbia.³ During Ronald Reagan's first term as president, 1 in every 77 adults was under the control of the correctional system in the United States. Now, 25 years later, it is 1 in 31, or 3.2 percent of all adults.⁴

[For details of each state's correctional population and expenditures, see the state fact sheets included in the online version of this report.]

Who's Under Supervision?

Looking at the numbers through the lenses of race and gender reveals stark differences. Black adults are four times as likely as whites and nearly 2.5 times as likely as Hispanics to be under correctional control. One in 11 black adults—9.2 percent—was under correctional supervision at year end 2007. And although the number of female offenders continues to grow, men of all races are under correctional control at a rate five times that of women.⁵

Geography adds another revealing facet to the picture. In Georgia, 1 in 13 adults is under the correctional system's authority, but in New Hampshire, the figure is just 1 in 88. While Southern states maintain the nation's highest incarceration rates, the addition of probationers and parolees to the mixture casts a spotlight on states that supervise massive numbers of people in the community. The 10 states with the largest number of people in the corrections system include those with reputations for toughness, like Texas and Louisiana, but also Idaho, Ohio and Massachusetts. Similarly,

1 IN 31: DOING THE MATH

ONE

PRISON POPULATION	1,512,576
JAIL POPULATION	780,581
PROBATION POPULATION	4,293,163
+ PAROLE POPULATION	824,365
CORRECTIONAL POPULATION	7,328,200

TWO

ADULT POPULATION	229,030,637
	÷
CORRECTIONAL POPULATION	7,328,200

THREE

ONE IN EVERY 31 U.S. ADULTS IS UNDER CORRECTIONAL CONTROL

SOURCE: Calculation based on data from the Bureau of Justice Statistics "Prisoners at Yearend 2007" as well as "Probation and Parole at Yearend 2007" available at <http://www.ojp.usdoj.gov/bjs> and the U.S. Census State Population Estimates.

NOTE: Probation, parole, jail and prison populations do not sum to total due to offenders with dual status. Prison and jail populations differ from past reports due to method of counting prisoners held in jail.

THE ROLE OF PROBATION AND PAROLE

The public's perception of corrections most commonly centers on prisons and jails—buildings with bars, locked cells and uniformed guards. But far more offenders pay for their crimes through community sanctions, including drug courts, home detention and electronic monitoring, residential facilities with treatment, and day reporting centers.

The centerpiece of community corrections is probation and parole. Offenders placed on probation—derived from the Latin word *probatum*, for “the act of proving”—are typically lower level offenders who are allowed to remain in the community provided they exhibit good behavior and meet other conditions while supervised by a probation officer. With origins in this country dating to the mid-19th century, probation is ordered by a judge and served under threat of more serious sanctions. If a probationer violates conditions governing his or her community release, a judge may impose additional rules or require a term in custody.

Parolees, by contrast, are offenders who have spent time in prison and are released to complete the remainder of their sentence under supervision in the community. Intended in part to smooth a prisoner's transition back to society, parole, which became prevalent at the turn of the 19th century, is sometimes ordered by appointed parole boards, which also craft conditions governing a parolee's release. More often, the date of parole release reflects an offender's original sentence, perhaps shortened by credits for a clean disciplinary record or completion of in-prison programs. In the community, parolees are supervised by a parole officer and subject to similar rules as those on probation. If parolees violate the rules of their release, they too face penalties including re-incarceration.

The most recent numbers, from year end 2007, show that nearly 4.3 million adults are on probation in the United States, with almost half of them having been convicted of felonies. Property and drug charges accounted for more than 50 percent of probationers, followed by driving while intoxicated and other criminal traffic violations (18 percent), violent crimes (17 percent) and other offenses (13 percent).⁶ Parolees, meanwhile, are substantially fewer, with about 824,000 reported at the end of 2007. They also are more likely than probationers to have been convicted of a violent crime (26 percent) or a drug offense (37 percent).⁷

the 10 states with the lowest correctional control rates include rural and northeastern states like Iowa and Maine, but also states with large urban populations, such as New York, and with long sentences for violent offenders like Virginia.

Case Study: Geographic Concentration in Michigan

But even these statewide averages hide extreme geographic concentrations. Michigan, with a correctional control rate of 1 in 27—not far from the national average—provides a useful illustration. Mapping just the 122,165 jail and prison inmates,

AMERICA'S SURGING CORRECTIONAL POPULATION

WHO'S UNDER CORRECTIONAL CONTROL?

Correctional control rates vary drastically across demographic lines.

TOTAL 1 in 31



WHITE 1 in 45



WOMEN 1 in 89



HISPANIC 1 in 27



MEN 1 in 18



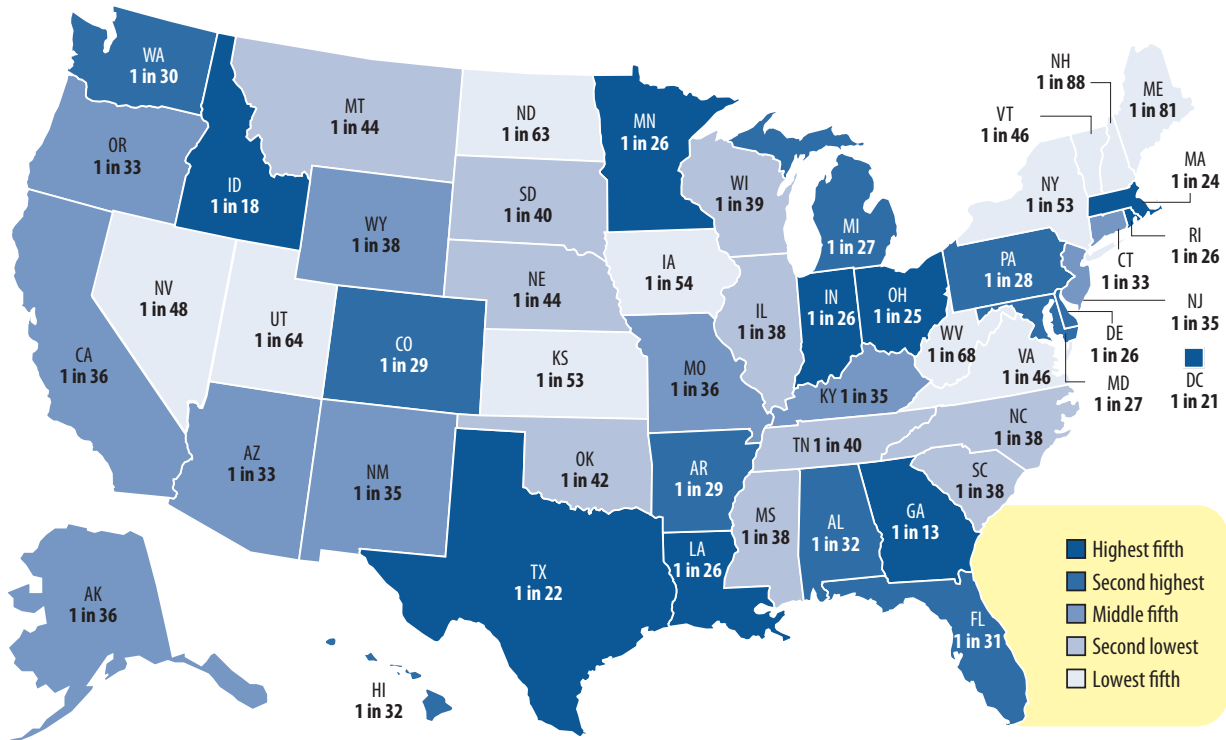
BLACK 1 in 11



SOURCE: Calculation for year end 2007 based on data from the Bureau of Justice Statistics "Prisons and Jails at Midyear" series as well as "Probation and Parole at Yearend" series available at <http://www.ojp.usdoj.gov/bjs> and the U.S. Census State Population Estimates.

WIDE VARIANCE IN CORRECTIONAL CONTROL

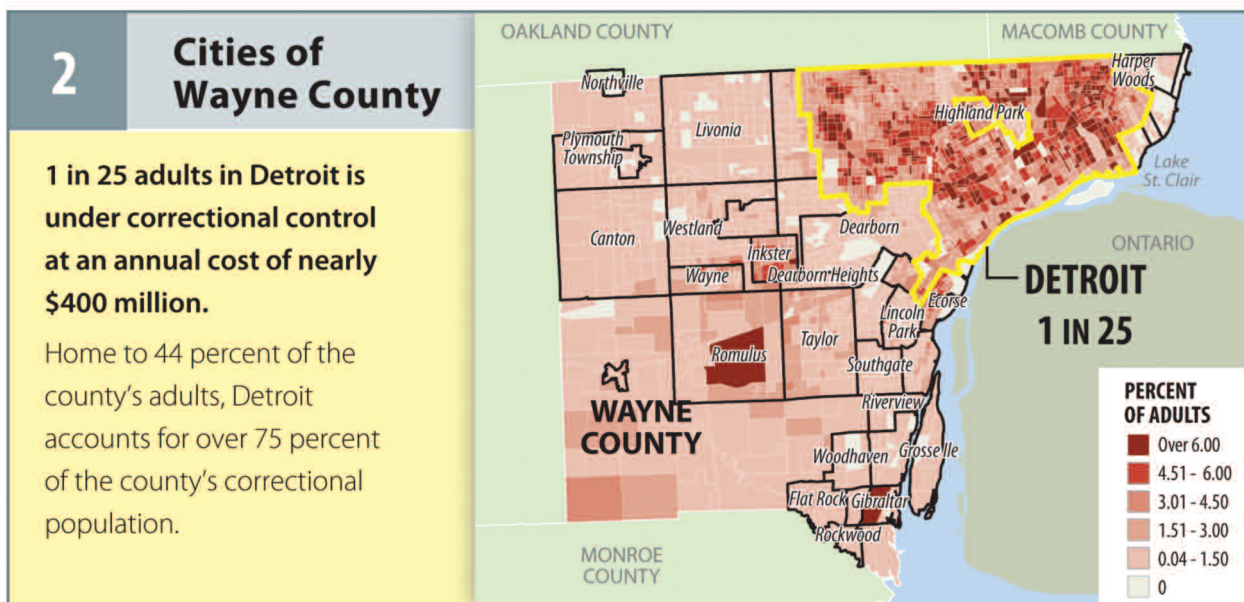
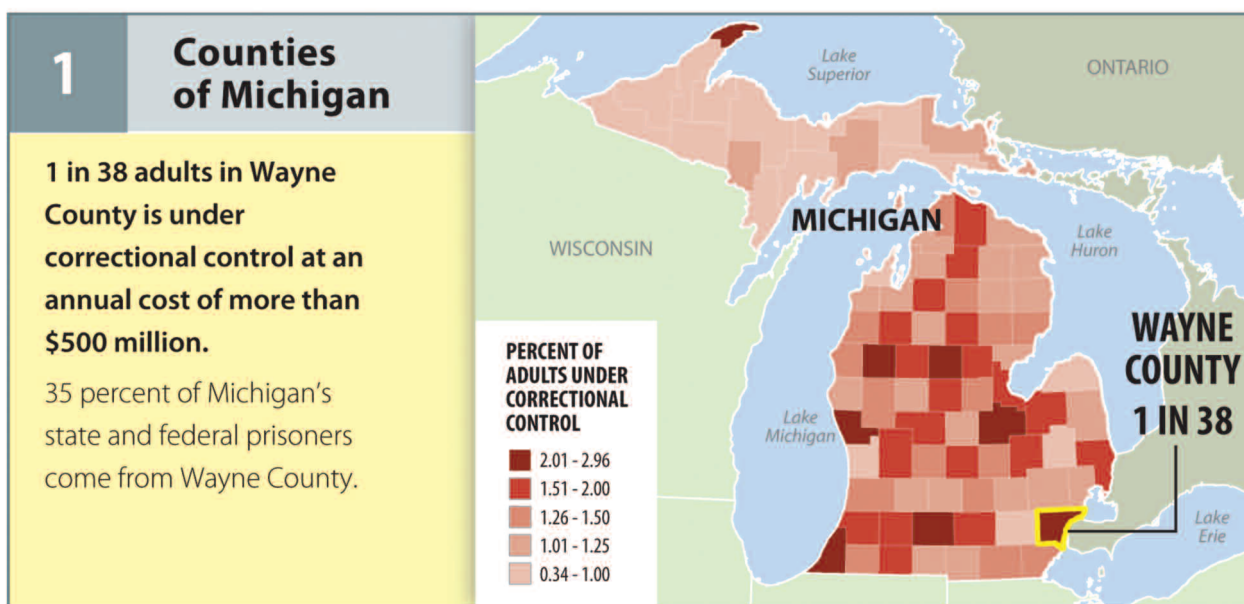
Share of adults under correctional control, year end 2007.



SOURCE: Calculation includes offenders in state and federal jail, prison and community supervision and is based on data from the U.S. Census State Population Estimates, the Bureau of Justice Statistics Correctional Surveys available at <http://www.ojp.usdoj.gov/bjs/glance/tables/corr2tab.htm>, the U.S. Bureau of Prisons, the Administrative Office of U.S. Courts and the Pew Public Safety Performance Project.

CORRECTIONAL CONTROL IN MICHIGAN

Nationally, 1 in 31 adults is under some form of correctional control. But they are not evenly spread across or within states. To illustrate the concentration of correctional populations and costs, the Pew Center on the States partnered with the Justice Mapping Center to map the home address of all adults in jail and prison or under parole or felony probation supervision in one state. Michigan was selected because its correctional indicators are near the national averages and data were available. Excluding misdemeanor and other lower-level probationers, these mapped populations account for 122,165 of the state's 278,808 adults who are behind bars or supervised in the community.



