

Bureau of Justice Statistics Bulletin

Prisoners in 1980

During 1980 more than 15,000 inmates were added to the rolls of the Nation's correctional institutions, continuing an upward trend stretching back for more than a decade.¹ As correctional authorities coped with a record yearend total of 329,122 inmates, 28 States and the District of Columbia were under court orders to reduce overcrowding, and 16 States had a backlog of sentenced prisoners waiting in local jails for space in State facilities. The 1980 increase in the prisoner population was 5 percent, more than double the increases of the two previous years. Since the uptrend began in 1969, the number of prisoners held in the United States has increased by 61 percent, and the incarceration rate for sentenced prisoners has gone from 98 per 100,000 U.S. resident population to 140 per 100,000.

¹Data in this report are preliminary and subject to revision.

With this report the Bureau of Justice Statistics introduces Bulletin readers to statistics from the National Prisoner Statistics (NPS) program. NPS series, which are among the oldest in the criminal justice field, contain annual data on the prison populations, prison admissions and releases, characteristics of the death row population, and executions.

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These data are collected annually for the Bureau of Justice Statistics by the U.S. Census Bureau from the departments of corrections in the 50 States and the District of Columbia. The cooperation of State officials, whose generous assistance and unfailing patience make the National Prisoner Statistics program possible, is gratefully acknowledged.

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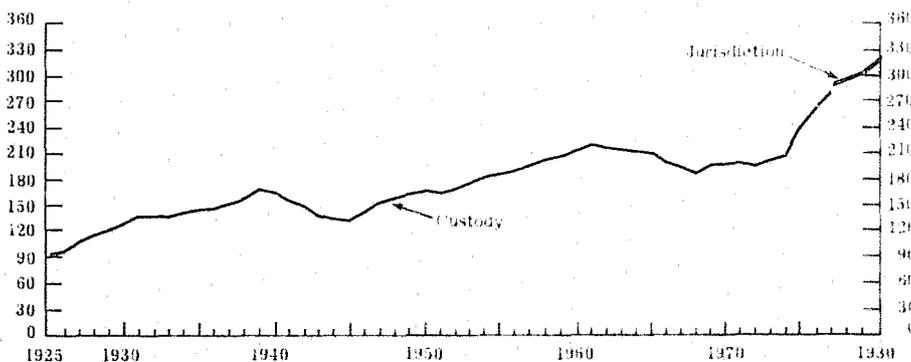
The 1980 gain in prison population was limited to State facilities. The number of prisoners under the jurisdiction of Federal authorities fell by almost 8 percent to 24,363, continuing a decline begun in 1978 that has reduced the Federal prison population by one-fourth in 3 years. It results in

large part from a decision by Federal law enforcement authorities to concentrate their resources on white-collar crime, leaving the apprehension, prosecution, and confinement of bank robbers, interstate auto thieves, and certain drug offenders to State and local authorities.

Many factors in the speeding up of prison population growth during 1980 are peculiar to individual States. Sentencing legislation passed on a widespread basis in recent years appears, however, to be exerting pressure on the capacities of State prison systems. During the past 4 years, 37 States have passed mandatory sentencing statutes and 15 States have passed determinate sentencing laws. While determinate sentencing allows for the possibility of probation, restitution, or suspended sentences, and mandatory sentencing does not, each sends the offender to prison for a fixed number of years that cannot be shortened by parole.

In most States mandatory and determinate sentencing has been aimed at specific crimes or specific offenders. Violent crime, armed offenses, drug offenses, and repeat offenders or

Number of sentenced State and Federal prisoners at yearend, 1925-80 (thousands)



Note: Prior to 1979, NPS reports were based on the custody population. Beginning in 1978, focus is on the jurisdiction population. Both figures are shown for 1977 to facilitate year-to-year comparison.

Table 1. Prisoners under jurisdiction of State and Federal correctional authorities, yearend 1979 and 1980, by region and State

