



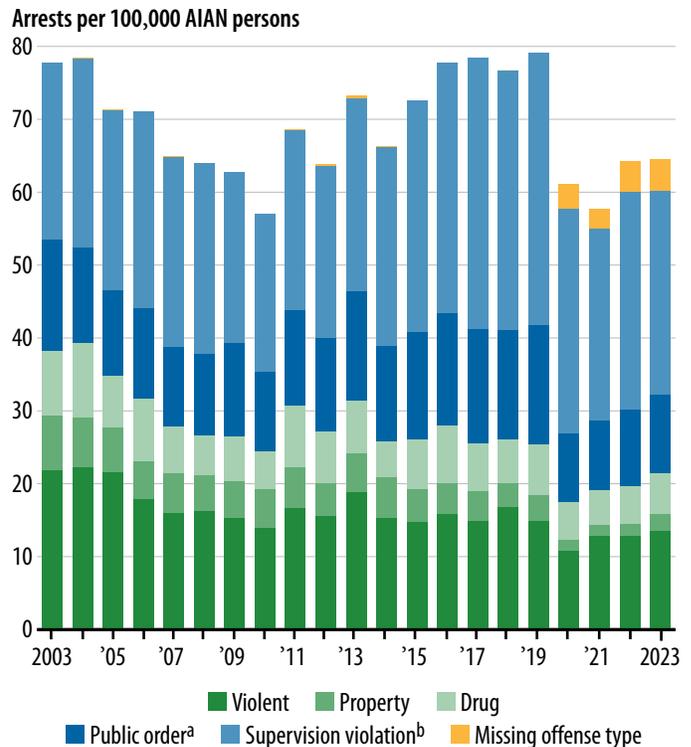
American Indian and Alaska Native Persons in the Federal Criminal Justice System, 2023

Mark Motivans, PhD, and Ryan Kling, *BJS Statisticians*

During fiscal year (FY) 2023, there were 2,908 federal arrests of American Indian or Alaska Native (AIAN) persons, comprising 3% of all arrests made by federal law enforcement that year (94,411).^{1,2} This represents a 2% increase in the total number of arrests of AIAN persons compared with 2022 (2,846). In 2023, the AIAN population in the United States was 4.5 million persons.³ The federal arrest rate of AIAN persons increased from 64 arrests per 100,000 in 2022 to 65 arrests per 100,000 in 2023, down from 78 per 100,000 in 2003. (figure 1).⁴ The supervision violation arrest rate increased from 24 arrests per 100,000 in 2003 to 28 arrests per 100,000 in 2023.

This report describes AIAN persons processed at each stage of the federal justice system: arrest, prosecution, pretrial detention and release, sentencing, incarceration, and community supervision. The jurisdiction in Indian country includes federal, state, and tribal authority. The nature of federal jurisdiction impacts the types of offenses for which AIAN persons are processed and the geographic distribution of enforcement in Indian country.

FIGURE 1
Federal arrest rates for AIAN persons, by offense type, FYs 2003–2023



Note: AIAN denotes American Indian or Alaska Native. Arrest rates are computed by dividing the number of arrests of AIAN persons by the number of AIAN persons in the United States and multiplying by 100,000. For FY 2020 to FY 2023 arrests, the custody start date is used instead of the arrest date. See *Methodology*. See appendix table 1 for counts and rates.

^aPublic order includes regulatory and other offenses, including weapons, immigration, and material witness offenses.

^bSupervision violations include violations of bail, probation, post-incarceration supervision, and failure to appear.

Source: Bureau of Justice Statistics, based on data from the U.S. Marshals Service, CAPTURE information system, fiscal years 2003–2023; and national resident AIAN population estimates developed by the U.S. Census Bureau (see *Methodology*).

¹The Office of Management and Budget defines American Indian or Alaska Native as persons having origins in any of the original peoples of North and South America (including Central America) and who maintain tribal affiliation or community attachment. In administrative data used in this report, race is self-identified by the suspect. See *Methodology*. For ease of reference, American Indian Alaska Native is abbreviated as AIAN in this report.

²Counts in this report are reported for the federal fiscal year, which is from October 1 to September 30. Fiscal year is abbreviated as FY in this report.

³The U.S. Census Bureau developed these population estimates (see *Methodology*).

⁴Federal arrest rates account for changes in population. In this report, rates are used to describe AIAN persons arrested, incarcerated, and under supervision in the community when comparing over time and between states.

HIGHLIGHTS

- In FY 2023, federal law enforcement agencies made 2,908 arrests involving an AIAN suspect—an arrest rate of 65 arrests per 100,000 AIAN persons in the population.
- Violation of supervision (47%) was the most common arrest offense in FY 2023. A greater percentage of males (48%) than females (39%) had a supervision violation arrest in FY 2023.
- In FYs 2021–2023, the 3-year average federal AIAN arrest rate (per 100,000) was highest in South Dakota (643), North Dakota (486), Wyoming (350), and Montana (298).
- AIAN defendants charged in U.S. district court in FY 2023 were predominantly male (80%) and had a high school education or less (81%).
- Three in 5 (60%) AIAN defendants charged in U.S. district court in FY 2023 were ordered detained prior to trial.
- Following conviction, 88% of AIAN defendants were sentenced to a term of imprisonment in FY 2023 and 11% were sentenced to a term of home or community confinement and community supervision.
- The median term for the 1,459 AIAN defendants sentenced to prison in U.S. district court in FY 2023 was 37 months; median prison sentences were longest for murder (180 months), sexual abuse (97 months), drug offenses (60 months), and other violent crimes (46 months).
- Among AIAN persons released from federal prison in FYs 2018–2020, 31% returned within 3 years; a supervision violation (91%) was the most common reason for return to prison.

The Bureau of Justice Statistics' (BJS) Federal Justice Statistics Program (FJSP) collects, standardizes, and reports on administrative data received from six federal criminal justice agencies: the U.S. Marshals Service (USMS), Drug Enforcement Administration (DEA), Administrative Office of the U.S. Courts (AOUSC), Executive Office for U.S. Attorneys (EOUSA), Federal

Bureau of Prisons (FBOP), and U.S. Sentencing Commission (USSC). FJSP data are used to prepare reports and support BJS's web-based Federal Criminal Case Processing Statistics data analysis tool. FJSP data are archived at the National Archive of Criminal Justice Data.

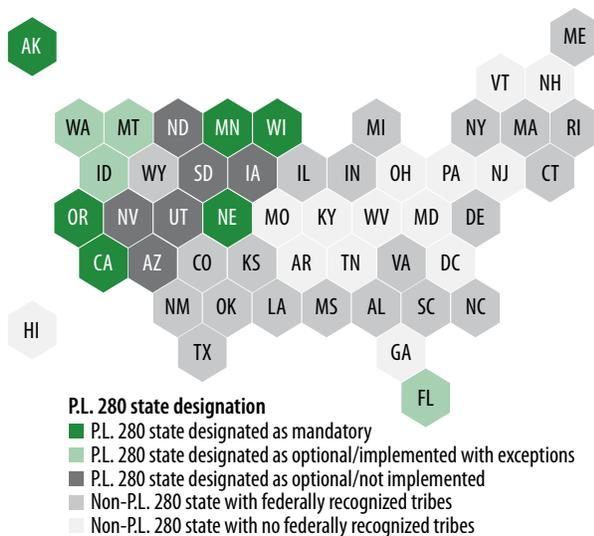
Criminal jurisdiction in Indian country

The nature of federal jurisdiction in Indian country determines the types of offenses for which American Indian or Alaska Native (AIAN) persons are processed. The unique federal jurisdiction over serious crimes also impacts the geographic distribution of where federal courts' actions occur.

As of December 2024, there were 574 federally recognized tribes in the United States, located in 37 states.⁵ Criminal jurisdiction in Indian country is divided among federal, state, and tribal entities and is determined by several factors, including whether Congress has conferred jurisdiction on the state, whether the perpetrator or victim is an AIAN person, and the nature of the offense. In general, tribal court authority takes precedence with concurrent and overlapping layers with state and federal government. When conflicts in legal jurisdiction arise, the issues are litigated in federal court (see *Recent U.S. Supreme Court decisions impacting jurisdiction in Indian country* text box on page 7).

⁵U.S. Department of the Interior, Bureau of Indian Affairs. (2024). *Indian entities recognized by and eligible to receive services from the United States Bureau of Indian Affairs*. Federal Register, 89(12), 2112–2119. See <https://www.federalregister.gov/documents/2024/01/08/2024-00109/indian-entities-recognized-by-and-eligible-to-receive-services-from-the-united-states-bureau-of>.

MAP 1 Jurisdiction under Public Law 280 for felonies committed in Indian country, by state, 2023



Note: See appendix table 2 for counts.

Source: U.S. Department of the Interior, Bureau of Indian Affairs. (2024). *Indian entities recognized by and eligible to receive services from the United States Bureau of Indian Affairs*. Federal Register, 89(12), 2112–2119. See <https://www.federalregister.gov/documents/2024/01/08/2024-00109/indian-entities-recognized-by-and-eligible-to-receive-services-from-the-united-states-bureau-of>; and <https://www.bia.gov/faqs/what-public-law-280-and-where-does-it-apply>.

The determination of jurisdiction over offenses occurring in Indian country is first subject to whether state courts have been designated jurisdiction based on Public Law 280 (P.L. 280).⁶ Congress required six states—Alaska, California, Minnesota, Nebraska, Oregon, and Wisconsin—to assume jurisdiction (mandatory P.L. 280 status) over offenses occurring in Indian country (map 1). In the 1953 law, Congress also designated 10 states with the option to assume jurisdiction, if the state chooses to and with tribal consent (optional P.L. 280 status). Six of the 10 states—Arizona, Iowa, Nevada, North Dakota, South Dakota, and Utah—do not assume jurisdiction due to lack of consent from tribes. The only states with one or more tribes subject to optional P.L. 280 are Florida, Idaho, Montana, and Washington. Among the 34 non-P.L. 280 states, 13 states and the District of Columbia had no federally recognized tribes.⁷

The determination of whether federal jurisdiction applies also depends on the offender and victim in the crime:

- If the offender is a tribal member, the victim is a tribal member, and the offense is 1 of 15 crimes covered by the Major Crimes Act, then federal and tribal courts have concurrent jurisdiction.⁸
- If the offender is a tribal member, the victim is a non-tribal member, and the crime is covered by the Major Crimes Acts and the General Crimes Act—both extend federal crimes to Indian country under certain circumstances—then federal and tribal courts have concurrent jurisdiction.
- If the crime involves a non-tribal offender and a tribal member victim, then federal courts have exclusive jurisdiction.
- The Assimilative Crimes Act permits state law to be applied in federal court where the Major Crimes Act does not apply but federal interest exists.

For Major Crimes Act offenses that may indicate a federal crime, the U.S. attorney's office in the district is notified. The suspect must be taken before a U.S. magistrate as soon as possible, at which time charges are read and the suspect is informed of their rights. Federal prosecutors next determine if the matter should be adjudicated in federal court, disposed by a U.S. magistrate, or declined for prosecution.

⁶Congress passed Public Law 280 in 1953, which relinquishes the federal government of criminal and civil jurisdiction in certain states and places jurisdiction with those states.

⁷For more information on P.L. 280, see <https://www.ojp.gov/pdffiles1/nij/209839.pdf>.

⁸The Major Crimes Act provides federal jurisdiction over certain offenses committed by tribal members. (See Title 18 U.S.C. §§ 1152, 1153.) The 15 crimes listed under the Major Crimes Act include: (1) murder; (2) manslaughter; (3) kidnapping; (4) maiming; (5) sexual abuse; (6) incest; (7) assault with intent to commit murder; (8) assault with a dangerous weapon; (9) assault on a person under 16; (10) felony child abuse or (11) neglect; (12) arson; (13) burglary; (14) robbery; and (15) felony larceny.

Arrest and booking

This section of the report uses data collected by the Deputy U.S. Marshal at the time of booking (referred to as arrests). Each of the 94 federal judicial districts has a U.S. Marshal.⁹ Deputy U.S. Marshals take federal suspects charged with a crime into custody (including booking, processing, and detaining suspects), oversee court security, and coordinate prisoner transportation. The Deputy U.S. Marshal classifies the most serious offense type at the time of booking.

In FY 2023, federal law enforcement agencies made 2,908 arrests involving an AIAN suspect—an arrest rate of 65 arrests per 100,000 AIAN persons in the population

AIAN persons appear in federal arrest statistics for murder and other violent offenses at higher rates than all arrestees. For example, federal AIAN arrestees accounted for 44% of all federal suspects arrested for murder and 34% of those arrested for assault (**table 1**). Most violent cases involving AIAN persons on tribal lands are counted in federal statistics, while most violent cases involving non-AIAN persons are counted in state or local systems.

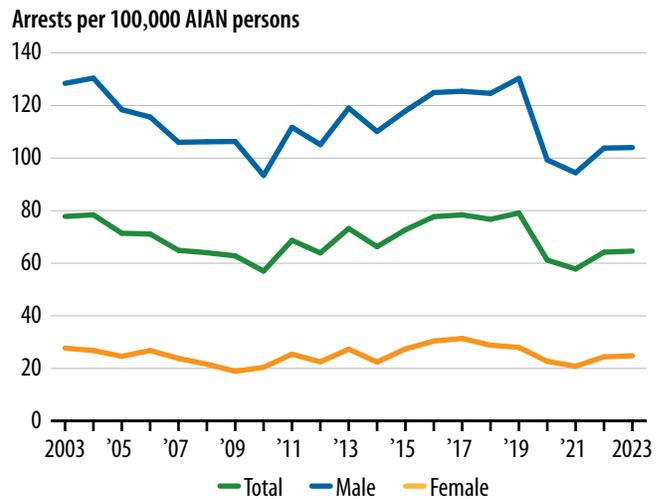
From FY 2022 to FY 2023, the arrest rate increased from 64 arrests per 100,000 AIAN persons to 65 arrests per 100,000. In FY 2023, males accounted for 81% of AIAN arrests, with an arrest rate (104 per 100,000) just over 4 times the female arrest rate (25 per 100,000) (**figure 2**).¹⁰ Among AIAN males, the three most common arrest offenses in FY 2023 were supervision violations (48%), assault (12%), and public order crimes (11%). Among females, the three most common arrest offenses were supervision violations (39%), drug (22%), and assault (10%) offenses. The male violent crime arrest rate (23 per 100,000 males) was almost 6 times greater than the female violent crime arrest rate (4 per 100,000 females).