AMERICA'S SURGING CORRECTIONAL POPULATION

GEOGRAPHIES OF CORRECTIONAL CONTROL

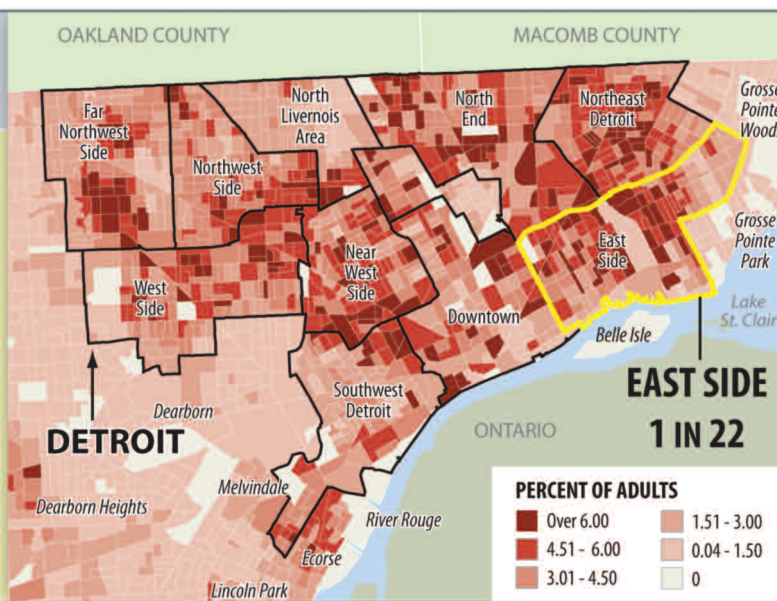
	INCARCERATED POPULATION	COMMUNITY SUPERVISED POPULATION	TOTAL CORRECTIONAL POPULATION	PERCENT OF ADULTS	CORRECTIONAL CONTROL RATE	ANNUAL CORRECTIONS COST (IN MILLIONS)
Wayne County	14,643	22,624	37,267	2.6	1 in 38	\$546.9
Detroit	10,882	13,390	24,272	4.1	1 in 25	\$393.0
East Side	1,269	1,646	2,915	4.5	1 in 22	\$46.1
Brewer Park	78	104	182	6.3	1 in 16	\$2.9

NOTES: Based on data from the Michigan Department of Corrections, the Wayne County Sheriff's Office, the Federal Bureau of Prisons, the Administrative Office of U.S. Courts, the U.S. Census and the Pew Center on the States. The difference between Michigan's true correctional control rate of 1 in 27 and the rate of 1 in 61 reflected in these maps is due to the exclusion of approximately 157,000 misdemeanor probationer residences.

3 Neighborhoods of Detroit

1 in 22 adults in the East Side of Detroit is under correctional control at an annual cost of over \$45 million.

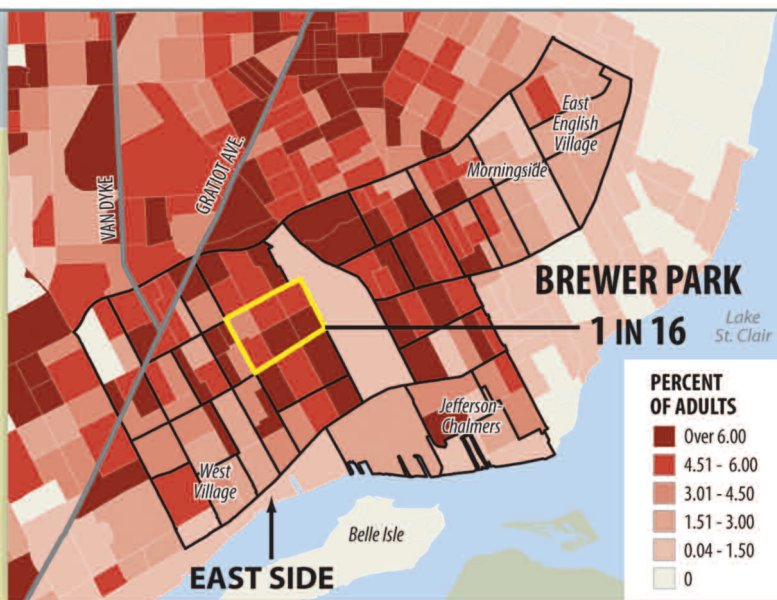
Of the 65,108 residents age 18 or older, 2,915 are behind bars or under community supervision.



4 Blocks of East Side

1 in 16 adults in the blocks surrounding Brewer Park is under correctional control at an annual cost of over \$2.9 million.

In one group of blocks, 1 in 7 male adults is behind bars or under community supervision.



AN EVEN WIDER NET?

Probation, parole, jail and prison population data, as used in this report, are provided voluntarily by state agencies and account for the vast majority of supervised offenders in the United States. There are, however, many others involved in our fragmented correctional system for whom there are no reliable state-by-state data.

In particular, recent research points to a hidden population supervised pre-trial, by drug courts or alternative sentencing units, and other specialized programs. The National Criminal Justice Treatment Practices Survey of 2005⁸ sampled agencies representing 72 counties and estimated that nationwide as many as one million offenders were under correctional supervision but not included in conventional probation and parole counts.

Additionally, there are well over 100,000 offenders in prisons of the U.S. territories, Immigration and Customs Enforcement facilities and juvenile residential placements.⁹ These offenders also are not typically included in incarceration rate calculations.

parolees and felony probationers—excluding nearly 157,000 non-felon probationers—reduces the figures considerably, to only 1 in 61 adults across the Wolverine State.¹⁰ In Wayne County (the state's most populous county), however, the figure is 1 in 38 and in Detroit it is 1 in 25. Further investigation reveals that in the East Side, 1 in 22 adults are under correctional authority. And in the blocks around Brewer Park, the number is a startling 1 in 16 and would be even higher with a count of non-felon probationers.

These disturbing patterns are repeated in most major metropolitan areas of the United States. While people must be held to account for their crimes, a number of researchers have shown the dire consequences of such a high geographic

concentration of people in the corrections system. Because offenders from high-incarceration areas also fulfill the roles of family members, neighbors, economic consumers and producers, removing them from the community can result in a wide range of costly side effects, from family disruption and neighborhood destabilization to depressed wages and even increased AIDS infection rates.¹¹

Policy makers must consider these implications, along with the budgetary cost of the corrections system itself, in crafting fiscally responsible crime control strategies. This includes deployment of probation and parole officers to the hardest-hit neighborhoods, where they, like community police officers, can be more effective.

Prisons: 32% of the Growth, 88% of the Cost

State correctional budgets spiked along with their offender populations in recent years. In FY2008, states are estimated to have spent more than \$47 billion of general funds on corrections, a 20-year jump of 303 percent.¹² Add in another \$4 billion in state special funds and bonds, and about \$900 million from the federal government, and total state spending for corrections is estimated to top \$52 billion.¹³ (See Appendix A-2 for additional cost information.)

This growth rate outpaced budget increases for nearly all other essential government services tracked over the same period, from elementary and secondary education (205 percent) to transportation (82 percent), higher education (125 percent) and public assistance (9 percent). Only Medicaid spending grew faster than spending on corrections, increasing 492 percent in the last two decades.¹⁴ As a share of total state general fund spending, corrections has grown from 5.2 percent in 1988 to 6.9 percent today.¹⁵ For all levels of government, total corrections spending has reached an estimated \$68 billion, an increase of 330 percent since 1986.¹⁶

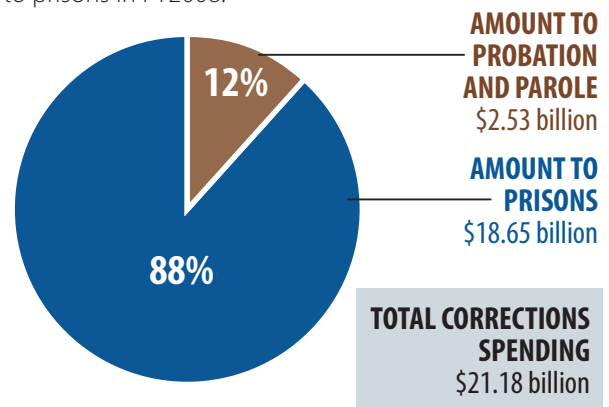
To get a better picture of how states have invested their corrections dollars, the Pew Center on the States and several partners recently completed the first national survey of corrections spending by function in the past seven years.¹⁷ Thirty-four states, accounting for 58 percent of total state correctional populations,¹⁸ made complete data available while the others did not.

The largest beneficiaries of those mushrooming budgets, by far, have been prisons. For the most part, probation, parole and other programs that manage offenders outside prisons and jails have scrambled for funds needed to keep pace with expanding caseloads of offenders with increasingly complex and demanding problems.

In FY2008, these 34 states spent \$18.65 billion on prisons but just \$2.53 billion on probation and parole, a ratio of more than seven to one. Viewed over time, the spending gap looks just as substantial. For eight geographically diverse states¹⁹ that were able to provide data for the past 25 years, 88 percent of the increase in corrections spending was directed toward prisons, which now consume nearly nine out of every ten state corrections dollars.

PRISONS DOMINATE SPENDING

Across 34 states, nearly 9 of 10 correctional dollars went to prisons in FY2008.

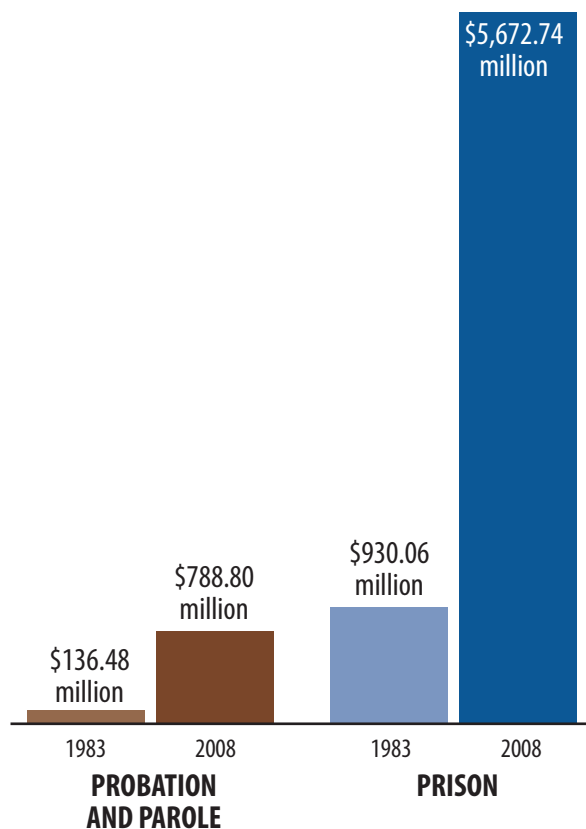


SOURCES: Spending figures were collected from AR, AL, AK, CO, DE, GA, ID, IA, KY, LA, ME, MD, MI, MN, MS, MO, MT, NC, ND, NE, NH, NM, NY, OK, OR, PA, RI, SC, SD, TN, TX, VT, VA and WY.

PRISONS: 32% OF THE GROWTH, 88% OF THE COST

EXPLOSIVE GROWTH IN PRISON SPENDING

Across 8 states, 88 percent of additional corrections spending since FY1983 has gone to prisons.



SOURCES: Only eight states could provide 25-year spending histories (AL, GA, LA, MO, MT, NY, OR and WY).

So while the incarcerated population has added only half as many offenders as community supervision over the last quarter century, if the survey states are representative of the nation, prisons have received almost 90 percent of the new funding.

Community Corrections Far Less Expensive

Society should expect to pay more to punish its most serious and violent offenders by removing them from our communities. Not surprisingly, then, it's more expensive to house and feed an offender in a facility watched around-the-clock

by guards than it is to monitor him or her in the community. Prisons and jails also are buildings that need to be cooled, heated and lighted, equipped with security, and continually cleaned and maintained.

The difference in cost between institutional and community corrections, however, is huge. While there is wide variance among states, in 2008 prisons cost our 34 surveyed states an average of about \$79 per inmate per day—or almost \$29,000 per year. In contrast, the average daily costs for managing an offender in the community in these states ranged from \$3.42 per day for probationers to \$7.47 per day for parolees or about \$1,250 to \$2,750 a year, respectively.

Another reason community corrections costs less is that offenders are often required to pay a substantial share of the tab. In Colorado, for instance, probationers under the authority of the state pay a \$50 per month supervision fee, and some drug and sex offenders pay a surcharge on top of that. Ninety-four percent of the funding for treatment services provided by the court is covered by these probationer fees as are 5.5 percent of all staffing costs.²⁰ Additionally, offenders ineligible for probation but diverted from prison to residential community corrections beds paid \$11.75 million toward their own housing, meals and treatment, nearly \$900,000 in child support, and over \$1.2 million in state taxes and over \$3 million in federal taxes in fiscal year 2007.²¹ See chart, next page, for Colorado spending details.

Probation and Parole Stretched Thin

Managing offenders in the community, when done well, produces appreciable costs savings and public safety outcomes. However, the funding

PRISONS: 32% OF THE GROWTH, 88% OF THE COST

STATE DAILY COSTS PER OFFENDER

1 day in prison costs more than 10 days on parole or 22 days on probation.

