



**THE LOUISIANA PUBLIC DEFENDER BOARD
AT THE CROSSROADS
ETHICS AND LAW IN PUBLIC DEFENSE
(Executive Summary)**

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The noble ideal [of a fair trial] cannot be realized if the poor man charged with crime has to face his accusers without a lawyer to assist him. *Gideon v. Wainwright*, 373 U.S. 335 (1963).

EXECUTIVE SUMMARY

On April 27, 2015, in support of House Bill 605, a highly misleading and inaccurate memorandum and other documents were sent by the Louisiana District Attorneys Association (LDAA) to every member of the Louisiana Legislature’s House of Representatives. Through HB 605, the membership of the Louisiana Public Defender Board (LPDB) and enabling legislation contained in the Louisiana Public Defender Act (Act 307 of the 2007 Regular Legislative Session) came under attack. First the bill brought by the LDAA sought to strip capital representation from the LPDB. Imbedded within the bill was the removal of the rights of appeal and post-conviction representation. Based on the district attorneys association paper, replete with misinformation, untruths and inaccuracies, the Louisiana Public Defender Board responds with evidence-based factual corrections.

MYTH #1: Restriction of Services is a surprise

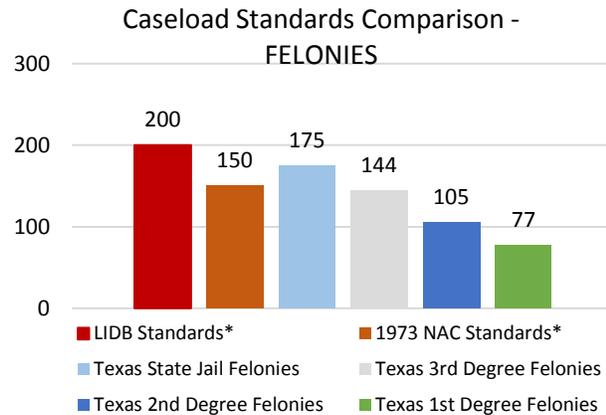
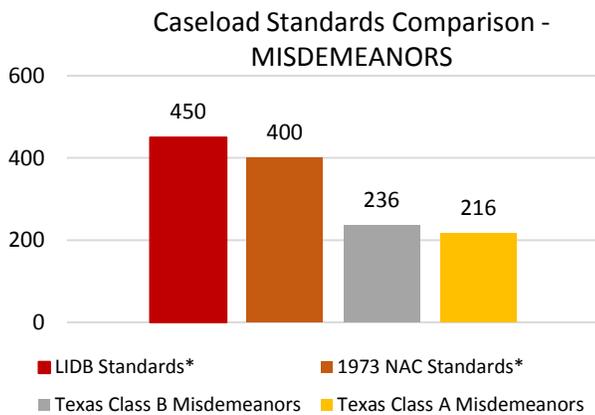
FACT

- ✓ The Service Restriction Protocol (LAC 22: XV, Chapter 17) was promulgated in 2012 to address excessive workload and insufficient funding.
- ✓ For years districts have been dependent on fund balances to meet the gap between local revenues, supplemental state funding, and expenditures.
- ✓ Legislative auditor reports have consistently noted fund balance depletion caused by insufficient revenues.

MYTH #2: LPDB attorney caseload standards are arbitrary

FACT

- ✓ Louisiana standards were promulgated by the Louisiana Indigent Defender Board (LIDB) in 1994. LIDB took the National Advisory Commission on Criminal Justice Standards and Goals (NAC Standards, 1973) and added 50 cases to all categories except capital.
- ✓ Louisiana standards exceed those of every other known caseload standard in the United States.



*Note: LIDB and NAC Standards are disjunctive. For example, if a public defender is assigned cases from more than one category, the combined weighted total should not exceed the equivalent of 450 misdemeanors.

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MYTH #3: LPDB inflates attorney caseloads

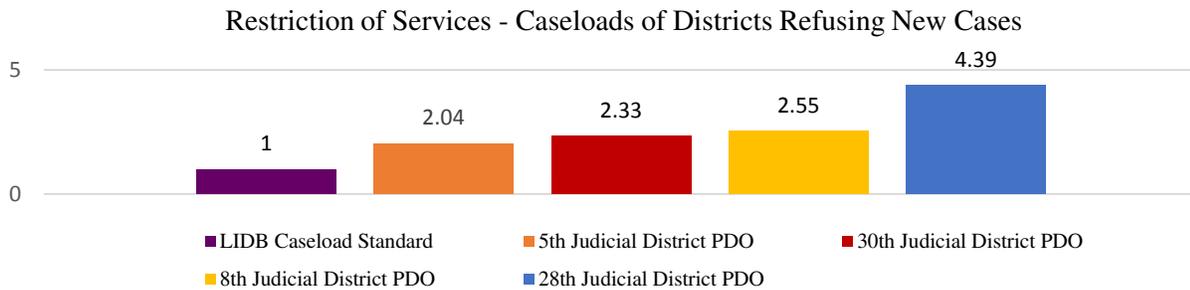
FACT

- ✓ LPDB’s database automatically changes the status of cases which have been dormant for more than six months, these cases are not considered open.
- ✓ LPDB conforms to the definition of a case as established in Louisiana R.S. §15:174(C).

MYTH #4: LPDB uses caseload standards to close district offices

FACT

- ✓ No local Public Defenders Offices have closed.
- ✓ Of the eight districts currently in restriction of services – three districts have eliminated the offices’ conflict panels (1st, 20th, and 26th); four districts are refusing new cases due to excessive existing caseloads (5th, 8th, 28th, and 30th); one has implemented a hiring freeze which has not affected client representation (19th).
- ✓ The four districts which are refusing new cases due to excessive caseloads all maintain caseloads more than two times the caseload standards.



MYTH #5: LPDB lacks accountability and oversight

FACT

- ✓ LPDB is an agency established within the Office of the Governor, overseen by the Senate Judiciary B Committee, the House Committee on the Administration of Criminal Justice, and the Louisiana Legislative Auditor.
- ✓ The Governor either directly appoints or must approve the appointments of six of the 15 board members, including the Board Chairperson.
- ✓ Other appointing entities include the Louisiana Supreme Court, Louisiana Bar Association, Louisiana Legislature, Louis A. Martinet Society, Louisiana Interchurch Conference, and the Louisiana Law Institute’s Children’s Code Committee.

MYTH #6: LPDB is short-changing local Public Defenders Offices to fund capital programs

FACT

- ✓ Capital cases are expensive. During testimony on HB 605, it was noted that one capital case can cost a District Attorney’s Office anywhere from \$500,000 to \$1,500,000. In contrast, LPDB spent approximately \$5,800,000 at the trial level on more than 70 potentially capital cases in calendar year 2014 – an average of less than \$83,000 per case.

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DEFENDING THE INDIGENT

A White Paper advocating an Effective Public Defender System

After decades of the systematic failure of the Public Defender System, in 2007, the Louisiana Legislature overhauled the district-by-district system to provide for a more uniform statewide system. At the center of Act 307 of 2007 is the creation of a state office to provide support for the local districts who provide client services across Louisiana. The Legislature understood its "... obligation ... to provide for the general framework and the resources necessary to provide for the delivery of public defender services in this state."

Nine years later, the Legislature has amended the statutory scheme that provides for public defender services, concluding that changes were necessary because the state board had generally acted without the input of the local districts. The concerns of the district defenders, who represent nearly a quarter of a million clients were largely ignored. The communication failure between the state board and staff and the 38 district defenders, and a lack of knowledge of the individual needs of each district, led to Act 571.

The creation of this board, and each individual appointment, is predicated upon the legislative intent that the state board, state staff, and individual districts, work together to provide services for each client that comport with the *Gideon Promise*: that each individual is represented by a trained, qualified, and competent attorney who has the resources necessary to prepare and provide a proper defense.

In this light, the district defenders present to this Board a white paper outlining five areas we believe require immediate attention. These concerns comport with the constituted

Public Defender Association of Louisiana mission – to provide every indigent defendant representation by a trained professional. This goal can only be accomplished if the new Louisiana Public Defender Board and its staff maintain a working relationship with the districts.

1. An open deliberative process built on two-way communication with the district defenders.

The most important part of any relationship is communication. The district defenders' core concerns are the state board's (1) failure to comply with open meetings law and (2) failure to respect the individual variations among the district courts. Both are mandates of Act 307 and both are essential in retaining support and building a political consensus for additional funding.

A. Open meetings law

The public defender scheme requires open meetings, limits executive sessions, requires written minutes, mandates on-line accessibility of minutes, and requires 24 hour advance notice of agendas. The purpose of these provisions is to ensure that district defenders and other members of the public are advised of and can participate in meetings. District defenders are not employees of the board. On behalf of independent political subdivisions they enter into a memorandum of understanding regarding regulatory matters. District defenders and line defenders cannot participate in the process unless properly advised of board meetings and items for discussion. A major recurring problem has been the failure of the board and staff to timely provide an agenda and board materials

to both board members and the public. To that end, this board should disseminate materials at least three business days prior to board meetings. In addition, this board should schedule the adoption of regulations only after the district defenders have been given time to provide input and comment on both a formal and informal basis.

B. Stakeholders

As this board embarks upon its duties, more than 1/2 of the districts will either remain in or be emerging from restriction of services. Districts have been forced into restriction of services because they lack adequate funding and resources. Meanwhile, some of the non-profit organizations that provide services for the state public defender system have been allowed to retain more than \$1 million in reserves. The state's expert witness fund presently has a balance of \$1.1 million. Experts and contract lawyers, all chosen by the state staff, are treated with priority under current policy, leaving thousands of local clients without counsel.

The state staff and their associates continue to operate as though there is no problem. This attitude is based in part on the failure of both the state board and state staff to consult with clients and local districts, and in believing its paid consultants' opinion that "District Defenders are the problem."

The near unanimous enactment of Act 517 of 2016 demonstrates that the Louisiana Supreme Court, the Legislature, and the Governor all disagree with the former board.

The new board cannot separate itself from district defenders and the purpose of Act

307 and hope to be successful.

2. Client-centered funding.

The primary mission of the Board is to provide effective representation at the trial court level. Otherwise worthwhile causes, such as the Innocence Project Of New Orleans, which receives LPDB funding of \$400,000.00 per year, fall outside the scope of the board's mission under Act 307. (in possible violation of the constitutional prohibition against gratuities cf. La. Const. Art. 7, Sec. 14) Those funds alone could have eased the financial burden for many districts and prevented the placing of clients on a wait list for representation.

The core mission of LPDB is further impeded by the incomprehensible District Assistance Fund (DAF). This "complex mathematical algorithm" is premised on erroneous assumptions and fails to take into consideration program size and the variations in the method of delivery of services. As a result, state funds are distributed in an arbitrary fashion which favors certain districts. Under the clear language of Act 517 the distribution of state funds to the districts must be premised on objective factors that can be articulated by the state board and staff and demonstrated to district defenders.

The size and expense of the state office and staff exceeds what is necessary to the mission of the LPDB and further reduces funds available to the districts. The budget for bureaucracy at the state level should be significantly reduced with the savings distributed to the districts to support client services. Additionally, the state staff should be reformed

to provide districts with necessary training and policy support. In the past, the staff has focused on regulation and management of the districts. Much of this “regulation” consists of a redundant emphasis on the rules of professional conduct, which sets forth the duties already imposed on all attorneys in Louisiana.

The inability to gain additional funding commensurate with the additional duties imposed on public defenders over the last eight years and the lack of a clear funding goal have contributed to the need for restriction of services. More can be accomplished by focusing on the needs of the individual districts through direct contact with the districts.

3. 501(c)(3) funding and contracts based on objective standards

Despite the failure of one capital defense contract program and the Board’s loss of \$600,000.00, which it could not recover from CAPOLA after its contract lapsed, the board has declined to fund capital defense handled by the districts. Even a district which has not lost a client to death row since 1978 was denied capital defense funding because the capital case coordinator decided that, “the programs in tax exempt firms can do the work cheaper and better.” The board has entered into contracts with these firms that fail to provide claw-back provisions when the death penalty is later withdrawn and the case reassigned to the district. This has resulted in these contract firms accumulating hundreds of thousands of dollars that are desperately needed by the local districts.

In part because of this philosophical management, the legislature in Act 517 provided that funding death penalty cases to the tune of \$8 million, within the framework

of the overall public defender system, requires more than “I said so.” The alternative is to build a community of strong district or regional offices with capital divisions compliant with national standards. These offices already employ capable and effective lawyers who want to work in capital defense, but who are disenfranchised by a system that centralizes capital defense with those chosen by the state. The current certification process has resulted in fewer death penalty certified attorneys, illustrated by the fact that only **two** attorneys living north of I-10 (and not working for a 501(c)(3)) are certified to provide capital defense services. (Emphasis added). The selection of certain firms by the state board and staff has essentially allowed a monopoly by three groups and has resulted in capital clients being placed on waiting lists.

4. Reports, forms, and redundant use of paper.

A full review of reports, forms, and information flow is critical. Act 307 required the board to hire a qualified, top-level information technologist. This mandate was not fulfilled. As a result, and despite the dedication of significant resources to create a statewide database, the staff cannot access the database to generate individual district information. Before Act 307, the state maintained a database at 1/10 the cost of the current system which provided the staff and districts with reciprocal access to all necessary information. The current system is cumbersome. It requires redundant input of data. And it requires the districts to generate reports which the staff should be able to generate.

The board should consider whether the staff should cease making requests for

reports from the districts that the staff should be able to generate. Every unnecessary report takes away from time that could be better spend providing services to our clients.

Conclusion

This white paper serves to outline a few of the immediate issues the district defenders urge this board to consider when it becomes functional. The district defenders will present many other issues for consideration in due course. There is a need for a state board and a staff to assist it. Under the previous framework the board and staff excluded the district defenders from the decision making process and the resulting lack of communication necessitated the passage of Act 517. The new mandate by the legislature recognizes that the district defenders should be front and center in the fight for indigent defense.

The district defenders and line defenders stand ready to work with the new board and the staff to assist in finding solutions to the funding problems, to assist in creating a fair and effecting means of distributing state funds to the districts, to comply with standards for effective representation and to provide trained professionals to effectively represent all public defender clients in the state of Louisiana.



Bureau of Justice Statistics Special Report

September 2006, NCJ 213600

Mental Health Problems of Prison and Jail Inmates

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BJS Statisticians

At midyear 2005 more than half of all prison and jail inmates had a mental health problem, including 705,600 inmates in State prisons, 78,800 in Federal prisons, and 479,900 in local jails. These estimates represented 56% of State prisoners, 45% of Federal prisoners, and 64% of jail inmates. The findings in this report were based on data from personal interviews with State and Federal prisoners in 2004 and local jail inmates in 2002.

Mental health problems were defined by two measures: a recent history or symptoms of a mental health problem. They must have occurred in the 12 months prior to the interview. A recent history of mental health problems included a clinical diagnosis or treatment by a mental health professional. Symptoms of a mental disorder were based on criteria specified in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM-IV).

Mental health problem	Percent of inmates in —		
	State prison	Federal prison	Local jail
Any mental problem	56%	45%	64%
Recent history	24	14	21
Symptoms	49	40	60

More than two-fifths of State prisoners (43%) and more than half of jail inmates (54%) reported symptoms that met the criteria for mania. About 23% of State prisoners and 30% of jail inmates reported symptoms of major depression. An estimated 15% of State prisoners and 24% of jail inmates reported symptoms that met the criteria for a psychotic disorder.

Highlights

High prevalence of mental health problems among prison and jail inmates

Selected characteristics	Percent of inmates in —			
	State prison		Local jail	
	With mental problem	Without	With mental problem	Without
Criminal record				
Current or past violent offense	61%	56%	44%	36%
3 or more prior incarcerations	25	19	26	20
Substance dependence or abuse	74%	56%	76%	53%
Drug use in month before arrest	63%	49%	62%	42%
Family background				
Homelessness in year before arrest	13%	6%	17%	9%
Past physical or sexual abuse	27	10	24	8
Parents abused alcohol or drugs	39	25	37	19
Charged with violating facility rules*	58%	43%	19%	9%
Physical or verbal assault	24	14	8	2
Injured in a fight since admission	20%	10%	9%	3%

*Includes items not shown.

- Nearly a quarter of both State prisoners and jail inmates who had a mental health problem, compared to a fifth of those without, had served 3 or more prior incarcerations.
- Female inmates had higher rates of mental health problems than male inmates (State prisons: 73% of females and 55% of males; local jails: 75% of females and 63% of males).
- About 74% of State prisoners and 76% of local jail inmates who had a mental health problem met criteria for substance dependence or abuse.
- Nearly 63% of State prisoners who had a mental health problem had used drugs in the month before their arrest, compared to 49% of those without a mental health problem.
- State prisoners who had a mental health problem were twice as likely as those without to have been homeless in the year before their arrest (13% compared to 6%).
- Jail inmates who had a mental health problem (24%) were three times as likely as jail inmates without (8%) to report being physically or sexually abused in the past.
- Over 1 in 3 State prisoners and 1 in 6 jail inmates who had a mental health problem had received treatment since admission.
- State prisoners who had a mental health problem were twice as likely as State prisoners without to have been injured in a fight since admission (20% compared to 10%).

A quarter of State prisoners had a history of mental health problems

Among all inmates, State prisoners were most likely to report a recent history of a mental health problem (table 1). About 24% of State prisoners had a recent history of a mental health problem, followed by 21% of jail inmates, and 14% of Federal prisoners.

A recent history of mental health problems was measured by several questions in the BJS' inmate surveys. Offenders were asked about whether in the past 12 months they had been told by a mental health professional that they had a mental disorder or because of a mental health problem had stayed overnight in a hospital, used prescribed medication, or received professional mental health therapy. These items were classified as indicating a recent history of a mental health problem.

State prisoners (18%), Federal prisoners (10%), and jail inmates (14%) most commonly reported that they had used prescribed medication for a mental problem in the year before arrest or since admission. They were least likely to report an overnight stay in a hospital for a mental health problem. Approximately, 5% of inmates in State prisons, 2% in Federal prisons, and 5% in local jails reported an overnight stay in a hospital for a mental health problem.

Prevalence of symptoms of mental disorders among prison and jail inmates

The Survey of Inmates in State and Federal Correctional Facilities, 2004, and the Survey of Inmates in Local Jails, 2002, included a modified structured clinical interview for the DSM-IV. The surveys collected information on experiences of inmates in the past 12 months that would indicate symptoms of major depression, mania, or psychotic disorders. The surveys did not assess the severity or duration of the symptoms, and no exclusions were made for symptoms due to medical illness, bereavement, or substance use. Inmates in mental hospitals or otherwise physically or mentally unable to complete the surveys were excluded from the sample.

Estimates of DSM-IV symptoms of mental disorder provide a baseline indication of mental health problems among inmates rather than a clinical diagnosis of mental illness. Major depression or mania symptoms covered a range of feelings and behaviors, such as persistent sadness, loss of interest in activities, insomnia or hypersomnia, psychomotor agitation, and persistent anger or irritability.

Insomnia or hypersomnia and persistent anger were the most frequently reported major depression or mania episodes with nearly half of jail inmates (49%) reporting these symptoms. Attempted suicide was the least reported symptom by State

prisoners (13%), Federal prisoners (6%) and local jail inmates (13%).

A psychotic disorder was indicated by any signs of delusions or hallucinations during the 12-month period. Delusions were characterized by the offenders' belief that other people were controlling their brain or thoughts, could read their mind, or were spying on them. Hallucinations included reports of seeing things others said they did not see or hearing voices others did not hear. Approximately, 24% of jail inmates, 15% of State prisoners, and 10% of Federal prisoners reported at least one symptom of psychotic disorder (table 1).

Symptoms in past 12 months or since admission	Percent of inmates in —			Number of positive responses	Percent of inmates in —		
	State prison	Federal prison	Local jail		State prison	Federal prison	Local jail
Major depressive or mania symptoms				Major depressive disorder symptoms			
Persistent sad, numb or empty mood	32.9%	23.7%	39.6%	0	29.5%	38.8%	22.8%
Loss of interest or pleasure in activities	35.4	30.8	36.4	1-2	26.1	27.9	23.8
Increased or decreased appetite	32.4	25.1	42.8	3-4	20.5	17.1	23.0
Insomnia or hypersomnia	39.8	32.8	49.2	5 or more	23.9	16.2	30.4
Psychomotor agitation or retardation	39.6	31.4	46.2	Mania disorder symptoms			
Feelings of worthlessness or excessive guilt	35.0	25.3	43.0	0	27.3%	35.6%	22.5%
Diminished ability to concentrate or think	28.4	21.3	34.1	1	21.5	23.3	17.0
Ever attempted suicide	13.0	6.0	12.9	2	20.5	17.7	20.1
Persistent anger or irritability	37.8	30.5	49.4	3	17.7	14.0	22.0
Increased/decreased interest in sexual activities	34.4	29.0	29.5	4	13.1	9.4	18.4
Psychotic disorder symptoms				Psychotic disorder symptoms			
Delusions	11.8%	7.8%	17.5%	0	84.6%	89.8%	76.0%
Hallucinations	7.9	4.8	13.7	1	11.1	7.8	16.8
				2	4.2	2.4	7.2

Note: Data are based on inmate self-report in the Survey of Inmates in State and Federal Correctional Facilities, 2004, and the Survey of Inmates in Local Jails, 2002. See *References* for sources on measuring symptoms of mental disorders based on a modified Structured Clinical Interview for the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM-IV).

Symptoms of mental disorder highest among jail inmates

Jail inmates had the highest rate of symptoms of a mental health disorder (60%), followed by State (49%), and Federal prisoners (40%). Symptoms of a mental health disorder were measured by a series of questions adopted from a structured clinical interview for diagnosing mental disorders based on the DSM-IV (see box on page 2 and *References* for sources on DSM-IV measures). The questions addressed behaviors or symptoms related to major depression, mania, or psychotic disorders that occurred in the 12 months before the interview.

To meet the criteria for major depression, inmates had to report a depressed mood or decreased interest or pleasure in activities, along with 4 additional symptoms of depression. In order to meet the criteria for mania, during the 12-month period inmates had to report 3 symptoms or a persistent angry mood. For a psychotic disorder, 1 symptom of delusions or hallucinations met the criteria.

The high rate of symptoms of mental health disorder among jail inmates may reflect the role of local jails in the criminal justice system. Jails are locally operated correctional facilities that receive offenders after an arrest and hold them for a short period of time, pending arraignment, trial, conviction, or sentencing. Among other functions, local jails hold mentally ill persons pending their movement to appropriate mental health facilities.

While jails hold inmates sentenced to short terms (usually less than 1 year), State and Federal prisons hold offenders who typically are convicted and sentenced to serve more than 1 year. In general, because of the longer period of incarceration, prisons provide a greater opportunity for inmates to receive a clinical mental health assessment, diagnosis, and treatment by a mental health professional.¹

¹Persons who have been judged by a court to be *mentally incompetent to stand trial or not guilty by reason of insanity* are not held in these correctional facilities and are not covered by this report.

Table 1. Recent history and symptoms of mental health problems among prison and jail inmates

Mental health problem	Percent of inmates in —		
	State prison	Federal prison	Local jail
Any mental health problem	56.2%	44.8%	64.2%
Recent history of mental health problem^a	24.3%	13.8%	20.6%
Told had disorder by mental health professional	9.4	5.4	10.9
Had overnight hospital stay	5.4	2.1	4.9
Used prescribed medications	18.0	10.3	14.4
Had professional mental health therapy	15.1	8.3	10.3
Symptoms of mental health disorders^b	49.2%	39.8%	60.5%
Major depressive disorder	23.5	16.0	29.7
Mania disorder	43.2	35.1	54.5
Psychotic disorder	15.4	10.2	23.9

Note: Includes inmates who reported an impairment due to a mental problem. Data are based on the Survey of Inmates in State and Federal Correctional Facilities, 2004, and the Survey of Inmates in Local Jails, 2002. See *Methodology* for details on survey sample. See *References* for sources on measuring symptoms of mental disorder based on a Structured Clinical Interview for the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM-IV).

^aIn year before arrest or since admission.

^bIn the 12 months prior to the interview.

Table 2. Prevalence of mental health problems among prison and jail inmates

Mental health problem	State prison inmates		Federal prison inmates		Local jail inmates	
	Number	Percent	Number	Percent	Number	Percent
Any mental health problem*	705,600	56.2%	70,200	44.8%	479,900	64.2%
History and symptoms	219,700	17.5	13,900	8.9	127,800	17.1
History only	85,400	6.8	7,500	4.8	26,200	3.5
Symptoms only	396,700	31.6	48,100	30.7	322,900	43.2
No mental health problem	549,900	43.8%	86,500	55.2%	267,600	35.8%

Note: Number of inmates was estimated based on the June 30, 2005 custody population in State prisons (1,255,514), Federal prisons (156,643, excluding 19,311 inmates held in private facilities), and local jails (747,529).

*Details do not add to totals due to rounding. Includes State prisoners, Federal prisoners, and local jail inmates who reported an impairment due to a mental problem.

High proportion of inmates had symptoms of a mental health disorder without a history

Around 4 in 10 local jail inmates and 3 in 10 State and Federal prisoners were found to have symptoms of a mental disorder without a recent history (table 2). A smaller proportion of inmates

had both a recent history and symptoms of mental disorder: 17% in State prisons, 9% in Federal prisons, and 17% in local jails.

An estimated 7% of State prisoners, 5% of Federal prisoners, and 3% of local jail inmates were found to have a recent history of a mental health problem and no symptoms.

About 1 in 10 persons age 18 or older in the U.S. general population met DSM-IV criteria for symptoms of a mental health disorder

• An estimated 11% of the U.S. population age 18 or older met criteria for mental health disorders, based on data in the National Epidemiologic Survey on Alcohol and Related Conditions, 2001-2002 (NESARC).

• Similar to the prison and jail inmate populations, females in the general population had higher rates of mental disorders than males (12% compared to 9%).

	Percent of U.S. population age 18 or older with symptoms of a mental disorder		
	Total	Male	Female
Any symptom	10.6%	8.7%	12.4%
Major depression ^a	7.9	5.5	10.1
Mania disorder ^a	1.8	1.6	2.0
Psychotic disorder ^b	3.1	3.2	3.1

Note: See *Methodology* for sources on mental health disorders in the general population.

^aIn the last 12 months, not excluding symptoms due to bereavement, substance use, or a medical condition.

^bBased on life-time occurrence.

Source: National Institute on Alcohol Abuse and Alcoholism, NESARC, 2001-2002.

Table 3. Prison and jail inmates who had a mental health problem, by selected characteristics

Characteristic	Percent of inmates in —		
	State prison	Federal prison	Local jail
All inmates	56.2%	44.8%	64.2%
Gender			
Male	55.0%	43.6%	62.8%
Female	73.1	61.2	75.4
Race			
White ^a	62.2%	49.6%	71.2%
Black ^a	54.7	45.9	63.4
Hispanic	46.3	36.8	50.7
Other ^{a,b}	61.9	50.3	69.5
Age			
24 or younger	62.6%	57.8%	70.3%
25-34	57.9	48.2	64.8
35-44	55.9	40.1	62.0
45-54	51.3	41.6	52.5
55 or older	39.6	36.1	52.4

^aExcludes persons of Hispanic origin.

^bIncludes American Indians, Alaska Natives, Asians, Native Hawaiians, other Pacific Islanders, and inmates who specified more than one race.

Mental health problems more common among female, white, and young inmates

Female inmates had much higher rates of mental health problems than male inmates. An estimated 73% of females in State prisons, compared to 55% of male inmates, had a mental health problem (table 3). In Federal prisons, the rate was 61% of females compared to 44% of males; and in local jails, 75% of females compared to 63% of male inmates.

The same percentage of females in State prisons or local jails (23%) said that in the past 12 months they had been diagnosed with a mental disorder by a mental health professional. This was almost three times the rate of male inmates (around 8%) who had been told they had a mental health problem.

Mental problem*	Percent of inmates in —			
	State prison		Local jail	
	Male	Female	Male	Female
Recent history	22%	48%	18%	40%
Diagnosed	8	23	9	23
Overnight stay	5	9	4	9
Medication	16	39	12	30
Therapy	14	32	9	23
Symptoms	48%	62%	59%	70%

*See table 1 for detailed description of categories.

Table 4. Homelessness, employment before arrest, and family background of prison and jail inmates, by mental health status

Characteristic	Percent of inmates in —					
	State prison		Federal prison		Local jail	
	With mental problem	Without	With mental problem	Without	With mental problem	Without
Homelessness in past year	13.2%	6.3%	6.6%	2.6%	17.2%	8.8%
Employed in month before arrest^a	70.1%	75.6%	67.7%	76.2%	68.7%	75.9%
Ever physically or sexually abused before admission	27.0%	10.5%	17.0%	6.4%	24.2%	7.6%
Physically abused	22.4	8.3	13.7	5.4	20.4	5.7
Sexually abused	12.5	3.8	7.3	1.7	10.2	3.2
While growing up —						
Ever received public assistance ^b	42.5%	30.6%	33.3%	24.9%	42.6%	30.3%
Ever lived in foster home, agency or institution	18.5	9.5	9.8	6.3	14.5	6.0
Lived most of the time with —						
Both parents	41.9%	47.7%	45.4%	50.5%	40.5%	49.1%
One parent	43.8	40.8	39.8	38.8	45.4	40.4
Someone else	11.6	10.2	13.5	10.3	12.0	9.4
Parents or guardians ever abused —	39.3	25.1	33.3	20.0	37.3	18.7
Alcohol	23.6	16.9	21.7	15.4	23.2	14.1
Drugs	3.1	1.9	2.2	1.4	2.7	1.1
Both alcohol and drugs	12.7	6.2	9.4	3.2	11.5	3.4
Neither	60.7	74.9	66.7	80.0	62.7	81.3
Family member ever incarcerated —	51.7%	41.3%	44.6%	38.9%	52.1%	36.2%
Mother	7.2	4.0	5.0	3.2	9.4	3.4
Father	20.1	13.4	15.3	9.9	22.1	12.6
Brother	35.5	29.4	29.4	27.0	34.8	25.8
Sister	7.0	5.1	5.5	4.2	11.3	5.1
Child	2.7	2.3	3.4	2.8	4.0	2.6
Spouse	1.7	0.9	2.6	1.8	2.4	0.9

^aThe reference period for jail inmates was in the month before admission.

^bPublic assistance includes public housing, AFDC, food stamps, Medicaid, WIC, and other welfare programs.

The prevalence of mental health problems varied by racial or ethnic group. Among State prisoners, 62% of white inmates, compared to 55% of blacks and 46% of Hispanics, were found to have a mental health problem. Among jail inmates, whites (71%) were also more likely than blacks (63%) or Hispanics (51%) to have a mental health problem.

The rate of mental health problems also varied by the age of inmates. Inmates age 24 or younger had the highest rate of mental health problems and those age 55 or older had the lowest rate. Among State prisoners, an estimated 63% of those age 24 or younger had a mental health problem, compared to 40% of those age 55 or older. An estimated 70% of local jail inmates age 24 or younger had a mental health problem, compared to 52% of those age 55 or older.

Homelessness, foster care more common among inmates who had mental health problems

State prisoners (13%) and local jail inmates (17%) who had a mental health problem were twice as likely as inmates without a mental health problem (6% in State prisons; 9% in local jails) to have been homeless in the year before their incarceration (table 4).

About 18% of State prisoners who had a mental health problem, compared to 9% of State prisoners who did not have a mental problem, said that they had lived in a foster home, agency, or institution while growing up.

Among jail inmates, about 14% of those who had a mental health problem had lived in a foster home, agency, or institution while growing up, compared to 6% of jail inmates who did not have a mental health problem.

Low rates of employment, high rates of illegal income among inmates who had mental problems

An estimated 70% of State prisoners who had a mental health problem, compared to 76% of those without, said they were employed in the month before their arrest. Among Federal prisoners, 68% of those who had a mental health problem were employed, compared to 76% of those who did not have a mental problem.

Among jail inmates, 69% of those who had a mental health problem reported that they were employed, while 76% of those without were employed in the month before their arrest.

Of State prisoners who had a mental health problem, 65% had received income from wages or salary in the month before their arrest. This percentage was larger for inmates without a mental health problem (71%). Over a quarter (28%) of State prisoners who had a mental health problem reported income from illegal sources, compared to around a fifth (21%) of State prisoners without a mental problem.

Sources of income ^a	Percent of State prison inmates	
	With mental problem	Without
Wages, salary	65%	71%
Welfare	6	4
Assistance from family or friends	14	8
Illegal income	28	21
Compensation payments ^b	9	6

^aIncludes personal income in month before arrest, except for compensation which was in the month before admission.

^bIncludes Supplemental Security Income (SSI) payments and pension.

High rates of both mental health problems and substance dependence or abuse among State prison and local jail inmates

- An estimated 42% of inmates in State prisons and 49% in local jails were found to have both a mental health problem and substance dependence or abuse.
- Slightly less than a quarter (24%) of State prisoners and a fifth (19%) of local jail inmates met the criteria for substance dependence or abuse only.

Table 5. Substance dependence or abuse among prison and jail inmates, by mental health status

Substance dependence or abuse	Percent of inmates in —					
	State prison		Federal prison		Local jail	
	With mental problem	Without	With mental problem	Without	With mental problem	Without
Any alcohol or drugs	74.1%	55.6%	63.6%	49.5%	76.4%	53.2%
Dependence	53.9	34.5	45.1	27.3	56.3	25.4
Abuse only	20.2	21.1	18.5	22.2	20.1	27.8
Alcohol	50.8%	36.0%	43.7%	30.3%	53.4%	34.6%
Dependence	30.4	17.9	25.1	12.7	29.0	11.8
Abuse only	20.4	18.0	18.6	17.7	24.4	22.8
Drugs	61.9%	42.6%	53.2%	39.2%	63.3%	36.0%
Dependence	43.8	26.1	37.1	22.0	46.0	17.6
Abuse only	18.0	16.5	16.1	17.2	17.3	18.4
No dependence or abuse	25.9%	44.4%	36.4%	50.5%	23.6%	46.8%

Note: Substance dependence or abuse was based on criteria specified in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition (DSM-IV). For details, see *Substance Dependence, Abuse and Treatment of Jail Inmates, 2002*, <<http://www.ojp.usdoj.gov/bjs/abstract/sdatj02.htm>>.

Past physical or sexual abuse more prevalent among inmates who had mental health problems

State prisoners who had a mental health problem (27%) were over two times more likely than those without (10%) to report being physically or sexually abused in the past.

Jail inmates who had a mental health problem were three times more likely than jail inmates without to have been physically or sexually abused in the past (24% compared to 8%).

Family members of inmates with mental problems had high rates of substance use and incarceration

Inmates who had a mental health problem were more likely than inmates without to have family members who abused drugs or alcohol or both. Among State prisoners, 39% of those

who had a mental health problem reported that a parent or guardian had abused alcohol, drugs, or both while they were growing up. In comparison, 25% of State prisoners without a mental health problem reported parental abuse of alcohol, drugs, or both.

A third (33%) of Federal prisoners who had a mental health problem, compared to a fifth (20%) of those without, reported that a parent or guardian had abused alcohol, drugs, or both while they were growing up.

An estimated 37% of jail inmates who had a mental health problem said a parent had abused alcohol, drugs, or both while they were growing up. This was almost twice the rate for jail inmates without a mental health problem (19%).

The majority of prison and jail inmates who had a mental health problem (52%) reported that they had a family member who had been incarcerated in the past. Among those without a mental health problem, about 41% of State inmates and 36% of jail inmates reported that a family member had served time.

Over a third of both State prisoners and local jail inmates who had a mental health problem (35%) had a brother who had served time in prison or jail. The rate for inmates without a mental health problem was 29% in State prisons and 26% in local jails.

Mental health problems and substance dependence or abuse	Percent of inmates in —		
	State prison	Federal prison	Local jail
Both	41.7%	28.5%	48.7%
Dependence or abuse only	24.4	27.3	18.9
Mental problems only	14.5	16.3	15.0
None	19.5	27.8	17.3

Inmates who had mental health problems had high rates of substance dependence or abuse

Among inmates who had a mental health problem, local jail inmates had the highest rate of dependence or abuse of alcohol or drugs (76%), followed by State prisoners (74%), and Federal prisoners (64%) (table 5). Substance dependence or abuse was measured as defined in the DSM-IV.²

Among inmates without a mental health problem, 56% in State prisons, 49% in Federal prisons, and 53% in local jails were dependent on or abused alcohol or drugs.

²For a detailed description of the DSM-IV measures, see *Substance Dependence, Abuse and Treatment of Jail inmates, 2002*, <http://www.ojp.usdoj.gov/bjs/abstract/sdatj02.htm.>

By specific type of substance, inmates who had a mental health problem had higher rates of dependence or abuse of drugs than alcohol. Among State prisoners who had a mental problem, 62% were dependent on or abused drugs and 51% alcohol. An estimated 63% of local jail inmates who had a mental problem were dependent on or abused drugs, while about 53% were dependent on or abused alcohol.

When dependence was estimated separately from abuse only, local jail inmates who had a mental health problem had the highest rate of drug dependence (46%). They were two and a half times more likely to be dependent on drugs than jail inmates without a mental problem (18%).

A larger percentage of State prisoners who had a mental health problem than those without were found to be dependent on drugs (44% compared to 26%). Among Federal prisoners, 37% who had a mental health problem were found to be dependent on drugs, compared to 22% of those without.

State prisoners (30%) and local jail inmates (29%) who had a mental health problem had about the same rate of alcohol dependence. A quarter of Federal prisoners (25%) who had a mental problem were dependent on alcohol.

Over a third of inmates who had mental health problems had used drugs at the time of the offense

Over a third (37%) of State prisoners who had a mental health problem said they had used drugs at the time of the offense, compared to over a quarter (26%) of State prisoners without a mental problem (table 6). Also, over a third (34%) of local jail inmates who had a mental health problem said they had used drugs at the time of the offense, compared to a fifth (20%) of jail inmates who did not have a mental problem.

Marijuana or hashish was the most common drug inmates said they had used in the month before the offense (table 7). Among inmates who had a mental health problem, more than two-fifths of those in State prisons (46%), Federal prisons (41%), or local jails (43%) reported they had used marijuana or hashish in the month before the offense.

Almost a quarter of inmates in State prisons or local jails who had a mental health problem (24%) reported they had used cocaine or crack in the month before the offense. A smaller percentage of inmates who had a mental health problem had used methamphetamines in the month before the offense — 13% of State prisoners, 11% of Federal prisoners, and 12% of jail inmates.

Binge drinking prevalent among inmates who had mental problems

Inmates who had a mental health problem were more likely than inmates without a mental problem to report a

Table 6. Substance use among prison inmates and convicted jail inmates, by mental health status

Type of substance	Percent of inmates in —					
	State prison		Federal prison		Local jail	
	With mental problem	Without	With mental problem	Without	With mental problem	Without
Alcohol or drugs						
Regular use ^a	87.1%	77.2%	82.3%	75.4%	89.9%	78.7%
In month before offense	80.3	70.4	75.8	68.1	81.6	69.6
At time of offense	53.2	42.5	41.1	30.6	53.8	42.8
Drugs						
Regular use ^a	75.5%	61.2%	71.0%	59.2%	78.1%	57.5%
In month before offense	62.8	49.1	57.1	45.2	62.1	41.7
At time of offense	37.5	25.8	31.1	23.0	34.0	19.8
Alcohol						
Regular use ^a	67.9%	58.3%	66.0%	58.2%	72.6%	61.8%
In month before offense	61.7	52.5	59.5	53.6	80.7	74.1
At time of offense	34.0	27.5	21.7	15.1	35.0	30.4
Binge drinking ^b	43.5	29.5	37.8	25.7	48.2	29.9

^aRegular alcohol use is defined as daily or almost daily or more than once a week for more than a month. Regular drug use is defined as once a week or more for at least one month.

^bBinge drinking is defined as having consumed a fifth of liquor in a single day, or the equivalent of 20 drinks, 3 bottles of wine, or 3 six-packs of beer.

Table 7. Drug use in the month before the offense among convicted prison and jail inmates, by mental health status

Types of drug used in month before offense	Percent of inmates in —					
	State prison		Federal prison		Local jail	
	With mental problem	Without	With mental problem	Without	With mental problem	Without
Any drug	62.8%	49.1%	57.1%	45.2%	62.1%	41.7%
Marijuana or hashish	45.7%	33.3%	41.2%	32.0%	43.4%	27.1%
Cocaine or crack	24.4	17.9	21.1	15.5	24.2	14.7
Heroin/opiates	8.9	7.2	7.2	4.7	9.6	4.6
Depressants ^a	7.3	3.0	6.7	2.7	8.5	2.0
Methamphetamines	12.6	8.8	10.9	9.6	11.7	6.2
Other stimulants ^b	5.8	2.8	4.5	2.5	5.2	2.4
Hallucinogens ^c	8.0	3.4	9.3	3.0	7.5	2.9

^aInclude barbiturates, tranquilizers, and quaaludes.

^bInclude amphetamines.

^cInclude LSD, PCP, and ecstasy.

binge drinking experience. Among State prisoners who had a mental health problem, 43% said they had participated in binge drinking in the past, compared to 29% of State prisoners without mental problems.

Similarly, jail inmates who had mental problems (48%) had a much higher rate of binge drinking than jail inmates without mental problems (30%).

Inmates who had a mental problem were more likely than inmates without to have been using alcohol at the time of the offense (State prisoners, 34% compared to 27%; Federal prisoners, 22% compared to 15%; and jail inmates, 35% compared to 30%).

Violent offenses common among State prisoners who had a mental health problem

Among State prisoners who had a mental health problem, nearly half (49%) had a violent offense as their most serious offense, followed by property (20%) and drug offenses (19%) (table 8). Among all types of offenses, robbery was the most common offense (14%), followed by drug trafficking (13%) and homicide (12%).

An estimated 46% of State prisoners without a mental health problem were held for a violent offense, including 13% for homicide and 11% for robbery.

About 24% of State prisoners without a mental problem were held for drug offenses, particularly drug trafficking (17%).

Almost an equal percentage of jail inmates who had a mental health problem were held for violent (26%) and property (27%) offenses. About 12% were held for aggravated assault. Jail inmates who had a mental health problem were two times more likely than jail inmates without a mental problem to be held for burglary (8% compared to 4%).

Use of a weapon did not vary by mental health status

Convicted violent offenders who had a mental health problem were as likely as those without to have used a weapon during the offense (table 9). An estimated 37% of both State prisoners who had a mental problem and those without said they had used a weapon during the offense.

By specific type of weapon, among convicted violent offenders in State prisons who had a mental health problem, slightly less than a quarter (24%) had used a firearm, while a tenth (10%) had used a knife or sharp object.

Violent criminal record more prevalent among inmates who had a mental health problem

State prisoners who had a mental health problem (61%) were more likely than State prisoners without (56%) to have a current or past violent offense.

Table 8. Most serious offense among prison and jail inmates, by mental health status

Most serious offense	Percent of inmates in —					
	State prison		Federal prison		Local jail	
	With mental problem	Without	With mental problem	Without	With mental problem	Without
Total	100%	100%	100%	100%	100%	100%
Violent offenses	49.0%	46.5%	16.0%	13.2%	26.5%	23.7%
Homicide	11.6	12.9	2.5	2.3	2.6	2.5
Sexual assault*	11.0	10.4	1.1	0.7	3.4	3.6
Robbery	13.6	11.3	9.6	7.6	5.7	5.1
Assault	10.5	9.7	2.0	1.9	12.5	10.5
Property offenses	19.6%	17.7%	7.2%	6.1%	26.9%	19.7%
Burglary	8.6	7.7	0.7	0.3	7.9	4.2
Larceny/theft	4.2	3.5	0.5	0.4	7.7	5.6
Fraud	3.0	2.7	4.9	4.5	5.3	4.2
Drug offenses	19.3%	23.8%	51.3%	58.3%	23.4%	27.0%
Possession	5.7	6.3	2.0	3.8	10.1	12.3
Trafficking	12.9	17.0	47.7	52.6	11.6	12.9
Public-order offenses	11.9%	11.9%	22.3%	19.0%	22.6%	29.3%
Weapons	2.6	2.4	14.0	8.5	2.3	1.4
DWI/DUI	2.2	3.2	0.2	0.2	5.5	8.1

Note: Summary categories include offenses not shown.
*Includes rape and other sexual assault.

Table 9. Use of weapon, by mental health status of convicted violent State prison and local jail inmates

Use of weapons	Percent of inmates in —			
	State prison		Local jail	
	With mental problem	Without	With mental problem	Without
Any weapon	37.2%	36.9%	20.6%	21.2%
Firearm	24.4	27.5	12.3	13.1
Knife or sharp object	10.2	7.4	6.1	5.1
Other weapons*	3.7	2.7	2.8	4.0
No weapon	62.8%	63.1%	79.4%	78.8%
Number of violent inmates	328,670	242,524	60,787	34,305

Note: Details do not add to total because inmates may have used more than one weapon.

*Other weapons include blunt objects, stun guns, toy guns, or other specified weapons.

Violent criminal record	Percent of State prison inmates with violent criminal record	
	With mental problem	Without
Any violent offense	61%	56%
Current violent offense, no prior	13	17
Violent recidivist	47	39

Note: Details may not add to total due to rounding.

Among repeat offenders, an estimated 47% of State prisoners who had a mental health problem were violent recidivists, compared to 39% of State prisoners without a mental problem (table 10).

Nearly a third (32%) of local jail inmates who had a mental health problem were repeat violent offenders, while about a quarter (22%) of jail inmates without a mental problem were violent recidivists.

A larger proportion of inmates who had a mental health problem had served more prior sentences than inmates without a mental problem (table 11). An estimated 47% of State prisoners who had a mental health problem, compared to 39% of those without, had served 3 or more prior sentences to probation or incarceration. Among jail inmates, 42% of those with a mental health problem had served 3 or more prior sentences to probation or incarceration, compared to 33% of jail inmates without a mental problem.

State prisoners who had mental health problems had longer sentences than prisoners without

Overall, State prisoners who had a mental health problem reported a mean maximum sentence that was 5 months longer than State prisoners without a mental problem (146 months compared to 141 months) (table 12). Among jail inmates, the mean sentence for those who had a mental problem was 5 months shorter than that for jail inmates without a mental problem (40 months compared to 45 months).

By most serious offense, excluding offenders sentenced to life or death, both violent State prisoners who had a mental health problem and those without had about the same mean sentence length. Violent State prisoners who had a mental health problem were sentenced to serve a mean maximum sentence length of 212 months and those without, 211 months.

Among prisoners sentenced to life or death, there was little variation in sentence length by mental health status (not shown in table). About 8% of State prisoners who had a mental health problem and 9% of those without were sentenced to life or death. Among Federal prisoners, 3% of both those who had a mental health problem and those without were sentenced to life or death.

Table 10. Criminal record of prison and jail inmates, by mental health status

Criminal record	Percent of inmates in —					
	State prison		Federal prison		Local jail	
	With mental problem	Without	With mental problem	Without	With mental problem	Without
No prior sentence	20.5%	27.0%	32.2%	36.9%	34.9%	43.3%
Current violent offense	13.4	16.9	5.1	4.9	12.1	13.8
Current drug offense	3.1	5.1	15.2	21.6	8.8	12.6
Current other offense	4.1	5.0	11.9	10.4	14.0	16.8
Violent recidivist	47.4%	39.2%	27.5%	23.8%	31.9%	22.4%
Current and prior violent	17.2	13.4	7.4	4.4	9.9	6.8
Current violent only	17.7	15.3	4.9	4.4	11.4	6.9
Prior violent only	12.5	10.4	15.3	15.0	10.5	8.7
Nonviolent recidivist	32.0%	33.8%	40.3%	39.2%	33.2%	34.3%
Prior drugs only	3.0	4.0	7.1	9.5	3.0	3.4
Other prior offenses	29.0	29.8	33.2	29.8	30.2	30.9

Note: Excludes inmates for whom offense and prior probation or incarceration sentences were unknown.

Table 11. Number of prior probation or incarceration sentences among prison and jail inmates, by mental health status

Number of prior sentences	Percent of inmates in —					
	State prison		Federal prison		Local jail	
	With mental problem	Without	With mental problem	Without	With mental problem	Without
0	22.1%	28.5%	34.1%	38.3%	24.5%	30.6%
1	15.3	16.1	14.9	16.5	16.8	18.9
2	15.5	16.8	15.6	14.9	16.7	17.2
3-5	26.3	24.0	21.3	20.1	22.8	20.3
6-10	13.9	10.6	10.0	7.1	12.4	8.6
11 or more	6.9	4.0	4.0	3.1	6.7	4.4

Note: Excludes inmates for whom prior probation or incarceration sentences were unknown.

Table 12. Mean maximum sentence length and mean total time expected to serve, by mental health status and offense

Most serious offense	Mean maximum sentence length ^a		Mean total time expected to serve until release ^b	
	With mental problem	Without	With mental problem	Without
State prison inmates				
All offenses ^c	146 mos	141 mos	93 mos	89 mos
Violent	212	211	139	138
Property	103	96	60	58
Drug	84	94	48	50
Public-order	81	66	51	40
Federal prison inmates				
All offenses ^c	128 mos	135 mos	99 mos	106 mos
Violent	174	202	119	131
Property	70	53	63	58
Drug	131	139	103	112
Public-order	102	100	87	83
Local jail inmates				
All offenses ^c	40 mos	45 mos	14 mos	18 mos
Violent	67	73	18	31
Property	41	36	16	14
Drug	40	59	18	25
Public-order	16	16	7	8

^aBased on the total maximum sentence for all consecutive sentences. Excludes inmates for whom offense was unknown.

^bBased on time served when interviewed and time to be served until the expected date of release. Excludes inmates for whom admission date or expected release date were unknown.

^cIncludes other offenses not shown.

State prisoners who had a mental health problem expected to serve 4 months longer than those without

Overall, the mean time State prisoners who had a mental health problem expected to serve was 4 months longer than State prisoners without a mental problem (93 months compared to 89 months). Among convicted jail inmates who expected to serve their time in a local jail, there was little variation by mental health status in the

amount of time expected to be served. About 55% of those who had a mental problem, and 54% of those without, expected to serve 6 months or less (table 13).

A third of State prisoners who had mental health problems had received treatment since admission

State prisoners who had a mental health problem (34%) had the highest rate of mental health treatment since admission, followed by Federal prisoners (24%) and local jail inmates (17%) (table 14).

All Federal prisons and most State prisons and jail jurisdictions, as a matter of policy, provide mental health services to inmates, including screening inmates at intake for mental health problems, providing therapy or counseling by trained mental health professionals, and distributing psychotropic medication.³

³See *Mental Health Treatment in State Prisons, 2000*, <<http://www.ojp.usdoj.gov/bjs/abstract/mhtsp00.htm>> and *Census of Jails, 1999*, <<http://www.ojp.usdoj.gov/bjs/abstract/cj99.htm>>.

More than a fifth of inmates (22%) in State prison who had a mental health problem had received mental health treatment during the year before their arrest, including 16% who had used prescribed medications, 11% who had professional therapy, and 6% who had stayed overnight in a hospital because of a mental or emotional problem.

Among jail inmates who had a mental health problem, an estimated 23% had received treatment during the year before their arrest: 17% had used medication, 12% had received professional therapy, and 7% had stayed overnight in a hospital because of a mental or emotional problem.

Taking a prescribed medication for a mental health problem was the most common type of treatment inmates who had a mental health problem had received since admission to prison or jail. About 27% of State prisoners, 19% of Federal prisoners, and 15% of jail inmates who had a mental problem had used prescribed medication for a mental problem since admission.

An overnight stay in a hospital was the least likely method of treatment inmates had received since admission. Among inmates who had a mental problem, about 5% of those in State prisons, 3% in Federal prisons, and 2% in local jails had stayed overnight in a hospital for a mental problem.

Use of medication for a mental health problem by State prisoners rose between 1997 and 2004

The proportion of State prisoners who had used prescribed medication for a mental health problem since admission to prison rose to 15% in 2004, up from 12% in 1997 (table 15). There was little change in the percentage of inmates who reported an overnight stay in a hospital since admission (around 3%), or in the percentage who had received professional mental health therapy (around 12%).

State prisoners who said they had ever used prescribed medication for a mental or emotional problem in the past rose to 24% in 2004, up from 19% in 1997. Overall, 31% of State prisoners said they had ever received mental health treatment in the past, up from 28% in 1997.

Table 13. Mean time expected to be served by convicted local jail inmates sentenced to jail

Mean time expected to be served	Percent of convicted local jail inmates	
	With mental problem	Without
Less than 3 months	27.4%	26.8%
3 to 6 months	27.9	27.3
7 to 12 months	24.0	22.4
13 to 24 months	9.7	8.7
25 to 36 months	3.7	3.4
37 to 60 months	3.2	5.0
More than 5 years	4.0	6.4
Number of inmates	115,290	72,356

Note: Excludes inmates for whom admission date or expected release date were unknown.

Table 14. Mental health treatment received by inmates who had a mental health problem

Type of mental health treatment	Percent of inmates who had a mental problem in —		
	State prison	Federal prison	Local jails
Ever received mental health treatment	49.3%	35.3%	42.7%
Had overnight hospital stay	20.0	9.5	18.0
Used prescribed medications	39.5	28.0	32.7
Had professional mental health therapy	35.4	25.6	31.1
Received treatment during year before arrest	22.3%	14.9%	22.6%
Had overnight hospital stay	5.8	3.2	6.6
Used prescribed medications	15.8	10.1	16.9
On prescribed medication at time of arrest	11.3	7.3	12.3
Had professional mental health therapy	11.5	8.0	12.3
Received treatment after admission	33.8%	24.0%	17.5%
Had overnight hospital stay	5.4	2.7	2.2
Used prescribed medications	26.8	19.5	14.8
Had professional mental health therapy	22.6	15.1	7.3

Note: Excludes other mental health treatment.

Table 15. Mental health treatment received by all State prison inmates, 2004 and 1997

Type of mental health treatment	Percent of State prison inmates	
	2004	1997
Ever any mental health treatment	31.2%	28.3%
Had overnight hospital stay	12.2	10.7
Used prescribed medications	23.9	18.9
Had professional mental health therapy	21.6	21.8
Had other mental health treatment	3.6	3.3
Received treatment after admission	19.3%	17.4%
Had overnight hospital stay	3.1	3.8
Used prescribed medications	15.1	12.3
Had professional mental health therapy	12.7	12.3
Had other mental health treatment	1.9	1.9
Number of inmates	1,226,171	1,059,607

Among jail inmates, in 2002 around 30% said they had received treatment for a mental health problem in the past, up from 25% in 1996. The proportion who had received treatment since admission (11%) was unchanged.

Mental health treatment	Percent of jail inmates	
	2002	1996
Ever any treatment	30%	25%
Overnight stay	12	10
Medication	22	17
Therapy	22	18
Other treatment	3	3
Since admission	11%	11%
Overnight stay	1	1
Medication	9	9
Therapy	5	4
Other treatment	1	--

--Less than 0.5%.

Rule violations and injuries from a fight more common among inmates who had a mental health problem

Prison or jail inmates who had a mental health problem were more likely than those without to have been charged with breaking facility rules since admission (table 16). Among State prisoners, 58% of those who had a mental health problem, compared to 43% of those without, had been charged with rule violations.

An estimated 24% of State prisoners who had a mental health problem, compared to 14% of those without, had been charged with a physical or verbal assault on correctional staff or another inmate. Among Federal prisoners who had a mental health problem, 15% had been charged with a physical or verbal assault on correctional staff or another inmate compared to 7% of those without a mental problem.

Jail inmates who had a mental health problem were twice as likely as those without to have been charged with

Three-quarters of female inmates in State prisons who had a mental health problem met criteria for substance dependence or abuse

Female State prisoners who had a mental health problem were more likely than those without to —

- meet criteria for substance dependence or abuse (74% compared to 54%),
- have a current or past violent offense (40% compared to 32%),
- have used cocaine or crack in the month before arrest (34% compared to 24%),
- have been homeless in the year before arrest (17% compared to 9%).

They were also more likely to report —

- 3 or more prior sentences to probation or incarceration (36% compared to 29%),
- past physical or sexual abuse (68% compared to 44%),
- parental abuse of alcohol or drugs (47% compared to 29%),
- a physical or verbal assault charge since admission (17% compared to 6%).

Characteristics of females in State prison, by mental health status

Selected characteristics	Percent of female inmates	
	With mental problem	Without
Criminal record		
Current or past violent offense	40.4%	32.2%
3 or more prior probations or incarcerations	35.9	28.7
Substance dependence or abuse	74.5%	53.6%
Alcohol	41.7	25.8
Drugs	65.5	45.6
Drug use in month before arrest*	63.7%	49.5%
Cocaine or crack	33.9	24.2
Methamphetamines	17.1	16.3
Family background		
Homeless in year before arrest	16.6%	9.5%
Past physical or sexual abuse	68.4	44.0
Parent abused alcohol or drugs	46.9	29.1
Charged with violating facility rules*	50.4%	30.6%
Physical or verbal assault	16.9	5.7
Injured in a fight since admission	10.3%	3.8%

*Includes items not shown.

facility rule violations (19% compared to 9%).

Inmates in local jails who had a mental health problem were also four times as likely as those without to have been charged with a physical or verbal assault on correctional staff or another inmate (8% compared to 2%).

A larger percentage of inmates who had a mental health problem had been injured in a fight since admission than those without a mental problem (State prisoners, 20% compared to 10%; Federal prisoners, 11% compared to 6%; jail inmates, 9% compared to 3%).

Table 16. Disciplinary problems among prison and jail inmates since admission, by mental health status

Type of disciplinary problem since admission	Percent of inmates in —					
	State prison		Federal prison		Local jail	
	With mental problem	Without	With mental problem	Without	With mental problem	Without
Charged with rule violations*	57.7%	43.2%	40.0%	27.7%	19.0%	9.1%
Assault	24.1	13.8	15.4	6.9	8.2	2.4
Physical assault	17.6	10.4	11.0	5.4	4.7	1.6
Verbal assault	15.2	6.7	7.9	2.4	5.2	0.9
Injured in a fight	20.4%	10.1%	11.4%	5.8%	9.3%	2.9%

*Includes violations not shown (for example: possession of a weapon, stolen property or contraband, drug law violations, work slowdowns, food strikes, setting fires or rioting, being out of place, disobeying orders, abusive language, horseplay, or failing to follow sanitary regulations).

Methodology

The findings in this report are based on data in the Survey of Inmates in State and Federal Correctional Facilities, 2004, and the Survey of Inmates in Local Jails, 2002. Conducted every 5 to 6 years since 1972, the BJS' inmate surveys are the only national source of detailed information on criminal offenders, particularly special populations such as drug and alcohol users and offenders who have mental health problems.

The survey design included a stratified two-stage sample where facilities were selected in the first stage and inmates to be interviewed in the second stage. In the second sampling stage, interviewers from the Census Bureau visited each selected facility and systematically selected a sample of inmates. Computer-assisted personal interviewing (CAPI) was used to conduct the interviews.

Survey of Inmates in State and Federal Correctional Facilities, 2004

The State prison sample was selected from a universe of 1,585 facilities. A total of 287 State prisons participated in the survey; 2 refused, 11 were closed or had no inmates to survey, and 1 was erroneously included in the universe. A total of 14,499 inmates in the State facilities were interviewed; 1,653 inmates refused to participate, resulting in a second-stage nonresponse rate of 10.2%.

The Federal prison sample was selected from 148 Federal prisons and satellite facilities. Thirty-nine of the 40 prisons selected participated in the survey. After the initial sample of inmates was drawn, a secondary sam-

ple of 1 in 3 drug offenders was selected. A total of 3,686 inmates in Federal facilities were interviewed and 567 refused to participate, resulting in a second-stage nonresponse rate of 13.3%.

Survey of Inmates in Local Jails, 2002

The local jail sample was selected from a universe of 3,365. Overall, 465 jails were selected, and interviews were held in 417 jails; 39 jails refused or were excluded for administrative reasons; and 9 were closed or had no inmates. A total of 6,982 inmates were interviewed; 768 inmates refused to participate, resulting in a second-stage nonresponse rate of 9.9%.