⁹Data from the 94 federal judicial districts are reported at the state or territory level for this report.

¹⁰This section of the report uses arrest rates rather than arrest counts to display arrests over time and by state or territory. Rates adjust for the size of the AIAN population that may change over time and across state or territory. The arrest rates are computed by dividing the number of AIAN persons that were arrested for a federal offense by the number of AIAN persons in the U.S. population and multiplying by 100,000. Map 4 and appendix table 9 detail the AIAN population by state or territory for 2021–2023. See *Methodology*.

FIGURE 2

Federal arrest rates of AIAN persons, by sex, FYs 2003–2023



Note: AIAN denotes American Indian or Alaska Native. Arrest rates are computed by dividing the number of arrests of AIAN persons by the number of AIAN persons in the United States and multiplying by 100,000. For FY 2020 to FY 2023 arrests, the custody start date is used instead of the arrest date. See *Methodology*. See appendix table 3 for counts and rates.

Source: Bureau of Justice Statistics, based on data from the U.S. Marshals Service, CAPTURE information system, fiscal years 2003–2023; and national resident AIAN population estimates developed by the U.S. Census Bureau (see *Methodology*).

TABLE 1**Federal arrests with an AIAN suspect, by sex and offense type, FY 2023**

Offense at arrest ^d	All suspects arrested ^a		AIAN suspects arrested ^b						Rate per 100,000 ^c		
	Total		Total		Male		Female		Total	Male	Female
	Number	Percent	Number	Percent	Number	Percent	Number	Percent			
Total arrests	94,411	100%	2,908	100%	2,357	100%	551	100%	64.6	104.0	24.8
Violent	3,434	4.1%	608	22.5%	524	23.9%	84	16.7%	13.5	23.1	3.8
Murder	260	0.3	115	4.3	96	4.4	19	3.8	2.6	4.2	0.9
Assault	903	1.1	306	11.3	258	11.8	48	9.5	6.8	11.4	2.2
Sexual abuse	790	0.9	132	4.9	125	5.7	7	1.4	2.9	5.5	:
Other violent	1,481	1.8	55	2.0	45	2.1	10	2.0	1.2	2.0	0.5
Property	6,926	8.2%	104	3.9%	62	2.8%	42	8.3%	2.3	2.7	1.9
Fraud	5,904	7.0	54	2.0	28	1.3	26	5.2	1.2	1.2	1.2
Other property	1,022	1.2	50	1.9	34	1.6	16	3.2	1.1	1.5	0.7
Drug	17,205	20.5%	251	9.3%	141	6.4%	110	21.8%	5.6	6.2	5.0
Public order	6,287	7.5%	279	10.3%	244	11.1%	35	6.9%	6.2	10.8	1.6
Weapons	7,560	9.0%	148	5.5%	136	6.2%	12	2.4%	3.3	6.0	0.5
Immigration	22,916	27.2%	48	1.8%	23	1.0%	25	5.0%	1.1	1.0	1.1
Supervision violations	19,788	23.5%	1,259	46.7%	1,063	48.5%	196	38.9%	27.9	46.9	8.8

Note: AIAN denotes American Indian or Alaska Native. Offense percentages are based on available data. Details may not sum to totals due to rounding. Data on type of offense were missing for 5,609 of the total records and for 211 of the AIAN records. Suspects arrested more than once in a fiscal year (FY) are counted as separate arrests. Total includes material witness arrests.

: Not shown. Estimate based on fewer than 10 cases.

^aTotal federal suspects arrested in FY 2023.

^bAIAN suspects arrested in FY 2023.

^cArrest rates are computed by dividing the number of arrests of AIAN persons by the number of AIAN persons in the United States and multiplying by 100,000.

^dMurder includes nonnegligent manslaughter; other violent offenses include robbery, kidnapping, and threatening communications; other property offenses include destruction of property and trespassing; and public order offenses include regulatory violations, other sex offenses, obstruction of justice, traffic, and unclassifiable offenses.

Source: Bureau of Justice Statistics, based on data from the U.S. Marshals Service, CAPTURE information system, fiscal year 2023; and national resident AIAN population estimates developed by the U.S. Census Bureau (see *Methodology*).

Definitions of major federal offense categories

Violent—Includes murder, negligent or nonnegligent manslaughter, aggravated or simple assault, sexual abuse, robbery, kidnapping, and threatening communication.

Property—Fraudulent property includes embezzlement, fraud, forgery, and counterfeiting. Other property includes burglary, larceny, motor vehicle theft, arson, and transportation of stolen property.

Drug—Includes the manufacture, import, export, distribution, or dispensing of a controlled or counterfeit substance, or the possession of a controlled or counterfeit substance with intent to manufacture or distribute.

Public order—Includes regulatory offenses such as violations of agriculture, antitrust, labor, food and drug, motor carrier, and other federal regulations. Public

order also includes production, receipt, and distribution of child sexual exploitation materials, failure to register as a sex offender, escape, racketeering and extortion, gambling, liquor, traffic, and other offenses.

Weapons—Includes violations of any of the provisions of Title 18 U.S.C. §§ 922–923 concerning the manufacture, import, possession, receipt, and license of firearms and ammunition.

Immigration—Includes offenses involving illegal entrance into the United States, illegal reentry after being deported, the willful failure to leave when ordered, or the transportation or harboring of any non-U.S. citizens not admitted by an immigration officer.

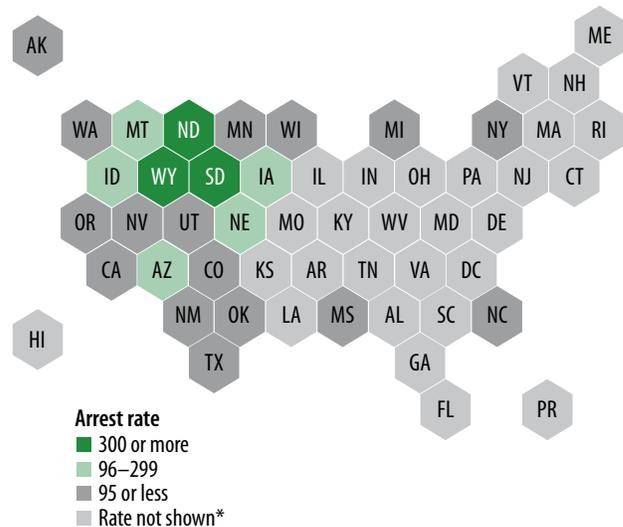
Supervision violations—Includes violations of bail, violations of pretrial or post-sentencing supervision in the community (probation), and failure to appear.

The 3-year average federal AIAN arrest rate during FYs 2021–2023 was greatest in three states

Three states had a 3-year (FYs 2021–2023) average arrest rate for AIAN persons that was greater than 300 per 100,000: South Dakota (643), North Dakota (486), and Wyoming (350) (**map 2**). In comparison, the average arrest rate nationwide was 62 arrests per 100,000. Three-year average rates are used to smooth short-term fluctuations and show more stable and representative arrest trends.

MAP 2

Federal arrest rates of AIAN persons, by state and U.S. territory, FYs 2021–2023



*Too few cases to provide a reliable estimate.

Note: AIAN denotes American Indian or Alaska Native. Arrest rates are computed by dividing the average number of arrests of AIAN persons for fiscal years (FYs) 2021–2023 by the average number of AIAN persons in the United States on July 1 for 2021–2023 and multiplying by 100,000. Not shown on map: Guam, U.S. Virgin Islands, and Northern Mariana Islands (not calculated due to 0 arrests). See appendix table 4 for counts and rates.

Source: Bureau of Justice Statistics, based on data from the U.S. Marshals Service CAPTURE database, fiscal year, and national resident AIAN population estimates developed by the U.S. Census Bureau (see *Methodology*).

Recent U.S. Supreme Court decisions impacting jurisdiction in Indian country

The federal government retains criminal jurisdiction over major crimes committed by or against American Indian or Alaska Native (AIAN) persons in Indian country.¹¹ If a tribal member commits or is a victim of a crime outside of Indian country, the state retains jurisdiction. In general, tribal court authority takes precedence with concurrent and overlapping layers with state and federal government. When conflicts in legal jurisdiction arise, the issue is litigated in federal court.

McGirt v. Oklahoma, 591 U.S. ___ (2020). The U.S. Supreme Court's decision in *McGirt v. Oklahoma* raised important issues about jurisdiction between federal, state, and tribal governments in areas defined as Indian country. The court ruled that state courts in Oklahoma lacked the authority to prosecute crimes committed by a tribal member on land that was deemed to be within Indian country. Indian country is defined in Title 18 U.S.C. 1151 as (1) all land within tribal reservations, (2) dependent

tribal communities, or (3) tribal allotments. This decision resulted in case dismissals by the state for crimes occurring in Indian country and a shift of major crimes from state to federal courts for adjudication. Lower-level offenses committed by Indian persons are prosecuted in tribal court.

Castro-Huerta v. Oklahoma, 597 U.S. 629 (2022). The U.S. Supreme Court's decision in *Castro-Huerta v. Oklahoma* expanded state criminal jurisdiction over non-Indian persons in Indian country, a decision specific to crimes committed by non-Indian persons against Indian persons in Indian country. As the defendant was a non-Indian person, the state was not barred from prosecuting the case. The decision recognized that the federal government and the state have concurrent jurisdiction to prosecute crimes committed by non-Indian persons against Indian persons in Indian country. The state has jurisdiction to prosecute crimes committed by non-Indian persons against Indian persons in Indian country unless preempted by federal law.

¹¹See details in the text box on page 3 of this report titled *Criminal jurisdiction in Indian country*.

In FY 2023, 1,599 AIAN defendants were prosecuted in U.S. district court—80% were male

The median age of AIAN defendants was 34 years old (table 2). Overall, 42% of AIAN defendants charged in U.S. district court had less than a high school education. Although 80% of defendants were male, a higher proportion of females (27%) had at least some college education than males (17%).

Pretrial detention and release

This section of the report features data collected by the AOUSC at the pretrial release and detention stages. According to federal statutes, a defendant must be brought before a judicial officer without unnecessary delay upon arrest for an initial appearance. The judicial officer, usually a U.S. magistrate, determines whether the defendant will be released or detained prior to trial.¹² Federal pretrial officers are responsible for

supervising defendants on pretrial release and for monitoring the conditions placed on defendants by the court.

In FY 2023, 3 in 5 AIAN defendants were detained prior to adjudication

During FY 2023, 952 AIAN defendants (60%) were ordered detained by the court out of 1,599 defendants in cases decided (table 3). Defendants received either court-ordered detention (39%) or were detained for other nonfinancial reasons (21%), such as being unable to meet certain nonfinancial conditions set by the court. The percentages of defendants detained prior to trial in 2023 were greatest for other violent offenses (86%), weapons offenses (78%), and murder (75%).

¹²The Bail Reform Act of 1984 requires the court to weigh risk of flight, threat of crime commission, and presumption of innocence in deciding whether to order detention or release of a defendant. The terms for release and detention of defendants facing charges in federal courts are set under Title 18 U.S.C. § 3141.

TABLE 2**Selected demographic characteristics of AIAN defendants charged in U.S. district court, by sex, FY 2023**

	All defendants charged		AIAN defendants charged					
	Total		Total		Male		Female	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	71,882	100%	1,599	100%	1,276	100%	323	100%
Age								
19 or younger	1,053	1.5%	48	3.0%	42	3.3%	6	1.9%
20–24	7,476	10.4	189	11.8	156	12.2	33	10.2
25–29	10,700	14.9	255	15.9	208	16.3	47	14.6
30–34	12,738	17.8	328	20.5	260	20.4	68	21.1
35–39	12,036	16.8	288	18.0	210	16.5	78	24.1
40–44	10,224	14.3	208	13.0	169	13.2	39	12.1
45–49	6,912	9.7	113	7.1	90	7.1	23	7.1
50–54	4,630	6.5	70	4.4	54	4.2	16	5.0
55 or older	5,861	8.2	100	6.3	87	6.8	13	4.0
Median age	36 years		34 years		34 years		35 years	
Educational level								
Less than high school	28,168	44.2%	627	41.8%	509	42.5%	118	39.3%
High school graduate	22,009	34.5	583	38.9	482	40.2	101	33.7
Some college	9,709	15.2	249	16.6	182	15.2	67	22.3
College graduate	3,868	6.1	40	2.7	26	2.2	14	4.7

Note: AIAN denotes American Indian or Alaska Native. Demographic percentages are based on available data. Details may not sum to totals due to rounding. There were 252 records missing age, 8,128 missing education, and 1 missing sex. Education level is collected at the time of pretrial interview.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Office of Probation and Pretrial Services Automated Case Tracking System, fiscal year 2023.