LOW **\$1.38**
AVERAGE \$3.42
 HIGH **\$7.89**

PROBATION AGENCIES

LOW **\$1.22**
AVERAGE \$4.00
 HIGH **\$9.76**

PROBATION AND PAROLE AGENCIES

LOW **\$3.51**
AVERAGE \$7.47
 HIGH **\$13.28**

PAROLE AGENCIES

LOW **\$35.69**
AVERAGE \$78.95
 HIGH **\$130.16**

PRISON SYSTEMS

SOURCES: Spending figures were collected from AR, AL, AK, CO, DE, GA, ID, IA, KY, LA, ME, MD, MI, MN, MS, MO, MT, NC, ND, NE, NH, NM, NY, OK, OR, PA, RI, SC, SD, TN, TX, VT, VA and WY.
 NOTE: Caution should be used in making interstate comparisons since a wide variety of factors beyond agency performance or efficiency can account for daily cost differences. Some states have separate probation and parole agencies while others have combined them.

struggle has stretched probation and parole staffing woefully thin, leading to inflated caseloads with a high ratio of offenders to officers. The average probation officer now has about 100 offenders on his or her caseload; parole tends to be slightly lower, at about 60 offenders per officer.²² Agencies often put higher risk and high stakes cases on priority caseloads.

That's a logical compromise but one which leaves many other offenders without supervision or services adequate to prevent a relapse into destructive behavior, including committing new crimes.

The low priority of probation and parole has forced officers in some regions to do without important and sometimes basic tools of the

DAILY COST DETAILS: COLORADO

Per offender per day costs vary substantially both between and within supervision categories.

PROBATION **\$3.07** Regular
\$8.97 Intensive

PRISON **\$61.86** Minimum Security
\$74.80 Medium Security
\$91.90 Maximum Security

PAROLE **\$9.32** Regular
\$22.79 Intensive

SOURCE: Colorado Commission on Criminal and Juvenile Justice, "2008 Annual Report" and Colorado Department of Corrections. All figures fiscal year 2007.

PRISONS: 32% OF THE GROWTH, 88% OF THE COST

trade. In Cook County (Chicago), Illinois, for example, probation officers don't have personal computers to help them perform everyday case work, exchange information with other agencies or investigate criminal histories.²³ By contrast, many parole officers in California have handheld PDAs, a convenience that allows them to access files and accomplish other tasks from the field.²⁴

Beyond often lacking the basic resources and technology, community corrections agencies have been assigned a widening array of responsibilities, often without the funds to carry them out. Over the past decade or so, for example, an explosion of well-intentioned laws governing the supervision of sex offenders has created a multitude of new duties, or expanded existing ones, for probation and parole departments. The new responsibilities include conducting DNA testing, mental health screening and risk assessments for sex offenders, as well as continual registration checks of their address and work status. These are vital public safety tasks, but they are too seldom backed up with the resources to conduct them and are further watering down supervision across the board.

To make matters worse, the economic situation this year is forcing states to consider cutting back on what limited resources community corrections agencies do have. In Sacramento County, California, 76 probation officer positions—9 percent of the

“Currently, we spend next to nothing on community-based corrections. We get what we pay for.”

*Prof. John J. DiIulio
The Wall Street Journal
March 12, 1999*

total force—are on the chopping block. In Washington State, half of all taxpayer-supported drug treatment beds are slated for elimination. And in Florida, the two streams converge as lawmakers consider cutting both \$3 million in drug treatment slots and 66 probation officer positions. Across the nation, tight budgets are jeopardizing the basics of community supervision: caseloads, services and day-to-day resources.

Without adequate resources and authority, community supervision agencies are hard-pressed to fulfill their traditional case management workloads, let alone adequately handle their new responsibilities. The huge increase in corrections spending has favored prisons over probation and parole by nearly nine to one. Supervising 1 in 45 adults and holding them accountable to victims will require that funding gap to narrow. The sheer scale of community supervision obliges policy makers to recognize the major role of probation and parole agencies in helping states protect public safety and control public spending.

CASE STUDY: POLICY CHOICES PUT BLUEGRASS STATE IN A BIND

A variety of factors influence the size and cost of the corrections system. Crime and a rising resident population of a state certainly play a role, but studies show correctional policies and practices that determine who is sent to prison and how long they stay—from sentencing laws such as “three strikes” to the extensive use of prison to punish supervision rule violators—are more decisive factors.²⁵

Kentucky’s experience provides a vivid, if not uncommon, illustration of the consequences of the corrections policy choices that state leaders make.

The Cause

Kentucky’s prison population has surged over the past eight years, jumping by 50 percent to more than 22,000 inmates.²⁶ With the fastest growing prison system in the country, the Bluegrass State could have an incarcerated population of 31,000 within the coming decade.²⁷ The growth has been propelled largely by a series of tough-on-crime measures that began in 1974 with passage of the first version of the state’s “persistent felon law.” The original law required three strikes to trigger “persistent felon” status, but that was cut to two in 1976, and several other measures in the 1990’s elevated misdemeanors to felonies, reclassified offenses as higher level felonies and enhanced the penalties for a variety of crimes.²⁸ Another law extends sentences by not counting time served on parole toward completion of the sentence if a parolee was revoked back to prison. These and other measures have created a desperate need for more prison space and sent the state’s corrections budget rocketing upward.²⁹

“Nobody’s willing to change the laws because everybody wants zero tolerance on everything. But there’s something [that’s] going to have to give.”

*Terry Carl, Kenton County (KY) jailer
Lexington Herald Leader
January 13, 2008*

If Kentucky’s rapid prison growth had led to dramatic decreases in crime, it could be justified on public safety grounds. But it hasn’t. From 1987 to 2007, the state’s imprisonment rate grew nearly 250 percent, from well below the national average (147 per 100,000 residents compared with a U.S. rate of 228) to slightly above the national average (512 versus 506 per 100,000).³⁰ During that time, Kentucky’s violent crime rate fell 13 percent, but the national violent crime rate fell 23 percent. Kentucky’s property crime rate fell 14 percent, also badly trailing the national property crime rate, which fell 34 percent.³¹

The Consequences

With state prisons jam-packed, Kentucky has been forced to pay county jails to house overflow offenders. County officials appreciate the income—and, in fact, have come to rely heavily upon it in recent years. But now their lock-ups, too, have become severely overcrowded, some so much that inmates are

This Case Study continues on page 16

PRISONS: 32% OF THE GROWTH, 88% OF THE COST

Continued from page 15

sleeping on the floor.³² Moreover, the county jails are designed for short, pre-trial stays, and are less well-equipped than prisons to provide the drug treatment, mental health care and other services designed to reduce the risk of recidivism. Kentucky's jails now hold about 20,000 people—putting them 10 percent beyond their intended capacity—but a recent count showed only 400 slots in treatment programs.³³ The prison system, meanwhile, holds about 15,000 inmates³⁴ and has about 1,000 treatment beds.³⁵ One jail treatment supervisor, in Kenton County, summed up the dire need for program slots in vivid terms: "I have a waiting list as long as the New York phone book."³⁶

A good share of responsibility for this predicament lies with the state's chronic underinvestment in community corrections. Between fiscal years 2003 and 2008, the state increased annual corrections spending by \$100 million.³⁷ Ninety percent of this additional spending, however, was channeled to prisons, with only 1 in 10 new dollars going to support probation and parole. The evidence in Kentucky suggests that saving pennies on community supervision costs taxpayers dollars in prison expenses: 3,101 of the 17,700 Kentuckians on parole in 2007—1 in every 6—were returned to prison for committing a new crime or breaking the technical rules of release.³⁸ On the street, these parolees cost taxpayers under \$10 per day, but behind bars they cost over \$50 per day. A stronger community supervision system could have prevented many of these parolees from returning to prison and at a fraction of the cost.

These troubles would be difficult enough to manage in good economic times. But Kentucky, like other states, faces a fiscal crunch. The state is looking at a projected revenue shortfall of \$1.3 billion over the next 18 months and is bracing for cuts to police and other important government services.³⁹ In late 2008, Kentucky's counties gave the Commonwealth something else to worry about, suing to force the state to cover the cost of housing inmates in county jails before their trial and sentencing.⁴⁰ Now, on top of everything else, the projected tab for the corrections budget this fiscal year is \$521 million, nearly five times the amount spent 20 years ago.⁴¹

More Prison Spending Brings Lower Public Safety Returns

States are facing their worst fiscal crisis in years. With revenues down and public needs rising, policy makers are confronting wrenching budget decisions. Reluctant to raise taxes—at any time but especially when their constituents are financially stressed—lawmakers across the country are locked in bitter battles over where to cut spending and by how much.

All told, analysts forecast a \$312 billion hole in state budgets over the next two years.⁴² This fiscal year alone, 42 states and the District of Columbia are grappling with a combined \$46 billion deficit.⁴³ In response, officials are scavenging for dollars wherever they can, cutting back on everything from government basics—such as how often the grass gets mowed outside the state capitol—to education and services for persons with disabilities and mental illness.

Tennessee Gov. Phil Bredesen has told state department chiefs to prepare for a budget deficit that could hit \$1 billion and has warned that cuts to higher education and health care are on the table. Virginia, meanwhile, already has reduced spending by \$2 billion and is preparing for another round of cuts, including a possible \$400 million reduction in Medicaid. Out West in Washington, state lawmakers are scrambling to plug a \$500 million hole in the current budget and cope with a projected deficit of more than \$5 billion for the next two-year budget cycle. “It will be heartbreaking. We don’t have any money. We simply don’t have any money,” said Rep. Maralyn Chase, a Democrat from Shoreline.⁴⁴

“It’s not about being tough on crime or soft on crime. We are facing a huge economic challenge here. Are we doing the right thing?”

*William Wren, NH Commissioner of Corrections
Concord Monitor
January 25, 2009*

Against this grim backdrop, prison spending is deservedly receiving new scrutiny. The central questions: What has our massive investment bought us? How can we curb and reallocate corrections spending in ways that protect public safety and produce better results for taxpayers, offenders and society at large?

These are challenging questions, but they do have answers.

The Myth of the “Average Prisoner”

There is little debate that imprisonment has protected communities from many of the most violent and menacing criminals, and that some offenders should be locked up purely for the sake of punishment. But in casting a wider net for criminals, prisons have snagged many smaller fish. A growing body of research is showing the limits of incarceration as a sanction for these lower level and less frequent lawbreakers, both in terms of its cost-effectiveness and its impact on crime.

MORE PRISON SPENDING BRINGS LOWER PUBLIC SAFETY RETURNS

To understand this, it's important to remember that all offenders aren't the same. They present different threats to public safety, and thus their incarceration pays vastly different dividends. Criminologists long ago demonstrated that imprisonment of the *average* offender serves to avert many crimes that would otherwise carry considerable public cost. But more recent and refined research reveals that measuring the impacts of the average prisoner hides as much as it reveals because offenders—and their crime-related impacts—vary so dramatically.

“What we've done with the laws we passed over the last 20 years is thrown our net out there too widely and picked up too many little fish. We filled our prisons with non-violent, first-time offenders, and with no noticeable increase in public safety.”

State Sen. Stewart Greenleaf (R-PA)
NCSL Roundtable
September 26, 2008

One such study, published by the Manhattan Institute, ranked all male inmates entering the Arizona prison system in terms of the harm they created in the year before incarceration. Those at the 80th percentile of harm, the research showed, created almost \$220,000 in social costs. But those at the 50th percentile—the median—inflicted \$25,500 in social costs, while those at the 20th percentile were responsible for just \$3,950 in social costs.⁴⁵ The authors concluded that for Arizona and the two other states they analyzed (New York and New Mexico), incarceration for half of all entering prisoners would cost taxpayers

more than it was worth, in terms of crimes avoided.⁴⁶

The Declining Impact of Incarceration on Crime

Aside from evidence that incarceration doesn't “pay” for all *current* prisoners, there are separate reasons to question its value as a broadly applied correctional tool for the *future*. One is what economists call the law of diminishing returns.

Here, diminishing returns means that the larger the group of offenders scooped up by prisons, the lower the payoff for states in terms of crime reduction.⁴⁷ It certainly pays to remove the most prolific offenders from the streets. But once they are locked up, more incarceration grabs the second and third and tenth tier offenders who are less likely to commit as many crimes. So gradually, the crime-prevention payoff declines. Diminishing doesn't necessarily mean no returns at all, but it does mean that each additional prison cell provides less public safety benefit.

Many states appear to have reached a “tipping point” where additional incarceration will have little if any effect on crime. Washington State, for example, found that the number of crimes committed by its average prisoner dropped from 62 in 1980 to 37 in 1990 and 18 by 2001.⁴⁸ Back in 1980, state researchers found, each prison bed represented a positive benefit-to-cost ratio. But during the 1990s and the first part of this decade, prison expansion captured less and less harmful offenders, leading to a dilution of impact.⁴⁹ Put simply, after 20 years, locking up more drug and property offenders in Washington began to cost more than it was worth.

Researchers have conducted similar analyses in other states, such as North Carolina⁵⁰ and Oregon,⁵¹ and reached conclusions of similarly diminishing returns. Indeed, in Washington, from 1980 to 2001, the benefit-to-cost ratio for drug offenders plummeted from \$9.22 to \$0.37. That is, for every one dollar invested in new prison beds for drug offenders, state taxpayers get only 37 cents in averted crime.⁵² An updated analysis from 2006 found that incarceration of offenders convicted of violent offenses remained a positive net benefit, while property and drug offenders offered negative returns.⁵³

More recently, scholars have explored the tipping point concept in incarceration on a 50-state basis. A 2006 study suggests that, after exceeding a threshold in the range of 325 to 430 inmates per

“Bed for bed, prisons become less effective as they fill up.”