Region and State	Total			Sentenced to a year or less or unsentenced		
	1980	1979	Percent change	1980	1979	Percent change
United States	329,122	313,731	4.9	12,597	12,087	-3.0
Male	315,916	300,805	5.0	11,630	11,997	-3.1
Female	13,206	12,926	2.2	967	990	-2.3
Federal institutions	24,363	26,371	-7.6	3,752	3,783	-0.8
State institutions	304,759	287,360	6.1	8,845	9,204	-3.9
Northeast	46,071	44,143	4.4	3,109	-2,803	10.0
Maine	829	776	6.8	145 ^a	135	7.4
New Hampshire	325	316	2.8	0	0	..
Vermont ^b	476	431	10.4	138	120	15.0
Massachusetts	3,251	2,924	11.2	20 ^c	47 ^c	-57.4 ^c
Rhode Island ^b	823	746	10.3	202	179	12.8
Connecticut ^b	4,308	4,061	6.1	2,192	1,922	14.0
New York	21,819	21,158	3.1	0	0	..
New Jersey	6,087	5,852 ^d	4.0	320	313	2.2
Pennsylvania	8,153	7,879	3.5	92	87	5.7
North Central	66,765	62,575	6.7	541	1,153	-53.1
Ohio	13,256	13,360	-0.8	0	0	..
Indiana	6,683	5,667	17.9	402	397	1.3
Illinois	13,104	11,361	15.3	0	574	-100.0
Michigan	15,158	15,002	1.0	0	0	..
Wisconsin	3,857	3,434	12.3	0	0	..
Minnesota	2,001	2,094	-4.4	0	0	..
Iowa	2,512	2,099	19.7	1	11	-90.9
Missouri	5,524	5,279	4.6	0	0	..
North Dakota	302	186	62.4	68	50	36.0
South Dakota	635	562	13.0	26	23	13.0
Nebraska	1,239	1,241	-0.2	44	98	-55.1
Kansas	2,494	2,290	8.9	0	0	..
South	144,371	136,553	5.7	3,254	3,202	1.6
Delaware ^b	1,339	1,419	-5.6	212	331	-36.0
Maryland	7,731	7,860	-1.6	^e	^e	..
District of Columbia ^b	3,145	2,973	5.8	426	374	13.9
Virginia	8,920	8,449 ^d	5.6	339	249 ^d	36.1
West Virginia	1,248	1,251	-0.2	0	0	..
North Carolina	15,382	14,253	7.9	1,057	794	33.1
South Carolina	7,862	7,643	2.9	435	528	-17.6
Georgia	11,932	12,098	-1.4	202	440	-54.1
Florida	20,742	20,133	3.0	373 ^a	341	9.4
Kentucky	3,608	3,691	-2.2	0	0	..
Tennessee	7,023	6,629	5.9	^e	^e	..
Alabama	5,961	5,343	11.6	175	0	..
Mississippi	3,374	3,458	-2.4	35	83	-57.8
Arkansas	2,909	2,963	-1.8	0	62	-100.0
Louisiana	8,661	7,618	13.7	0	0	..
Oklahoma	4,648	4,250	9.4	^e	^e	..
Texas ^f	29,886	26,522	12.7	0	0	..
West	47,552	44,089	7.9	1,941	2,046	-5.1
Montana	746	768	-2.9	1	3	-66.7
Idaho	817	830	-1.6	0	0	..
Wyoming	490	477	2.7	0	0	..
Colorado	2,784	2,528	10.1	5	10	-50.0
New Mexico	1,478	1,547	-4.5	27	90	-70.0
Arizona	4,607	3,490 ^g	32.0	12	12 ^g	..
Utah	932	960	-2.9	4	3	33.3
Nevada	1,839	1,566	17.4	0	0	..
Washington	4,333	4,512	-4.0	1	0	..
Oregon	3,125	3,182	-1.8	6	11	-45.5
California ^h	24,579	22,632	8.6	1,273	1,372	-7.2
Alaska ^b	832	760	9.5	251	228	10.1
Hawaii ^b	990	837	18.3	361	317	13.9

NOTE: Yearend 1979 prisoner counts may differ from those in Prisoners in State and Federal Institutions on December 31, 1979, because reporting officials are given the opportunity to update NPS records. Similarly, yearend 1980 data are preliminary and subject to revision.

^a Estimate.

^b Figures include both jail and prison inmates; jails and prisons are combined into one system.

^c Women only; figures for men are not available.

^d Official prison population count excludes State prisoners held in local jails.

^e Not available.

^f Figures for inmates under State jurisdiction but not in State custody are not available.

^g Under review and subject to change.

^h All figures exclude adult inmates under the jurisdiction of the California Youth Authority.

habitual offenders as defined by the enabling legislation have often been the targets. Only four States to date— Illinois, Indiana, Maine, and New Mexico—have abolished parole completely.

When fixed minimum sentences are established by law, they tend to result in longer prison terms than when an offender is given an indeterminate sentence. An indeterminate sentence is characterized by a minimum and a maximum separated by a broad range of years. Within that range, how much time the offender actually serves is decided by the paroling authority.

The change from indeterminate sentencing to fixed sentencing does not immediately result in prison population growth. As offenders begin to stay past the time they would have previously been released while new inmates continue to be admitted, a "piling up" effect is produced, raising the total inmate count. Several States pointed to this effect as a major factor in their 1980 increases.

Although most States registered larger prison population increases than a year earlier, the bulk of the gains, more than 60 percent, occurred in the seven States that each added more than 1,000 inmates during the year. The largest gains were in the prison systems of Texas—more than 3,000—and California—nearly 2,000—both of which surpassed the size of the Federal prison system during the year. Officials in Texas attributed their large prison population increase generally to growth in the State's population, especially in the 20-30 age group, as a result of the larger pattern of immigration to the Sun Belt. They also pointed specifically to an increase in the average length of sentence and to an increase in prison admissions resulting from the recent passage of a speedy trial act. In California, probation has been eliminated for certain crimes, mandatory sentences have been passed for crimes committed with handguns, and persons convicted of murder have received longer sentences. The other five States with gains of more than 1,000 were Arizona, Indiana, Illinois, Louisiana, and North Carolina, several of which attribute their 1980 increase to longer sentences.