TABLE 3**AIAN defendants detained pretrial, by type of detention and offense type, FY 2023**

Offense type ^b	All defendants in cases disposed			AIAN defendants in cases disposed						
	Total Number	Persons detained		Total Number	Persons detained		Type of pretrial detention			
		Number	Percent		Number	Percent	Court-ordered detention		Other detention ^a	
Total	71,884	45,690	63.6%	1,599	952	59.5%	623	39.0%	329	20.6%
Violent	2,894	2,018	69.7%	634	414	65.3%	308	48.6%	106	16.7%
Murder	410	310	75.6	192	144	75.0	108	56.3	36	18.8
Assault	751	403	53.7	196	125	63.8	99	50.5	26	13.3
Sexual abuse	1,105	824	74.6	190	97	51.1	70	36.8	27	14.2
Other violent	628	481	76.6	56	48	85.7	31	55.4	17	30.4
Property	7,734	1,798	23.2%	166	62	37.3%	33	19.9%	29	17.5%
Fraud	6,245	1,297	20.8	43	6	14.0	2	4.7	4	9.3
Other property	1,489	501	33.6	123	56	45.5	31	25.2	25	20.3
Drug	19,973	11,229	56.2%	269	104	38.7%	63	23.4%	41	15.2%
Public order	6,920	3,377	48.8%	206	146	70.9%	93	45.1%	53	25.7%
Weapons	10,086	7,063	70.0%	228	178	78.1%	105	46.1%	73	32.0%
Immigration	23,953	20,040	83.7%	87	40	46.0%	16	18.4%	24	27.6%

Note: AIAN denotes American Indian or Alaska Native. Offense percentages are based on available data. Details may not sum to totals due to rounding. Offense type was missing for 324 total defendants and 9 AIAN defendants.

^aIncludes defendants on temporary pretrial detention and defendants detained because they were unable to meet certain nonfinancial conditions set by the court.

^bMurder includes nonnegligent manslaughter; other violent offenses include robbery, kidnapping, and threatening communications; other property offenses include destruction of property and trespassing; and public order offenses include regulatory violations, other sex offenses, obstruction of justice, traffic, and unclassifiable offenses.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services Office, Probation and Pretrial Automated Case Tracking System, fiscal year 2023.

In FY 2023, most defendants released pretrial were released on personal recognizance

In FY 2023, 637 (40%) of 1,599 AIAN defendants in cases disposed in federal courts were released prior to adjudication (table 4). The most common form of pretrial release was personal recognizance (33%), followed by unsecured bond (7%) and financial bond (less than 1%).¹³ The form of pretrial release varied by

the most serious offense charged. For example, 42% of persons charged with a property offense were released on personal recognizance and 20% were released on unsecured or financial bond, compared to 52% of persons charged with a drug offense released on personal recognizance and 9% released on unsecured or financial bond.

¹³Personal recognizance occurs when the defendant is released subject to no financial or other conditions. Unsecured bond occurs when no money is required to be posted before release, but the defendant is liable for the full bond amount upon failure to appear. Defendants may also be released on financial bond, including posting a percentage of the total bond (deposit bond), securing a bail bondsmen to guarantee court appearance following release (surety bond), or posting money or property in the full amount prior to being released (collateral bond).

TABLE 4
AIAN defendants released pretrial for cases disposed in federal courts, by type of release, FY 2023

Offense type ^c	All defendants in cases disposed			AIAN defendants in cases disposed							
	Total	Persons released		Total	Persons released		Type of release ^a				
		Number	Number		Percent	Number	Number	Percent	Personal recognizance		Bond ^b
Number	Number	Percent	Number	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	71,884	25,466	35.4%	1,599	637	39.8%	520	32.5%	117	7.3%	
Violent	2,894	841	29.1%	634	217	34.2%	181	28.5%	36	5.7%	
Murder	410	99	24.1	192	48	25.0	38	19.8	10	5.2	
Assault	751	329	43.8	196	69	35.2	58	29.6	11	5.6	
Sexual abuse	1,105	272	24.6	190	92	48.4	79	41.6	13	6.8	
Other violent	628	141	22.5	56	8	14.3	6	10.7	2	3.6	
Property	7,734	5,772	74.6%	166	103	62.0%	69	41.6%	34	20.5%	
Fraud	6,245	4,858	77.8	43	37	86.0	28	65.1	9	20.9	
Other property	1,489	914	61.4	123	66	53.7	41	33.3	25	20.3	
Drug	19,973	8,562	42.9%	269	162	60.2%	139	51.7%	23	8.6%	
Public order	6,920	3,419	49.4%	206	57	27.7%	44	21.4%	13	6.3%	
Weapons	10,086	2,906	28.8%	228	50	21.9%	41	18.0%	9	3.9%	
Immigration	23,953	3,826	16.0%	87	47	54.0%	45	51.7%	2	2.3%	

Note: AIAN denotes American Indian or Alaska Native. Offense percentages are based on available data. Details may not sum to totals due to rounding. There were 324 records missing offense type for total defendants and 9 records missing offense type for AIAN defendants.

^aType of release categories are mutually exclusive. If there are multiple types of release indicated, the hierarchy of release type is financial, unsecured, and personal recognizance.

^bIncludes 111 defendants released on an unsecured bond and 6 defendants released on a financial bond.

^cMurder includes nonnegligent manslaughter; other violent offenses include robbery, kidnapping, and threatening communications; other property offenses include destruction of property and trespassing; and public order offenses include regulatory violations, other sex offenses, obstruction of justice, traffic, and unclassifiable offenses.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services Office, Probation and Pretrial Automated Case Tracking System, fiscal year 2023.

In FY 2023, nearly half of AIAN defendants on pretrial release violated one or more conditions

During FY 2023, 637 AIAN defendants were released pretrial, and 302 (47%) committed some form of pretrial misconduct following release. The percentage of released defendants who violated at least one condition of release varied by the most serious offense charged. For example, 52% of AIAN defendants charged with murder violated their conditions of pretrial release, compared to 51% of those charged with assault, 39% of those charged with a sexual abuse, and 30% of those charged with fraud (table 5).

Of AIAN defendants released pretrial in FY 2023, 34% were returned to detention

Of the 637 AIAN defendants released pretrial in FY 2023, 219 (34%) had their supervision revoked and returned to detention. The percentage of defendants revoked and returned to detention varied by the offense charged. The percentage of defendants with their release revoked ranged from 22% for fraud offenses to 40% for immigration offenses.

TABLE 5
Outcomes of AIAN defendants released pretrial for cases disposed in federal courts, FY 2023

Offense type	Defendants released Total	No violation		At least one supervision violation					
		Number	Percent	Total		Release not revoked		Release revoked	
				Number	Percent	Number	Percent	Number	Percent
Total	637	335	52.6%	302	47.4%	83	13.0%	219	34.4%
Violent	217	116	53.5%	101	46.5%	31	14.3%	70	32.3%
Murder	48	23	47.9	25	52.1	7	14.6	18	37.5
Assault	69	34	49.3	35	50.7	11	15.9	24	34.8
Sexual abuse	92	56	60.9	36	39.1	11	12.0	25	27.2
Other violent	8	3	:	5	:	2	:	3	:
Property	103	58	56.3%	45	43.7%	13	12.6%	32	31.1%
Fraud	37	26	70.3	11	29.7	3	8.1	8	21.6
Other property	66	32	48.5	34	51.5	10	15.2	24	36.4
Drug	162	79	48.8%	83	51.2%	22	13.6%	61	37.7%
Public order	57	29	50.9%	28	49.1%	9	15.8%	19	33.3%
Weapons	50	29	58.0%	21	42.0%	4	8.0%	17	34.0%
Immigration	47	24	51.1%	23	48.9%	4	8.5%	19	40.4%

Note: AIAN denotes American Indian or Alaska Native. Offense percentages are based on available data. Details may not sum to totals due to rounding. Murder includes nonnegligent manslaughter; other violent offenses include robbery, kidnapping, and threatening communications; other property offenses include destruction of property and trespassing; and public order offenses include regulatory violations, other sex offenses, obstruction of justice, traffic, and unclassifiable offenses.

: Not shown. Estimate based on fewer than 10 cases.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services Office, Probation and Pretrial Automated Case Tracking System, fiscal year 2023.

In FY 2023, 53% of both AIAN males and females completed pretrial release without a violation

Males were as likely as females to complete pretrial release without a violation (table 6). Violations of pretrial release conditions were more common for

defendants 25–29 years old (57%) compared to those age 55 and older (27%). Violations were more common for persons with less than a high school education (57%). Revocations were also more common for persons with less than a high school education (44%).

TABLE 6
Characteristics of AIAN defendants released pretrial, by violation outcome, FY 2023

Characteristics	Defendants released Total	No violation		At least one supervision violation					
		Number	Percent	Total		Release not revoked		Release revoked	
				Number	Percent	Number	Percent	Number	Percent
Total	637	335	52.6%	302	47.4%	83	13.0%	219	34.4%
Age									
19 or younger	25	16	64.0%	9	36.0%	1	4.0%	8	32.0%
20–24	88	44	50.0	44	50.0	7	8.0	37	42.0
25–29	94	40	42.6	54	57.4	13	13.8	41	43.6
30–34	116	56	48.3	60	51.7	17	14.7	43	37.1
35–39	109	59	54.1	50	45.9	13	11.9	37	33.9
40–44	80	46	57.5	34	42.5	11	13.8	23	28.8
45–49	39	19	48.7	20	51.3	9	23.1	11	28.2
50–54	37	19	51.4	18	48.6	7	18.9	11	29.7
55 or older	49	36	73.5	13	26.5	5	10.2	8	16.3
Sex									
Male	418	220	52.6%	198	47.4%	53	12.7%	145	34.7%
Female	219	115	52.5	104	47.5	30	13.7	74	33.8
Educational level									
Less than high school	214	92	43.0%	122	57.0%	28	13.1%	94	43.9%
High school graduate	222	119	53.6	103	46.4	28	12.6	75	33.8
Some college	143	82	57.3	61	42.7	23	16.1	38	26.6
College graduate	29	23	79.3	6	20.7	2	6.9	4	13.8

Note: AIAN denotes American Indian or Alaska Native. Demographic percentages are based on available data. Details may not sum to totals due to rounding. There were 29 records missing education.

: Not shown. Estimate based on fewer than 10 cases.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services Office, Probation and Pretrial Automated Case Tracking System, fiscal year 2023.

Conviction and sentencing

This section of the report uses data collected by the USSC at the conviction and sentencing stages. Most (93%) AIAN defendants sentenced in U.S. district court were represented by a panel-appointed attorney or a public defender (**table 7**). This is greater than the percent of all defendants sentenced in U.S. district court who were represented by a panel-appointed attorney or a public defender (82%). Public defenders represented more than half (53%) of AIAN defendants sentenced, panel-appointed attorneys represented 40%, and private counsel represented 7%.¹⁴

Most AIAN defendants sentenced in U.S. district court in FY 2023 were convicted following a guilty plea (95%) rather than a trial (5%). A greater proportion

¹⁴The Criminal Justice Act was enacted in 1964 (Title 18 U.S.C. §3006a) and requires that attorneys be appointed to represent defendants unable to pay for their own counsel. The AOUSC provides for two types of counsel for federal indigent persons: federal public defenders and panels of private attorneys (referred to as panel-appointed attorneys) who accept appointments to represent eligible persons for reimbursement from the government. The defendant directly hires private counsel.

of AIAN defendants sentenced (33%) were under a criminal justice sentence at the time of the offense compared to all persons sentenced (25%). Nearly all AIAN defendants sentenced had a prior criminal history (96%) and accepted responsibility for their offense at sentencing (94%).¹⁵

In FY 2023, 88% of AIAN convicted defendants received a prison sentence

During FY 2023, 88% of AIAN defendants convicted of a federal offense received an imprisonment-only sentence, 5% received a sentence of probation with community confinement, and 5% received a split sentence—a prison sentence followed by a term of supervised release in the community (**table 8**). Male AIAN defendants (91%) were more likely to receive a term of imprisonment only compared to females (78%). Conversely, a greater percentage of AIAN females (15%) were sentenced to a term of probation with community confinement compared to males (2%).

¹⁵Tribal convictions (as well as foreign or military) are not counted in criminal history guideline calculations.

TABLE 7**Characteristics of AIAN defendants sentenced, FY 2023**

Defendant characteristic	All defendants sentenced		AIAN defendants sentenced	
	Number	Percent	Number	Percent
Total	64,124	100%	1,565	100%
Type of counsel				
Panel-appointed attorney	24,543	41.1%	517	40.4%
Private counsel	10,902	18.3	85	6.6
Public defender	24,252	40.6	678	53.0
Disposition				
Guilty plea	62,300	97.2%	1,489	95.1%
Trial	1,824	2.8	76	4.9
Commission of offense while under criminal justice sentence				
Not under criminal justice sentence at time of instant offense	45,728	75.1%	1,006	67.5%
Commission of instant offense while under criminal justice sentence	15,194	24.9	484	32.5
Criminal history*				
No criminal history	8,655	13.8%	59	3.8%
Prior criminal history	54,285	86.2	1,482	96.2
Aggravating role adjustment				
No role adjustment	58,360	95.8%	1,463	98.2%
Leadership/supervisory role in offense	2,541	4.2	27	1.8
Mitigating role adjustment				
No role adjustment	56,193	92.3%	1,439	96.6%
Minimal or minor role in offense	4,708	7.7	51	3.4
Weapon adjustment				
No weapon adjustment	52,808	86.7%	1,182	79.3%
Weapon adjustment	8,114	13.3	308	20.7
Acceptance of responsibility				
Did not accept responsibility	2,927	4.8%	91	6.1%
Accepted responsibility	57,994	95.2	1,399	93.9
Career offender status				
No career offender status	59,571	97.8%	1,478	99.2%
Career offender status	1,351	2.2	12	0.8

Note: AIAN denotes American Indian or Alaska Native. Characteristic percentages are based on available data. Details may not sum to totals due to rounding. Type of counsel was missing for 285 records for AIAN defendants and 4,427 for all defendants. Complete guideline application information was missing for 75 AIAN defendants' sentences and 3,202 records for all defendants' sentences.