William Spelman, University of Texas
“The Limited Importance of Prison Expansion”
2000

100,000 residents, incarceration fails to reduce crime—and may even increase it.⁵⁴ Imprisonment was more useful, the authors argue, when state incarceration rates hovered around 111 per 100,000 in the 1970s, or around 207 per 100,000 in the 1980s, than when they accelerated to 397 per 100,000 in the 1990s.⁵⁵ Today, of course, the national rate of imprisonment is significantly higher—506 per 100,000.⁵⁶

Three Strikes for Incarceration

The potency of incarceration is further diminished by three other forces, researchers have found. The first, sometimes referred to as the “replacement effect,” applies largely to crimes that occur as part of a market, such as fencing stolen property or, most notably, drug transactions. Once incarcerated, drug dealers tend to be quickly replaced by new dealers and, as during the crack epidemic, the new recruits can be younger and more prone to violence than their predecessors.⁵⁷ Thus while drug dealers no doubt deserve punishment, most leading researchers, and many law enforcement officials, now agree that incarcerating the foot soldiers in drug gangs, not to mention drug users, has a negligible impact on crime.⁵⁸ Moreover, by creating job openings in drug-dealing organizations, it draws more people into criminal lifestyles and may in certain cases exacerbate crime.⁵⁹

Secondly, statistics have long shown that crime is an occupation of the young, so imprisoning offenders beyond the age at which they would have likely given up their criminal ways brings little benefit—but big expenses. As James Q. Wilson, the noted political scientist at Pepperdine University, has written, “Some thugs may mug and murder until the day they die, but they are the exception. Age slows us all down, mugger and victim alike.”⁶⁰

The graying of the nation’s prisons suggests that policy makers have not paid much heed to this well-established criminological fact. Rather, many have embraced longer sentences through broadly defined “three strikes” statutes and parole policies that are hiking up the average age of inmates—and the costs to states of treating their more serious medical conditions.

MORE PRISON SPENDING BRINGS LOWER PUBLIC SAFETY RETURNS

Consider California. Between 1980 and 2007, the average age of California inmates increased from 27 to 37. In 2008, the Golden State's prisons held more than 22,000 offenders over age 50, representing about 13 percent of all adult inmates. That's more than twice the proportion of over-50 convicts in California prisons just a decade earlier.⁶¹

Finally, research has shed important new light on the impact of one of incarceration's most fundamental selling points: deterrence. Today, it is widely agreed that deterrence is more a function of a sanction's certainty and swiftness than its severity. This means that the 36th month of a 3-year prison term costs taxpayers just as much as the first month, but its value as a deterrent is far less. Unfortunately, the corrections system has put more and more of its eggs into the severity basket, spending billions to extend prison terms—for property and drug offenders as well as violent and sex offenders—but doing little to raise the chances that criminals and supervision violators are caught and brought quickly to justice.

Prisons Reconsidered

This is not to say that prisons haven't reduced crime. One widely respected expert, William Spelman of the University of Texas, concluded that prison growth over the 25-year period ending in 1997 reduced the violent crime rate by roughly 35 percent.⁶² Imprisonment, he asserted further, was responsible for about one-quarter of the significant drop in violent crime during the

“Very large increases in the prison population can produce only modest reductions in crime rates.”

*James Q. Wilson
The Public Interest
Fall 1994*

1990s.⁶³ More recently, however, another expert, Bruce Western of Harvard University, estimated that only 10 percent of that decade's decline in crime was due to increased incarceration.⁶⁴

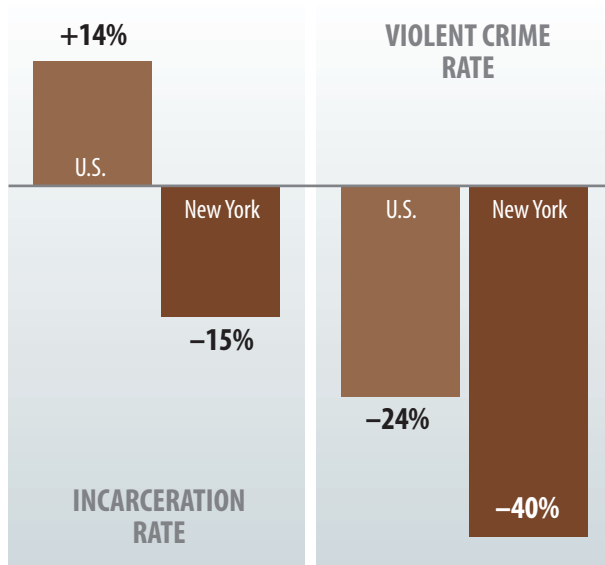
The disparities underscore the fact that estimates by researchers in this field vary wildly and are highly sensitive to statistical techniques and modeling assumptions.⁶⁵ Whatever level of crime reduction was achieved is worth applauding. What cannot be overlooked, however, is that even the statistical models most generous to prisons find that most of the crime drop was attributable to forces other than incarceration. These include a strengthening economy, aging drug epidemics and changes in law enforcement, including the expansion of police forces and the adoption of new policing strategies.⁶⁶

The questionable value of prisons as a deterrent, combined with other factors that reduce incarceration's effectiveness and overshadowed by a constellation of factors that drive and suppress crime rates, add up to an often overlooked truth: states can carefully reduce incarceration and still protect—and even improve—public safety.

MORE PRISON SPENDING BRINGS LOWER PUBLIC SAFETY RETURNS

NY CUTS CRIME AND INCARCERATION

Between 1997 and 2007, New York State bucked the national trend in prison growth while leading all states in the violent crime decline.



SOURCE: The Bureau of Justice Statistics "Prisons at Yearend" series and the Federal Bureau of Investigation Uniform Crime Reports.

New York has demonstrated this point in dramatic terms. Between 1997 and 2007, New York experienced both the greatest *decrease* in violent crime and, simultaneously, the greatest *decrease* in prison population and incarceration rate of any state in the country. During that decade, the national prison population grew by more than 350,000 inmates, a 28 percent jump that corresponded to a 14 percent increase in the national incarceration rate. Over the same time period, New York's prison population declined by almost 6,500 inmates, a 9.4 percent dip that amounted to a 15 percent drop in the incarceration rate.⁶⁷ To the surprise of many at the time, New York's violent crime rate fell a remarkable 40 percent during the decade, while the national violent crime rate dropped by a much smaller measure, 24 percent. In terms of crime and prison contraction, New York led all regions of the country and every individual state.⁶⁸

Community Corrections: A Strategy for Safety and Savings

Building more prisons is not a cost-effective path to greater public safety. But even if states wanted to add new cells, they will be hard-pressed over the next few budget cycles to find the money to build them.

“We are never going to build our way out of there being crime. We don’t want to put that many people in jail, and we can’t afford to.”

*Chief District Court Judge Joseph Turner, Guildford County, NC
Greensboro News and Record
January 25, 2009*

Policy makers must confront the reality that, for the foreseeable future, roughly seven out of every ten offenders will continue to serve all or part of their sentences in the community. Ensuring public safety and balancing a budget, then, require states to strengthen badly neglected community corrections systems, so they can become credible options for more of the lowest risk offenders who otherwise would be in prison. This means states must take a harder look at which offenders should be locked up and which can be managed effectively in the community. It means they must give community corrections agencies the tools and incentives they need to do their jobs effectively and hold them accountable for implementing the supervision strategies that reflect the wisdom gathered through a quarter-century of research on recidivism reduction.

Some states, such as Kansas, Texas and Arizona, are already well underway. To help spread news of their good work and share other useful approaches, the Pew Center on the States in 2008 brought together leading policy makers, correctional practitioners and researchers to identify ways to help corrections agencies adopt the most effective research-based practices. From those discussions came the “Policy Framework to Strengthen Community Corrections.” The framework includes measures that provide incentives for offenders to stay crime- and drug-free and fiscal incentives for agencies to improve their success rates—both strategies that can create new resources for community corrections agencies without requiring new appropriations. A detailed menu of policy options, including suggested language for legislation, executive orders or court rules, is available at www.pewcenteronthestates.org/publicsafety.⁶⁹

“Every time we keep a released inmate from re-offending, we keep an innocent person from becoming a victim, and we save taxpayer dollars.”

*CO Gov. Bill Ritter
State of the State Address
January 10, 2008.*

Since its inception, the guiding philosophy of community corrections has bounced back and forth between law enforcement and social work. The hallmark of the new approaches is that they

create a blend of the two strategies that focuses on a primary mission—preventing crime—and that is far more potent than either punishment or treatment by themselves. The key components of this 21st century corrections system are detailed in the pages that follow.

A FRAMEWORK FOR LESS CRIME AT LOWER COST

1 Sort Offenders By Risk to Public Safety

2 Base Intervention Programs on Science

3 Harness Technology

4 Impose Swift and Certain Sanctions

5 Create Incentives for Success

6 Measure Progress

1 Sort Offenders by Risk to Public Safety

A pivotal starting point for community corrections is the ability to sort offenders by risk—that is, to accurately separate those who are more likely to cause great harm from those who may cause relatively little harm. For decades, that sensitive and crucial task was left to the educated hunches of prosecutors, judges and probation or parole officers. Fortunately, a new generation of risk assessment tools can now help officials more accurately predict not only how likely a person is to commit a new offense but also whether that offense will be a violent one.⁷⁰

While risk tools vary in terms of what they evaluate, and how much they cost to administer, they generally rely on a checklist of factors that allow clinicians to establish a risk score for individual offenders. These include “static” factors that don’t

change, such as an offender’s age at the time of first arrest, as well as “dynamic” factors, changeable characteristics such as an offender’s living situation or current drug use. The risk score then can be compared with other offenders and used to guide decisions about whether a particular offender should go to prison, what level of community supervision is the best fit, and which interventions will target the attitudes and behaviors that drive that specific offender’s criminal activity.

Virginia uses a risk assessment instrument for felony theft, fraud and drug offenders who would otherwise be sent to prison under the state’s sentencing guidelines. Defendants whose assessment scores are low, based on elements of the crimes and individual characteristics, are steered away from prison. In 2008, more than 1,400 of these offenders were sentenced to community corrections in lieu of prison.⁷¹ A separate assessment for certain sex offenders is used to find the highest risk cases and double or triple their terms behind bars.⁷²

Despite significant advances in risk assessment, the science is still evolving and will always amount to risk management, not risk elimination. Such evaluations are not fool-proof, reflecting instead the best estimate of what a given person will do. But simple logic dictates that aside from locking all offenders behind bars forever, it is impossible to guarantee they will remain crime-free.

2 Base Intervention Programs on Science

Along with establishing a sophisticated system for sorting offenders, states must ensure their community corrections options are rooted in today’s robust body of research. While states may

take different paths toward this goal, they should always develop and implement policies based on the best available science. Evidence-based programs should identify desired outcomes for offenders and include a means for measuring progress. Moderate and high risk offenders should have an individual case plan based on their risk assessment, and they should be assigned to programs targeting their unique behaviors and needs.

Supervision agencies should concentrate their resources on higher-risk people, times and places. Risk assessment instruments can help identify the individuals who need higher intensity supervision and services. Greater attention also should be paid to offenders who have just been released, the times when research shows they are most likely to fail. Citing a study of over 240,000 offenders released from prison in 13 states, the National Research Council reported that the probability of arrest is twice as high in the first month of supervision as in the 15th month.⁷³

Finally, as the maps of Michigan attest, supervision and services should be located in the neighborhoods where offenders live. Too often, monitoring and resources are located far from these high-stakes neighborhoods, impeding both control and rehabilitation.

Agencies striving for better performance are delivering front-loaded resources to their riskiest cases in the neighborhoods where the offenders live. When rooted in these and other evidence-based principles, community corrections programs can deliver encouraging results.

The implementation of evidence-based practices results in an average decrease in crime of between

10 percent and 20 percent, whereas programs that are not evidence-based tend to see no decrease and even a slight increase in crime.⁷⁴ Interventions that follow all evidence-based practices can achieve recidivism reductions of 30 percent.⁷⁵

“The [evidence based practices] law is intended to focus our funding on services that work and get the greatest return on our investment.”

OR Gov. Ted Kulongoski
governor.oregon.gov
November 29, 2007

In one widely cited 2006 review of more than 550 program evaluations, the Washington State Institute for Public Policy found that a moderate-to-aggressive investment in evidence-based programs would save state taxpayers \$2 billion, avert prison construction and reduce the crime rate.⁷⁶ Some states were already believers, like Oregon. In 2003, Oregon’s legislature required that by the 2005 biennium, one-quarter of all program funding for youth and adult offenders go to interventions that were evidence-based. By the 2007 biennium, half of those dollars were to be spent on evidence-based programs, and by the 2009 biennium, lawmakers directed that 75 percent of funding be used for interventions that are evidence-based.

3 Harness Technology

One supervision technique that is playing an increasingly important role in many community corrections programs wasn’t even around 20 years ago—electronic monitoring. Although conceived as a correctional strategy in the 1960s, electronic monitoring of offenders did not become a reality until the 1980s.⁷⁷

With dramatic advances in technology, affordable electronic monitoring today allows officials to conduct “active” monitoring, in which an offender wears a transmitter, usually in the form of an ankle bracelet, that sends a continuous location tracking signal to a monitoring center. In recent years, such monitoring has evolved to include the use of Global Positioning Satellite technology—first developed by the Department of Defense in the 1970s—to give supervision agents increasingly detailed information about an offender’s whereabouts.⁷⁸ In certain cases, for instance, a supervisor may be alerted if an offender violates his parole or probation by going to a location where he is prohibited by his supervision conditions. While an alert may not prevent a crime, the knowledge that law enforcement has such tracking ability can be a deterrent. “We can’t be on their doorstep 24/7, but GPS is a way for us to monitor location and compliance of someone in the community,” said Chief U.S. Probation Officer Ken Young. “We can, with reasonable certainty, know where someone is or has been.”⁷⁹

Florida is among those states that have used electronic monitoring extensively and with positive results. In the early 1980s, Florida launched a home confinement program for drug, property and other offenders dubbed “community control.” Later that decade, the state began using radio frequency tracking of certain offenders in the program, and by the 1990s, Florida had added GPS monitoring to its list of options for those on community control.

