

ISSUE BRIEF

# Who Is Incarcerated in New York's Prisons?



For additional data and direct reports from people inside prison, visit [www.cany.org](http://www.cany.org).

## OVERVIEW

This issue brief provides data on the people incarcerated in New York State's prisons. Currently, in 2018, there just over 51,000 individuals confined in 54 facilities. To understand these numbers in context, this brief describes:

- **Context:** Recent declines in the total number of people incarcerated in New York State (page 2);
- **Changes:** The trends driving these recent declines and how the composition of those incarcerated has shifted over the last decade (page 4); and
- **Characteristics:** The key demographic data about people in prison (page 6).

Throughout, this brief compares New York with other states.

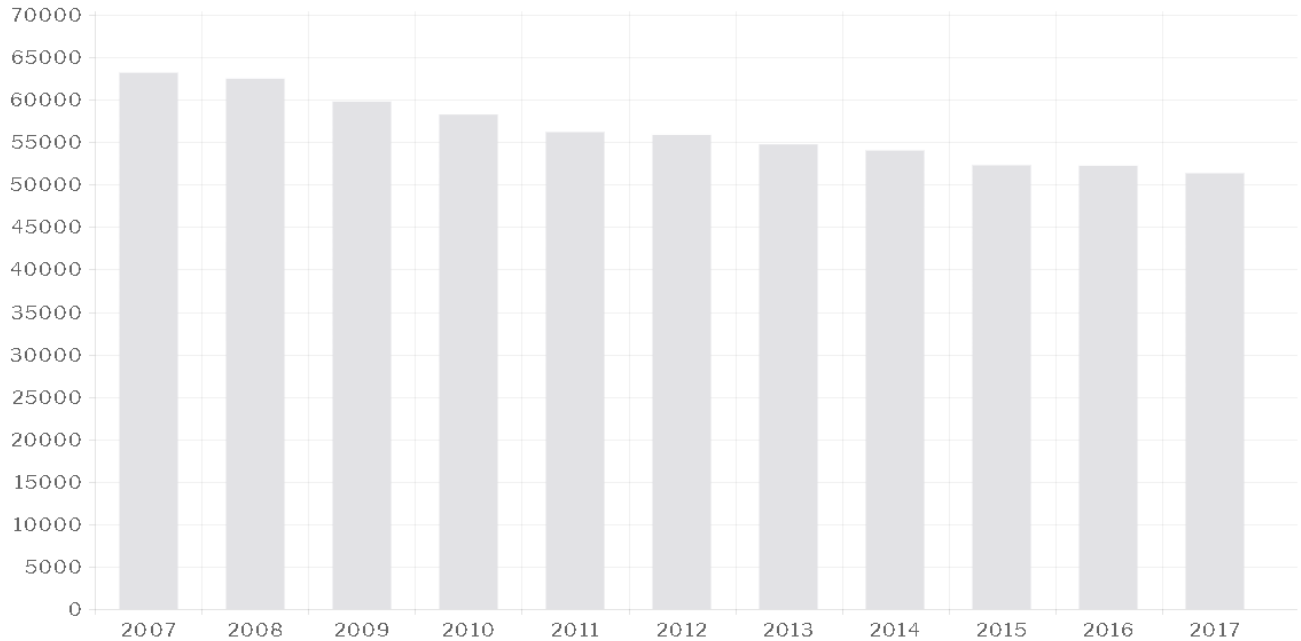
### KEY TAKEAWAYS

- In the last decade, the number of people incarcerated in New York's prisons has fallen by nearly 20%, declining at a faster rate than many other state prison populations.
- Despite these declines, today's state prison population is over 400% larger than in 1973, before the current era of mass incarceration and the people who are in prison are staying for much longer periods: on average, the number of months until earliest possible release date increased by 390% percent between 2007 and 2017.
- Today's prison population is majority male, Black or Hispanic, and comes from parts of New York other than New York City.

## CONTEXT: New York's Declining Use of Prison

The number of people incarcerated in New York State's prisons has fallen by nearly 20% in the last ten years and is down 29% from a peak of 71,500 in 1999. Despite these declines, the number of people in prison today – just over 51,000 individuals – is over 400% larger than in 1973, before the current era of mass incarceration.