*Tribal offenses are not counted in determining the criminal history score under the sentencing guidelines. See U.S. Sentencing Guidelines §4A1.2(i).

Source: Bureau of Justice Statistics, based on data from the U.S. Sentencing Commission, Monitoring File, fiscal year 2023.

TABLE 8**AIAN defendants sentenced in U.S. district court, by sex, FY 2023**

Sentence type	All defendants sentenced						AIAN defendants sentenced					
	Total		Male		Female		Total		Male		Female	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Total	64,124	100%	55,806	100%	8,279	100%	1,565	100%	1,255	100%	310	100%
Imprisonment only	57,579	89.8	51,357	92.0	6,206	75.0	1,385	88.5	1,144	91.2	241	77.7
Split sentence	1,689	2.6	1,228	2.2	460	5.6	74	4.7	63	5.0	11	3.5
Probation only	755	1.2	484	0.9	271	3.3	22	1.4	13	1.0	9	2.9
Probation with community confinement	3,808	5.9	2,513	4.5	1,290	15.6	77	4.9	31	2.5	46	14.8
Fine only	293	0.5	224	0.4	52	0.6	7	0.4	4	0.3	3	1.0

Note: AIAN denotes American Indian or Alaska Native. Sentence type percentages are based on available data. Details may not sum to totals due to rounding. A split sentence is a prison sentence followed by a term of supervised release with conditions for home detention or community confinement. Probation with community confinement includes conditions of supervision such as intermittent confinement, community confinement, or home detention.

Source: Bureau of Justice Statistics, based on data from the U.S. Sentencing Commission, Monitoring file, fiscal year 2023.

In FY 2023, AIAN defendants received a median prison term of 37 months

Convicted AIAN defendants received a median sentence of 37 months in FY 2023 (table 9). Defendants convicted of drug offenses received a median prison sentence of 60 months; defendants convicted of violent offenses received a median prison sentence of 55 months. The longest median prison sentences imposed were for murder (180 months) and sexual abuse (97 months). The median prison sentence imposed in 2023 was greater for AIAN males (41 months) than AIAN females (26 months). The median sentence for males convicted of murder (202 months) was three times greater than the median sentence for females convicted of murder (64 months).

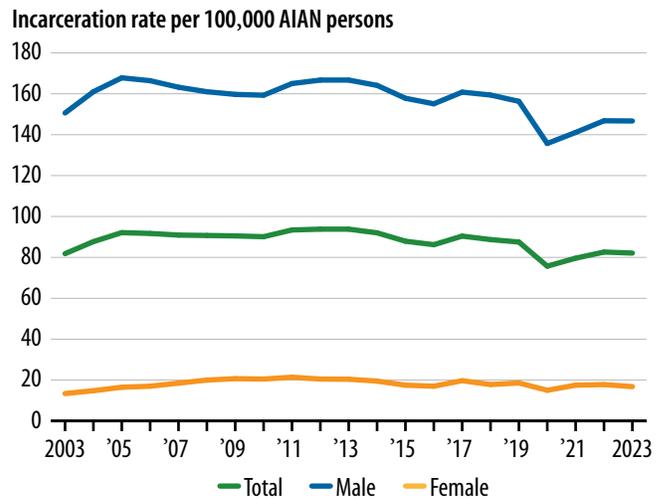
Federal prison population

This section of the report features data collected by the FBOP at the admission and release from prison stages. The FBOP is responsible for the custody and care of federal prisoners. Prisoners include persons sentenced in U.S. district court. The nature of federal jurisdiction in Indian country determines the types of offenses for which AIAN persons are processed and the geographic distribution of AIAN persons serving prison terms (see text box *Criminal jurisdiction in Indian country* on page 3).

3,698 AIAN persons were incarcerated at fiscal yearend 2023

On September 30, 2023, there were 3,698 federally sentenced AIAN persons in the FBOP, of which 90% were male (table 10). The type of offense committed varied by sex. Most males were incarcerated in federal prison for sexual abuse (21%), murder (18%), weapons (16%), assault (15%), and drug (13%) offenses. In comparison, most females were incarcerated for drug (43%), murder (20%), and assault (10%) offenses. The male incarceration rate for violent offenses (85 per 100,000 AIAN population) was 14 times greater than the female incarceration rate (6 per 100,000) at fiscal yearend 2023.

FIGURE 3
Federal incarceration rate of AIAN persons, by sex, fiscal yearend 2003–2023



Note: AIAN denotes American Indian or Alaska Native. Incarceration rates are computed by dividing the number of federally sentenced AIAN persons incarcerated in the Federal Bureau of Prisons (FBOP) by the number of AIAN persons in the United States and multiplying by 100,000. The unit of count is the individual, federally sentenced person in the custody of the FBOP on September 30, 2003 and 2023. Includes persons sentenced in U.S. district court. Excludes persons sentenced to the FBOP by the District of Columbia Superior Court, military prisoners transferred to FBOP facilities to serve their sentences, U.S. citizen prisoners transferred to the United States from another country to serve their sentences closer to home, and persons convicted of a state offense but serving time in a federal prison for their security needs. AIAN total population includes U.S. territories while male and female populations do not. See appendix table 5 for counts and rates.

Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal yearend, and national resident AIAN population estimates developed by the U.S. Census Bureau (see *Methodology*).

The AIAN federal incarceration rate was 82 per 100,000 persons in FY 2023

The federal incarceration rate was 82 AIAN persons per 100,000 persons in FY 2023, the same rate as in FY 2003. The rate of federal incarceration for males (147 per 100,000) was more than 8 times higher than the rate for females (17 per 100,000) in FY 2023. The female incarceration rate increased by 1% each year, on average, from FY 2003 to FY 2023, while the male incarceration rate declined slightly over this period. (figure 3).

TABLE 9**Prison terms imposed on AIAN defendants, by sex, FY 2023**

Offense type	All defendants receiving prison terms						AIAN defendants receiving prison terms					
	Total		Male		Female		Total		Male		Female	
	Number	Median	Number	Median	Number	Median	Number	Median	Number	Median	Number	Median
Total	59,268	30 mos.	52,585	30 mos.	6,666	21 mos.	1,459	37 mos.	1,207	41 mos.	252	26 mos.
Felony	58,596	30 mos.	52,035	33 mos.	6,545	24 mos.	1,428	38 mos.	1,183	42 mos.	245	27 mos.
Violent	2,827	108 mos.	2,620	120 mos.	205	60 mos.	588	55 mos.	526	57 mos.	62	42 mos.
Murder	241	200	216	210	25	64	111	180	93	202	18	64
Assault	732	36	672	36	60	28	278	36	244	36	34	36
Sexual abuse	962	240	908	240	53	210	154	97	154	97	0	..
Other violent	892	84	824	85	67	46	45	46	35	46	10	42
Property	4,890	21 mos.	3,640	24 mos.	1,250	14 mos.	71	15 mos.	45	18 mos.	26	11 mos.
Fraud	4,350	21	3,215	24	1,135	13	41	15	24	20	17	10
Other property	540	15	425	18	115	10	30	13	21	13	9	:
Drug	19,054	68 mos.	16,092	72 mos.	2,962	37 mos.	282	60 mos.	176	65 mos.	106	36 mos.
Public Order	5,347	48 mos.	4,777	57 mos.	569	18 mos.	202	18 mos.	180	18 mos.	22	12 mos.
Weapons	8,405	46 mos.	8,183	46 mos.	222	21 mos.	230	37 mos.	227	37 mos.	3	: mos.
Immigration	18,060	8 mos.	16,710	8 mos.	1,337	9 mos.	51	15 mos.	25	16 mos.	26	9 mos.
Misdemeanor	672	4 mos.	550	6 mos.	121	1 mos.	31	1 mos.	24	1 mos.	7	: mos.

Note: AIAN denotes American Indian or Alaska Native. Offense percentages are based on available data. Details may not sum to totals due to rounding. Prison term includes split sentences where a prison sentence is followed by a term of supervised release with conditions for some detention or community confinement. Murder includes nonnegligent manslaughter; other violent offenses include robbery, kidnapping, and threatening communications; other property offenses include destruction of property and trespassing; and public order offenses include regulatory violations, other sex offenses, obstruction of justice, traffic, and unclassifiable offenses. Offense type is missing for 13 felony records. Sex is missing for 17 records.

.. Not calculated.

: Not shown. Estimate based on fewer than 10 cases.

Source: Bureau of Justice Statistics, based on data from the U.S. Sentencing Commission, Monitoring File, fiscal year 2023.

TABLE 10**Federally sentenced AIAN persons incarcerated in federal prison, by sex and offense type, fiscal yearend 2023**

Incarceration offense ^b	All persons incarcerated in federal prison		AIAN persons incarcerated in federal prison						Rate per 100,000 AIAN persons in the population ^a		
	Total		Total		Male		Female		Total	Male	Female
	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Rate	Rate	Rate
Total	137,477	100%	3,698	100%	3,324	100%	374	100%	82.1	146.7	16.8
Violent	8,674	6.3%	2,048	55.6%	1,917	57.8%	131	35.5%	45.5	84.6	5.9
Murder	1,195	0.9	660	17.9	586	17.7	74	20.1	14.7	25.9	3.3
Assault	1,191	0.9	525	14.3	487	14.7	38	10.3	11.7	21.5	1.7
Sexual abuse	1,688	1.2	711	19.3	708	21.4	3	0.8	15.8	31.3	0.1
Other violent	4,600	3.4	152	4.1	136	4.1	16	4.3	3.4	6.0	0.7
Property	4,541	3.3%	107	2.9%	86	2.6%	21	5.7%	2.4	3.8	0.9
Fraud	3,488	2.5	22	0.6	12	0.4	10	2.7	0.5	0.5	0.5
Other property	1,053	0.8	85	2.3	74	2.2	11	3.0	1.9	3.3	0.5
Drug	61,604	44.9%	600	16.3%	441	13.3%	159	43.1%	13.3	19.5	7.2
Public order	25,173	18.3%	357	9.7%	339	10.2%	18	4.9%	7.9	15.0	0.8
Weapons	30,058	21.9%	544	14.8%	516	15.6%	28	7.6%	12.1	22.8	1.3
Immigration	7,138	5.2%	27	0.7%	15	0.5%	12	3.3%	0.6	0.7	0.5

Note: AIAN denotes American Indian or Alaska Native. Offense percentages are based on available data. Details may not sum to totals due to rounding. The unit of count is the individual, federally sentenced person in the custody of the Federal Bureau of Prisons (FBOP) on September 30. Includes persons sentenced in U.S. district court. Excludes persons sentenced to the FBOP by the District of Columbia Superior Court, military prisoners transferred to FBOP facilities to serve their sentences, U.S. citizen prisoners transferred to the United States from another country to serve their sentences closer to home, and persons convicted of a state offense but serving time in a federal prison for their security needs. There were 289 records missing offense type among all persons and 15 records missing offense type among AIAN persons.

^aIncarceration rates are computed by dividing the number of federally sentenced AIAN persons in federal prison by the number of AIAN persons in the United States and multiplying by 100,000.

^bMurder includes nonnegligent manslaughter; other violent offenses include robbery, kidnapping, and threatening communications; other property offenses include destruction of property and trespassing; and public order offenses include regulatory violations, other sex offenses, obstruction of justice, traffic, and unclassifiable offenses.

Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal yearend, and national resident AIAN population estimates developed by the U.S. Census Bureau (see *Methodology*).

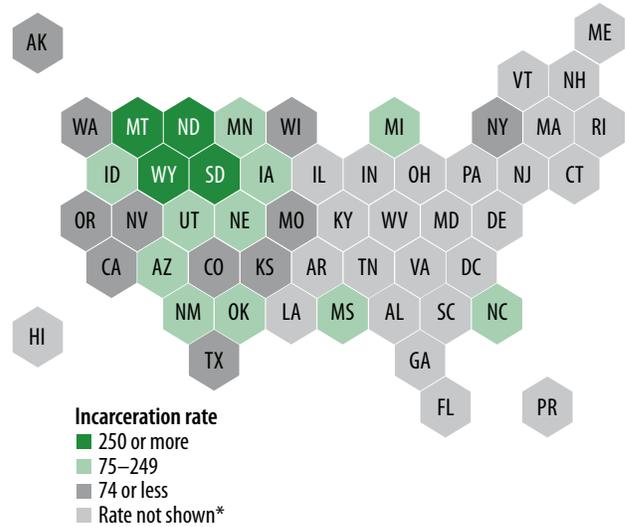
In four states, the AIAN federal incarceration rate was greater than 400 per 100,000 AIAN persons at fiscal yearend 2021–2023

At fiscal yearend 2021–2023, the average incarceration rate was highest for South Dakota (747 per 100,000), followed by Wyoming (547 per 100,000), North Dakota (528 per 100,000), and Montana (411 per 100,000), all of which are clustered in the north central United States (map 3).¹⁶ On average, over this period the FBOP held 1,185 AIAN persons (33%) in custody on September 30 in these 4 states, which are home to 207,626 (5%) of the total AIAN population in the United States on July 1 for these years.

¹⁶Incarceration rates are computed by dividing the average number of AIAN persons in federal prison on September 30 for 2021, 2022, and 2023 by the average number of AIAN persons in the United States on July 1 for 2021, 2022, and 2023 and multiplying by 100,000. Rates provide a standardized approach to comparing incarceration levels across states, despite differences in general population sizes. See *Methodology*.