A study of more than 75,000 offenders who passed through the program between 1998 and 2002 found that, after controlling for offender risk, those assigned to either form of electronic monitoring were significantly less likely to

reoffend or abscond.⁸⁰ On the minus side, electronic monitoring’s overall record in reducing recidivism is mixed, and it places significant new demands on supervisory agents. Nevertheless, the tool is becoming more commonly used as an alternative sanction for some offenders and as an adjunct to traditional community supervision practices for others.⁸¹

Technology also is changing the way in which offenders are monitored for drug and alcohol use. Some agencies subject offenders to random tests for alcohol through breathalyzer equipment in their homes. “Ignition interlocks” installed in a vehicle prevent a person from starting the engine if alcohol is detected in his system. The driver must blow in the device and pass a breath test before the vehicle will start. Other agencies equip offenders with ankle bracelets that can detect the offender’s blood alcohol level as ethanol vapor migrates through the skin.

Technology offers policy makers a spectrum of options that are more intense than traditional face-to-face community supervision yet far cheaper than incarceration. Tracking devices and sensors allow probation and parole officers to monitor offenders’ whereabouts and behavior in ways that could hardly have been imagined when the prison boom began. But if states are going to make full use of these advances, they must back the technology with adequate resources and policies to respond when offenders are caught breaking the rules.

4 Impose Swift and Certain Sanctions for Violations

In building stronger community corrections systems, states should be mindful that punishment imposed on offenders who break

the rules of their supervision must be swift, certain and proportionate. If applied in that way, sanctions can stop misbehavior early in the game, thereby reducing the odds that parolees and probationers will commit more serious violations and land in an expensive prison cell.

But making *swift, certain and proportionate* a reality is a challenge in many of today's underfunded, understaffed probation and parole agencies. Officers struggle with high caseloads, a lack of suitable community sanctions, and cumbersome administrative hurdles as they try to hold violators accountable. As a result, they often delay pursuing violations before a court or parole board until an offender has committed a significant number of transgressions, at which point revocation to prison becomes the likely penalty.

To remedy this problem, probation and parole agencies need an array of graduated sanctions, as well as clear authority to impose them. A typical continuum ranges from community service programs on one end to more restrictive options such as day reporting centers and even secure residential treatment facilities on the other. To maximize the certainty and swiftness of the sanctions, states should provide parole and probation agencies the authority to move offenders up and down the ladder of sanction programs—even including short stays in jail—without first requiring a time-consuming trip back to court.

Georgia has taken this very step, through a successful program called Probation Options Management. It allows chief probation officers or hearing officers within the Georgia Department of Corrections to impose

administrative sanctions on violators in certain circumstances. An evaluation of the program shows it reduced by 70 percent the average number of days offenders spent in jail awaiting court disposition of their violations cases,⁸² saving local jails \$1.1 million.⁸³ The program also drastically reduced the amount of time probation officers spent waiting in courthouses for violations cases to be heard, thus freeing up hours that could be spent on actual supervision of offenders.⁸⁴

5 Create Incentives for Success

An effective community corrections framework needs three other staples: incentives for offenders to change their behavior, a payoff for agencies that succeed and a system for measuring their results.

The first of these boils down to a fundamental principle of psychology: When it comes to motivating people to change their behavior, carrots work better than sticks.⁸⁵ The prevailing philosophy of many community supervision agencies is the opposite—to try to catch offenders doing something wrong. But many agencies, led by drug courts, are now learning how to use the carrot of positive reinforcement to keep offenders on the straight and narrow.

What kind of carrots? A variety of approaches are now afoot, from graduation ceremonies to gift certificates from local businesses and removal of restrictions such as curfews. Some states are starting to push even further, telling probationers and parolees that they can earn time off their sentences if they comply with all of their terms of supervision.

Carrots can work for correctional managers, too. If community corrections agencies succeed in

“HOPE” FOR IMPROVEMENT IN HAWAII

With prisons overflowing and correctional budgets straining state finances, probation—allowing lower-risk offenders to undergo community supervision provided they meet certain conditions—is playing an increasingly vital role in our nation’s criminal justice system. But all too often, the practice of probation yields disappointing results.

The Challenge

Probation officers are faced with overwhelming caseloads, outdated technology and cumbersome court processes for sanctioning violators. As a result, they often are unable to detect when their charges break the rules or respond with meaningful penalties when they do. Some probationers, convinced that slip-ups won’t bring immediate consequences, rack up pages of violations for failed drug tests, missed appointments and other transgressions. Then, at some arbitrary point when they are eventually brought back to court for a violation hearing, many offenders receive society’s most expensive punishment—a stay in prison. This approach defies what research and common sense tell us about effective deterrence and behavior change: punishment is far more effective if it is swift, certain and proportionate than delayed, unpredictable and severe.

Such was the case in Hawaii until 2004, when Circuit Court Judge Steven Alm decided to create Hawaii’s Opportunity Probation with Enforcement, or HOPE. The Oahu program involves close partnerships with prosecutors and defense counsel, police, wardens, and treatment providers, and it is delivering encouraging results.

HOPE notifies probationers that the old rules remain in place but will now be enforced. That means failures to comply with frequent but random drug tests, office visits and treatment requirements are met with immediate sanctions, typically a few days in jail, time that is served over the weekend for probationers with legitimate jobs. Those who cannot abstain from drugs are placed in residential treatment.

The Results

Preliminary results of a randomized controlled trial found that HOPE participants were less than half as likely to test positive for drugs (11 percent versus 26 percent) or miss appointments (5 percent versus 12 percent). Early results from a matched comparison group study were even more promising. Arrest rates for HOPE probationers were three times lower than for the comparison group, and they experienced significantly lower revocation rates as well (9 percent versus 31 percent).⁹⁶

This is deterrence in action: a credible threat, combined with resources for those who want to change, averts both the offending behavior and the need for and cost of punishment.

“Our offenders know that if they use drugs today, they will go to jail tomorrow,” Judge Alm says. “That means something.”

COMMUNITY CORRECTIONS: A STRATEGY FOR SAFETY AND SAVINGS

thinning the throng of offenders sent back to prison for new crimes or rule violations, states reap savings by avoiding prison costs. Those savings should, in turn, be shared with the successful community supervision agencies, which can use these funds to expand their success. This redirection of dollars can allow states to strengthen their overall community corrections product without the need to appropriate new funds.

Among the states that have embraced performance incentives, Arizona is a recent standout. As often happens, Arizona's initiative was sparked by a high crime rate and a prison population explosion that was draining taxpayer dollars. From 1997 to 2007, the state inmate count grew 60 percent, from 23,484 to 37,746, leading to a doubling of the corrections budget.⁸⁷ Projections forecast another 50 percent jump in the prison population by 2017, at an estimated cost to state taxpayers of \$2-3 billion.⁸⁸ Despite the prison growth, the state still had the highest crime rate in the nation. State Rep. Bill Konopnicki, a Republican from Safford who pushed for reforms along with Republican State Sen. John Huppenthal of Chandler, painted a gloomy picture of the prospects: "If we decide to do nothing, we are in effect committing an additional one billion dollars in state tax dollars to grow our prison system."⁸⁹

Instead, Arizona last year adopted the Safe Communities Act (SB 1476), a sweeping bill that creates performance incentives for both offenders and the county-based probation supervision system. One part of the law gives probationers an incentive to pay court-ordered restitution, complete community service assignments and comply with their other conditions of supervision. For every month that an offender complies with the terms of supervision, the legislation authorizes the courts

to reduce the length of probation by up to 20 days. Slip-ups result in a loss of the earned time.

Under a second part of the bill, signed in June by then-Gov. Janet Napolitano, counties that reduce recidivism are awarded 40 percent of the money the state saves by not having to house repeat offenders and probation rule violators in its prisons. The refund is then used by counties to improve victims' services and expand access to drug treatment and other recidivism-reducing programs. Projections show that if counties reduce probation revocations by 10 percent, the state could save nearly \$10 million, with 40 percent of that amount returned to the local level.

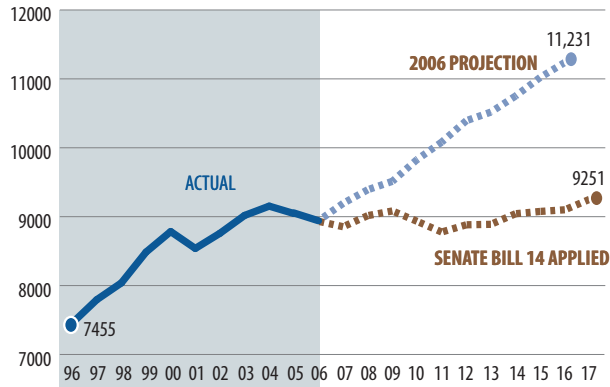
Faced with a spiking prison population and high rates of failure by community-based offenders, Kansas is another state that has taken performance incentive funding to heart. After recognizing that about two-thirds of all prison admissions were probation and parole rules breakers, and that more than half of the violators needed substance abuse or mental health treatment, Kansas took action. Under SB 14, passed in 2007, the state provides \$4 million annually in performance-based grants

"We were faced with spending millions of dollars on new prisons to house the expanding population. Instead, we developed bipartisan legislation that resulted in treatment programs for nonviolent drug offenders and innovative and collaborative release efforts for inmates returning to their communities."

*KS Gov. Kathleen Sebelius
State of the State Address
January 12, 2009*

KANSAS PRISON POPULATION TREND

Senate Bill 14 passed in 2007 and was projected to avert the need for more prisons for 10 years.



SOURCE: Kansas Sentencing Commission
 NOTE: For more information about the Kansas reforms, visit the Kansas page at www.pewpublicsafety.org

to community corrections programs that increase probationer and parolee success rates by 20 percent. The grant money goes hand-in-hand with efforts to train supervision staff in evidence-based practices for effectively managing offenders in the community.⁹⁰

Only a couple of years have passed, but Kansas is already reporting noticeable results. Overall, the state’s prison population dropped 3.6 percent between midyear 2007 and year end 2008. A primary contributor to this drop is a 7 percent reduction in FY2008 of the number of probationers sent to prison for condition violations (the top source of prison admissions in FY2007). Prison admissions of parolees for rule violations (down 2.2 percent since FY2003) and new crimes (down 47 percent since FY2003), as well as parole absconding rates (under 4 percent of the entire caseload), are at or near all-time lows.⁹¹

Will the gains hold? Budget woes and other forces are putting them to the test. Recently, Kansas legislators adopted sentence enhancements that are fueling projections for a 10 percent growth in the prison population over the next decade. At the same time, budget cuts threaten the very reforms and incentives that served to reduce the inmate population pressure and put Kansas on stable footing.

6 Measure Progress

Incentives, evidence-based programs and offender sorting all should produce better results—less crime, fewer victims, and more room in state budgets for other pressing priorities. But even the best designed systems must be held accountable through a method for measuring progress. Just as law enforcement has shifted from simply counting arrests to measuring and accepting responsibility for reducing crime, corrections also needs to evaluate outcomes of its work.

An admirable standard for public safety performance measurement was set in the mid-1990s by the New York City Police Department’s Compstat program. Short for “compare statistics,” Compstat involves the continuous evaluation of agency performance through live, ongoing audits. Information on crimes, arrests and other critical measures is distributed to managers department-wide, then reviewed in weekly sessions where unit commanders are called before their leaders to explain crime trends as well as their strategic and tactical responses. This combination of real-time data and transparent, immediate feedback created incentives to adopt practices that better protect the public. The ultimate payoff: Compstat and better crime analysis helped New York City reduce crime.⁹²

COMMUNITY CORRECTIONS: A STRATEGY FOR SAFETY AND SAVINGS

Momentum is building to adapt Compstat's core principles—accurate and timely intelligence; deployment of resources where they are most needed; effective tactics; and relentless follow-up and assessment—to the community corrections field.⁹³ The overall goal is to lower recidivism rates among probationers and parolees, but other key performance measures include employment, substance abuse and payment of victim restitution rates. Another yardstick would track whether supervised offenders are successfully discharged at the end of their supervision term.

Agencies in several states, including Maryland, New York and Georgia, have adopted Compstat-like systems and are beginning to show promising outcomes. The rate at which offenders successfully complete their parole terms in Georgia, for example, has risen by four percentage points under the new approach. It may not sound like much, but each percentage point is estimated to save the state \$6 million to \$7 million in reduced incarceration costs.⁹⁴

A Rare Moment in Time

The revelation last year that 1 in 100 adults is behind bars led to action in some states as political leaders took a fresh look at sentencing and correctional policies with an eye toward better balancing public safety, offender accountability and the realities of tight budgets.

Today, economic crisis is again changing the game. States are in dire fiscal shape, slashing programs and services in ways that will exact a considerable human toll. To balance their budgets, many will have to slow prison growth or even shutter entire institutions. Community corrections programs, already strained from years of neglect, will be asked, once again, to do more with less.

But tight budgets can inspire better policy making and a heightened vigilance to ensure every tax dollar delivers maximum value for the public. Such is the case today with respect to the massive, expensive and underperforming correctional system in America.

Research and experience have led practitioners, analysts and policy makers to develop a set of sentencing and correctional principles that meet that challenge. With adequate resources and authority, courts and community corrections professionals can determine which offenders should be in prison and for how long. With new supervision strategies and technologies, the lower-risk offenders can be managed safely and held accountable in the community, at lower cost and with better results than incarceration achieves.

“We won’t get true public safety and protection for crime victims until we invest in community corrections – because most offenders are not behind bars, but living as our neighbors.”

*Anne Seymour, National Crime Victim Advocate
Personal Communication
2009*

These efforts need to be strengthened, not scaled back. Cutting them may appear to save a few dollars, but it won’t. It will fuel the cycle of more crime, more victims, more arrests, more prosecutions and still more imprisonment.