### Number of people in New York's prisons

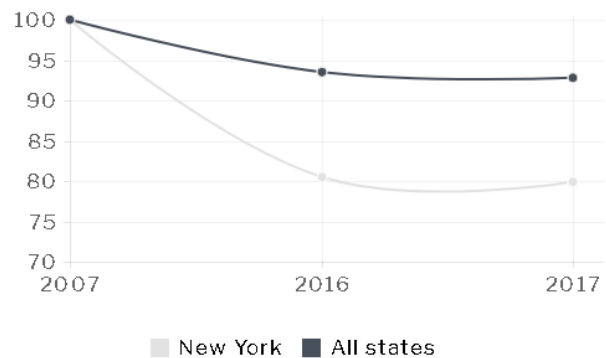


Source: New York State Department of Corrections and Community Supervision

Over the last decade, many states across the country have reduced the number of people in prison, leading to an average decline of -7.2% across all states. **For many years, New York led the charge, reducing its prison population by 17.2% between 2007 and 2017.** New York's swifter rate of decline translated into 13.4% of the overall decrease in nationwide state prison populations in last ten years.

However, New York's rate of decline has tapered off in the last year, dipping below the nationwide average rate of decline in state prison populations: -.7% nationally compared to .6% in New York State.

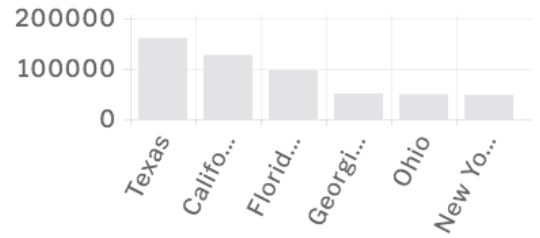
### Rate of decline in size of prison population



Source: Bureau of Justice Statistics

New York is among the states with the highest number of people in prison. **New York has the sixth largest prison population of any state** and is the fourth most populous state in the country.

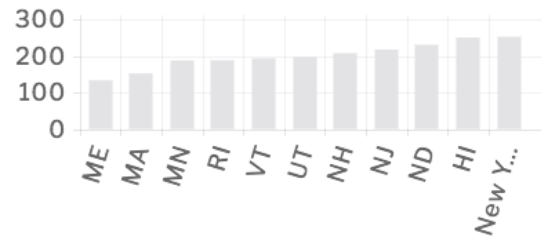
### States with largest prison populations



Source: Bureau of Justice Statistics

However, despite the overall number of people incarcerated in state prisons, **New York has the 11th lowest incarceration rate of all states** - meaning that it incarcerates fewer people per 100,000 residents than 38 other states.

### Per capita rate of incarceration



Source: Bureau of Justice Statistics

## CHANGES: How New York’s prison population has shifted over the last decade

The nearly 20% decline in the number of people in New York state’s prisons over the last decade was driven largely by changes in drug sentencing, explained in greater detail below. This section describes the four key ways in which these changes have affected the composition of the prison population in the last ten years.

### #1: Decline in incarceration for drug crimes

Following the removal of mandatory minimum sentences for drug offenses in 2009 — as part of the repeal of the Rockefeller Drug Laws, a change the Correctional Association played a central role in enacting — fewer individuals in New York have been sentenced to lengthy prison terms for drug crimes. This **reduced the percentage of those in prison who are serving sentences for a drug crime by 8.8% while increasing the percentage who are serving a sentence for a violent felony by 6.6%.**

**Percentage of state prison population serving a sentence for a drug crime**



**Percentage of state prison population serving a sentence for a violent felony**



Source: New York State Department of Corrections and Community Supervision

### #2: Longer Sentences and More Time Spent in Prison

On average, violent felony charges carry longer sentences than drug charges. As the percentage of the prison population facing violent felony charges has increased, those in prison tend to be incarcerated for longer periods of time. **On average, the number of months until earliest possible release date increased by 390% percent between 2007 and 2017.**