MAP 3

Incarceration rate of federally sentenced AIAN persons, by state and U.S. territory, fiscal yearend 2021–2023



*Too few cases to provide a reliable estimate.

Note: AIAN denotes American Indian or Alaska Native. Incarceration rates are computed by dividing the 3-year average number of federally sentenced AIAN persons incarcerated in the Federal Bureau of Prisons (FBOP) on September 30 (2021–2023) by the 3-year average number of AIAN persons in the United States on July 1 (2021–2023) and multiplying by 100,000. Includes persons sentenced in U.S. district court. Excludes persons sentenced to the FBOP by the District of Columbia Superior Court, military prisoners transferred to FBOP facilities to serve their sentences, U.S. citizen prisoners transferred to the United States from another country to serve their sentences closer to home, and persons convicted of a state offense but serving time in a federal prison for their security needs. Not shown on map: Guam (0), U.S. Virgin Islands (0), and Northern Mariana Islands (0). See appendix table 6 for counts and rates.

Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal yearend, and national resident AIAN population estimates developed by the U.S. Census Bureau (see *Methodology*).

Returns to federal prison

Nearly 1 in 3 AIAN persons released from federal prison during FYs 2018–2020 returned to federal prison within 3 years

Nearly one-third (31%) of the 2,923 AIAN persons first released from federal prison between October 1, 2017 and September 30, 2020 were readmitted to federal prison within 3 years (see *Methodology*) (figure 4). The return-to-prison rate does not consider the recidivism of persons who, after release from federal prison, were imprisoned in a state prison or tribal jail for a new offense. Further, comparisons with the total return-to-prison rate must be made with caution as the nature of federal jurisdiction in Indian country determines the types of offenses for which AIAN persons are processed (see text box *Criminal jurisdiction in Indian country* on page 3).

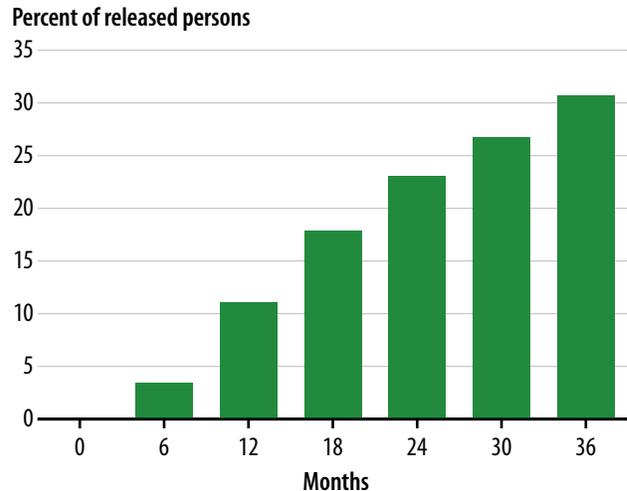
AIAN females (18%) had a lower 3-year return-to-prison rate than AIAN males (33%) (table 11).¹⁷ During the 3-year period from FY 2018 to FY 2020, the most common reason AIAN persons returned to federal prison was a violation of conditions of supervision (91%). Returns for a new court commitment or new offense accounted for 9% of returns.

The 3-year return-to-prison rate declined with an increase in age at release from federal prison. Just over half (51%) of AIAN persons who were under the age of 21 at release returned to prison within 3 years. Of these, 95% returned because of a supervision violation and 5% returned for a new court commitment. By comparison, 30% of persons who were ages 35 to 44 at release returned to federal prison, compared to 23% who were ages 45 to 54 and 8% who were age 55 or older.

The 3-year return-to-prison rate was highest for AIAN persons released for public order (40%) and violent (33%) offenses, followed by property (23%) and drug (20%) offenses. Regardless of the offense, supervision violations were the most common reason for a return to federal prison.

¹⁷AIAN persons released from federal prison following a U.S. district court commitment were tracked using the FBOP SENTRY database to identify the number of releasees who returned within a 3-year period (see *Methodology*).

FIGURE 4
Percent of AIAN persons released from a U.S. district court commitment in FYs 2018–2020 who were returned to federal prison within 3 years, by month after release



Note: AIAN denotes American Indian or Alaska Native. Describes 2,923 AIAN persons returning to federal prison following a release from a U.S. district court commitment. Releases from October 1, 2017 to September 30, 2020 were combined into a single cohort, each release from prison tracked for 3 years, and returns to federal prison were flagged. Persons released from prison following incarceration for a supervision violation or U.S. Customs and Border Protection/Immigration and Customs Enforcement detainees are excluded. See appendix table 7 for percentages.

Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal years 2018–2023.

TABLE 11**AIAN persons returning to federal prison within 3 years of first release from a U.S. district court commitment, FYs 2018–2020**

Characteristic	Persons released		Persons returned		Reason for return to federal prison			
	Number	Number	Percent	New offense		Supervision violation		
				Number	Percent	Number	Percent	
Total	2,923	898	30.7%	80	9.1%	800	90.9%	
Age at release								
20 or younger	39	20	51.3%	1	5.0%	19	95.0%	
21–24	224	91	40.6	12	13.2	79	86.8	
25–34	1,074	395	36.8	34	8.7	356	91.3	
35–44	882	267	30.3	26	10.1	232	89.9	
45–54	447	104	23.3	3	3.0	97	97.0	
55 or older	257	21	8.2	4	19.0	17	81.0	
Median age at release	36 years	33 years		33 years		33 years		
Sex								
Male	2,428	810	33.4%	73	9.2%	722	90.8%	
Female	495	88	17.8	7	8.2	78	91.8	
Time served before release								
Less than 1 year	483	124	25.7%	12	9.7%	112	90.3%	
1–2 years	764	256	33.5	21	8.2	235	91.8	
2–3 years	552	183	33.2	15	8.2	168	91.8	
3–5 years	467	149	31.9	21	14.5	124	85.5	
More than 5 years	657	186	28.3	11	6.4	161	93.6	
Original conviction offense*								
Violent	1,355	446	32.9%	29	6.5%	416	93.5%	
Murder	169	41	24.3	1	2.4	40	97.6	
Assault	810	279	34.4	11	4.0	267	96.0	
Sexual abuse	306	81	26.5	3	3.7	78	96.3	
Other violent	70	19	27.1	0	0.0	19	100.0	
Property	208	48	23.1%	4	8.3%	44	91.7%	
Fraud	83	9	10.8	0	:	9	:	
Other property	125	39	31.2	4	10.3	35	89.7	
Drug	548	109	20.4%	11	11.2%	87	88.8%	
Public order	360	144	40.0%	20	13.9%	124	86.1%	
Weapons	328	109	33.2%	13	12.3%	93	87.7%	
Immigration	104	29	27.9%	2	6.9%	27	93.1%	

Note: AIAN denotes American Indian or Alaska Native. Characteristic percentages are based on available data. Details may not sum to totals due to rounding. Describes persons returning to federal prison following a release from a U.S. district court commitment. Persons released following incarceration for supervision violations or U.S. Customs and Border Protection/Immigration and Customs Enforcement detentions are excluded. Data were missing original conviction offense (20) and reason for return to prison (18).

: Not shown. Estimate is based on fewer than 10 cases.

*Murder includes nonnegligent manslaughter; other violent offenses include robbery, kidnapping, and threatening communications; other property offenses include destruction of property and trespassing; and public order offenses include regulatory violations, other sex offenses, obstruction of justice, traffic, and unclassifiable offenses.

Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal years 2018–2023.

Federal supervised release

This section of the report uses data collected by the AOUSC at the post-conviction supervision stage, including probation and supervised release upon release from prison. The AOUSC Probation and Pretrial Services Office oversees the supervision of defendants released before trial and persons supervised in the community after being convicted. Federal probation officers monitor compliance with the court-ordered conditions of supervision.

Federal supervised release was established by the Sentencing Reform Act of 1984 (SRA) and is a term of conditional community supervision set by the court at the time of sentencing. The SRA also abolished release by a parole board, required a determinate sentence term, and limited the amount of good time that can be credited toward the sentence. Probation is a term of community supervision that is used as a stand-alone sentence or in combination with confinement. As part of the supervision order, the sentencing court may require a person to comply with certain discretionary or special conditions of post-conviction supervision. These conditions include community confinement, fines, restitution, community service, and alcohol and/or drug abuse treatment.¹⁸ The distribution of offense types for AIAN persons reflects the unique

¹⁸The sentencing judge may require a defendant to comply with special conditions while under supervision. These conditions include community confinement, fines, restitution, community service, and alcohol and/or drug abuse treatment. Community confinement includes confinement in a community treatment facility or halfway house, intermittent confinement nights and weekends in a prison or jail, and home detention.

federal jurisdiction over major crimes committed in Indian country (see the text box *Criminal jurisdiction in Indian country* on page 3). Less serious offenses are handled by state and tribal jurisdictions and are not reflected in federal enumeration.

3,108 AIAN persons were under federal post-conviction supervision at fiscal yearend 2023

On September 30, 2023, some 3,108 AIAN persons were on probation or supervised release in the community, making up 3% of the 120,904 persons under post-conviction supervision overall. Ninety percent of AIAN persons under post-conviction supervision were on supervised release and 10% were on probation (**table 12**). Among AIAN persons under federal supervision, 79% were male and 21% were female. Over 5% of AIAN persons under federal supervision were Hispanic. AIAN persons with Hispanic origin made up 0.5% of all Hispanics (33,047) under federal supervision at fiscal yearend 2023. The median age for AIAN persons under federal supervision was 39 years, somewhat younger than the median age for all persons (42 years) under federal supervision. Nearly three-fourths (73%) of AIAN persons under post-conviction supervision were between the ages of 25 and 49 and over one-fifth (22%) were age 50 or older.

TABLE 12**Demographic characteristics of AIAN persons under federal post-conviction supervision, fiscal yearend 2023**

Characteristic	All persons under post-conviction supervision						AIAN persons under post-conviction supervision					
	Total		Type of supervised release				Total		Type of supervised release			
			Supervised release*		Probation				Supervised release*		Probation	
Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	Number	Percent	
Total	120,904	100%	108,737	100%	12,167	100%	3,108	100%	2,793	100%	315	100%
Sex												
Male	101,571	84.2%	93,838	86.3%	7,733	64.7%	2,460	79.2%	2,263	81.0%	197	62.5%
Female	19,107	15.8	14,896	13.7	4,211	35.3	648	20.8	530	19.0	118	37.5
Hispanic origin												
Non-Hispanic/Latino	85,228	72.1%	76,581	71.8%	8,647	74.7%	2,816	94.5%	2,537	94.8%	279	91.8%
Hispanic/Latino	33,047	27.9	30,126	28.2	2,921	25.3	163	5.5	138	5.2	25	8.2
Age												
19 or younger	188	0.2%	78	0.1%	110	0.9%	28	0.9%	2	0.1%	26	8.3%
20–24	4,359	3.6	3,299	3.0	1,060	8.9	153	4.9	113	4.0	40	12.7
25–29	10,484	8.7	9,104	8.4	1,380	11.6	324	10.4	289	10.3	35	11.1
30–34	16,653	13.8	15,004	13.8	1,649	13.8	565	18.2	517	18.5	48	15.2
35–39	18,253	15.1	16,758	15.4	1,495	12.5	542	17.4	499	17.9	43	13.7
40–44	19,110	15.8	17,652	16.2	1,458	12.2	480	15.4	449	16.1	31	9.8
45–49	15,963	13.2	14,800	13.6	1,163	9.7	345	11.1	323	11.6	22	7.0
50–54	12,705	10.5	11,617	10.7	1,088	9.1	215	6.9	191	6.8	24	7.6
55 or older	22,964	19.0	20,423	18.8	2,541	21.3	456	14.7	410	14.7	46	14.6
Median age	42 years		42 years		40 years		39 years		39 years		35 years	

Note: AIAN denotes American Indian or Alaska Native. Characteristic percentages are based on available data. Details may not sum to totals due to rounding. Of all persons under post-conviction supervision, there were 226 records missing sex, 2,629 records missing Hispanic origin, and 225 records missing age. Of AIAN persons under post-conviction supervision, there were 129 records missing Hispanic origin.

*Includes persons on parole supervision.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services Office, Probation and Pretrial Services Automated Case Tracking System, fiscal yearend 2023.

A greater percentage of AIAN females under federal supervision on September 30, 2023 had been convicted of a drug offense (43%) than any other type of offense (figure 5). AIAN males who were on post-conviction supervision had been convicted of sexual abuse (21%) or drug offenses (16%), followed by assault (15%), weapons offenses (13%), and murder (13%).

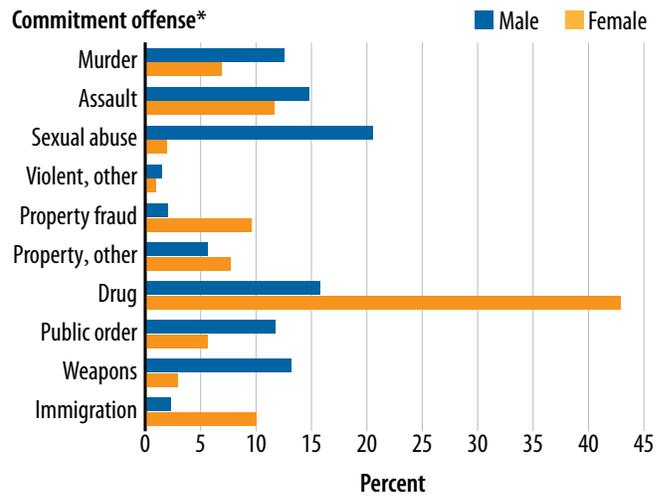
Nearly 6 in 10 AIAN persons terminating post-conviction supervision in FY 2023 received a revocation

Of the 2,146 AIAN persons terminating post-conviction supervision in FY 2023, 59% had their supervision revoked and 35% successfully completed supervision (table 13). A greater proportion of persons who had been convicted of sexual abuse (72%), assault (69%), or other violent (67%) offenses terminated post-conviction supervision with a revocation. Conversely, a greater proportion of persons with fraud (70%) offenses successfully completed supervision compared to those with other offenses.