Better performance in community corrections can cut crime and avert the need not only for new prisons but even for some we already have. And the accrued savings, if used to reinforce probation and parole, support early-intervention strategies, or shore up the high-stakes neighborhoods where prisoners come from and return to, can generate even further reductions in crime and incarceration.

Some states are putting research into action and carefully modernizing their correctional playbooks. Others should follow suit. Meaningful progress will take time, and will require focus and determination from state leaders. But doing nothing is unacceptable. Continuing down the same path is an affront to taxpayers who rightly expect government to learn from its failings and build upon its success.

Endnotes

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Methodology Notes

Overview: This report analyzed prison, jail, parole and probation populations individually and as a share of the total adult population both on a national and a state level. Trends over time in these corrections populations and as a share of the adult population were expressed in a 25-year span of year end figures, beginning with year end 1982 and ending at year end 2007. These year end data were derived through a variety of methods explained below.

National Corrections Populations: Data from the Bureau of Justice Statistics (BJS) Correctional Surveys (available at www.ojp.usdoj.gov/bjs/glance/tables/corr2tab.htm) were used for all national-level correctional population figures. These include national prison, jail, probation and parole population figures. Where national corrections populations are expressed as a rate, such as “1 in 31,” they have been combined with adult resident population data from the U.S. Census.

Adult Population: U.S. adult resident population figures were derived nationally and for each state from midyear data prepared by the U.S. Census Bureau, State Population Estimates, going back to midyear 1981. These midyear census figures were then averaged to create year end figures which were used for all calculations throughout this report. The rate of growth for midyears 2006 to 2007 was applied to midyear 2007 figures to derive projected midyear 2008 figures; these were then averaged with the midyear 2007 figures to estimate year end figures for 2007.

State Corrections Populations: A variety of sources were compiled to generate the different components of the total corrections population: prisoners, jail inmates, probationers and parolees. The different data sources for each component are described below. Additionally, the methods used to compensate and adjust for missing data are discussed.

Prison Inmates: State prison figures used throughout the report include BJS year end state prison counts as well as year end counts and estimates of federal inmates by state of reported residence from the Federal Bureau of Prisons (BOP). The prison inmate figures in this report exclude state prisoners held in local jails; they have been counted as part of the jail population as described in the section on jail inmates.

State prison counts as reported to BJS are conventionally calculated using only those inmates held under state jurisdiction or custody. Nationally, this method excludes nearly 200,000 inmates who are held in the federal prison system and leads to state imprisonment figures that, purely due to state-federal jurisdictional boundaries, are lower than corresponding national figures. In order to provide a more complete account of prisoners by state, federal inmates were added back into each state’s BJS-reported counts. Overall, this adjustment allows, for example, BOP prisoners from Wisconsin to be counted as Wisconsin prisoners. This was done using BOP data.

The BOP provided year end counts of federal inmates by state of reported residence for the years 1999 through 2007. These counts were used in this report, and were also used to estimate

year end counts used in this report for the years 1982 through 1998. BOP does not have home-state addresses for all inmates. As a percentage of the total BOP population, the number with a reported home state residence hovers around 83 percent from 1999 to 2003, and climbs steadily to 88 percent from 2004 to 2007. To conservatively estimate the total number of BOP inmates that came from all states for the years 1982 to 1998, the 1999 to 2003 “83 percent” average was applied to the total BOP population reported for each of those years. Then, each state’s 1999 to 2003 average share of BOP inmates was applied to the estimated “83 percent” count for each year in the 1982 to 1998 period. This gave a rough estimate of the number of federal prisoners from each state for the years 1982 to 1998 which allowed the state level prison population estimates to better reflect the actual prison population.

Jail Inmates: State jail figures are based largely on BJS surveys of jail inmates conducted in February 1978 and at midyears 1983, 1988, 1993, 1999 and 2005. Since statewide jail counts are not available in the intervening years, a straight-line estimation was applied to obtain jail populations for each of those years, and to adjust all figures to year end counts. This method provided the jail population estimates from 1982 to 2006. To this data set was added year end 2007 state jail counts derived from survey data wherever available and estimates where states wouldn’t or couldn’t respond to the survey questions.

While BJS was able to provide an estimated national year end 2007 jail population, individual figures for each state were not available. The year end 2007 state jail counts used in this report include a combination of counts reported to JFA Associates by 22 states and Washington D.C. and estimations for 23 states. Five states with unified jail and prison systems (CT, VT, RI, DE and HI) were assigned year end 2007 jail populations of zero, consistent with BJS’s reporting in all previous years when these states’ jail inmates were counted in their reported prison populations. Though often considered a unified system state, Alaska has a small local jail population and was therefore included in the estimation process.

JFA Associates surveyed all 50 states and DC and received jail population counts from 23 of them. All told, JFA reported jail populations for CA, DC, FL, IN, KY, LA, ME, MD, MA, MI, MN, NJ, NM, NY, OH, PA, SC, TN, TX, VA, WA, WV and WI totaling nearly 547,000 inmates, representing 70 percent of BJS’s reported 2007 national jail population. For the remaining 23 states, a year end 2007 jail population was estimated by applying the rate of growth experienced by the 22 respondent states between midyear 2005 and year end 2007 to the midyear 2005 population of the 23 estimated states. The rate, 1.7 percent, appears to be a conservative growth estimate, as BJS recently reported a 1.9 percent rate of growth for jails nationally from midyear 2006 to midyear 2007.¹

To avoid double-counting of prisoners, a count or estimate of prisoners held in local jails was subtracted from each state’s jurisdictional prisoner count. BJS provided these data from

METHODOLOGY NOTES

1999 to 2007; these counts were used in this report, and were also used to estimate year end counts used in this report for the remaining years, 1982 to 1998. The average percent of inmates who would have been double-counted (by state) during the years from 1999 to 2005 was applied to the total jail and prison count of each state for all years before 1999. For 11 states, the average was zero and most states were relatively consistent. The modeling is based on counts from 1999 to 2005 because this is the period for which BJS state-by-state data, or imputed jail populations are available.

Probationers and Parolees: State probation and parole figures include BJS year end counts as well as counts from the Administrative Office of the U.S. Courts (AOC). As with the U.S. Census data, the AOC data were midyear counts, which were averaged to create year end estimates for the purposes of this report. Similar to the how federal prisoners are conventionally absent from state prison counts, state probation and parole statistics typically ignore offenders in the states under supervision in the community by federal authorities. The AOC provided counts by state of community supervision offenders under federal jurisdiction for the entire 25-year period from 1982 to 2007. For counting purposes, the federal definitions “judge probation,” “magistrate judge probation” and “pretrial diversion” were combined to form a single federal probation category. A single federal parole category was constructed out of the various federal forms of post-prison supervision—“term of supervised release,” “parole,” “mandatory release,” “military parole” and “special parole.” These federal probation and parole categories were added to each state’s BJS-reported probation and parole counts, respectively, to obtain total statewide probation and parole counts.

Complicating issues: There were numerous data challenges that make it difficult to provide an accurate state level count. These include problems with double counting, shifting definitions and missing data on the community corrections population. These issues and the steps taken to deal with them are presented below.

Double-counting: Offenders involved with more than one criminal justice agency could be double-counted and artificially inflate most measures of correctional control. For example, an offender on probation or parole might be imprisoned or jailed but not removed from the probation or parole rolls. BJS has used increasingly sophisticated measures to avoid double-counting. In its most recent such release of data, BJS adjusted for possible overlap between probation, parole, prison and jail counts. Its adjusted total correctional population amounts to a 1.11% reduction in the sum of the separate probation, parole, prison and jail counts. Pew could not perform such adjustments for the 50-states with available data. This could lead to overestimates, a risk that could affect states like Georgia that have many agencies, some privatized, handling large corrections populations. In Georgia’s case, there are concerns that some individuals on probation in multiple jurisdictions might be counted separately for each jurisdiction and that private agencies report counts of cases under supervision rather than individual offenders.

Change in counting definition: In 1998, BJS revised the probation survey used in its population counts to include more reporting agencies. In states like Georgia and Idaho, this revision expanded counts to include court-based populations, often of

misdeemeanants. One consequence is that these additional reporting agencies increase the risk of double-counting, discussed above. Unfortunately, due to the limited data on the specifics of these additional groups included in the updated probation and parole statistics, it is impossible to determine the degree to which the additional reporting agencies are correcting previous underestimates of the correctional population and the degree to which the additional agencies are contributing to overestimates of that population.

Share of correctional population in institutional versus community settings: Double-counting of offenders with multiple criminal justice statuses and the change in counting rules would tend artificially to inflate the share of the correctional population that is under supervision in the community. However, as noted in the sidebar, “An Even Wider Net?,” there may be a large number of offenders in pre-trial supervision programs, drug courts or other court-based alternative sentencing units, and other specialized programs who are not picked up in conventional probation or parole counts. These populations have likely increased over time, especially due to the proliferation of drug courts. These various counting issues offset each other to some unknown degree. A more precise estimate of the community supervision population, and therefore its share of the total correctional population, will be identified only when more extensive and detailed surveys are designed and conducted.

Spending Figures: To collect current and past prison, probation and parole spending figures from all states, the Pew Center on the States partnered with the American Probation and Parole Association (APPA). APPA designed a survey and coordinated data collection with partner organizations including the Crime and Justice Institute, the Council of State Governments Justice Center, the National Governors Association and the Vera Institute of Justice. Forty-five states completed at least a portion of the survey and 34 provided data on probation, parole and prison expenditures for both FY08 and at least one baseline fiscal year. Analysis of these data, performed both by APPA and Pew, forms the basis of the fiscal analyses included in this report and the state fact sheets.

The APPA survey asked for total fiscal year expenditures as well as per diem costs for administering probation, parole and prison supervision and services. While respondents were asked to exclude capital costs, they were requested to include costs for personnel, operations, treatment and an undefined “other” category. Respondents were asked for this information both in FY2008 and an historical baseline as far back as FY1983 (or in five-year increments from that point forward).

For states that were unable to complete the APPA survey, statistics were gathered from the National Association of State Budget Officers (NASBO) State Expenditure Reports. These reports contain an impressive scope of state spending information, going back more than 20 years. The corrections spending figures they contain, however, do not distinguish between corrections expenditures including probation, parole and prison.

Throughout the report, spending figures have not been adjusted for inflation.

1 Sabol, William and Todd D. Minton. June 2008. Jail Inmates at Midyear 2007. Washington, DC: Bureau of Justice Statistics, U.S. Department of Justice.

Jurisdictional Notes

Within the 50 states and the District of Columbia there are hundreds of prison, probation and parole agencies (in addition to many more jails and community corrections agencies) operating with different population and budget counting rules. The following notes are provided to explain some of these differences and to account for many of the idiosyncrasies in the reported data. The notes are based on reports collected by the Bureau of Justice Statistics (BJS) and the American Probation and Parole Association, as well as direct contacts with state officials, but they are not a complete description of all counting issues.

Alabama: Probation and parole spending figures include all probationers under the Department of Corrections, but do not include some offenders sentenced to community supervision. Rental costs are included in operating costs. Treatment services were not provided internally in 1983. Most prison treatment services are now provided by the DOC internally. Mental health treatment is contracted out to private companies. These costs are grouped under professional services that include health care services, leased bed contracts, and all treatment programs.

Alaska: Though the state's prison system manages most jail inmates, BJS reports that there are several dozen jail inmates in local jails throughout the state. A state jail population was therefore estimated for Alaska (see Methodology Notes).

Arkansas: In 2008, the Department of Community Corrections operated community corrections beds and probation and parole. As opposed to later years, some probation and parole costs were included in prison costs in 1984.

Colorado: Per diem costs for Colorado prisons are weighted to include both state and privately managed facilities. Probation figures do not cover all expenditures excluding, for example, grants for pilot programs and victim services. In all reported years, costs cover only those probationers in the state courts as well as from the District Court of Denver, but exclude probationers from the City or County of Denver and the approximately 20,000 probationers in Colorado supervised by private agencies funded through offender supervision fees. Probation figures were adjusted by survey respondent to account for differences in funds received from the collection of drug offender assessment fees, which were collected in 2008 but not 2003.

District of Columbia: Tracking correctional populations in the District is complicated by the transfer to federal custody of all District prisoners as a result of the 1997 Revitalization Act. For this report, District probationers, parolees and jail inmates were counted as described in the methodology section. The District's prisoner count consists of BJS-reported figures for the period 1982-2000, of BOP-reported Superior Court sentenced prisoners for the period 2002-2007, and of an average of the BJS 2000 figure and the BOP 2002 figure for the year 2001. Because the 2002-2007 BOP figures would have overlapped with the BOP data on prisoners by reported home state address (see Methodology Notes), this latter category of

inmates was excluded from DC's prisoner calculation. Also excluded from the District's counts are Federal District Court sentenced prisoners in the BOP and an anomalous figure reported to the BJS of prisoners held in local jails in 2000.

Georgia: The budget total for 1983 did not provide a specific subcategory total for parole supervision or other agency functions. A close approximation of the supervision portion of the budget was calculated by the respondent by determining parole supervision's share of the 2008 budget (69 percent) and applying it to the 1983 total. Figures for parole in 2008 include funds for GPS monitoring, not included in the 1983 budget. Georgia's probation population appears to be inflated both by a number of local ordinance violators under the jurisdiction of the state courts and by counts by private probation providers that reflect probation cases rather than probationers. This means that some probationers with multiple convictions may be counted more than once. The population count also may include a number of people whose probation terms have ended but for whom there are outstanding warrants.

Hawaii: For 1998, the total budget expenditure for probation includes payroll costs but does not include fringe benefits. Hawaii maintains a unified state jail and prison system and, per reporting to the BJS, has in this report a single figure for its incarcerated population.