Six States with smaller prison populations had percentage gains that were more than double the increase for the States as a whole: Hawaii, Iowa, Nevada, North Dakota, South Dakota, and Wisconsin. Predominant among

Table 2. State prisoners held in local jails because of overcrowding

	1980	1979
Total	5,995	6,497
Alabama	1,412	1,317
Florida	29	229
Kentucky	100	-
Louisiana	1,267	872
Maine	6	39
Maryland	277	394
Massachusetts	131	77
Michigan	52	52
Mississippi	1,226	1,362
Montana	1	2
New Jersey	200 ^a	31 ^b
New Mexico	14	-
New York	-	263
Oklahoma	125 ^a	-
South Carolina	609	630
Tennessee	178	214
Virginia	368 ^c	811 ^{b,c}
Washington	-	135 ^b

^a Estimated
^b Not included in this State's official prison population count.
^c Includes some prisoners held in local jails for reasons other than overcrowding.

State officials' explanations for these gains were longer sentences, stricter paroling policies, and fewer probations. In Hawaii and Iowa, increases in the amount of violent crime were also mentioned as a primary factor. Prison populations declined in 16 States; however, the decreases were small, less than 5 percent in each State except Delaware (5.6 percent).

There is no current measure of the full extent of overcrowding produced throughout State correctional systems by the ever-increasing prison rolls. A study conducted for the National Institute of Justice showed that in 1978, 43 percent of the total State inmate population was living under overcrowded conditions.² In the subsequent 2 years, many States have built new prisons or added on to existing ones. Nevertheless, a total of almost 6,000 prisoners were waiting in local

²In this case overcrowding was defined as the confinement of two or more inmates in space that allowed less than 60 square feet per person. Data are derived from Mullen et al., *America's Prisons and Jails*, Vol. III, National Institute of Justice, Washington, D.C.: Government Printing Office, October 1980, NCJ-75754.

Table 3. States holding prisoners in local jails because of overcrowding

	Number of States	Number of prisoners
1980	16	5,995
1979	15	6,497
1978	12	6,774
1977	10	7,048
1976	10	7,725

jails for space to become available in State prisons.

The Bureau of Justice Statistics has been collecting data on this indicator of overcrowding for 5 years. During that time the number of State prisoners housed in local jails has steadily declined (from 7,725 in 1976 to 5,995 in 1980) but the number of States resorting to this practice has increased from 10 to 16, or one-third of all States with locally administered jails.

Local jails normally house persons awaiting trial who have not made bail and persons serving short sentences, usually for less than a year and usually for a misdemeanor. State prisons usually house persons with maximum sentences of more than a year who have been convicted of felonies.

There are exceptions to these broad patterns. A few jails hold persons serving sentences as long as 2 years. Six States—Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont—have no locally administered jails; combined jail and prison systems operated by the State house both persons awaiting trial and persons serving sentences of any length. The District of Columbia also has a combined jail-prison system. Another exception is North Carolina, where persons sentenced to a maximum of 181 days serve their time in State facilities. Finally, in California, narcotics users under civil commitment can be housed in the California Rehabilitation Center, which also houses convicted offenders.

These nine jurisdictions accounted for 70 percent of the unsentenced or short-sentence persons in State correctional facilities. The remaining persons in State prisons with short sentences or no sentences represent a wide variety of circumstances. Persons awaiting trial or serving time in jail may be transferred to a State prison for their personal safety or the safety of others. Jail inmates are frequently taken to a correctional facility for medical care, psychological evaluation, or some other service not available at the local jail. Finally, unsentenced prisoners are often held temporarily in State facilities for authorities from another State.

The high proportion of unsentenced and short-sentence persons in the Federal prison system in 1980 were there under somewhat different circumstances. The Bureau of Prisons operates three metropolitan correc-

tional centers that do hold persons awaiting trial for Federal crimes, although most are held in local jails.³ Many of the persons serving short terms in the Federal systems are aliens convicted of immigration offenses who will be deported upon completion of their sentences. Finally, in 1980, the Federal Bureau of Prisons was holding for the U.S. Immigration and Naturalization Service approximately 1,700 Cuban refugees with Cuban criminal records in the Atlanta Penitentiary.

The number of women in State and

³The centers are located in San Diego, Chicago, and New York.

Federal institutions grew slightly more than 2 percent in 1980. This is less than half the rate for men and substantially below the rapid increase of the mid 1970's. Women represented only 4 percent of the prison population, a proportion that has remained constant since 1975.

Further reading

A final report on the prison population in 1980 will be published later in 1981 under the title, Prisoners in State and Federal Institutions on December 31, 1980. Annual reports under the same title are available for the years 1971 through 1979 and can be obtained

from the Bureau of Justice Statistics, Washington, D.C. 20531.

Bureau of Justice Statistics Bulletins are prepared by the staff of the Bureau. The idea was originated by Carol B. Kalish, who maintains editorial oversight. Marilyn Marbrook, head of the Bureau publications unit, administers the publication of the Bulletins. The principal author of this edition is Ms. Kalish.

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