In FY 2023, females (53%) were more likely than males (31%) to complete post-conviction supervision without a violation

Of the 2,146 AIAN persons terminating post-conviction supervision in 2023, 35% successfully completed supervision (table 14). Females (53%) were more likely than males (31%) to successfully complete post-conviction supervision. The proportion of persons who successfully completed post-conviction supervision varied with age and education level. For example, persons age 55 or older (62%) were more likely to successfully complete post-conviction supervision than persons 19 or under (17%) or persons ages 20 to 24 years (31%). A greater proportion of persons with some college (47%) or a college degree (76%) successfully completed post-conviction supervision than did persons with less than a high school degree (27%).

FIGURE 5
AIAN persons under federal post-conviction supervision, by sex and commitment offense, fiscal yearend 2023



Note: AIAN denotes American Indian or Alaska Native. The unit of count is the federally sentenced AIAN person under federal post-conviction supervision on September 30, 2023. See appendix table 8 for percentages.

*Murder includes nonnegligent manslaughter; other violent offenses include robbery, kidnapping, and threatening communications; other property offenses include destruction of property and trespassing; and public order offenses include regulatory violations, other sex offenses, obstruction of justice, traffic, and unclassifiable offenses.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services Office, Probation and Pretrial Services Automated Case Tracking System, fiscal yearend 2023.

TABLE 13**Outcomes of AIAN persons terminating post-conviction supervision, by offense type, FY 2023**

Offense type ^b	Total		Percent terminating post-conviction supervision with—		
	Number	Percent	Successful termination	Revocation	Other terminations ^a
			Percent	Percent	Percent
Total^c	2,146	100%	35.2%	58.6%	6.3%
Felony	2,010	93.7%	32.7%	60.9%	6.4%
Violent	893	41.8%	25.7%	68.9%	5.4%
Murder	235	11.0	27.6	65.4	7.0
Assault	357	16.7	24.8	69.3	5.8
Sexual abuse	256	12.0	24.6	72.0	3.4
Other violent	45	2.1	28.6	66.7	4.8
Property	198	9.3%	50.8%	44.2%	5.0%
Fraud	84	3.9	69.5	25.6	4.9
Other property	114	5.3	35.4	59.6	5.1
Drug	359	16.8%	48.5%	44.0%	7.5%
Public order	214	10.0%	26.3%	66.3%	7.3%
Weapons	246	11.5%	26.3%	64.7%	8.9%
Immigration	92	4.3%	30.7%	64.8%	4.5%
Misdemeanor	136	6.3%	71.8%	23.4%	4.8%

Note: AIAN denotes American Indian or Alaska Native. Offense percentages are based on available data. Details may not sum to totals due to rounding. Data were missing for 8 observations for felony detailed offense type and 164 observations for reason for supervision termination.

^aIncludes those closed by death, transfers, unsuccessful terminations, and other not classified.

^bMurder includes nonnegligent manslaughter; other violent offenses include robbery, kidnapping, and threatening communications; other property offenses include destruction of property and trespassing; and public order offenses include regulatory violations, other sex offenses, obstruction of justice, traffic, and unclassifiable offenses.

^cIncludes persons for whom characteristics are not known.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services Office, Probation and Pretrial Services Automated Case Tracking System, fiscal year 2023.

TABLE 14**Outcomes of AIAN persons terminating post-conviction supervision, by demographic characteristics, FY 2023**

Characteristic ^b	Total		Percent terminating post-conviction supervision with—		
	Number	Percent	Successful termination	Revocation	Other terminations ^a
			Percent	Percent	Percent
Total	2,146	100%	35.2%	58.6%	6.3%
Age					
19 or under	13	0.6%	16.7%	83.3%	--%
20–24	120	5.6	31.1	66.0	2.8
25–29	271	12.6	29.2	64.4	6.5
30–34	439	20.5	27.6	66.3	6.2
35–39	434	20.2	29.0	65.4	5.7
40–44	352	16.4	34.7	57.6	7.6
45–49	199	9.3	37.6	54.8	7.5
50–54	120	5.6	54.8	41.7	3.5
55 or older	198	9.2	62.4	29.6	7.9
Sex					
Male	1,730	80.6%	30.9%	62.4%	6.7%
Female	416	19.4	52.8	42.8	4.4
Hispanic origin					
Non-Hispanic/Latino	1,975	95.1%	35.3%	58.4%	6.3%
Hispanic/Latino	101	4.9	36.5	57.3	6.3
Education level					
Less than high school graduate	827	41.4%	26.8%	67.9%	5.3%
High school graduate	850	42.6	37.2	55.7	7.1
Some college	293	14.7	46.7	47.8	5.6
College graduate	26	1.3	76.0	20.0	4.0

Note: AIAN denotes American Indian or Alaska Native. Demographic percentages are based on available data. Details may not sum to totals due to rounding. Data were missing for 70 observations for Hispanic origin and 150 observations for education. Data were missing for 164 observations for the reason for supervision termination.

--Less than 0.05%.

^aIncludes those closed by death, transfers, unsuccessful terminations, and other not classified.

^bIncludes persons for whom characteristics are not known.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services Office, Probation and Pretrial Services Automated Case Tracking System, fiscal year 2023.

Methodology

This report uses data from the Bureau of Justice Statistics' (BJS) Federal Justice Statistics Program (FJSP) and other published sources to describe American Indian or Alaska Native (AIAN) persons in the federal justice system. The FJSP receives administrative data files from six federal criminal justice agencies and standardizes this information to maximize comparability across agencies and within agencies over time. This includes—

- applying, where possible, person-case as the primary unit of count (exceptions include at arrest where the unit of count is the individual suspect, at sentencing under federal sentencing guidelines where the unit of count is the sentencing event, and at imprisonment where the unit of count is the person incarcerated)
- delineating fiscal year (October 1 through September 30) as the period for reported events
- applying a uniform offense classification across agencies
- classifying disposition and sentences imposed.

Where more than one offense is charged or adjudicated, the most serious offense at disposition and sentencing is used. Offense seriousness is based on maximum statutory imprisonment term, type of crime, and statutory maximum fine amount. Annual, cross-sectional data files are produced and maintained. They represent the federal criminal case processing stages from arrest and prosecution through pretrial release, adjudication, sentencing, appeals, and corrections.¹⁹

Defining American Indian or Alaska Native persons

The National Crime Information Center (NCIC) is operated by the FBI and establishes standard classifications for use by federal law enforcement in recording crime and arrest information. The NCIC defines race consistent with the Office of Management and Budget's *1997 Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity*.²⁰ The NCIC uses the following races and definitions:

¹⁹See <https://bjs.ojp.gov/bjs-statistical-coverage-crime-and-justice-process> [↗](#).

²⁰See <https://spd15revision.gov/content/spd15revision/en/history/1997-standards.html> [↗](#).

- **American Indian or Alaska Native:** A person having origins in any of the original peoples of the Americas and maintaining cultural identification through tribal affiliation or community recognition.
- **Asian or Pacific Islander:** A person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.
- **Black:** A person having origins in any of the black racial groups of Africa.
- **White:** A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- **Unknown:** Race of person not reported.

Persons providing data to federal law enforcement and the courts are requested to self-identify with a single race category. This is how race and ethnicity is captured for the data used in this report.

Data sources

U.S. Marshals Service (USMS): The CAPTURE information system provides data on persons arrested for federal offenses. Suspects are counted more than once in a fiscal year if they are arrested multiple times during the period. This report uses the most serious arrest offense for which suspects were booked by the Deputy U.S. Marshal. Deputy U.S. Marshals take federal suspects who have been charged with a crime into custody (which includes booking, processing, and detaining the suspects), oversee court security, and coordinate prisoner transportation, among other duties.

The 2020–2023 fiscal year file includes cases with a custody start date between October 1, 2019 and September 30, 2023. The fiscal year files prior to 2020 were created using the arrest date. There are slightly more records with a non-missing custody date than with a non-missing arrest date. This is because not all bookings have the arrest date recorded. To ensure all bookings are captured, the custody date is used. Some arrests that would have been incorporated in previous years are excluded from the 2020–2023 file because the associated custody start date is outside of the fiscal year. Similarly, some arrests occurring outside of the fiscal year are retained because they are associated with a custody start date during the fiscal year. Race is self-reported by suspect at booking and classified by the Deputy U.S. Marshal using NCIC race codes: I = American Indian/Alaskan, A=Asian/Pacific Islander, B=Black/Black Hispanic, U=Unknown, and W=White/White Hispanic.

Administrative Office of the U.S. Courts (AOUSC):

The Probation and Pretrial Services Automated Case Tracking System (PACTS) database contains information about the supervision of defendants ordered by U.S. district courts, including at pretrial (contains information on defendants interviewed and supervised by pretrial services) and at post-conviction (contains information on the type of post-conviction supervision received and outcomes on supervision in the community). Offenses in the PACTS database are based on the most serious charged offense, as determined by the probation officer responsible for interviewing the defendant. The determination is made by first classifying the major offense charged into AOUSC four-digit offense codes. For defendants charged with more than one offense on an indictment, the officer chooses as the major charged offense the one carrying the most severe penalty or, in the case of two or more charges carrying the same penalty, the one with the highest offense severity. To determine the offense severity level, offenses are ranked according to the maximum sentence length, type of crime, and maximum fine amount.

The Probation and Pretrial Services Office maintains data describing criminal defendants adjudicated in U.S. district courts who were processed by federal pretrial services officers. Not all defendants prosecuted in U.S. district court are interviewed by a federal pretrial services officer. Some defendants refuse to be interviewed and, in some districts, pretrial services officers are not required to interview every defendant. The pretrial services officer relies on defendant self-report for recording of race information in the pre-sentence investigation report.

U.S. Sentencing Commission (USSC): Data describing convicted AIAN defendants were derived from the database maintained by the USSC. The USSC monitoring database contains information on all federally sentenced persons. The Commission maintains data describing persons convicted in U.S. district courts who were sentenced pursuant to the federal sentencing guidelines. USSC data does not include data on Class B and Class C misdemeanors or infractions with a maximum prison sentence of 6 months or less, juvenile offenders, or death penalty cases.

Federal Bureau of Prisons (FBOP): The FBOP's SENTRY database contains offense and demographic information on all federally sentenced AIAN persons admitted into or released from federal prison and persons in federal prison on September 30, 2023. Of the 4,131 records where AIAN was designated as race of prisoner, 3,698 (90%) met the criteria as federally sentenced inmates; 396 records were dropped because the inmate was not designated at an assigned FBOP custodial facility. The excluded records include designations to community confinement, home confinement, hospital, Immigration and Customs Enforcement detention, material witness, and pre-sentence admission. An additional 29 were excluded due to missing obligation offense. Finally, 8 inmate records were dropped because the inmate was one of the following:

- a state boarder, or person convicted of a state offense but serving time in a federal prison for their security needs
- a treaty transfer, or U.S. citizen prisoners transferred to the United States from another country to serve their sentences closer to home
- a person serving a sentence from a military court commitment.

Population Estimates File (U.S. Census Bureau):

For this report, data from the U.S. Census Bureau’s population estimates file were used to compute rates. Every year, the U.S. Census updates county population estimates by personal demographics for the prior year and revises prior estimates to align with the last decennial Census. The most consistent Census series from these estimates is Census’s single-race estimates measure for the AIAN population as measured on July 1 (map 4). The three series used in this report are the following:

- *Intercensal Estimates of the Resident Population by Sex, Race, and Hispanic Origin for Counties: April 1, 2000 to July 1, 2010*²¹
- *Annual Resident Population Estimates, Estimated Components of Resident Population Change, and Rates of the Components of Resident Population Change for States and Counties: April 1, 2010 to July 1, 2020*²²
- Vintage 2023 version of the current county population by characteristics, *Annual County Resident Population Estimates by Age, Sex, Race, and Hispanic Origin: April 1, 2020 to July 1, 2023*.²³

Calculating growth rates

The average annual percent change detailed in appendix tables 1, 3, and 5 measures the average rate of growth (or decline) in the number per year between 2003 and 2023. The following formula is used:

$$\left[\left(\frac{n^{\text{th}} \text{ year}}{\text{first year}} \right)^{\frac{1}{n}} - 1 \right] \times 100$$

The total average annual percent change in the total AIAN incarceration rate in appendix table 5 (2003–2023) is computed as follows:

$$\left[\left(\frac{82.1}{81.8} \right)^{\frac{1}{2023-2003}} - 1 \right] \times 100 = [(1.00395^{0.05}) - 1] \times 100 = (1.00020 - 1) \times 100 \approx 0.02\%$$

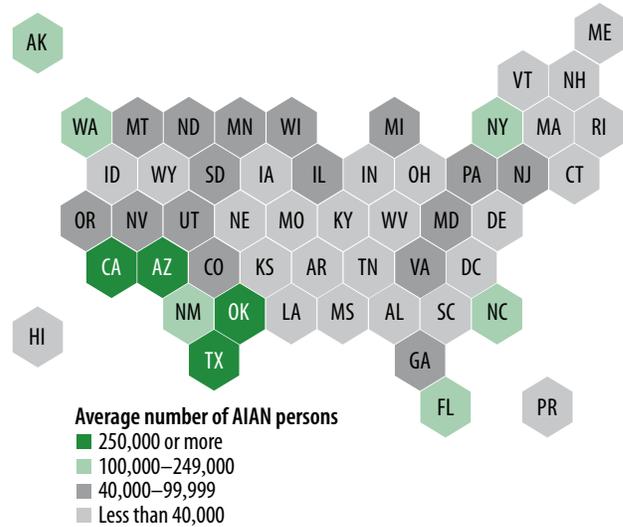
²¹See https://www2.census.gov/programs-surveys/popest/technical-documentation/methodology/da_methodology.pdf.