Accuracy of survey estimates

The accuracy of the survey estimates depends on sampling and measurement errors. Sampling errors occur by chance because a sample of inmates rather than all inmates were interviewed. Measurement error can be attributed to many sources, such as nonresponse, recall difficulties, differences in the interpretation of questions among inmates, and processing errors.

The sampling error, as measured by an estimated standard error, varies by the size of the estimate and the size of the base population. These standard errors may be used to construct confidence intervals around percentages. For example, the 95% confidence interval around the percentage of jail inmates in 2002 who had a mental health problem is approximately 64.2% plus or minus 1.96 times .83% (or 62.6% to 65.8%). Standard error tables for data in this report are provided in

the Appendix which is available in the electronic version of the report at <http://www.ojp.usdoj.gov/bjs/abstract/mhppji.htm>.

A detailed description of the methodology for the State and Federal Prison survey, including standard error tables and links to other reports or findings will be available at <http://www.icpsr.umich.edu> in Winter 2007. A detailed description of the methodology for the Survey of Inmates in Local Jails is available at <http://webapp.icpsr.umich.edu/cocoon/NACJD-STUDY/04359.xml>.

Measures of mental health problems in the general population

Caution should be used when making comparisons between prison and jail inmates and the general population based on the a 12-month DSM-IV structured interview. There are significant variations in the questionnaire design and data analysis. For example, questions on the severity or duration of symptoms and questions about whether symptoms are due to breavement, substance use, or a medical condition may vary from survey to survey.

For details on the methodology used in the National Epidemiologic Survey on Alcohol and Related Conditions, sponsored by the National Institute on Alcohol Abuse and Alcoholism, see the Data Reference Manual, <http://niaaa.census.gov/>. For additional information on the prevalence of mental disorders in the general population, see the National Survey on Drug Use and Health, sponsored by the Substance Abuse and Mental Health Services Administration, <http://www.oas.samhsa.gov/nsduh.htm>. Also, see the National Comorbidity Survey Replication Study, sponsored primarily by the National Institute of Mental Health, <http://www.nimh.nih.gov/healthinformation/ncs-r.cfm>.

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Tracy L. Snell, under the supervision of Allen J. Beck, was project manager for the Survey of Inmates in State and Federal Correctional Facilities.

For the State and Federal prisoners survey, at the U.S. Census Bureau Steven M. Bittner, Colette Heiston, and Kenneth Mayo carried out questionnaire design, data collection and processing, under the supervision of Marilyn M. Monahan, Demographic Surveys Division. Renee Arion programmed the questionnaire and Dave Keating programmed the listing instrument, under the supervision of Rob Wallace, Technologies Management Office. Programming assistance in the Demographic Surveys Division was provided by Chris Alaura, Mildred Ballenger, Bach-Loan Nguyen, and Scott Raudabaugh, under the supervision of David Watt.

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Contributors to the Survey of Inmates in Local Jails are listed in *Profile of Jail Inmates, 2002*, at <<http://www.ojp.usdoj.gov/bjs/abstract/pji02.htm>>.

September 2006, NCJ 213600

This report in portable document format and in ASCII and its related statistical data and tables— including appendix tables— are available at the BJS World Wide Web Internet site: <<http://www.ojp.usdoj.gov/bjs/mhppji.htm>>

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ARBITRARY JUSTICE
THE POWER OF
THE AMERICAN PROSECUTOR



ANGELA J. DAVIS

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To Howard Davis, my husband and the love of my life

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ARBITRARY JUSTICE



ONE



Prosecutorial Discretion: Power and Privilege

Delma Banks was convicted of capital murder in Texas and sentenced to death. Just ten minutes before he was scheduled to die, the United States Supreme Court stopped his execution and a year later reversed his sentence. The Court found that the prosecutors in his case withheld crucial exculpatory evidence.

Dwayne Washington was charged with assault with intent to kill and armed burglary in the juvenile court of Washington, D.C. Two adults were arrested with Dwayne and prosecuted in adult court. The prosecutors in the adult cases threatened to charge Dwayne as an adult if he refused to testify against the adults. When Dwayne said he could not testify against them because he didn't know anything about the crime, the prosecutors charged him as an adult, and he faced charges that carried a maximum sentence of life in an adult prison.

Andrew Klepper lived in Montgomery County, a suburb of Washington, D.C. He was arrested for attacking a woman with a baseball bat, sodomizing her at knifepoint with the same bat, and stealing over \$2,000 from her. The prosecutors in his case agreed to a plea bargain in which Andrew would plead guilty to reduced charges. As part of the agreement, Andrew would be placed on probation and sent to an out-of-state facility for severely troubled youth, where he would be in a locked facility for six to eight weeks, followed by intensive group therapy in an outdoor setting. Andrew's parents—a lawyer and a school guidance counselor—agreed to foot the bill. Andrew's two

accomplices—whose involvement in the crime was much less serious than Andrew's—each served time in jail.

All three of these cases illustrate the wide-ranging power and discretion of the American prosecutor. In each case, the prosecutor's actions profoundly affected the lives of the accused. Mr. Banks was almost executed by the state of Texas before the Supreme Court reversed his conviction. When Dwayne Washington told prosecutors he couldn't help them, they followed through on their threat to charge him as an adult and he faced charges that carried a life sentence in adult prison. The favorable treatment afforded Andrew Klepper allowed him to avoid prison after committing a violent sex offense—a rare occurrence in these types of cases.

The Supreme Court ultimately found that the prosecutors in Mr. Banks's case engaged in misconduct by failing to turn over exculpatory evidence, but the prosecutors were neither punished nor reprimanded. A trial judge found the prosecutor's behavior in Dwayne Washington's case to be vindictive and dismissed the charges against him. The prosecutor's decision in Andrew Klepper's case was never challenged; in fact, there was no legal basis for doing so.

I was a public defender at the Public Defender Service for the District of Columbia (PDS) for twelve years.¹ It was then that I learned of the formidable power and vast discretion of prosecutors. During my years at PDS, I noticed that prosecutors held almost all of the cards, and that they seemed to deal them as they saw fit. Although some saw themselves as ministers of justice and measured their decisions carefully, very few were humbled by the power they held. Most wanted to win every case, and winning meant getting a conviction. In one of its more famous criminal cases,² the U.S. Supreme Court, quoting a former solicitor general, stated that "the Government wins its point when justice is done in its courts."³ A paraphrased version of this quotation is inscribed on the walls of the U.S. Department of Justice: "The United States wins its point whenever justice is done its citizens in the courts."⁴ Yet most prosecutors with whom I had experience seemed to focus almost exclusively on securing convictions, without consideration of whether a conviction would result in the fairest or most satisfactory result for the accused or even the victim.

During my years as a public defender, I saw disparities in the way prosecutors handled individual cases. Cases involving educated, well-

to-do victims were frequently prosecuted more vigorously than cases involving poor, uneducated victims. The very few white defendants represented by my office sometimes appeared to receive preferential treatment from prosecutors. Although I saw no evidence of intentional discrimination based on race or class, the consideration of class- and race-neutral factors in the prosecutorial process often produced disparate results along class and race lines.

Sometimes neither race nor class defined the disparate treatment. At times it simply appeared that two similarly situated people were treated differently. Why did the prosecutor choose to give a plea bargain to one defendant and not another charged with the same offense? If there were a difference in prior criminal history or some other relevant factor, the disparate treatment would be explainable. But without a difference in the legitimate factors that prosecutors are permitted to consider in making these decisions, the disparities seemed unfair. Yet I saw such disparities all the time.

Prosecutors are the most powerful officials in the criminal justice system.⁵ Their routine, everyday decisions control the direction and outcome of criminal cases and have greater impact and more serious consequences than those of any other criminal justice official. The most remarkable feature of these important, sometimes life-and-death decisions is that they are totally discretionary and virtually unreviewable. Prosecutors make the most important of these discretionary decisions behind closed doors and answer only to other prosecutors. Even elected prosecutors, who presumably answer to the electorate, escape accountability, in part because their most important responsibilities—particularly the charging and plea bargaining decisions—are shielded from public view.

When prosecutors engage in misconduct, as in the cases of Delma Banks and Dwayne Washington, they rarely face consequences for their actions. Delma Banks almost lost his life, and Dwayne Washington lost his liberty and suffered the many other damaging effects of criminal prosecution, but their prosecutors just moved on to the next case. As for Andrew Klepper, perhaps he should have been afforded the opportunity to receive treatment and rehabilitation, but fairness demands that other similarly situated youth receive the same or similar opportunities. Current laws and policies do not require equitable treatment.

DISCRETION—A NECESSARY EVIL

Prosecutors certainly are not the only criminal justice officials who make important, discretionary decisions. Discretion is a hallmark of the criminal justice system, and officials at almost every stage of the process exercise discretion in the performance of their duties and responsibilities. In fact, without such discretion, there would be many more unjust decisions at every stage of the criminal process. A system without discretion, in which police, judges, and prosecutors were not permitted to take into account the individual facts, circumstances, and characteristics of each case, would undoubtedly produce unjust results.

Police officers, for example, who are most often at the front line of the criminal process, routinely exercise discretion when making decisions about whether to stop, search, or arrest a suspect. Although they are permitted to arrest an individual upon a showing of probable cause to believe he or she has committed a crime, they are not required to do so, and frequently do not. A police officer may observe two individuals involved in a fistfight. Such an observation provides probable cause to arrest the individuals. Yet the officer has the discretion to break up the fight, resolve the conflict between the individuals, and send them on their way without making an arrest. Such an exercise of discretion may well be in the interest of justice for all involved and would save the valuable resources of the court system for other, more serious offenses.

Traffic stops are among the most common of discretionary police decisions. There are hundreds of potential traffic violations, and every motorist commits at least a few each time he or she drives. Failing to come to a complete stop at a stop sign, driving over the speed limit, and changing lanes without signaling are just a few of the most common traffic violations for which police officers may issue tickets. They also are permitted to arrest drivers for some traffic violations,⁶ but are rarely required to do so. Few people would support a law that required police officers to stop and issue a ticket to every person who committed a traffic violation or to arrest every person who committed an arrestable traffic violation. In addition to the unpopularity of such a law, most would agree that the limited resources of most criminal justice systems should be preserved for more serious offenses.

Although discretion in the exercise of the police function appears necessary and desirable, the discretionary nature of police stops and

arrests sometimes produces unjust, discriminatory results. When police officers exercise their discretion to stop or arrest blacks or Latinos but not whites who are engaging in the same behavior, they are engaging in racial profiling—a practice that has been widely criticized⁷ and even outlawed⁸ in some jurisdictions.⁹ Thus, the discretion granted to police officers to make reasonable decisions in individual cases also sometimes produces unfair disparities along racial lines. Although the laws and policies passed to eliminate racial profiling may not totally control police discretion, they demonstrate society's recognition that such discretion must be scrutinized to assure fairness in our criminal justice system.

Judges exercise discretion in the criminal justice system as well. It is the role of the judge to make decisions in individual cases about everything from whether a particular defendant should be detained before his trial to what sentence he should receive if he is convicted of a crime. Judges who preside over trials must make decisions throughout the trial about numerous issues, including whether particular pieces of evidence should be admitted and whether to sustain or overrule objections. Although there are laws and rules that govern many of these decisions, most of them involve the exercise of judicial discretion. In fact, the standard appellate courts often use when reviewing a decision of a trial judge is whether her decision was "an abuse of discretion."¹⁰

Judges, however, like police officers, have been criticized widely for their discretionary decisions. If a judge releases a defendant pending his trial date and he is arrested for another crime, the judge is criticized for exercising discretion poorly.¹¹ Judges have received the most criticism for their sentencing decisions, primarily from individuals who have complained that a judge's sentence was not harsh enough in a particular case. In fact, widespread criticism of the exercise of judicial discretion resulted in the institution of mandatory minimum and sentencing guideline schemes in the federal government and many states. Like police officers, judges were accused of treating similarly situated defendants differently. Proponents of mandatory minimum sentencing laws and sentencing guidelines argued that all defendants who committed certain offenses should be sentenced to the same period of incarceration, regardless of other factors such as their socioeconomic background, education or lack thereof, or other factors that are unrelated to the offense. These laws severely curtailed, and in some instances, entirely eliminated, judicial discretion.¹²

Discretionary parole and pardon decisions also have been the object of harsh criticism. Highly publicized cases of individuals committing violent crimes after parole boards made discretionary release decisions¹³ were partially responsible for the elimination of parole in the federal system and in many states.¹⁴ Governors and the president may exercise their discretion to pardon individuals who have been convicted of crimes. However, several presidents in recent history were severely criticized for exercising this discretionary power.¹⁵

Just about every official who exercises power and discretion in the criminal justice system has been criticized, held accountable, and, in some instances, stripped of some of his or her power and discretion for making discretionary decisions that produce disparate or unfair results, with one exception—the prosecutor. Although numerous scholars in the legal academy have criticized the unchecked exercise of prosecutorial discretion,¹⁶ with a few exceptions,¹⁷ public criticism of prosecutors has been almost entirely absent. The U.S. Supreme Court consistently has deferred to and affirmed prosecutorial discretion.¹⁸ The legislative branch has acted accordingly. Most of the criminal laws passed by state legislatures and the U.S. Congress have served to increase rather than reduce prosecutorial power.¹⁹

If prosecutors always made decisions that were legal, fair, and equitable, their power and discretion would be less problematic. But, as has been demonstrated with police officers, judges, parole officers, and presidents, the exercise of discretion often leads to dissimilar treatment of similarly situated people. This is no less true for prosecutors than for any other government agent or official. In fact, since prosecutors are widely recognized as the most powerful officials in the criminal justice system, arguably they should be held more accountable than other officials, not less. However, for reasons that are not entirely clear, the judiciary, the legislature, and the general public have given prosecutors a pass. Prosecutors' power and discretion have not been reduced, even when their decisions have produced grave injustices in the criminal justice system, and the mechanisms of accountability that purport to hold them accountable have proven largely ineffective.²⁰ An examination of the history of the American prosecutor offers insight into how prosecutorial power developed and expanded but provides no support or justification for how it became so entrenched and accepted over time.

A BRIEF HISTORY OF THE AMERICAN PROSECUTOR

In the early Middle Ages, when no formal system of criminal justice existed in England, the crime victim acted as police, prosecutor, and judge.²¹ The victim and the victim's family tracked down the alleged criminal, decided on the appropriate punishment, and implemented it themselves.²² Such punishment included physical punishment, restitution, or both.²³ The victim of a crime or the victim's family brought all criminal prosecutions in English common law.²⁴ This model reflected the philosophical view that a crime involved a wrong against an individual rather than against society as a whole.²⁵ As the legal system became more complex, individuals and their families hired private barristers to prosecute cases.²⁶ Obviously, this system provided no legal redress for poor and uneducated victims of crime who could neither navigate the legal system nor hire legal assistance.²⁷ The only public prosecutor in English common law was the king's attorney, whose sole responsibility was to prosecute violations of the king's rights.²⁸

Reformists such as Jeremy Bentham and Sir Robert Peel argued that the English private prosecution system promoted abusive practices, such as arrangements between private attorneys and police to secure prosecutions, prosecutions initiated out of personal animosity or vengeance, and abandonment of prosecutions after corrupt financial settlements between the criminal defendant and the private prosecutor.²⁹ Reform efforts were met with great opposition from those who profited most from the private system—the rich and the legal profession.³⁰ In 1879, Parliament passed the Prosecutions of Offenses Act, which conferred limited prosecutorial powers on the director of public prosecutions.³¹ The Act did not eliminate private prosecutions entirely, but the involvement of the victim in the initiation of English prosecutions decreased significantly due to the development of modern police departments in the late nineteenth and early twentieth centuries.³²

Criminal prosecutions in colonial America mirrored the early English experience. Before the American Revolution, the crime victim maintained sole responsibility for apprehending and prosecuting the criminal suspect.³³ The victim conducted the investigation and acted as prosecutor if the case went to trial. Alternately, the victim hired a detective and a private lawyer to perform these functions.³⁴ If

convicted, the court frequently ordered the suspect to pay restitution to the victim.³⁵ Poor criminal defendants paid for their crimes by working for the victim as a servant or having their services sold for the financial benefit of the victim.³⁶ If the victim did not want these services or was unable to sell them, the law mandated that the victim pay the jailer for maintaining custody of the prisoner.³⁷

After the commercial revolution of the eighteenth century, the population in colonial America grew. Large urban areas began to develop, and the crime rate increased.³⁸ The private mode of prosecution could no longer maintain order in the rapidly growing colonies. Some victims negotiated private settlements with their offenders, resulting in sporadic, unequal applications of the law, as well as abuses similar to those that brought about the reform movement in England.³⁹

The colonies began to develop a system of public prosecution to combat the "chaos and inefficiency" of private prosecutions in a rapidly industrializing society.⁴⁰ This development occurred not only as a remedy for the problems and abuses of private prosecution but also as a result of the shift in philosophical view of crime and society. European scholars such as Cesare Beccaria argued that crime should be viewed as a societal problem, not simply as a wrong against an individual victim.⁴¹ Thus, several colonies adopted a system of public prosecution that sought to manage the crime problem in a manner that best served the interests of society as a whole.

In 1643, Virginia became the first colony to appoint a public prosecutor—the attorney general.⁴² Virginia modeled its system on the early English one. Other colonies' systems of public prosecution mirrored those of the native European countries of their early settlers.⁴³ Either the court or the governor appointed these first public prosecutors.⁴⁴ Such prosecutors had little independence or discretion. Their mandate involved consulting with the court or governor before making decisions.⁴⁵

The precursor to today's elected prosecutor emerged during the rise of Jacksonian democracy in the 1820s, coinciding with the country's move toward a system of popularly elected officials.⁴⁶ This period marked the first effort to hold prosecutors directly accountable to the people they served through the democratic process. Mississippi was the first state to hold public elections for district attorneys. By 1912, almost every state had followed this trend.⁴⁷ Today, only the District

of Columbia⁴⁸ and four states—Delaware, New Jersey, Rhode Island, and Connecticut—maintain a system of appointed prosecutors.⁴⁹

Although popular elections intuitively seemed to operate as a check on prosecutorial power and an effective mechanism of accountability, the popular election of the prosecutor actually established and reinforced his power, independence, and discretion. No longer beholden to the governor or the court, the prosecutor was now accountable to the amorphous body called "the people." However, since the actions and decisions of the prosecutor were not generally a matter of public record, the people could not actually hold the prosecutor accountable. Nonetheless, the ballot box was seen as the most democratic mechanism of accountability.⁵⁰

The early system of federal prosecution began with the Judiciary Act of 1789.⁵¹ This Act created the office of the attorney general, whose only duties were representing the United States in cases before the Supreme Court and providing legal advice to the president and heads of departments.⁵² The same Act created district attorneys to prosecute suits for the United States in the district courts, but until 1861, the attorney general did not supervise the district attorneys.⁵³ In fact, it appears that no entity supervised these district attorneys from 1789 to 1820, when they were placed under the supervision of the secretary of the treasury (until 1861).⁵⁴ There was no clear organizational structure or chain of command, with federal prosecutors either operating independently or receiving instructions from several different federal agencies.⁵⁵ State officials and private citizens even conducted some federal prosecutions.⁵⁶

In the 1920s, a number of states formed crime commissions to examine both the status of the criminal justice system and its ability to manage the post-World War I rise in crime.⁵⁷ Their findings about the role of the prosecutor and the extent of his power and discretion shocked most of these commissions. A report by the National Commission on Law Observance and Enforcement (NCLOE) noted: "In every way the Prosecutor has more power over the administration of justice than the judges, with much less public appreciation of his power. We have been jealous of the power of the trial judge, but careless of the continual growth of the power of the prosecuting attorney."⁵⁸ Commissions formed in California, Georgia, Illinois, Minnesota, New York, and Pennsylvania made similar observations about the power of the prosecutor.⁵⁹

The most well-known crime commission of this era was the Wickersham Commission, a national body "formed to study the status of the criminal justice system."⁶⁰ Like virtually all of the state crime commissions, the Wickersham Commission criticized the role of the prosecutor, particularly the absence of a meaningful check on prosecutorial power and discretion.⁶¹ It noted that the popular election of prosecutors provided neither an adequate check on this power nor the best qualified candidates for the position.⁶² The Commission also recognized abuses in the plea bargaining power of prosecutors.⁶³ It recommended a number of reforms, including the establishment of a state director of public prosecutions with secure tenure to control the prosecutorial process in a systemized fashion.⁶⁴ Despite the findings and recommendations of the Wickersham Commission, other commissions, and legal scholars of the 1920s, there has been no significant reform of the prosecutorial process. In fact, today prosecutors retain even more power, independence, and discretion than they did in the early nineteenth century.⁶⁵

THE IMPORTANCE OF PROSECUTORIAL DISCRETION

Prosecutorial discretion is essential to the operation of our criminal justice system, despite the potential for abuse. Society, through the legislature, criminalizes certain behaviors and provides a process for holding people accountable when they commit crimes. The prosecutor's duty is to use discretion in making the all-important decision of whether an individual should be charged, which charges to bring, and whether and how to plea bargain. If the accused chooses to exercise his constitutional right to a trial, the prosecutor represents the state in that trial.

The criminal justice system is adversarial by design. Ideally, a capable and zealous defense attorney represents the accused, and a similarly capable prosecutor represents the state. If both sides have sufficient resources and follow the rules, the criminal process should work fairly and produce a fair result. But the process is not that simple, nor is the theory always realized in practice. Most people charged with crimes are represented by public defenders or court-appointed attorneys who do not have sufficient resources to provide an adequate defense. Some

prosecutors don't always follow the rules, and some defense attorneys don't work hard enough for their clients. To complicate matters even more, prosecutors have a special, very different role in the criminal process. Their duty is not to simply represent the state in the pursuit of a conviction but to pursue justice. "Doing justice" sometimes involves seeking a conviction and incarceration, but at other times, it might involve dismissing a criminal case or forgoing a prosecution. These decisions, however, are left to the prosecutor's discretion. Without enforceable laws or policies to guide that discretion, all too often it is exercised haphazardly at worst and arbitrarily at best, resulting in inequitable treatment of both victims and defendants.

Discretion is as necessary to the prosecution function as it is to the police and judicial functions. It is difficult to imagine a fair and workable system that does not include some level of measured discretion in the prosecutorial process. As a part of the executive branch of government, it is the prosecutor's duty to enforce the laws, and it would be virtually impossible for her to perform this essential function without exercising discretion.

One of the reasons prosecutorial discretion is so essential to the criminal justice system is the proliferation of criminal statutes in all fifty states and the federal government.⁶⁶ Legislatures pass laws criminalizing a vast array of behaviors, and some of these laws, such as fornication and adultery, for example, stay on the books long after social mores about these behaviors have changed. In addition, some offenses warrant prosecution in some instances but not others. For example, it may be reasonable to bring a prosecution in a jurisdiction that criminalizes gambling for someone engaged in a large-scale operation but not for individuals placing small bets during a Saturday night poker game in a private home. In addition, in some cases, the evidence may not be sufficient to meet the government's heavy burden of proving guilt beyond a reasonable doubt. Without discretion, prosecutors might be required to bring criminal charges in cases that most people would view as frivolous and in cases where the evidence is weak or lacking in credibility.

Other closely related reasons why prosecutorial discretion is so essential are the limitation on resources and the need for individualized justice.⁶⁷ There are not enough resources in any local criminal justice system to prosecute every alleged criminal offense. Of course with

every prosecution comes the corresponding need for defense attorneys, judges, and other court personnel, and if there is a conviction, possibly prison facilities. Some entry must decide which offenses should be prosecuted, and prosecutors are presumably best suited to make these judgments. Most would agree that the state's limited resources should be used to prosecute serious and/or strong cases, while minor or weak cases should be dismissed or resolved short of prosecution.

Just prosecutions require a consideration of the individual facts and circumstances of each case. All defendants and crime victims are not the same. Similarly, there are significant differences between perpetrators and victims of particular types of crimes. For example, some robbers have long criminal histories while others are first offenders or provide minor assistance to more serious offenders. Some assault victims are totally innocent of wrongdoing while others may have provoked their assailants with their own criminal behavior. These examples illustrate just a few of the many factors that should be considered in deciding whether, and to what extent, a case should be prosecuted.

Despite the obvious need for the exercise of discretion at this stage of the criminal process, one might question why we delegate this important function to prosecutors and why we don't provide more oversight by the judiciary or some other entity. The most common answer has to do with the separation of powers. As part of the executive branch of government, prosecutors have been granted the power and responsibility to enforce the laws.⁶⁸ Courts have consistently deferred to the expertise of prosecutors in declining to question their motives for charging and other important prosecutorial decisions. The Supreme Court explains this deference as follows:

This broad discretion rests largely on the recognition that the decision to prosecute is particularly ill-suited to judicial review. Such factors as the strength of the case, the prosecution's general deterrence value, the Government's enforcement priorities, and the case's relationship to the Government's overall enforcement plan are not readily susceptible to the kind of analysis the courts are competent to undertake. Judicial supervision in this area, moreover, entails systemic costs of particular concern. Examining the basis of a prosecution delays the criminal proceeding, threatens to chill law enforcement by subjecting the prosecutor's motives and decisionmaking to

outside inquiry, and may undermine prosecutorial effectiveness by revealing the Government's enforcement policy.⁶⁹

The Court is concerned that too much interference with the prosecutor's responsibilities might interfere with the enforcement of the criminal laws, either because prosecutors might decline some prosecutions for fear of judicial reprisal or because judicial review or requiring prosecutors to explain their decisions to some other entity might result in law enforcement secrets being revealed to criminals.

THE DILEMMA OF PROSECUTORIAL DISCRETION

All of the reasons in support of prosecutorial discretion explain why it is so essential, but they do not address the problems that have resulted from the failure to monitor how that discretion is exercised. In their effort to give prosecutors the freedom and independence to enforce the law, the judicial and legislative branches of government have failed to perform the kind of checks and balances essential to a fair and effective democracy. Consequently, prosecutors, unlike judges, parole boards, and even other entities within the executive branch such as police, presidents, and governors, have escaped the kind of scrutiny and accountability that we demand of public officials in a democratic society. Prosecutors have been left to regulate themselves, and, not surprisingly, such self-regulation has been either nonexistent or woefully inadequate.

There have been some efforts to promote the fair and equitable exercise of prosecutorial discretion, but these efforts have been minimal and largely ineffective. For example, the Criminal Justice Section of the American Bar Association (ABA) promulgates standards of practice for judges, defense attorneys, and prosecutors. The standards for prosecutors address how prosecutors should perform their most important responsibilities, with the goal of assuring that prosecutors exercise their discretion fairly and in a way that will promote the administration of justice. However, these standards are aspirational. No prosecutor is required to follow or even consider them. The Justice Department also sets standards and guidelines for federal prosecutors in its U.S. attorney's manual. However, like the ABA standards, the extent to which individual prosecutors follow these guidelines is left to the U.S. attorneys in each district or, in some instances,

to the attorney general of the United States. There is no legal requirement that federal prosecutors act in accordance with the U.S. attorney's manual, nor are they accountable to anyone outside the Department of Justice if and when they fail to follow their own rules. Similarly, individual state and local prosecutors may establish policies and standards of practice in their offices, but they are not required to do so, and most don't. Although a few states have passed laws that establish standards for prosecutors,⁷⁰ there is virtually no public accountability when the standards are not followed.

Proponents of the current system of prosecution argue that prosecutors are held accountable to the people through the electoral system. They maintain that if prosecutors do not perform their duties and responsibilities fairly and effectively, they will be voted out of office. However, for reasons that will be discussed in detail in chapter 9, the electoral system and other mechanisms of accountability have proven to be ineffective.

The lack of enforceable standards and effective accountability to the public has resulted in decision-making that often appears arbitrary, especially during the critical charging and plea bargaining stages of the process. These decisions result in tremendous disparities among similarly situated people, sometimes along race and/or class lines. The rich and white, if they are charged at all, are less likely to go to prison than the poor and black or brown—even when the evidence of criminal behavior is equally present or absent. Although prosecutors certainly are not the only criminal justice officials whose discretionary decisions contribute to unfair disparities, their decisions carry greater consequences and are most difficult to challenge, as the following chapters will demonstrate.

Most prosecutors join the profession with the goal of doing justice and serving their communities, and most work hard to perform their responsibilities fairly, without bias or favoritism. But even well-meaning prosecutors often fail because they exercise discretion arbitrarily and without guidance or standards, under the daily pressures of overwhelming caseloads in a system with inadequate representation for most defendants, and judges who are more interested in efficiency than justice. The absence of meaningful standards and effective methods of accountability has resulted in widely accepted prosecutorial practices that play a significant role in producing many of the injustices in the criminal justice system.

It is important that prosecutors make charging and plea bargaining decisions on the basis of the facts and circumstances of individual cases to achieve individualized justice. But when they do so without meaningful guidance, standards, or supervision, their decisions become more arbitrary than individualized, and deep-seated, unconscious views about race and class are more likely to affect the decision-making process. It is not enough for prosecutors to base their decisions on the malleable standard of "doing justice" because such a standard is subjective and ultimately produces unexplainable and unjustifiable disparities. The goal should be to establish practices that promote the goals of individualized justice without producing unfair disparities among similarly situated defendants and victims of crime. So far, despite the worthy intentions of many hard-working prosecutors, frequently that goal is not being met.

This book will focus on how the everyday, legal exercise of prosecutorial discretion is largely responsible for the tremendous injustices in our criminal justice system. It does not focus on the intentional, illegal practices that some prosecutors engage in—fabricating evidence, coercing and threatening witnesses, and hiding exculpatory evidence. Only one chapter is devoted to these horrendous cases; others have written about them extensively. Most of the chapters will demonstrate that, despite their intent to justly enforce the laws, prosecutors engage in widely accepted practices that produce unfair results for victims, criminal defendants, and the entire justice system. This book does not tell the story of the good deeds prosecutors do. That story is told every day in the countless television dramas and news stories about prosecutors and how effectively they fight crime.⁷¹ Instead, this book will tell the story that is almost never told: that even well-meaning prosecutors routinely engage in practices that produce unfair results—practices that are hidden from the public, and even when revealed, are somehow accepted as legitimate.

Chapters 2 through 5 discuss prosecutorial discretion in the context of issues and practices that apply to both state and federal prosecutors—charging, plea bargaining, victim issues, and the death penalty. Chapter 6 focuses on federal prosecutions and the unique issues and problems they present. Chapter 7 discusses prosecutorial misconduct, and chapter 8 explores how the rules of professional conduct for lawyers have failed to monitor and give guidance to prosecutors. Chapter 9 attempts to explain how and why the existing mechanisms of

prosecutorial accountability have failed to prevent the unfair practices and results described in the previous chapters. Finally, chapter 10 discusses prospects for reform of the prosecution function.

The criminal justice system is important to all of us. Some of us and members of our families will have the unfortunate experience of being crime victims or criminal defendants. Most will be fortunate enough to avoid personal involvement with the system. But everyone has an interest in assuring the fair and just operation of a system with the power to deprive liberty and life. Everyone who believes in democracy has a vested interest in assuring that no one individual or institution exercises power without accountability to the people. This book will demonstrate that for some reason, we have given prosecutors a pass—allowing them to circumvent the scrutiny and accountability that we ordinarily require of those to whom we grant power and privilege while affording them more power than any other government official. It will show that we have become complacent, affording trust without requiring responsibility. The time has come to focus on prosecutors, require information, and, most important, institute fundamental reforms that will result in more fairness in the performance of the prosecution function.

TWO



The Power to Charge

It was one of the happiest days of David McKnight's life. That evening, he went to a bar in Washington, D.C., to celebrate. He bought a bottle of Dom Perignon and popped it open ceremoniously. "Drinks for everybody—my treat!" he announced. "What are we celebrating?" someone asked. "I killed someone and got away with it!" replied McKnight. He had just learned that a District of Columbia grand jury had voted not to indict him for the murder of John Nguyen.¹

The year was 1987. I was a staff attorney at PDS. Marcia Ross, the chief of our trial division, and Bob Gordon, a staff attorney, were appointed to represent McKnight. The case was one of the most peculiar I had observed in my dozen years as a public defender in the nation's capital. Two factors were noteworthy. First, someone had been brutally killed, and the grand jury, with a silent and consenting prosecuting attorney, decided that the killer should go free. Second, the accused killer was white. The way the case was handled convinced me that the two factors were related.

David McKnight was a twenty-five-year-old white Georgetown University student who worked as a bartender in a restaurant in Washington, D.C. He lived in a small, one-bedroom apartment that he shared with John Nguyen, a fifty-five-year-old Vietnamese immigrant who worked as a cook in the restaurant. Nguyen paid McKnight rent to sleep in the walk-in closet of the apartment, a space barely large enough for a small bed.

One Saturday evening, McKnight hosted a party at his apartment. Nguyen was at the apartment during the party, and McKnight asked

SEVEN



Prosecutorial Misconduct: The Abuse of Power and Discretion

Brian was a fifteen-year-old African American boy charged in the District of Columbia juvenile court with assault with intent to kill, burglary, and related charges. The government claimed that Brian and two adult men had severely beaten an older man during a burglary of his home. Brian's adult codendants were charged with the same offenses and faced up to life in prison in adult court, where the office of the U.S. attorney for the District of Columbia prosecuted them.¹ As a juvenile, the Office of the Corporation Counsel prosecuted Brian,² and he faced a maximum punishment of two years in the juvenile correctional facility upon conviction. The juvenile court rules protected his anonymity and offered the possibility of rehabilitative treatment if needed.

The AUSA handling the case against the adult codendants sought Brian's assistance in their prosecution. He contacted the assistant corporation counsel in charge of Brian's case and Brian's court-appointed attorney to arrange an "off-the-record" conversation. The prosecutor hoped to secure Brian's cooperation in the prosecution of the adults in exchange for lenient treatment, including possible dismissal of Brian's case. During the meeting, the prosecutor questioned Brian about the events surrounding the assault and burglary. Brian's attorney and mother were present during the meeting. Brian denied that either he or the adult codendants had participated in the crimes.

The prosecutor expressed his displeasure with Brian's denials and pressured him to testify that the adults were involved. When Brian refused to submit to pressure, the prosecutor threatened to charge Brian as an adult if he declined to testify against the defendants, warning him that he could receive a life sentence in an adult prison if convicted in adult court. Brian maintained that he knew nothing about the offenses, and the meeting ended without a deal. Soon thereafter, the prosecutor made good on his threats. The juvenile case was dismissed, and Brian was charged as an adult.

I was appointed to represent Brian in adult court. He immediately told me about the meeting with the prosecutor. I interviewed his mother, who verified the prosecutor's threats and expressed her shock and dismay at what the prosecutor had done. "Can he get away with that?" she asked. I agreed that his behavior was unscrupulous, and after consulting with other lawyers at PDS, I decided to file a motion to dismiss the indictment for prosecutorial vindictiveness.

The judge assigned to Brian's case scheduled a hearing, and Brian's mother testified. She described the prosecutor's threats in great detail, explaining how he had yelled at Brian and had threatened to charge Brian as an adult if he did not corroborate the government's story that he had helped the two adults beat and rob the complainant. The prosecutor representing the government at the hearing was not the same prosecutor who had threatened Brian. To my surprise, he declined to cross-examine Brian's mother. Instead, he began to argue, in a very dismissive manner, that Brian's mother was lying and that the threats were never made. The judge interrupted the prosecutor's argument and asked whether he planned to present any evidence. The prosecutor appeared surprised and informed the judge that he would just "make representations" as an officer of the court. This prosecutor apparently believed that he was not required to present testimony under oath and that the judge should simply accept his word to rebut the testimony of Brian's mother. When it became clear that the judge planned to follow the rules of evidence and only consider the undisputed testimony of Brian's mother, the prosecutor asked if he might have additional time to locate the prosecutor and present his testimony. The judge declined his request.

The hearing ended late on a Friday afternoon, and Brian's trial was scheduled to begin the following Monday morning. The judge declined to rule on the motion, indicating that she would take the matter

under advisement. I warned my client and his mother that they should not get their hopes up, that these motions were rarely granted, and that we should prepare to start the trial on Monday.

On the following Monday morning, the case was called, and my client and I joined the adult codendants and their lawyers at counsel table. The case had been assigned to another judge. He looked in my client's court file and announced, "Ms. Davis, your client's case has been dismissed. There is an order issued by Judge Williams granting your motion to dismiss the indictment for prosecutorial vindictiveness." I was shocked. Although I had challenged prosecutorial misconduct on many occasions during my years as a public defender, this was the only time a judge granted the relief I had requested.

The vindictiveness in Brian's case is just one of the many forms of prosecutorial misconduct and is by no means the most common. Numerous articles and books have been written about prosecutorial misconduct.³ Such misconduct may take many forms, including:

- Courtroom misconduct (making inappropriate or inflammatory comments in the presence of the jury; introducing or attempting to introduce inadmissible, inappropriate or inflammatory evidence; mischaracterizing the evidence or the facts of the case to the court or jury; committing violations pertaining to the selection of the jury; or making improper closing arguments);
- Mishandling of physical evidence (hiding, destroying or tampering with evidence, case files or court records);
- Failing to disclose exculpatory evidence;
- Threatening, badgering or tampering with witnesses;
- Using false or misleading evidence;
- Harassing, displaying bias toward, or having a vendetta against the defendant or defendant's counsel (including *selective* or *vindictive prosecution*, which includes instances of denial of a speedy trial); and
- Improper behavior during grand jury proceedings.⁴

I do not attempt to present a comprehensive discussion of prosecutorial misconduct in this one chapter, as such a task would be impossible in light of the breadth of the problem. Instead, I attempt to demonstrate that the line between legal prosecutorial behavior and

illegal prosecutorial misconduct is a thin one. I explore whether a number of factors, including the Supreme Court's jurisprudence and the prosecutorial culture of power and lack of accountability, create a climate that fosters misconduct. I focus on *Brady* violations—the most common form of misconduct—and examine how and why prosecutors continue to engage in illegal behavior with impunity.

THE BREADTH OF THE PROBLEM

Much of what passes for legal behavior might in fact be illegal, but because prosecutorial practices are so rarely challenged, it is difficult to define the universe of prosecutorial misconduct. Because it is so difficult to discover, much prosecutorial misconduct goes unchallenged, suggesting that the problem is much more widespread than the many reported cases of prosecutorial misconduct would indicate. As one editorial described the problem, “[i]t would be like trying to count drivers who speed; the problem is larger than the number of tickets would indicate.”⁵

One of the most comprehensive studies of prosecutorial misconduct was completed in 2003 by the Center for Public Integrity, a nonpartisan organization that conducts investigative research on public policy issues. A team of twenty-one researchers and writers studied the problem for three years and examined 11,452 cases in which charges of prosecutorial misconduct were reviewed by appellate court judges. In the majority of cases, the alleged misconduct was ruled harmless error or was not addressed by the appellate judges. The Center discovered that judges found prosecutorial misconduct in over two thousand cases, in which they dismissed charges, reversed convictions, or reduced sentences.⁶ In hundreds of additional cases, judges believed that the prosecutorial behavior was inappropriate but affirmed the convictions under the “harmless error” doctrine.⁷

The cases investigated by the Center for Public Integrity only scratch the surface of the issue, as they only represent the cases in which prosecutorial misconduct was discovered and litigated. Most of the prosecutorial practices that occur behind closed doors, such as charging and plea bargaining decisions and grand jury practices, are never revealed to the public. Even after cases are indicted, defense attorneys are not entitled to discover what occurred behind the scenes.

In the rare cases in which practices that appear to be illegal are discovered, it is often impractical to challenge them, in light of the Supreme Court's pro-prosecution decisions on prosecutorial misconduct. Of course, there is no opportunity to challenge any misconduct that may have occurred in the over 95 percent of all criminal cases which result in a guilty plea, since defendants give up most of their appellate rights when they plead guilty.

Why is prosecutorial misconduct so widespread and how did it reach this stage? An examination of the Supreme Court's jurisprudence in this area may shed some light. The Court has shielded prosecutors from scrutiny in a series of cases that have narrowly defined the universe of behaviors that constitute prosecutorial misconduct and the circumstances under which victims of such behaviors are entitled to relief. Might these cases have emboldened prosecutors to engage in misconduct, since they know that even if their behavior is discovered and challenged, courts will most likely find the behavior to be “harmless error?” This chapter will consider these questions.

THE SUPREME COURT—PROTECTING PROSECUTORIAL POWER

The Supreme Court has established nearly impossible standards for obtaining the necessary discovery to seek judicial review of some forms of prosecutorial misconduct.⁸ Inappropriate or unethical charging decisions, intimidating conversations with witnesses, selective and vindictive prosecutions, and grand jury abuse all occur in the privacy of prosecution offices—away from the public and the parties whose cases are affected by the harmful behavior. As a result of the Supreme Court's rulings,⁹ prosecutors know that it is highly unlikely that any of these behaviors will be discovered by defense attorneys or anyone who might challenge them.

On the rare occasion when such misconduct is discovered, judicial review is extremely limited. Under the harmless error rule, appellate courts affirm convictions if the evidence supports the defendant's guilt, even if she did not receive a fair trial.¹⁰ This rule permits, perhaps even unintentionally encourages, prosecutors to engage in misconduct during trial with the assurance that so long as the evidence of the defendant's guilt is clear, the conviction will be affirmed.

In addition to its constitutional power to reverse lower court convictions, the Supreme Court's supervisory authority to oversee the implementation of criminal justice grants the Court powers to regulate lower court procedures. For example, in *McNabb v. United States*, the Court concluded that when determining the admissibility of evidence, it obeys the Constitution, and, under its power of judicial supervision, formulates "civilized standards of procedure and evidence."¹¹ These standards are to be applied in federal criminal prosecutions, in an effort to deter governmental misconduct and preserve judicial integrity. The Court's standards are satisfied by more than simple adherence to due process laws and are derived from considerations of "evidentiary relevance" and justice.¹²

In *United States v. Russell*,¹³ however, the Supreme Court drastically curtailed the supervisory power doctrine by reversing a lower court's use of the power in a case involving questionable law enforcement tactics. The Court invoked the separation of powers doctrine as it warned lower courts not to meddle in the business of law enforcement.¹⁴ In a further effort to limit the reach of a federal court's supervisory power, in *United States v. Hastings*, the Court held that judges may not use the supervisory power doctrine to reverse convictions because of prosecutorial misconduct in cases involving harmless error.¹⁵

Civil lawsuits have proven equally ineffective as remedies for prosecutorial misconduct. The Supreme Court established a broad rule of absolute immunity from civil liability for prosecutors in *Imbler v. Pachtman*.¹⁶ This rule immunizes prosecutors from liability for acts "intimately associated with the judicial phase of the criminal process."¹⁷ The Court expressed concern that prosecutors might be deterred from zealously pursuing their law enforcement responsibilities if they faced the possibility of civil liability and suggested that prosecutorial misconduct should be referred to state attorney disciplinary authorities.

The Supreme Court's decision to avoid the problem and pass it on to state bar authorities has proven totally ineffective.¹⁸ All attorneys, including prosecutors, must abide by their state's Code of Professional Responsibility. Attorneys who violate the Code are subject to various forms of discipline, including disbarment. However, the Center for Public Integrity found only forty-four cases since 1970 in which prosecutors faced disciplinary proceedings for misconduct that infringed

on the constitutional rights of criminal defendants. The misconduct in these cases included:

- Discovery violations;
- Improper contact with witnesses, defendants, judges or jurors;
- Improper behavior during hearings or trials;
- Prosecuting cases not supported by probable cause;
- Harassing or threatening defendants, defendants' lawyers or witnesses;
- Using improper, false or misleading evidence;
- Displaying a lack of diligence or thoroughness in prosecution; and
- Making improper public statements about a pending criminal matter.¹⁹

Out of the 44 attorney disciplinary cases,

- In 7, the court dismissed the complaint or did not impose a punishment.
- In 20, the court imposed a public or private reprimand or censure.
- In 12, the prosecutor's license to practice law was suspended.
- In 2, the prosecutor was disbarred.
- In 1, a period of probation was imposed in lieu of a harsher punishment.
- In 24, the prosecutor was assessed the costs of the disciplinary proceedings.
- In 3, the court remanded the case for further proceedings.²⁰

For many years, federal prosecutors refused to abide by state disciplinary rules. As mentioned earlier, in 1989, the Thornburgh Memo declared that federal prosecutors would abide by internal Justice Department rules rather than the ethical rules of the state in which they practiced.²¹ Although this memorandum was overturned by the Citizens Protection Act of 1998, the Act simply returned prosecutors to the status quo, which has proven highly ineffective in deterring or punishing misconduct.²²

It is not surprising that very few prosecutors are referred to state disciplinary authorities. In many ways, the phenomenon brings to mind the old saying, "If you shoot at the king, you'd better kill him." Since over 95 percent of criminal cases result in guilty pleas,²³ every defense attorney knows that her future clients are at the mercy of the prosecutor, whose unfettered discretion determines what plea offers will be made and to whom. Challenging the bar license of an official who holds all the cards is risky business, especially given the odds of prevailing. Prosecutors are powerful and often popular political figures. Even when referrals are made, bar authorities frequently decline to recommend serious punishment, as the statistics from the Center for Public Integrity indicate.²⁴ Thus, referring prosecutors to state bar authorities has proven to be a dismal failure.²⁵

The Court's rulings have sent a very clear message to prosecutors—we will protect your practices from discovery; when they are discovered, we will make it extremely difficult for challengers to prevail; and as long as you mount overwhelming evidence against defendants, we will not reverse their convictions if you engage in misconduct at trial. Prosecutors are well aware of these facts, and although they may not always intentionally set out to engage in misconduct, it leads one to question whether the Supreme Court has provided prosecutors with a comfort zone that fosters and perhaps even encourages a culture of wrongdoing.

BRADY VIOLATIONS: WITHHOLDING EXCULPATORY EVIDENCE

The obligation of a prosecutor to reveal favorable, exculpatory information about a criminal defendant is not only fair; it is a constitutional requirement. In *Brady v. Maryland*,²⁶ the Supreme Court held that a prosecutor's failure to disclose evidence favorable to the defendant violated due process rights when the defendant had requested such information. The Court expanded this rule in *United States v. Agurs*,²⁷ requiring prosecutors to turn over exculpatory information to the defense even in the absence of a request if such information is clearly supportive of a claim of innocence.²⁸ Professional ethical and disciplinary rules in each state and the District of Columbia reiterate and reinforce the duty to turn over information. The obligation to reveal

Brady information is ongoing and is not excused even if the prosecutor acts in good faith.

Brady violations are among the most common forms of prosecutorial misconduct. Because the obligation is expansive, continuing, and not limited by the good faith efforts of the prosecutor, great potential for wrongdoing exists. The failure to provide *Brady* information can have dire consequences for the defendant. In capital cases, *Brady* violations have resulted in the execution of arguably innocent persons. At the very least, withholding *Brady* information can determine the outcome of a trial.

Ken Armstrong and Maurice Possley, staff writers for the *Chicago Tribune*, conducted a national study of eleven thousand cases involving prosecutorial misconduct between 1963 and 1999.²⁹ The study revealed widespread, almost routine, violations of the *Brady* doctrine by prosecutors across the country.³⁰ They discovered that since 1963, courts had dismissed homicide convictions against at least 381 defendants because prosecutors either concealed exculpatory information or presented false evidence.³¹ Of the 381 defendants, 67 had been sentenced to death.³² Courts eventually freed approximately 30 of the 67 death row inmates, including two defendants who were exonerated by DNA tests.³³ One innocent defendant served twenty-six years before a court reversed his conviction.³⁴ Armstrong and Possley suggest that this number represents only a fraction of cases involving this type of prosecutorial misconduct, since the study only considered cases where courts convicted the defendant of killing another individual.³⁵ They also reported that the prosecutors who engaged in the reported misconduct were neither convicted of a crime nor barred from practicing law.³⁶

Another study by Bill Moushey of the *Pittsburgh Post-Gazette* found similar results.³⁷ In his examination of over fifteen hundred cases throughout the nation, Moushey discovered that prosecutors routinely withheld evidence that might help prove a defendant innocent.³⁸ He found that prosecutors intentionally withheld evidence in hundreds of cases during the past decade, but courts overturned verdicts in only the most extreme cases.³⁹

Few defense attorneys have the time, resources, or expertise to conduct massive investigations of prosecution officials. Nor should the discovery of prosecutorial misconduct depend on investigative reporting. However, the current law and practices result in the random

and infrequent discovery of *Brady* violations. Even when discovered, remedies for the accused are inadequate, and punishment of the offending prosecutor is rare.

MISCONDUCT THAT LEADS TO A DEATH SENTENCE

Prosecutorial misconduct in any case is reprehensible and can lead to the wrongful conviction of the innocent. When misconduct occurs in a capital case, however, the stakes are the highest because an innocent person might be sentenced to death. In fact, prosecutorial misconduct has been discovered in an extraordinary number of capital cases.⁴⁰ Although various types of misconduct have been reported in capital cases, a high percentage of these cases, 16–19 percent,⁴¹ involve *Brady* violations. Delma Banks's case is one example.⁴² The misconduct in Banks's case was so egregious that even the U.S. Supreme Court, which had been unresponsive to claims of prosecutorial misconduct in the past, provided relief.⁴³

In 1980, Texas authorities charged Delma Banks with the death of sixteen-year-old Richard Whitehead. Prior to Banks's trial, the prosecutor informed Banks's defense attorney that he had turned over all discoverable information.⁴⁴ In fact, the prosecutor failed to reveal key exculpatory information about two of its primary witnesses—Charles Cook and Robert Farr. During the trial, Cook testified that Banks had confessed to killing Whitehead and that he had seen Banks with blood on his leg and in possession of a gun soon after Whitehead's death.⁴⁵ On cross-examination, Cook denied that he had rehearsed his testimony with law enforcement officials.⁴⁶ Farr testified during the trial as well and corroborated key aspects of Cook's testimony.⁴⁷ During Farr's cross-examination, he denied that law enforcement officials had promised him anything in exchange for his testimony.⁴⁸ Farr also testified during the penalty phase of Banks's trial in support of his death sentence.⁴⁹ Banks was sentenced to death.⁵⁰

Banks filed several postconviction motions in Texas state courts.⁵¹ The court denied the first two motions on grounds unrelated to alleged *Brady* violations, but the third motion alleged that the prosecutor had failed to reveal exculpatory information about Cook and Farr.⁵² The third motion was denied, but Banks raised the allegations of *Brady*

violations again in 1996 in a petition for a writ of habeas corpus in the U.S. District Court for the Eastern District of Texas.⁵³ Prior to an evidentiary hearing on Banks's motion, the magistrate judge ordered the prosecutor to turn over the prosecutor's trial files.⁵⁴ Information in the prosecutor's files, affidavits signed by Cook and the deputy sheriff, and evidence uncovered at the hearing proved extraordinary and egregious prosecutorial misconduct.⁵⁵

Hidden in the prosecutor's file was a seventy-four-page transcript of Cook's interrogation by law enforcement officers and prosecutors.⁵⁶ During this interrogation, Cook was coached repeatedly on what to say at trial and how to reconcile his many inconsistent statements.⁵⁷ In his affidavit, Cook stated that he was warned that if he did not conform his testimony to the state's evidence, he would "spend the rest of his life in prison."⁵⁸ The deputy sheriff testified at the hearing, and revealed, for the first time, that Farr, the other witness, was a paid police informant who received \$200 for his assistance in Banks's case.⁵⁹

The prosecutor obviously knew that Cook's testimony had been coached, even scripted, and that Farr was a paid informant. These facts were clearly exculpatory and should have been revealed to the defense prior to trial. Furthermore, the prosecutor knew that Cook and Farr had committed perjury when they denied these facts under oath during the trial, yet he allowed these lies to become part of the record and stressed them heavily in the punishment phase.⁶⁰

The magistrate judge granted partial relief after the evidentiary hearing, recommending a writ of habeas corpus as to the death sentence, but not the guilty verdict.⁶¹ The district court adopted the magistrate's recommendation, but the Court of Appeals for the Fifth Circuit reversed the district court's grant of partial relief to Banks.⁶² In March 2003, just ten minutes before Banks's scheduled execution by lethal injection and after he had been strapped to the gurney, the Supreme Court issued a stay of execution while it decided whether to review Banks's case.

The Court ultimately decided to hear Banks's claims and overturned his death sentence on February 24, 2004, by a vote of seven to two.⁶³ In reversing the Fifth Circuit's decision, the Supreme Court held that Banks had demonstrated all three elements of a *Brady* prosecutorial misconduct claim: "The evidence at issue must be favorable to the accused, either because it is exculpatory, or because it is

impeaching; that evidence must have been suppressed by the State, either willfully or inadvertently; and prejudice must have ensued."⁶⁴ The Court used particularly harsh language in criticizing the prosecutor's conduct:

The State here nevertheless urges, in effect, that "the prosecution can lie and conceal and the prisoner still has the burden to . . . discover the evidence." [. . .] A rule thus declaring "prosecutor may hide, defendant must seek," is not tenable in a system constitutionally bound to accord defendants due process.⁶⁵

Brady violations are very common in prosecutors' offices, even violations as egregious as those in *Banks's* case.⁶⁶ The Supreme Court and lower courts have affirmed convictions in cases involving similar violations.⁶⁷ So why did the Court provide relief for Delma Banks? There are a number of possible explanations.

First, Banks faced death at the hands of the state in a case where prosecutors deliberately withheld evidence. The Court has always noted that "death is different,"⁶⁸ and has provided more protections for defendants facing death than for others.⁶⁹ The Supreme Court undoubtedly has been affected by the growing evidence of innocent people being freed from death row as a result of DNA evidence and investigative reporting.⁷⁰ Its death penalty jurisprudence in recent years reflects more sensitivity to the rights of death row inmates.⁷¹

Second, the Banks case garnered widespread national attention and support for Banks from an unusual combination of groups and individuals. One of the amicus briefs for Delma Banks was submitted by a group of former federal judges, prosecutors, and public officials, including federal judges John Gibbons, Timothy Lewis, and William Sessions. Sessions is a former director of the Federal Bureau of Investigation. Thomas Sullivan, a former U.S. attorney for the Northern District of Illinois, also joined this brief, and the ABA also filed an amicus brief.

Third, some have speculated that the Supreme Court has taken umbrage in what it perceives as defiance of its jurisprudence by the Court of Appeals for the Fifth Circuit.⁷² There is certainly language in *Banks* that lends some credence to this theory. In *Banks*, the Court cites and relies on its holding in *Snickler v. Greene* and chides the Fifth

Circuit for ignoring it: "Surprisingly, the Court of Appeals' *per curiam* opinion did not refer to *Snickler v. Greene*, 527 U.S. 263, 119 S.Ct. 1936, 144 L.Ed.2d 286 (1999), the controlling precedent on the issue of 'cause.'"⁷³

Regardless of its reasons, the Court's holding in *Banks* is a departure from its usual deference to prosecutors. It remains to be seen whether *Banks* is the beginning of a trend toward holding the fire to prosecutors' feet or an anomaly attributable to Banks's death row status at a time when the death penalty is under particular scrutiny. The latter characterization is more likely, in light of the large body of Supreme Court jurisprudence that defers to prosecutorial power and discretion.

WHY PROSECUTORS ESCAPE PUNISHMENT

Prosecutors are rarely punished for misconduct, even when the misconduct causes tremendous harm to its victims. Of the eleven thousand cases of alleged prosecutorial misconduct examined by the Center for Public Integrity, the appellate courts reversed convictions, dismissed charges, or reduced sentences in just over two thousand.⁷⁴ However, in these cases, most of the prosecutors suffered no consequences and were not held accountable or even reprimanded for their behavior.⁷⁵

Ken Armstrong and Maurice Posley found the same lack of punishment and accountability in their 1999 study:

With impunity, prosecutors across the country have violated their oaths and the law, committing the worst kinds of deception in the most serious of cases. . . . They have prosecuted black men, hiding evidence the real killers were white. They have prosecuted a wife, hiding evidence her husband committed suicide. They have prosecuted parents, hiding evidence their daughter was killed by wild dogs.

They do it to win.

They do it because they won't get punished.⁷⁶

Armstrong and Posley found that a number of the prosecutors not only totally escaped punishment or even a reprimand but also advanced in their careers.⁷⁷ In the 381 cases they examined in which

appellate courts reversed convictions based on either *Brady* violations or prosecutors knowingly allowing lying witnesses to testify, the courts described the behavior in terms such as “unforgivable,” “intolerable,” “beyond reprehension,” and “illegal, improper and dishonest.”⁷⁸ Yet, of those cases,

[o]ne was fired, but appealed and was reinstated with back pay. Another received an in-house suspension of 30 days. A third prosecutor’s law license was suspended for 59 days, but because of other misconduct in the case. . . . Not one received any kind of public sanction from a state lawyer disciplinary agency or was convicted of any crime for hiding evidence or presenting false evidence, the *Tribune* found. Two were indicted, but the charges were dismissed before trial.⁷⁹

None of the prosecutors were publicly sanctioned or charged with a crime. It is unclear whether any were sanctioned by state bar authorities, because these proceedings are not a matter of public record if the sanction was minor. Several of the offending prosecutors advanced significantly in their careers:

In Georgia, George “Buddy” Darden became a congressman after a court concluded that he withheld evidence in a case where seven men, later exonerated, were convicted of murder and one was sentenced to death. In New Mexico, Virginia Ferrara failed to disclose evidence of another suspect in a murder case. By the time the conviction was reversed she had become chief disciplinary counsel for the New Mexico agency that polices lawyers for misconduct.⁸⁰

If state bar authorities are hesitant to bring disciplinary actions against prosecutors, it is not surprising that criminal charges are even more infrequent. Yet much of prosecutorial misconduct is criminal behavior. When prosecutors knowingly put witnesses on the stand to testify falsely, they suborn perjury. Subornation of perjury is a felony in all fifty states.⁸¹ Prosecutors are not above the law or immune from prosecution. In fact, as the chief law enforcement officers, they should be held to the highest standard of conduct. Yet despite overwhelming evidence that prosecutors routinely break the law, they are not punished.

One of the rare prosecutions for prosecutorial misconduct occurred in 1999 in DuPage County, Illinois.⁸² Three former prosecutors and four sheriff’s deputies were indicted and tried for various criminal offenses, including obstruction of justice and subornation of perjury. The charges grew out of allegations that the prosecutors had hidden exculpatory evidence and knowingly put witnesses on the stand to lie under oath in the trial of Rolando Cruz. Cruz, Alejandro Hernandez, and Stephen Buckley faced the death penalty for the abduction, sexual assault, and murder of a ten-year-old girl.⁸³ The facts of the case were particularly gruesome, and there was much pressure to find and convict the perpetrators.