Illinois: Illinois does not have a reported parole population in the BJS parole survey of 2006. For this report, this void was filled by a straight-line average of the state's 2005 and 2007 figures.

Louisiana: Probation and parole expenditure figures include offender fees.

Maine: Maine does not have a reported parole population in the BJS parole survey from 1985-1990. For this report, this void was filled by a straight-line average of the state's 1984 and 1991 figures.

Maryland: Treatment programs such as the Substance Abusing Offender Program and the Urinalysis and Treatment Program did not exist in 1988 but are reflected in the 2008 expenditure figures. Prison treatment costs include medical services, which in 1988 were approximately \$15.3 million across the Division of Corrections. In 2008, these costs were contracted out and totaled approximately \$107.2 million in expenditures, all falling under contractual services.

Michigan: Maps of Michigan's correctional population were prepared by the Justice Mapping Center, Inc. (www.justicemapping.org). Geographic data on standing populations of the state's prisoners (as of May 20, 2008), parolees (as of May 28, 2008) and probationers (as of July 15, 2008) was provided by the Michigan Department of Corrections; on the state's county jail inmates (average daily populations for 2007) by the JPIS report from the Michigan Department of Corrections and by the Wayne County Sheriff's office; on the state's federal prisoners by the Bureau

JURISDICTIONAL NOTES

of Prisons (as of December 21, 2008); and on the state's community supervised, federal custody offenders by the Eastern and Western Districts of Michigan, Administrative Office of U.S. Courts (as of January 7, 2009). The 2008 prison costs include juveniles adjudicated as an adult or youthful trainee, which was not the case in 1998. Michigan's figure for corrections' share of general fund spending (22 percent in FY2008) is not comparable with similar figures from other states, because in 1994, Michigan separated its K-12 education system into a different fund.

Minnesota: Prison costs only include prisons operated by the Department of Corrections and contracted facilities, and exclude private prison costs in Minnesota. Probation and parole figures were provided by the respondent from the Department of Corrections that is in charge of probation and parole supervision for 55 of Minnesota's 87 counties. This respondent was able to provide budget subsidy totals provided by the state legislature through the Minnesota Community Corrections Act. This figure excludes local funding of probation and parole but does capture a large portion of probation and parole spending in Minnesota, and it is consistent across reported time periods.

Missouri: Prison costs include juveniles sentenced as adults. All personnel costs exclude fringe benefits which are paid separately for all state employees. In 2007 and 2008, the State Office of Administration assumed control of budgets for maintenance functions and information systems from other state agencies. Missouri officials made adjustments to the 2008 per offender costs to account for this difference. Probation and parole costs in 2008 include two additional community release centers and six community supervision centers (totaling \$13,035,480).

Montana: Probation and parole spending in 1983 included 37 prerelease beds and juvenile aftercare, both of which were removed from the budget by 2008. Personnel costs in 1983 were included in operating costs, but by 2008 they became a separate line item included in the overall budget. In 1983, the alcohol and drug abuse treatment programs had separate budgets from probation and parole, all of which fell under the Department of Institutions. In 2008, probation and parole budgets included all community corrections alcohol and drug programs. The state's survey respondent reported that there were broad changes in budgeting as certain costs were added to probation and parole spending and others were moved to other agencies including, for example, the removal of probation and parole costs for juvenile supervision.

New York: All personnel figures exclude fringe benefits such as health insurance and retirement benefits. These costs are handled in a different fund. Local assistance funds are included for parole and probation figures in 2008, but only probation in 1983. Prison budgets include \$300 million in capital costs for 2008 and \$75.3 million in capital costs in 1983.

North Dakota: Probation and parole budgets for both reported time periods are included in a Field Services category which includes the five divisions of administration, victim services, interstate compact, security and supervision, and treatment.

Ohio: Prison costs exclude non-expense items (e.g., transfers) and capital costs. 1983 figures include two-thirds of central office costs. On July 1, 2007, Ohio implemented a

new accounting system, the Ohio Administrative Knowledge System (OAKS), which brought about some changes to accounting categories, but the state's survey respondent indicated that this shift should not affect survey responses. Reported parole figures are from the Parole and Community Services division which is the parent agency for Adult Parole Authority. These figures include some probation costs for mostly rural portions of the state.

Oklahoma: Oklahoma's 2007 probation figure is missing from the annual BJS report. For this report, this void was filled by applying the 2005-2006 rate of growth (which was negative) to the year end 2006 figure.

Oregon: Probation and parole budgets in 1983 included misdemeanors that are not included in 2008 probation and parole figures. In 1983, probation and parole offices were operated by the state, and in 2008 all but two jurisdictions were operated by counties through state funding received as an intergovernmental block grant. This change gives the counties more flexibility in allocating the funds. Probation and parole costs were separated by the survey respondent.

Pennsylvania: According to state sentencing laws, inmates with maximum sentences of less than two years are subject to the courts' paroling authority and are typically supervised by county adult probation departments. Data for these jurisdictions are included in the state's figures. The state's survey respondent indicated that, on average, approximately 15-19 percent of the supervised population is comprised of these special probation referrals from the courts. Pennsylvania probation figures are for the supervision of probationers by county adult probation departments.

Rhode Island: The total adult prison spending amount does not include administration costs such as finance, human resources, and information technology charges. Earlier probation and parole budget figures do not include expenditures for electronic monitoring. Rhode Island maintains a unified state jail and prison system and, per reporting to the BJS, has in this report a single figure for its incarcerated population.

Texas: All personnel figures exclude employee benefits, which are budgeted through other state agencies. All prison figures exclude inmates held in private prisons.

Vermont: In 1994, the prison budget did not allocate central administration and management costs to facilities, and all treatment costs were centrally administered. In 2008, such prison costs are included. The state's survey respondent noted that Vermont moved in 1999 toward private prison facilities, and these costs are not included. Probation and parole costs were separated by the state's survey respondent. Vermont maintains a unified state jail and prison system and, per reporting to the BJS, has in this report a single figure for its incarcerated population.

Wyoming: The 1983 probation and parole cost figures include juveniles placed under supervision by the court. Probation and parole treatment costs for 2008, but not 1983, include substance abuse assessments, cognitive behavioral programming, and supportive services associated with drug courts. The prison costs for 2008 have increased due to private sector charges for medical and mental health services. Wyoming total correctional cost figures were reported by the state Legislative Service Office, January 2009.

TABLE A-1

National Correctional Populations, 1982-2007

	Rate of Correctional Control: 1 in X	Total Correctional Population	Probation	Parole	Jail	Prison
2007	31	7,328,200	4,293,163	824,365	780,581	1,512,576
2006	31	7,211,400	4,237,023	798,202	766,010	1,492,973
2005	32	7,051,900	4,166,757	780,616	747,529	1,448,344
2004	32	6,995,100	4,143,792	771,852	713,990	1,421,345
2003	32	6,924,500	4,120,012	769,925	691,301	1,390,279
2002	32	6,758,800	4,024,067	750,934	665,475	1,367,547
2001	32	6,581,700	3,931,731	732,333	631,240	1,330,007
2000	33	6,445,100	3,826,209	723,898	621,149	1,316,333
1999	33	6,340,800	3,779,922	714,457	605,943	1,287,172
1998	33	6,134,200	3,670,441	696,385	592,462	1,224,469
1997	35	5,734,900	3,296,513	694,787	567,079	1,176,564
1996	36	5,490,700	3,164,996	679,733	518,492	1,127,528
1995	37	5,342,900	3,077,861	679,421	507,044	1,078,542
1994	38	5,148,000	2,981,022	690,371	486,474	990,147
1993	39	4,948,300	2,903,061	676,100	459,804	909,381
1992	40	4,765,400	2,811,611	658,601	444,584	850,566
1991	41	4,537,900	2,728,472	590,442	426,479	792,535
1990	43	4,350,300	2,670,234	531,407	405,320	743,382
1989	45	4,057,800	2,522,125	456,803	395,553	683,367
1988	49	3,715,800	2,356,483	407,977	343,569	607,766
1987	52	3,461,400	2,247,158	355,505	295,873	562,814
1986	55	3,241,100	2,114,621	325,638	274,444	526,436
1985	59	3,013,100	1,968,712	300,203	256,615	487,593
1984	65	2,690,700	1,740,948	266,992	234,500	448,264
1983	70	2,476,800	1,582,947	246,440	223,551	423,898
1982	77	2,194,400	1,357,264	224,604	209,582	402,914

See methodology and state notes sections for definitions and exceptions.

Sources include the Bureau of Justice Statistics (correctional populations) and the Pew Center on the States (1 in X figures, based upon analysis of data from the U.S. Census State Population Estimates and Bureau of Justice Statistics).

Total correctional population counts are not equal to the sum of probation, parole, jail and prison counts due to offenders with dual status.

TABLE A-2

State and National Correctional Spending

	FY2008 Total General Fund Corrections Spending, in millions	FY2008 Corrections as a Percent of State General Fund Spending		State General Fund Corrections Spending, in millions	Corrections as a Percent of State General Fund Spending
Alabama	\$420	2.5%	2008	\$47,335	6.9%
Alaska	\$240	4.7%	2007	\$43,904	6.7%
Arizona	\$951	9.5%	2006	\$40,078	6.7%
Arkansas	\$348	8.0%	2005	\$38,239	6.9%
California	\$9,657	9.3%	2004	\$35,744	7.0%
Colorado	\$625	8.6%	2003	\$35,285	7.2%
Connecticut	\$699	4.3%	2002	\$34,364	6.9%
Delaware	\$200	6.1%	2001	\$33,571	6.9%
District of Columbia	n/a	n/a	2000	\$32,195	7.1%
Florida	\$2,819	10.0%	1999	\$29,733	7.1%
Georgia	\$1,100	5.9%	1998	\$27,021	6.9%
Hawaii	\$228	4.3%	1997	\$25,440	6.8%
Idaho	\$207	7.3%	1996	\$24,847	6.9%
Illinois	\$1,363	6.1%	1995	\$23,251	6.7%
Indiana	\$669	5.3%	1994	\$20,062	6.2%
Iowa	\$353	6.0%	1993	\$17,435	5.7%
Kansas	\$341	5.6%	1992	\$16,504	5.6%
Kentucky	\$521	5.5%	1991	\$15,890	5.7%
Louisiana	\$625	6.4%	1990	\$14,453	5.5%
Maine	\$153	4.9%	1989	\$12,887	5.3%
Maryland	\$1,192	8.2%	1988	\$11,744	5.2%
Massachusetts	\$1,250	4.6%			
Michigan ¹	\$2,178	22.0%			
Minnesota	\$460	2.6%			
Mississippi	\$266	6.4%			
Missouri	\$575	6.8%			
Montana	\$169	8.6%			
Nebraska	\$179	5.1%			
Nevada	\$253	7.9%			
New Hampshire	\$101	6.8%			
New Jersey	\$1,581	4.8%			
New Mexico	\$277	4.6%			
New York	\$2,871	5.4%			
North Carolina	\$1,254	6.2%			
North Dakota	\$65	5.4%			
Ohio	\$1,794	7.3%			
Oklahoma	\$491	7.0%			
Oregon	\$763	10.6%			
Pennsylvania	\$1,836	6.7%			
Rhode Island	\$185	5.5%			
South Carolina	\$487	6.6%			
South Dakota	\$81	7.1%			
Tennessee	\$675	5.5%			
Texas	\$2,958	6.8%			
Utah	\$330	5.7%			
Vermont	\$116	9.4%			
Virginia	\$1,254	7.6%			
Washington	\$917	6.3%			
West Virginia	\$181	4.7%			
Wisconsin	\$1,076	8.0%			
Wyoming ²	\$103	5.7%			

All cost figures from the National Association of State Budget Officers, State Expenditure Reports. FY2008 figures are estimates.

¹On Michigan corrections' share of general fund spending, see state notes.

²Wyoming cost figures reported by State Legislative Service Office, January 2009.