²²See <https://www2.census.gov/programs-surveys/popest/technical-documentation/methodology/2010-2020/methods-statement-v2020-final.pdf>.

²³See <https://www2.census.gov/programs-surveys/popest/technical-documentation/methodology/2020-2023/methods-statement-v2023.pdf>.

MAP 4

Average number of AIAN persons in the U.S. population, by state and U.S. territory, 2021–2023



Note: AIAN denotes American Indian or Alaska Native. Single-race population estimates are used to generate counts of AIAN persons in the U.S. population using the 3-year average number of AIAN persons in the United States on July 1 (2021–2023). Not shown on map: Guam (214), Northern Mariana Islands (12), and U.S. Virgin Islands (371). See appendix table 9 for counts.

Source: Bureau of Justice Statistics, based on data from the U.S. Census Bureau, CO-EST2023-ALLDATA: Annual Resident Population Estimates, Estimated Components of Resident Population Change, and Rates of the Components of Resident Population Change for States and Counties: April 1, 2020 to July 1, 2023. See <https://www2.census.gov/programs-surveys/popest/technical-documentation/file-layouts/2020-2023/CO-EST2023-ALLDATA.pdf>.

Calculating returns to federal prison

Tracking returns to federal prison involved identifying prisoners released from federal prison following a U.S. district court commitment between FY 2018 and FY 2020. There were a relatively small number of releases in each year, so releases were aggregated for a 3-year period (October 1, 2017 to September 30, 2020). Each release was then tracked for at least 3 years for a return to the FBOP using the inmate’s FBOP register number. The FBOP’s SENTRY database was searched and subsequent returns to federal prison flagged. The release cohort excluded persons released following incarceration for a supervision violation, those received by the FBOP from a D.C. Superior Court commitment, those detained for U.S. Customs and Border Protection/Immigration and Customs Enforcement, and persons released due to death. The unit of analysis is the first release from federal prison and the return rates are computed by dividing the number of returns by the number of releases.

APPENDIX TABLE 1

Counts and rates for figure 1: Federal arrest rates for AIAN persons, by offense type, FYs 2003–2023

Fiscal year	Total		Violent		Property		Drug		Public order ^a		Supervision violation ^b		Missing offense		Total AIAN population
	Number	Rate per 100,000	Number	Rate per 100,000	Number	Rate per 100,000	Number	Rate per 100,000	Number	Rate per 100,000	Number	Rate per 100,000	Number	Rate per 100,000	
2003	2,304	77.8	645	21.8	224	7.6	262	8.8	453	15.3	716	24.2	4	0.1	2,960,911
2004	2,398	78.4	680	22.2	211	6.9	311	10.2	397	13.0	795	26.0	4	0.1	3,057,853
2005	2,256	71.4	684	21.6	194	6.1	221	7.0	374	11.8	780	24.7	3	0.1	3,161,108
2006	2,328	71.1	584	17.8	169	5.2	283	8.6	408	12.5	880	26.9	4	0.1	3,272,002
2007	2,201	64.9	544	16.0	182	5.4	216	6.4	370	10.9	885	26.1	4	0.1	3,390,549
2008	2,252	64.0	569	16.2	174	4.9	194	5.5	394	11.2	918	26.1	3	0.1	3,518,214
2009	2,291	62.8	560	15.3	182	5.0	226	6.2	466	12.8	853	23.4	4	0.1	3,650,102
2010	2,150	57.0	525	13.9	200	5.3	195	5.2	412	10.9	817	21.7	1	0.0	3,772,966
2011	2,627	68.7	634	16.6	218	5.7	322	8.4	502	13.1	946	24.7	5	0.1	3,826,350
2012	2,482	63.9	601	15.5	179	4.6	272	7.0	502	12.9	913	23.5	15	0.4	3,883,170
2013	2,882	73.2	739	18.8	214	5.4	283	7.2	588	14.9	1,048	26.6	10	0.3	3,937,116
2014	2,648	66.3	611	15.3	222	5.6	197	4.9	524	13.1	1,086	27.2	8	0.2	3,992,267
2015	2,943	72.7	597	14.7	186	4.6	274	6.8	593	14.6	1,288	31.8	5	0.1	4,048,036
2016	3,189	77.7	647	15.8	177	4.3	322	7.8	636	15.5	1,407	34.3	0	0.0	4,103,688
2017	3,260	78.4	615	14.8	175	4.2	271	6.5	651	15.7	1,548	37.2	0	0.0	4,158,132
2018	3,231	76.7	706	16.8	136	3.2	258	6.1	631	15.0	1,500	35.6	0	0.0	4,211,993
2019	3,372	79.1	630	14.8	153	3.6	299	7.0	695	16.3	1,595	37.4	0	0.0	4,263,696
2020	2,643	61.2	468	10.8	61	1.4	229	5.3	407	9.4	1,328	30.7	150	3.5	4,320,579
2021	2,522	57.8	561	12.8	67	1.5	209	4.8	417	9.6	1,148	26.3	120	2.7	4,365,773
2022	2,846	64.2	568	12.8	74	1.7	224	5.1	471	10.6	1,321	29.8	188	4.2	4,431,450
2023	2,908	64.6	608	13.5	104	2.3	251	5.6	485	10.8	1,259	27.9	201	4.5	4,504,884
Percent change, 2022–2023		0.5%		5.3%		38.2%		10.2%		1.3%		-6.2%			1.7%
Average annual percent change, 2003–2023 ^c		-0.9%		-2.4%		-5.8%		-2.3%		-1.7%		0.7%			2.1%

Note: Arrest rates are computed by dividing the number of arrests by AIAN persons by the number of AIAN persons in the United States and multiplying by 100,000. The custody start date is used instead of the arrest date (as in years prior to 2020). This is because not all bookings had arrest dates, due to the U.S. Marshals Service’s transition to a new data system. The custody date is used to ensure all bookings are enumerated, including records that are missing an arrest date.

^aPublic order includes regulatory and other offenses, including weapons, immigration, and material witness offenses.

^bSupervision violations include violations of bail, probation, post-incarceration supervision, and failure to appear.

^cAverage annual percent change measures the change over a period of 2 years or more. It shows the average rate of increase (or decrease) per year from 2003 to 2023. See *Methodology*.

Source: Bureau of Justice Statistics, based on data from the U.S. Marshals Service, CAPTURE information system, fiscal years 2003–2023; and national resident AIAN population estimates developed by the U.S. Census Bureau (see *Methodology*).

APPENDIX TABLE 2

Counts for map 1: Jurisdiction under Public Law 280 for felonies committed in Indian country, by state, 2023

State	P.L. 280 state designation				
	Yes			No	
	Mandatory	Optional/implemented with exceptions	Optional/not implemented	Federally recognized tribes	No federally recognized tribes
Alabama				X	
Alaska	X				
Arizona			X		
Arkansas					X
California	X				
Colorado				X	
Connecticut				X	
Delaware				X	
District of Columbia					X
Florida		X			
Georgia					X
Hawaii					X
Idaho		X			
Illinois				X	
Indiana				X	
Iowa			X		
Kansas				X	
Kentucky					X
Louisiana				X	
Maine				X	
Maryland					X
Massachusetts				X	
Michigan				X	
Minnesota	X				
Mississippi				X	
Missouri					X
Montana		X			
Nebraska	X				
Nevada			X		
New Hampshire					X
New Jersey					X
New Mexico				X	
New York				X	
North Carolina				X	
North Dakota			X		
Ohio					X
Oklahoma				X	
Oregon	X				
Pennsylvania					X
Rhode Island				X	
South Carolina				X	
South Dakota			X		
Tennessee					X
Texas				X	
Utah			X		
Vermont					X
Virginia				X	
Washington		X			

Continued on next page

APPENDIX TABLE 2 (continued)

Counts for map 1: Jurisdiction under Public Law 83-280 (P.L. 280) for felonies committed in Indian country, by state, 2023

State	P.L. 280 state designation				
	Yes			No	
	Mandatory	Optional/implemented with exceptions	Optional/not implemented	Federally recognized tribes	No federally recognized tribes
West Virginia					X
Wisconsin	X				
Wyoming				X	
Total number	6	4	6	21	14

Source: U.S. Department of the Interior, Bureau of Indian Affairs. (2024). *Indian entities recognized by and eligible to receive services from the United States Bureau of Indian Affairs*. Federal Register, 89(12), 2112–2119. See <https://www.federalregister.gov/documents/2024/01/08/2024-00109/indian-entities-recognized-by-and-eligible-to-receive-services-from-the-united-states-bureau-of>; and <https://www.bia.gov/faqs/what-public-law-280-and-where-does-it-apply>.

APPENDIX TABLE 3

Counts and rates for figure 2: Federal arrest rates of AIAN persons, by sex, FYs 2003–2023

Fiscal year	AIAN arrests						AIAN population		
	Total		Male		Female		Total	Male	Female
	Number	Rate per 100,000	Number	Rate per 100,000	Number	Rate per 100,000			
2003	2,304	77.8	1,896	128.4	408	27.7	2,960,911	1,476,657	1,470,918
2004	2,398	78.4	1,991	130.4	407	26.8	3,057,853	1,526,559	1,517,958
2005	2,256	71.4	1,870	118.4	386	24.6	3,161,108	1,579,417	1,568,355
2006	2,328	71.1	1,893	115.6	435	26.8	3,272,002	1,637,319	1,621,347
2007	2,201	64.9	1,802	106.0	399	23.8	3,390,549	1,699,452	1,677,761
2008	2,252	64.0	1,876	106.2	376	21.6	3,518,214	1,766,088	1,738,790
2009	2,291	62.8	1,951	106.3	340	18.9	3,650,102	1,835,413	1,801,353
2010	2,150	57.0	1,771	93.4	379	20.4	3,772,966	1,896,440	1,856,739
2011	2,627	68.7	2,147	111.7	479	25.4	3,826,350	1,922,421	1,884,142
2012	2,482	63.9	2,051	105.1	431	22.5	3,883,170	1,950,732	1,912,651
2013	2,882	73.2	2,353	119.0	529	27.3	3,937,116	1,977,477	1,939,852
2014	2,648	66.3	2,207	110.1	441	22.4	3,992,267	2,004,573	1,967,907
2015	2,943	72.7	2,396	117.9	547	27.4	4,048,036	2,032,168	1,996,081
2016	3,189	77.7	2,573	124.9	616	30.4	4,103,688	2,059,447	2,024,454
2017	3,260	78.4	2,616	125.4	644	31.4	4,158,132	2,085,607	2,052,738
2018	3,231	76.7	2,631	124.6	600	28.8	4,211,993	2,111,827	2,080,379
2019	3,372	79.1	2,783	130.3	589	28.0	4,263,696	2,136,655	2,107,254
2020	2,643	61.2	2,161	99.3	482	22.7	4,320,579	2,175,205	2,126,907
2021	2,522	57.8	2,074	94.4	448	20.8	4,365,773	2,196,437	2,150,869
2022	2,846	64.2	2,313	103.8	533	24.4	4,431,450	2,228,511	2,184,472
2023	2,908	64.6	2,357	104.0	551	24.8	4,504,884	2,265,334	2,221,083
Percent change, 2022–2023		0.5%		0.2%		1.7%	1.7%	1.7%	1.7%
Average annual percent change, 2003–2023		-0.9%		-1.0%		-0.6%	2.1%	2.2%	2.1%

Note: Arrest rates are computed by dividing the number of arrests of AIAN persons by the number of AIAN persons in the United States and multiplying by 100,000. The custody start date is used instead of the arrest date (as in years prior to 2020). This is because not all bookings had arrest dates, due to the U.S. Marshals Service’s transition to a new data system. The custody date is used to ensure all bookings are enumerated, including records that are missing an arrest date. AIAN total population includes U.S. territories while sex breakout does not.

Source: Bureau of Justice Statistics, based on data from the U.S. Marshals Service, CAPTURE information system, fiscal years 2003–2023; and national resident AIAN population estimates developed by the U.S. Census Bureau (see *Methodology*).