The prosecutors’ behavior in the Cruz case was particularly egregious. They hid exculpatory evidence from defense counsel, including a confession to the crime by a convicted murderer and forensic reports from several experts demonstrating that the shoe print in the victim’s home did not belong to any of the defendants. In addition, the deputies involved in the case allegedly fabricated an incriminating statement that they claimed Cruz had made while in jail. In fact, two DuPage sheriff’s investigators and an assistant Illinois attorney general were so convinced of wrongdoing by the prosecutors and deputies that they resigned rather than support the prosecution of Cruz. Charges against Buckley were ultimately dismissed, but Cruz and Hernandez were tried and convicted. Their convictions were overturned, and they were tried and convicted a second time, only to have their convictions reversed again. Neither reversal was based on allegations of prosecutorial misconduct. At Cruz’s third trial, there was overwhelming evidence of perjury by the sheriff’s deputies, and he was acquitted.⁸⁴

After Cruz’s acquittal, the chief judge of the DuPage County Circuit Court appointed a special prosecutor to investigate the sheriff’s deputies. The special prosecutor expanded his investigation to include the prosecutors and ultimately returned the indictment that led to their trial. The trial received relatively little national coverage, despite its historic significance. According to Armstrong and Possley, only six prosecutors have been prosecuted in this century for the type of misconduct alleged against the Cruz prosecutors.⁸⁵ Two were convicted of minor misdemeanors and fined \$500, two were acquitted, and charges against the other two were dismissed before trial.⁸⁶

All seven of the defendants—the prosecutors and the sheriff’s deputies—were acquitted of all charges.⁸⁷ A number of the jurors

spent the better part of the evening of the acquittal celebrating with the defendants in a local steakhouse.⁸⁸ The former prosecutors—Patrick King, Thomas Knight, and Robert Kilander—went on to pursue successful legal careers. Patrick King became an assistant U.S. attorney in the Northern District of Illinois.⁸⁹ Thomas Knight practiced law in the private sector, and Robert Kilander became a judge in the very court where he had faced criminal charges.⁹⁰ Thomas Knight eventually filed a lawsuit against Armstrong, Possley, and the *Chicago Tribune*.⁹¹ There was a jury trial, and on May 20, 2005, the jury returned a verdict in favor of Possley and the newspaper.⁹²

Most prosecutors who engage in misconduct not only escape punishment but also advance in their careers. Paul Howes, a former U.S. attorney in the District of Columbia, was accused of prosecutorial misconduct on several occasions.⁹³ After a two-year investigation of Howes's behavior, the Justice Department's Office of Professional Responsibility (OPR) concluded that Howes had abused the witness stipend system by doling out excessive payments to cooperating witnesses and their family and friends, who were not witnesses. Acknowledging that Howes's behavior constituted criminal conduct, investigators declined to prosecute him, instead agreeing to drastically reduce the sentences of the defendants convicted in the cases in which misconduct was found.⁹⁴ Howes later became a partner at the San Diego firm of Lerach, Coughlin, Stoina, Geller, Rudman & Robbins. Howes's experience is typical. Cook County, Illinois, prosecutors Carol Pearce McCarthy, Kenneth Wadas, and Patrick Quinn were all scathingly criticized in appellate opinions for misconduct during trial. All three were promoted to supervisor positions, and all three became judges.⁹⁵

Why do prosecutors escape punishment for prosecutorial misconduct? The responses of the Supreme Court, state and federal disciplinary authorities, and the general public provide some insight. The Supreme Court's deference to prosecutors and the harmless error doctrine might be attributable to the fact that the remedy generally sought is reversal of a criminal case. The Court's hesitancy to reverse criminal convictions when there is substantial evidence of a defendant's guilt indicates that it places a higher premium on affirming convictions than in punishing prosecutors who do wrong. In addition, some might argue that reversing a criminal conviction does not directly or sufficiently punish prosecutors for wrongdoing.

State and federal bar authorities rarely punish prosecutors for the reasons previously mentioned. First, they seldom receive formal complaints about prosecutors, because the people most likely to discover the misconduct—defense attorneys—fear retaliation from prosecution offices that will continue to wield power and exercise considerable discretion in their clients' cases. Second, even when complaints are made, the punishment is light—perhaps because of the deference and respect prosecutors generally receive from the legal profession.

But what about the general public? On the rare occasions that the public has been informed about prosecutorial misconduct, there has not been public outcry; nor have prosecutors been voted out of office for their behavior. The *Chicago Tribune* and *Pittsburgh Post-Gazette* articles reported egregious behavior by local prosecutors, yet these articles did not result in the public taking action against the offending prosecutors. There are a number of possible reasons for the lack of response. Perhaps members of the general public did not read the articles. Or they may have read about the misconduct but dismissed or excused it, indicating a disturbing support of ignoring the rule of law in the interest of catching criminals. On the other hand, the public may not endorse prosecutorial misconduct, but may not know how to take action to stop it.⁹⁶ Even if the prosecutor is an elected official who may be voted out of office, the next election may be years away, and the misconduct may be long forgotten.

The public may certainly punish prosecutorial misconduct if the offending prosecutor is charged and exercises his or her right to trial. But these prosecutions are extremely rare, and the few in this century have not resulted in serious punishment. It would be unwise to draw any broad conclusions about the general public's reaction to prosecutorial misconduct from these few prosecutions, primarily because there are too few to draw a conclusion from, and also because the public did not play a part in the outcome of most of the cases, since most of them never went to trial. The acquittal of the Cruz prosecutors may not indicate an acceptance of prosecutorial wrongdoing. Because there are so many factors that affect a jury verdict, in the absence of firsthand information from the jurors themselves, one cannot know with certainty what factors or issues led them to acquit.

An informal poll conducted by the *Chicago Tribune* after the publication of its series on prosecutorial misconduct may offer some guidance on the public's view of prosecutorial misconduct. The *Tribune*

posted the following question: "An investigation by the *Chicago Tribune* found that prosecutor misconduct is commonplace in felony cases brought in Cook County. But Chicago is not alone. Scores of murder convictions have been thrown out around the country because of dishonest prosecutions. What do you think should be done to remedy this situation?" Readers responded as follows:

"[Prosecutors] should be prosecuted for their crimes."

"We need more effective checks and balances on the unfettered discretion about what and whom to charge. We also need a more certain sanction for those prosecutors found guilty of fudging or hiding the evidence."

"The first thing to do is eliminate the immunity that they and our prosecutors, judges, and other bureaucrats do not deserve.... At a minimum we need to raise the standard of proof in order to execute someone accused of murder.... Last, but not least, prosecutors need to be prevented from buying testimony from criminals to help prosecute others."

"We need institutional reform."

"Our judicial system as a whole, needs to be overhauled."⁹⁷

These responses may suggest that, even in cases involving serious criminal behavior, the American public ultimately wants the laws to be enforced fairly. The poll also suggests that the lack of public outrage over prosecutorial misconduct may be a result of lack of information about what prosecutors do and how they behave.

THE THIN LINE

Prosecutors wield incredible power and exercise broad discretion in the important decisions they make every day—especially charging and plea bargaining decisions. Their decision-making is often arbitrary, hasty, and impulsive, sometimes resulting in disparities among similarly situated defendants and crime victims. Because prosecutors make these decisions in private without meaningful supervision or accountability, they are rarely punished when they engage in misconduct. In fact, they are often rewarded with promotions and career advancement as long as

their conviction rates remain high. This system suggests a cycle of misconduct that is continually reinforced. It is easier for prosecutors to secure a conviction when they withhold exculpatory evidence, and since they suffer no consequences for withholding it and are rewarded for securing convictions, they continue the misconduct.

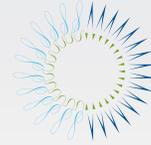
When misconduct is neither acknowledged nor punished, the line between acceptable behavior and misconduct begins to blur. Some prosecutors may not actually realize the illegality of their behavior, especially inexperienced prosecutors in offices that foster a culture of winning at any cost. If a prosecution office does not train its prosecutors to reveal *Brady* information and otherwise play by the rules, these prosecutors may unknowingly cross the line from acceptable to illegal behavior. Even when prosecutors know their behavior is illegal, the harmless error doctrine and the absence of meaningful oversight by bar disciplinary authorities serve to encourage the offending behavior.

CONCLUSION

When the law is broken by the very people the public trusts to enforce the law, meaningful action must be taken. Prosecutorial misconduct is widespread and unchecked, and it is unlikely that either the courts or the general public will take action to eliminate it. Prosecutors certainly have not policed themselves. Thus, the legal profession must take the lead in instituting meaningful reform that will assure oversight and strict accountability when prosecutors break the law. Although criminal lawyers in individual cases may not have the ability to affect meaningful reform, other lawyers, through local and national bar associations, should advocate for legislation and binding professional rules that will be enforced against wrongdoers.⁹⁸ Lawyers have a vested interest in improving the reputation of the profession and in the fair administration of justice for everyone. They also have the expertise and responsibility to institute reforms to eliminate misconduct among prosecutors.

COLLATERAL COSTS:

INCARCERATION'S EFFECT ON
ECONOMIC MOBILITY



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This report is based on research by Dr. Bruce Western and Dr. Becky Pettit and was jointly authored by the Economic Mobility Project and the Public Safety Performance Project of The Pew Charitable Trusts.

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The Economic Mobility Project

is a nonpartisan collaborative effort that seeks to focus attention and debate on the question of economic mobility and the health of the American Dream.

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For more information, please visit www.economicmobility.org and www.pewpublicsafety.org.

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TO THE READER:

WHY INCARCERATION AND ECONOMIC MOBILITY?

Over the past 30 years, the United States has experienced explosive growth in its incarcerated population. The Pew Center on the States reported in 2008 that more than 1 in 100 adults is now behind bars in America, by far the highest rate of any nation.¹ The direct cost of this imprisonment boom, in dollars, has been staggering: state correctional costs quadrupled over the past two decades and now top \$50 billion a year, consuming 1 in every 15 general fund dollars.²

Looking at the same period of time, Pew's Economic Mobility Project's research has revealed a decidedly mixed picture of economic mobility in America. On the one hand, two-thirds of families have higher inflation-adjusted incomes than their parents did at a similar age.³ Given these favorable odds for each generation to earn a better living than the last, it is no wonder that, even in the depths of the country's economic slump last year, 8 out of 10 Americans believed it was still possible to "get ahead."⁴

Less encouraging, however, are the findings that describe how individuals' economic rank compares to their parents' rank at the same age, as well as data showing that race and parental income significantly impact economic mobility. For example, 42 percent of Americans whose parents were in the bottom fifth of the income ladder remain there themselves as adults.⁵ As for race, blacks are significantly more downwardly mobile than whites: almost half of black children born to solidly middle-income parents tumble to the bottom of the income distribution in adulthood, while just 16 percent of whites experience such a fall.⁶

With this report, our inquiry focuses on the intersection of incarceration and mobility, fields that might at first seem unrelated. We ask two questions: *To what extent does incarceration create lasting barriers to economic progress for formerly incarcerated people, their families and their children? What do these barriers mean for the American Dream, given the explosive growth of the prison population?*

The findings in this report should give policy makers reason to reflect. The price of prisons in state and federal budgets represents just a fraction of the overall cost of incarcerating such a large segment of our society. The collateral consequences are tremendous and far-reaching, and as this report illuminates with fresh data and analysis, they include substantial and lifelong damage to the ability of former inmates, their families and their children to earn a living wage, move up the income ladder and pursue the American Dream.

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COLLATERAL COSTS:

INCARCERATION'S EFFECT ON ECONOMIC MOBILITY

EXECUTIVE SUMMARY

Currently 2.3 million Americans are behind bars, equaling more than 1 in 100 adults. Up from just 500,000 in 1980, this marks more than a 300 percent increase in the United States' incarcerated population and represents the highest rate of incarceration in the world.

Over the last four years, The Pew Charitable Trusts has documented the enormous expense of building prisons and housing inmates that is borne by states and the federal government. Indeed, in the face of gaping budget shortfalls, more than half of the states are now seeking alternative sentencing and corrections strategies that cost less than prison, but can protect public safety and hold offenders accountable. A less explored fiscal implication of incarceration is its impact on former inmates' economic opportunity and mobility.

Economic mobility, the ability of individuals and families to move up the income ladder over their lifetime and across generations, is the epitome of the American Dream. Americans believe that economic success is determined by individual efforts and attributes, like hard work and ambition, and that anyone should be able to improve his or her economic circumstances.

Incarceration affects an inmate's path to prosperity. *Collateral Costs* quantifies the size of that effect, not only on offenders but on their families and children. Before being incarcerated more than two-thirds of male inmates were employed and more than half were the primary source of financial support for their children.⁷ Incarceration carries significant and enduring economic repercussions for the remainder of the person's working years. This report finds that former inmates work fewer weeks each year, earn less money and have limited upward mobility. These costs are borne by offenders' families and communities, and they reverberate across generations.

People who break the law need to be held accountable and pay their debt to society. Prisons can enhance public safety, both by keeping dangerous criminals off the streets and by deterring would be offenders. However, virtually all inmates will be released, and when they do, society has a strong interest in helping them fulfill their responsibilities to their victims, their families and their communities. When returning offenders can find and keep legitimate employment, they are more likely to be able to pay restitution to their victims, support their children and avoid crime.

To calculate the impacts of incarceration on economic mobility, The Pew Charitable Trusts commissioned new analysis by two of the leading researchers in the field, Dr. Bruce Western of Harvard University and Dr. Becky Pettit of the University of Washington. Major findings include the following:

INCARCERATION IS CONCENTRATED AMONG MEN, THE YOUNG, THE UNEDUCATED AND RACIAL AND ETHNIC MINORITIES—ESPECIALLY AFRICAN AMERICANS.

- One in 87 working-aged white men is in prison or jail, compared with 1 in 36 Hispanic men and 1 in 12 African American men.
- More young (20 to 34-year-old) African American men without a high school diploma or GED are currently behind bars (37 percent) than employed (26 percent).

INCARCERATION NEGATIVELY AFFECTS FORMER INMATES' ECONOMIC PROSPECTS.

- Serving time reduces hourly wages for men by approximately 11 percent, annual employment by 9 weeks and annual earnings by 40 percent.
- By age 48, the typical former inmate will have earned \$179,000 less than if he had never been incarcerated.
- Incarceration depresses the total earnings of white males by 2 percent, of Hispanic males by 6 percent, and of black males by 9 percent.

FORMER INMATES EXPERIENCE LESS UPWARD ECONOMIC MOBILITY THAN THOSE WHO ARE NEVER INCARCERATED.

- Of the former inmates who were in the lowest fifth of the male earnings distribution in 1986, two-thirds remained on the bottom rung in 2006, twice the number of those who were not incarcerated.
- Only 2 percent of previously incarcerated men who started in the bottom fifth of the earnings distribution made it to the top fifth 20 years later, compared to 15 percent of men who started at the bottom but were never incarcerated.

THE IMPACTS OF INCARCERATION REACH FAR BEYOND FORMER INMATES TO THEIR CHILDREN AND FAMILIES.

- 54 percent of inmates are parents with minor children (ages 0-17), including more than 120,000 mothers and 1.1 million fathers.
- 2.7 million children have a parent behind bars—1 in every 28 children (3.6 percent) has a parent incarcerated, up from 1 in 125 just 25 years ago. Two-thirds of these children's parents were incarcerated for non-violent offenses.
- One in 9 African American children (11.4 percent), 1 in 28 Hispanic children (3.5 percent) and 1 in 57 white children (1.8 percent) have an incarcerated parent.

A CHILD'S PROSPECT OF UPWARD ECONOMIC MOBILITY IS NEGATIVELY AFFECTED BY THE INCARCERATION OF A PARENT.

- Previous research has shown that having a parent incarcerated hurts children, both educationally and financially.
- Children with fathers who have been incarcerated are significantly more likely than other children to be expelled or suspended from school (23 percent compared with 4 percent).⁸
- Family income averaged over the years a father is incarcerated is 22 percent lower than family income was the year before a father is incarcerated. Even in the year after the father is released, family income remains 15 percent lower than it was the year before incarceration.⁹
- Both education and parental income are strong indicators of children's future economic mobility.¹⁰

With millions of prison and jail inmates a year returning to their communities, it is important to identify policies that address the impact of incarceration on the economic mobility of former inmates and their children. Based on information previously put forward by The Pew Charitable Trusts' Public Safety Performance Project and Pew's Economic Mobility Project, this report outlines ways to reduce the productivity losses associated with serving time in jail or prison. These recommendations include the following:

- **Proactively reconnect former inmates to the labor market** through education and training, job search and placement support and follow-up services to help former inmates stay employed.
- **Enhance former inmates' economic condition and make work pay** by capping the percent of an offenders' income subject to deductions for unpaid debts (such as court-ordered fines and fees), and expanding the Earned Income Tax Credit to include non-custodial, low-income parents.
- **Screen and sort people convicted of crimes** by the risks they pose to society, diverting lower-risk offenders into high-quality, community-based mandatory supervision programs.
- **Use earned-time credits**, a proven model that offers selected inmates a shortened prison stay if they complete educational, vocational or rehabilitation programs that boost their chances of successful reentry into the community and the labor market.
- **Provide funding incentives** to corrections agencies and programs that succeed in reducing crime and increasing employment.
- **Use swift and certain sanctions** other than prison, such as short but immediate weekend jail stays, to punish probation and parole violations, holding offenders accountable while allowing them to keep their jobs.

THE GROWTH, SCALE AND CONCENTRATION OF INCARCERATION IN AMERICA

The United States maintains the largest incarcerated population and the highest incarceration rate of any nation in the world.¹¹ After three decades of growth, the nation's vast network of prisons and jails now holds more than 2.3 million inmates, meaning that more than 1 in 100 adults is currently behind bars.¹² In 1980, there were half a million people locked up in the United States. That number more than doubled by 1990 and grew by another 75 percent the following decade.¹³ In 2008, the number of inmates in America was slightly larger than the populations of Atlanta, Boston, Kansas City (Missouri) and Seattle combined. Figure 1 details the United States' scale and rate of incarceration compared with those of other countries.

The United States' prison population did not balloon by accident, nor was its expansion driven principally by surging crime rates or demographic dynamics beyond the control of state leaders. Rather, the growth flowed primarily from changes in sentencing laws, inmate release decisions, community supervision practices and other correctional policies that determine who goes to prison and for how long.¹⁴ And while expanded incarceration contributed to the drop in violent crime in the United States during the 1990s, research shows that having more prisoners accounted for only about 25 percent of the reduction, leaving the other 75 percent to be explained by better policing and a variety of other, less expensive factors.¹⁵

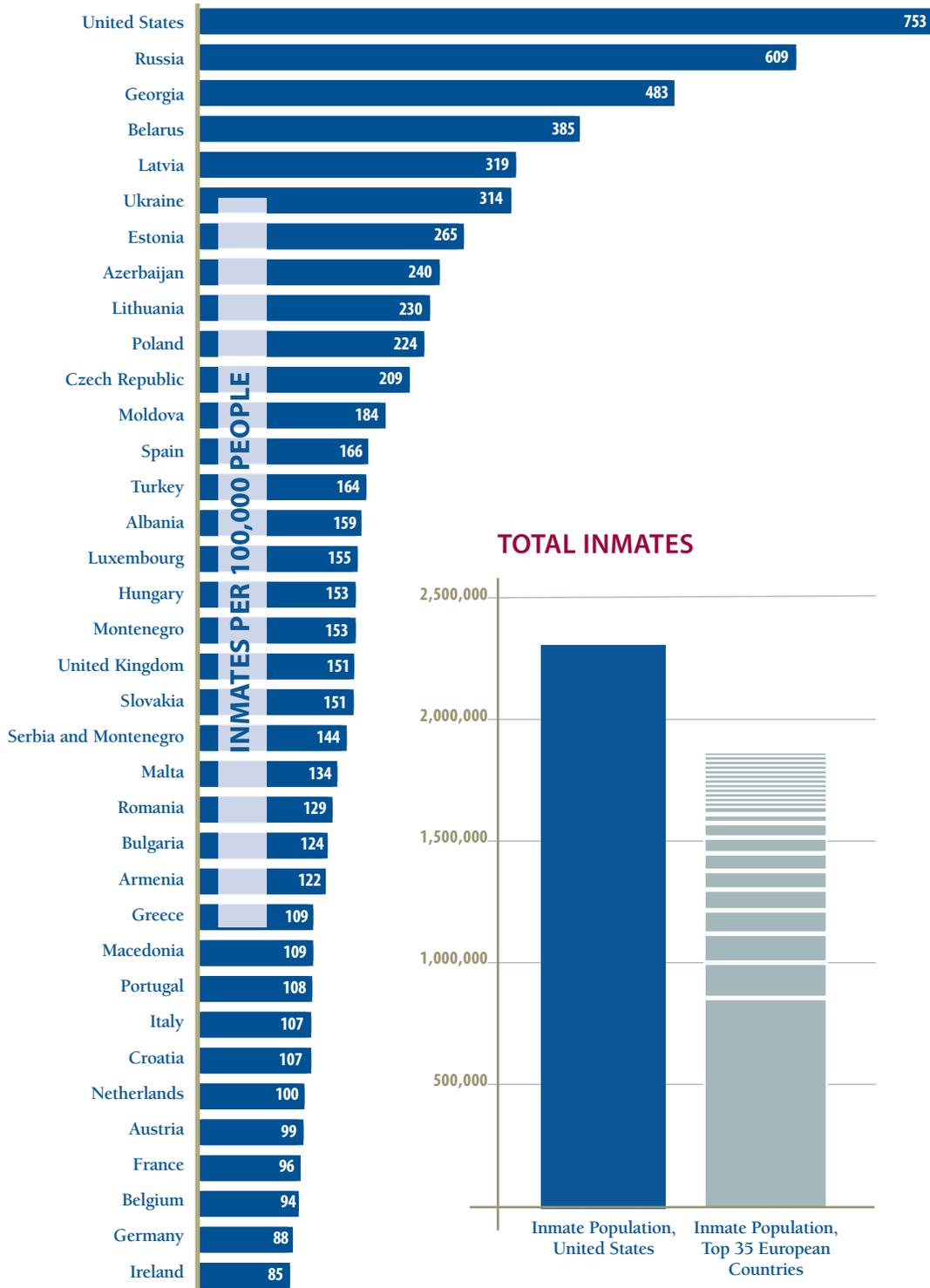
MALE INCARCERATION RATES BY AGE, RACE AND EDUCATION

Incarceration has become a prominent American institution with substantial collateral consequences for families and communities, particularly among the most disadvantaged. Indeed, the headline about overall corrections numbers conceals more sobering details related to race. Simply stated, incarceration in America is concentrated among African American men. (See Figure 2.) While 1 in every 87 white males ages 18 to 64 is incarcerated and the number for similarly-aged Hispanic males is 1 in 36, for black men it is 1 in 12.¹⁶ Moreover, as detailed later in these pages, incarceration has implications for individual employment earnings and long-term economic mobility that are collectively amplified for minority communities, often already at a disadvantage in terms of broader financial well-being.

Other disparities surface when education is considered. In particular, those without a high school diploma or GED are far more likely to be locked up than others.¹⁷ While 1 in 57 white men ages 20 to 34 is incarcerated, the rate is 1 in 8 for white men of the same age group who lack a high school diploma or GED.

FIGURE 1

THE UNITED STATES HOUSES MORE INMATES THAN THE TOP 35 EUROPEAN COUNTRIES COMBINED



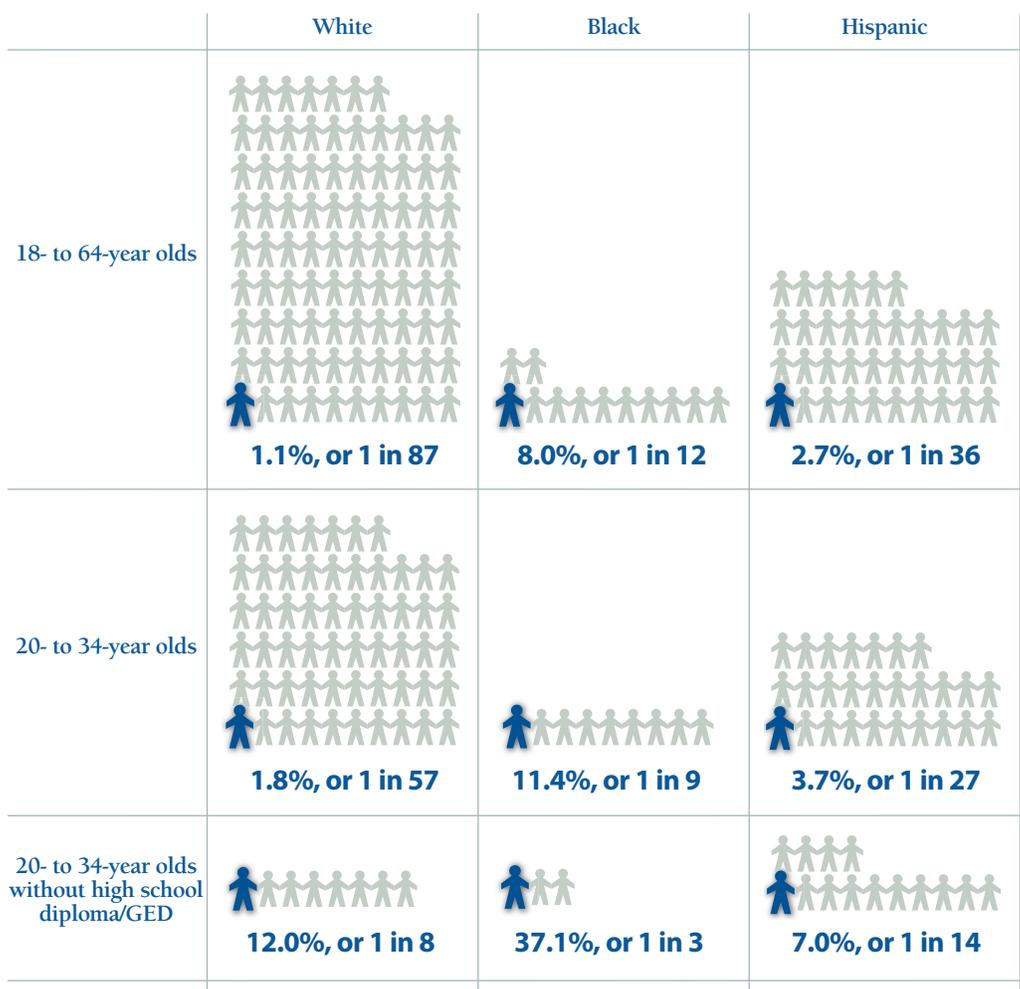
Source: International Centre for Prison Studies at King's College, London, "World Prison Brief," http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_stats.php. Data downloaded June 2010.

Note: Rates are for total number of residents, not just adults. Figures in this chart may not align with others due to counting methods.

FIGURE 2

WORKING-AGE MEN BEHIND BARS

Rates of incarceration by race, age and education, 2008



Note: These numbers differ from previous Pew reports primarily because they pertain to working-age men as opposed to all adults.
 Source: Original analysis for The Pew Charitable Trusts by Bruce Western and Becky Pettit, 2009.

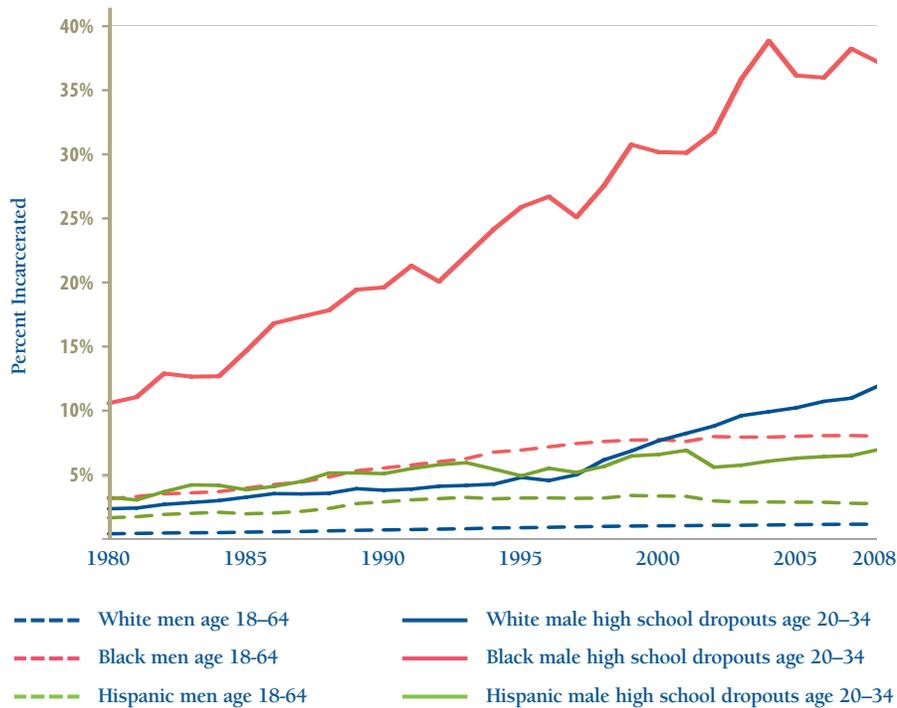
Black men, in particular, face enormously dim prospects when they fail to complete high school. More than one-third (37 percent) of black male dropouts between the ages of 20 and 34 are currently behind bars—three times the rate for whites in the same category. (See Figure 3.) This exceeds the share of young black male dropouts who have a job (26 percent).¹⁸ Thus, as adults in their twenties and early thirties, when they should be launching careers, black men without a high school diploma are more likely to be found in a cell than in the workplace.

The data about incarceration in America show that for many men growing up in the post-civil-rights era, prison looms as an increasingly predictable destination. That fact makes it critical to explore how serving time may carry long-term economic disadvantages that translate into downward mobility not only for the formerly incarcerated, but for their children as well.

FIGURE 3

INCARCERATION RATE RISING

More than one in three young, black men without a high school diploma is currently behind bars



Source: Original analysis for The Pew Charitable Trusts by Bruce Western and Becky Pettit, 2009.

THE IMPACT OF INCARCERATION ON EMPLOYMENT, WAGES AND ECONOMIC MOBILITY

Americans believe strongly that individuals determine their own economic success through hard work, ambition and other personal characteristics.¹⁹ Subject to reasonable restrictions then, former inmates should be able to pay their debt to society, work hard and chart a new and law-abiding course toward economic stability and even improvement. This was a driving sentiment behind the passage of the Second Chance Act, a bipartisan bill signed into law in 2008 by President George W. Bush. Unfortunately, the reality is different. Incarceration casts a long-lasting shadow over former inmates, reducing their ability to work their way up. The obstacles they face upon leaving prison compound the wages and skills lost during the period of incarceration itself.

When inmates return home, they are suddenly confronted with all of the demands and responsibilities of everyday life, as well as the repercussions of their prior choices. Any professional work skills they had before may have eroded, and their social networks—the family and friends who might help them in finding and securing jobs—may well be frayed.²⁰ On top of these challenges, many inmates emerge with substantial financial obligations, including child support, restitution and other court-related fees.²¹

IS IT INCARCERATION OR ARREST AND CONVICTION?²²

This report provides new analysis that documents costs of incarceration that extend well beyond state budgets to the employment and earnings prospects of former inmates and their families. Because incarceration typically is preceded by arrest and conviction, it is important to establish whether incarceration—in itself—negatively affects economic mobility above and beyond what would be expected in a case involving arrest, conviction and a non-incarceration sentence.

In the absence of experimental conditions (which, in the context of crime and punishment, are rare), it can be difficult to substantiate these points. Non-experimental research designs require imperfect comparisons of former inmates with not-incarcerated individuals who share as many other attributes as possible. While no such study can account for all possible differences, several have tried to control for the most likely and important. Two studies offer evidence that distinguishes the effects of incarceration from the effects of arrest and conviction.

- Freeman²³ (1991) uses survey responses to identify the separate impacts of arrest, conviction and incarceration, while controlling for demographic, educational, criminal and other individual attributes. His analysis found substantial negative employment effects attributable specifically to incarceration.
- Grogger²⁴ (1995) also modeled the impact of arrest, conviction, jail and imprisonment on earnings and found substantial negative consequences specific to incarceration. While his findings for imprisonment may reflect lost earnings during the period of incarceration, his findings for a jail effect persist for over a year, after the period in which the incarceration would end.

While these and other studies²⁵ have their own specific limitations, the preponderance of evidence suggests that incarceration—above and beyond arrest and conviction—negatively affects individual economic prospects.

There are several paths through which serving a term of incarceration may adversely affect employment prospects:

- Inmates are necessarily withdrawn from society and have severely limited opportunity to gain work experience while incarcerated.
- Inmates build relationships with a highly criminally active peer group, a factor that may permanently alter their future work trajectory.
- Released inmates usually are placed on parole or some form of supervision, a status that increases the likelihood of future incarceration spells since violations of supervision rules are grounds for return to prison.
- Incarceration can generate child support arrearages for non-custodial fathers, a factor that may decrease the incentive to work.

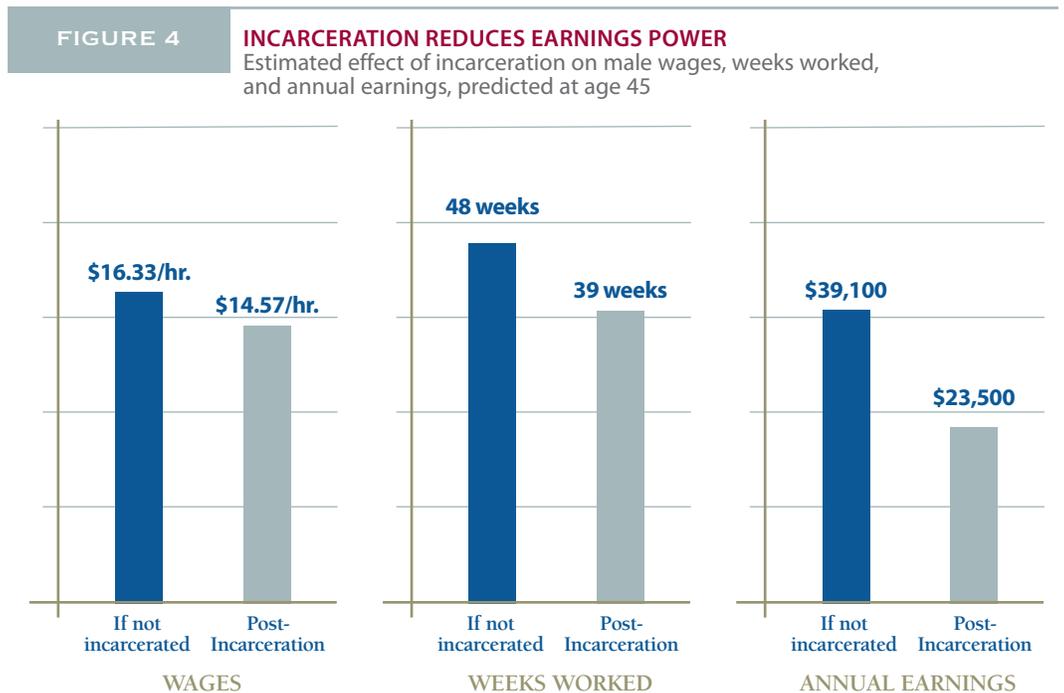
Tossed into a competitive labor market, former inmates are viewed suspiciously by many prospective employers. They bear the indelible stigma of incarceration that ranks them low on any list of job candidates, and face a number of laws barring them from working in certain occupations.²⁶ Finally, while some employers might be inclined to hire a former inmate, many are dissuaded from doing so by potential legal and financial liabilities.²⁷

INCARCERATION AND WORK

Former inmates experience relatively high levels of unemployment and below-average earnings in large part because of their comparatively poor work history and low levels of education.²⁸ Incarceration further compounds these challenges. When age, education, school enrollment, region of residence and urban residence are statistically accounted for, past incarceration reduced subsequent wages by 11 percent, cut annual employment by nine weeks and reduced yearly earnings by 40 percent.²⁹ (See Figure 4.)

Interestingly, when number of years of work experience also is statistically controlled, the estimated effect of incarceration on all of the above outcomes does not change much. This implies that incarceration's effect on economic outcomes has much more to do with having *been* convicted and imprisoned than it does with the work experience lost *while* imprisoned. In other words, having a history of incarceration itself impedes subsequent economic success.

PAST INCARCERATION REDUCED SUBSEQUENT WAGES BY 11 PERCENT, CUT ANNUAL EMPLOYMENT BY NINE WEEKS AND REDUCED YEARLY EARNINGS BY 40 PERCENT.



Source: Original analysis for The Pew Charitable Trusts by Bruce Western and Becky Pettit, 2009.

INCARCERATION AND LOST EARNINGS

The fact that former inmates make less per hour, work fewer weeks per year, and reap lower annual earnings than their counterparts has implications for their earnings trajectory. When the impact of incarceration on earnings is traced through the peak earning years, the aggregate losses are sizable. On average, incarceration eliminates more than half the earnings a white man would otherwise have made through age 48, and 41 and 44 percent of the earnings for Hispanic and black men, respectively. (See Table 1.) That amounts to an expected earnings loss of nearly \$179,000 just through age 48 for people who have been incarcerated.³⁰ Of note, these losses do not include earnings forfeited during incarceration; they reflect instead a sizable lifelong earnings gap between former inmates and those never incarcerated. Facing a competitive marketplace, carrying

the stigma of incarceration, and juggling the responsibility of ongoing financial demands such as fees and restitution, many of the formerly incarcerated find the pursuit of legitimate economic solvency—let alone prosperity—difficult. These challenges impact not only former inmates themselves, but also their families and broader communities.

Another way to understand the lost earnings associated with incarceration and its after-effects is to express it as a share of the aggregate earnings of *all* men—incarcerated or not—through age 48, as shown by race in Table 1. The sum of the earnings lost by white men who have been incarcerated is equal to 2 percent of the total earnings that would otherwise have been expected across all white men. Moreover, because Hispanic and black men are more likely to serve a term of incarceration, their communities lose a larger share of overall male earnings. The lost earnings associated with incarceration are equal to 6 percent of *total* expected Hispanic male earnings and 9 percent of *total* expected black male earnings.

“THE ECONOMIC OUTPUT OF PRISONERS IS MOSTLY LOST TO SOCIETY WHILE THEY ARE IMPRISONED. THESE NEGATIVE PRODUCTIVITY EFFECTS CONTINUE AFTER RELEASE.”

Jim Webb
United States Senator
(D-VA)

TABLE 1

AGGREGATE IMPACT OF INCARCERATION ON EARNINGS

	White men	Hispanic men	Black men
Percent incarceration reduces former inmates' earnings	52%	41%	44%
Reduction in earnings as a percent of all male earnings	2%	6%	9%

Note: Percentages reflect earnings loss through age 48.

Source: Original analysis for *The Pew Charitable Trusts* by Bruce Western and Becky Pettit, 2009.

THE HIDDEN LABOR MARKET

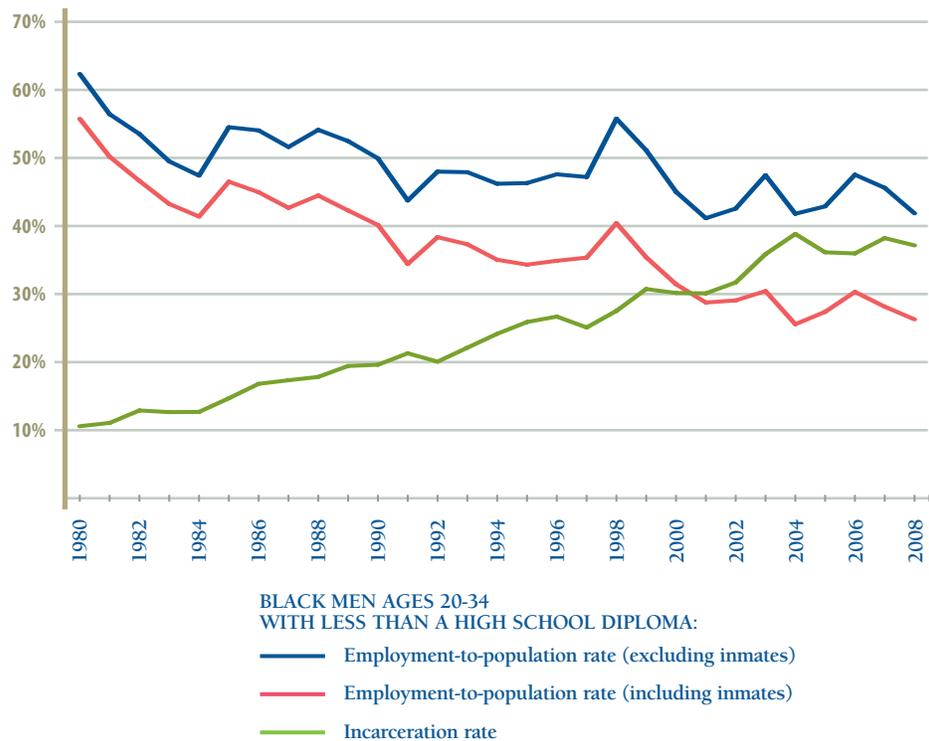
The economic crisis turned all eyes toward the nation's unemployment rate, which recently crested above 10 percent—the highest level in a quarter century. Employment figures tell us much about the financial health of the nation, and are critical for understanding who is moving ahead and who is falling behind. However, conventional methods of assessing employment exclude the men and women behind bars, resulting in an incomplete picture. Now, with more than 2.3 million adults incarcerated, the effect of this omission has become too substantial to ignore.

Conventional labor force surveys that omit inmates create an unrealistically rosy portrait of the productive engagement of men, particularly younger minorities with limited

FIGURE 5

OMITTING INMATES DISTORTS EMPLOYMENT PICTURE

Young, black men without a high school diploma more likely to be incarcerated than employed

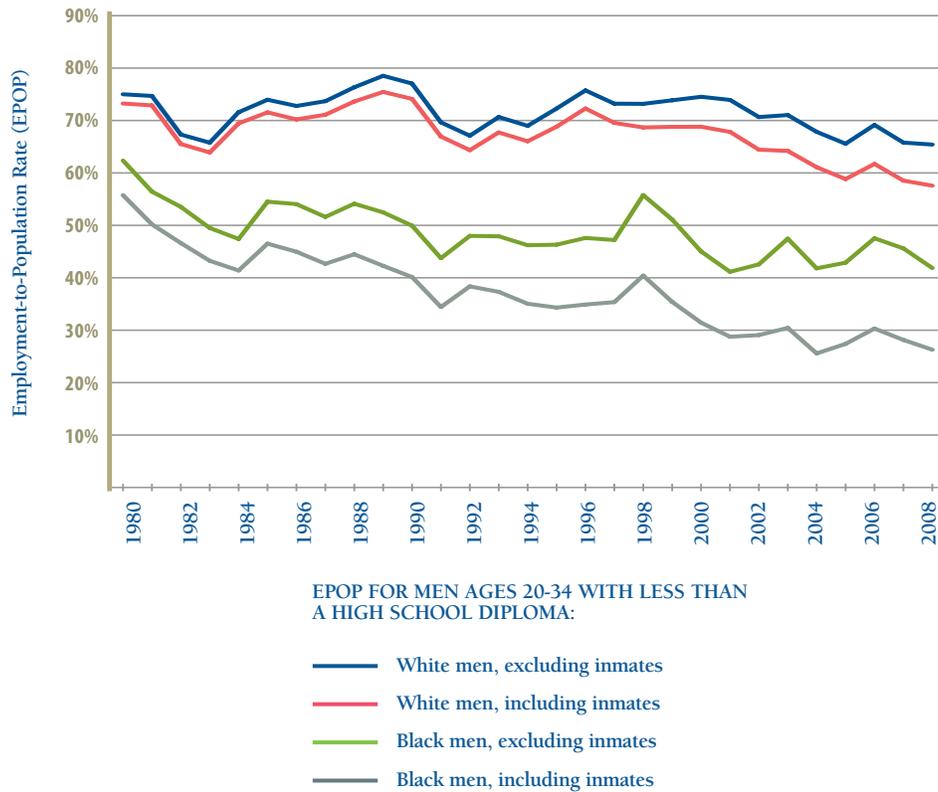


Source: Original analysis for *The Pew Charitable Trusts* by Bruce Western and Becky Pettit, 2009.

FIGURE 6

OMITTING INMATES UNDERSTATES RACIAL EMPLOYMENT DISPARITIES

Incarceration disproportionately affects levels and trends of black employment



Source: Original analysis for *The Pew Charitable Trusts* by Bruce Western and Becky Pettit, 2009.

education. To understand why, imagine a survey of student health that omits all the pupils who happen to be home sick that day. By ignoring the absent, ailing students, the survey would produce a distorted representation of the student body, making it appear healthier than it actually is.

A fundamental statistic for assessing labor market engagement and the economic health of a group of people is the employment-to-population rate (EPOP): the share of people in any group who are currently employed (100 percent would be full employment). A comparison of EPOP rates with and without inmates included provides another way to assess the scale of incarceration and a more complete portrait of economic health.³¹

For example, the EPOP for working age (18–64) black men falls by more than five points, from 67 to 61 percent, when inmates are included. For black men 20 to 34 years old, the EPOP falls by nearly eight points, from 66 to 58 percent. Add education levels to the mix and the gap becomes more dramatic. For black men ages 20–34 without a high school diploma, the EPOP plummets 16 percentage points, from 42 to 26 percent, when inmates are included. That is, using an EPOP figure that excludes inmates creates the impression that these men are 4.5 percentage points more likely to be employed than incarcerated. In fact, younger, less educated black men are 11 percentage points more likely to be incarcerated (37 percent) than employed (26 percent), as shown in Figure 5.

Because the white male incarceration rate is relatively low, the effect of excluding white male prisoners from labor force surveys is far less dramatic. One consequence, however, is that the white-black and white-Hispanic employment gap is understated when inmates are excluded. For example, the white-black gap in EPOP for men ages 20–34 climbs from 16 percent to 23 percent when inmates are counted. (See Appendix A-3 for more details.)

The employment decline of black men also looks more severe when inmates are counted, a pattern exacerbated by the nation’s rising rate of incarceration over the past 30 years. (See Figure 6.) The country’s relatively modest scale of incarceration in 1980, for instance, is reflected in the small gap between the unadjusted EPOP among young high school dropouts and one accounting for those in prison and jail: 7 percentage points for black men and 2 points for white men. In 2008, however, the comparatively high rate of incarceration shows clear effects. The difference between unadjusted and adjusted EPOPs for whites is 8 percentage points, while it is twice that for blacks—16 points. Overall, the decline in prospects for men ages 20–34 without a high school diploma is understated when incarcerated populations are excluded. The EPOP of blacks in this category appears to drop 21 percentage points over the 28-year span when inmates are excluded from the analysis, but is revealed to have dropped 29 points when inmates are included. The corresponding figures for whites in the same category are 10 and 16 points, respectively.

INCARCERATION AND ECONOMIC MOBILITY

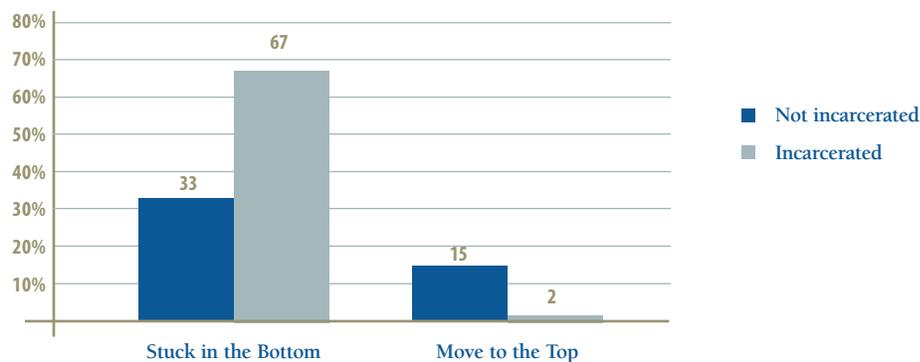
Comparing changes in the individual earnings and family incomes of men who spent time incarcerated during the past two decades with those of men who did not, offers additional evidence of incarceration's economic ripple effects. Put simply, men imprisoned and released between 1986 and 2006 were significantly less upwardly mobile than those who did not spend time behind bars.³² Typically, one would expect maturity, hard work and experience to gradually produce promotions and bigger paychecks. However, in both relative and absolute terms, those who had been convicted of crimes and incarcerated in this time period had much less success in getting ahead.

Analyses of *relative* economic mobility, which looks at the extent to which individuals are able to move up the rungs of the earnings ladder relative to their peers, reveal much less mobility for incarcerated men than for non-incarcerated men. For the formerly incarcerated who had earnings in the bottom fifth, or quintile, of the distribution in 1986, two-thirds (67 percent) remained at the bottom of the earnings ladder 20 years later in 2006.³³ (See Figure 7.) By comparison, only one-third of men who were not incarcerated during that time frame remained stuck at the bottom. Moreover, the odds of moving from the bottom of the earnings distribution to the very top quintile were particularly low for offenders. They had only a 2 percent chance of making such a climb, compared with a 15 percent chance for those who had not served time behind bars. Analyzing relative family income mobility over those two decades yields similar results. (Family income reflects the resources brought in by all family members, and thus reflects additional income men might have access to through cohabitation or marriage; it also reflects non-earnings sources of income such as public assistance.)

FIGURE 7

INCARCERATION INCREASES STICKINESS AT THE BOTTOM OF THE EARNINGS LADDER

Percent of men in the top and bottom of the earnings distribution in 2006 who were in the bottom in 1986



Source: Original analysis for *The Pew Charitable Trusts* by Bruce Western and Becky Pettit, 2009.

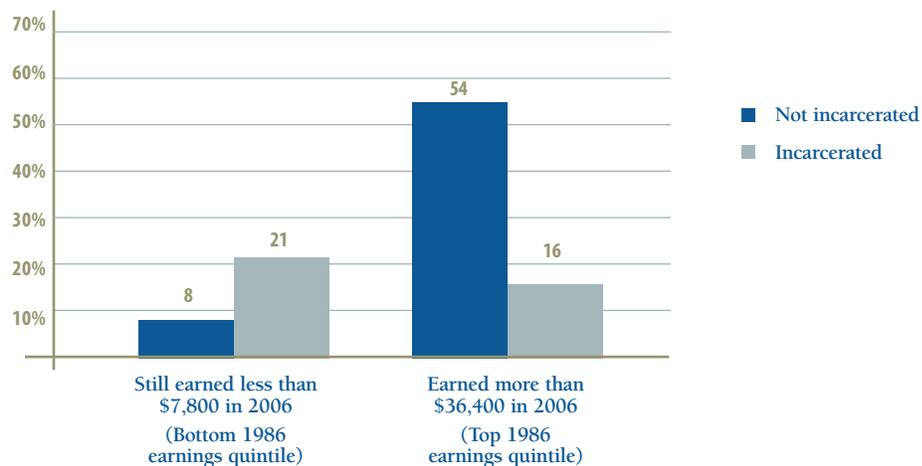
Incarceration also lowers *absolute* economic mobility among the formerly incarcerated. Measuring absolute mobility, rather than tracking changes in a person’s position in the earnings distribution relative to others, involves determining whether a person is earning less or more money over time.

There are several ways to examine absolute economic mobility. The research for this report simply examined how likely it was for men’s earnings to exceed a particular level over 20 years. It finds that, among men who started out in the bottom fifth of earnings in 1986 (earning less than \$7,800), those who were previously incarcerated were more likely than those who were never incarcerated to have earnings in 2006 that remained below \$7,800.³⁴ (See Figure 8.) Among never-incarcerated men, just 8 percent had earnings this low in 2006, whereas among previously incarcerated men, 21 percent did. Alternatively, a never-incarcerated man who started out in the bottom fifth in 1986 had a 54 percent chance in 2006 of earning above \$36,400 in inflation-adjusted dollars, which would have put them in the top fifth in 1986. Among previously incarcerated men, the likelihood was just 16 percent.

THE FISCAL CONSEQUENCES OF THE NATION’S INCARCERATION BOOM EXTEND WELL BEYOND STRAINED STATE BUDGETS, IMPAIRING THE LIVELIHOODS OF FORMER INMATES AND, BY EXTENSION, THE WELL-BEING OF THEIR FAMILIES AND COMMUNITIES.

Overall, the economic experiences of former inmates show that the costs of incarceration are not limited to the justice system itself. Instead, the fiscal consequences of the nation’s incarceration boom extend well beyond strained state budgets, impairing the livelihoods of former inmates and, by extension, the well-being of their families and communities.

FIGURE 8 **INCARCERATION HINDERS EARNINGS GROWTH**
2006 earnings position for men who earned less than \$7,800 in 1986



Note: All earnings in 2006 dollars.

Source: Original analysis for *The Pew Charitable Trusts* by Bruce Western and Becky Pettit, 2009.

THE INTERGENERATIONAL IMPACT OF INCARCERATION

Hidden behind the growing crowd of men and women behind bars in America is another, often overlooked population—their children. Inadvertent victims of their parents' crimes, children of inmates weather a host of repercussions, from the emotional and psychological trauma of separation to an increased risk of juvenile delinquency.³⁵

Incarceration also creates economic aftershocks for these children and their families. Disrupted, destabilized and deprived of a wage-earner, families with an incarcerated parent are likely to experience a decline in household income as well as an increased likelihood of poverty.³⁶ The struggle to maintain ties with a family member confined in an often-distant prison creates additional financial hardship for already fragile families left behind.

CHILDREN WITH INCARCERATED PARENTS

The growth of incarceration in America has intergenerational impacts that policy makers will have to confront. According to this analysis, more than 1.2 million inmates—over half of the 2.3 million people behind bars—are parents of children under age 18. This includes more than 120,000 mothers and more than 1.1 million fathers. The racial concentration that characterizes incarceration rates also extends to incarcerated parents. Nearly half a million black fathers, for example, are behind bars, a number that represents 40 percent of all incarcerated parents.

The most alarming news lurking within these figures is that there are now 2.7 million minor children (under age 18) with a parent behind bars. (See Figure 9.) Put more starkly, 1 in every 28 children in the United States—more than 3.6 percent—now has a parent in jail or prison. Just 25 years ago, the figure was only 1 in 125.

For black children, incarceration is an especially common family circumstance. More than 1 in 9 black children has a parent in prison or jail, a rate that has more than quadrupled in the past 25 years. (See Figure 10.)

Because far more men than women are behind bars, most children with an incarcerated parent are missing their father.³⁷ For example, more than 10 percent of African American children have an incarcerated father, and 1 percent have an incarcerated mother.

THE IMPACT OF PARENTAL INCARCERATION

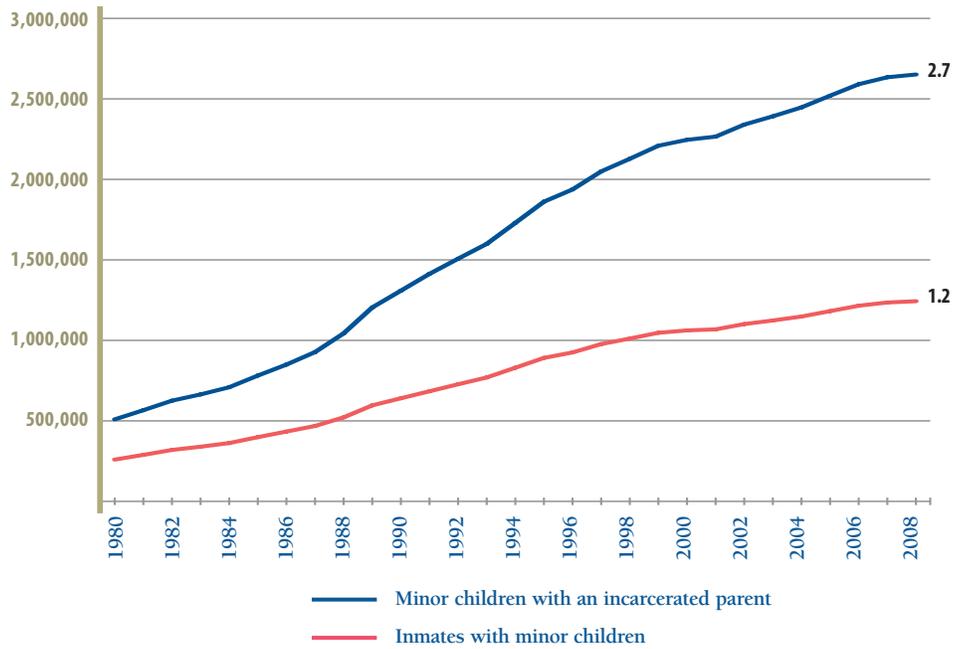
With 2.7 million children growing up with a mother or father behind bars, the effects of parental incarceration on children's well-being and their prospects for economic mobility merit serious scrutiny. At present, American longitudinal studies do not track children of recently incarcerated parents into their wage-earning years, complicating attempts to fully

“PEOPLE SOMETIMES MAKE BAD CHOICES. AS A RESULT, THEY END UP IN PRISON OR JAIL. BUT WE CAN’T PERMIT INCARCERATION OF A PARENT TO PUNISH AN ENTIRE FAMILY.”

Eric Holder
*United States
Attorney General*

FIGURE 9

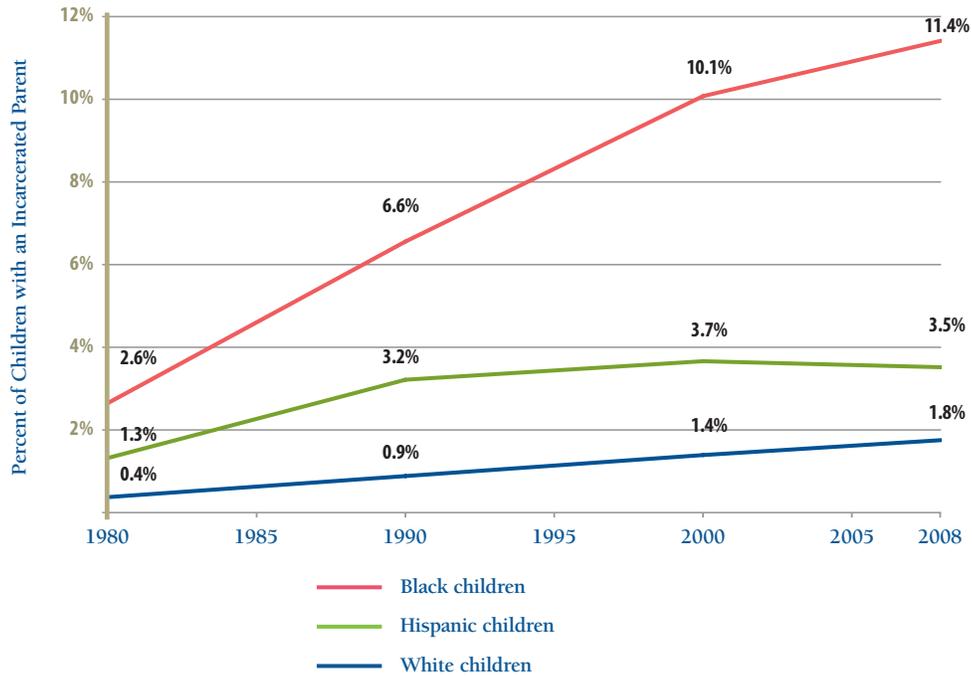
RISING NUMBERS OF CHILDREN WITH INCARCERATED PARENTS
 Minor children outnumber incarcerated parents by more than 2 to 1



Source: Original analysis for The Pew Charitable Trusts by Bruce Western and Becky Pettit, 2009.

FIGURE 10

ONE IN NINE BLACK CHILDREN HAVE AN INCARCERATED PARENT
 Racial disproportion in incarceration reflected by children left behind



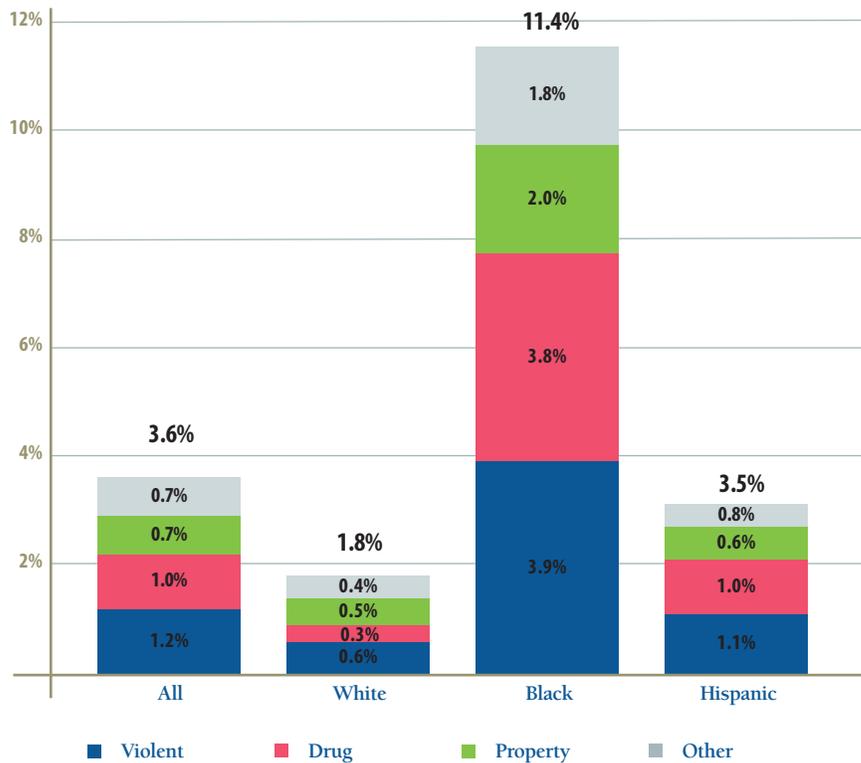
Source: Original analysis for The Pew Charitable Trusts by Bruce Western and Becky Pettit, 2009.