**Average minimum sentence**



**Average months to earliest possible release date**



**Average number of months already spent in prison**

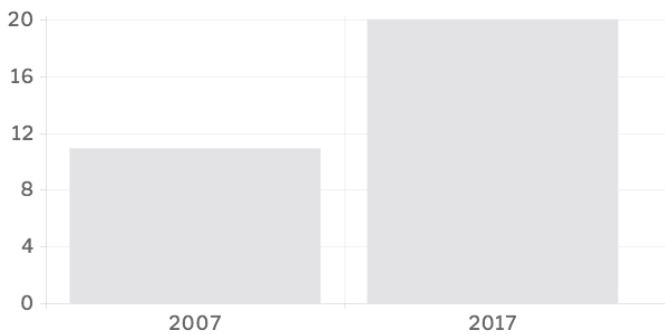


Source: New York State Department of Corrections and Community Supervision

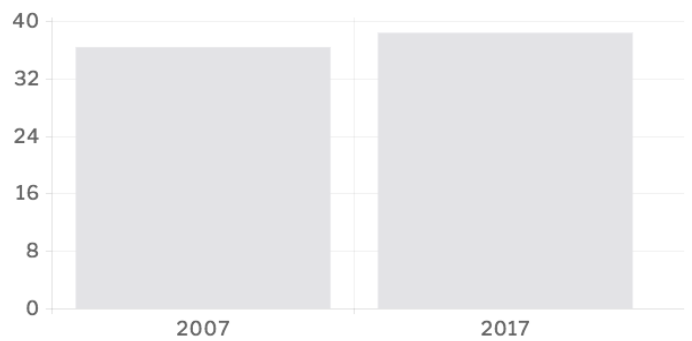
### #3: An Aging Prison Population

Longer periods spent in prison have produced a more significant aging prison population. While the overall number of people incarcerated in New York’s prisons dropped nearly 20% over the last decade, **the percentage of incarcerated people aged 50 or older nearly doubled — from 11% of the population in 2007 to 20.1% in 2017**. There are currently over 10,000 individuals who are 50-years-old or older incarcerated in state prisons.

**Percentage of prison population fifty-years or older**



**Average age**



Source: New York State Department of Corrections and Community Supervision

### #4: A Smaller Percentage of Individuals from New York City

In the last decade, New York City has enacted multiple policy and practice changes to reduce the number of arrests made and cases that result in a prison sentence. This has led to a change in the composition of the state prison population: ten years ago, the majority of individuals incarcerated in New York state prisons had cases that originated in New York City. **Today, a majority of individuals incarcerated in New York come from outside the five boroughs.**



Source: New York State Department of Corrections and Community Supervision

## CHARACTERISTICS: Key demographic data

Currently, the majority of the people in New York’s prisons come from counties outside New York City (57.2%), is male (95.4%) and is either Black or Latino (72%). Below is key demographic data for New York State’s prisons alongside relevant comparisons.

### Home county



- NYC
- Suburban NYC
- Upstate with large city
- Upstate other

Today, 57.3% of the prison population comes from counties outside the five boroughs, an increase from 46.5% in 2007.

### Age



- 20 or younger
- 21 to 29
- 30 to 39
- 40 to 49
- 50+

For the most part, the age distribution of New York’s prison population is similar to other states with two exceptions. While 2.9% of people in New York’s prisons are 20-years-old or younger, only .8% of those incarcerated in all other state prisons are.

### Number of children



- No children
- One child
- Two or three children
- Four or more children
- Unknown

The majority (61%) of people in New York prisons have at least one living child. Women are more likely than men to report having a living child (72% versus 60%).

### U.S. citizenship



- Citizen
- Not a U.S. citizen

A greater percentage of New York’s prison population (8.3%) is not U.S. citizens than the average of all other state prison populations (3.35%).

### Sex distribution



- Female
- Male

A smaller percentage of the individuals in New York’s prisons are women (4.6%) than the average of all other state prison populations (7.3%).

### Race and ethnicity



- Black
- White
- Hispanic
- Other

Nearly half (47.9%) of the individuals in New York’s prisons are Black, compared to a third on average in other states. A smaller percentage (24.7%) are white than the average of other states (31%) and a similar percentage are Latino (24.1% in New York, 21.4% in other states).

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