APPENDIX TABLE 4

Counts and rates for map 2: Federal arrest rates of AIAN persons, by state and U.S. territory, FYs 2021–2023

State/territory	Average U.S. AIAN population (2021–2023)	Average number of AIAN persons arrested for a federal offense (2021–2023)		State/territory	Average U.S. AIAN population (2021–2023)	Average number of AIAN persons arrested for a federal offense (2021–2023)	
		Number	Rate per 100,000			Number	Rate per 100,000
Total	4,434,033	2,759	62	Montana	72,451	216	298
Alabama	37,375	1	:	Nebraska	32,563	51	157
Alaska	114,725	31	27	Nevada	54,090	12	22
Arizona	380,812	595	156	New Hampshire	4,457	0	..
Arkansas	33,723	4	:	New Jersey	69,225	2	:
California	672,261	19	3	New Mexico	240,707	208	86
Colorado	97,387	27	28	New York	207,224	21	10
Connecticut	26,540	0	..	North Carolina	169,391	37	22
Delaware	7,409	0	..	North Dakota	41,135	200	486
District of Columbia	4,427	1	:	Northern Mariana Islands	12	0	..
Florida	122,958	7	:	Ohio	36,803	0	..
Georgia	62,545	3	:	Oklahoma	382,638	347	91
Guam	214	0	..	Oregon	80,463	36	45
Hawaii	5,519	1	:	Pennsylvania	58,507	1	:
Idaho	33,217	37	111	Puerto Rico	17,870	0	..
Illinois	80,636	3	:	Rhode Island	13,389	0	..
Indiana	31,432	0	..	South Carolina	31,408	0	..
Iowa	19,362	19	98	South Dakota	77,761	500	643
Kansas	36,584	6	:	Tennessee	39,008	2	:
Kentucky	14,941	1	:	Texas	321,144	13	4
Louisiana	39,700	1	:	Utah	52,700	40	76
Maine	9,838	1	:	U.S. Virgin Islands	371	0	..
Maryland	45,446	0	..	Vermont	2,586	0	..
Massachusetts	37,616	1	:	Virginia	52,009	2	:
Michigan	75,008	30	40	Washington	155,140	110	71
Minnesota	80,211	65	81	West Virginia	4,920	1	:
Mississippi	19,072	17	89	Wisconsin	72,317	30	41
Missouri	38,507	3	:	Wyoming	16,279	57	350

Note: AIAN denotes American Indian or Alaska Native. Arrest rates are computed by dividing the average number of arrests of AIAN persons FY 2021 to 2023 by the average number of AIAN persons in the United States on July 1 for the years 2021 to 2023 and multiplying by 100,000.

.. Not calculated.

: Not shown. Estimate based on fewer than 10 cases.

Source: Bureau of Justice Statistics, based on data from the U.S. Marshals Service CAPTURE database, fiscal year, and national resident AIAN population estimates developed by the U.S. Census Bureau (see *Methodology*).

APPENDIX TABLE 5

Counts and rates for figure 3: Federal incarceration rate of AIAN persons, by sex, fiscal yearend 2003–2023

Fiscal year	AIAN persons in federal prison at fiscal yearend by sex						AIAN population		
	Total		Male		Female		Total	Male	Female
	Number	Rate per 100,000	Number	Rate per 100,000	Number	Rate per 100,000			
2003	2,421	81.8	2,224	150.6	197	13.4	2,960,911	1,476,657	1,470,918
2004	2,682	87.7	2,457	161.0	225	14.8	3,057,853	1,526,559	1,517,958
2005	2,910	92.1	2,651	167.8	259	16.5	3,161,108	1,579,417	1,568,355
2006	3,000	91.7	2,724	166.4	276	17.0	3,272,002	1,637,319	1,621,347
2007	3,083	90.9	2,773	163.2	310	18.5	3,390,549	1,699,452	1,677,761
2008	3,191	90.7	2,843	161.0	348	20.0	3,518,214	1,766,088	1,738,790
2009	3,305	90.5	2,932	159.7	373	20.7	3,650,102	1,835,413	1,801,353
2010	3,401	90.1	3,021	159.3	380	20.5	3,772,966	1,896,440	1,856,739
2011	3,575	93.4	3,172	165.0	403	21.4	3,826,350	1,922,421	1,884,142
2012	3,644	93.8	3,252	166.7	392	20.5	3,883,170	1,950,732	1,912,651
2013	3,692	93.8	3,296	166.7	396	20.4	3,937,116	1,977,477	1,939,852
2014	3,674	92.0	3,290	164.1	384	19.5	3,992,267	2,004,573	1,967,907
2015	3,557	87.9	3,207	157.8	350	17.5	4,048,036	2,032,168	1,996,081
2016	3,539	86.2	3,194	155.1	345	17.0	4,103,688	2,059,447	2,024,454
2017	3,759	90.4	3,354	160.8	405	19.7	4,158,132	2,085,607	2,052,738
2018	3,736	88.7	3,366	159.4	370	17.8	4,211,993	2,111,827	2,080,379
2019	3,730	87.5	3,339	156.3	391	18.6	4,263,696	2,136,655	2,107,254
2020	3,271	75.7	2,952	135.7	319	15.0	4,320,579	2,175,205	2,126,907
2021	3,475	79.6	3,099	141.1	376	17.5	4,365,773	2,196,437	2,150,869
2022	3,660	82.6	3,271	146.8	389	17.8	4,431,450	2,228,511	2,184,472
2023	3,698	82.1	3,324	146.7	374	16.8	4,504,884	2,265,334	2,221,083
Percent change, 2022–2023		-0.6%		:%		-5.4%	1.7%	1.7%	1.7%
Average annual percent change, 2003–2023*		:%		-0.1%		1.2%	2.1%	2.2%	2.1%

Note: Incarceration rates are computed by dividing the number of federally sentenced AIAN persons incarcerated in the Federal Bureau of Prisons (FBOP) by the number of AIAN persons in the United States and multiplying by 100,000. The unit of count is the individual, federally sentenced person in the custody of FBOP on September 30, 2003 and 2023. Includes persons sentenced in U.S. district court. Excludes persons sentenced to FBOP by the District of Columbia Superior Court, military prisoners transferred to FBOP facilities to serve their sentence, U.S. citizen prisoners transferred to the United States from another country to serve their sentence closer to home, and persons convicted of a state offense but serving time in a federal prison for their security needs. AIAN total population includes U.S. territories while sex breakout does not.

*Average annual percent change measures the change over a period of 2 years or more. It shows the average rate of increase (or decrease) per year from 2003 to 2023. See *Methodology*.

: Not shown. Percent change less than 0.1%.

Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal yearend, and national resident AIAN population estimates developed by the U.S. Census Bureau (see *Methodology*).

APPENDIX TABLE 6

Counts and rates for map 3: Incarceration rate of federally sentenced AIAN persons, by state and U.S. territory, fiscal yearend 2021–2023

State/territory	Average U.S. AIAN population (2021–2023)	Average number of AIAN persons in federal prison (2021–2023)		State/territory	Average U.S. AIAN population (2021–2023)	Average number of AIAN persons in federal prison (2021–2023)	
		Number	Rate per 100,000			Number	Rate per 100,000
Total	4,434,033	3,609	81	Montana	72,451	298	411
Alabama	37,375	4	:	Nebraska	32,563	81	249
Alaska	114,725	32	28	Nevada	54,090	22	41
Arizona	380,812	757	199	New Hampshire	4,457	0	..
Arkansas	33,723	10	:	New Jersey	69,225	2	:
California	672,261	28	4	New Mexico	240,707	253	105
Colorado	97,387	37	38	New York	207,224	23	11
Connecticut	26,540	1	:	North Carolina	169,391	132	78
Delaware	7,409	0	..	North Dakota	41,135	217	528
District of Columbia	4,427	0	..	Northern Mariana Islands	12	0	..
Florida	122,958	10	:	Ohio	36,803	1	:
Georgia	62,545	5	:	Oklahoma	382,638	370	97
Guam	214	0	..	Oregon	80,463	34	42
Hawaii	5,519	3	:	Pennsylvania	58,507	4	:
Idaho	33,217	51	154	Puerto Rico	17,870	0	:
Illinois	80,636	5	:	Rhode Island	13,389	0	..
Indiana	31,432	1	:	South Carolina	31,408	3	:
Iowa	19,362	48	248	South Dakota	77,761	581	747
Kansas	36,584	14	38	Tennessee	39,008	3	:
Kentucky	14,941	3	:	Texas	321,144	26	8
Louisiana	39,700	3	:	Utah	52,700	53	101
Maine	9,838	3	:	U.S. Virgin Islands	371	0	..
Maryland	45,446	1	:	Vermont	2,586	0	..
Massachusetts	37,616	3	:	Virginia	52,009	6	:
Michigan	75,008	72	96	Washington	155,140	100	64
Minnesota	80,211	133	166	West Virginia	4,920	2	:
Mississippi	19,072	24	126	Wisconsin	72,317	48	66
Missouri	38,507	13	34	Wyoming	16,279	89	547

Note: AIAN denotes American Indian or Alaska Native. Incarceration rates are computed by dividing the 3-year average number of federally sentenced AIAN persons incarcerated in the Federal Bureau of Prisons (FBOP) on September 30 (2021–2023) by the 3-year average number of AIAN persons in the United States on July 1 (2021–2023) and multiplying by 100,000. Includes persons sentenced in U.S. district court. Excludes persons sentenced to the FBOP by the District of Columbia Superior Court, military prisoners transferred to FBOP facilities to serve their sentences, U.S. citizen prisoners transferred to the United States from another country to serve their sentences closer to home, and persons convicted of a state offense but serving time in a federal prison for their security needs.

.. Not calculated.

: Not shown. Too few cases to provide a reliable estimate.

Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal yearend, and national resident AIAN population estimates developed by the U.S. Census Bureau (see *Methodology*).

APPENDIX TABLE 7

Percents for figure 4: Percent of AIAN persons released from a U.S. district court commitment in FYs 2018–2020 who were returned to federal prison within 3 years, by month after release

Months after release	Percent of released persons
6 months	3.4%
12 months	11.1
18 months	17.9
24 months	23.1
30 months	26.7
36 months	30.7

Note: AIAN denotes American Indian or Alaska Native. Describes 2,923 AIAN persons returning to federal prison following a release from a U.S. district court commitment. Releases from October 1, 2017 to September 30, 2020 were combined, each release from prison was tracked for 3 years, and returns to federal prison were flagged. Persons released from prison following incarceration for a supervision violation or U.S. Customs and Border Protection/Immigration and Customs Enforcement detainees were excluded.

Source: Bureau of Justice Statistics, based on data from the Federal Bureau of Prisons, SENTRY database, fiscal years 2018–2023.

APPENDIX TABLE 8

Percents for figure 5: AIAN persons under federal post-conviction supervision, by sex and commitment offense, fiscal yearend 2023

Commitment offense*	Male	Female
Murder	12.5%	6.9%
Assault	14.8	11.6
Sexual abuse	20.5	1.9
Violent other	1.5	0.9
Property fraud	2.2	9.6
Property other	5.6	7.7
Drug	15.8	42.9
Public order	11.7	5.6
Weapons	13.2	2.9
Immigration	2.3	10.0

Note: AIAN denotes American Indian or Alaska Native. The unit of count is the individual federally sentenced AIAN person under federal post-conviction supervision on September 30, 2023.

*Murder includes nonnegligent manslaughter; other violent offenses include robbery, kidnapping, and threatening communications; other property offenses include destruction of property and trespassing; and public order offenses include regulatory violations, other sex offenses, obstruction of justice, traffic, and unclassifiable offenses.

Source: Bureau of Justice Statistics, based on data from the Administrative Office of the U.S. Courts, Probation and Pretrial Services Office, Probation and Pretrial Services Automated Case Tracking System, fiscal year 2023.

APPENDIX TABLE 9**Counts for map 4: Average number of AIAN persons in the U.S. population, by state and U.S. territory, 2021–2023**

State/territory	Average U.S. AIAN population (2021–2023)	State/territory	Average U.S. AIAN population (2021–2023)
Total	4,434,033	Montana	72,451
Alabama	37,375	Nebraska	32,563
Alaska	114,725	Nevada	54,090
Arizona	380,812	New Hampshire	4,457
Arkansas	33,723	New Jersey	69,225
California	672,261	New Mexico	240,707
Colorado	97,387	New York	207,224
Connecticut	26,540	North Carolina	169,391
Delaware	7,409	North Dakota	41,135
District of Columbia	4,427	Northern Mariana Islands*	12
Florida	122,958	Ohio	36,803
Georgia	62,545	Oklahoma	382,638
Guam*	214	Oregon	80,463
Hawaii	5,519	Pennsylvania	58,507
Idaho	33,217	Puerto Rico**	17,870
Illinois	80,636	Rhode Island	13,389
Indiana	31,432	South Carolina	31,408
Iowa	19,362	South Dakota	77,761
Kansas	36,584	Tennessee	39,008
Kentucky	14,941	Texas	321,144
Louisiana	39,700	Utah	52,700
Maine	9,838	U.S. Virgin Islands*	371
Maryland	45,446	Vermont	2,586
Massachusetts	37,616	Virginia	52,009
Michigan	75,008	Washington	155,140
Minnesota	80,211	West Virginia	4,920
Mississippi	19,072	Wisconsin	72,317
Missouri	38,507	Wyoming	16,279

Note: AIAN denotes American Indian or Alaska Native. Single-race population estimates are used to generate counts of AIAN persons in the U.S. population.

*Source: 2020 Decennial Census of Island Areas, P1, U.S. Census Bureau.

**Source: 2020 Decennial Census, Table P8, U.S. Census Bureau.

Source: Bureau of Justice Statistics, based on data from the U.S. Census Bureau, CO-EST2023-ALLDATA: Annual Resident Population Estimates, Estimated Components of Resident Population Change, and Rates of the Components of Resident Population Change for States and Counties: April 1, 2020 to July 1, 2023. See <https://www2.census.gov/programs-surveys/popest/technical-documentation/file-layouts/2020-2023/CO-EST2023-ALLDATA.pdf>.

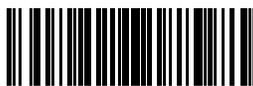


The Bureau of Justice Statistics of the U.S. Department of Justice is the principal federal agency responsible for measuring crime, criminal victimization, criminal offenders, victims of crime, correlates of crime, and the operation of criminal and civil justice systems at the federal, state, tribal,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

This report was written by Mark Motivans, PhD, and Ryan Kling. Rachel Seo-Park, PhD, verified the report.

Jonathan Fusfield edited the report. Jeffrey Link produced the report.

March 2026, NCJ 310479



NCJ 310479

Office of Justice Programs
Building Solutions • Supporting Communities • Advancing Justice
www.ojp.gov