WHY PARENTS ARE INCARCERATED

While one-third of incarcerated parents are serving time for a violent crime, the offenses of the other two-thirds were non-violent, with more than one-quarter of all convictions coming from drug offenses. All told, 1 percent of all children currently have a parent serving time for a drug crime.

As with other dimensions of the incarceration picture, racial disproportion shows up not just in overall rates of parental incarceration but also when parents' conviction offenses are examined. More black children, for instance, have a parent locked up for a violent offense (3.9 percent)—or a drug offense (3.8 percent)—than do Hispanic (3.5 percent) or white kids (1.8 percent) for all offenses combined. (See Figure 11.)

FIGURE 11 **LIKELIHOOD OF PARENTAL INCARCERATION**
Percent of children with incarcerated parent by race and offense type



Source: Original analysis for *The Pew Charitable Trusts* by Bruce Western and Becky Pettit, 2009.

capture the intergenerational impact of incarceration on mobility. However, previous research by the Economic Mobility Project suggests that two factors influenced by parental incarceration—family income and children’s educational outcomes—have direct implications for children’s future upward economic mobility.³⁸

When a wage-earning parent is incarcerated, families often must scramble to make ends meet. Research shows that more than two-thirds of men admitted to prison had been employed.³⁹ Almost half—44 percent—of parents held in state prisons lived with their children prior to incarceration,⁴⁰ and more than half of imprisoned parents (52 percent of mothers and 54 percent of fathers) were the primary earners for their children.⁴¹ While in prison, parents are no longer able to provide substantial economic support to their families.

Research illustrates the economic damage this reality inflicts on children. One study examined the financial well-being of children before, during and soon after the incarceration of a father. It found that in the period that the father was behind bars, the average child’s family income fell 22 percent compared with that of the year preceding the father’s incarceration.⁴² Family income rebounded somewhat in the year after release, but was still 15 percent lower than in the year before incarceration.⁴³

Data from the Economic Mobility Project show that parental income is one of the strongest indicators of one’s own chances for upward economic mobility. Forty-two percent of children who start out in the bottom fifth of the income distribution remain stuck in the bottom themselves in adulthood.⁴⁴ Having parents at the bottom of the income ladder is even more of a barrier for African Americans, 54 percent of whom remain in the bottom themselves as adults.⁴⁵

Research also indicates that children whose parents serve time have more difficulty in school than those who do not weather such an experience. One study found that 23 percent of children with a father who has served time in a jail or prison have been expelled or suspended from school, compared with just 4 percent of children whose fathers have not been incarcerated.⁴⁶ Research that controls for other variables suggests that paternal incarceration, in itself, is associated with more aggressive behavior among boys⁴⁷ and an increased likelihood of being expelled or suspended from school.⁴⁸

This is especially troubling given the powerful impact education has on one’s upward economic mobility in adulthood. Among those who start at the bottom of the income ladder, 45 percent remain there in adulthood if they do not have a college degree, while only 16 percent remain if they obtain a degree.⁴⁹ And, children who start in the bottom of the income ladder quadruple their chances of making it all the way to the top if they have a college degree.⁵⁰ As a new generation of children are touched by the incarceration of a parent, and especially as those children feel the impact of that incarceration in their family incomes and their educational success, their prospects for upward economic mobility become significantly dimmer.

ONE IN EVERY 28 CHILDREN IN THE UNITED STATES—MORE THAN 3.6 PERCENT—NOW HAS A PARENT IN JAIL OR PRISON. JUST 25 YEARS AGO, THE FIGURE WAS ONLY 1 IN 125.

PROMOTING ECONOMIC MOBILITY

The best way to avoid the consequences of prison is to avoid prison itself—for individuals to avoid crime, and for policy makers to use imprisonment selectively in their response to crime. While this report does not address why incarceration is so prevalent in America, most would agree that it is in society's and the economy's best interest to reduce crime rates and the resulting numbers of people behind bars. However, given the fact that so many people do end up in prison, we also are concerned with the serious repercussions for them, their children and families, and broader society. Once offenders pay their debt to society, Americans expect them to rejoin their communities, take legitimate jobs, provide for their families, and become taxpayers—rather than tax burdens.

“EVERYBODY— THE EX-OFFENDER, THE EX-OFFENDER’S FAMILY AND SOCIETY AT LARGE —BENEFITS FROM PROGRAMS THAT EQUIP PRISONERS WITH THE PROPER TOOLS TO SUCCESSFULLY REINTEGRATE INTO LIFE OUTSIDE OF THE PRISON WALLS.”

Sam Brownback
United States Senator
(R-KS)

The severe and lingering impact of incarceration on the economic prospects of former inmates makes that expectation elusive. The financial consequences of incarceration are complex and extend beyond inmates to their families and communities. And when returning inmates fail, they cost society all over again, in the form of more victims, more arrests, more prosecutions, and still more prisons.

Although big social and economic challenges often seem to defy realistic intervention, policy makers are not without options as they seek to improve both public safety and economic opportunity. One approach is to remove barriers to opportunity that stand between the prison gate and the labor market. A second strategy is to contain prison and jail growth in ways that protect public safety and hold offenders accountable.

FROM PRISON TO WORK

The first approach is straightforward and begins with the proactive reconnection of former inmates with the job market. Research on the process of transitioning from prison back to the community has documented the importance of securing stable employment as a critical contributing factor to successful reentry.⁵¹ However, there are numerous barriers, both formal and informal, for ex-inmates who are seeking work. Formerly incarcerated people can be prohibited by law from working in many industries, living in public housing, and receiving various governmental benefits, including Temporary Assistance for Needy Families (TANF), food stamps and educational benefits.⁵² And the stigma of having a felony record can be an insurmountable obstacle when a former inmate is eligible for employment. Job seekers with a criminal record are offered half as many positions as those without criminal records, and African American applicants receive two-thirds fewer offers.⁵³ These scenarios are the catalyst for efforts by some to remove the collateral consequences of incarceration and to “ban the box,” which would prevent employers from requiring that job seekers disclose past criminal convictions on job applications.⁵⁴

Providing education, job training opportunities and work supports to offenders—both before and immediately after their release from prison or jail—has been shown to help

these individuals secure employment and break the cycle of crime. A study of more than 3,600 offenders across Maryland, Ohio and Minnesota found that offenders who participated in prison education programs were 29 percent less likely to be re-incarcerated than non-participants.⁵⁵ And in a cost-benefit analysis of crime-reduction programs from across the United States over the past 25 years, the Washington State Institute for Public Policy found significant gains to taxpayers from several workforce programs in terms of both reduced recidivism and cost savings from reduced crime. In-prison vocational programs produced net benefits of \$13,738 per offender (a return of \$12.62 for every dollar invested), and adult general education produced net benefits of \$10,669 per offender (or \$12.09 per dollar invested). Employment and job training services for offenders in the community yielded \$4,359 per offender, the equivalent of \$11.90 per dollar invested.⁵⁶ Unfortunately, the availability of comprehensive education and workforce training programs is rare, and those that do exist have low participation rates; only about 10 percent of all inmates attend educational, vocational or treatment programs on a given day.⁵⁷ Policy makers therefore might consider expanding and bringing to scale proven education and job training programs that combine job search and placement support with services that address former inmates' specific barriers to employment, such as low skills or substance abuse.

Policy makers also could heed recent calls⁵⁸ to subsidize transitional work programs—often minimum wage manual jobs—for formerly incarcerated people. Evidence of these programs' effectiveness extends back at least three decades to the National Supported Work Demonstration (evaluated 1975–1978), a randomized trial that reduced arrests by 22 percent for former prisoners over age 26.⁵⁹ Another example, the ComALERT program (evaluated 2004–2006), that combined supported employment with housing and substance-abuse treatment, was found to reduce arrests by nearly 20 percent.⁶⁰ Such programs aim to prevent relapse to drug use and crime by intervening in the critical weeks and months after release from prison, thereby helping former inmates chart a new course toward stable employment and economic self-sufficiency.

Another obstacle to former inmates' economic viability is the money many owe for court or supervision fees, victim restitution or child support. These financial obligations are important mechanisms to repay debts, support children and hold offenders accountable, and former inmates should be required and given incentives to pay them. However, efforts to enforce these obligations can also be self-defeating. A report by the Council of State Governments Justice Center, for example, found that 12 percent of probation revocations—returns to incarceration for violations—were due in part to a probationer's failure to make required payments.⁶¹ If inmates are sent back to prison, they obviously lose the ability to pay child support, debts and other obligations. When supervised properly in the community, probationers and parolees can repay their debts while building work skills and an employment track record. For example, in just one year, offenders in Colorado serving their sentences in community residential programs paid more than \$5 million in child support and state and federal taxes in addition to nearly \$12 million for their own housing.⁶²

PROVIDING EDUCATION, JOB TRAINING OPPORTUNITIES AND WORK SUPPORTS TO OFFENDERS—BOTH BEFORE AND IMMEDIATELY AFTER THEIR RELEASE FROM PRISON OR JAIL—HAS BEEN SHOWN TO HELP THESE INDIVIDUALS SECURE EMPLOYMENT AND BREAK THE CYCLE OF CRIME.

WHEN SUPERVISED PROPERLY IN THE COMMUNITY, PROBATIONERS AND PAROLEES CAN REPAY THEIR DEBTS WHILE BUILDING WORK SKILLS AND AN EMPLOYMENT TRACK RECORD.

Financial liens and garnishments against future earnings can detract from the rewards of working for a living and undermine former inmates' efforts to regain their economic footing in the community. In some instances, debts garnished from their wages, such as those owed to the criminal and civil justice systems, when combined with regular taxation can impose effective tax rates as high as 65 percent.⁶³ To encourage work, some experts have suggested expanding the Earned Income Tax Credit (EITC) for low-earning non-custodial parents.⁶⁴ A refundable tax credit available to low-income working families, the EITC has been shown by research to produce substantial increases in employment and reductions in both welfare receipt and poverty.⁶⁵ For example, economists calculate that expansions of the EITC in 1993 and 1996 helped more than half a million families move off of welfare and into the labor market.⁶⁶ This is because people must work to be eligible for the credit, and among those with very low earnings, the credit increases as earnings increase. However, under current federal income tax rules, low-income non-custodial parents are ineligible for the EITC benefits available to families with children, even when they support their children through full payment of child support.⁶⁷ Researchers estimate that as many as 645,000 non-custodial parents would be eligible for the EITC, and that it would increase their annual incomes by \$500 to \$1,900—an increase of 6 to 12 percent in income after taxes and child support payments.⁶⁸ This would represent a meaningful increase in income, and a substantive incentive to work. Coupled with the powerful success of the EITC in encouraging single parents to work, extending the child-based EITC to non-custodial parents could hold the potential for dramatically enhancing their upward economic mobility prospects.

CONTAINING THE CORRECTIONS POPULATION

On another track, policy makers striving to reduce the impact of incarceration on economic mobility in America can take steps to control the size of the prison population. In recent years, a variety of states, led by members of both major political parties as well as independents, have launched public safety initiatives that are accomplishing that goal while cutting spending.

To be clear, violent and career criminals need to be put behind bars for significant terms. At the same time, lower-risk offenders can be diverted to a system of high-quality community supervision, services and tough sanctions that reduces recidivism and enhances public safety while costing far less than prison. States and courts must properly screen and sort offenders who are appropriate for community corrections and then work to address the risk and need factors that drive their criminality. “Technical violators,” offenders who have broken the rules of their probation or parole but not necessarily committed new crimes, make up as much as half to two-thirds of prison admissions in some states and are a particularly large target for diversion.⁶⁹

Every day spent under community supervision rather than behind bars is an opportunity for a sentenced individual to work. It's an opportunity to build vocational experience,

to care for children, and to pay victim restitution and other fines and fees. Rather than draining resources from the public coffer as inmates, offenders supervised in the community can pay their own way and make amends to their victims for the harms they caused.

Recent statistics show that, on average, a day in state prison costs nearly \$80 compared with a day on probation supervision, which costs just \$3.50.⁷⁰ In other words, one day in prison costs more than 22 days of probation. Instead of spending \$80 on one person for one day in prison, states could double the intensity of probation supervision and services for that offender plus nine current probationers and *still* have \$10 left over. As this example shows, even modest reductions in incarceration can free up funds states can use to more effectively and safely monitor people on parole and probation and strengthen supervision and behavior modification programs that have been proven to reduce recidivism.

One approach to containing prison populations and limiting incarceration for low-level offenders is the use of earned time credits. Earned credits encourage better inmate behavior behind bars and more success stories once they return home by offering inmates a shortened prison stay if they build their human capital by participating in educational, vocational or rehabilitation programs. Completion of such programs reduces risk inside and outside of prison while containing correctional costs and freeing up funds for other taxpayer priorities.⁷¹

A recent report from the National Conference of State Legislatures found that at least 31 states provide some type of earned time incentives.⁷² Among them is Washington, which in 2003 expanded the amount of earned time available to selected nonviolent drug and property offenders from 33 percent of the total sentence to 50 percent of the sentence. A follow-up study found that offenders who earned the credits had fewer new felony convictions and that prison stays for the eligible offenders dropped by more than two months, saving the state money on incarceration costs.⁷³ New York has experienced similar crime and cost-saving benefits under its merit time program,⁷⁴ and Kansas reports significant declines in both parolee crime and parole revocations since its earned time policy took effect.⁷⁵

To maintain the viability of these earned time options, policy makers must resist the temptation to cut those inmate programs that have been proven to improve behavior and reduce recidivism. Though much appears in jeopardy during these difficult budget years, the elimination of such programs will likely end up costing more than it saves: parole or releasing authorities generally hold inmates longer behind bars if they haven't completed programs, which adds to imprisonment costs, and then higher recidivism rates mean more new victims of crime and an accelerated revolving door.

Similar earned time credits can be offered to offenders on probation and parole to encourage compliance and avoid incarceration for violations. Nevada and Arizona recently enacted legislation that grants early termination from community supervision for parolees

“PERHAPS THE BIGGEST WASTE OF RESOURCES IN ALL OF STATE GOVERNMENT IS THE OVER-INCARCERATION OF NONVIOLENT OFFENDERS AND OUR MISHANDLING OF DRUG AND ALCOHOL OFFENDERS.”

William Ray Price
*Chief Justice, Missouri
Supreme Court*

who toe the line by obeying rules and paying court-ordered restitution.⁷⁶ This serves to simultaneously encourage law-abiding behavior for those who want to get a clean start while targeting more intensive supervision and services toward those who pose a greater risk to public safety. The net result of this more efficient use of resources is less crime, fewer trips back to prison and taxpayer savings.

While shorter supervision terms can be a powerful behavioral incentive to offenders, fiscal rewards can help motivate corrections agencies to get better results with the people under their watch. The basic model is for counties and other localities (or even state-level agencies) to receive a share of the savings accrued at the state level through the reduction in imprisonment that springs from improved community supervision success rates. Kansas and Arizona are already well down this path, and the legislatures of Illinois and California followed suit in 2009.⁷⁷

The efficacy of a third tactic is evident in Hawaii. Hawaii's Opportunity Probation with Enforcement (HOPE), conceived by a former federal prosecutor who is now a judge,

employs strategies identified by research into what works in community corrections.⁷⁸ HOPE's winning ingredients are frequent drug tests and swift and certain sanctions—short but quickly imposed jail stays for drug use or other probation violations. To minimize disruptions of ongoing employment, these jail sanctions are imposed over the weekend for probationers with paycheck jobs. Arrest warrants are issued for those who skip appointments, drug treatment is provided for those who cannot stay clean without assistance, and probation officers get additional training to work with their increasingly compliant caseloads. A recent evaluation supported by the U.S. Department of Justice found that the program had reduced arrests for new crimes by 55 percent, missed probation appointments by 61 percent, and drug use by 72 percent.⁷⁹ And, due to decreased misbehavior and crime, HOPE probationers use less, not more, prison space.⁸⁰ The model is now the focus of bipartisan federal legislation⁸¹ and replication programs are under development in several states.

“QUITE FRANKLY, WE’RE IN A VERY TOUGH ECONOMY. THAT IS SPURRING PEOPLE TO LOOK AT DIFFERENT SOLUTIONS, ESPECIALLY ONES THAT COST LESS THAN INCARCERATION.”

Gil Kerlikowske
Director of The Office of National Drug Control Policy

CONCLUSION

Manifest in the American Dream is the belief that no matter where one begins, with hard work and perseverance anyone can climb the economic ladder. Since the nation's founding, this dream has served as inspiration for all its citizens. However, research conducted by Pew's Economic Mobility Project demonstrates that while the American Dream is alive and well for many, it is elusive for others and can be influenced by many factors, including one's educational and financial assets, as well as one's race and parents' income. In particular, many children of parents who begin on the bottom rung of the income ladder are themselves on the bottom rung later in life, including a disproportionate number of African Americans and those without a college degree.

Drawn disproportionately from the poorly educated and the marginally employed, the millions of people in American jails and prisons faced poor mobility prospects before they entered the prison walls. But by the time they leave, this research finds, they face even smaller chances of finding and keeping jobs and moving up the income ladder. The detrimental impact of incarceration on mobility merits particular attention because of the explosive growth of jails and prisons over the past three decades. With so many people and families affected, and with such concentration of the impacts among young, poorly educated men from disadvantaged neighborhoods, discussions of mobility in America must include reference to crime policy and the criminal justice system.

Further, the findings presented here foreshadow a disconcerting trend for the economic mobility prospects of the 2.7 million children who currently have an incarcerated parent. If previous mobility patterns of “stickiness” at the bottom of the income ladder continue, children of incarcerated parents, who are more likely to begin on the bottom rung of the ladder and more likely to struggle in school and experience turmoil in their families, will find themselves in a similar economic position as adults.

These findings make it clear that beyond the already substantial brick and mortar costs of incarcerating such a significant portion of the population, there are additional costs to former inmates, their families and their communities. Those who have been incarcerated emerge from prisons and jails and work fewer weeks per year, receive lower wages and take home smaller earnings. These costs now account for a substantial share of the economic hardship faced, in particular, by young, undereducated racial and ethnic minorities. Even as prison populations stabilize, the United States still will be forced to address the legacy of the current prison population and the millions who have previously served terms of incarceration.

The good news is that years of research and analysis point the way toward solutions that reduce crime, contain spending and enhance the economic prospects of offenders and their families. To support upward mobility, states can invest in programs that reconnect former inmates with the labor market and remove obstacles to reintegration. To stop the revolving door of incarceration, states can invest in research-based policies and programs in the community that keep former inmates on the straight and narrow, improve public safety and cost far less than incarceration. In so doing, policy makers can ensure a more level playing field and greater prosperity for millions of Americans, their families, and society at large.

THE DETRIMENTAL IMPACT OF INCARCERATION ON MOBILITY MERITS PARTICULAR ATTENTION BECAUSE OF THE EXPLOSIVE GROWTH OF JAILS AND PRISONS OVER THE PAST THREE DECADES.

METHODOLOGY**Incarceration Totals and Rates by Year, Age, Gender, Race/Ethnicity and Education**

These estimates begin from Bureau of Justice Statistics (BJS) data on penal populations from 1980 to 2008 that are not disaggregated by gender, race, or education.⁸² To allocate the aggregate totals across age-by-gender-by-race-by-education groups, correctional surveys were analyzed, using data from the years in which surveys were conducted and interpolating or extrapolating allocations in years for which surveys were unavailable.⁸³ Two age groups (18-64 years old and 20-34 years old) and three education categories (less than high school, high school/GED, and some college or more) were examined.

To compute rates, these estimates were divided by the number of Americans in the relevant group (i.e., the number of incarcerated plus the number of civilians). Population estimates for non-institutional civilians come from the March Current Population Survey,⁸⁴ and they are added to the inmate totals to get the base population.

Effect of Incarceration on Measured Employment Rates, by Age, Gender, Race/Ethnicity and Education

To estimate how incarceration affects estimates of employment rates, the March Current Population Survey was used to get the number of employed and non-institutionalized non-employed. These numbers were combined with the estimated numbers of incarcerated persons (see above). The employed include paid employees, those in unpaid work in a family business, the self-employed, and civilians with a job but not at work.

Economic Mobility by Race/Ethnicity

Earnings and income mobility analyses were conducted using the National Longitudinal Survey of Youth (NLSY) 1979 data,⁸⁵ which follows a representative sample of people ages 14 to 21 as of December 31, 1978. The analyses compare men's earnings and family incomes in 1986 (when they were between the ages of 21 and 28) to their earnings and incomes in 2006, twenty years later. The "non-incarcerated" were never incarcerated over this period, while the "incarcerated" were in prison sometime in the years from 1987 to 2005. Individuals from either group may have been incarcerated at some point prior to 1986, but no one in either group was incarcerated in 1986 or in 2006.

In the relative mobility analyses, quintiles were computed from the 1986 distributions of earnings or income and again from the 2006 distributions. Upward mobility, in these analyses, refers to a person moving from the bottom 1986 quintile to a higher 2006

quintile. In the absolute mobility analyses, the 1986 quintiles are used for both years, so that upward mobility refers to a person moving from the bottom 1986 quintile to a higher 1986 quintile in 2006. Confidence intervals for all cell percentages were obtained through bootstrapping techniques.

All dollars in these and other analyses are expressed in 2009 dollars, using the Personal Consumption Expenditures deflator.⁸⁶

Effect of Incarceration on Male Hourly Wages, Weeks Worked and Annual Earnings, by Race/Ethnicity

To analyze the impact of incarceration on wages, employment and earnings, the NLSY 1979 data was used, examining men from 1983 to 2006. Linear regression models were estimated predicting log hourly wages, annual weeks worked, and log annual earnings from an indicator of past incarceration and various control variables. The models included individual fixed effects, which control for all unchanging characteristics of an individual, and they were restricted to men who at some point indicated spending time in jail or prison (or who were interviewed in a correctional facility while serving time). All observations in which a respondent was currently incarcerated were dropped. The wage and earnings models also omitted observations with \$0 in wages or earnings for the year. Models were estimated separately for each race/ethnicity group.

Initially, the models control for age (logged), education, an indicator for enrollment in school, region, and an indicator for living in an urban area. Next, work experience was added to the models, which generally had little effect on the coefficient on past incarceration. Finally, potentially endogenous control variables were added, including an indicator for being married, one for using drugs, and one for being a member of a union, plus industry controls. These also generally had little impact on the apparent importance of past incarceration.

In Figure 4, predicted outcomes are shown for men aged 45 as described in endnote 24.

Lifetime Earnings Loss, by Race/Ethnicity

Using the regression model for annual earnings estimated above, but with an additional term indicating whether or not a man was currently incarcerated in a given year (as opposed to previously incarcerated), annual earnings were predicted for each man from 1979 to 2006 (the most recent wave of the NLSY, when men were age 41 to 48) and then aggregated.⁸⁷ Then annual earnings were predicted again setting the current and previous incarceration indicators to zero, yielding the predicted earnings had a man not been

incarcerated. The difference between these two predicted lifetime earnings is the amount lost due to incarceration. The median for all incarcerated men is then reported (with separate analyses for each race/ethnicity). Finally, the aggregate earnings loss is compared to other aggregate figures, such as the aggregate earnings of men who experienced incarceration or of all men.⁸⁸

Children with an Incarcerated Parent by Year, Gender of Parent, Race/Ethnicity and Most Serious Type of Offense

Using the correctional surveys noted above, the percentage of male and female inmates who report having different numbers of minor children are computed by year and race/ethnicity. These percentages then are applied to aggregate incarcerated population counts from the Bureau of Justice Statistics to yield the number of children age 0-17 with incarcerated mothers and fathers. Census population estimates of the overall number of children 0-17 are combined with these estimates to produce the percentage of children with incarcerated parents, which are reported by year, gender of parent, race/ethnicity, and type of offense.

TABLE A-1 **INCARCERATION RATES**

MEN, AGES 18-64				WOMEN, AGES 18-64			
	White	Black	Hispanic	White	Black	Hispanic	
1980	0.4%	3.1%	1.6%	0.0%	0.2%	0.1%	
1990	0.7%	5.5%	2.9%	0.1%	0.4%	0.2%	
2000	1.0%	7.7%	3.3%	0.1%	0.6%	0.2%	
2008	1.1%	8.0%	2.7%	0.1%	0.6%	0.2%	

MEN, AGES 20-34				WOMEN, AGES 20-34			
	White	Black	Hispanic	White	Black	Hispanic	
1980	0.6%	5.2%	2.3%	0.0%	0.3%	0.1%	
1990	1.1%	8.3%	3.9%	0.1%	0.6%	0.3%	
2000	1.6%	11.2%	4.4%	0.2%	0.8%	0.3%	
2008	1.8%	11.4%	3.7%	0.2%	0.8%	0.3%	

...continued

TABLE A-1

INCARCERATION RATES ...continued

MEN, AGES 20-34 Less than High School Education				WOMEN, AGES 20-34 Less than High School Education			
	White	Black	Hispanic	White	Black	Hispanic	
1980	2.4%	10.6%	3.2%	0.1%	0.6%	0.2%	
1990	3.8%	19.6%	5.1%	0.4%	1.7%	0.5%	
2000	7.7%	30.2%	6.6%	1.1%	2.8%	0.6%	
2008	12.0%	37.1%	7.0%	1.8%	3.9%	0.7%	

MEN, AGES 20-34 High School Education				WOMEN, AGES 20-34 High School Education			
	White	Black	Hispanic	White	Black	Hispanic	
1980	0.8%	4.7%	2.5%	0.0%	0.2%	0.1%	
1990	1.4%	7.1%	3.8%	0.1%	0.5%	0.2%	
2000	2.3%	11.7%	4.4%	0.3%	0.8%	0.3%	
2008	2.0%	9.1%	2.6%	0.4%	0.7%	0.3%	

MEN, AGES 20-34 Some college				WOMEN, AGES 20-34 Some college			
	White	Black	Hispanic	White	Black	Hispanic	
1980	0.2%	1.9%	0.8%	0.0%	0.1%	0.1%	
1990	0.3%	2.9%	1.6%	0.0%	0.2%	0.2%	
2000	0.3%	2.1%	1.1%	0.0%	0.2%	0.1%	
2008	0.3%	2.1%	0.9%	0.1%	0.2%	0.1%	

Note: White and Black refer to non-Hispanic whites and non-Hispanic blacks.

TABLE A-2

CHILDREN OF INCARCERATED PARENTS**PERCENT OF CHILDREN (UNDER AGE 18)
WITH A PARENT IN PRISON OR JAIL**

	White	Black	Hispanic	All
1980	0.4%	2.6%	1.3%	0.8%
1990	0.9%	6.6%	3.2%	2.0%
2000	1.4%	10.1%	3.7%	3.1%
2008	1.8%	11.4%	3.5%	3.6%

This 2008 figure is composed of:

	White	Black	Hispanic	All
Fathers	1.5%	10.4%	3.2%	3.2%
Mothers	0.3%	1.0%	0.3%	0.4%

**PERCENT OF CHILDREN (UNDER AGE 18) WITH
A PARENT IN PRISON OR JAIL, BY OFFENSE TYPE**

	Violent	Drug	Property	Other
1980	0.1%	0.1%	0.2%	0.3%
1990	0.2%	0.4%	0.4%	1.0%
2000	0.7%	0.9%	0.6%	1.0%
2008	1.2%	1.0%	0.7%	0.7%

FOR WHITE CHILDREN:

Percentage of children with a parent
in prison or jail, by offense type

	Violent	Drug	Property	Other
1980	0.1%	0.0%	0.1%	0.2%
1990	0.1%	0.1%	0.2%	0.5%
2000	0.3%	0.3%	0.3%	0.5%
2008	0.6%	0.3%	0.5%	0.4%

...continued

TABLE A-2

CHILDREN OF INCARCERATED PARENTS ...continued**FOR BLACK CHILDREN:**
Percentage of children with a parent
in prison or jail, by offense type

	Violent	Drug	Property	Other
1980	0.5%	0.3%	0.7%	1.1%
1990	0.7%	1.5%	1.1%	3.3%
2000	2.3%	3.3%	1.7%	2.8%
2008	3.9%	3.8%	1.9%	1.8%

FOR HISPANIC CHILDREN:
Percentage of children with a parent
in prison or jail, by offense type

	Violent	Drug	Property	Other
1980	0.2%	0.4%	0.3%	0.5%
1990	0.2%	1.1%	0.5%	1.4%
2000	0.7%	1.2%	0.6%	1.2%
2008	1.1%	1.0%	0.6%	0.8%

Note: The 1980 cohort is born 1960-1964; the 1990 cohort is born 1970-1974; the 2000 cohort is born 1980-1984; the 2009 cohort is born 1989-1993.

TABLE A-3

EMPLOYMENT-TO-POPULATION RATES, WITH/WITHOUT INMATES

FOR 18–64 YEAR-OLD MEN:

	White		Black		Hispanic		Black-White Gap	
	Inmates Excluded	Inmates Included	Inmates Excluded	Inmates Included	Inmates Excluded	Inmates Included	Inmates Excluded	Inmates Included
1980	83.7%	83.4%	69.9%	67.7%	81.3%	80.0%	13.9%	15.7%
1990	84.2%	83.6%	70.4%	66.5%	81.5%	79.2%	13.8%	17.1%
2000	84.0%	83.2%	72.1%	66.5%	84.3%	81.5%	11.9%	16.6%
2008	80.4%	79.4%	66.5%	61.1%	80.4%	78.2%	13.9%	18.3%
1980 Gap	0.3%		2.2%		1.3%			
2008 Gap	0.9%		5.4%		2.2%			

FOR 20–34 YEAR-OLD MEN:

	White		Black		Hispanic		Black-White Gap	
	Inmates Excluded	Inmates Included	Inmates Excluded	Inmates Included	Inmates Excluded	Inmates Included	Inmates Excluded	Inmates Included
1980	85.3%	84.8%	72.5%	68.7%	81.5%	79.6%	12.9%	16.1%
1990	86.7%	85.8%	73.0%	66.9%	85.8%	82.4%	13.7%	18.8%
2000	86.5%	85.1%	73.6%	65.3%	87.2%	83.4%	12.9%	19.8%
2008	81.8%	80.3%	65.4%	57.8%	82.1%	79.1%	16.4%	22.5%
1980 Gap	0.6%		3.8%		1.9%			
2008 Gap	1.5%		7.6%		3.0%			

...continued

TABLE A-3

EMPLOYMENT-TO-POPULATION RATES, WITH/WITHOUT INMATES ...continued

FOR 20-34 YEAR-OLD MEN
with less than high school education:

	White		Black		Hispanic		Black-White Gap	
	Inmates Excluded	Inmates Included	Inmates Excluded	Inmates Included	Inmates Excluded	Inmates Included	Inmates Excluded	Inmates Included
1980	75.0%	73.2%	62.4%	55.8%	80.4%	77.8%	12.6%	17.5%
1990	77.0%	74.1%	49.9%	40.1%	83.3%	79.0%	27.1%	34.0%
2000	74.5%	68.8%	45.0%	31.4%	84.8%	79.2%	29.5%	37.4%
2008	65.4%	57.6%	41.9%	26.3%	80.4%	74.8%	23.6%	31.3%
1980 Gap	1.8%		6.6%		2.6%			
2008 Gap	7.8%		15.6%		5.6%			

NOTES

- ¹ Pew Center on the States, 2008b, “One in 100.”
- ² Ibid.
- ³ Isaacs, Sawhill, and Haskins, 2008.
- ⁴ Economic Mobility Project, 2009a.
- ⁵ Isaacs, Sawhill, and Haskins, 2008.
- ⁶ Isaacs, Sawhill, and Haskins, 2008.
- ⁷ Western, 2006; Glaze and Marushak, 2008.
- ⁸ Johnson, 2009.
- ⁹ Ibid.
- ¹⁰ Isaacs, Sawhill, and Haskins, 2008.
- ¹¹ International Centre for Prison Studies, 2009. Note that our comparison excludes from China’s inmate count perhaps more than five hundred thousand people in “re-education through labour camps.” See the “Prison Brief for China” page at http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=91.
- ¹² Pew Center on the States, 2008b, “One in 100.”
- ¹³ The Bureau of Justice Statistics, <http://bjs.ojp.usdoj.gov/content/glance/tables/corr2tab.cfm>, accessed June 4, 2010.
- ¹⁴ Pew Center on the States, 2009.
- ¹⁵ Ibid.
- ¹⁶ Unless otherwise noted, all estimates in the rest of the report are from analyses by Bruce Western and Becky Pettit for The Pew Charitable Trusts. See the Appendix for all methodological details.
- ¹⁷ “High school dropouts,” by this definition, include about 1 in 10 white men aged 20 to 29 in the United States, about one in four black men, and about one in two Hispanic men in that age group. Computations by Pew staff from tabulations by Heckman and LaFontaine (2008), Tables A.1 and A.2. The estimates are from the 2000 Census Integrated Public Use Microdata Series (IPUMS).
- ¹⁸ Analysis by Bruce Western and Becky Pettit for The Pew Charitable Trusts. See the Appendix for all methodological details.
- ¹⁹ Economic Mobility Project, 2009a, “Findings from a National Survey.” When asked to rate factors important to an individual’s economic mobility, 92 percent of respondents said “hard work” was essential or very important and 89 percent said “having ambition” was essential or very important. Respondents also rated highly “staying healthy” and “having a good education” (83 percent and 81 percent respectively called these essential or very important).
- ²⁰ See Western, 2002; Holzer, 2009.
- ²¹ McLean and Thompson, 2007.
- ²² This sidebar draws heavily on a critical review of the research literature prepared for The Pew Charitable Trusts by Dr. Steven Raphael of the University of California at Berkeley.
- ²³ Freeman, 1991.
- ²⁴ Grogger, 1995.
- ²⁵ See, for example, Western, 2002; Cho and Lalonde, 2005; Kling, 2006; Jung, 2007; Pettit and Lyons, 2007; Raphael, 2007; Sabol, 2007; and Sweeten and Apel, 2007.
- ²⁶ McLean and Thompson, 2007.
- ²⁷ Holzer, 2009.
- ²⁸ See Western, 2006, p. 110-111.
- ²⁹ These estimates and those in Figure 4 were computed by Pew staff using regression coefficients and means estimated by Western and Pettit. See the Appendix for details. The analyses also include individual fixed effects (i.e. any characteristic that is constant over someone’s life) and are based on a sample of men who were incarcerated at some point during the survey. Statistically controlling for work experience, marital status, drug use, union membership, industry, occupation, and whether one works in the public sector

had little effect on the results, but they are not shown because these are factors that could themselves be influenced by incarceration. Data are computed from the National Longitudinal Survey of Youth, 1979 cohort. The predicted values in Figure 4 are for men age 45 who live in the Northeast, are not enrolled in school, and who have the average level of schooling for the sample and the average probability of living in an urban area.

- ³⁰ Amount adjusted from 2000 dollars to 2009 dollars by Pew staff using the Personal Consumption Expenditures deflator. The percentages cited here and in Table 1 were computed by Pew staff from figures provided by Western and Pettit.
- ³¹ Note: Pew is making no claim with regard to what the EPOP would be if these inmates were not incarcerated and were part of the regular labor pool. Rather, we are pointing out that ignoring the incarcerated population causes official figures to overstate the productive engagement of various demographic groups.
- ³² It is important to recognize that the average term of incarceration is short enough that it does not occupy a substantial portion of this 20-year observation period. The median length of stay in prison is 17 months, and the mean is 30 months. (Data from National Corrections Reporting Program, 2003, for first time prison releases only.)
- ³³ Earnings refer to an individual's wages and salary income, as well as tips.
- ³⁴ Earnings and income figures in this section were adjusted to 2009 dollars by Pew staff using the Personal Consumption Expenditures deflator.
- ³⁵ Travis, McBride, and Solomon, 2003.
- ³⁶ Johnson, 2009.
- ³⁷ See the Appendix for more details on parental incarceration by sex.
- ³⁸ Butler, Beach and Winfree, 2008.
- ³⁹ See Western 2006, p. 111.
- ⁴⁰ Glaze and Maruschak, 2008.
- ⁴¹ Ibid.
- ⁴² Johnson, 2009.
- ⁴³ Ibid.
- ⁴⁴ Isaacs, Sawhill, and Haskins, 2008.
- ⁴⁵ Ibid.
- ⁴⁶ Johnson, 2009.
- ⁴⁷ Wildeman, 2008.
- ⁴⁸ Johnson, 2009.
- ⁴⁹ Isaacs, Sawhill, and Haskins, 2008.
- ⁵⁰ Ibid.
- ⁵¹ Solomon et al. 2004.
- ⁵² See Western, 2008, p. 20–21.
- ⁵³ Travis and Visser, 2007.
- ⁵⁴ The evaluation literature on policies that restrict collateral consequences deserves additional research to better identify the expected effects in terms of employment, earnings and recidivism.
- ⁵⁵ Steurer et al., undated.
- ⁵⁶ Aos, Miller, and Drake, 2006.
- ⁵⁷ Travis and Visser, 2007.
- ⁵⁸ See, for example, Western, 2008, pp. 16–18
- ⁵⁹ See Western, 2008, p. 11.
- ⁶⁰ Ibid.
- ⁶¹ McLean and Thompson, 2007.
- ⁶² Pew Center on the States, 2009.
- ⁶³ Holzer, 2009.
- ⁶⁴ See, for example, Economic Mobility Project 2009b, "Renewing the American Dream."
- ⁶⁵ Greenstein, 2005.

- ⁶⁶ Ibid.
- ⁶⁷ Wheaton and Sorenson, 2009.
- ⁶⁸ Ibid.
- ⁶⁹ See, for example, Council of State Governments, 2007, p. 3.
- ⁷⁰ Pew Center on the States, 2009.
- ⁷¹ See Aos, Miller, and Drake, 2006; Lawrence, 2009.
- ⁷² Lawrence, 2009.
- ⁷³ Drake, Barnoski, and Aos, 2009.
- ⁷⁴ See New York State Department of Correctional Services, 2007.
- ⁷⁵ Werholtz, 2009.
- ⁷⁶ In Nevada, see AB510 (2007); in Arizona, see SB1476 (2008).
- ⁷⁷ In Kansas, see SB14 (2007); in Arizona, see again SB1476 (2008); in Illinois, see the Crime Reduction Act (2009); and in California, see SB 698 (2009). See also Pew Center on the States, 2008a “Getting in Sync.”
- ⁷⁸ Pew Center on the States and the National Institute of Justice, 2010.
- ⁷⁹ Hawken and Kleiman, 2009.
- ⁸⁰ Ibid.
- ⁸¹ See HR 4055, introduced by Congressman Adam Schiff (D-CA) and Congressman Ted Poe (R-TX).
- ⁸² Sourcebook of Criminal Justice Statistics Online (<http://www.albany.edu/sourcebook/pdf/t612006.pdf>), Prison Inmates at Midyear 2008, and Jail Inmates at Midyear 2008 (<http://bjs.ojp.usdoj.gov/>). Data for federal and state inmates from 1982-1984 and 1986-1989 were provided by BJS. Jail counts are for the last business day in June, while federal and state counts are for December 31 except in 2007 and 2008, when they are also in June.
- ⁸³ Surveys used include the 1978, 1983, 1989, 1996, and 2002 Surveys of Inmates of Local Jails; the 1979, 1986, 1991, 1997, and 2004 Surveys of Inmates of State Correctional Facilities; and the 1991, 1997, and 2004 Surveys of Inmates of Federal Correctional Facilities. Estimates between survey years were interpolated within facility type. Estimates for federal inmates in years prior to 1991 were based on the 1991 distribution of inmates in federal prisons, while estimates for years following the last survey conducted of a facility type were based on the distribution of inmates in the facility type in the last survey.
- ⁸⁴ U.S. Department of Labor, Bureau of Labor Statistics (<http://www.bls.gov/cps/>).
- ⁸⁵ U.S. Department of Labor, Bureau of Labor Statistics (<http://www.bls.gov/nls/>).
- ⁸⁶ U.S. Department of Commerce, Bureau of Economic Analysis (<http://www.bea.gov/national/index.htm#gdp>).
- ⁸⁷ Earnings were first imputed for non-survey years and for survey nonresponse using within-respondent mean imputation.
- ⁸⁸ Prison costs are from the Bureau of Justice Statistics, 2004, State Prison Expenditures. NCJ 20249. Washington DC: U.S. Department of Justice.

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The Economic Mobility Project is a nonpartisan collaborative effort of The Pew Charitable Trusts that seeks to focus attention and debate on the question of economic mobility and the health of the American Dream. It is led by Pew staff and a Principals' Group of individuals from five leading policy institutes—The American Enterprise Institute, The Brookings Institution, The Heritage Foundation, The New America Foundation, and The Urban Institute. As individuals, each principal may or may not agree with potential policy solutions or prescriptions for action but all believe that economic mobility plays a central role in defining the American experience and that more attention must be paid to understanding the status of U.S. economic mobility today.

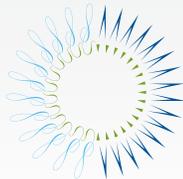
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All Economic Mobility Project (EMP) materials are reviewed by and guided with input from the project's Advisory Board. The views expressed in this report are those of the authors, and not necessarily those of the institutions they represent, of EMP's Advisory Board or of The Pew Charitable Trusts.



THE
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QuickFacts

Louisiana

QuickFacts provides statistics for all states and counties, and for cities and towns with a **population of 5,000 or more**.

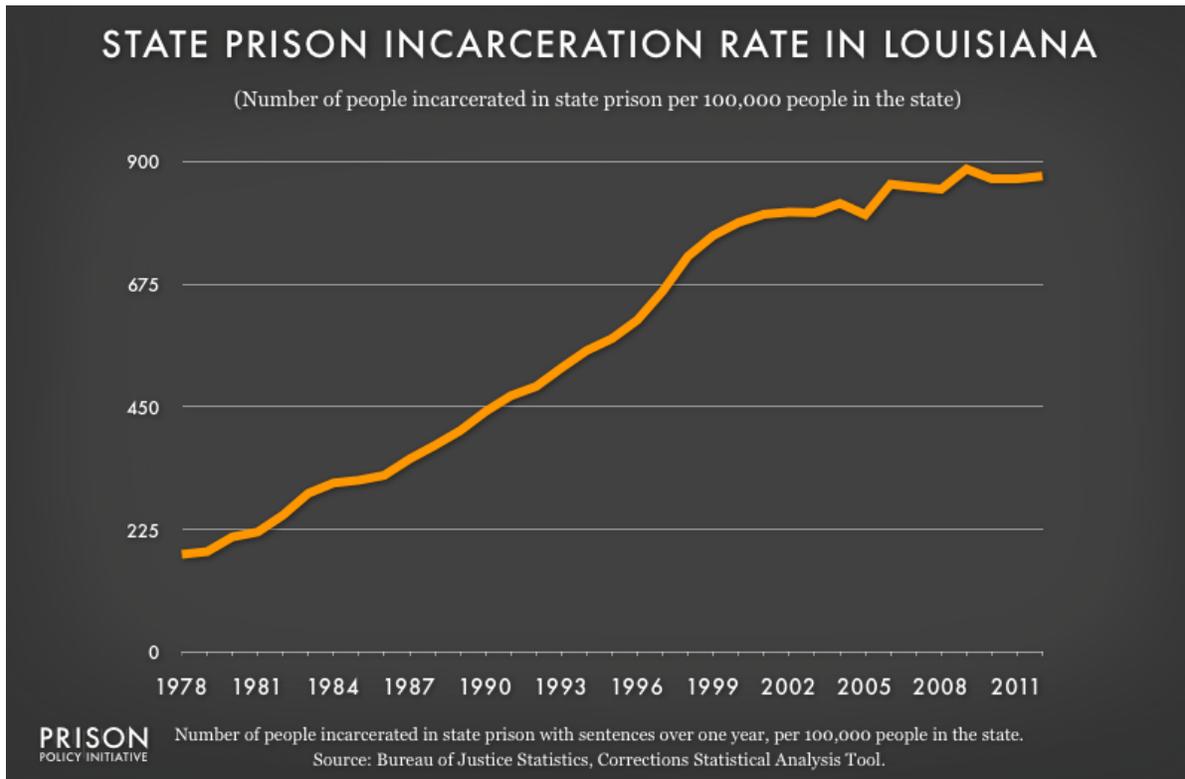
All Topics	LOUISIANA
People	
Population	
Population estimates, July 1, 2016, (V2016)	4,681,666
Population estimates, July 1, 2015, (V2015)	4,670,724
Population estimates base, April 1, 2010, (V2016)	4,533,479
Population estimates base, April 1, 2010, (V2015)	4,533,479
Population, percent change - April 1, 2010 (estimates base) to July 1, 2016, (V2016)	3.3%
Population, percent change - April 1, 2010 (estimates base) to July 1, 2015, (V2015)	3.0%
Population, Census, April 1, 2010	4,533,372
Age and Sex	
Persons under 5 years, percent, July 1, 2015, (V2015)	6.7%
Persons under 5 years, percent, April 1, 2010	6.9%
Persons under 18 years, percent, July 1, 2015, (V2015)	23.9%
Persons under 18 years, percent, April 1, 2010	24.7%
Persons 65 years and over, percent, July 1, 2015, (V2015)	14.0%
Persons 65 years and over, percent, April 1, 2010	12.3%
Female persons, percent, July 1, 2015, (V2015)	51.1%
Female persons, percent, April 1, 2010	51.0%
Race and Hispanic Origin	
White alone, percent, July 1, 2015, (V2015) (a)	63.2%
White alone, percent, April 1, 2010 (a)	62.6%
Black or African American alone, percent, July 1, 2015, (V2015) (a)	32.5%
Black or African American alone, percent, April 1, 2010 (a)	32.0%
American Indian and Alaska Native alone, percent, July 1, 2015, (V2015) (a)	0.8%
American Indian and Alaska Native alone, percent, April 1, 2010 (a)	0.7%
Asian alone, percent, July 1, 2015, (V2015) (a)	1.8%
Asian alone, percent, April 1, 2010 (a)	1.5%
Native Hawaiian and Other Pacific Islander alone, percent, July 1, 2015, (V2015) (a)	0.1%
Native Hawaiian and Other Pacific Islander alone, percent, April 1, 2010 (a)	Z
Two or More Races, percent, July 1, 2015, (V2015)	1.6%
Two or More Races, percent, April 1, 2010	1.6%
Hispanic or Latino, percent, July 1, 2015, (V2015) (b)	5.0%
Hispanic or Latino, percent, April 1, 2010 (b)	4.2%
White alone, not Hispanic or Latino, percent, July 1, 2015, (V2015)	59.1%
White alone, not Hispanic or Latino, percent, April 1, 2010	60.3%
Population Characteristics	
Veterans, 2011-2015	281,989
Foreign born persons, percent, 2011-2015	4.0%
Housing	
Housing units, July 1, 2015, (V2015)	2,024,645
Housing units, April 1, 2010	1,964,981
Owner-occupied housing unit rate, 2011-2015	65.8%
Median value of owner-occupied housing units, 2011-2015	\$144,100
Median selected monthly owner costs -with a mortgage, 2011-2015	\$1,200
Median selected monthly owner costs -without a mortgage, 2011-2015	\$317
Median gross rent, 2011-2015	\$788
Building permits, 2015	13,830
Families and Living Arrangements	
Households, 2011-2015	1,727,919
Persons per household, 2011-2015	2.60
Living in same house 1 year ago, percent of persons age 1 year+, 2011-2015	86.3%
Language other than English spoken at home, percent of persons age 5 years+, 2011-2015	8.5%
Education	
High school graduate or higher, percent of persons age 25 years+, 2011-2015	83.4%
Bachelor's degree or higher, percent of persons age 25 years+, 2011-2015	22.5%
Health	
With a disability, under age 65 years, percent, 2011-2015	11.0%
Persons without health insurance, under age 65 years, percent	▲ 13.8%
Economy	
In civilian labor force, total, percent of population age 16 years+, 2011-2015	60.4%
In civilian labor force, female, percent of population age 16 years+, 2011-2015	56.0%
Total accommodation and food services sales, 2012 (\$1,000) (c)	11,697,949
Total health care and social assistance receipts/revenue, 2012 (\$1,000) (c)	27,951,792

Louisiana profile

[Tweet](#)

The graphs on this page are from our [50 State Incarceration Profiles](#).

Over time

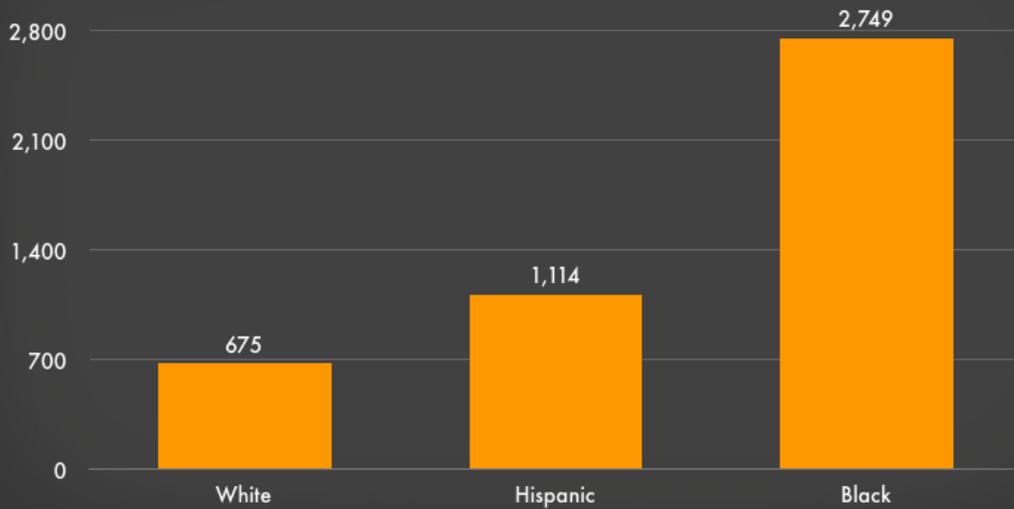


You can also see the same graph [expressed as numbers](#) rather than as rates per 100,000.

Racial disparities

LOUISIANA INCARCERATION RATES BY RACE/ETHNICITY, 2010

(Number of people incarcerated per 100,000 people in that racial/ethnic group)

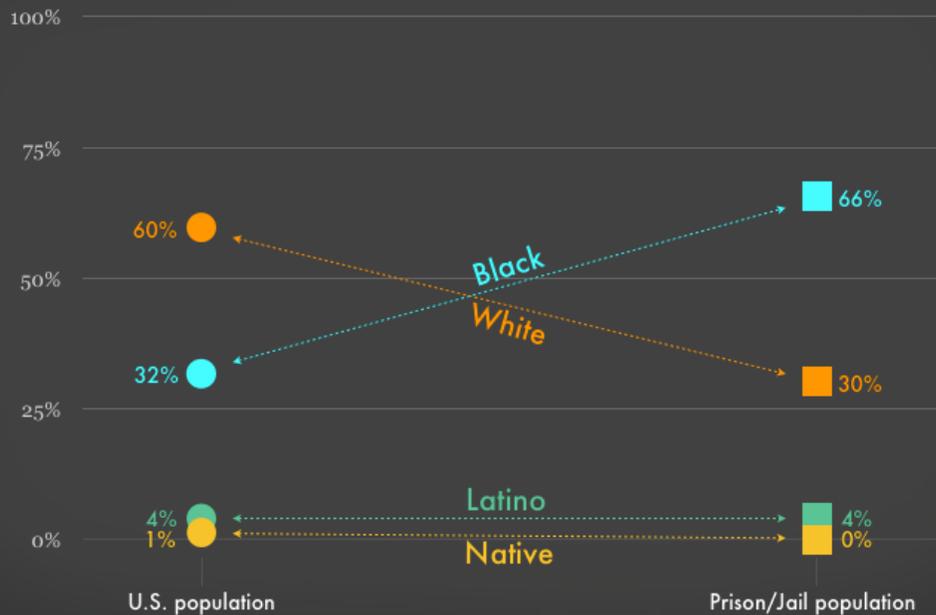


PRISON
POLICY INITIATIVE

Source: Calculated from U.S. Census 2010 Summary File 1. Incarceration populations are all types of correctional facilities in a state, including federal and state prisons, local jails, halfway houses, etc. Statistics for Whites are for Non-Hispanic Whites.

Racial and ethnic disparities in prisons and jails in Louisiana

Whites are underrepresented in the incarcerated population while Blacks and Latinos are overrepresented.



PRISON
POLICY INITIATIVE

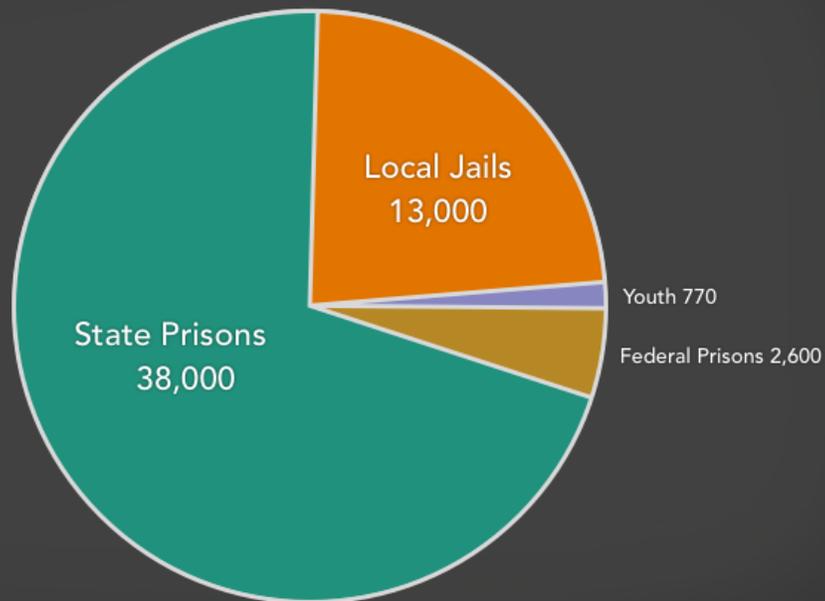
Compiled from 2010 Census, Summary File 1.

See also our detailed graphs about [Whites](#) and [Blacks](#) in Louisiana prisons and jails.

The big picture

How many people are locked up in Louisiana and where?

54,000 people in Louisiana are locked up in various kinds of facilities

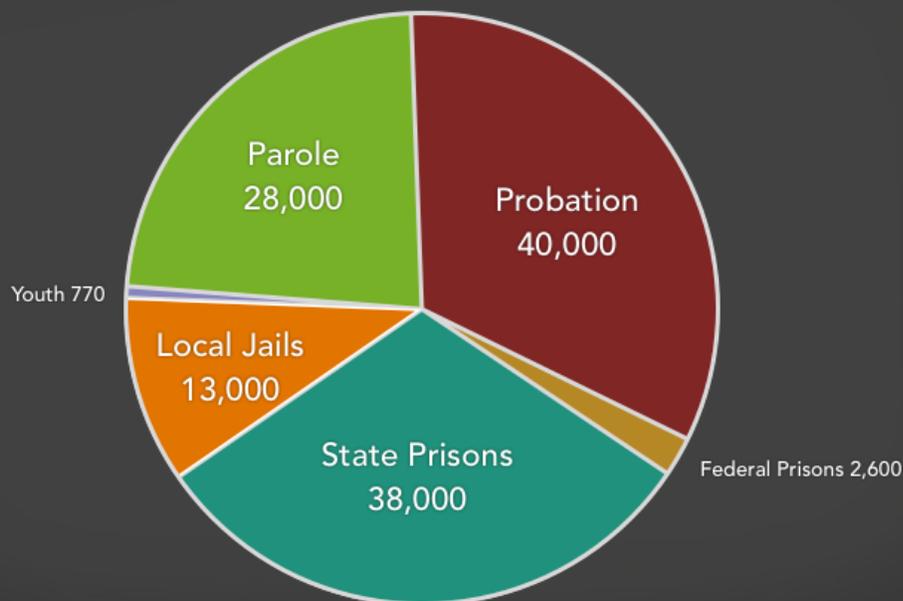


PRISON
POLICY INITIATIVE

Sources and data notes: See <http://www.prisonpolicy.org/reports/50statepie.html>

How many people are in Louisiana's criminal justice system?

122,000 are behind bars or under criminal justice supervision.



PRISON
POLICY INITIATIVE

Sources and data notes: See <http://www.prisonpolicy.org/reports/50statepie.html>

Other research and materials on Louisiana

- [Avoiding prison gerrymandering is often a matter of common sense: Texas and Louisiana research update](#), by Peter Wagner, [Prisoners of the Census Blog](#), December 6, 2013
- [Louisiana Local Governments' Struggles With Prison-Based Gerrymandering Could Be Eased By State](#), by Hillary Fenton, [Prison Gerrymandering Blog](#), August 22, 2012
- How does [the Louisiana incarceration rate measure up](#) in the global context?
- [Prison Policy Initiative Research Clearinghouse reports about Louisiana](#)



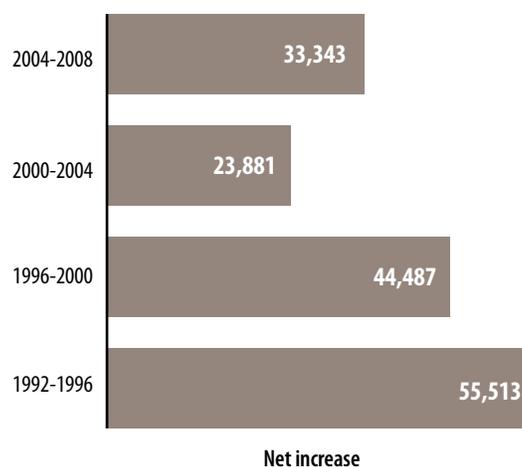
Census of State and Local Law Enforcement Agencies, 2008

Brian A. Reaves, Ph.D., *BJS Statistician*

In September 2008, state and local law enforcement agencies employed more than 1.1 million persons on a full-time basis, including about 765,000 sworn personnel (defined as those with general arrest powers). Agencies also employed approximately 100,000 part-time employees, including 44,000 sworn officers. These findings come from the 2008 Bureau of Justice Statistics' (BJS) Census of State and Local Law Enforcement Agencies (CSLLEA), the fifth such census to be conducted since the quadrennial series began in 1992.

From 2004 to 2008, state and local agencies added a net total of about 33,000 full-time sworn personnel. This was about 9,500 more than agencies added from 2000 to 2004 (figure 1), reversing a trend of declining growth observed in prior 4-year comparisons based on the CSLLEA. Local police departments added the most officers, about 14,000. Sheriffs' offices and special jurisdiction agencies added about 8,000 officers each. From 2004 to 2008, the number of full-time sworn personnel per 100,000 U.S. residents increased from 250 to 251.

FIGURE 1
Net increase in full-time sworn personnel employed by state and local law enforcement agencies, per 4-year period, 1992–2008



HIGHLIGHTS

- State and local law enforcement agencies employed about 1,133,000 persons on a full-time basis in 2008, including 765,000 sworn personnel.
- Local police departments were the largest employer of sworn personnel, accounting for 60% of the total. Sheriffs' offices were next, accounting for 24%.
- About half (49%) of all agencies employed fewer than 10 full-time officers. Nearly two-thirds (64%) of sworn personnel worked for agencies that employed 100 or more officers.
- From 2004 to 2008, overall full-time employment by state and local law enforcement agencies nationwide increased by about 57,000 (or 5.3%). Sworn personnel increased by about 33,000 (4.6%), and nonsworn employees by about 24,000 (6.9%).
- From 2004 to 2008, state and local law enforcement agencies added about 9,500 more full-time sworn personnel than during the previous 4-year period.
- The number of full-time sworn personnel per 100,000 residents increased from 250 in 2004 to 251 in 2008.
- Fifteen of the 50 largest local police departments employed fewer full-time sworn personnel in 2008 than in 2004. The largest declines were in Detroit (36%), Memphis (23%), New Orleans (13%), and San Francisco (10%).
- Ten of the 50 largest local police departments reported double-digit increases in sworn personnel from 2004 to 2008. The largest increases were in Phoenix (19%), Prince George's County (Maryland) (17%), Dallas (15%), and Fort Worth (14%).

State and local law enforcement agencies

The 2008 CSLLEA included 17,985 state and local law enforcement agencies employing at least one full-time officer or the equivalent in part-time officers. The total included—

- 12,501 local police departments
- 3,063 sheriffs' offices
- 50 primary state law enforcement agencies
- 1,733 special jurisdiction agencies
- 638 other agencies, primarily county constable offices in Texas.