TABLE A-3

State Correctional Populations, Year End 2007

	Rate of Correctional Control: 1 in X	Total Correctional Population	Probation	Parole	Jail	Prison	Federal Prisoners and Community-Supervised Offenders
Alabama	32	108,843	51,745	7,790	15,401	27,816	6,091
Alaska	36	14,005	6,416	1,544	66	5,167	812
Arizona	33	144,221	76,830	6,807	15,743	37,700	7,141
Arkansas	29	73,193	31,676	19,388	6,229	13,307	2,593
California	36	755,256	353,969	123,764	82,662	171,500	23,361
Colorado	29	128,186	77,635	11,086	13,871	22,666	2,928
Connecticut	33	82,655	57,493	2,177	0	20,924	2,061
Delaware	26	25,082	16,696	535	0	7,276	575
District of Columbia	21	22,892	6,485	5,569	2,900	6,606	1,332
Florida	31	462,435	274,079	4,654	64,547	97,072	22,083
Georgia	13	562,763	435,361	23,111	45,732	49,337	9,222
Hawaii	32	31,620	19,426	2,110	0	5,978	4,106
Idaho	18	63,231	48,663	3,114	3,852	6,744	858
Illinois	38	252,776	142,790	33,354	20,408	45,215	11,009
Indiana	26	181,459	126,562	10,362	15,540	25,130	3,865
Iowa	54	42,294	22,776	3,546	3,699	8,732	3,541
Kansas	53	39,275	16,131	4,842	7,022	8,696	2,584
Kentucky	35	91,993	42,510	12,741	18,337	14,545	3,860
Louisiana	26	122,207	39,006	24,085	33,627	20,461	5,028
Maine	81	12,852	7,853	32	1,838	2,222	907
Maryland	27	156,776	98,470	13,856	13,632	23,282	7,536
Massachusetts	24	206,241	175,419	3,209	13,394	11,300	2,919
Michigan	27	278,808	182,706	21,131	18,100	50,190	6,678
Minnesota	26	152,319	127,797	4,744	8,085	8,950	2,743
Mississippi	38	56,208	21,623	2,015	11,617	17,479	3,474
Missouri	36	125,613	56,240	19,849	10,639	29,857	9,028
Montana	44	16,997	9,106	966	2,304	2,940	1,681
Nebraska	44	30,195	18,910	800	3,151	4,505	2,829
Nevada	48	40,172	13,461	3,653	7,231	13,245	2,582
New Hampshire	88	11,628	4,650	1,653	1,757	2,891	677
New Jersey	35	191,473	126,390	15,043	19,627	25,359	5,054
New Mexico	35	42,197	20,774	3,527	8,345	6,350	3,201
New York	53	282,215	119,963	53,669	28,400	62,602	17,581
North Carolina	38	181,435	111,446	3,311	17,464	37,970	11,244
North Dakota	63	7,885	4,468	342	960	1,368	747
Ohio	25	351,879	254,898	17,575	20,560	50,731	8,115
Oklahoma	42	65,720	26,038	2,349	9,748	23,957	3,628
Oregon	33	89,589	43,732	22,658	6,661	13,925	2,613
Pennsylvania	28	346,268	176,987	78,107	35,347	45,969	9,858
Rhode Island	26	31,250	26,137	462	0	4,018	633
South Carolina	38	88,352	42,721	2,433	13,137	23,862	6,199
South Dakota	40	15,211	5,870	2,812	1,456	3,256	1,817
Tennessee	40	117,428	56,179	10,496	23,590	19,248	7,915
Texas	22	797,254	434,309	101,748	67,885	159,016	34,296
Utah	64	29,023	10,829	3,597	6,854	5,223	2,520
Vermont	46	10,622	7,059	936	0	2,145	482
Virginia	46	129,681	51,954	6,850	27,583	32,972	10,322
Washington	30	165,725	118,885	13,017	12,137	17,410	4,276
West Virginia	68	21,065	7,890	1,830	3,628	4,907	2,810
Wisconsin	39	110,642	53,230	16,986	13,931	23,028	3,467
Wyoming	38	10,631	5,358	706	1,577	2,028	962

See methodology and state notes for definitions and exceptions.

Sources include the Bureau of Justice Statistics (probation, parole and prison populations, December 31, 2007), the Federal Bureau of Prisons, the Administrative Office of U.S. Courts and the Pew Center on the States (jail populations and 1 in X figures, based upon analysis of data from the U.S. Census State Population Estimates and Bureau of Justice Statistics). Total correctional population figures may exceed total correctional population due to offenders with dual status.

TABLE A-4

Adult Incarceration Rates (Jail and Prison)

	2007			1982		Growth in Incarceration Rate, 1982-2007
	Rank	1 in X	Percent of Adults	1 in X	Percent of Adults	
District of Columbia	1	50	2.00%	74	1.35%	48%
Louisiana	2	55	1.81%	205	0.49%	272%
Mississippi	3	69	1.44%	247	0.41%	256%
Georgia	4	70	1.42%	169	0.59%	141%
Texas	5	71	1.41%	215	0.47%	203%
Alabama	6	75	1.33%	208	0.48%	176%
Oklahoma	7	76	1.32%	275	0.36%	263%
Florida	8	82	1.22%	186	0.54%	127%
South Carolina	9	83	1.21%	190	0.53%	131%
Arizona	10	83	1.21%	226	0.44%	173%
Delaware	11	88	1.14%	209	0.48%	139%
Alaska	12	88	1.14%	224	0.45%	154%
Virginia	13	89	1.13%	270	0.37%	205%
Nevada	14	89	1.13%	171	0.58%	93%
New Mexico	15	90	1.11%	298	0.34%	232%
Kentucky	16	92	1.08%	391	0.26%	324%
Wyoming	17	94	1.06%	330	0.30%	252%
Colorado	18	97	1.03%	394	0.25%	307%
Missouri	19	97	1.03%	308	0.32%	217%
Tennessee	20	98	1.02%	272	0.37%	176%
Idaho	21	100	1.00%	415	0.24%	314%
Arkansas	22	102	0.98%	309	0.32%	204%
California	23	102	0.98%	243	0.41%	137%
Maryland	24	103	0.97%	191	0.52%	86%
South Dakota	25	104	0.96%	401	0.25%	285%
Michigan	26	105	0.95%	283	0.35%	169%
Hawaii	27	108	0.92%	448	0.22%	314%
Wisconsin	28	109	0.92%	437	0.23%	300%
North Carolina	29	110	0.91%	211	0.47%	93%
Indiana	30	111	0.90%	327	0.31%	195%
Pennsylvania	31	111	0.90%	420	0.24%	280%
Ohio	32	115	0.87%	314	0.32%	173%
Montana	33	118	0.85%	457	0.22%	287%
Kansas	34	120	0.84%	386	0.26%	223%
Connecticut	35	121	0.82%	446	0.22%	267%
Oregon	36	132	0.76%	303	0.33%	130%
Illinois	37	133	0.75%	348	0.29%	162%
Utah	38	136	0.74%	486	0.21%	258%
New Jersey	39	140	0.72%	408	0.24%	192%
West Virginia	40	140	0.71%	564	0.18%	303%
Nebraska	41	143	0.70%	424	0.24%	197%
New York	42	148	0.68%	294	0.34%	99%
Iowa	43	154	0.65%	533	0.19%	247%
Washington	44	155	0.64%	312	0.32%	101%
North Dakota	45	179	0.56%	817	0.12%	357%
Rhode Island	46	187	0.53%	662	0.15%	254%
Massachusetts	47	190	0.53%	572	0.17%	200%
New Hampshire	48	204	0.49%	740	0.14%	264%
Vermont	49	204	0.49%	587	0.17%	188%
Minnesota	50	211	0.47%	726	0.14%	243%
Maine	51	226	0.44%	488	0.20%	116%

Calculations based on data from the U.S. Census State Population Estimates, the Bureau of Justice Statistics Correctional Surveys, the U.S. Bureau of Prisons and the Pew Public Safety Performance Project. See methodology notes for details.

TABLE A-5

Adult Community Supervision Rates (Probation and Parole)

	2007			1982		Growth in Supervision Rate, 1982-2007
	Rank	1 in X	Percent of Adults	1 in X	Percent of Adults	
Georgia	1	15	6.50%	48	2.09%	212%
Idaho	2	21	4.71%	186	0.54%	775%
Massachusetts	3	28	3.58%	163	0.61%	483%
Minnesota	4	30	3.37%	114	0.88%	284%
Rhode Island	5	31	3.26%	104	0.96%	238%
Ohio	6	32	3.16%	183	0.55%	479%
Texas	7	32	3.14%	52	1.92%	64%
Indiana	8	35	2.89%	158	0.63%	356%
District of Columbia	9	35	2.82%	43	2.34%	20%
Michigan	10	37	2.70%	179	0.56%	384%
Maryland	11	37	2.69%	53	1.90%	42%
Washington	12	37	2.68%	49	2.04%	32%
Pennsylvania	13	37	2.68%	129	0.78%	245%
Delaware	14	38	2.63%	82	1.22%	117%
Arkansas	15	41	2.43%	238	0.42%	476%
Colorado	16	41	2.42%	137	0.73%	232%
Oregon	17	43	2.32%	97	1.03%	125%
Connecticut	18	44	2.25%	68	1.47%	53%
Hawaii	19	45	2.23%	112	0.89%	149%
New Jersey	20	46	2.17%	111	0.90%	141%
Louisiana	21	48	2.07%	129	0.78%	166%
Florida	22	50	2.00%	124	0.81%	148%
Illinois	23	54	1.86%	109	0.92%	102%
Arizona	24	55	1.83%	121	0.82%	122%
California	25	56	1.79%	96	1.04%	71%
Missouri	26	56	1.78%	142	0.70%	153%
Alabama	27	57	1.76%	158	0.63%	178%
Kentucky	28	57	1.74%	141	0.71%	146%
New Mexico	29	58	1.73%	170	0.59%	194%
North Carolina	30	58	1.71%	84	1.20%	43%
Vermont	31	60	1.67%	83	1.20%	39%
Wisconsin	32	60	1.66%	149	0.67%	146%
Alaska	33	61	1.63%	151	0.66%	147%
Wyoming	34	63	1.59%	208	0.48%	231%
Nebraska	35	64	1.56%	109	0.91%	71%
South Dakota	36	64	1.56%	192	0.52%	200%
Tennessee	37	68	1.47%	228	0.44%	236%
Montana	38	70	1.44%	172	0.58%	148%
South Carolina	39	71	1.40%	110	0.91%	54%
New York	40	82	1.22%	135	0.74%	64%
Iowa	41	83	1.20%	175	0.57%	110%
Mississippi	42	86	1.17%	183	0.55%	113%
Oklahoma	43	92	1.09%	135	0.74%	47%
Virginia	44	94	1.06%	180	0.55%	91%
Kansas	45	96	1.04%	112	0.89%	17%
North Dakota	46	98	1.02%	327	0.31%	235%
Nevada	47	106	0.95%	107	0.94%	1%
Utah	48	120	0.83%	100	1.00%	-17%
Maine	49	126	0.79%	253	0.40%	100%
West Virginia	50	131	0.76%	376	0.27%	186%
New Hampshire	51	155	0.64%	246	0.41%	58%

Calculations based on data from the U.S. Census State Population Estimates, the Bureau of Justice Statistics Correctional Surveys, the Administrative Office of U.S. Courts and the Pew Public Safety Performance Project. See methodology notes for details.

Population changes between 1982 and 2007 result both from changes in the true supervised populations and changes in survey instruments. In particular, the Bureau of Justice Statistics amended the annual probation survey to include probationers under local jurisdiction (i.e. not under state jurisdiction). This change in definition may, for some states, result in an artificially inflated growth figure.

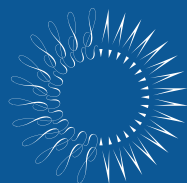
TABLE A-6

Adult Correctional Control Rates (Jail, Prison, Probation and Parole)

	2007			1982		Growth in Control Rate, 1982-2007
	Rank	1 in X	Percent of Adults	1 in X	Percent of Adults	
Georgia	1	13	7.92%	37	2.68%	196%
Idaho	2	18	5.71%	128	0.78%	633%
District of Columbia	3	21	4.82%	27	3.69%	31%
Texas	4	22	4.56%	42	2.38%	91%
Massachusetts	5	24	4.10%	127	0.79%	420%
Ohio	6	25	4.03%	116	0.86%	366%
Louisiana	7	26	3.89%	79	1.27%	207%
Minnesota	8	26	3.85%	98	1.02%	278%
Indiana	9	26	3.80%	106	0.94%	304%
Rhode Island	10	26	3.79%	90	1.11%	241%
Delaware	11	26	3.77%	59	1.69%	123%
Maryland	12	27	3.67%	41	2.42%	51%
Michigan	13	27	3.65%	110	0.91%	301%
Pennsylvania	14	28	3.58%	99	1.01%	253%
Colorado	15	29	3.46%	102	0.98%	251%
Arkansas	16	29	3.41%	134	0.74%	358%
Washington	17	30	3.33%	42	2.36%	41%
Florida	18	31	3.22%	74	1.34%	140%
Hawaii	19	32	3.15%	90	1.12%	182%
Alabama	20	32	3.09%	90	1.11%	177%
Oregon	21	33	3.08%	74	1.36%	126%
Connecticut	22	33	3.07%	59	1.69%	82%
Arizona	23	33	3.03%	79	1.27%	140%
New Jersey	24	35	2.88%	87	1.14%	152%
New Mexico	25	35	2.85%	108	0.92%	208%
Kentucky	26	35	2.83%	104	0.97%	193%
Missouri	27	36	2.81%	97	1.03%	173%
Alaska	28	36	2.77%	90	1.11%	150%
California	29	36	2.76%	69	1.46%	90%
Wyoming	30	38	2.65%	128	0.78%	239%
North Carolina	31	38	2.62%	60	1.67%	57%
South Carolina	32	38	2.61%	70	1.44%	82%
Mississippi	33	38	2.61%	105	0.95%	174%
Illinois	34	38	2.61%	83	1.21%	116%
Wisconsin	35	39	2.57%	111	0.90%	185%
South Dakota	36	40	2.52%	130	0.77%	228%
Tennessee	37	40	2.49%	124	0.81%	208%
Oklahoma	38	42	2.41%	90	1.11%	117%
Montana	39	44	2.28%	125	0.80%	186%
Nebraska	40	44	2.26%	87	1.15%	97%
Virginia	41	46	2.19%	108	0.92%	137%
Vermont	42	46	2.16%	73	1.37%	58%
Nevada	43	48	2.07%	66	1.52%	36%
New York	44	53	1.89%	93	1.08%	75%
Kansas	45	53	1.88%	87	1.15%	63%
Iowa	46	54	1.85%	132	0.76%	144%
North Dakota	47	63	1.58%	234	0.43%	270%
Utah	48	64	1.57%	83	1.21%	30%
West Virginia	49	68	1.48%	226	0.44%	233%
Maine	50	81	1.23%	167	0.60%	106%
New Hampshire	51	88	1.14%	184	0.54%	109%

Calculations based on data from the U.S. Census State Population Estimates, the Bureau of Justice Statistics Correctional Surveys, the U.S. Bureau of Prisons, the Administrative Office of U.S. Courts and the Pew Public Safety Performance Project. See methodology notes for details.

Population changes between 1982 and 2007 result both from changes in the true supervised populations and changes in survey instruments. In particular, the Bureau of Justice Statistics amended the annual probation survey to include probationers under local jurisdiction (i.e. not under state jurisdiction). This change in definition may, for some states, result in an artificially inflated growth figure.



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