A majority of state and local law enforcement personnel worked for local police departments

Local police departments were the largest employer of full-time state and local law enforcement personnel with about 593,000 (or 52%) of the more than 1.1 million employees nationwide (table 1 and appendix table 1). Sheriffs' offices employed about 353,000 (31%). Both the 50 primary state law enforcement agencies and the special jurisdiction agencies (those that served a special geographic jurisdiction or had special enforcement or investigative responsibilities) accounted for 8%. (See table 7 for types of special jurisdiction agencies.)

About 461,000 sworn state and local law enforcement employees (60%) were local police officers. Sworn personnel in sheriffs' offices accounted for about 183,000 (24%). The 50 primary state law enforcement agencies employed about 61,000 (8%), and special jurisdiction agencies employed about 57,000 (7%).

Sheriffs' offices accounted for 46% of the 369,000 full-time civilian personnel nationwide, and local police departments accounted for 36%. Nearly half (48%) of the full-time employees in sheriffs' offices were civilians, compared to 35% in state law enforcement agencies and 22% in local police departments (not shown in table).

The largest 7% of state and local law enforcement agencies employed 64% of all sworn personnel

Nearly 1,200 state and local law enforcement agencies (7%) employed 100 or more full-time sworn personnel, with 83 of those agencies employing 1,000 or more officers (table 2 and appendix table 2). The agencies with 1,000 or more officers included 49 local police departments, 20 state law enforcement agencies, 13 sheriffs' offices, and 1 special jurisdiction agency.

Agencies with 100 or more officers employed 64% of all full-time sworn personnel, and those with 1,000 or more officers employed 29%. (See appendix table 5 for the 50 largest state and local law enforcement agencies.)

About 8,800 state and local law enforcement agencies (49% of the total) employed fewer than 10 full-time sworn personnel, and about 5,400 (30%) employed fewer than 5 officers. Among these smaller agencies, about 2,100

(12%) had just one full-time officer or had part-time officers only.

Agencies with fewer than 10 full-time sworn personnel employed less than 5% of all full-time officers, but 50% of all part-time officers. Those employing 1,000 or more full-time sworn personnel accounted for less than 1% of all part-time officers nationwide (not shown in table).

From 1992 to 2008, the growth rate for civilian personnel was more than double that of sworn personnel

From 2004 to 2008, the total number of full-time state and local law enforcement employees increased by about 57,000 (5.3%). This total included an increase in sworn personnel of about 33,000 (4.6%). Civilian employment in the agencies rose by 24,000 (6.9%). Local police departments accounted for a larger proportion of the growth in sworn officers from 2004 to 2008 than other agency types, and sheriffs' offices accounted for most of the growth in civilian employees.

TABLE 1
State and local law enforcement employees, by type of agency, 2008

Type of agency	Agencies	Full-time employees			Part-time employees		
		Total	Sworn	Nonsworn	Total	Sworn	Nonsworn
All agencies	17,985	1,133,915	765,246	368,669	100,340	44,062	56,278
Local police	12,501	593,013	461,063	131,950	58,129	27,810	30,319
Sheriff's office	3,063	353,461	182,979	170,482	26,052	11,334	14,718
Primary state	50	93,148	60,772	32,376	947	54	893
Special jurisdiction	1,733	90,262	56,968	33,294	14,681	4,451	10,230
Constable/marshal	638	4,031	3,464	567	531	413	118

Note: Excludes agencies employing less than one full-time officer or the equivalent in part-time officers.

TABLE 2
Full-time state and local law enforcement employees, by size of agency, 2008

Size of agency*	Agencies	Full-time employees		
		Total	Sworn	Nonsworn
All agencies	17,985	1,133,915	765,246	368,669
1,000 or more officers	83	326,197	230,759	95,438
500-999	89	94,168	60,124	34,044
250-499	237	133,024	83,851	49,173
100-249	778	174,505	115,535	58,970
50-99	1,300	136,390	89,999	46,391
25-49	2,402	124,492	83,349	41,143
10-24	4,300	98,563	67,132	31,431
5-9	3,446	32,493	23,107	9,386
2-4	3,225	11,498	9,470	2,028
0-1	2,125	2,585	1,920	665

Note: Excludes agencies employing less than one full-time officer or the equivalent in part-time officers.

*Based on number of full-time sworn personnel.

Reversing a pattern of declining growth observed in the 2000 and 2004 CSLLEA data collections, about 9,500 more full-time sworn personnel were added from 2004 to 2008 than in the previous 4-year period. The percentage growth in the number of sworn officers from 2004 to 2008 (4.6%) exceeded growth from 2000 to 2004 (3.4%), but was about half the 9.1% peak growth rate recorded from 1992 to 1996.

From 2004 to 2008, the growth rate for sworn personnel in sheriffs' offices (4.5%) was about the same as the overall rate. The growth rates for local police departments (3.2%) and the primary state law enforcement agencies (3.4%) were lower than the overall average. The growth rate was highest among special jurisdiction agencies (16.7%).

From 1992 (the year of the first CSLLEA) to 2008, state and local law enforcement agencies added more than 287,000 full-time employees (a 34% increase), including about 157,000 sworn officers (26%) and 130,000 civilian employees (55%) (figure 2).

Nationwide there was 1 sworn officer for every 400 residents

In 2008 there were 373 full-time state and local law enforcement employees per 100,000 residents nationwide, compared to 367 per 100,000 in 2004 and 332 per 100,000 in 1992 (figure 3). There were 251 sworn personnel per 100,000 residents nationwide in 2008, or about 1 officer for every 400 residents. This was a slight increase over the 2004 ratio of 250 per 100,000 residents.

There were more than 300 full-time sworn personnel per 100,000 residents in the District of Columbia (722), Louisiana (405), New Jersey (389), New York (341), Illinois (321), and Wyoming (317) (figure 4). In contrast, there were fewer than 200 full-time sworn personnel per 100,000 residents in Washington (174), Utah (175), Oregon (177), Vermont (178), Kentucky (183), Minnesota (185), West Virginia (186), Alaska (189), Michigan (190), Iowa (195), and Maine (195). (See appendix table 6 for state-by-state agency and employee counts.)

FIGURE 2
Full-time state and local and law enforcement employees, 1992–2008

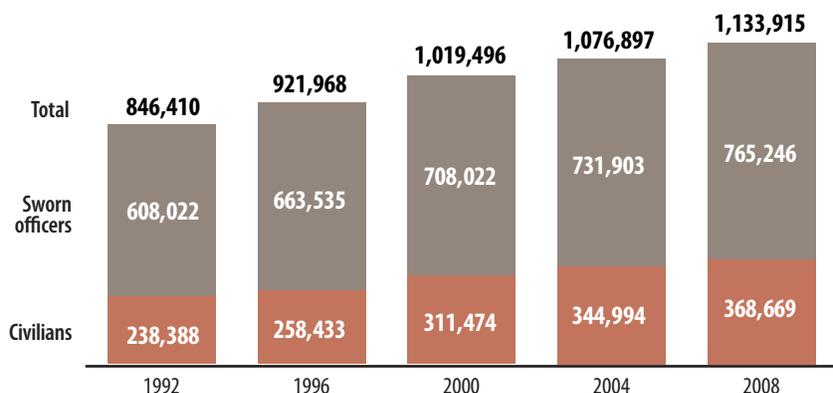
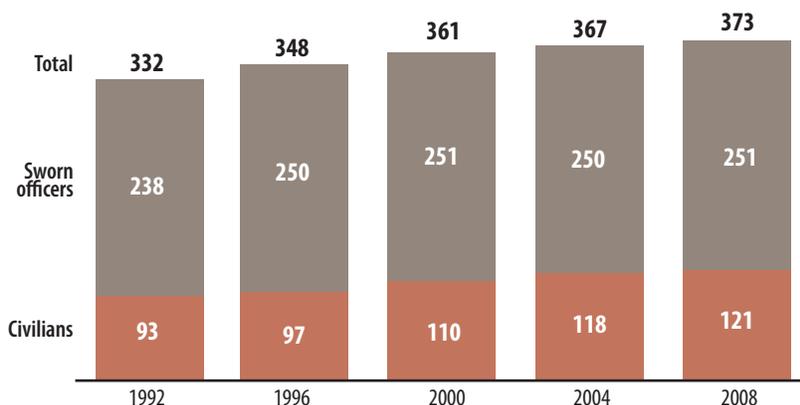
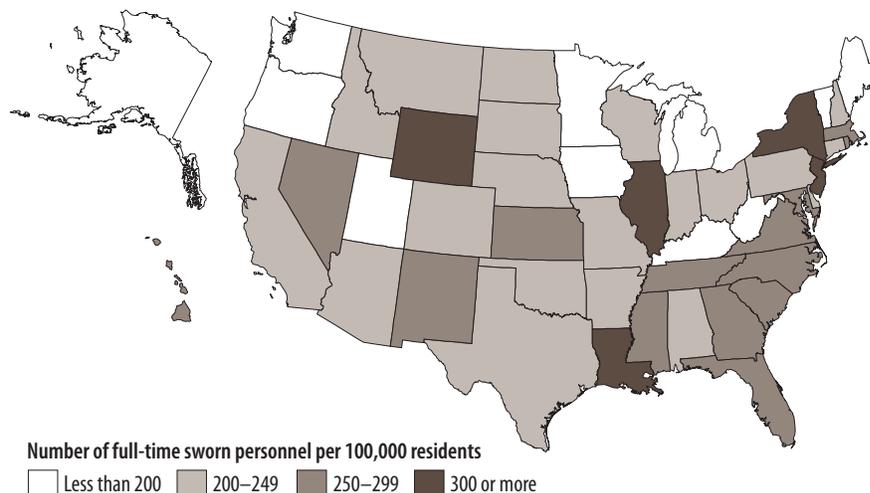


FIGURE 3
Full-time state and local and law enforcement employees per 100,000 residents, 1992–2008



Note: Detail may not sum to total due to rounding.

FIGURE 4
Full-time sworn personnel per 100,000 residents employed by state and local law enforcement agencies, 2008



Local police departments

In 2008, 12,501 local police departments in the United States employed at least one full-time officer or the equivalent in part-time officers. Nearly all (98%) were operated by a municipal government. The remainder were operated by a county, tribal, or consolidated city-county government or served multiple jurisdictions under a regional or joint arrangement. Overall, about a third (35%) of the nearly 36,000 sub-county (municipal, township) general purpose local governments nationwide operated a local police department.

States with the largest numbers of local police departments were Pennsylvania (965), Texas (788), Illinois (701), Ohio (678), New Jersey (476), Michigan (455), Missouri (430), and Wisconsin (429). States with the fewest were Hawaii (4), Delaware (36), Nevada (38), Rhode Island (39), and Alaska (42). (See [appendix table 7](#) for state-by-state agency and employee counts.)

Although most local police departments were small, most local police officers worked for larger agencies

More than half of local police departments employed fewer than 10 full-time officers, and the overall median size was 8 full-time officers ([table 3](#)). Although departments with fewer than 10 full-time officers comprised 53% of all agencies, they employed just 6% of all officers ([appendix table 3](#)). A total of 638 (5%) of local police departments employed 100 or more full-time sworn personnel. These agencies employed 61% of all local police officers.

About 14,000 local police officers were added nationwide from 2004 to 2008, compared to about 6,000 in the previous 4-year period

From 2004 to 2008, the total number of full-time local police employees increased by 20,000 (3.5%) to about 593,000 ([figure 5](#)). The number of full-time sworn personnel increased by 14,000 (3.2%) to about 461,000 during this period. The number of civilian employees rose by 6,000 (4.6%) to about 132,000.

From 2004 to 2008, the number of local police officers fell by 36% in Detroit and by 23% in Memphis

During 2008 the New York City Police Department (NYPD), with 36,023 full-time officers, remained the largest local police department in the United States ([appendix table 8](#)). The NYPD employed nearly 3 times as many sworn personnel as the next largest agency—the Chicago Police Department (13,354 officers). The other three local police departments that employed 5,000 or more officers during 2008 were in Los Angeles (9,727 officers), Philadelphia (6,624), and Houston (5,053).

From 2004 to 2008, 15 of the 50 largest local police departments experienced a decrease in number of officers employed, compared to 20 of 50 between 2000 and 2004. The decline was small for some departments, such as the NYPD, which had 95 (0.3%) fewer officers in 2008 than 2004. In other departments, the loss was more substantial. Four of the 50 largest departments experienced a drop of more than 10% in the number of full-time officers from 2004 to 2008:

- Detroit Police (down 35.9%)
- Memphis Police (down 23.2%)
- New Orleans Police (down 13.4%)
- San Francisco Police (down 10.5%).

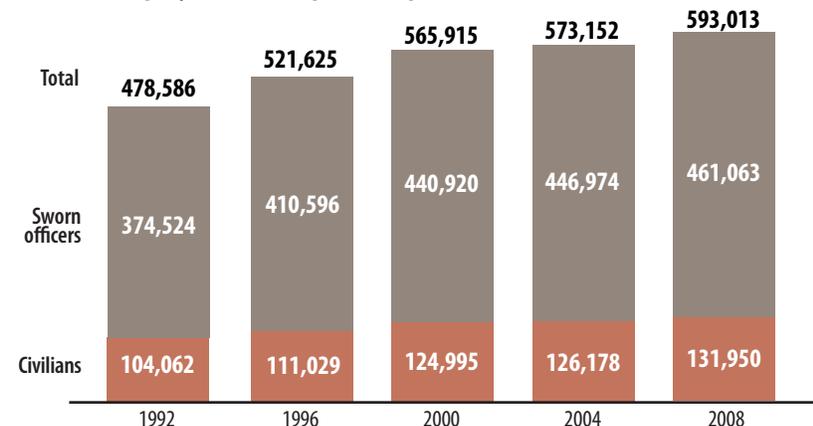
TABLE 3
Full-time local police employees, by size of agency, 2008

Size of agency*	Agencies	Full-time employees		
		Total	Sworn	Nonsworn
All agencies	12,501	593,013	461,063	131,950
1,000 or more officers	49	194,829	150,444	44,385
500–999	43	39,447	29,985	9,462
250–499	101	47,910	36,021	11,889
100–249	445	85,345	64,939	20,406
50–99	815	72,701	56,060	16,641
25–49	1,543	67,743	53,465	14,278
10–24	2,846	55,476	44,520	10,956
5–9	2,493	19,687	16,582	3,105
2–4	2,637	8,405	7,694	711
0–1	1,529	1,470	1,353	117

Note: Excludes agencies employing less than one full-time officer or the equivalent in part-time officers.

*Based on number of full-time sworn personnel.

FIGURE 5
Full-time employees in local police departments, 1992–2008



Ten local police departments had a double-digit percentage increase in number of officers from 2004 to 2008

Among the 50 largest local police departments, 35 employed more full-time officers in 2008 than in 2004. The departments serving the following jurisdictions reported a double-digit increase:

- Phoenix, Arizona (up 18.5%)
- Prince George’s County, Maryland (up 17.4%)
- Dallas, Texas (up 15.5%)
- Montgomery County, Maryland (up 15.2%)
- Fort Worth, Texas (up 14.0%)
- DeKalb County, Georgia (up 13.1%)
- Charlotte-Mecklenburg County, North Carolina (up 12.7%)
- Austin, Texas (up 11.2%)
- Boston, Massachusetts (up 11.2%)
- Las Vegas-Clark County, Nevada (up 10.0%).

About half of the 50 largest departments had fewer officers per 100,000 residents in 2008 than 2004

In 2008, the Washington, D.C. Metropolitan Police continued to have the highest ratio of full-time officers (634 officers per 100,000 residents), but this was a 3% decrease from 2004. Despite a 13% reduction in officers since 2004, the New Orleans Police had the seventh highest ratio of officers to residents at 423 per 100,000. This ratio was 19% higher than in 2004 as the city’s population (although growing since 2007) remained well below the levels that existed prior to Hurricane Katrina in August 2005.

Other large local police departments with more than 400 officers per 100,000 residents during 2008 included those in Chicago (472), Newark (472), Baltimore (469), Philadelphia (430), and New York (432). The lowest ratios among the 50 largest departments were in Montgom-

ery County (Maryland) (129), Fairfax County (Virginia) (144), San Jose (146), San Antonio (150), and DeKalb County (Georgia) (168). Overall, 24 of the 50 largest local police departments had fewer officers per 100,000 residents in 2008 than in 2004.

Sheriffs’ offices

The office of sheriff exists in nearly every county and independent city in the United States with a total of 3,085 offices nationwide. A total of 3,063 sheriffs’ offices employed at least one full-time sworn officer or the equivalent in part-time officers during 2008. (Note: Some sheriffs’ offices that have been involved in consolidations of county and municipal governmental functions are classified as local police in the CSLLEA.) States with the most sheriffs’ offices were Texas (254), Georgia (159), Kentucky (120), Missouri (114), Kansas (104), Illinois (102), and North Carolina (100). (See **appendix table 9** for state-by-state agency and employee counts).

Alaska, Connecticut, Hawaii, and Rhode Island do not have any local sheriffs’ offices. In those four states the court related duties typically performed by local sheriffs’ offices are the responsibility of state agencies. The District of Columbia also does not have a sheriffs’ office, where such duties are performed by the U.S. Marshals Service.

Nearly all sheriffs’ offices performed law enforcement and court-related functions; about 3 in 4 operated at least one jail

Nearly all (96%) sheriffs’ offices performed traditional law enforcement functions such as providing patrol services, responding to citizen calls for service, and enforcing traffic laws. A similar percentage performed court-related duties such as serving process (98%) and providing court security (96%). In addition, 75% of sheriffs’ offices were responsible for operating at least one jail.

Nationwide, sheriffs’ offices had the equivalent of 59% of their full-time sworn personnel assigned to law enforcement operations, 23% to jail operations, 12% to court operations, and 6% to other duty areas. (Note: The CSLLEA counts all personnel with general arrest powers as sworn officers regardless of duty area.)

Nearly 400 sheriffs’ offices employed 100 or more full-time sworn personnel

In 2008, 13 sheriffs’ offices employed 1,000 or more full-time sworn officers, accounting for 18% of the full-time sworn personnel employed by sheriffs’ offices nationwide (**table 4** and **appendix table 4**). A total of 378 (12%) sheriffs’ offices employed at least 100 officers, accounting for 66% of sworn personnel.

TABLE 4
Full-time sheriffs’ employees, by size of agency, 2008

Size of agency*	Agencies	Full-time employees		
		Total	Sworn	Nonsworn
All agencies	3,063	353,461	182,979	170,482
1,000 or more officers	13	59,981	32,897	27,084
500–999	27	34,348	17,184	17,164
250–499	98	64,704	34,743	29,961
100–249	240	68,265	36,085	32,180
50–99	327	44,772	23,037	21,735
25–49	573	40,988	20,084	20,904
10–24	910	30,121	14,196	15,925
5–9	569	8,485	3,901	4,584
2–4	261	1,615	822	793
0–1	45	182	30	152

Note: Excludes agencies employing less than one full-time officer or the equivalent in part-time officers.

*Based on number of full-time sworn personnel.

While more than half of local police departments employed fewer than 10 full-time officers in 2008, less than a third (29%) of sheriffs' offices were this small. The median staffing level of sheriffs' offices was 18 full-time sworn personnel.

Sheriffs' offices added more than twice as many civilian employees as sworn ones from 2004 to 2008

From 2004 to 2008, total full-time staff in sheriffs' offices increased by 27,000 employees (8.2%) to about 353,000 (figure 6). The number of full-time sworn personnel increased by 8,000 (4.5%) to about 183,000 during this period. The number of civilian employees rose by 19,000 (12.5%) to about 170,000.

The Los Angeles County Sheriff's Department was the largest in the United States, employing 9,461 full-time sworn personnel (appendix table 10). About a third of these officers had regularly assigned duties that included responding to citizen calls for service, with the remainder assigned to court and jail-related duties. The second largest sheriff's office served Cook County, Illinois, with 5,655 sworn personnel. Just 4% of these officers were assigned to respond to calls.

Among the 50 largest sheriffs' offices, the percent of sworn personnel assigned to respond to calls for service ranged from 0% to 97%. All but one agency reported having at least some sworn personnel who regularly performed law enforcement duties, and all but four had sworn personnel who performed court-related functions. About two-thirds of the agencies employed sworn personnel who performed jail-related duties.

Primary state law enforcement agencies

The CSLLEA identifies a primary state law enforcement agency in each of the 50 states. Depending on the state, this agency may be a state police agency, highway patrol agency, or a department of public safety. The latter are often more complex organizations and may encompass several agencies or divisions. Comparisons between primary state law enforcement agencies may not always

be appropriate because of differences in organizational structure and responsibilities.

From 2004 to 2008, employment by primary state law enforcement agencies rose by about 4%

In 2008, the 50 primary state law enforcement agencies had 93,148 full-time employees, including about 61,000 full-time sworn personnel (table 5). Twenty

agencies employed 1,000 or more sworn personnel, and 35 agencies employed at least 500 full-time officers.

State agencies had 3,240 (3.6%) more employees in 2008 than in 2004. (figure 7) Employment of full-time sworn personnel increased by about 2,000 (3.4% change) from 2004 to 2008. Civilian employment rose by about 1,300 (4.0% change) during this period.

FIGURE 6
Full-time employees in sheriffs' offices, 1992–2008

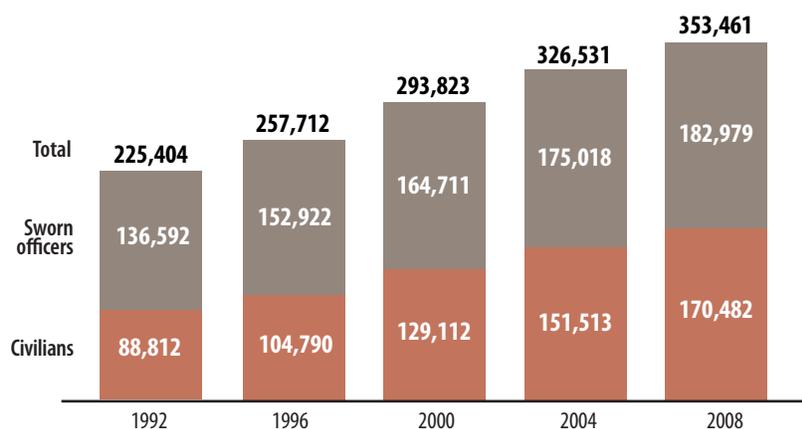
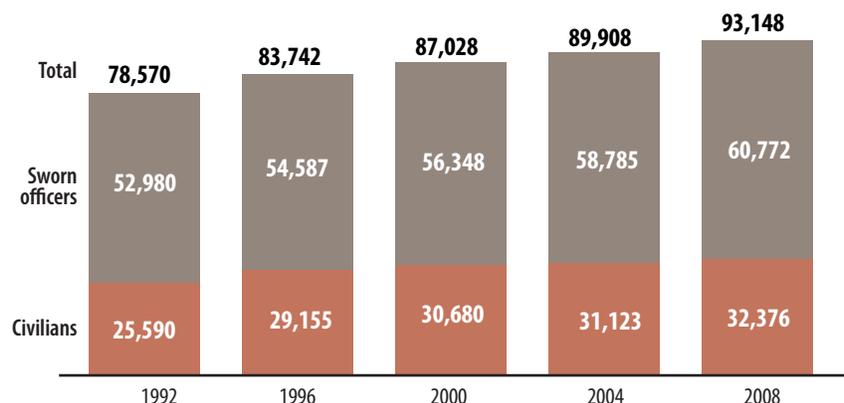


TABLE 5
Full-time primary state law enforcement agency employees, by size of agency, 2008

Size of agency*	Agencies	Full-time employees		
		Total	Sworn	Nonsworn
All agencies	50	93,148	60,772	32,376
1,000 or more officers	20	69,616	45,751	23,865
500–999	15	16,986	10,413	6,573
250–499	10	5,270	3,694	1,576
100–249	5	1,276	914	362

*Based on number of full-time sworn personnel.

FIGURE 7
Full-time employees in primary state law enforcement agencies, 1992–2008



The California Highway Patrol was the largest state law enforcement agency

The largest state law enforcement agency, the California Highway Patrol, had 7,202 full-time sworn personnel, followed by the New York State Police (4,847), Pennsylvania State Police (4,458), Texas Department of Public Safety (3,529), and New Jersey State Police (3,053) (table 6).

Five agencies had fewer than 250 full-time sworn personnel: the North Dakota Highway Patrol (139), South Dakota Highway Patrol (152), Rhode Island State Police (201), Wyoming Highway Patrol (204), and Montana Highway Patrol (218).

The Delaware State Police (75) had the largest number of full-time officers per 100,000 residents, followed by the Vermont State Police (49) and the Alaska State Troopers (40). The Wisconsin State Patrol (9), Florida Highway Patrol (9), and Minnesota State Patrol (10) had the smallest numbers of full-time officers per 100,000 residents.

From 2004 to 2008, 30 of the 50 primary state law enforcement agencies increased the number of full-time sworn personnel they employed. Three agencies increased their number of full-time sworn personnel by more than 20%: the South Carolina Highway Patrol (up 23.2%), the New Hampshire State Police (up 21.1%), and the North Carolina State Highway Patrol (up 20.4%). The largest decreases in the number of full-time sworn personnel were reported by the Utah Department of Public Safety (down 11.7%), the Maryland State Police (down 9.8%), and the Idaho State Police (down 8.3%).

The ratio of full-time sworn personnel per 100,000 residents served increased in 23 agencies from 2004 to 2008. The largest increases of officers per 100,000 residents were reported by the New Hampshire State Police (up 18.4%), the Iowa Department of Public Safety (up 17.6%), and the Louisiana State Police (up 15.3%). The largest decreases were reported by the Utah Department of Public Safety (down 21.0%), the Idaho State Police (down 16.5%), and the Georgia Department of Public Safety (down 13.2%).

TABLE 6
Primary state law enforcement agency full-time sworn personnel, 2008

Agency	Total	Percent change from 2004	Per 100,000 residents	Percent change from 2004
U.S. total	60,772	3.4%	20	-0.5%
Alabama Dept. of Public Safety	763	9.2%	16	5.3%
Alaska State Troopers	274	-5.2	40	-8.8
Arizona Dept. of Public Safety	1,244	10.6	19	-2.0
Arkansas State Police	525	3.3	18	-1.0
California Highway Patrol	7,202	1.7	20	-1.2
Colorado State Police	742	9.0	15	1.5
Connecticut State Police	1,227	6.5	35	5.6
Delaware State Police	658	2.5	75	-3.3
Florida Highway Patrol	1,606	-2.9	9	-8.4
Georgia Dept. of Public Safety	1,048	-5.6	11	-13.2
Hawaii Dept. of Public Safety*	290	18.9	23	15.6
Idaho State Police	264	-8.3	17	-16.5
Illinois State Police	2,105	4.8	16	3.2
Indiana State Police	1,315	13.6	21	10.5
Iowa Dept. of Public Safety	669	19.7	22	17.6
Kansas Highway Patrol	525	-3.0	19	-5.3
Kentucky State Police	882	-5.8	21	-8.8
Louisiana State Police	1,215	14.3	27	15.3
Maine State Police	334	-1.2	25	-2.0
Maryland State Police	1,440	-9.8	25	-11.6
Massachusetts State Police	2,310	5.0	35	3.5
Michigan State Police	1,732	-7.0	17	-6.2
Minnesota State Patrol	530	-2.6	10	-5.4
Mississippi Highway Safety Patrol	594	11.0	20	9.0
Missouri State Highway Patrol	1,028	-6.3	17	-9.4
Montana Highway Patrol	218	5.8	23	1.2
Nebraska State Patrol	491	-2.4	28	-4.6
Nevada Highway Patrol	417	-1.0	16	-11.8
New Hampshire State Police	350	21.1	26	18.4
New Jersey State Police	3,053	10.3	35	9.6
New Mexico State Police	528	-6.7	27	-11.2
New York State Police	4,847	3.9	25	3.0
North Carolina State Highway Patrol	1,827	20.4	20	11.1
North Dakota Highway Patrol	139	3.0	22	2.1
Ohio State Highway Patrol	1,560	3.9	14	3.3
Oklahoma Dept. of Public Safety	825	2.1	23	-1.5
Oregon State Police	596	-4.0	16	-9.3
Pennsylvania State Police	4,458	6.1	35	4.6
Rhode Island State Police	201	5.8	19	7.6
South Carolina Highway Patrol	967	23.2	21	14.9
South Dakota Highway Patrol	152	-1.3	19	-5.0
Tennessee Dept. of Safety	942	-3.1	15	-8.1
Texas Dept. of Public Safety	3,529	2.7	15	-5.3
Utah Dept. of Public Safety	475	-11.7	17	-21.0
Vermont State Police	307	-5.5	49	-6.0
Virginia State Police	1,873	0.2	24	-4.0
Washington State Police	1,132	6.9	17	0.7
West Virginia State Police	667	4.1	37	3.4
Wisconsin State Patrol	492	-3.5	9	-5.5
Wyoming Highway Patrol	204	8.5	38	2.4

*The Hawaii Department of Public Safety was previously classified in the CSLEA as a special jurisdiction agency.

Special jurisdiction law enforcement agencies

More than 1,700 state and local law enforcement agencies served a special geographic jurisdiction, or had special enforcement or investigative responsibilities during 2008. These agencies employed about 90,000 persons full time, including 57,000 sworn personnel (table 7).

About 11,000 full-time sworn personnel were employed at 4-year public universities and colleges

More than two-thirds of special jurisdiction law enforcement agencies served public buildings and facilities, employing more than 21,000 sworn personnel. Within this group were more than 500 campus police departments serving 4-year public institutions. These agencies employed about 11,000 full-time sworn officers. Another 253 campus police agencies served 2-year public colleges, employing more than 2,600 full-time sworn personnel. Additionally, 18 agencies, employing more than 700 full-time officers, served medical campuses.

TABLE 7

Special jurisdiction law enforcement agencies and full-time sworn personnel, by type of jurisdiction, 2008

Type of special jurisdiction	Agencies	Full-time sworn personnel
Total	1,733	56,968
Public buildings/facilities	1,126	21,418
4-year university/college	508	10,916
Public school district	250	4,764
2-year college	253	2,648
State government buildings	29	1,138
Medical school/campus	18	747
Public hospital/health facility	48	715
Public housing	13	250
Other state-owned facilities	7	240
Natural resources	246	14,571
Fish and wildlife conservation laws	56	5,515
Parks and recreational areas	124	4,989
Multi-function natural resources	16	2,926
Boating laws	10	461
Environmental laws	7	368
Water resources	18	185
Forest resources	9	65
Levee district	6	62
Transportation systems/facilities	167	11,508
Airports	103	3,555
Mass transit system/railroad	18	3,214
Transportation—multiple types	5	2,000
Commercial vehicles	12	1,320
Harbor/port facilities	25	876
Bridges/tunnels	4	543
Criminal investigations	140	7,310
State bureau of investigation	22	3,527
County/city investigations	66	2,006
Fraud investigations	13	636
Fire marshal/arson investigations	21	478
Tax/revenue enforcement	6	177
Other/multiple types	12	486
Special enforcement	54	2,161
Alcohol/tobacco laws	22	1,280
Agricultural laws	12	387
Narcotics laws	5	233
Gaming laws	10	231
Racing laws	5	30

Note: Excludes agencies employing less than one full-time officer or the equivalent in part-time officers.

The largest campus law enforcement agency serving a public institution of higher education was the Temple University Police Department in Philadelphia, which employed 125 full-time sworn personnel (table 8). The next largest were at the University of Medicine & Dentistry of New Jersey (94 full-time officers), the University of Texas Health Science Center in Houston (94), the University of Maryland-College Park (90), and the University of Florida (85). (For more information on campus law enforcement agencies including those serving private campuses and those not employing sworn personnel, see *Campus Law Enforcement Agencies, 2004-05*, BJS Web, February 2008.)

A total of 250 special jurisdiction agencies served public school districts

The 250 police departments operated by public school districts nationwide employed nearly 5,000 full-time sworn personnel. Although some large school systems, including those in New York and Chicago, obtained services from their city police departments, some of the largest systems had their own police departments with full-time sworn personnel. The largest of these in 2008 was the School District of Philadelphia which employed 450 full-time sworn officers (table 9). Other large school police departments included those serving districts in Los Angeles (340 full-time officers); Miami-Dade County, Florida (210); Houston, Texas (197); Palm

Beach County, Florida (176); Clark County, Nevada (157); and Baltimore, Maryland (142).

Another 29 special jurisdiction agencies, employing more than 1,100 officers, were responsible for providing services for state government buildings. Many of these agencies use the name capitol police, reflecting the most prominent of the facilities they protect. In some states, police protection for the capitol and other state government buildings falls under the jurisdiction of a primary state law enforcement agency, such as the state police.

TABLE 8
Thirty largest law enforcement agencies serving public colleges and universities, by number of full-time sworn personnel, 2008

College or University	Full-time sworn personnel
Temple University	125
University of Medicine & Dentistry of New Jersey	94
University of Texas Health Science Center	94
University of Maryland - College Park	90
University of Florida	85
University of Alabama - Birmingham	79
City University of New York - Brooklyn College	79
University of Georgia	78
University of Illinois at Chicago	74
Virginia Commonwealth University	74
University of California - Berkeley	73
University of Pittsburgh	73
State University of New York at Stony Brook	71
Arizona State University	70
Michigan State University	69
Georgia State University	68
University of Central Florida	64
Texas A & M University	64
University of Massachusetts - Amherst	63
University of Mississippi Medical Center	63
University of Wisconsin - Madison	63
Florida State University	62
Georgia Tech University	62
Louisiana State University Police	62
University of Maryland - Baltimore	62
University of Cincinnati	62
Medical University of South Carolina	62
University of Texas - Austin	62
University of Alabama	61
State University of New York at Buffalo	61

TABLE 9
Fifteen largest law enforcement agencies serving public school districts, by number of full-time sworn personnel, 2008

School district	Full-time sworn personnel
School District of Philadelphia (PA)	450
Los Angeles (CA) Unified School District	340
Miami-Dade (FL) County Public Schools	210
Houston (TX) Independent School District	197
Palm Beach (FL) County School District	176
Clark County (NV) School District	157
Baltimore City (MD) Public Schools	142
Indianapolis (IN) Public Schools	90
Dallas (TX) Independent School District	88
DeKalb County (GA) School System	83
Northside (TX) Independent School District	83
Boston (MA) Public Schools	80
San Antonio (TX) Independent School District	71
Austin (TX) Independent School District	70
Detroit (MI) Public Schools	60

Nearly 15,000 full-time sworn personnel were employed in jobs related to natural resources

After agencies serving public buildings and facilities, the next largest employer of full-time sworn personnel among special jurisdiction agencies was the group responsible for enforcing laws pertaining to natural resources. Most of these agencies enforced laws pertaining to fish and wildlife conservation, or provided law enforcement services for parks and recreation areas. Other functions included enforcing environmental pollution laws, boating laws, and protecting vital forest and water resources. Overall, these 246 agencies employed nearly 15,000 full-time sworn personnel.

Many of the largest natural resources law enforcement agencies were operated at the state level, including 28 of the 30 largest (table 10). The California Department of Parks and Recreation employed the most full-time sworn personnel (645), followed by the Florida Fish and Wildlife Conservation Commission (626), Texas Parks & Wildlife Department (480), Ohio Department of Natural Resources (394), and California Department of Fish & Game (330).

The largest local-level agency in this category was operated by the New York City Department of Environmental Protection, which employed 168 full-time police officers to protect the city's watershed and water infrastructure. Many

park police agencies also existed at the local and regional levels, and 21 Native American tribes employed separate agencies with full-time sworn personnel to enforce laws pertaining to fish and wildlife conservation.

TABLE 10
Thirty largest state and local natural resource law enforcement agencies , by number of full-time sworn personnel, 2008

Agency	Full-time sworn personnel
California Department of Parks & Recreation	645
Florida Fish and Wildlife Conservation Commission	626
Texas Parks & Wildlife Department	480
Ohio Department of Natural Resources	394
California Department of Fish and Game	330
New York State Department of Environmental Conservation	321
New York State Park Police	305
Tennessee Wildlife Resources Agency	275
Maryland State Forest and Park Service	261
Washington State Parks and Recreation Commission	250
South Carolina Department of Natural Resources	238
Louisiana Wildlife And Fisheries Department	235
Mississippi Department of Wildlife, Fisheries & Parks	230
Colorado Division of Wildlife	226
Maryland Natural Resources Police	224
Georgia Department of Natural Resources	209
North Carolina Wildlife Resources Commission	209
Tennessee Department of Environment & Conservation	209
Missouri Department of Conservation	204
Indiana Department of Natural Resources	201
Minnesota Department of Natural Resources	200
Michigan Department of Natural Resources	195
Pennsylvania Game Commission - Law Enforcement	191
Wisconsin Department of Natural Resources	189
North Carolina Division of State Parks & Recreation	185
Arkansas Game And Fish Commission	183
Kansas Department of Wildlife & Parks	178
New York City Department of Environmental Protection Police	168
Virginia Department Game and Inland Fisheries	160
New York City Parks Enforcement Patrol	149

Agencies tasked with safeguarding transportation systems and facilities employed more than 11,000 full-time sworn personnel

Transportation-related jurisdictions, such as mass transit systems, airports, bridges, tunnels, commercial vehicles, and port facilities, have been a major area of focus for homeland security efforts in recent years. In 2008, 167 law enforcement agencies had specific transportation-related jurisdictions and employed about 11,500 full-time sworn officers. The largest, the Port Authority of New York and New Jersey Police Department, employed 1,667 officers in 2008 (table 11). The multiple jurisdictions of the Port Authority Police included LaGuardia, Kennedy, and Newark Airports, the Lincoln and Holland Tunnels, the George Washington and Staten Island Bridges, the PATH train system, the Port Authority Bus Terminal, and the Port Newark and Port Elizabeth Marine Terminals.

After the Port Authority Police, the five largest transportation-related police forces were employed by the New York State Metropolitan Transportation Authority (694 officers), Los Angeles World Airports (577), Maryland Transportation Authority (456), Washington, D.C. Metropolitan Area Transit Authority (442), and Metropolitan Atlanta Rapid Transit Authority (MARTA) (309).

Law enforcement services for some large airport and transit systems are provided by a local police department or sheriff's office. For example, the police departments in New York City and Chicago are responsible for the subway systems in those cities. In addition, the Chicago Police also provide law enforcement services for O'Hare and Midway airports, working in conjunction with the 251 unarmed sworn officers of the Chicago Department of Aviation.

TABLE 11
Fifty largest state and local law enforcement agencies with transportation-related jurisdictions, by number of full-time sworn personnel, 2008

Agency	Full-time sworn officers
Port Authority of New York & New Jersey	1,667
New York State Metropolitan Transportation Authority	694
Los Angeles World Airports	577
Maryland Transportation Authority	456
Washington Metropolitan Area Transit Authority	442
Metropolitan Atlanta Rapid Transit Authority (MARTA)	309
Massachusetts Bay Transportation Authority (MBTA)	256
Southeastern Pennsylvania Transportation Authority (SEPTA)	256
Chicago Department of Aviation	251
Dallas/Fort Worth International Airport	237
Metropolitan Washington Airports Authority	206
New Jersey Transit	201
Bay Area Rapid Transit (BART)	192
Harris County Metropolitan Transit Authority	179
Dallas Area Rapid Transit	156
Delaware River Port Authority	144
Maryland Transit Administration	140
Port of San Diego	139
Port of Los Angeles	133
Wayne County Airport Authority	125
Port of Seattle	98
Greater Cleveland Regional Transit Authority	97
Metra (Chicago area)	96
Austin-Bergstrom International Airport	91
Lambert - St. Louis International Airport	89
Virginia Port Authority	88
Niagara Frontier Transportation Authority	86
Minneapolis - St. Paul Metropolitan Airports Commission	82
Tampa International Airport	80
Georgia Ports Authority	78
San Antonio International Airport	66
Anchorage International Airport	65
Salt Lake City International Airport	65
Nashville International Airport	61
Minneapolis - St. Paul Metro Transit	60
Kansas City International Airport	54
Cincinnati/Northern Kentucky International Airport	54
Port of Portland	53
Delaware River & Bay Authority	50
Memphis International Airport	49
Alabama State Port Authority	48
Indianapolis Airport Authority	47
Port of Houston Authority	46
Port of New Orleans	44
Allegheny Port Authority	42
Jacksonville Aviation Authority	42
T.F. Green Airport (Rhode Island)	42
Columbus Airport Authority	41
Utah Transit Authority	40
Albuquerque International Sunport	40

U.S. Department of Justice
Office of Justice Programs
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The Bureau of Justice Statistics is the statistical agency of the U.S. Department of Justice. James P. Lynch is the director.

This report was written by Brian Reaves. Andrea Burch provided statistical review and verification of the report.

Catherine Bird and Jill Thomas edited the report, Barbara Quinn produced the report, and Jayne Robinson prepared the report for final printing under the supervision of Doris J. James.

July 2011, NCJ 233982

This report in PDF and in ASCII and its related statistical data and tables are available on the BJS website at: <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=2216>.

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Statistics

Washington, DC 20531

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STATE OF MINNESOTA

IN SUPREME COURT

ADM10-8002

**ORDER SETTING HEARING DATE AND DEADLINE
FOR SUBMITTING WRITTEN COMMENTS ON THE
PETITION OF THE BOARD OF PUBLIC DEFENSE
TO EXTEND THE PUBLIC DEFENDER PORTION OF
THE LAWYER REGISTRATION FEE TO JUNE 30,
2015**

The Minnesota Board of Public Defense has filed a petition requesting the court to extend until June 30, 2015 the temporary Lawyer Registration fee increase authorized by our order filed November 4, 2009, and renewed by our order filed March 2, 2011. A copy of the petition is annexed to this order.

IT IS HEREBY ORDERED THAT:

1. A hearing will be held before this court to consider the petition of the Board of Public Defense to extend the public defender portion of the lawyer registration fee to June 30, 2015. The hearing will take place in Courtroom 300, Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Boulevard, St. Paul, Minnesota, on January 15, 2013, commencing at 2:00 p.m.

2. Any person or organization desiring to make an oral presentation at the hearing in support of or in opposition to the petition of the Board of Public Defense shall file a request to make an oral presentation, along with fourteen copies of the material to be presented, with Bridget C. Gernander, Acting Clerk of Appellate Courts, 25 Rev. Dr.

Martin Luther King Jr. Boulevard, St. Paul, Minnesota 55155. The request and written materials must be received by 4:30 p.m. on January 7, 2013.

3. Any person or organization desiring to provide only written comments in support of or in opposition to the petition shall file fourteen copies with Bridget C. Gernander, Acting Clerk of Appellate Courts, 25 Rev. Dr. Martin Luther King Jr. Boulevard, St. Paul, Minnesota 55155. Written comments must be received by 4:30 p.m. on January 7, 2013.

Dated: November 7, 2012

BY THE COURT:



Lori S. Gildea
Chief Justice

OFFICE OF
APPELLATE COURTS

OCT 31 2012

FILED

No. ADM10-8002

**STATE OF MINNESOTA
IN SUPREME COURT**

In Re:

**Petition to Extend the Public Defender Portion of the
Attorney Registration Fee until June 30, 2015 So
Public Defenders Can Develop Technology Needed to
Perform Essential Functions**

PETITION OF MINNESOTA BOARD OF PUBLIC DEFENSE

Board of Public Defense
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331 Second Avenue, S. Suite 900
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(612) 349-2565

Attorney for Petitioner

No. ADM10-8002

**STATE OF MINNESOTA
IN SUPREME COURT**

In Re:

**Petition to Extend the Public Defender Portion of the
Attorney Registration Fee until June 30, 2015 So
Public Defenders Can Develop Technology Needed to
Perform Essential Functions**

PETITION OF MINNESOTA BOARD OF PUBLIC DEFENSE

TO THE HONORABLE JUSTICES OF THE MINNESOTA SUPREME COURT:

Public defense continues to find itself in a precarious position. Despite the efforts of the Board of Public Defense, the Minnesota State Bar Association, the Governor, the Legislature, and this Court:

- caseloads continue to exceed 170% of national and state standards;
- employer portions of health insurance will continue to increase;
- employee compensation has remained static; and,
- the Board does not have the technological resources needed to keep pace with prosecutors' rapid transition to all-electronic disclosure.

The Board shares the Court's concerns expressed in its decisions providing \$1.9 million per year from the Attorney Registration Fee to fund 23 staff attorney positions. The Board accepts that the Court and the lawyers of Minnesota should not have to use Registration Fee funds to provide services required by the Constitution. The Board is prepared to seek the resources it needs for staff attorneys from the executive and legislative branches, through the budget process.

Nevertheless, the Board does not expect to be able to get an appropriation sufficient to absorb the loss of staff funded by the Registration Fee, impending compensation cost increases, and the costs of accommodating prosecutors' move to electronic disclosure. Most importantly, the Board needs funding if it is to take advantage of the efficiencies that eCourt will make available.

eCourt will greatly augment the effectiveness and efficiency of the criminal justice system over the next decade and beyond. The Board fully supports the creation of eCourt. However, as explained here, the Board will not have the resources to follow the courts' and prosecutors' lead to a paperless justice system. Public defense is already overburdened and a source of delay in the courts. With its mix of full-time and part-time attorneys, its miniscule support staff, and its mandate to provide services in 87 counties, the Board needs assistance to provide the software, programming, and hardware to convert from paper to an electronic case file system. That is the purpose of this Petition.

I. Public Defense – The Continuing Crisis:

As the 50th anniversary of the landmark Gideon decision¹ approaches, Minnesota's justice system illustrates an urgent national problem: excessive public defender caseloads due to inadequate funding.²

In recent years, Supreme Courts around the country have variously granted relief to public defender systems, or have permitted litigation over excessive caseloads to move ahead.

Missouri and Iowa courts have granted systemic relief to public defenders.³ Systemic caseload

¹ *Gideon v. Wainwright*, 372 U.S. 335 (1963).

² See generally The Constitution Project, *Justice Denied: America's Continued Neglect of Our Constitutional Right to Counsel* (2009), at <http://www.constitutionproject.org/pdf/139.pdf> (last visited August 17, 2012) and Justice Policy Institute, *System Overload: the Costs of Under-Resourcing Public Defense* (2011), at http://www.justicepolicy.org/uploads/justicepolicy/documents/system_overload_final.pdf.

³ *State ex rel. Missouri Pub. Defender Comm'n v. Waters*, SC91150, 2012 WL 3104427 (Mo. July 31, 2012)

effort. For internal resource allocation, the Board in 2011 added the ability to weight more heavily the most severe felonies and to add weight to cases requiring extensive travel.

However, the State of Minnesota has not been able to fund the Board at a level anywhere close to the A.B.A. Standards. In FY 09, a budget shortfall led to the loss of 53 public defender positions, 15% of the statewide attorney staff. In FY 10 the budget shortfall led to the loss of 15 more attorney positions.

In the 2011 legislative session, state funding was partially restored so that 20 full-time equivalent (FTE) lawyer positions could be filled. The Board received temporary help from this Court, through the Attorney Fee Registration process, over a period of 4 years. The Board also received temporary funding through a federal Byrne grant—now exhausted—which funded 9 FTE attorney positions.

Still, based on 2011 calendar year data, Minnesota Public Defense operates on only 57% of the attorney staff component recommended by state and national standards. In June 2013, the Attorney Registration Fee revenue is due to stop, potentially causing the loss of 23 of the state's 367 assistant public defender positions.

B. Minnesota's public defense support staff component is too small.

To keep public defender workloads manageable, the U.S. Department of Justice has long recommended staff-to-attorney ratios based on support staff type and charge severity.⁸ Minnesota's staff support for public defenders falls well short of the DOJ guidelines and our own internal standards, as shown in Table 1:

⁸ U.S. Department of Justice, Bureau of Justice Assistance, Office of Justice Programs, *Keeping Defender Workloads Manageable* 10 (2001) at <https://www.ncjrs.gov/pdffiles1/bja/185632.pdf> (last visited August 18, 2012).

II. Public Defense – Resources for Electronic Case Content Management System

A. Digital technologies are rapidly changing the practice of law for public defenders; these changes impact courtrooms

New technologies are dramatically changing the way public defenders practice law. Video, audio and digital photographic case material has become so ubiquitous that a client file no longer consists of a pile of papers; rather, it is a collection of electronic files, many needing specialized software to be played or viewed. Our lawyers need easy and rapid access to digital audio from police interrogations, digital video from squad car dashboard cameras, and countless varieties of retail and private security video. Providing an electronic case content management system will provide such access and, by integrating with eCourt, will leverage the justice system's upcoming investment in an all-electronic way of doing business.

The benefit to the entire criminal justice system has the potential to be enormous because the numbers are enormous. Every judge knows that Minnesota's criminal courtrooms are filled – overwhelmingly – with indigent people. Public defenders are appointed in 85 to 90 percent of all felony, gross misdemeanor and juvenile cases, and about sixty percent of all misdemeanors. These lawyers are integral to the effective administration of justice. Even small changes in the way they practice law can affect the entire system, beneficially or detrimentally. All criminal justice system partners will benefit when public defenders have the resources to be full participants in eCourt.

Electronic filing and serving of documents will provide greater efficiency and cost savings for the court. These benefits have already been realized in civil practice. The State Court Administrator's Office reports that the transition has been smooth for the civil bar over the past

year or so. However, several factors have and will keep public defense from realizing efficiencies brought on by electronic disclosure and e-court:

- **Chronic underfunding.** Public Defense has an established history of being both understaffed and overloaded.
- **Volume of cases opened.** Minnesota’s public defenders opened well over three-quarters of a million cases over the past five calendar years; only about half that many cases were filed by civil practitioners during the same period.¹⁵
- **Staffing ratios.** Traditionally in private law firms in civil practice, multiple support staff people serve each lawyer; in public defense on average, a single support staff position serves many lawyers (see Table 1). A single computer Help Desk person struggles to meet the needs of everyone in the entire agency statewide.
- **Decentralization.** Public Defense must serve every courthouse. To meet this requirement, the agency’s workforce consists of a decentralized patchwork of full- and part-time lawyers geographically distributed across the state. Though the agency is the state’s largest provider of legal services (487 lawyers), its lawyers’ offices are in literally hundreds of locations (26 full time defender offices and 100 part time offices).
- **Non-portable computer hardware.** The Board has provided its full-time lawyers and staff mostly with desktop computers, not the more costly mobile devices needed to effectively use electronic disclosure while in the courthouse.
- **Limited internet bandwidth in offices and courthouses.** A public defense law practice is heavily based in courthouses where wireless internet access is currently unavailable.

¹⁵ Public defenders opened 813,292 cases in calendar years 2007 through 2011. Major civil and major family court cases opened during that time numbered 438,236. See “Annual Reports of the Minnesota Judicial Branch”, 2007 - 2011, viewed online at <http://www.mncourts.gov/?page=519>

While all of the Board's offices have internet connections, the connection speeds are designed for email and web browsing, not bulk file transfer.

- **Clients in poverty.** Public defender clients generally do not have access to computer equipment on which to privately view their case's electronic file material. This requires printing material, or using Board-owned computer equipment to show evidence in digital form.
- **Clients in jail.** Many public defender clients reside in jail. Jailers prohibit CD and DVD disks as contraband. What is at stake is the accused's ability to understand the charges being brought against him: to protect this fundamental right the Board must dedicate attorney and staff time and agency-owned equipment to provide clients with the ability to review electronic file materials.

The Minnesota judicial system's Odyssey File & Serve ("OFS") component of eCourt has deployed successfully in highly centralized, well-funded and well-staffed civil practice law firms. The Board now has the opportunity to make the same transition, but in the radically different environment of public defense. To become a fully functioning partner in eCourt, the Board must create an electronic case content management system that integrates with OFS. To do so, the Board needs funding assistance from this Court.

B. The Board seeks to work as a business partner with Minnesota's court system.

The Board seeks to integrate its criminal justice information system with OFS so that eCourt's full efficiencies can be realized. Until we create such integration, *ad hoc* exchange of material using OFS requires a sequence of repetitious manual steps.¹⁷ Such *ad hoc* use would have two significant problems for criminal law practitioners:

¹⁷ See Minnesota Judicial Branch, *Odyssey File and Serve Tips for Successful E-filing* at <https://tfs.tylerhost.net/Content/Docs/swf/Odyssey%20File%20and%20Serve%20II.swf> (last visited August 18,

mobile lawyer in the courthouse or jail who needs to view the electronic disclosure-created electronic file. Mobile devices like iPads and Ultrabooks may meet the need.

5. **Easy method to remotely connect to secured databases like MNCIS and the Board's own case & file management system.** Both full time and part time public defenders with mobile devices need a solid and reliable way to connect to their client's online material. We will deploy new "virtual desktop" technology to give mobile users the same set of resources that have long been available on desktop computers.
6. **Software and hardware development and expansion.** The Board will retain services to develop, install and configure the technology to participate effectively in a criminal justice system that is rapidly moving toward a paperless, electronic way of doing business.
7. **Training over 700 employees statewide in use of the new technologies.** While the court provides training for the manual, *ad hoc* process of e-filing and e-serving, public defenders statewide will need customized training to learn how to use the all-electronic case and file system, mobile devices, and virtual desktop technology.

III. Conclusion: the Board must transition to an all-electronic case content management system without sacrificing the staff it needs to cover the courts

The Court has the power to direct Attorney Fee Registration revenue to enable the Board of Public Defense to develop a case content management system that will leverage all of the investments made by prosecutors and the court with the e-court initiative. The Court should use this power to ensure that public defense can increase its technological capacity without incurring disastrous staff losses.

In Order Temporarily Increasing Lawyer Registration Fees (C-1-81-1206, filed November 4, 2009) the Court determined that a fee increase to alleviate the “suffering” of “the court system as a whole” caused by Minnesota’s under-funding of public defense, was within the inherent authority of the Supreme Court. The Court stated that “fees like these are sometimes ‘necessary to maintain the integrity and efficiency of the judicial system.’”

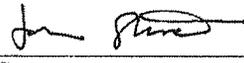
The transition to an all-electronic way of doing business is a watershed moment in the history of Minnesota’s system of justice. In dozens of ways this transition will make the courts more cost-effective. Delay will be reduced. Transmission and storage of millions of documents a year will be simpler and cheaper. Parties will be able to share information more easily than ever before.

To make this vision a reality, public defense — the largest user of Minnesota’s courts — has to be able to get on board. Public defenders have to be able to come to court with their e-files in mobile devices, have to be able to send and receive discovery electronically, have to be able to share information not only with judges and lawyers, but with their clients. The conversion of hundreds of public attorneys and staff from desk-top to mobile systems, with the necessary training and tech support, will greatly benefit Minnesota’s conversion to eCourt. The whole justice system will benefit if the Board of Public Defense can be a full participant. If, however, the Board is forced to sacrifice attorney positions to achieve this enormous upgrade of technology, the outcome will be problematic. Minnesota’s Office of the Legislative Auditor in its most recent evaluation highlighted the problems caused by an under-resourced public defense

Registration Fee during these next two years so it can carry out its Constitutional functions while also keeping pace with prosecutors and courts as they move to an all-electronic way of doing business. The Board respectfully asks this Court to extend the temporary Attorney Registration Fee increase for two more years to enable this successful transition.

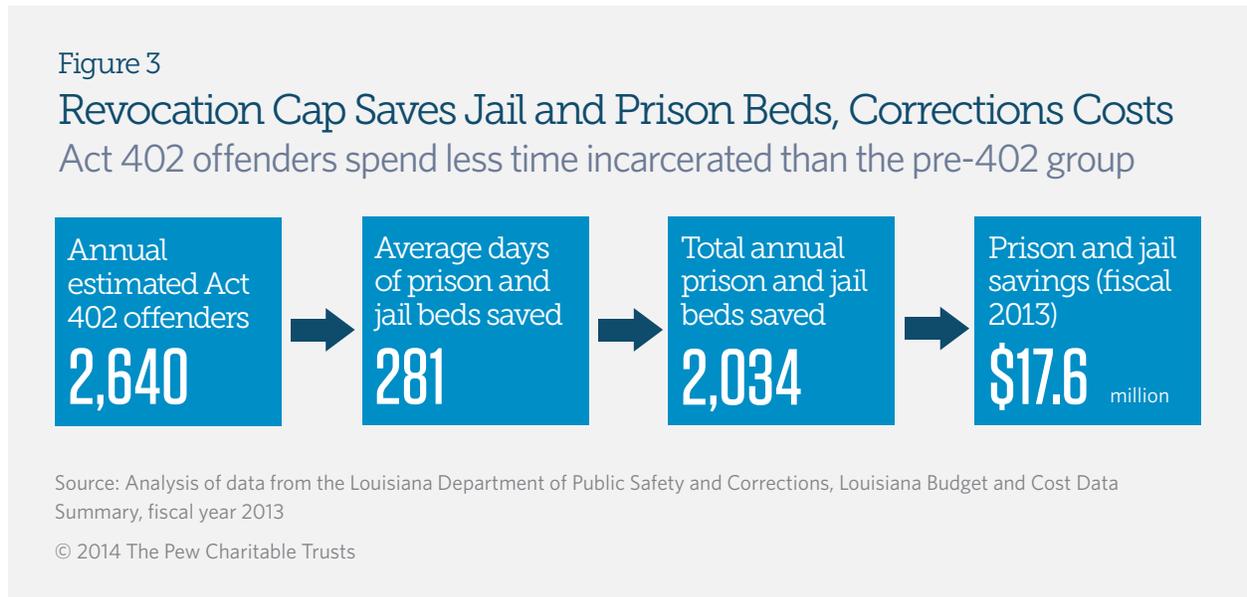
Respectfully submitted,
BOARD OF PUBLIC DEFENSE

Dated: October 31, 2012

BY 
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331 Second Avenue. S. Suite 900
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Act 402 saves bed space and corrections costs

An estimated 2,640 offenders annually were eligible for the 90-day cap under Act 402. Taking into account subsequent technical violations or new crimes that resulted in some offenders returning to incarceration, the law still significantly reduced Louisiana's use of jail and prison beds.



On an annual basis, the act reduced the Louisiana Department of Public Safety and Corrections jurisdictional population by 2,034 beds. Because Louisiana holds a high share of the inmates for which the state has responsibility in local parish jails, the vast majority of these beds (2,007) were in jails rather than state facilities.

Pew measured the fiscal impact of Act 402 by considering the Louisiana Budget and Cost Data Summary for fiscal year 2013.⁸ The average annual cost to the state of housing an offender in a local jail is \$9,297; \$14,501 in a state prison. Supervising an offender in the community through probation and parole costs an average of \$704 a year.

Using the estimated annual corrections savings, and accounting for the costs of supervising those offenders in the community, Act 402 saved taxpayers approximately \$17.6 million in corrections costs each year since 2007.⁹

For further information, please visit:

pewtrusts.org/publicsafety

Contact: Christina Zurla, communications manager

Email: czurla@pewtrusts.org

Project website: pewtrusts.org/publicsafety

The Pew Charitable Trusts is driven by the power of knowledge to solve today's most challenging problems. Pew applies a rigorous, analytical approach to improve public policy, inform the public, and invigorate civic life.

EDUCATION **MASS INCARCERATION** **FEATURE** **JANUARY 5, 2015 ISSUE**

Mass Incarceration's Collateral Damage: The Children Left Behind

When a parent is sent to prison, a child's life is derailed, leaving schools to pick up the pieces.

By Katy Reckdahl

DECEMBER 16, 2014



This story was produced by the Hechinger Report, a nonprofit, independent news website focused on education.

Steven Alexander was in sixth grade when his mother, Carmen Demourelle, was sentenced to twelve years in prison for pickpocketing in New Orleans's French Quarter. Though she was held in a women's prison just an hour away, her four children could not telephone her and visited only about once a year.

At the time of her arrest, Demourelle was working sporadically as a beautician, though she was mainly making "fast money" by selling drugs and picking pockets while her children were in school, she said. But after school, she was an engaged and caring mother—until she was sent to prison. "I missed everything about her," Alexander recalled. "I wanted her home."

All four of Demourelle's children moved in with their grandmother, who worked nights at a hospital. She supported them financially, Alexander said, but their schoolwork suffered almost immediately without their mother, who had been strict, especially about school. She

hadn't allowed them to play outside or turn on the television until their homework was done. She enforced early bedtimes. And the children were not allowed to spend time with neighbors deemed troublemakers.

Soon after their mother's sentencing, however, homework went undone, forbidden friendships blossomed, and evenings at nightclubs became common—even on school nights.

None of the children finished high school. Almost all struggled with addiction. Steven's older brother Stanton got into constant fights. His little sister, Sandria, was taunted by classmates, who told her: "If your mother loved you, she wouldn't have gone to jail." While in ninth grade, Sandria became pregnant and dropped out. Even the oldest, Stanley, an honor student, quit school as a senior after getting his girlfriend pregnant.

Steven stopped going to classes during the seventh grade. "I just wasn't interested anymore," he said.

* * *

A growing body of research suggests that one of the most pernicious effects of high adult- incarceration rates can be seen in the struggles of children like Steven Alexander, who often lose a crucial source of motivation and support with their parents behind bars. Stories like his are far too common today, forty years after the nation's prison boom began wreaking havoc in African-American communities, which have been disproportionately affected by the ballooning incarceration rate. But until recently, there has been little hard data showing the effects on children. Some states allow the children of prisoners with sentences of a

certain length to be adopted, thus severing ties with parents who use drugs or are involved in other criminal or gray-market activities. The theory is that children are likely better off without their crime-prone parents.

That theory has been largely disproved by new data that has allowed researchers to examine the well-being of children before and after a parent's incarceration. A very small subset of children—those with abusive parents—were found to be more likely to thrive academically and socially if their parents are incarcerated. But most children declined markedly. In fact, the new research suggests that prisoners' children may be the most enduring victims of our national incarceration craze.

“Even for kids at high risk of problems, parental incarceration makes a bad situation worse,” concluded Christopher Wildeman and Sara Wakefield in their recently published book, *Children of the Prison Boom: Mass Incarceration and the Future of American Inequality*.

Wildeman and Wakefield found that children with incarcerated fathers were three times more likely than peers from similar backgrounds to become homeless. They also suffered significantly higher rates of behavioral and mental-health problems, most notably aggression.

Kristin Turney, a professor of sociology at the University of California, Irvine, reached similar conclusions in a report published this past September. Turney found that children with incarcerated parents were three times more likely to suffer from depression or behavioral problems than the average American child, and twice as likely to suffer from learning disabilities and anxiety.

The new analyses give statistical credence to the on-the-ground experiences of advocates and educators in states like Louisiana, the nation's incarceration capital. "Children don't necessarily say how they feel; they act it out," said Torin Sanders, a social worker, Baptist pastor and former school-board president in New Orleans, who has worked with the children of incarcerated parents for two decades but has yet to see local schools systematically deal with the issue.

Within the last few years, however, a broad range of agencies and policy-makers have begun to frame the nation's prison boom as a children's issue. Last summer, the Justice Department launched a wide-reaching campaign to provide support to the children of imprisoned parents—by rethinking visitation policies and changing the protocol for arresting parents in front of children, for example. In August, the American Bar Foundation and the National Science Foundation invited key researchers, advocates and federal officials to the White House for a conference to discuss reducing the "collateral costs" to children and communities when parents are incarcerated. The conference was part of a larger inter-agency initiative begun in 2012 to focus the attention of participating agencies, including the Department of Education, on the children of incarcerated parents. A few months later, in November, the Federal Bureau of Prisons hosted its first-ever Universal Children's Day, an event attended by nearly 8,500 children visiting more than 4,000 federal inmates.

Children's television has provided a pop-culture barometer of the issue's increased prominence. Last summer, *Sesame Street* introduced Alex, a blue-haired Muppet whose father is in jail. "I don't like to talk about it," Alex told his furry

friends, describing his emotions. “Most people don’t understand. I just miss him so much. It just hurts inside.... But then sometimes I feel like I just want to pound on a pillow and scream as loud as I can.”

John Hagan, a professor of sociology and law at Northwestern University, led the White House conference with his research collaborator, Holly Foster, of Texas A&M University. Fifteen years ago, in an oft-cited paper, Hagan first suggested that the effects on children might be “the least understood and most consequential” result of mass incarceration.

Now Hagan is seeing his hypothesis proved. More than that, as his adolescent subjects enter adulthood, the effects are compounded: “Almost no children of incarcerated mothers make it through college,” he noted. “These people are now in early adulthood, and they’re really struggling.”

* * *

One in four black children born in 1990 saw their father head off to prison before they turned 14, according to Wildeman, a Cornell University sociologist. For white children of the same age, the risk is one in thirty. For black children whose fathers didn’t finish high school, the odds are even greater: more than 50 percent have dads who were locked up by the time they turned 14. To put it another way, the children of black high-school dropouts are more likely than not to see their fathers locked up.

Even well-educated black families are disproportionately affected by the incarceration boom. Wakefield and Wildeman found that black children with college-educated

fathers are twice as likely to see them incarcerated as the children of white high-school dropouts.

In recent decades, the number of children with incarcerated fathers has shot up, from 350,000 in 1980 to 2.1 million in 2000. In 2004, more than half of state and federal inmates reported having at least one minor child.

Incarcerated parents are predominantly men. More than half of state and federal prisoners serving sentences of more than one year are nonviolent drug and property offenders sentenced under the “tough on crime” laws that helped create the nation’s prison boom. “When I was coming up, it was the real bad guys who were hurting people who went away,” said Oliver Thomas Jr., 57, a former New Orleans city councilman who spent time in federal prison for taking bribes. These days, when Thomas—who is also a former teacher—speaks to schoolchildren and asks who has a family member in prison, “just about everybody raises their hand.” An overwhelming number are coping with imprisoned parents, he said.

Using that lens, it’s clear that trends in prison populations are tied to child well-being. Hagan said he’d hoped that prison populations peaked at 1.6 million in 2009, which was followed by three consecutive years of declines; then, in 2013, the numbers began to edge back up again. Much of the damage is already done, Hagan added, thinking of the adolescents he began studying a few decades ago. Even if prison populations decline as quickly as they increased, the effects will still resonate for a few generations, he said. His perspective is shared by Wakefield and Wildeman, who

wrote that optimism about reductions “must therefore be set against the backdrop of the children of the prison boom—a lost generation now coming of age.”

In line with the national declines, Louisiana also saw a 2.2 percent drop in its prison population in 2013, though it still tops the country—by a considerable extent—in its incarceration rate: 847 per 100,000 residents. (The rate for the second-highest state, Mississippi, is 692; by contrast, New York’s rate is 271.)

Overall, 6 percent of Louisiana’s adult black males are incarcerated. Though the state’s Department of Corrections couldn’t supply city-specific data for its prisoners, the incarceration rate is surely higher for men in New Orleans, which supplies 15 percent of the state’s prisoners, despite making up only 8 percent of its population. In the Ninth Ward, the high-poverty, largely black neighborhood where Carmen Demourelle raised her children, nearly one in five adults is locked up.

* * *

Scores of New Orleans schoolchildren have long known what researchers are just beginning to conclude: that having a parent in prison makes it difficult—and sometimes impossible—to survive childhood’s emotional roller coaster intact. More than a decade ago, Khary Dumas wrote a poem called “Daddy” for his twelfth-grade English class to describe his heartbreak over his father, who was cycling in and out of prison: “I know this man / and you probably do too. / But when I met this man / I was only about two. / This man is new, / better yet, new to my life / because he never changed

diapers / or fixed bottles at night. / He never contributed to the bills / or spun me on the merry-go-wheel. / He never taught me how to pitch / or catch / on a football field.”

Dumas, now 31, has children of his own. “I hold them so close, so dear,” he said. “I couldn’t fathom not knowing what they did on a daily basis.”

His father struggled with substance abuse, which led to his repeated arrests and left an absence that Dumas still wrestles with. “As a child, you’re looking at other people’s families—you don’t understand why my dad isn’t involved with me, why he don’t take me here, why he don’t come to my game,” he said. Though his mother woke them up for school every morning and cheered at his football games when she could, Dumas added, she had to work two jobs as the family’s sole breadwinner. And so she relied on Dumas’s grandmother and an aunt to keep an eye on her children when she couldn’t.

According to Hagan, schools should be looking out for students who need help applying to universities or community colleges on their own and making it financially feasible. Schools should also be prepared to provide emotional support to students who feel like turning inward or lashing out—like Dumas, who found himself clashing with his male teachers. “I just felt like I didn’t want a man to order me around,” he said.

Sanders, the New Orleans social worker and pastor who recently led a workshop on parental incarceration for the National Association of Social Workers, said these clashes are often the result of the abandonment that a child feels, which can develop into oppositional defiant disorder, causing

children to act out even with the family members who take them in. The disorder is rooted in the idea that “if this [one] abandoned me, I don’t want to trust *any* adult,” Sanders said.

When Oliver Thomas went away to federal prison for three years, he watched his own daughter and nephew experience the uncertainties and sense of abandonment he’d seen in other children. “If a kid is resentful, some act out aggressively, become aloof or withdrawn, do poor academically or become active sexually. They try to deal with it,” he said.

Often, teachers and other adults tell such students that they are likely to grow up and go to prison themselves—a claim disproved by all research, said Tanya Krupat, who directs programs in the Osborne Association’s New York Initiative for Children of Incarcerated Parents. “If we could stamp out one myth,” Krupat added, “that would be it.”

But those negative perceptions often hit home, Sanders noted, causing children like Steven Alexander to give up on school and view long-term goals like graduation and academic success as meaningless. “They think: ‘If I don’t have a future, why do I need to be concerned with the present?’”

The lowered expectations affect entire communities, said Ron McClain, the president and CEO of Family Service of Greater New Orleans, who estimated that 80 percent of the people he’s worked with had experienced incarceration within their immediate families. In some neighborhoods, children begin to see prison as “something that happens when you grow older,” he said.

According to a spokesperson, the US Department of Education is expanding the role of its school homelessness liaisons to combat other problems that arise when parents are incarcerated. The department's National Center for Homeless Education hosted a webinar in May describing how schools can create an environment that honors children's relationships with imprisoned parents.

Participants also puzzled through a scenario involving a fourth grader named James, and how the education and court systems could have prevented his week-long absence from school after his mother was jailed.

* * *

For years, as prison populations grew, there was no reliable source of data about inmates' children. Most prisons don't ask at intake about children; nor do the enrollment forms at schools and daycares ask about incarcerated parents.

Recently, the Bureau of Justice Statistics, which creates a periodic Survey of Prison Inmates, announced that it would add questions measuring the involvement of incarcerated parents with their children. Other than that, minor children of inmates are not documented in any way that can easily be statistically examined, said Chris Burke, a spokesman for the Federal Bureau of Prisons.

The hard data that has made researchers more certain that incarceration affects schoolchildren comes from the Fragile Families and Child Wellbeing Study, a large longitudinal study by Princeton and Columbia universities that followed nearly 5,000 disadvantaged children born between 1998 and 2000 in twenty large cities. Wakefield and Wildeman, as well as Turney, have used the Fragile Families data, along with

data from the Project on Human Development in Chicago Neighborhoods, which followed about 6,000 children, adolescents and young adults between 1994 and 2002. For their work on adolescents, Hagan and Foster relied on the National Longitudinal Study of Adolescent to Adult Health, which started surveying students in grades seven through twelve in 1994 and has followed them into adulthood.

The Fragile Families study has now released data about its children through age 9, which has made an enormous difference for those studying the issue. “Our estimates of how parental incarceration affects the mental health and behavior of kids between 3 and 9 are very good,” Wildeman said. “Anything beyond that is messy.”

Other key data sets have helped researchers tease out important linkages, but they lack the before-and-after information that shows the effects of incarceration on its own. In other words, they fail to distinguish between correlation and causation.

Wildeman and Wakefield used the Fragile Families data to determine that many of the nation’s persistent racial gaps in child well-being can be explained at least partly by paternal imprisonment. They unpacked key indicators that negatively affect a child’s well-being—homelessness, mental health and behavior problems—and took them through a series of statistical tests, looking at racial disparities and ties to parental incarceration.

For instance, the researchers found that, compared with other at-risk children in the Fragile Families study with similar demographics, children whose fathers had recently been incarcerated were three times more likely to have been

homeless in the last year. To reach that conclusion, the researchers created statistical models allowing them to examine and adjust for other factors that can also lead to homelessness, including drug and alcohol abuse and reliance on cash welfare or public housing.

“The effects of mass incarceration on childhood inequality are too large to ignore,” the researchers wrote. Parental incarceration “has implications not only for individual children but also for inequality among them.”

* * *

That inequality persists well into adulthood. Steven Alexander’s mother was a model prisoner and earned release two years early, but the effects of her years behind bars endured, said Demourelle, now 57. Not a day goes by when she doesn’t have regrets, she added: “I should have been here to make sure they went to school. I should have been here to pick their friends.”

Demourelle married a childhood friend, found steady work as part of a New Orleans violence-prevention team and is helping to raise her grandchildren (her daughter is still struggling with addiction). Her sunny, spacious apartment is filled with visiting children running up and down the steps.

Recently, as her extended family gathered for a movie night, Demourelle sat on the couch next to her youngest son and talked proudly about the complicated sound system he’d connected to the television that evening. Ever since he was young, she said, he was able to take his toys apart and put them back together. He would find electronic parts in the garbage and assemble them with other parts. He also learned

to cook from his grandmother and advanced to operating entire restaurant kitchens from top to bottom. “He can fix anything; he can cook anything,” she said, caressing her son’s face.

Earlier this year, Steven Alexander was refused entry into a culinary training program because he couldn’t read well enough to pass the screening test. At times like these, his mother finds herself wishing that she could truly make up for lost time. “I’m still trying to figure it out: What can I do now to make their lives better?” she said.

* * *

Kristin Turney has devoted much of her career to exploring the connection between parental incarceration and children’s well-being from a statistical point of view. In addition to the Fragile Families data, she has relied on the massive National Survey of Children’s Health for some of her most significant findings. Using the 2012 survey, which encompassed nearly 100,000 children from birth to age 17, she attempted to control for factors like poverty, parental mental health and marital status to assess incarceration’s effects. She found that incarceration appeared to cause—or, at the very least, to aggravate—developmental delays in children, including behavior problems, speech issues and learning disabilities. By contrast, parental incarceration was not linked to childhood obesity or chronic school absence, Turney found.

Despite the growing consensus among them, researchers say that countless questions remain. Turney struggles with one key question: Why does incarceration affect kids? “Is it stigma, attachments, income loss, parents breaking up and

relationships not surviving? We don't know," she said.

Another elusive question: Why are some children so much more resilient than others? In New Orleans, underresourced educators and advocates have worked tirelessly to foster such qualities in at-risk children, but it is still too rare.

Louis Ward Jr. was only 6 months old when his father was sent to the Louisiana State Penitentiary at Angola on a life sentence, as a habitual offender convicted of simple robbery. Louis Jr., now 21, got into good schools, studied hard and dreamed of becoming a police officer, but then he shifted gears and is now halfway through a bachelor's degree in forensic pathology. Louis Sr. observed most of his only son's childhood years through letters and photographs received in the mail. Recently, however, his legal filings from prison convinced a judge to reduce his sentence to twenty years. So, in March, the two were able to spend Mardi Gras together in New Orleans.

One morning, Louis Sr. made his son breakfast and brought it to the table, saying, "This is for all the breakfasts I missed." Every eye in the room welled up, including his son's. "It touched me," said Louis Jr., who added that he sees himself "to the max" in his father. "We're pretty much the same person," he said, without a hint of the resentment that some children harbor toward parents who serve time.

Louis Jr. said that his mother pushed him not only to write his father regularly but to keep up with school. He recalled his dad's imprisonment coming up in classroom writing assignments. "I would use that experience to enhance my

stories—to turn a negative into a positive,” he added, “by saying how it makes me stronger, and how I don’t look at it as a setback.”

Sanders recognizes this story line, too. “We call it Batman syndrome,” he said, “because we see it in children who have a negative experience and strive to achieve and give back to society in the opposite way.” Named after the DC Comics superhero who becomes a crimefighter after seeing his parents murdered, Batman syndrome is the opposite of a reaction that Sanders calls “fulfilling the prophecy,” in which children perceive their father’s incarceration as a reason for them to be “bad on the street, too—to be bad like Dad is.”

Advocates for youth hope that the new discussions and findings about parental incarceration may ultimately yield a better understanding about child resilience and how it can be cultivated even in children who face the greatest difficulties. Ayesha Buckner, the longtime homelessness liaison for the Orleans Parish School Board, consistently notes a small but distinct subset of resilient children in her work. “Some kids will make it,” Buckner said. “And they’ll make it without a support system or despite the chaos or uncertainty they have grown up with. They’ll make it because they have this will, this drive to survive.”



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KATY RECKDAHL Katy Reckdahl is a reporter based in New Orleans and a frequent contributor to *The New Orleans Advocate*.

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Prisons of Poverty: [Tweet](#) Uncovering the pre-incarceration incomes of the imprisoned

By [Bernadette Rabuy](#) and [Daniel Kopf](#)

July 9, 2015

[Press release](#)

Correctional experts of all political persuasions have long understood that releasing incarcerated people to the streets without job training, an education, or money is the perfect formula for recidivism and re-incarceration. While the fact that people released from prison have difficulties finding employment is well-documented, there is much less information on the role that poverty and opportunity play in who ends up behind bars in the first place.

Using an underutilized data set from the Bureau of Justice Statistics,¹ this report provides hard numbers on the low incomes of incarcerated men and women from *before* they were locked up.

Findings

The findings are as predictable as they are disturbing. The American prison system is bursting at the seams with people who have been shut out of the economy and who had neither a quality education² nor access to good jobs.³ We found that, in 2014 dollars, incarcerated people had a median annual income of \$19,185 prior to their incarceration, which is **41% less than non-incarcerated people of similar ages.**⁴

The gap in income is not solely the product of the well-documented disproportionate incarceration of Blacks and Hispanics, who generally earn less than Whites. We found that incarcerated people in all gender, race, and ethnicity groups earned substantially less prior to their incarceration than their non-incarcerated counterparts of similar ages:

Figure 1. Median annual incomes for incarcerated people prior to incarceration and non-incarcerated people ages 27-42, in 2014 dollars, by race/ethnicity and gender.

	Incarcerated people (prior to incarceration)		Non-incarcerated people	
	Men	Women	Men	Women
All	\$19,650	\$13,890	\$41,250	\$23,745
Black	\$17,625	\$12,735	\$31,245	\$24,255
Hispanic	\$19,740	\$11,820	\$30,000	\$15,000
White	\$21,975	\$15,480	\$47,505	\$26,130

Figure 2. Percentage difference between the median annual incomes for incarcerated people prior to incarceration and non-incarcerated people ages 27-42, in 2014 dollars, by race/ethnicity and gender.

	Men	Women
All	52%	42%
Black	44%	47%
Hispanic	34%	21%
White	54%	41%

While the gap in income is most dramatic for White men, White men have the highest incomes. By contrast, the income gap is smallest for Hispanic women, but Hispanic women have the lowest incomes.

Not only are the median incomes of incarcerated people prior to incarceration lower than non-incarcerated people, but incarcerated people are dramatically concentrated at the lowest ends of the national income distribution:

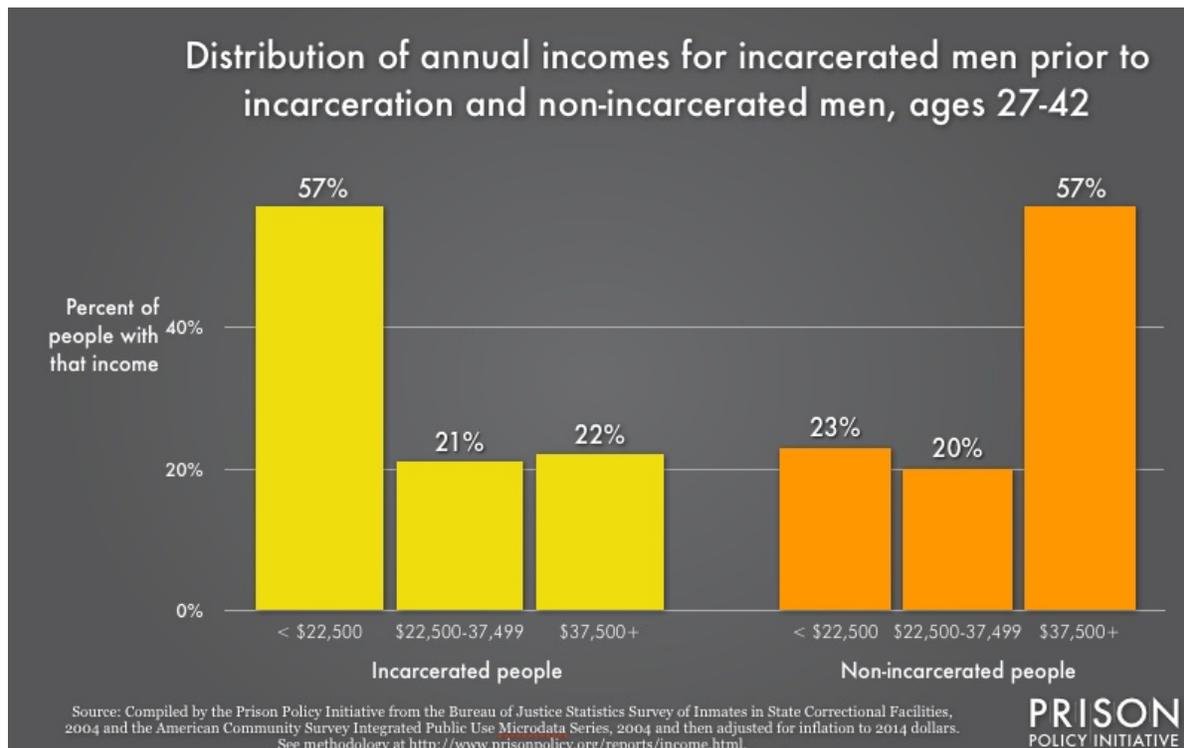
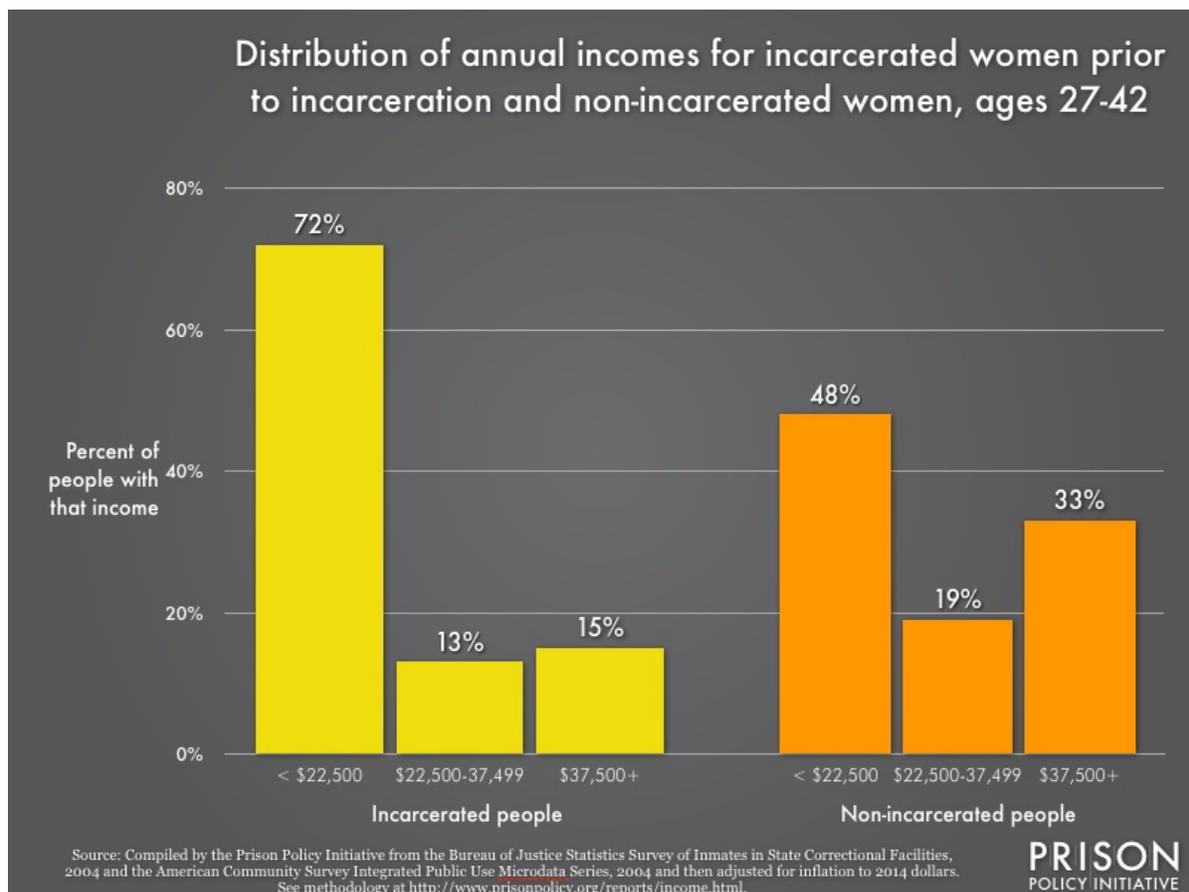


Figure 3. Incarcerated men are concentrated at the lowest ends of the national income distribution. The median incarcerated man had a pre-incarceration income that is 48% that of the median non-incarcerated man.



***Figure 4.** Incarcerated women are concentrated at the lowest ends of the national income distribution. The median incarcerated woman had a pre-incarceration income that is 58% that of the median non-incarcerated woman.*

Conclusion

Our society has, in the name of being tough on crime, made a series of policy choices that have fueled a cycle of poverty and incarceration. We send large numbers of people with low levels of education and low skills to prison, and then when they leave just as penniless as they were when they went in, we expect them to bear the burden of legally-acceptable employment discrimination.

Acknowledging, as this report makes possible, that the people in prison were, before they went to prison, some of the poorest people in this country makes it even more important that we make policy choices that can break the cycle of poverty and incarceration.

Reversing the decades-old policies that make it more difficult for people with criminal records to succeed may require political courage, but the options are plentiful and often straightforward. Federal, state, and local governments can repeal laws restricting incarcerated and formerly incarcerated people's access to welfare, public housing, Pell Grants, and student loans, and the private sector can voluntarily end its discrimination against people with criminal

Reversing the decades-old policies that make it more difficult for people with criminal records to succeed may require political courage, but the options are plentiful.

convictions.⁵ These reforms can help individuals succeed, but we will also need to explore how our single-minded focus on imprisonment blinded us to the needs of entire communities.⁶

Permanently ending the era of mass incarceration will require reversing the decades of neglect that denied our most vulnerable communities access to good jobs, reliable transportation, safe housing, and good schools. Making these long-delayed investments in the basic building blocks of strong and stable communities will ensure that, once we turn the corner on mass incarceration, we never turn back.

Methodology

Background

This is not the first report to address the incomes of incarcerated people. The Bureau of Justice Statistics (BJS) collects this data periodically (most recently in 2004 with another survey scheduled for 2015–2016) but does not routinely publish the results in a format that can be accessed without statistical software.⁷ The BJS last published a complete analysis⁸ of the survey results in 1993 and used the 2004 data in a narrower study of incarcerated parents of minor children.⁹ Sociologists Bruce Western and Becky Pettit used a portion of this same data set in their groundbreaking books and articles on the impact of incarceration on men. Our intent in this report has been to make this data for both men and women available and accessible to the public.

This report was not intended to make the point that incarceration causes poverty, although there is extensive research on that topic (see below for recommended reading). Because the Prison Policy Initiative is regularly asked about the role that poverty plays in who ends up behind bars, this report is aimed at answering a different question: are incarcerated people poorer than non-incarcerated people? In particular, we wanted to address questions like the morality of allowing private telephone companies to charge the families of incarcerated people \$1/minute for phone calls home from prisons and jails.

To be clear, this report relies on the Bureau of Justice Statistics survey from 2004, which is both quite old and the newest available. While we look forward to the Bureau of Justice Statistics releasing the raw data from their 2015–2016 survey in two to four years, we know of no reason or trend that would make relying on the 2004 survey less reliable than the alternatives of using data from 1993 or no data at all.

Further research should look at the effects of educational attainment and prior sentences on pre-incarceration incomes and identify policies that could address those disparities.

Data sources and process

This report is the result of a collaboration between Bernadette Rabuy, Policy and Communications Associate at the Prison Policy Initiative, and data scientist Daniel Kopf, who joined our Young Professionals Network in February 2015.

Together, we studied the BJS Survey of Inmates in State Correctional Facilities, 2004¹⁰ relying in particular on the questions listed below and then developing a way to make the data comparable to non-incarcerated people. Notably, our data only includes the incomes of people incarcerated in state prisons, not federal prisons or county jails.

- S7Q11c. Which category on this card represents your personal monthly income from ALL sources for the month before your arrest?
- S1Q1a. Sex
- S1Q2a. What is your date of birth?
- S1Q3a. Are you of Spanish, Latino, or Hispanic origin?
- S1Q3c. Which of these categories describes your race?

The non-incarcerated data comes from the Census Bureau's American Community Survey (ACS), specifically from the Integrated Public Use Microdata Series (IPUMS).¹¹ We used data from 2004 both because this was the same year as the incarcerated survey data, and because the ACS in 2004 included only people in households and did not include prisons and other group quarters.¹² (Given that in 2004, 12% of Black men in their 20s were incarcerated, a data source that included incarcerated people in the "all population" would have resulted in a misleading comparison.)

Because income is correlated with age and because the incarcerated population trends younger than the general U.S. population, we thought it would be most accurate to compare people of similar ages. We limited our study to the 25th and 75th percentiles of ages for incarcerated people (ages 27–42), and we used the same age range for the non-incarcerated population.

To make all of this data more accessible and useful, we converted all data in two ways: We converted monthly incomes to annual incomes by multiplying by 12, and we multiplied each income by 1.25 to adjust for inflation from 2004 to 2014, as provided by the Bureau of Labor Statistics CPI Inflation Calculator.¹³ (Because 2015 is not yet over, the 2015 index value is based only on the latest monthly values and therefore will change from month to month.)

In addition, to provide an estimated median income for each incarcerated race/ethnicity/gender group from the BJS "grouped frequency" data, we followed these steps:

1. Take the distance between the smallest and largest number in the group containing the median
2. Multiply this number by the following: $((\text{total data points}/2) - \text{total data points in groups with lower numbers}) / \text{data points in group containing median}$
3. Add lowest number in group containing the median

On definitions

Note that throughout this report, the incomes for incarcerated people are the incomes incarcerated people reported earning before their arrest, not the incomes they earned through prison labor. For incarcerated people and non-incarcerated people, incomes include welfare and other public assistance. For incarcerated people, incomes also include illegal sources of income.

We use "Non-incarcerated" to refer to people in households, and thereby exclude people in group quarters, including people in correctional facilities, psychiatric hospitals, college/university housing, or residential treatment facilities.

Our data on "Blacks" and "Whites," relies on data for Non-Hispanic Blacks and Non-Hispanic Whites. The federal government defines Black and White as races while Hispanic is defined as an ethnicity (and, therefore, it is possible to identify as both Hispanic and White or Hispanic and Black). Our data for both incarcerated people and non-incarcerated people allowed us to avoid overlap by separately talking about Non-Hispanic Whites, Non-Hispanic Blacks, and Hispanics.

Recommended reading and other data sources

Visionary research by sociologists Bruce Western and Becky Pettit has also relied on this same 2004 BJS state prison data set in order to provide a more realistic picture of the plight of young black men in the U.S. Western and Pettit have also utilized data from the other BJS surveys of inmates (Survey of Inmates of Local Jails or Survey of Inmates of Federal Correctional Facilities) and the National Longitudinal Survey of Youth to fill the gap in data left by government sources such as the Census Bureau's Current Population Survey (CPS). The Current Population Survey is the large monthly labor force survey conducted by the Census Bureau, but, because it only considers households, the CPS excludes incarcerated people.

Over the years, Western and Pettit have produced groundbreaking books and articles that were useful starting points for this report, including:

- Bruce Western, *Punishment and Inequality in America* (New York: Russell Sage Foundation, 2006)
- Becky Pettit, *Invisible Men: Mass Incarceration and the Myth of Black Progress* (New York: Russell Sage Foundation, 2012)
- Bruce Western and Becky Pettit, "Incarceration & social inequality" *Daedalus* (Summer 2010)
- The Economic Mobility Project and the Public Safety Performance Project, *Collateral Costs: Incarceration's Effect on Economic Mobility* (Washington, D.C.: The Pew Charitable Trusts, 2010).

Appendix

non-incarcerated men in 2004 dollars, ages 27-42

Figure 7. Proportion of incarcerated men (prior to incarceration) and non-incarcerated men that fall within an income category.

Income category	Proportion of incarcerated men with that income (prior to incarceration)	Proportion of non-incarcerated men with that income
\$0	1.82%	3.10%
\$1-199	3.25%	1.84%
\$200-399	7.66%	1.68%
\$400-599	8.03%	2.87%
\$600-799	7.05%	2.30%
\$800-999	8.44%	2.71%
\$1,000-1,199	9.39%	3.61%
\$1,200-1,499	11.90%	5.07%
\$1,500-1,999	10.21%	9.56%
\$2,000-2,499	10.63%	10.10%
\$2,500-4,999	10.64%	37.11%
\$5,000-7,499	4.15%	12.41%
\$7,500+	6.84%	7.64%

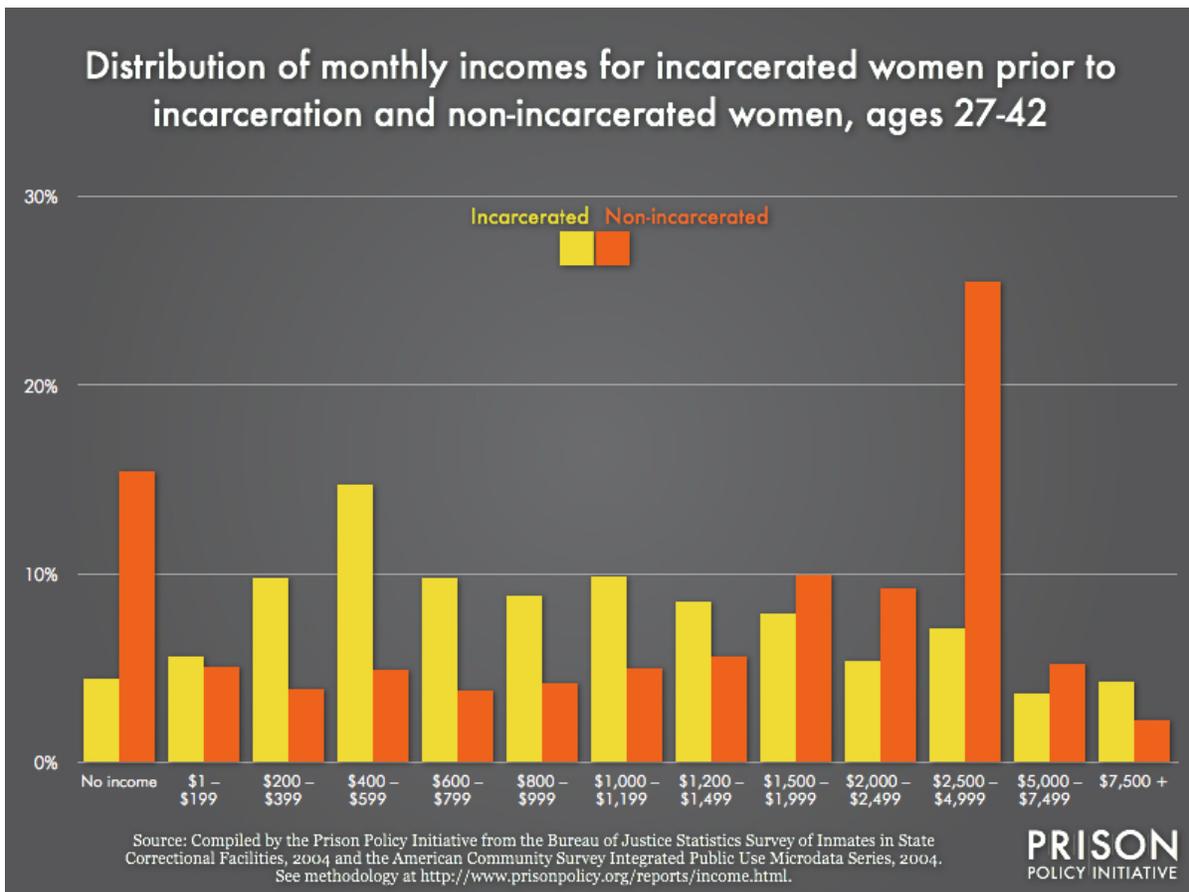


Figure 8. Distribution of monthly incomes for incarcerated women prior to incarceration and non-incarcerated women in 2004 dollars, ages 27–42. While most incarcerated people make less prior to incarceration than people on the outside, there is one interesting anomaly in the data for women not present in the data for men. More non-incarcerated women report no income at all than incarcerated women prior to incarceration. For both groups, the reported incomes include wages, welfare, and other public assistance, but since these are individual surveys, they do not include spousal income. It is likely that many of those non-incarcerated women with zero reported income are receiving support from their spouses.

Figure 9. Proportion of incarcerated women (prior to incarceration) and non-incarcerated women that fall within an income category.

Income category	Proportion of incarcerated women with that income (prior to incarceration)	Proportion of non-incarcerated women with that income
\$0	4.45%	15.42%
\$1-199	5.62%	5.04%
\$200-399	9.77%	3.86%
\$400-599	14.76%	4.94%
\$600-799	9.77%	3.82%
\$800-999	8.87%	4.22%

\$1,000-1,199	9.85%	4.99%
\$1,200-1,499	8.56%	5.60%
\$1,500-1,999	7.86%	9.93%
\$2,000-2,499	5.41%	9.26%
\$2,500-4,999	7.13%	25.47%
\$5,000-7,499	3.66%	5.21%
\$7,500+	4.30%	2.24%

Footnotes

1. Learn more about the [Survey of Inmates in State Correctional Facilities.](#) ↵
2. While the typical non-incarcerated person has at least a high school diploma, the typical incarcerated person does not. Using the same Bureau of Justice Statistics and Census Bureau data sets, we found that the median education of an incarcerated person ages 27–42 is 11 years completed, and the education gap is getting worse. In her book, *Invisible Men*, Becky Pettit finds that while the overall educational attainment of Americans has grown since 1980, the fraction of the incarcerated with less than a high school diploma grew over this same period. See Becky Pettit, *Invisible Men: Mass Incarceration and the Myth of Black Progress* (New York: Russell Sage Foundation, 2012), p 16. ↵
3. In the Baltimore community that sends the most people to state prison, Sandtown-Winchester/Harlem Park, more than half of the residents ages 16–64 are not employed. In addition, 61% of Sandtown-Winchester/Harlem Park's residents age 25 and older have less than a high school diploma. See Justice Policy Institute and Prison Policy Initiative, "[Sandtown-Winchester/Harlem Park,](#)" *The Right Investment? Corrections Spending in Baltimore City*, February 2015. ↵
4. This is for people imprisoned in state prisons ages 27–42, which are the 25th and 75th percentiles of ages for incarcerated people based on the 2004 BJS survey data. The median annual income for incarcerated people ages 27–42 is \$19,185 while the median annual income for non-incarcerated people ages 27–42 is \$32,505. The median annual income for incarcerated men ages 27–42 is \$19,650 while the median annual income for non-incarcerated men ages 27–42 is \$41,250. The median annual income for incarcerated women ages 27–42 is \$13,890 while the median annual income for non-incarcerated women ages 27–42 is \$23,745. ↵
5. Julia Love, "[Apple rescinds policy against hiring felons for construction work,](#)" *San Jose Mercury News*, April 9, 2015. ↵
6. The report, *The Right Investment? Corrections Spending in Baltimore City*, shows that the home communities of people imprisoned in Maryland's state prisons are places that experience disproportionate unemployment, greater reliance on public assistance, higher rates of school absence, higher rates of vacant and abandoned housing, and

more addiction challenges. See Justice Policy Institute and Prison Policy Initiative, *The Right Investment? Corrections Spending in Baltimore City* (Easthampton, MA and Washington, D.C.: Justice Policy Institute and Prison Policy Initiative, February 25, 2015). [↵](#)

7. Proposed Collection, [80 FR 9749](#) (Feb 24,2015). [↵](#)
8. Allen Beck et al., *Survey of State Prison Inmates, 1991* (Washington, D.C.: Bureau of Justice Statistics, May 1993), p 3. [↵](#)
9. Lauren E. Glaze and Laura M. Maruschak, *Parents in Prison and Their Minor Children*, (Washington, D.C.: Bureau of Justice Statistics, March 2010). [↵](#)
10. Learn more about the [Survey of Inmates in State Correctional Facilities](#). [↵](#)
11. Learn more about the U.S. Census Bureau's American Community Survey [IPUMS database](#). [↵](#)
12. See an [explanation](#) of who is included in group quarters. [↵](#)
13. See the Bureau of Labor Statistics [CPI Inflation Calculator](#). [↵](#)

- 17th Judicial District (LaFourche);
 - 21st (Livingston, St. Helena);
 - 24th Judicial District (Jefferson);
 - 29th (St. Charles);
 - 36th Judicial District (Beauregard);
 - 38th Judicial District (Cameron);
 - 40th Judicial District (St. John the Baptist); and
 - 42nd Judicial District (DeSoto)
- Public Defenders Offices may apply to receive a waiver authorizing the district to continue representation of specific case types when non-statutorily mandated funding has been allocated to the district and/or to cease representation of specific case types in advance of the state designated timeline.

Implementation of Restrictions

- Beginning February 15th, the Louisiana Public Defender Board will cease handling new Sex Offender Assessment Panel (SOAP) matters.
- Beginning March 15th, Public Defenders Offices will cease handling new
 - Capital cases;
 - Miller v. Alabama cases;
 - Matters involving defendants who are alleged to have committed a new offense while serving a hard labor sentence;
 - Child in Need of Care matters (unless the district has not exhausted statutory dedication)
 - Appeals;
 - Non-support matters; and
 - Curatorships.
- Beginning July 1st, Public Defenders Offices will cease handling new
 - Misdemeanor cases;
 - Juvenile delinquency and FINS matters; and
 - Adult felony cases if the defendant is not incarcerated.

Impact on Capital Trial Level Defense Representation

Representation of defendants charged with a capital crime will be significantly reduced

- District Public Defenders Offices will no longer have the capacity to provide capital representation, shifting these cases to the program offices.
- Each program office will be reduced to one core team
 - Collectively the contract capital trial program offices will have the capacity to handle twelve cases at any given time.
 - As capital cases can last years, it is unclear how many of the twelve cases will be new indictments.

Impact on Appellate Representation

Appellate Representation will be significantly reduced

- District Public Defenders Offices will no longer have the capacity to provide appellate representation, shifting these cases to the appellate programs.
 - Louisiana Appellate Project will have the capacity to handle 125 appeals at any given time.



- Capital Appeals Project (CAP) will have the capacity to handle 3-5 cases appeals at any given time.
- As appeals can last years, it is unclear how many of the cases will be new.

Impact on Juvenile Defense

The proposed cuts will effectively eliminate representation in new juvenile cases across the state, a violation of the 6th and 14th Amendments of the Constitution.

Impact on Child in Need of Care

The proposed cuts will effectively eliminate representation of new CINC cases by Public Defenders Offices across the state. Without parent representation, more children will be placed in the custody of the Department of Children & Family Services and subsequently in foster care. Foster care placements can be extremely traumatizing to children, increases state expenses, and jeopardizes federal matching dollars.

Implications of Restrictions

- 33 district offices will reduce service delivery to representation of adult clients who are incarcerated on felony charges prior to July 1, 2016.
- 27 district offices will reduce staffing such that the district defender will be the lone public defender in the district during FY17.
- 11 of those 27 district offices will close their doors prior to October 1, 2016.
- As the criminal justice system grinds to a halt, widespread litigation is expected.
- Restricted capital representation will likely lead to *State v. Citizen* Litigation and protracted delay.
- Representation on the appellate level will be restricted
 - The Constitution and Louisiana law require this representation;
 - Delays in and/or denial of the right of appeal will likely lead to systemic funding litigation.
- These reductions will effectively end representation of juveniles in delinquency matters across the state which will almost certainly lead to litigation and intervention by the Department of Justice.
- These reductions will effectively end parent representation in Child in Need of Care (CINC) matters across the state which will increase state expenses and jeopardize federal matching funds.





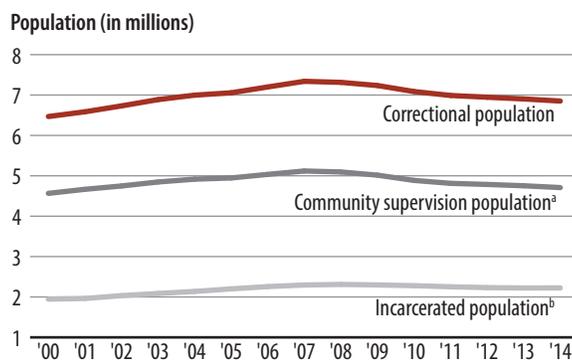
Correctional Populations in the United States, 2014

Danielle Kaeble, Lauren Glaze, Anastasios Tsoutis, and Todd Minton, *BJS Statisticians*

At yearend 2014, an estimated 6,851,000 persons were under the supervision of U.S. adult correctional systems, a decline of about 52,200 from 6,903,200 at yearend 2013 (figure 1). After peaking at 7,339,600 in 2007, the correctional population decreased each year by an average of 1.0%. By yearend 2014, the population declined by 0.8% to the lowest level observed in more than a decade (6,886,800 in 2003). About 1 in 36 adults in the United States was under some form of correctional supervision at yearend 2014. This was the lowest rate observed since 1996 (5,531,300) when about 1.3 million fewer offenders were under correctional supervision (not shown).

This report summarizes data from several Bureau of Justice Statistics (BJS) correctional data collections to provide statistics on the total population supervised by adult correctional systems in the United States. (See Methodology for sources.) These systems include offenders living in the community while supervised by probation or parole agencies and those under the jurisdiction of state or federal prisons or held in local jails. (See *Terms and definitions* for more information.)

FIGURE 1
Estimated total population under the supervision of U.S. adult correctional systems, by correctional status, 2000–2014



Note: Estimates were rounded to the nearest 100. Estimates may not be comparable to previously published BJS reports because of updated information or rounding. Includes estimates for nonresponding jurisdictions. Detail may not sum to total due to adjustments to account for offenders with multiple correctional statuses. See *Methodology*.

^aIncludes persons living in the community while supervised on probation or parole.

^bIncludes inmates under the jurisdiction of state or federal prisons or held in local jails.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Annual Survey of Jails, Census of Jail Inmates, and National Prisoner Statistics program, 2000–2014.

HIGHLIGHTS

- Adult correctional systems supervised an estimated 6,851,000 persons at yearend 2014, about 52,200 fewer offenders than at yearend 2013.
- About 1 in 36 adults (or 2.8% of adults in the United States) was under some form of correctional supervision at yearend 2014, the lowest rate since 1996.
- The correctional population has declined by an annual average of 1.0% since 2007.
- The community supervision population (down 1.0%) continued to decline during 2014, accounting for all of the decrease in the correctional population.
- The incarcerated population (up 1,900) slightly increased during 2014.
- Between 2007 and 2014, about 88% of the decrease in the correctional population (down 488,600 offenders) was attributed to the decline in the probation population.
- Seven jurisdictions accounted for almost half (48%) of the U.S. correctional population at yearend 2014.
- Nearly all (47) jurisdictions had a larger proportion of their correctional population supervised in the community at yearend 2014 than incarcerated in prison or local jail.

The community supervision population declined during 2014, accounting for all of the decrease in the correctional population

From 2013 (6,903,200) to 2014 (6,851,000), the total correctional population declined by 0.8% (table 1). (See appendix tables 1, 2, and 3 for correctional population estimates by jurisdiction and sex.) About 7 in 10 persons under correctional supervision at yearend 2014 were supervised in the community either on probation (3,864,100) or parole (856,900).¹ In comparison, about 3 in 10 offenders (2,224,400) under correctional supervision were under the jurisdiction of state or federal prisons (1,561,500) or held in local jails (744,600).

The 52,200 decrease in the number of persons under correctional supervision during 2014 was attributed to a decline in the community supervision population (down 1.0%), as the change in the incarcerated population during the

¹The total correctional population, total community supervision population, and total incarcerated population exclude offenders with multiple correctional statuses to avoid double counting. For this reason, the sum of the community supervision and incarcerated populations, and the change in the populations, will not equal the total correctional population. See table 6 and *Methodology*.

year was small (up 0.1%). All of the decrease in the community supervision population during 2014 was accounted for by the decline in the probation population (down 46,500), as the parole population increased slightly during the year (up 1,700).

After reaching a high of 5,119,000 persons in 2007, the community supervision population declined by annual average of 1.2%. The downward trend in the probation population over the past 7 years was consistent with that of the community supervision population. Since 2007, the probation population declined by an annual average of 1.5%, the largest rate of decline across all correctional populations. In comparison, the parole population grew by an annual average of 0.5% since 2007.

During 2014, the number of inmates incarcerated in state or federal prisons or local jails increased slightly (up 1,900), reversing a 5-year decline since 2008. While the jail population grew by 1.8% during 2014, the U.S. prison population dropped by 1.0%. The decrease in the U.S. prison population resulted from a decline in the state (down 10,100) and federal (down 5,300) prison populations. This was the second consecutive decline in the federal prison population after peaking in 2012 (217,800).

TABLE 1
Estimated number of persons supervised by U.S. adult correctional systems, by correctional status, 2000, 2005–2010, and 2013–2014

Year	Total correctional population ^a	Community supervision			Incarcerated ^b		
		Total ^{a,c}	Probation	Parole	Total ^{a,d}	Local jail	Prison
2000	6,467,800	4,564,900	3,839,400	725,500	1,945,400	621,100	1,394,200
2005	7,055,600	4,946,600	4,162,300	784,400	2,200,400	747,500	1,525,900
2006	7,199,700	5,035,000	4,236,800	798,200	2,256,600	765,800	1,568,700
2007	7,339,600	5,119,000	4,293,000	826,100	2,296,400	780,200	1,596,800
2008	7,313,600	5,094,400	4,270,100	828,200	2,310,300	785,500	1,608,300
2009	7,235,200	5,015,900	4,196,200	824,100	2,297,700	767,400	1,615,500
2010	7,086,500	4,886,000	4,053,600	840,700	2,279,100	748,700	1,613,800
2013	6,903,200	4,753,400	3,910,600	855,200	2,222,500	731,200	1,577,000
2014	6,851,000	4,708,100	3,864,100	856,900	2,224,400	744,600	1,561,500
Average annual percent change, 2007–2014	-1.0%	-1.2%	-1.5%	0.5%	-0.5%	-0.7%	-0.3%
Percent change, 2013–2014	-0.8%	-1.0%	-1.2%	0.2%	0.1%	1.8%	-1.0%

Note: Estimates were rounded to the nearest 100 and may not be comparable to previously published BJS reports due to updated information or rounding. Counts include estimates for nonresponding jurisdictions. All probation, parole, and prison counts are for December 31; jail counts are for the last weekday in June. Detail may not sum to total due to rounding and adjustments made to account for offenders with multiple correctional statuses. See *Methodology*.

^aTotal was adjusted to account for offenders with multiple correctional statuses. See *Methodology*.

^bIncludes inmates under the jurisdiction of state or federal prisons or held in local jails.

^cIncludes some offenders held in a prison or local jail but who remained under the jurisdiction of a probation or parole agency.

^dMay differ from estimates reported elsewhere in this report. See *Terms and definitions*.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Annual Survey of Jails, Census of Jail Inmates, and National Prisoner Statistics program, 2000, 2005–2010, and 2013–2014.

During 2014, the correctional supervision rate fell for the seventh consecutive year

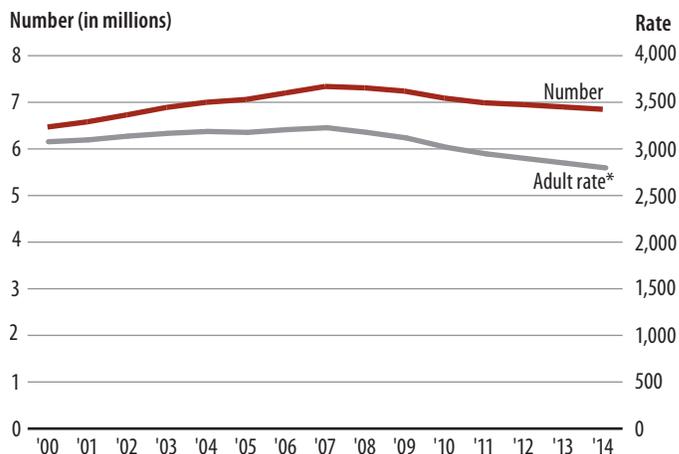
By yearend 2014, about 2,780 offenders per 100,000 U.S. adult residents were under some form of correctional supervision, down from 2,830 per 100,000 adults at yearend 2013 (figure 2). More than half (56%) of the decline in the correctional supervision rate was attributed to the increase in the size of the U.S. adult resident population during the year, while a smaller share of the decline (44%) resulted from the decrease in the correctional population. (See *Methodology*.)

After peaking at 3,210 per 100,000 U.S. adult residents in 2007, the correctional supervision rate fell steadily each year. Since 2007, the trend in the correctional supervision rate diverged from the trend in the number of persons under correctional supervision. The number of persons supervised by adult correctional systems decreased by an annual average of 1.0% from yearend 2007 to 2014. In comparison, the average annual decline in the correctional supervision rate (down 2.1%) was twice as fast during the same period. However, more than half (52%) of the decrease in the correctional supervision rate resulted from the increase in the U.S. adult resident population since 2007, compared to 48% of the decline attributed to the decrease in the number of offenders under correctional supervision.

From 2013 to 2014, the rate of offenders under community supervision declined from 1,950 to 1,910 per 100,000 adults, continuing a downward trend since 2007 (table 2). The decrease in the community supervision rate over the past 7 years accounted for about three-quarters of the decline

in the correctional supervision rate during the period. The incarceration rate also dropped slightly by yearend 2014, from 910 per 100,000 at yearend 2013 to 900 per 100,000. The incarceration rate has declined steadily each year since 2008.

FIGURE 2
Estimated number and rate of persons supervised by U.S. adult correctional systems, 2000–2014



Note: Counts were rounded to the nearest 100, and rates were rounded to the nearest 10. Estimates may not be comparable to previously published BJS reports due to updated information or rounding. Counts include estimates for nonresponding jurisdictions. See *Methodology*.

*Rates were computed using estimates of the U.S. resident population for persons age 18 or older.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Annual Survey of Jails, Census of Jail Inmates, and National Prisoner Statistics program, 2000–2014; and U.S. Census Bureau, postcensal estimated resident population for January 1 of the following year, 2001–2015.

TABLE 2
Estimated rate of persons supervised by U.S. adult correctional systems, by correctional status, 2000 and 2005–2014

Year	Total correctional population ^a			Community supervision population		Incarcerated population ^b	
	Number supervised per 100,000 U.S. residents age 18 or older ^c	U.S. adult residents under correctional supervision ^c	Number supervised per 100,000 U.S. residents of all ages ^d	Number on probation or parole per 100,000 U.S. residents age 18 or older ^c	Number on probation or parole per 100,000 U.S. residents of all ages ^d	Number in prison or local jail per 100,000 U.S. residents age 18 or older ^c	Number in prison or local jail per 100,000 U.S. residents of all ages ^d
2000	3,060	1 in 33	2,280	2,160	1,610	920	690
2005	3,160	1 in 32	2,370	2,210	1,660	990	740
2006	3,190	1 in 31	2,400	2,230	1,680	1,000	750
2007	3,210	1 in 31	2,420	2,240	1,690	1,000	760
2008	3,160	1 in 32	2,390	2,200	1,670	1,000	760
2009	3,100	1 in 32	2,350	2,150	1,630	980	750
2010	3,000	1 in 33	2,280	2,070	1,570	960	730
2011	2,930	1 in 34	2,230	2,010	1,540	940	720
2012	2,880	1 in 35	2,200	1,980	1,520	920	710
2013	2,830	1 in 35	2,170	1,950	1,500	910	700
2014	2,780	1 in 36	2,140	1,910	1,470	900	690

Note: Rates were estimated to the nearest 10. Estimates may not be comparable to previously published BJS reports due to updated information or rounding.

^aIncludes offenders in the community under the jurisdiction of probation or parole agencies, under the jurisdiction of state or federal prisons, or held in local jails.

^bIncludes inmates under the jurisdiction of state or federal prisons or held in local jails.

^cRates were computed using estimates of the U.S. resident population for persons age 18 or older.

^dRates were computed using estimates of the U.S. resident population for persons of all ages.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Annual Survey of Jails, Census of Jail Inmates, and National Prisoner Statistics program, 2000, 2005–2014; and U.S. Census Bureau, postcensal estimated resident population for January 1 of the following year, 2001, and 2006–2015.

The difference between measures of the incarceration rate and the imprisonment rate

The incarceration rate and the imprisonment rate are two different statistics that BJS reports, depending on the correctional population of interest. The incarceration rate describes the incarcerated population that consists of inmates under the jurisdiction of state or federal prisons and inmates held in local jails. In comparison, the imprisonment rate describes the prison population under the jurisdiction of state or federal prisons and sentenced to more than 1 year. The imprisonment rate excludes prisoners who are unsentenced, those with sentences of less than 1 year, and all local jail inmates. Given these differences, the incarceration rate will always be higher than the imprisonment rate because the imprisonment rate

includes only a subset of the population accounted for in the incarceration rate (table 3).

This report focuses on the total correctional population, which consists of the community supervision (i.e., probation and parole) and incarcerated (i.e., prison and local jail) populations. Therefore, except for table 3, rates presented in this report are incarceration rates because they describe the total incarcerated population. BJS reports on the imprisonment rates in its annual report on the prison population. For more information on imprisonment rates, see *Prisoners in 2014* (NCJ 248955, BJS web, September 2015).

TABLE 3

Incarceration rate of inmates under the jurisdiction of state or federal prisons or held in local jails and imprisonment rate of sentenced prisoners under the jurisdiction of state or federal prisons, 2004–2014

Year	Rate per 100,000 U.S. residents age 18 or older ^a		Rate per 100,000 U.S. residents of all ages ^b	
	Incarceration rate ^c	Imprisonment rate ^d	Incarceration rate ^c	Imprisonment rate ^d
2004	970	650	730	490
2005	990	660	740	490
2006	1,000	670	750	500
2007	1,000	670	760	510
2008	1,000	670	760	510
2009	980	660	750	500
2010	960	660	730	500
2011	940	640	720	490
2012	920	630	710	480
2013	910	620	700	480
2014	900	610	690	470

Note: Rates were rounded to the nearest 10 and include estimates for nonresponding jurisdictions. See *Methodology*.

^aRates were computed using estimates of the U.S. resident population for persons age 18 or older.

^bRates were computed using estimates of the U.S. resident population for persons of all ages.

^cIncludes inmates under the jurisdiction or legal authority of state or federal prisons or held in local jails.

^dIncludes prisoners sentenced to more than 1 year who were under the jurisdiction or legal authority of state or federal prisons. The imprisonment rate excludes unsentenced prisoners, prisoners with sentences of less than 1 year, and all inmates held in local jails.

Sources: Bureau of Justice Statistics, National Prisoner Statistics program, Census of Jail Inmates, and Annual Survey of Jails, 2004–2014; and U.S. Census Bureau, postcensal estimated resident population for January 1 of the following year, 2005–2015.

Since 2007, compositional changes in the correctional population were small despite the decrease of 488,900 offenders

Despite the overall decline in the correctional population over the past 7 years (down 488,900 offenders), the changes in the composition of the population were small. Probationers continued to account for the majority (56%) of offenders under correctional supervision at yearend 2014 (table 4). In 2014, probationers accounted for a slightly smaller portion of the correctional population compared to 2007 (58%), as the number of probationers decreased each year during the period.

Prison and parole populations grew slightly as a share of the total correctional population between 2007 and 2014. Prisoners accounted for 23% of offenders under correctional supervision at yearend 2014, up slightly from 22% in 2007. The parole population accounted for 13% of the correctional population at the end of 2014, up slightly from 11% in 2007. Inmates incarcerated in local jails represented the smallest shares of the correctional population in 2007 and 2014 (11% each).

The decline in the probation population from 2007 to 2014 accounted for 88% of the decrease in the correctional population

Probationers represented the majority of offenders under correctional supervision from 2007 to 2014, and the decline in this population contributed significantly to the decrease in the correctional population. From 2007 to 2014, the number of probationers decreased by 428,800, representing about 88% of the total decline in the correctional population since 2007—the largest decline among all correctional populations (table 5).

The prison and local jail populations also declined between 2007 and 2014. However, they accounted for a significantly smaller portion of the decrease in the correctional population compared to probationers. From 2007 to 2014, the number of

inmates in prison declined by 35,300 offenders and the number in local jails fell by 35,600, accounting for equal shares of the decline in the correctional population (down 7% each).

The parole population was the only correctional population to increase from 2007 to 2014. About 30,800 more parolees were supervised in the community in 2014 compared to 2007, partially offsetting the overall decline in the correctional population during the 7-year period.

TABLE 4
Estimated number of persons supervised by U.S. adult correctional systems, by correctional status, 2007 and 2014

Correctional populations	2007		2014	
	Population	Percent of total population	Population	Percent of total population
Total ^a	7,339,600	100%	6,851,000	100%
Probation ^b	4,293,000	58.5	3,864,100	56.4
Prison ^b	1,596,800	21.8	1,561,500	22.8
Parole ^b	826,100	11.3	856,900	12.5
Local jail ^c	780,200	10.6	744,600	10.9
Offenders with multiple correctional statuses ^d	156,400	:	176,100	:

Note: Counts were rounded to the nearest 100 and include estimates for nonresponding jurisdictions. Detail may not sum to total due to rounding and because offenders with multiple correctional statuses were excluded from the total correctional population. See *Methodology*.

:Not calculated.

^aAdjusted to exclude offenders with multiple correctional statuses to avoid double counting. See *Methodology*.

^bPopulation as of December 31.

^cPopulation as of the last weekday in June.

^dSome probationers and parolees on December 31 were held in a prison or local jail but still remained under the jurisdiction of a probation or parole agency, and some parolees were also on probation. In addition, some prisoners were held in a local jail on December 31. They were excluded from the total correctional population to avoid double counting. See table 6 and *Methodology*.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Annual Survey of Jails, and National Prisoner Statistics program, 2007 and 2014.

TABLE 5
Change in the estimated number of persons supervised by U.S. adult correctional systems, 2000–2007 and 2007–2014

Correctional populations	2000–2007		2007–2014	
	Change in population ^a	Percent of total change ^a	Change in population ^a	Percent of total change ^a
Total change ^b	871,900	100%	-488,600	100%
Probation	453,600	52.0	-428,800	87.8
Prison	202,600	23.2	-35,300	7.2
Local jail	159,000	18.2	-35,600	7.3
Parole	100,600	11.5	30,800	-6.3
Offenders with multiple correctional statuses ^c	43,900	:	19,700	:

Note: Estimates were rounded to the nearest 100 and include adjustments for nonresponding jurisdictions. See *Methodology*.

: Not calculated.

^aDetail may not sum to total due to adjustments to exclude offenders with multiple correctional statuses from the total to avoid double counting. See table 6 and *Methodology*.

^bIncludes the change in the number of offenders with multiple correctional statuses. See table 6 and *Methodology*.

^cSome probationers and parolees on December 31 were held in a prison or local jail but still remained under the jurisdiction of a probation or parole agency, and some parolees were also on probation. Some prisoners were held in a local jail on December 31. These offenders were excluded from the total correctional population prior to calculating change to avoid double counting. See table 6 and *Methodology*.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Annual Survey of Jails, and National Prisoner Statistics program, 2000–2014.

Seven jurisdictions accounted for almost half of the U.S. correctional population at yearend 2014

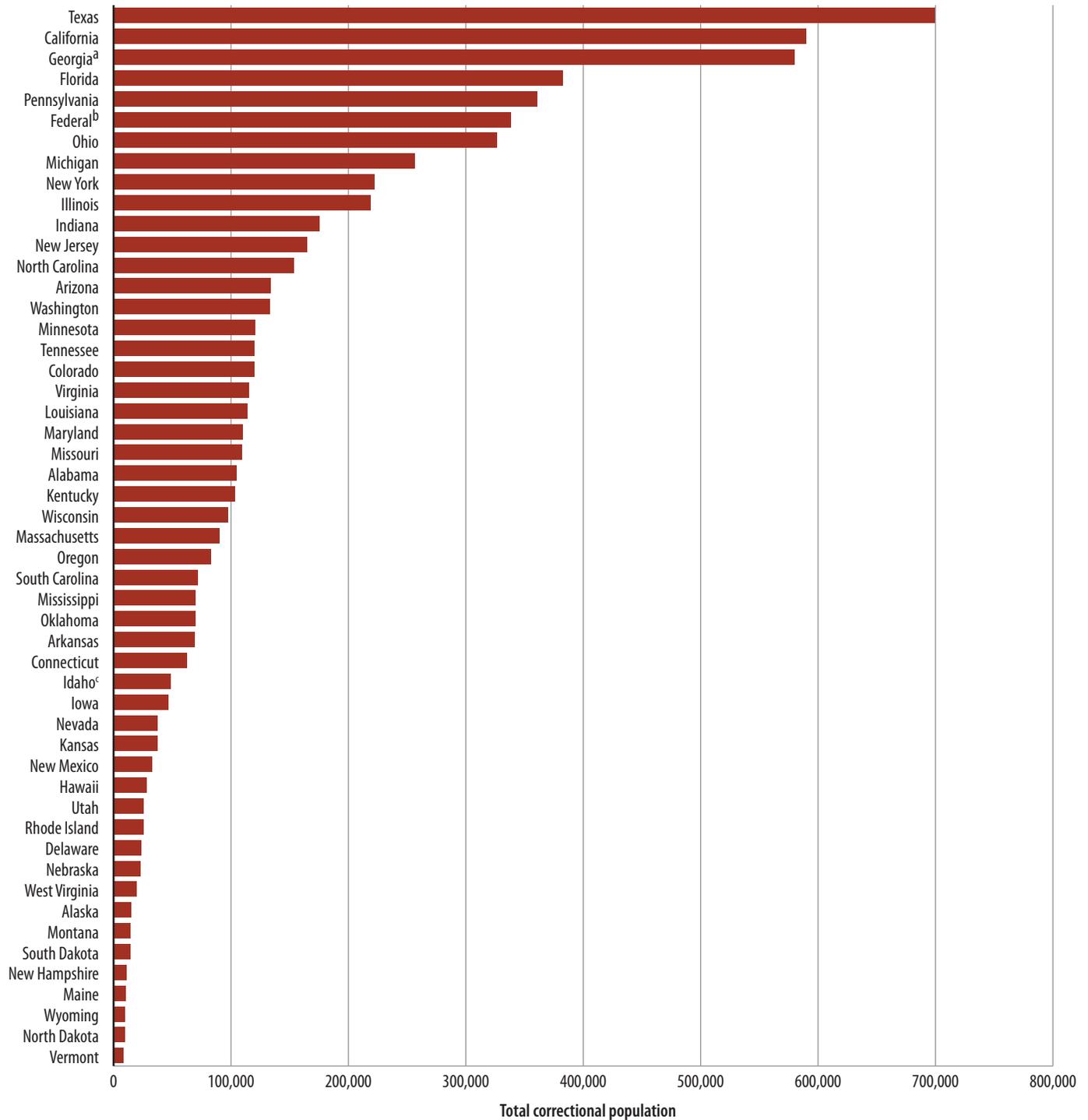
At yearend 2014, the size of the correctional population by jurisdiction varied, from a low of 8,400 offenders to a high of 699,300 (**figure 3**). Including the federal system but excluding the District of Columbia, the average number of offenders under the supervision of adult correctional systems by jurisdiction was about 133,400. Seven jurisdictions had correctional populations of 300,000 or more offenders, including Texas (699,300), California (589,600), Georgia (579,600), Florida (382,600), Pennsylvania (360,800), the federal system (338,000), and Ohio (326,300). These seven jurisdictions made up almost half (48%) of the U.S. correctional population at the end of 2014.

Excluding the federal system, four of the same six jurisdictions had more than 3,000 per 100,000 U.S. adult residents under some form of correctional supervision at yearend 2014 (**figure 4**). The other two states, Florida (2,390 per 100,000 U.S. adult residents) and California (1,980 per 100,000), had correctional supervision rates that were less than 2,500 per 100,000.

At yearend 2014, almost all jurisdictions had a larger portion of their correctional population supervised in the community than incarcerated

While the distribution of the correctional population varied by jurisdiction, almost all (47) jurisdictions had more than half of their correctional population supervised in the community on probation or parole at the end of 2014. Including the federal system but excluding the District of Columbia, jurisdictions ranged from a low of 38% of their correctional population supervised in the community at yearend 2014 to a high of 88%, with a national average of about 66% (**figure 5**). The proportion of the correctional population incarcerated in state or federal prisons or local jails ranged from a low of 12% to a high of 62%, with a national average of about 34%.

Of the seven jurisdictions that constituted almost half of the U.S. correctional population at yearend 2014, six had at least 60% of their correctional population supervised in the community rather than incarcerated. These included Georgia (84% of total correctional population in the community), Ohio (78%), Pennsylvania (77%), Texas (69%), California (65%), and Florida (60%). One of the seven jurisdictions, the federal system (62%), had more than 60% of its correctional population incarcerated rather than supervised in the community at the end of the year.

FIGURE 3**Estimated total population supervised by U.S. adult correctional systems, by jurisdiction, 2014**

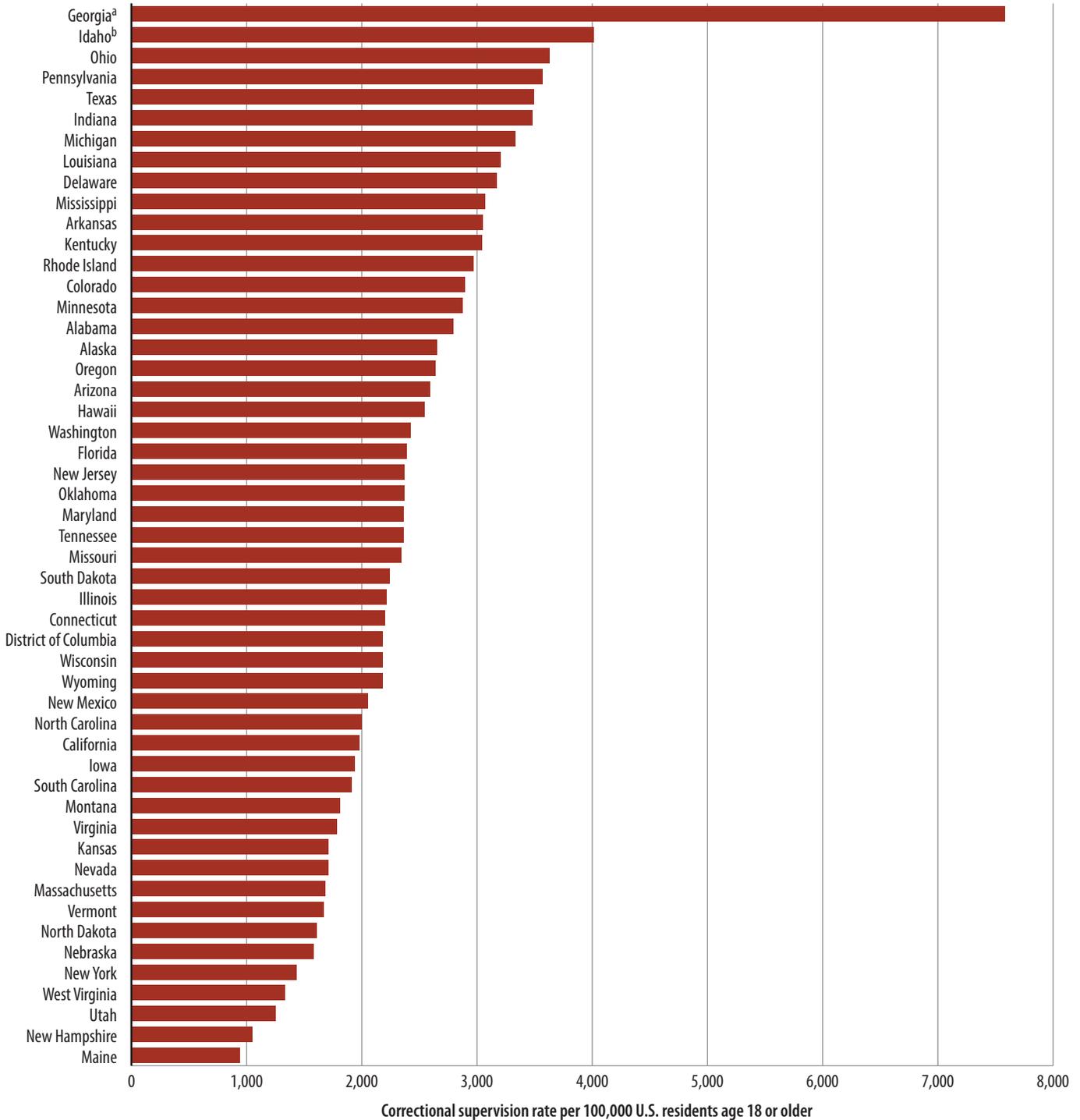
Note: Excludes the District of Columbia. Estimates were rounded to the nearest 100. Counts include adjustments for nonresponding jurisdictions and exclude offenders with multiple correctional statuses to avoid double counting. See appendix table 1 for estimates. See *Methodology*.

^aIncludes misdemeanor probation cases, not individuals, supervised by private companies and may overstate the number of offenders under supervision.

^bExcludes about 11,900 inmates who were not held in locally operated jails but in facilities that were operated by the Federal Bureau of Prisons and functioned as jails.

^cIncludes estimates of probationers supervised for a misdemeanor based on admissions and may overstate the number of offenders under supervision.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Deaths in Custody Reporting Program, and National Prisoner Statistics program, 2014.

FIGURE 4**Estimated adult correctional supervision rate, by jurisdiction, 2014**

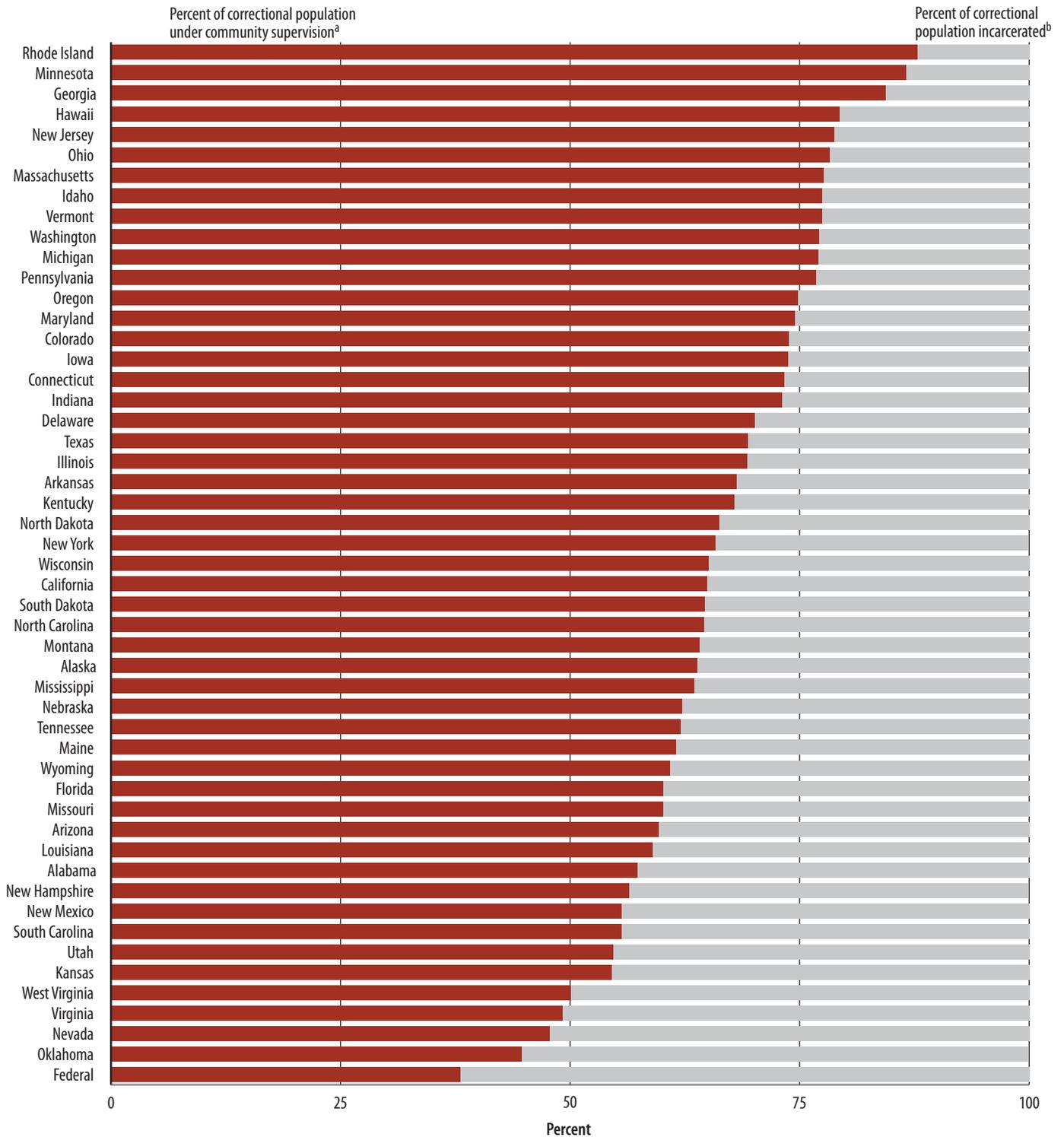
Note: Excludes the federal system and the District of Columbia. Rates were rounded to the nearest 10. Rates include estimates for nonresponding jurisdictions and exclude offenders with multiple correctional statuses to avoid double counting. See appendix table 1 for estimates. See *Methodology*.

^aIncludes misdemeanor probation cases, not individuals, supervised by private companies and may overstate the number of offenders under supervision. For this reason, the adult correctional supervision rate may not be comparable to other jurisdictions.

^bIncludes estimates of probationers supervised for a misdemeanor based on admissions and may overstate the number of offenders under supervision. For this reason, the adult correctional supervision rate may not be comparable to other jurisdictions.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Deaths in Custody Reporting Program, and National Prisoners Statistics program, 2014; and U.S. Census Bureau, unpublished U.S. resident population estimates within jurisdiction on January 1, 2015.

FIGURE 5
Distribution of correctional population, by correctional status and jurisdiction, 2014



Note: Excludes the District of Columbia. Estimates are based on counts that include adjustments for nonresponding jurisdictions. Estimates of the total correctional population used to calculate the percentages presented are based on the sum of the community supervision and incarcerated populations within each jurisdiction. That total may include probationers or parolees held in state or federal prisons or local jails. See *Methodology*.

^aIncludes persons living in the community while supervised on probation or parole.

^bIncludes inmates under the jurisdiction of state or federal prisons or held in local jails.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Deaths in Custody Reporting Program, and National Prisoner Statistics program, 2014.

Terms and definitions

Adult—persons subject to the jurisdiction of an adult criminal court or correctional agency. Adults are age 18 or older in most jurisdictions. Persons age 17 or younger who were prosecuted in criminal court as if they were adults are considered adults, but persons age 17 or younger who were under the jurisdiction of a juvenile court or agency are excluded. (See *Methodology* for more information on prison and local jail inmates age 17 or younger.)

Annual change—change in a population between two consecutive years.

Average annual change—average (mean) annual change in a population across a specific time period.

Community supervision population—estimated number of persons living in the community while supervised on probation or parole.

Community supervision rate—estimated number of persons supervised in the community on probation or parole per 100,000 U.S. residents of all ages (i.e., total community supervision rate) or U.S. residents age 18 or older (i.e., adult community supervision rate).

Correctional population—estimated number of persons living in the community while supervised on probation or parole and inmates under the jurisdiction of state or federal prisons or held in local jails.

Correctional supervision rate—estimated number of persons supervised in the community on probation or parole and inmates under the jurisdiction of state or federal prisons or held in local jails per 100,000 U.S. residents of all ages (i.e., total correctional supervision rate) or U.S. residents age 18 or older (i.e., adult correctional supervision rate).

Imprisonment rate—estimated number of prisoners under state or federal jurisdiction sentenced to more than 1 year per 100,000 U.S. residents of all ages (i.e., total imprisonment rate) or U.S. residents age 18 or older (i.e., adult imprisonment rate). (The imprisonment rate is presented and discussed in *The difference between measures of the incarceration rate and imprisonment rate* text box.)

Incarcerated population—estimated number of inmates under the jurisdiction of state or federal prisons or held in local jails.

Incarceration rate—estimated number of inmates under the jurisdiction of state or federal prisons or held in local jails per 100,000 U.S. residents of all ages (i.e., total incarceration rate) or U.S. residents age 18 or older (i.e., adult incarceration rate).

Indian country jail population—estimated number of inmates held in correctional facilities operated by tribal authorities or the Bureau of Indian Affairs (BIA), U.S. Department of the Interior. These facilities include confinement facilities, detention centers, jails, and other facilities operated by tribal authorities or the BIA. (This estimate is presented in appendix table 4.)

Local jail population—estimated number of inmates held in a confinement facility usually administered by a local law enforcement agency that is intended for adults, but sometimes holds juveniles, for confinement before and after adjudication. These facilities include jails and city or county correctional centers; special jail facilities, such as medical treatment or release centers; halfway houses; work farms; and temporary holding or lockup facilities that are part of the jail's combined function. Inmates sentenced to jail facilities usually have a sentence of 1 year or less.

Military prison population—estimated number of service personnel incarcerated under the jurisdiction of U.S. military correctional authorities. (This estimate is presented in appendix table 4.)

Parole population—estimated number of persons who are on conditional release in the community following a prison term while under the control, supervision, or care of a correctional agency. Violations of the conditions of supervision during this period may result in a new sentence to confinement or a return to confinement for a technical violation. This population includes parolees released through discretionary (i.e., parole board decision) or mandatory (i.e., provisions of a statute) supervised release from prison, those released through other types of post-custody conditional supervision, and those sentenced to a term of supervised release.

Prison population—estimated number of inmates incarcerated in a long-term confinement facility, run by a state or the federal government, that typically holds felons and offenders with sentences of more than 1 year, although sentence length may vary by jurisdiction.

Prison jurisdiction population—estimated number of prisoners under the jurisdiction or legal authority of state or federal correctional officials, regardless of where the prisoner is held. This population represents BJS's official measure of the prison population and includes prisoners held in prisons, penitentiaries, correctional facilities, halfway houses, boot camps, farms, training or treatment centers, and hospitals. Counts also include prisoners who were temporarily absent (less than 30 days), in court, or on work release; housed in privately operated facilities, local jails, or other state or federal facilities; and serving concurrent sentences for more than one correctional authority.

Prison custody population—estimated number of prisoners held in the physical custody of state or federal prisons regardless of sentence length or the authority having jurisdiction. This population includes prisoners housed for other correctional facilities but excludes those in the custody of local jails, inmates held in other jurisdictions, inmates out to court, and those in transit from one jurisdiction of legal authority to the custody of a confinement facility outside that jurisdiction. (This estimate is presented in appendix table 5.)

Probation population—estimated number of persons who are on a court-ordered period of supervision in the community while under the control, supervision, or care of a correctional agency. The probation conditions form a contract with the

court by which the person must abide in order to remain in the community, generally in lieu of incarceration. In some cases, probation can be a combined sentence of incarceration followed by a period of community supervision.

Often, probation entails monitoring or surveillance by a correctional agency. In some instances, probation may not involve any reporting requirements.

Territorial prison population—estimated number of prisoners in the custody of correctional facilities operated by departments of corrections in U.S. territories (American Samoa, Guam, and the U.S. Virgin Islands) and U.S. commonwealths (Northern Mariana Islands and Puerto Rico). (This estimate is presented in appendix table 4.)

Methodology

Data sources

The statistics presented in this report include data from various Bureau of Justice Statistics (BJS) data collections, each relying on the voluntary participation of federal, state, and local respondents. For more information about any of the following data collections, see the Data Collections webpage at www.bjs.gov.

Annual Surveys of Probation and Parole. The Annual Surveys of Probation and Parole (ASPP) began in 1980. The reference date for the surveys is December 31, and they collect data from probation and parole agencies in the United States that supervise adults. Both surveys cover the 50 states, the District of Columbia, and the federal system.

In these data, adults are persons who are subject to the jurisdiction of an adult criminal court or correctional agency. Persons age 17 or younger who were prosecuted in criminal court as if they were adults are considered adults, but persons age 17 or younger who were under the jurisdiction of a juvenile court or agency are excluded.

Annual Survey of Jails. The Annual Survey of Jails (ASJ) has collected data from a nationally representative sample of local jails each year since 1982, except in 1983, 1988, 1993, 1999, and 2005, when a complete census of U.S. local jails was conducted. Jails are confinement facilities, usually administered by a local law enforcement agency, that are intended to hold adults, but they may also hold youth age 17 or younger before or after they are adjudicated. The ASJ data used in this report include inmates age 17 or younger who were held either before or after they were adjudicated (about 4,200 persons in 2014).

To maintain the jail series in this report, all tables and figures that include national estimates of the local jail population as of the last weekday in June were provided through the ASJ, except in 1999 and 2005 when a jail census was completed (see Census of Jails). Because the ASJ is designed to produce only national estimates, tables and figures in this report that include jurisdiction-level counts of the incarcerated population and the total correctional population were based on jail data collected through two other BJS sources, specifically the Census of Jails and the Deaths in Custody Reporting Program. (See Census of Jails and Deaths in Custody Reporting Program.)

Census of Jails. The Census of Jails began in 1970 and was conducted in 1972, 1978, 1983, 1988, 1993, 1999, 2005, and 2006. In 2013, BJS expanded the 2013 Deaths in Custody Reporting Program—Annual Summary on Inmates under Jail Jurisdiction to act as the 2013 Census of Jails. (See Deaths in Custody Reporting Program.) The census is designed to produce a complete enumeration of jail facilities in the United States. It is part of a series of data collection efforts, including the Census of Jail Inmates and the Census of Jail Facilities, aimed at studying the nation's jails and their inmate populations. The reference date of the 2013 census was

December 31, while the reference date for prior iterations was the last weekday in June within the reference year.

BJS relied on local jail counts provided through the census in 1999, 2005, and 2013 to generate jurisdiction-level estimates of the total incarcerated population and total correctional population that appear in appendix tables 2 and 3. Because they include the 2013 local jail estimates as of December 31, the national totals of the correctional and incarcerated populations reported in appendix tables 2 and 3 are not consistent with the national totals of the populations reported in the other tables and figures of this report, which include BJS's official estimates of the total correctional and incarcerated populations.

Deaths in Custody Reporting Program. The Deaths in Custody Reporting Program (DCRP) is an annual collection that provides national, state, and incident-level data on persons who died while in the physical custody of the 50 state departments of corrections or the approximately 2,900 local adult jail jurisdictions nationwide. To reduce respondent burden for the 2013 iteration, BJS combined the 2013 DCRP collection with the 2013 Census of Jails. For more information, see *Census of Jails and Census of Jails: Population Changes, 1999–2013*, NCJ 248627, BJS web, December 2015.

The DCRP began in 2000 under the Death in Custody Reporting Act of 2000 (P.L. 106–297), and it is the only national statistical collection to obtain comprehensive information about deaths in adult correctional facilities. In addition to the death count, BJS requests that jails provide summary statistics about their population and admissions. All jails, including those with no deaths to report (which includes about 80% of jails in any given year), are asked to complete the annual summary survey form.

BJS relied on the local jail counts provided through the DCRP in 2014 to generate jurisdiction-level estimates of the total incarcerated population and total correctional population that appear in figures 2, 3, and 4 and appendix tables 1 and 2. Because they include the 2014 local jail estimates as of December 31, the national totals of the correctional and incarcerated populations reported in appendix tables 1 and 2 are not consistent with the national totals of the populations reported in the other tables and figures of this report, which include BJS's official estimates of the total correctional and incarcerated populations.

National Prisoner Statistics program. The National Prisoner Statistics (NPS) program began in 1926 under a mandate from Congress and has been conducted annually. It collects data from the nation's state departments of corrections and the Federal Bureau of Prisons (BOP).

The NPS distinguishes between inmates in custody and prisoners under the jurisdiction of correctional authorities. To have custody of a prisoner, a state or the BOP must hold that inmate in one of its facilities. To have jurisdiction over a prisoner, the state or BOP must have legal authority over that

prisoner, regardless of where the prisoner is incarcerated or supervised. Some states were unable to provide counts that distinguish between custody and jurisdiction. See *Jurisdiction notes in Prisoners in 2014* (NCJ 248955, BJS web, September 2015) to determine which states did not distinguish between custody and jurisdiction counts.

With the exception of appendix table 5, the NPS prisoner counts in all tables and figures of this report are consistent with the jurisdiction counts and findings reported in *Prisoners in 2014*. The jurisdiction counts represent BJS’s official measure of the prison population.

The NPS prisoner custody counts are presented in appendix table 5 and include all inmates age 17 or younger who were serving time in a state or federal correctional facility after being sentenced in criminal court as if they were adults (about 1,000 persons in 2014), and inmates in the six states in which prisons and jails form one integrated system, including inmates age 17 or younger who may have been held before or after adjudication.

Through the annual NPS collection, BJS has obtained yearend counts of prisoners in the custody of U.S. military authorities from the Department of Defense Corrections Council since 1999. In 1994, the council, comprising representatives from each branch of military service, adopted a standardized report (DD Form 2720) that obtains data on persons held in U.S. military confinement facilities inside and outside of the continental United States. These data are presented in appendix table 4 of this report. See *Prisoners in 2014* for more statistics and information.

Since 1995, through the annual NPS collection, BJS has collected yearend counts of inmates from the departments of corrections in U.S. territories (American Samoa, Guam, and the U.S. Virgin Islands) and U.S. commonwealths (Northern Mariana Islands and Puerto Rico). These data are presented in appendix table 4 of this report and represent all inmates in the custody of prison facilities in U.S. territories or commonwealths. See *Prisoners in 2014* for more information, including nonresponse.

Survey of Jails in Indian Country. The Annual Survey of Jails in Indian Country (SJIC) has been conducted annually since 1998 with the exception of 2005 and 2006. The SJIC collects detailed information on all adult and juvenile confinement facilities, detention centers, jails, and other facilities operated by tribal authorities or the U.S. Department of the Interior’s Bureau of Indian Affairs. The SJIC data in this report includes inmates age 17 or younger who are in the custody of Indian

country jails (about 200 persons in 2014). These data are presented in appendix table 4. See *Jails in Indian Country, 2014* (NCJ 248974, BJS web, October 2015) for more information.

Counts adjusted for offenders with multiple correctional statuses

Offenders under correctional supervision may have multiple correctional statuses for several reasons. For example, probation and parole agencies may not always be notified immediately of new arrests, jail admissions, or prison admissions; absconders included in a probation or parole agency’s population in one jurisdiction may actually be incarcerated in another jurisdiction; persons may be admitted to jail or prison before formal revocation hearings and potential discharge by a probation or parole agency; and persons may be serving separate probation and parole sentences concurrently. In addition, state and federal prisons may hold inmates in county facilities or local jails to reduce crowding in their prisons.

Through the ASPP, BJS began collecting data on the number of probationers and parolees with multiple correctional statuses in 1998 and has since expanded on the information collected. Through the NPS, BJS began collecting data in 1999 on the number of prisoners under the jurisdiction of state or federal prisons who were held in county facilities or local jails. Table 6 includes adjustments that were made to the total correctional population, total community supervision population, and total incarcerated population estimates presented in this report to exclude offenders with multiple correctional statuses to avoid double counting offenders.

The estimates from the ASPP are based on data reported by the probation and parole agencies that were able to provide the information within the specific reporting year. Because some probation and parole agencies did not provide these data each year, the numbers may underestimate the total number of offenders who had multiple correctional statuses between 2000 and 2014.

Due to these adjustments, the sum of correctional statuses in tables 1, 2, 4, and 5; figure 1; and appendix tables 1, 2, and 3 will not equal the total correctional population. In addition, the sum of the probation and parole populations for 2008 through 2014 will not yield the total community supervision population because the total was adjusted for parolees who were also on probation. Also, the sum of the prison and local jail populations for 2000 through 2014 will not equal the total incarcerated population because prisoners held in local jails were excluded from the total.

TABLE 6**Estimated number of offenders with multiple correctional statuses at yearend, by correctional status, 2000–2014**

Year	Total	Prisoners held in local jail	Probationers in—		Parolees in—		
			Local jail	State or federal prison	Local jail	State or federal prison	On probation
2000	112,500	70,000	20,400	22,100	:	:	:
2001	116,100	72,500	23,400	20,200	:	:	:
2002	122,800	72,600	29,300	20,900	:	:	:
2003	120,400	73,400	25,500	21,500	:	:	:
2004	130,400	74,400	34,400	21,600	:	:	:
2005	164,500	73,100	32,600	22,100	18,300	18,400	:
2006	169,900	77,900	33,900	21,700	20,700	15,700	:
2007	156,400	80,600	19,300	23,100	18,800	14,600	:
2008	178,500	83,500	23,800	32,400	19,300	15,600	3,900
2009	168,100	85,200	21,400	23,100	19,100	14,300	5,000
2010	170,300	83,400	21,300	21,500	21,400	14,400	8,300
2011	169,300	82,100	21,100	22,300	18,000	14,900	11,000
2012	168,400	83,600	21,200	21,700	18,500	10,700	12,700
2013	170,800	85,700	22,400	16,700	21,800	11,800	12,500
2014	176,100	81,700	23,500	24,600	21,800	11,600	12,900

Note: Estimates were rounded to the nearest 100 and may not be comparable to previously published BJS reports due to updated information. Detail may not sum to total due to rounding.

:Not collected or excluded from total correctional population.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, and National Prisoner Statistics program, 2000–2014.

Decomposing the decline in the correctional supervision rate

To decompose the decline in the correctional supervision rate, the following formula was used:

$$\begin{aligned} \Delta R &= [P1 * (1/GP1)] - [P0 * (1/GP0)] \\ &= [P1 * ((1/GP1) - (1/GP0))] + [(1/GP0) * (P1 - P0)] \\ &= [(1/GP1) * (P1 - P0)] + [P0 * ((1/GP1) - (1/GP0))] \end{aligned}$$

In this formula, ΔR is the change in the correctional supervision rate, $P1$ is the total correctional population for the most recent year, $P0$ is the total correctional population for the earlier year, $GP1$ is the U.S. adult resident population for the most recent year, and $GP0$ is the U.S. adult resident population for the earlier year. The components $[(1/GP0) * (P1 - P0)]$ and $[(1/GP1) * (P1 - P0)]$ provide the change in the correctional supervision rate due to the change in the total correctional population. These two components were summed, and the average was used to estimate the amount of change in the correctional supervision rate attributed to the change in the total correctional population during that period.

The components $[P1 * ((1/GP1) - (1/GP0))]$ and $[P0 * ((1/GP1) - (1/GP0))]$ provide the change due to the U.S. adult resident population. These two components were summed, and the average was used to estimate the amount of change in the correctional supervision rate attributed to the change in the U.S. adult resident population during the period.

Nonresponse adjustments to estimate population counts

Probation, parole, jail, and prison populations

Probation, parole, jail, and prison population counts were adjusted to account for nonresponse across the data collections. The methods varied and depended on the type of collection, type of respondent, and availability of information. For more information on the nonresponse adjustments implemented to generate national and jurisdiction-level estimates of the probation, parole, and prison populations, see *Prisoners in 2014* (NCJ 248955, BJS web, September 2015) and *Probation and Parole in the United States, 2014* (NCJ 249057, BJS web, November 2015). For more information on the nonresponse adjustments implemented to generate national counts of the jail population that are included in the tables and figures of this report that include only national estimates, see *Jail Inmates at Midyear 2014* (NCJ 248629, BJS web, June 2015).

Jail population—jurisdiction-level estimates

The response rate to the 1999 Census of Jails was 99.8%. Six jail jurisdictions did not respond to the census. Data for critical items, including the population count on the last weekday in June, were imputed based on previous survey and census reports. For more information, see *Census of Jails, 1999* (NCJ 186633, BJS web, August 2001). Considering that the response rate to the 2005 Census of Jail Inmates was 100%, no nonresponse adjustments were implemented. For more information, see *Prison and Jail Inmates at Midyear 2005* (NCJ 213133, BJS web, May 2006).

Nonresponse in the 2013 Census of Jails and 2014 DCRP was minimal. The unit response rate to the 2013 Census of Jails was 92.4% and the 2014 DCRP was 95.8% at the time of this report. The item response rate for the December 31 confined jail population total was 99.3% in the 2013 Census of Jails and 99.0% in the 2014 DCRP.

For jails that did not participate in the 2013 Census of Jails or 2014 DCRP or were not able to provide the yearend confined population count, a sequential hot-deck imputation procedure was used to impute values. This procedure used respondent (donor) data as a substitute for missing values. The donor for each nonrespondent was randomly selected from within a set of similar jails, which was sorted by the previous-year population value. The resulting imputed values are generally similar to previous-year reported values, but are not identical due to differences between each donor and nonrespondent pair and the year-to-year fluctuation in donor population values.

Because the 2013 Census of Jails and 2014 DCRP data collections used a census design (no sampling), each jail was initially self-representing and had a design weight of 1. To reduce nonresponse bias, responding jails had their weight adjusted via post-stratification to allow their responses to represent jails that did not respond. The description of the weighting used in the 2014 DCRP is described next. The method used for the 2013 Census of Jails was similar. For more information, see *Census of Jails: Population Changes, 1999–2013* (NCJ 248627, BJS web, November 2015).

Control totals for the 2014 confined jail population from the DCRP were estimated at the state level as follows:

- The year-to-year change in confined jail population among respondents to both the 2013 and 2014 DCRP was computed within the state.
- Plausible values for the 2013 confined population were imputed for jails that did not report to the DCRP in 2013 using a hot-deck procedure that randomly selected a donor for each nonrespondent from within a set of jails that reported similar confined jail populations in the prior year.
- Estimated 2014 values were calculated by multiplying the yearly change rate and the 2013 DCRP estimate of confined population for jails that did not respond to the 2014 DCRP.
- The sum of reported, item-imputed, and DCRP-estimated values for the 2014 confined jail population for each state served as the control totals for the post-stratification procedure. The post-stratification weight adjustment factor was identical for all jails within a state and was computed as

the ratio of the control total for state *i* to the sum of the reported and item-imputed 2014 DCRP confined jail population values for state *i*:

$$PSAdj_i = \frac{\text{Control total}_i}{\sum_{j=1}^{n_i} \text{Reported confined}_i + \text{Item imputed confined}_j}$$

The final analysis weight is the product of the design weight and the post-stratification adjustment factor. Because the design weight was 1 for all jails, the analysis weight is equal to the adjustment factor.

Nonresponse adjustments to estimate males and females under correctional supervision

The number of males and the number of females on probation or parole in 2013 and 2014 were adjusted to account for nonresponse using a ratio adjustment method. For jurisdictions that did not provide data on sex for a single year, the sex distribution reported the prior or subsequent year was used. For jurisdictions that did not provide data on sex for a portion of their population, the sex distribution of the known portion of the population was used to impute for the unknown portion because it was assumed that the distributions were the same. For jurisdictions that were unable to provide any data on sex for more than 1 year, the state national average was used to impute the number of males and females supervised in those states. Adjusted jurisdiction totals were then aggregated to produce national estimates of the number of males and females on probation and parole.

The counts of prisoners by sex in 2013 and 2014 were adjusted to account for nonresponse using either external sources or a ratio adjustment method. When possible, BJS used information available on state department of corrections' websites to impute the number of males and females under the jurisdiction of that state's prison system within the reference year. Otherwise, the sex distribution reported by the state in a recent, prior year was used to impute the number of males and females in the reference year. For more information, see *Prisoners in 2014* (NCJ 248955, BJS web, September 2015).

For jails that were unable to report the number of males and females confined at yearend 2013 or 2014, the same sequential hot-deck imputation procedure described in *Jail population—jurisdiction-level estimates* to impute for the confined jail population was also used to impute for the number of males and females confined in jail. Control totals for the 2014 confined jail population by sex were estimated at the state level as described in the section about weighting under the

heading *Jail population—jurisdiction-level estimates*. A similar method was used to estimate 2013 control totals by sex. More information can be found in *Census of Jails: Population Changes, 1999–2013* (NCJ 248627, BJS web, November 2015).

To generate estimates of the total correctional population in 2013 and 2014 by sex and jurisdiction, ratio estimation was used to account for male and female offenders with multiple correctional statuses in each jurisdiction. These adjustments were made by correctional status and were based on reported counts, by jurisdiction, of the number of offenders by sex and the number of offenders with multiple correctional statuses:

- To estimate the number of male and female prisoners held in local jails, the distribution of the prison population by sex within the reference year was applied to the number of prisoners in local jails by jurisdiction. The estimated number of male prisoners held in local jails was then subtracted from the total number of males under correctional supervision by jurisdiction. This same method was used to adjust the number of females under correctional supervision by jurisdiction.
- The correctional population estimates in each jurisdiction were also adjusted to account for the number of males and females on probation who were held in prisons or local jails. The distribution of the local jail population by sex was applied to the number of probationers in local jails by jurisdiction within the reference year to estimate the number of males and females with both correctional statuses. In addition, the distribution of the prison population by sex was applied to the total number of probationers in prison within the reference year to estimate the number of males and females with both correctional statuses. The estimated number of male probationers in prisons and local jails was then subtracted from the number of males under correctional supervision within the reference year by jurisdiction, and this same method was used to adjust the number of females under correctional supervision by jurisdiction. This method was also employed to account for parolees held in prisons or local jails and the totals, by sex, were excluded from the number of males and females under correctional supervision in each jurisdiction.

- To estimate the number of males and females on parole who were also on probation in 2013 and 2014, the distribution of the parole population by sex within the reference year was applied to the number of parolees on probation in each jurisdiction. The estimated number of males with dual community supervision statuses was then subtracted from the number of males under correctional supervision by jurisdiction. This same method was used to adjust the number of females under correctional supervision.

Comparability of jurisdiction-level estimates over time

All jurisdiction-level estimates included in this report are based on data reported within the reference year. Some jurisdictions update their population counts for different reasons after submitting their data to BJS. Updated population counts usually include data that were not entered into the information system before the survey was submitted or data that were not fully processed by yearend.

Also, some jurisdictions have experienced reporting changes for one or more correctional population collections over time. These changes may result because of administrative changes, such as consolidating databases or implementing new information systems, resulting in data review and cleanup; reconciling offender records; reclassifying offenders, including those on probation to parole and offenders on dual community supervision statuses; and including certain subpopulations that were not previously reported.

For these reasons, comparisons between jurisdictions and comparisons between years for the same jurisdiction over time may not be valid. More detailed information about updates and reporting changes that impact the ability to make jurisdiction-level comparisons over time can be found in the source reports for each of the four correctional populations, such as the *Probation and Parole in the United States* series or *Prisoners* series, within the particular reference year.

APPENDIX TABLE 1

Estimated number and rate of persons supervised by U.S. adult correctional systems, by correctional status and jurisdiction, 2014

Jurisdiction	Total correctional population		Community supervision		Incarcerated	
	Number under correctional supervision, 12/31/2014 ^a	Correctional supervision rate per 100,000 U.S. residents age 18 or older ^b	Number on probation or parole, 12/31/2014 ^c	Community supervision rate per 100,000 U.S. residents age 18 or older ^b	Number in prison or local jail, 12/31/2014 ^d	Incarceration rate per 100,000 U.S. residents age 18 or older ^b
U.S. total^e	6,814,600	2,760	4,708,100	1,910	2,188,000	890
Federal^f	338,000	140	128,400	50	209,600	90
State	6,476,600	2,630	4,579,700	1,860	1,978,300	800
Alabama	104,900	2,790	61,400	1,640	45,800	1,220
Alaska	14,600	2,650	9,300	1,690	5,300	960
Arizona	133,600	2,590	80,700	1,570	54,800	1,060
Arkansas	69,100	3,050	49,300	2,170	23,100	1,020
California	589,600	1,980	382,600	1,280	207,100	690
Colorado	119,800	2,890	89,100	2,150	31,500	760
Connecticut	62,300	2,200	45,600	1,610	16,600	590
Delaware	23,300	3,170	16,300	2,220	7,000	950
District of Columbia ^g	11,900	2,180	11,400	2,070	1,600	300
Florida	382,600	2,390	231,600	1,450	153,600	960
Georgia ^h	579,600	7,580	491,800	6,430	91,000	1,190
Hawaii	28,300	2,540	22,500	2,010	5,900	530
Idaho ⁱ	48,600	4,010	37,700	3,110	11,000	910
Illinois	219,000	2,210	151,800	1,530	67,200	680
Indiana	175,200	3,480	128,100	2,540	47,100	940
Iowa	46,500	1,940	35,500	1,490	12,700	530
Kansas	37,400	1,710	20,400	930	17,000	780
Kentucky	103,600	3,040	70,800	2,080	33,500	980
Louisiana	113,600	3,200	70,600	1,990	49,100	1,380
Maine	10,100	940	6,600	610	4,100	380
Maryland	109,700	2,360	91,100	1,960	31,100	670
Massachusetts	90,300	1,680	70,200	1,310	20,300	380
Michigan	256,700	3,330	199,000	2,580	59,400	770
Minnesota	120,500	2,870	104,300	2,490	16,200	390
Mississippi	69,700	3,070	44,300	1,950	25,400	1,120
Missouri	109,500	2,340	65,800	1,400	43,700	930
Montana	14,500	1,810	9,700	1,210	5,500	680
Nebraska	22,500	1,580	14,000	990	8,500	600
Nevada	37,500	1,710	18,000	820	19,600	890
New Hampshire	11,200	1,050	6,300	590	4,900	460
New Jersey	164,500	2,370	130,800	1,880	35,200	510
New Mexico	32,500	2,050	18,100	1,140	14,400	910
New York	222,100	1,430	149,100	960	77,500	500
North Carolina	153,600	2,000	99,300	1,290	54,300	710
North Dakota	9,300	1,610	6,200	1,070	3,200	550
Ohio	326,300	3,630	256,200	2,850	71,200	790
Oklahoma	69,600	2,370	31,100	1,060	38,400	1,310
Oregon	82,700	2,640	61,900	1,980	20,900	670
Pennsylvania	360,800	3,570	281,400	2,780	85,200	840
Rhode Island	25,100	2,970	24,100	2,850	3,400	400
South Carolina	71,900	1,910	40,000	1,060	31,900	850
South Dakota	14,500	2,240	9,400	1,460	5,100	800
Tennessee	119,900	2,360	76,400	1,500	46,900	920
Texas	699,300	3,490	496,900	2,480	219,100	1,090
Utah	25,700	1,250	15,300	740	12,600	620
Vermont	8,400	1,670	6,800	1,340	2,000	390
Virginia	115,300	1,780	56,700	880	58,600	900

Continued on next page

APPENDIX TABLE 1 (continued)

Estimated number and rate of persons supervised by U.S. adult correctional systems, by correctional status and jurisdiction, 2014

Jurisdiction	Total correctional population		Community supervision		Incarcerated	
	Number under correctional supervision, 12/31/2014 ^a	Correctional supervision rate per 100,000 U.S. residents age 18 or older ^b	Number on probation or parole, 12/31/2014 ^c	Community supervision rate per 100,000 U.S. residents age 18 or older ^b	Number in prison or local jail, 12/31/2014 ^d	Incarceration rate per 100,000 U.S. residents age 18 or older ^b
Washington	133,000	2,420	104,000	1,890	30,900	560
West Virginia	19,600	1,330	9,900	680	9,900	670
Wisconsin	97,300	2,180	64,500	1,440	34,600	770
Wyoming	9,700	2,180	5,900	1,330	3,800	850

Note: Counts were rounded to the nearest 100, and rates were rounded to the nearest 10. Detail may not sum to total due to rounding and because offenders with multiple correctional statuses were excluded from totals. Counts include estimates for nonresponding jurisdictions. See *Methodology*.

^aExcludes an estimated 81,700 prisoners held in local jails; 23,500 probationers in prisons; 24,600 probationers in local jails; 21,800 parolees in local jails; 11,600 parolees in prisons; and 12,900 parolees on probation. See table 6.

^bRates were computed using estimates of the U.S. resident population of persons age 18 or older within jurisdiction.

^cExcludes an estimated 12,900 parolees on probation. See table 6.

^dExcludes an estimated 81,700 prisoners held in local jails. See table 6.

^eTotal correctional population and total number in prison or local jail include local jail counts that are based on December 31, 2014, in order to produce jurisdiction-level estimates. For this reason, with the exception of appendix table 2, the totals in this table differ from the national estimates presented in other tables and figures in this report. See *Methodology*.

^fExcludes about 11,900 inmates who were not held in locally operated jails but in facilities that were operated by the Federal Bureau of Prisons and functioned as jails.

^gAfter 2001, responsibility for sentenced prisoners was transferred to the Federal Bureau of Prisons. Therefore, the 2005 and 2013 incarcerated populations represent inmates held in local jails.

^hTotal correctional population and community supervision population estimates include misdemeanor probation cases, not individuals, supervised by private companies and may overstate the number of offenders under supervision.

ⁱTotal correctional population and community supervision population include estimates of probationers supervised for a misdemeanor based on admissions and may overstate the number of offenders under supervision.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Deaths in Custody Reporting Program, and National Prisoner Statistics program, 2014; and U.S. Census Bureau, unpublished U.S. resident population estimates within jurisdiction on January 1, 2015.

APPENDIX TABLE 2
Estimated number and rate of persons supervised by U.S. adult correctional systems, by sex and jurisdiction, 2013 and 2014

Jurisdiction	Total correctional population, 12/31/2013					Total correctional population, 12/31/2014				
	Number		Rate per 100,000 U.S. residents of all ages ^a			Number		Rate per 100,000 U.S. residents of all ages ^a		
	Total ^b	Male	Female	Male	Female	Total ^b	Male	Female	Male	Female
U.S. total^c	6,903,600	5,647,300	1,256,300	3,610	780	6,814,600	5,563,100	1,251,600	3,530	770
Federal^d	347,000	308,600	38,400	200	20	338,000	300,600	37,400	190	20
State	6,556,600	5,338,700	1,217,900	3,410	750	6,476,600	5,262,500	1,214,100	3,340	750
Alabama ^d	115,500	98,500	17,100	4,200	690	104,900	87,400	17,500	3,710	700
Alaska	14,600	12,200	2,500	3,150	710	14,600	12,100	2,400	3,130	690
Arizona	132,300	111,100	21,200	3,350	630	133,600	111,900	21,700	3,330	640
Arkansas	70,100	56,400	13,700	3,870	910	69,100	55,500	13,500	3,800	890
California	601,800	506,800	95,000	2,640	490	589,600	495,500	94,100	2,560	480
Colorado	120,500	95,000	25,500	3,560	960	119,800	94,000	25,800	3,470	960
Connecticut	62,900	52,700	10,200	3,000	550	62,300	51,500	10,700	2,930	580
Delaware	23,700	19,100	4,600	4,240	960	23,300	18,800	4,500	4,130	930
District of Columbia ^e	13,700	11,700	2,000	3,770	580	11,900	10,200	1,800	3,230	520
Florida	389,200	314,400	74,800	3,260	740	382,600	308,800	73,700	3,150	720
Georgia ^f	623,500	496,600	126,800	10,120	2,470	579,600	463,800	115,800	9,370	2,230
Hawaii	28,900	22,800	6,200	3,190	890	28,300	22,300	6,000	3,100	850
Idaho ^g	46,200	35,900	10,300	4,410	1,270	48,600	37,700	10,900	4,580	1,330
Illinois	222,700	183,500	39,200	2,900	600	219,000	181,000	38,000	2,860	580
Indiana	179,100	142,200	36,900	4,380	1,100	175,200	139,300	35,900	4,280	1,070
Iowa	45,900	36,300	9,600	2,360	610	46,500	36,600	9,900	2,360	630
Kansas	37,100	30,900	6,200	2,140	430	37,400	31,200	6,200	2,150	420
Kentucky ^d	97,500	73,500	24,000	3,390	1,070	103,600	77,900	25,700	3,580	1,150
Louisiana	115,300	97,700	17,700	4,300	750	113,600	96,300	17,400	4,220	730
Maine	10,500	8,900	1,700	1,370	250	10,100	8,400	1,700	1,290	250
Maryland ^d	74,900	67,200	7,700	2,330	250	109,700	92,100	17,700	3,170	570
Massachusetts	90,700	76,100	14,600	2,330	420	90,300	75,900	14,400	2,310	410
Michigan ^d	253,500	203,300	50,200	4,180	1,000	256,700	203,200	53,400	4,170	1,060
Minnesota	123,500	97,400	26,100	3,600	950	120,500	95,500	25,000	3,510	910
Mississippi	67,600	52,400	15,200	3,600	990	69,700	58,200	11,500	4,000	750
Missouri	113,400	93,000	20,400	3,130	660	109,500	89,400	20,100	3,000	650
Montana	14,800	12,100	2,700	2,360	530	14,500	11,700	2,800	2,270	550
Nebraska	23,200	18,500	4,600	1,980	490	22,500	17,800	4,700	1,890	500
Nevada	37,200	31,000	6,300	2,190	450	37,500	31,400	6,100	2,190	430
New Hampshire	11,100	9,300	1,800	1,420	270	11,200	9,300	1,900	1,420	280
New Jersey	164,100	137,900	26,300	3,170	580	164,500	137,300	27,200	3,140	590
New Mexico	34,500	27,700	6,900	2,680	650	32,500	26,000	6,500	2,520	620
New York	227,200	197,500	29,700	2,060	290	222,100	192,300	29,800	2,000	290
North Carolina	156,100	126,500	29,600	2,620	580	153,600	124,100	29,500	2,550	580
North Dakota	8,300	6,500	1,800	1,730	500	9,300	7,300	2,000	1,900	550
Ohio	335,600	255,800	79,900	4,510	1,350	326,300	251,000	75,300	4,410	1,270
Oklahoma	67,600	55,900	11,700	2,920	600	69,600	57,700	11,900	2,990	610
Oregon	82,300	68,200	14,100	3,490	710	82,700	68,200	14,500	3,460	720
Pennsylvania	357,400	286,700	70,700	4,590	1,080	360,800	284,700	76,100	4,540	1,160
Rhode Island	24,600	20,900	3,700	4,090	680	25,100	21,300	3,800	4,160	700
South Carolina	73,500	62,700	10,800	2,680	440	71,900	61,000	10,800	2,580	430
South Dakota	14,800	11,900	2,900	2,790	690	14,500	11,600	2,800	2,690	660
Tennessee	121,700	97,600	24,200	3,070	720	119,900	95,900	24,000	2,990	710
Texas	712,000	574,200	137,800	4,330	1,020	699,300	564,200	135,100	4,180	990
Utah	25,300	20,500	4,800	1,390	330	25,700	20,600	5,100	1,380	350
Vermont	8,600	6,900	1,800	2,230	570	8,400	6,700	1,700	2,170	540
Virginia	114,500	95,900	18,600	2,350	440	115,300	95,900	19,400	2,330	460
Washington ^d	139,400	112,600	26,900	3,210	770	133,000	106,600	26,500	3,000	750
West Virginia ^d	20,500	16,000	4,500	1,750	480	19,600	15,500	4,100	1,700	440
Wisconsin	97,900	83,000	14,900	2,910	510	97,300	82,300	15,000	2,870	520
Wyoming	9,700	7,700	2,000	2,590	700	9,700	7,700	2,000	2,580	700

Note: Counts were rounded to the nearest 100, and rates were rounded to the nearest 10. Detail may not sum to total due to rounding and because offenders with multiple correctional statuses were excluded from totals. Counts include estimates for nonresponding jurisdictions. See *Methodology*.

^aRates were computed using estimates of the resident population of persons of all ages within jurisdiction, by sex. U.S. resident population estimates of persons age 18 or older were not available by sex. For this reason, jurisdiction-level rates in other tables of this report may not be comparable to the rates in this table.

^bExcludes, by jurisdiction, an estimated 154,100 males and 16,700 females in 2013 and 157,900 males and 18,200 females with multiple correctional statuses. See *Methodology*.

^cTotal correctional population includes local jail counts that are based on December 31 in order to produce jurisdiction-level estimates. For this reason, with the exception of appendix tables 1 and 3, the estimates in this table differ from other estimates in this report. See *Methodology*.

^dEstimates may not be comparable between years due to updated information or changes in reporting. See *Methodology*.

^eAfter 2001, responsibility for sentenced prisoners was transferred to the Federal Bureau of Prisons. Therefore, the 2005 and 2013 incarcerated populations represent inmates held in local jails.

^fEstimates include misdemeanor probation cases, not individuals, supervised by private companies and may overstate the number of offenders under supervision.

^gIncludes estimates of probationers supervised for a misdemeanor based on admissions and may overstate the number of offenders under supervision.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Deaths in Custody Reporting Program, Deaths in Custody Reporting Program—Annual Summary on Inmates under Jail Jurisdiction, and National Prisoner Statistics program, 2013–2014; and U.S. Census Bureau, unpublished U.S. resident population estimates within jurisdiction, by sex, for January 1 of the following year.

APPENDIX TABLE 3**Estimated number of persons supervised by U.S. adult correctional systems, by correctional status and jurisdiction, 1999, 2005, and 2013**

Jurisdiction	1999			2005			2013		
	Total correctional population	Community supervision population ^a	Incarcerated population ^b	Total correctional population	Community supervision population ^a	Incarcerated population ^b	Total correctional population	Community supervision population ^a	Incarcerated population ^b
U.S. total	6,349,000	4,485,300	1,910,400	7,055,600	4,946,600	2,200,400	6,907,800	4,753,400	2,222,900
Federal	239,100	103,800	135,200	304,500	117,900	186,600	347,000	131,900	215,100
State	6,109,900	4,381,500	1,775,100	6,751,100	4,828,700	2,013,800	6,560,800	4,621,500	2,007,800
Alabama ^c	80,500	46,800	34,700	84,800	46,200	40,800	115,500	70,800	45,900
Alaska ^c	9,000	5,000	4,000	11,500	6,700	4,900	14,600	9,500	5,100
Arizona	97,100	60,800	36,300	126,000	77,200	48,800	132,300	79,200	55,100
Arkansas	52,900	38,100	15,500	63,200	46,800	18,600	70,100	50,200	22,900
California	683,800	446,500	237,400	750,300	500,000	250,300	601,800	383,600	218,200
Colorado ^c	69,200	50,600	22,000	94,300	64,800	34,700	120,500	89,700	31,800
Connecticut	75,200	56,600	18,600	78,000	58,600	19,400	62,900	45,400	17,600
Delaware	28,600	21,600	7,000	26,000	19,100	6,900	23,700	16,700	7,000
District of Columbia ^{c,d}	27,500	17,200	10,300	14,800	12,700	3,600	13,700	12,600	2,400
Florida	418,700	298,800	120,700	431,900	282,600	153,300	389,200	237,800	154,300
Georgia ^{c,e}	397,500	329,700	71,200	531,600	445,700	88,800	623,500	536,200	90,900
Hawaii	22,900	18,000	4,900	24,400	18,900	6,100	28,900	23,300	5,600
Idaho ^{c,f}	45,000	37,700	7,200	56,200	46,200	10,000	46,200	35,200	10,900
Illinois ^c	226,300	164,800	61,500	242,700	177,700	65,000	222,700	153,400	69,300
Indiana	141,300	110,400	30,900	168,600	128,300	40,300	179,100	134,000	45,100
Iowa ^c	32,400	22,200	10,200	39,300	27,000	12,400	45,900	34,700	12,700
Kansas	36,600	23,700	12,900	35,600	19,700	16,000	37,100	20,500	16,600
Kentucky	46,300	23,900	22,500	72,900	44,800	30,700	97,500	65,900	32,000
Louisiana	101,800	57,000	44,800	108,700	62,400	51,800	115,300	70,700	49,700
Maine	10,400	7,600	2,800	11,100	8,200	3,600	10,500	6,700	3,900
Maryland ^c	119,200	96,300	33,900	115,400	89,900	35,000	74,900	46,300	32,700
Massachusetts ^c	72,300	50,600	21,700	192,100	168,900	23,100	90,700	70,000	21,000
Michigan ^c	247,800	186,500	62,000	265,500	198,600	67,600	253,500	195,200	60,100
Minnesota	118,600	107,800	10,800	136,700	121,000	15,600	123,500	107,800	15,700
Mississippi	36,800	13,800	23,800	53,300	25,800	27,500	67,600	38,600	29,000
Missouri	97,000	63,900	33,100	113,300	72,000	41,300	113,400	70,400	43,000
Montana ^c	10,400	6,500	3,900	14,100	9,100	5,100	14,800	9,500	6,000
Nebraska ^c	27,000	21,100	5,900	26,700	19,100	7,600	23,200	14,800	8,500
Nevada	29,900	15,700	14,200	33,600	16,900	18,700	37,200	17,600	19,600
New Hampshire	8,100	4,300	3,800	10,300	6,000	4,200	11,100	6,300	4,800
New Jersey	185,600	141,600	44,000	196,200	153,000	43,200	164,100	128,100	37,600
New Mexico ^c	23,500	13,200	10,200	36,500	21,600	15,000	34,500	18,700	15,800
New York ^c	346,500	241,600	104,900	260,500	172,600	92,300	227,200	151,400	80,500
North Carolina	150,800	109,500	44,300	168,300	114,700	53,500	156,100	100,600	55,400
North Dakota	4,400	2,900	1,500	6,500	4,200	2,300	8,300	5,500	2,800
Ohio	262,900	200,600	63,500	322,200	258,500	65,700	335,600	267,400	69,900
Oklahoma	57,200	29,500	28,100	65,400	32,900	32,600	67,600	..	37,800
Oregon	79,300	63,400	16,100	86,100	66,400	19,900	82,300	61,100	21,100
Pennsylvania ^c	265,400	202,300	63,500	313,300	243,200	76,800	357,400	275,800	87,300
Rhode Island	25,200	22,200	3,000	26,500	26,000	3,700	24,600	23,400	3,400
South Carolina ^c	79,200	48,900	30,300	77,500	42,500	35,000	73,500	40,900	32,600
South Dakota	8,400	4,800	3,600	12,500	7,800	4,800	14,800	9,500	5,300
Tennessee	83,400	47,400	36,400	99,300	58,000	43,500	121,700	77,900	47,400
Texas	756,600	556,400	214,000	733,800	532,200	225,000	712,000	508,000	222,000
Utah	20,000	12,800	8,500	23,100	13,400	11,900	25,300	14,500	12,600
Vermont	12,600	11,300	1,500	11,500	10,000	2,100	8,600	6,900	2,100
Virginia ^c	86,000	38,000	48,000	107,200	50,100	57,100	114,500	55,800	58,700

Continued on next page

APPENDIX TABLE 3 (continued)**Estimated number of persons supervised by U.S. adult correctional systems, by correctional status and jurisdiction, 1999, 2005, and 2013**

Jurisdiction	1999			2005			2013		
	Total correctional population	Community supervision population ^a	Incarcerated population ^b	Total correctional population	Community supervision population ^a	Incarcerated population ^b	Total correctional population	Community supervision population ^a	Incarcerated population ^b
Washington ^c	179,300	157,800	25,100	139,600	115,900	29,700	139,400	111,100	30,000
West Virginia ^c	12,400	7,000	5,400	16,000	8,900	8,100	20,500	11,000	9,700
Wisconsin	94,600	62,700	31,900	107,100	70,700	36,400	97,900	65,300	34,600
Wyoming ^c	7,000	4,300	2,700	9,000	5,400	3,600	9,700	6,000	3,800

Note: Estimates are rounded to the nearest 100 and may not be comparable to previously published BJS reports due to updated information or changes in methods. Detail may not sum to total due to rounding and because adjustments were made to exclude offenders with multiple correctional statuses. See table 6. Counts include estimates for nonresponding jurisdictions. All probation, parole, and prison counts are for December 31. The 1999 and 2005 jail counts are for the last weekday in June while the 2013 counts are for December 31. See *Methodology*.

^aNot known.

^bIncludes persons living in the community while supervised on probation or parole.

^cIncludes inmates under the jurisdiction of the state or federal prisons or held in local jails.

^dEstimates may not be comparable between years due to updated information or changes in reporting. See *Methodology*.

^eAfter 2001, responsibility for sentenced prisoners was transferred to the Federal Bureau of Prisons. Therefore, the 2005 and 2013 incarcerated populations represent inmates held in local jails.

^fThe 2005 and 2013 total correctional and community supervision population estimates include misdemeanor probation cases, not individuals, supervised by private companies and may overstate the number of offenders under supervision.

^gIncludes estimates of probationers supervised for a misdemeanor based on admissions and may overstate the number of offenders under supervision.

Sources: Bureau of Justice Statistics, Annual Probation Survey, Annual Parole Survey, Census of Jail Inmates, Deaths in Custody Reporting Program—Annual Summary on Inmates under Jail Jurisdiction, and National Prisoner Statistics program, 1999, 2005, and 2013.

APPENDIX TABLE 4**Number of inmates incarcerated by other adult correctional systems, 2000, 2005, and 2013–2014**

Other adult correctional systems	Number of inmates				Average annual percent change, 2000–2013	Percent change, 2013–2014
	2000	2005	2013	2014		
Total	20,400	19,800	17,600	17,800	-1.1%	1.1%
Territorial prisons ^a	16,200	15,800	13,900	14,000	-1.1	0.9
Military facilities ^b	2,400	2,300	1,400	1,400	-4.1	-0.8
Jails in Indian country ^c	1,800	1,700	2,300	2,400	1.9	4.1

Note: Estimates were rounded to the nearest 100. Total excludes inmates held in local jails, under the jurisdiction of state or federal prisons, in U.S. Immigration and Customs Enforcement facilities, or in juvenile facilities.

^aPopulation counts are for December 31. The 2013–2014 totals include population counts that were estimated for some territories due to nonresponse. See *Prisoners in 2014* (NCJ 248955, BJS web, September 2015).

^bPopulation counts are for December 31. See *Prisoners in 2014* (NCJ 248955, BJS web, September 2015).

^cPopulation counts are for the last weekday in June. The 2005 population was estimated as the 2004 population because the Survey of Jails in Indian Country was not conducted in 2005 or 2006. See *Jails in Indian Country, 2014* (NCJ 248974, BJS web, October 2015).

Sources: Bureau of Justice Statistics, National Prisoner Statistics program and Survey of Jails in Indian Country, 2000, 2005, and 2013–2014.

APPENDIX TABLE 5**Inmates held in custody in state or federal prisons or local jails, 2000 and 2013–2014**

Inmates in custody	Number of inmates			Average annual percent change, 2000–2013	Percent change, 2013–2014
	2000	2013	2014		
Total	1,938,500	2,211,400	2,217,900	1.0%	0.3%
Federal prisoners ^a	140,100	215,000	209,600	3.3%	-2.5%
Prisons	133,900	205,700	200,100	3.3	-2.7
Federal facilities	124,500	173,800	169,500	2.6	-2.5
Privately operated facilities	9,400	31,900	30,500	9.4	-4.4
Community corrections centers ^b	6,100	9,300	9,500	3.2	2.2
State prisoners	1,177,200	1,265,200	1,263,800	0.6%	-0.1%
State facilities ^c	1,101,200	1,173,000	1,172,600	0.5	0.0
Privately operated facilities	76,100	92,200	91,200	1.5	-1.1
Local jails	621,100	731,200	744,600	1.3%	1.8%
Incarceration rate ^d	690	700	690	0.1%	-1.4%
Adult incarceration rate ^e	920	910	900	-0.1	-1.1

Note: Estimates may not be comparable to previously published BJS reports due to updated information. Counts were rounded to the nearest 100 and include estimates for nonresponding jurisdictions. See *Methodology*. Rates were rounded to the nearest 10. Detail may not sum to total due to rounding. Prison counts are for December 31; jail counts are for the last weekday in June. Total includes all inmates held in local jails, state or federal prisons, or privately operated facilities. It does not include inmates held in U.S. territories (appendix table 4), military facilities (appendix table 4), U.S. Immigration and Customs Enforcement facilities, in jails in Indian country (appendix table 4), or juvenile facilities. See *Methodology* for sources of incarceration data and *Terms and definitions* for an explanation of the differences between the custody prison population reported in this table and the jurisdiction prison population reported in all other tables and figures.

^aAfter 2001, responsibility for sentenced prisoners from the District of Columbia was transferred to the Federal Bureau of Prisons.

^bNonsecure, privately operated community corrections centers.

^cExcludes prisoners held in local jails in Georgia for 2013 and 2014 to avoid double counting.

^dThe total number in the custody of local jails, state or federal prisons, or privately operated facilities per 100,000 U.S. residents of all ages.

^eThe total number in custody per 100,000 U.S. residents age 18 or older.

Sources: Bureau of Justice Statistics, Annual Survey of Jails, and National Prisoner Statistics program, 2000 and 2013–2014; and U.S. Census Bureau, postcensal estimated resident populations for January 1 of the following year, 2001, 2014, and 2015.

APPENDIX TABLE 6
Estimated standard errors for local jail inmates, 2000 and 2005–2014

Year	Total	Standard error
2000	621,100	2,500
2005	747,500	~
2006	765,800	3,550
2007	780,200	3,720
2008	785,500	4,020
2009	767,400	4,230
2010	748,700	5,430
2011	735,600	6,010
2012	744,500	7,680
2013	731,200	8,040
2014	744,600	8,380

Note: Population estimates were rounded to the nearest 100. Standard errors were rounded to the nearest 10.

~Not applicable. Data represent a complete enumeration based on the 2005 Census of Jail Inmates.

Sources: Bureau of Justice Statistics, Annual Survey of Jails, Census of Jail Inmates, 2000 and 2005–2014.



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 and valid 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. William J. Sabol is director.

This report was written by Danielle Kaeble, Lauren Glaze, Anastasios Tsoutis, and Todd Minton. Lauren Glaze, E. Ann Carson, and Todd Minton verified the report.

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New Orleans: Who’s in Jail and Why?

Introduction

Everyone in New Orleans deserves to be safe. We rely on our criminal justice agencies—the police, the courts, and the jail—to ensure public safety, so we should ask ourselves regularly: how well is our system working? By looking at who we hold in our jail and why, we can begin to understand the role of detention in keeping our community safe and inform what our jail needs are, both now and going forward.

Until recently, New Orleans led the nation in jail incarceration: before Katrina, we jailed people at a rate five times the national average.¹ The consequences were dramatic for the tens of thousands of people booked into the jail each year who lost their jobs, homes, and even custody of their children. Instead of making us the safest city in America, this over-use of detention destabilized communities.

How are we using detention today? Generally, people are held in jail for any number of reasons. Therefore, unfortunately, there is no simple answer to the question of “who is in our jail?” This report aims to advance an important

public conversation about how we are using our jail and how it impacts safety in our city.

We have more than enough beds

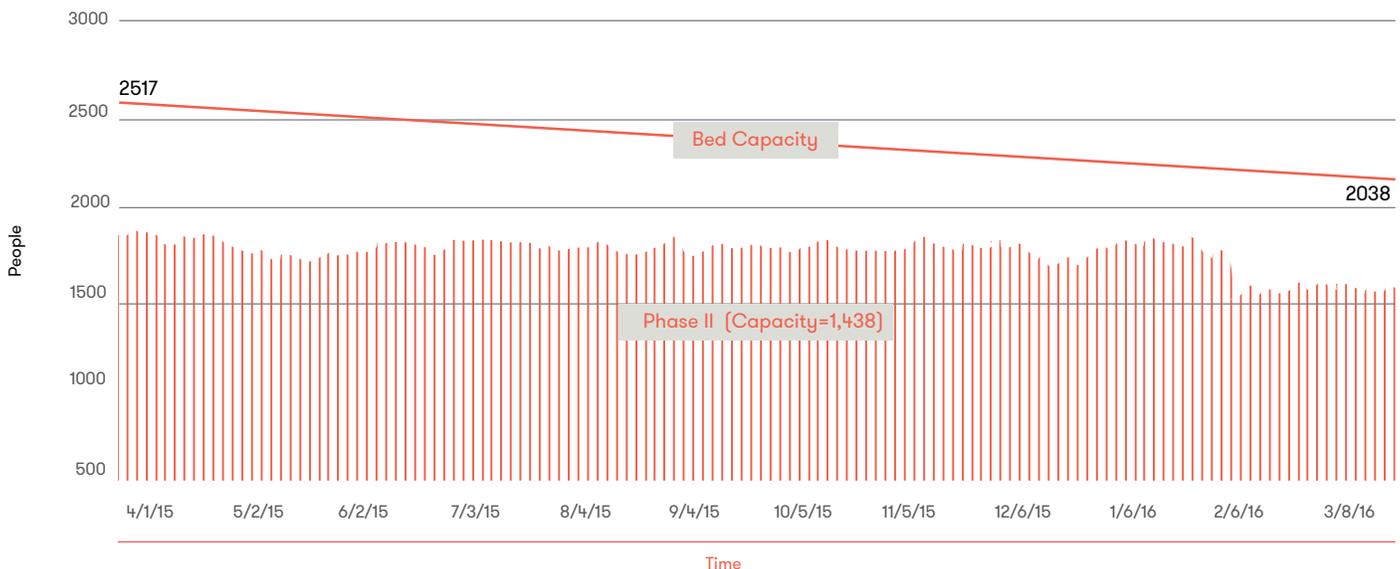
Between April 2015 and March 2016, the jail population decreased by 15 percent, from 1,876 to 1,591 people (see figure 1).²

In fact, the population at Orleans Parish Prison (OPP) has been consistently decreasing since 2009.³ Over the same period, local crime rates decreased, demonstrating that the jail population can be reduced safely.⁴ The number of people in the jail decreased by 54 percent between 2009 and 2016, from 3,473 to 1,591 people.⁵

Over the last year, the total number of available jail beds has decreased, after the sheriff opened the new jail building and closed the temporary buildings used after Katrina. With 2,038 beds available and an average daily population of fewer than 1,600 people, the number of jail beds exceeds our current detention needs.⁶

Figure 1
Jail population and bed capacity

April 1, 2015 – March 31, 2016



Note: Capacity=1,438

Most people in OPP have not been tried or convicted

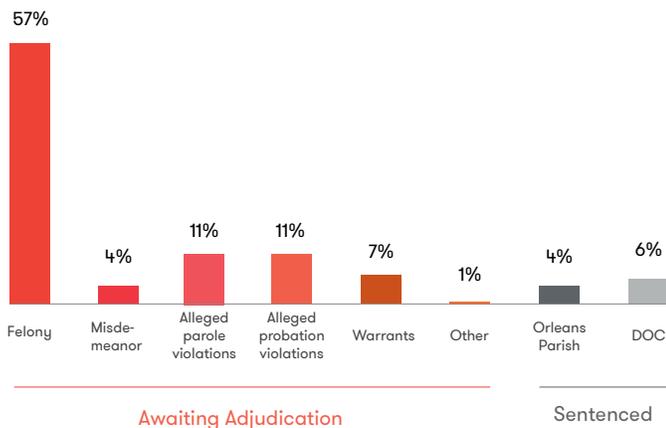
The vast majority (90 percent) of people in the jail on March 2, 2016 were not serving a sentence but waiting for their day in court. People convicted of a crime and serving a sentence at OPP were only 10 percent of the population (see Figure 2).⁷ The distinction between people waiting for trial and people serving a sentence matters, because someone accused of a crime is innocent until proven guilty. An arrest does not prove that someone committed a crime, which is why we need tools in addition to the charge used at the time of arrest to decide who should be released pending trial.

People charged with a felony represented 57 percent of people in the jail on that day and those charged with a misdemeanor represented fewer than 4 percent. It is often implied that a felony charge means a person committed a serious crime and is dangerous, but under Louisiana law simple drug possession is considered a felony. The fact that someone is accused of a felony does not necessarily indicate the seriousness of their behavior.

Figure 2

OPP population by reason for detention

Population= 1,591 (as of March 2, 2016)



The purpose of a jail

Jails are designed to hold people who have been arrested and cannot safely wait for their day in court at home, in their community. Unlike prisons, jails are designed to house people short-term.⁸ The City of New Orleans pays for the operation of the jail with taxpayers' dollars; it is a core civic responsibility to ensure that we detain people only when necessary:

> **Appropriate detention.** Detention for a person accused of a crime is only appropriate if he or she is likely to break the law in the future or to miss court dates. Before trial, release should be the norm and detention the limited exception.

> **Measuring risk.** The City of New Orleans, through New Orleans Pretrial Services, uses a research-based tool to measure the risk felony arrestees pose of being re-arrested or failing to appear in court. Research has identified several factors that predict these risks, such as a person's criminal conviction history, past missed court dates, or lack of community ties. However, research found that the charge used at the time of arrest is not an accurate predictor of risk.⁹

People who pose little risk are jailed in OPP

New Orleans is one of many jurisdictions around the country that relies on a research-based risk assessment tool to measure the risk arrestees pose of failing to appear for future court dates or of being arrested for a new offense. Full reliance on risk assessment would lead to people found to present a higher risk being held in jail, with the detention of low-risk defendants being the exception rather than the rule.

Out of the 451 people in jail who were assessed for risk and given a risk score, 216—or 48 percent—were found to present a low or low-moderate risk (see Figure 3).¹⁰ Those 216 people represented 14 percent of the entire jail population.

One-hundred and eighteen of them were held on a \$25,000 bail or less, an unaffordable sum to many: New Orleans's poverty rate is almost twice the national average.¹¹ Eighty-five percent of people who go through the criminal justice system are too poor to hire a lawyer.¹²

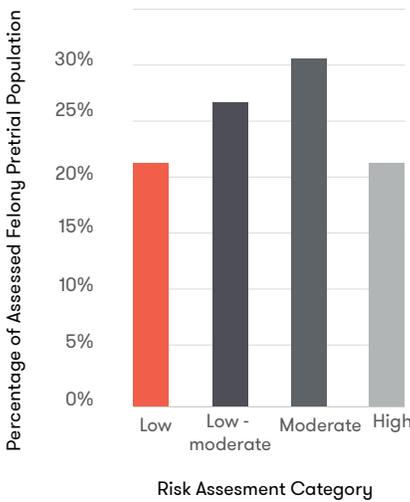
If more low and low-moderate risk arrestees were released on their own recognizance—that is, without having to

pay a bond—the jail population could be safely reduced. Holding low-risk arrestees in jail is not only unnecessary, it is counterproductive. Timely release is essential because even a few days in jail for low-risk arrestees increases their chances of being arrested for a new offense while on pretrial release.¹³

With proper use of a risk assessment tool to determine pretrial release, there is ample room to safely reduce our use of detention.

Figure 3
Assessed felony pretrial population in OPP by risk category

Population= 451 (as of March 2, 2016)



Needless jail stays

Most people who spend time in OPP are released from the jail to their families and communities. Among people released to the community between January and March 2016, the people who occupied the greatest number of beds were eventually released either because the prosecutor declined to prosecute their cases, or because they received a probation or time-served sentence (see Figure 4). This group of 646 people was held for a total of 30,508 days in jail in just three months, or 47 days per person, on average.

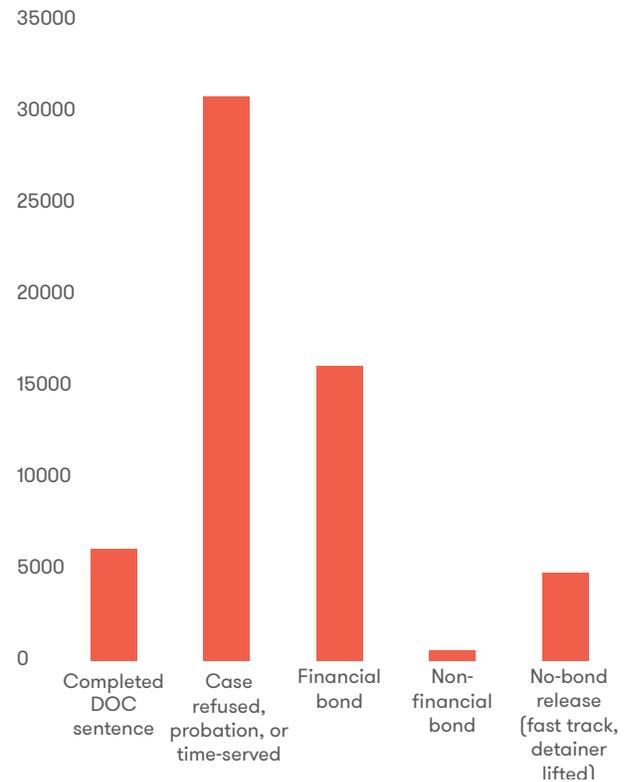
The second largest group was people who eventually paid their bond to the court or a bail bondsman. Although released before going to trial, the 1,765 people in this group first spent nine days in jail on average. This delay explains

why this group was held for a total of 15,885 days in just three months.

If people who pose little risk were released pretrial without the delays associated with financial bonds, thousands of days in jail could be safely avoided.

Figure 4
Number of bed days by reason for release

Releases to the Community, January - March 2016



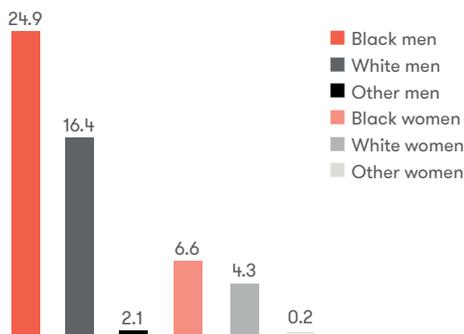
Incarceration in OPP does not affect all communities equally

Jail often destabilizes people's lives, and can negatively affect their families and communities. Yet, detention does not affect all people equally. The first quarter data indicates that the likelihood of being arrested changes depending on one's race and gender (see Figure 5). Black men were 50 percent more likely than white men to be arrested. Black women were 55 percent more likely than white women to be arrested.

Figure 5

Arrest rate per 1,000 residents by race and gender

Arrests, January – March 2016

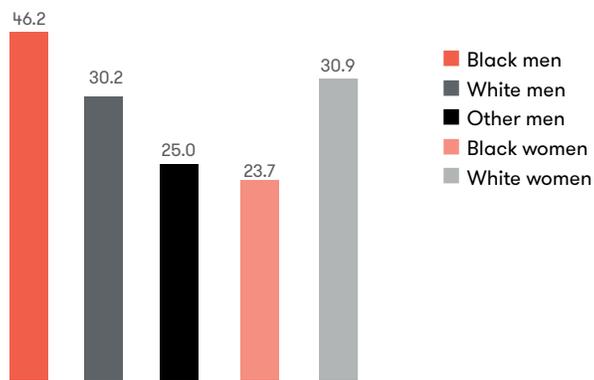


Differences across race and gender also emerge when looking at how long people were held in jail after arrest in the first quarter of 2016 (see Figure 6). Black men were 53 percent more likely than white men to stay in jail more than three days. Overall, black men tended to be held in jail longer, representing 38 percent of people arrested and released within one day but 86 percent of people held in OPP for over a year (see Figure 7).

Figure 6

Rate of detention beyond three days per 100 arrests by race and gender

Arrests, January – March 2016



Note: The rate of detention beyond three days per 100 arrests for women who are neither white nor black is 0.

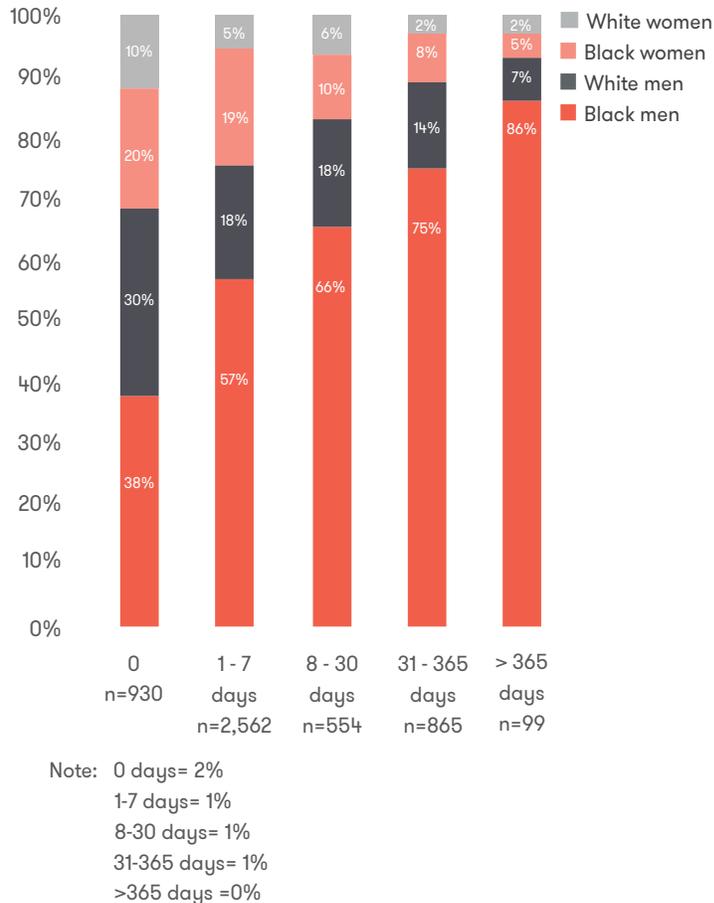
Black women, on the other hand, were 24 percent less likely than white women to stay in jail for more than three days in the first quarter (see Figure 6). Overall, black women represented 20 percent of people arrested and released

within one day but they represented 5 percent of people held in jail for more than a year (see Figure 7). This suggests that disparities are not the same for black women and black men. Black women seem to be disparately impacted primarily at the arrest level whereas black men are disparately impacted at both the arrest level and in lengths of stay.

Figure 7

Length of stay by detainees' race and sex

January Releases; Population= 1,591 (as of March 2016)

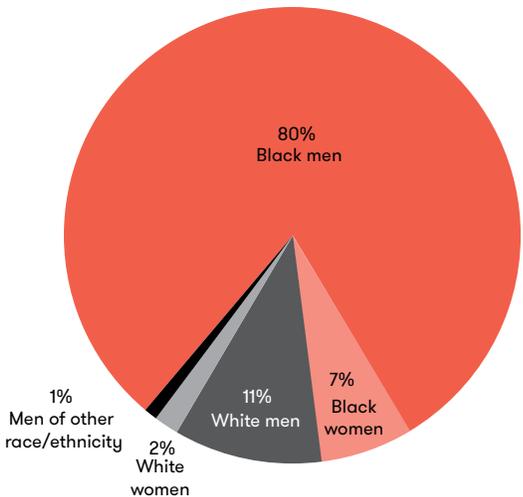
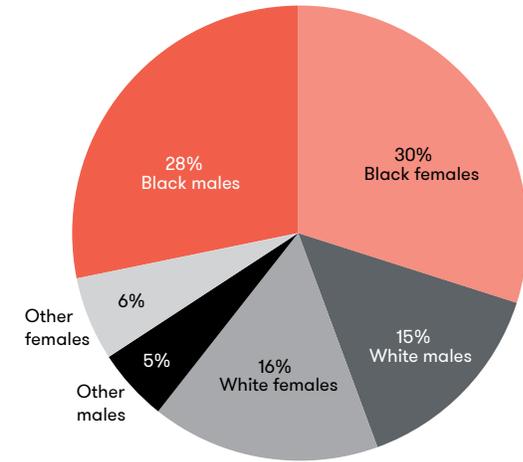


As a result of these high arrest and detention rates, black people are overrepresented in OPP (see Figure 8). Although black males represent 28 percent of the entire New Orleans population, black men made up 80 percent of people in OPP on March 2, 2016. What is evident in this data is that the current use of detention disproportionately harms black people in New Orleans. Coupled with evidence that detention is used unnecessarily for low and low-moderate risk arrestees, it is essential to coordinate strategies to eliminate racial disparities and safely reduce the jail population.

Figure 8

New Orleans population and OPP population by race and gender

New Orleans Population: U.S. Census, 2014; OPP Population: 1,591 (March 2, 2016).



Conclusion

Although New Orleans is no longer the national leader in incarceration, there is still much room for improvement in how we use our jail. One in seven people held in OPP were assessed as low or low-moderate risk. In the first quarter of 2016, dozens of people who were eventually released on probation or had their cases refused spent weeks in jail at great cost to them, their families, their community, and taxpayers. For those fortunate enough to make bond, it took an average of nine days to gather the funds needed to secure release. Black people were disproportionately affected by these unnecessary jail stays, as they were over-represented among those booked in jail and detained for lengthy periods of time.

Because of this opportunity for further jail population reduction and with more beds than we have inmates, we do not need additional jail beds. Multiple efforts are ongoing in New Orleans to reduce the use of jail safely and sustainably and to tackle racial disparities. Through these efforts, experts have projected that the jail population not only can but will be reduced in the coming months and years.¹⁴

For more details about the jail population in New Orleans and technical notes that supplement this report, visit www.vera.org/publications/new-orleans-jail-population-quarterly-report.

Endnotes

- 1 For 2005 jail population numbers, see William J. Sabol and Todd D. Minton, "Jail Inmates at Midyear 2007," Bureau of Justice Statistics Bulletin (Washington, DC: Office of Justice Programs, 2008), <https://perma.cc/S5YY-A2D8>. For residency population data, see U.S. Census Bureau, Population Estimates Program, "Annual Estimates of the Resident Population for Counties: April 1, 2000 to July 1, 2009," 2010.
- 2 Comparing monthly averages for April 2015 and March 2016, Orleans Parish Sheriff's Office, "Daily Inmate Count, 2015-2016."
- 3 "Orleans Parish Prison" is the historic term used to describe the New Orleans jail complex (including the various buildings used to house inmates).
- 4 Based on FBI Uniform Crime Reports. See Calvin Johnson, Mathilde Laisne, and Jon Wool, *Justice in Katrina's Wake: Changing Course on Incarceration in New Orleans* (New York: Vera Institute of Justice, 2015), p. 4.
- 5 Comparing June 30, 2009 data to March 2, 2016 data from Bureau of Justice Statistics, "Annual Survey of Jails," 2009; Orleans Parish Sheriff's Office, "Daily Inmate Count," 2016. This report captures every person in the custody of the Orleans Parish Sheriff's Office, regardless of where they are physically housed.
- 6 Includes beds in the "Phase II" building, the Temporary Detention Center, and the McDaniels Center. Note that the McDaniels Center is not a secure facility and is not able to accommodate all types of inmates.
- 7 Although people serving a Department of Corrections sentence previously represented close to a third of our jail, technically in state custody but housed at OPP, they now represent fewer than 6 percent of people in OPP (31 percent on average in 2011); see Orleans Parish Sheriff's Office, "Daily Inmate Count," 2011.
- 8 Ram Subramanian, Ruth Delaney, and Stephen Roberts, et al., *Incarceration's Front Door: The Misuse of Jails in America* (New York: Vera Institute of Justice, 2015).
- 9 Cynthia Mamalian, *State of the Science of Pretrial Risk Assessment* (Gaithersburg, MD: Pretrial Justice Institute), 2011, <https://perma.cc/L2LB-F7HM>.
- 10 New Orleans Pretrial Services only assesses people arrested on a felony. On March 2, 2016, there were 772 people in jail who had been assessed for risk (out of 1,591 inmates total). This analysis focuses on the 451 people who had a risk score and excludes people who were assessed for risk but not scored due to the nature of their charge (321 people from the March 2, 2016 snapshot).
- 11 Allison Plyer, Nihal Shrinath, and Vicki Mack, *The New Orleans Index at Ten: Measuring Greater New Orleans' Progress toward Prosperity* (New Orleans: The Data Center, 2015), p. 41. In 2013, the poverty rate in New Orleans was 27 percent compared to 16 percent for the national average.
- 12 Orleans Public Defenders, "Gideon is Rising," September 10, 2014, <http://www.opdla.org/news-and-events/media-coverage/241-gideon-is-rising>.
- 13 "When held 2-3 days, low-risk defendants are almost 40 percent more likely to commit new crimes before trial than equivalent defendants held no more than 24 hours;" see Christopher Lowenkamp, Marie VanNostrand, and Alexander M. Holsinger, *The Hidden Costs of Pretrial Detention* (Houston: The Laura and John Arnold Foundation, 2013), <https://perma.cc/JNA8-UXSJ>.
- 14 For jail population projections, see James Austin, *Analysis of Current Orleans Population Trends and Bed Capacity Options* (Washington DC: The JFA Institute, 2016).

For more information

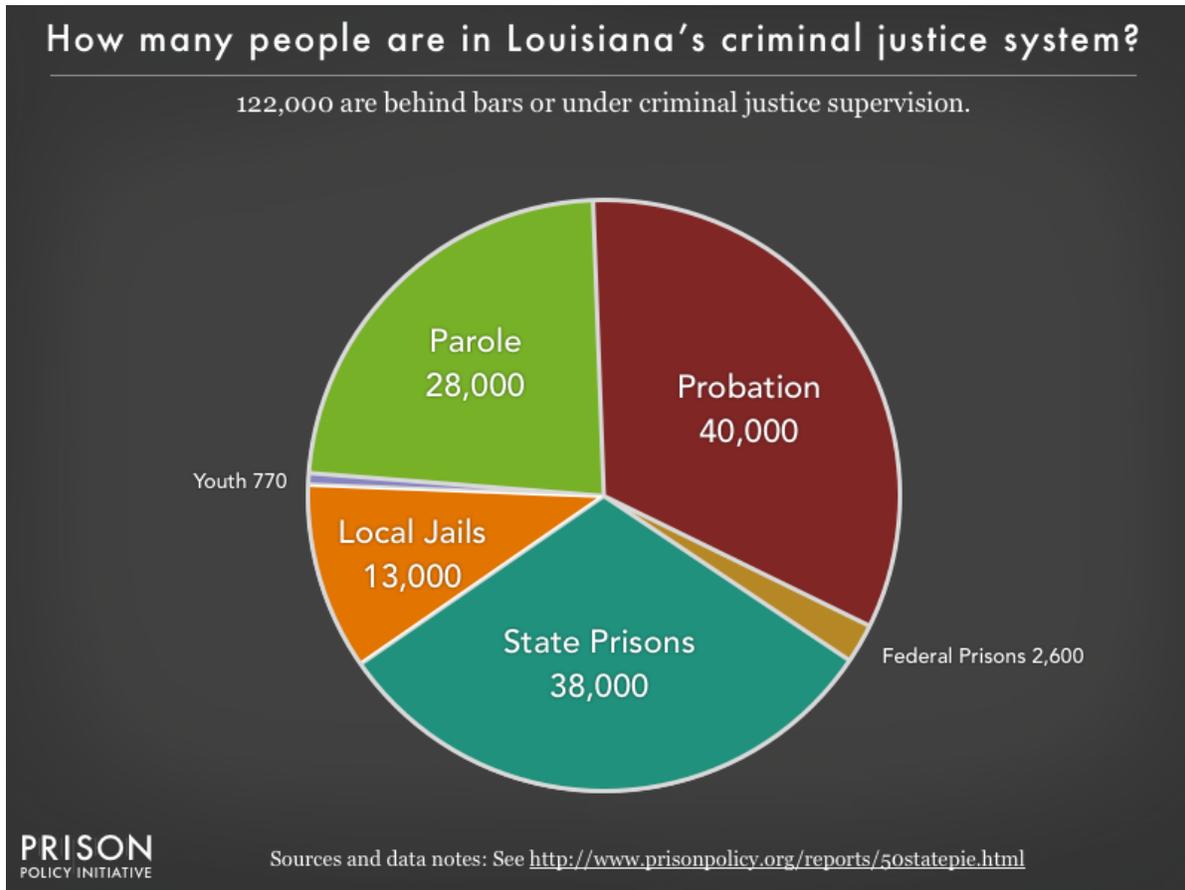
The Vera Institute of Justice is a justice reform change agent. Vera produces ideas, analysis, and research that inspire change in the systems people rely upon for safety and justice, and works in close partnership with government and civic leaders to implement it. Vera is currently pursuing core priorities of ending the misuse of jails, transforming conditions of confinement, and ensuring that justice systems more effectively serve America's increasingly diverse communities.

In 2006, Vera came to New Orleans at the request of the city council which saw an opportunity for the city to reduce unnecessary detention and thus change its approach to fostering public safety. As a city in recovery, New Orleans could not fiscally or morally afford its pre-Katrina level of jail incarceration.

For almost 10 years, Vera New Orleans has served as a nexus of initiatives that advance forward-thinking criminal justice policies. Vera works with its partners to build a local justice system that embodies equality,

fairness, and effectiveness in the administration of justice. Using a collaborative data-driven approach, Vera New Orleans provides the high-quality analysis and long-range planning capacity needed for the city to articulate and implement good government practices.

For more information about this or other publications from Vera's New Orleans Office, contact Corinna Yazbek at cyazbek@vera.org.



(Graph: Peter Wagner and Bernadette Rabuy, May 2016)

This graph is a part of [Correctional Control: Incarceration and supervision by state.](#)

Perma.cc record

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National Survey on Drug Use and Health, 2013 (ICPSR 35509)

Alternate Title: NSDUH 2013

Principal Investigator(s): United States Department of Health and Human Services. Substance Abuse and Mental Health Services Administration. Center for Behavioral Health Statistics and Quality

Summary:

The National Survey on Drug Use and Health (NSDUH) series (formerly titled National Household Survey on Drug Abuse) primarily measures the prevalence and correlates of drug use in the United States. The surveys are designed to provide quarterly, as well as annual, estimates. Information is provided on the use of illicit drugs, alcohol, and tobacco among members of United States households aged 12 and older. Questions included age at first use as well as lifetime, annual, and past-month usage for the following drug classes: marijuana, cocaine (a... (more info)

Series: National Survey on Drug Use and Health (NSDUH) Series (/warc/7DYS-A4N5/<http://www.icpsr.umich.edu/icpsrweb/NAHDAP/series/00064>)

Access Notes

- These data are available to the general public.

Dataset(s)

WARNING: This study is over 150MB in size and may take several minutes to download on a typical internet connection.

National Survey on Drug Use and Health, 2013 - Download All Files (<https://perma-archives.org/warc/7DYS-A4N5/http://www.icpsr.umich.edu/cgi-bin/bob/terms2?study=35509&ds=1&bundle=&path=NAHDAP>) (2,145.7 MB) **large dataset**

Documentation:

Codebook.pdf (https://perma-archives.org/warc/7DYS-A4N5/http://www.icpsr.umich.edu/cgi-bin/file?comp=none&study=35509&ds=1&file_id=1198616&path=NAHDAP)

Questionnaire.pdf (screener) (https://perma-archives.org/warc/7DYS-A4N5/http://www.icpsr.umich.edu/cgi-bin/file?comp=none&study=35509&ds=1&file_id=1198617&path=NAHDAP)

Questionnaire.pdf (showcards) (https://perma-archives.org/warc/7DYS-A4N5/http://www.icpsr.umich.edu/cgi-bin/file?comp=none&study=35509&ds=1&file_id=1198618&path=NAHDAP)

Questionnaire.pdf (specs) (https://perma-archives.org/warc/7DYS-A4N5/http://www.icpsr.umich.edu/cgi-bin/file?comp=none&study=35509&ds=1&file_id=1198619&path=NAHDAP)

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DEATH ROW U.S.A.

Summer 2016

A quarterly report by
the Criminal Justice Project
of the NAACP Legal Defense and Educational Fund, Inc.

Deborah Fins, Esq.
Consultant to the Criminal Justice Project
NAACP Legal Defense and Educational Fund, Inc.

Death Row U.S.A. Summer 2016 (As of July 1, 2016)

TOTAL NUMBER OF DEATH ROW INMATES KNOWN TO LDF:

2,905

Race of Defendant:

White	1,230	(42.34%)
Black	1,214	(41.79%)
Latino/Latina	380	(13.08%)
Native American	27	(0.93%)
Asian	53	(1.82%)
Unknown at this issue	1	(0.03%)

Gender:

Male	2,850	(98.11%)
Female	55	(1.89%)

JURISDICTIONS WITH CURRENT DEATH PENALTY STATUTES: 34

Alabama, Arizona, Arkansas, California, Colorado, Delaware, Florida, Georgia, Idaho, Indiana, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, Washington, Wyoming, U.S. Government, U.S. Military.

JURISDICTIONS WITHOUT DEATH PENALTY STATUTES: 19

Alaska, Connecticut, District of Columbia, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico [see note below], New York, North Dakota, Rhode Island, Vermont, West Virginia, Wisconsin.

[NOTE: New Mexico repealed the death penalty prospectively. The men already sentenced remain under sentence of death.]

In the United States Supreme Court

Update to Spring 2016 Issue of Significant Criminal, Habeas, & Other Pending Cases
for Cases to Be Decided in October Term 2015 or 2016

1. CASES RAISING CONSTITUTIONAL QUESTIONS

Fourth Amendment

Bernard v. Minnesota, No. 14-1470 (Criminalization of refusal to take blood alcohol test) (decision below 859 N.W.2d 762 (Minn. 2015)) Consolidated with

Beylund v. Levi, No. 14-1507 (decision below 859 N.W.2d 403 (ND 2015))

Birchfield v. North Dakota, No. 14-1468 (decision below 858 N.W.2d 302 (ND 2015))

Question Presented: In the absence of a warrant, may a State make it a crime for a person to refuse to take a chemical test to detect the presence of alcohol in the person's blood?

Decision: A warrantless breath test for alcohol incident to a drunk driving arrest is constitutional. A warrantless blood test is not. A person cannot be prosecuted for refusing to consent to a warrantless blood alcohol test.

Utah v. Strieff, No. 14-1373 (Arrest pursuant to outstanding warrant uncovered during unlawful investigatory stop) (decision below 2015 WL 223953 (1/16/15))

Question Presented: Should evidence seized incident to a lawful arrest on an outstanding warrant be suppressed because the warrant was discovered during an investigatory stop later found to be unlawful?

Decision: No. Under “the attenuation doctrine,” evidence is admissible when there is an “intervening circumstance” between unconstitutional police conduct and the discovery of the evidence. Here, after an unconstitutional investigatory stop the police discovered an outstanding arrest warrant and then searched the defendant. The police conduct was not flagrantly illegal, which weighed against suppression of the evidence.

Fifth Amendment

Bravo-Fernandez v. United States, No. 15-537 (Double jeopardy acquittal and inconsistent verdicts) (decision below 790 F.3d 41 (1st Cir. 2015))

Question Presented: (1) Under *Ashe v. Swenson*, 397 U.S. 436 (1970) and *Yeager v. United States*, 557 U.S. 110 (2009), can a vacated, unconstitutional conviction cancel out the preclusive effect of an acquittal under the collateral estoppel prong of the Double Jeopardy Clause?

McDonnell v. United States, No. 15-474 (Interpretation and constitutionality of Hobbs Act) (decision below 792 F.3d 478 (4th Cir. 2015))

Question Presented: (1) Is "official action" under the Hobbs Act limited to exercising actual governmental power, threatening to exercise such power, or pressuring others to exercise such power, and must the jury be so instructed; or, if not so limited, are the Hobbs Act and honest-services fraud statute unconstitutional?

Decision: (1) An “official act” is more than “setting up a meeting, calling another public official, or hosting an event.” By narrowing the possible definition of “question” and “matter” under the statute, the Court finds the statute not unconstitutional. But since the jury was instructed under a broader definition of “official act,” the conviction must be reversed.

Puerto Rico v. Sanchez Valle, No. 15-108 (Dual sovereignty Puerto Rico/US and double jeopardy) (decision below 2015 WL 1317010 (Sup. Ct. PR March 20, 2015))

Question Presented: Are the Commonwealth of Puerto Rico and the Federal Government separate sovereigns for purposes of the Double Jeopardy Clause of the United States Constitution?

Decision: No. The question of whether a government is a separate sovereign for double jeopardy purposes depends on the source of the government's prosecutorial power. Although the US Congress granted self-rule to the Commonwealth, the source of its prosecutorial power is still the US Congress.

Welch v. United States, No. 15-6418 (Convictions qualifying for sentence enhancement) (decision below 14-15733 order (11th Cir. June 9, 2015))

Question Presented: (2) Did *Johnson v. United States*, 135 S. Ct. 2551 (2015), announce a new substantive rule of constitutional law that applies retroactively to cases that are on collateral review? (See also question under *Cases Raising Other Important Federal Questions* below)

Decision: Yes. *Johnson* -- which held part of the federal law enhancing sentences for felons in possession of a gun unconstitutionally vague -- is retroactive. It is a substantive rule which changes the conduct or person subject to a criminal law.

Sixth Amendment

Betterman v. Montana, No. 14-1457 (Speedy Trial requirements for sentencing phase) (decision below 342 P.3d 971 (Mont. 2015))

Question Presented: Does the 6th Amendment's Speedy Trial Clause apply to the sentencing phase of a criminal prosecution, protecting a criminal defendant from inordinate delay in final disposition of his case?

Decision: No. The 6th Amendment's speedy trial guarantee attaches when a defendant is arrested or formally charged, and ends once the defendant has been found guilty at trial or has pleaded guilty to criminal charges. After conviction, rules, statutes and due process offer a defendant the only recourse against inordinate delay.

Pena-Rodriguez v. Colorado, No. 15-606 (Impeaching jury to prove racial discrimination) (decision below 350 P.3d 287 (Colo. 2015))

Question Presented: May a no-impeachment rule constitutionally bar evidence of racial bias offered to prove a violation of the Sixth Amendment right to an impartial jury?

Eighth Amendment

Moore v. Texas, No. 15-797 (Standard for determination of intellectual disability in death penalty cases) (decision below 470 S.W.3d 481 (Tex. Ct. Crim. App. 2015))

Question Presented: Does it violate the 8th Amendment and this Court's decisions in *Hall v. Florida*, 134 S. Ct. 1986 (2014) and *Atkins v. Virginia*, 536 U.S. 304 (2002) to prohibit the use of current medical standards on intellectual disability, and require the use of outdated medical standards, in determining whether an individual may be executed?

Williams v. Pennsylvania, No. 15-5040 (Former prosecuting attorney as judge on case he prosecuted) (decision below 105 A.3d 1234 (Pa. 2015))

Question Presented: Are the 8th and 14th Amendments violated by the participation of a potentially biased jurist on a multimember tribunal deciding a capital case, regardless of whether his vote is ultimately decisive?

Decision: (See cases under *Fourteenth Amendment*, below)

Fourteenth Amendment

Foster v. Chatman, No. 14-8349 (*Batson* standard) (decision below Sup. Ct. Ga. Case No. S14e0771 (Nov. 3, 2014))

Question Presented: Did the Georgia courts err in failing to recognize race discrimination under *Batson* in the extraordinary circumstances of this death penalty case?

Decision: Yes. The Georgia courts' denial of relief was clearly erroneous. Foster established a *Batson* violation as to 2 of the black jurors excluded. The record refuted the prosecutor's explanations for striking the jurors. The explanations were either patently not true, or facially reasonable explanations for the strike were equally applicable to white jurors who were not struck. The prosecution's "shifting explanations, misrepresentations of the record, and persistent focus on race" leads to the conclusion that discriminatory intent was a substantial motivating factor for the strikes.

Lynch v. Arizona, No. 15–8366 (Right to inform jury of LWOP alternative to death sentence where future dangerousness at issue) (decision below 357 P. 3d 119 (Ariz. 2015))

Question Presented: Did the Arizona Supreme Court commit federal constitutional error when it determined that Lynch was not entitled to an instruction pursuant to *Simmons v. South Carolina*, 512 U.S. 154 (1994)?

Decision: Yes. In a *per curiam* opinion the Court held that, as in *Simmons*, where the state inserts the issue of future dangerousness into the life or death decision in a capital case and the alternative to death is life in prison without parole, the defendant has the right under Due Process to insist that the jury be so informed.

Williams v. Pennsylvania, No. 15-5040 (Former prosecuting attorney as judge on case he prosecuted) (decision below 105 A.3d 1234 (Pa. 2015))

Question Presented: Are the 8th and 14th Amendments violated by the participation of a potentially biased jurist on a multimember tribunal deciding a capital case, regardless of whether his vote is ultimately decisive? (See cases under *Eighth Amendment*, above)

Decision: It is a violation of the Due Process Clause of the 14th Amendment for a prosecutor to later serve as a judge in a case in which he had significant personal involvement as a prosecutor and had been involved in a critical decision in the case, such as the decision to seek the death penalty. There is "an impermissible risk of actual bias" in such circumstances. The error is structural, meaning it is not subject to harmless error review even if the judge did not cast a deciding vote in the appeal.

2. CASES RAISING HABEAS CORPUS QUESTIONS

Buck v. Davis, No. 15-8049 (COA standard) (decision below 623 Fed. Appx 668 (5th Cir. 2015))

Question Presented: Did the 5th Circuit impose an improper and unduly burdensome Certificate of Appealability (COA) standard that contravenes this Court's precedent and deepens two circuit splits when it denied Mr. Buck a COA on his motion to reopen the judgment and

obtain merits review of his claim that his trial counsel was constitutionally ineffective for knowingly presenting an "expert" who testified that Mr. Buck was more likely to be dangerous in the future because he is Black, where future dangerousness was both a prerequisite for a death sentence and the central issue at sentencing?

Johnson v. Lee, No. 15–789 (Default, independent and adequate state procedural rule) (decision below *Lee v. Jacquez*, 788 F. 3d 1124 (2015))

Questions presented: (1) For federal habeas purposes, is California’s procedural rule generally barring review of claims that were available but not raised on direct appeal an “adequate” state-law ground for rejection of a claim? (2) When a federal habeas petitioner argues that a state procedural default is not an “adequate” state-law ground for rejection of a claim, does the burden of persuasion as to adequacy rest on the habeas petitioner (as in the 5th Circuit) or on the State (as in the 9th and 10th Circuits)?

Decision: (1) A procedural bar that is “longstanding, oft-cited, and shared by habeas courts across the Nation” is an adequate and independent bar to federal habeas review. The bar here disallows claims to be raised for the first time in state habeas that could have been raised on direct appeal. (2) The Court did not reach the question in light of its resolution of the first.

Kernan v. Hinojosa, No. 15–833 (Summary denial, AEDPA deference) (decision below *Hinojosa v. Davey*, 803 F. 3d 412 (9th Cir. 2015))

Question Presented: (1) Can AEDPA’s presumption that a state decision rejecting a claim is a ruling on the merits can be rebutted by looking through to an earlier state ruling which applied a procedural bar that, under state law, could not be the basis for the later decision? (2) If so, does a change in state law reducing a prisoner’s ability to earn future good-time credits based on new or continuing prison misconduct violate the *Ex Post Facto* Clause as applied to a prisoner who committed his underlying crime before the change in law?

Decision: In a *per curiam* opinion, the Court held that the 9th Circuit erred in finding that a summary denial of habeas by the California Supreme Court was not a decision “on the merits.” Since the 9th Circuit did not give appropriate deference under AEDPA to a decision on the merits by a state court, the second question raised by the petition is not reached and the decision below is reversed.

Woods v. Etherton, No. 15–723 (Double deference in evaluating a claim of appellate ineffective assistance of counsel under AEDPA) (decision below *Etherton v. Rivard*, 800 F. 3d 737 (6th Cir. 2015))

Question Presented: Did the 6th Circuit fail to apply either layer of the double deference due on federal habeas review when a state court’s *Strickland* analysis is reviewed through AEDPA’s lens?

Decision: In a *per curiam* opinion, the Court held that the 6th Circuit did not give due deference to the state court or to appellate counsel’s decision not to raise an ineffective assistance of trial counsel claim or a Confrontation Clause claim. Appellate counsel’s decision not to raise the claims must be given deference, and the federal court must give deference to the state court’s decision that appellate counsel was not ineffective. Because reasonable jurists could disagree on the underlying merits, AEDPA precludes a grant of habeas.

3. CASES RAISING OTHER IMPORTANT FEDERAL QUESTIONS

Beckles v. United States, No. 15-8544 (Retroactivity of *Johnson* to collateral cases, (decision below 616 Fed.Appx. 415 (11th Cir. 2015))

Question Presented: (1) Does *Johnson v. United States*, 135 S. Ct. 2551 (2015), apply retroactively to collateral cases challenging federal sentences enhanced under the residual clause in U.S.S.G. § 4B1.2(a)(2)? (2) Does *Johnson's* constitutional holding apply to the residual clause in U.S.S.G. § 4B1.2(a) (2), thereby rendering challenges to sentences enhanced under it cognizable on collateral review? (3) Does mere possession of a sawed-off shotgun, an offense listed as a "crime of violence" only in the commentary to U.S.S.G. § 4B1.2, remain a "crime of violence" after *Johnson*?

Dietz v. Bouldin, No. 15-458 (Ability of federal judge to recall dismissed jury in a civil case (decision below 794 F.3d 1093 (9th Cir. 2015))

Question Presented: After a judge has discharged a jury from service in a case and the jurors have left the judge's presence, may the judge recall the jurors for further service in the same case?

Decision: Yes. A federal district court has inherent power, although limited, to rescind a jury discharge order and recall a jury in a civil case for further deliberations after identifying an error in the jury's verdict.

Manrique v. United States, No. 15-7250 (Appeals and deferred restitution) (decision below 618 Fed.Appx. 579 (11th Cir. 2015))

Question Presented: How should the Court resolve the significant division among the circuits concerning the jurisdictional prerequisites for appealing a deferred restitution award made during the pendency of a timely appeal of a criminal judgment imposing sentence, a question left open by the Court's decision in *Dolan v. United States*, 560 U.S. 605, 618 (2010)?

Manuel v. Joliet, II, No. 14-9496 (Malicious prosecution claim under § 1983) (decision below 590 Fed. Appx. 641 (7th Cir. 2015))

Question Presented: Does an individual's 4th Amendment right to be free from unreasonable seizure continue beyond legal process so as to allow a malicious prosecution claim under 42 U.S.C. § 1983 based upon the 4th Amendment?

Mathis v. United States, No. 15-6092 (Prior conviction predicates under Armed Career Criminal Act) (decision below 786 F.3d 1068 (8th Cir 2015))

Question Presented: Must a predicate prior conviction under the Armed Career Criminal Act, 18 U.S.C. § 924(e)(1), qualify as such under the elements of the offense simpliciter, without extending the modified categorical approach to separate statutory definitional provisions that merely establish the means by which referenced elements may be satisfied rather than stating alternative elements or versions of the offense?

Decision: Under the ACCA, "a state crime cannot qualify as an ACCA predicate if its elements are broader than those of a listed generic offense." A court is not to look at the actual facts of the prior crime, just whether the elements are the same. Here, the prior burglary convictions were under a statute that was broader than the generic offense, and cannot be used to enhance the defendant's sentence.

McDonnell v. United States, No.15-474 (Interpretation and constitutionality of Hobbs Act) (decision below 792 F.3d 478 (4th Cir. 2015))

Question Presented: (See cases under *Fifth Amendment*, above)

Molina-Martinez v. United States, No. 14-8913 (Plain error review and affect on substantial rights) (decision below 588 Fed. Appx. 333 (5th Cir. 2014))

Question Presented: Where an error in the application of the United States Sentencing Guidelines results in the application of the wrong Guideline range to a criminal defendant, should an appellate court presume, for purposes of plain-error review under Federal Rule of Criminal Procedure 52(b), that the error affected the defendant's substantial rights?

Decision: Yes. A Court of Appeals should not require a defendant sentenced under the wrong Guideline range (but whose sentence was within the correct range) to produce additional evidence to prove his substantial rights were affected. The use of the incorrect range is sufficient proof there was a plain error and a reasonable probability the sentence would have been different.

Ocasio v. United States, No. 14-361 (Requirements for extortion conspiracy) (decision below 750 F.3d 399 (4th Cir. 2014))

Question Presented: Does a conspiracy to commit extortion require that the conspirators agree to obtain property from someone outside the conspiracy?

Decision: No. So long as all of the acts necessary for the conspiracy are committed by one of the conspirators and each conspirator agrees to the purpose of the conspiracy, ownership of the property by one of the conspirators taken by his consent, under color of official right, suffices.

Ross v. Blake, No. 15-339 (Exhaustion of administrative remedies under PLRA) (decision below 787 F.3d 693 (4th Cir. 2015))

Question Presented: Did the 4th Circuit misapply this Court's precedents in holding, in conflict with several other federal courts of appeals, that there is a common law "special circumstances" exception to the Prison Litigation Reform Act that relieves an inmate of his mandatory obligation to exhaust administrative remedies when the inmate erroneously believes that he satisfied exhaustion by participating in an internal investigation?

Decision: Yes. The PRLA's language is unambiguous, and the exhaustion requirement is mandatory. There is no "special circumstances" exception. The administrative remedies must, however, be available. The Court reverses and remands for consideration of whether there were administrative remedies available in the circumstances of this case.

Shaw v. United States, No. 15-5991 (Proof of intent under bank fraud statute) (decision below 781 F.3d 1130 (9th Cir. 2015))

Question Presented: For purposes of subsection (1) of the bank fraud statute, 18 U.S.C. §1344, does a "scheme to defraud a financial institution" require proof of a specific intent not only to deceive, but also to cheat, a bank, or is a scheme directed at a non-bank third-party sufficient?

Taylor v. United States, No. 14-6166 (Proof of element of offense) (decision below 754 F.3d 217 (4th Cir. 2014))

Question Presented: In a federal criminal prosecution under the Hobbs Act, 18 U.S.C. § 1951, is the Government relieved of proving beyond a reasonable doubt the interstate commerce element by relying exclusively on evidence that the robbery or attempted robbery of a drug dealer is an inherent economic enterprise that satisfies, as a matter of law, the interstate

commerce element of the offense?

Decision: Federal jurisdiction can be based on activities which “in the aggregate” affect interstate commerce. Drug dealing is such an activity, and therefore the prosecution need not prove particular interstate activity in an individual case even where, as here, the defendants were not themselves dealing drugs but intentionally targeted drug dealers to rob.

Torres v. Lynch, No. 14-1096 (State offenses equivalent to federal offenses under removal statute) (decision below 764 F.3d 152 (2nd Cir. 2014))

Question Presented: Does a state offense constitute an aggravated felony under 8 U.S.C. § 1101(a)(43), on the ground that the state offense is “described in” a specified federal statute, where the federal statute includes an interstate commerce element that the state offense lacks?

Decision: Yes. When a state statute has all the substantive elements of a federal aggravated felony but not an interstate commerce requirement (which gives the federal government jurisdiction), it is an aggravated felony under the removal statute.

United States v. Bryant, No. 15-420 (Predicate offense under 18 U.S.C. § 117(a)) (decision below 769 F.3d 671 (9th Cir. 2015))

Question Presented: Does reliance on valid uncounseled tribal-court misdemeanor convictions to prove the predicate-offense element under 18 U.S.C. § 117(a) violate the Constitution?

Decision: No. Neither the 5th nor 6th Amendments are violated when misdemeanor convictions from tribal courts are used to enhance a federal crime when those convictions were valid under tribal law and the Indian Civil Rights Act of 1968 (ICRA) governing criminal cases. Although the defendant did not have an attorney in tribal court, the 6th Amendment does not apply to tribal courts, and he was not entitled to an attorney under the ICRA. ICRA provides due process protections which ensure reliability, and his convictions were in accordance with ICRA. Enhancement statutes provide punishment for the offense committed under the statute, not the prior convictions used to enhance.

Voisine v. United States, No. 14-10154 (Crimes within definition of “misdemeanor crimes of domestic violence” under federal statutes) (decision below 778 F.3d 176 (1st Cir. 2015))

Question Presented: Does a misdemeanor crime with the *mens rea* of recklessness qualify as a “misdemeanor crime of domestic violence” as defined by 18 U.S.C. §§ 921(a)(33)(A) and 922(g)(9)?

Decision: Yes. The prior conviction need not be for a knowing or intentional act.

Welch v. United States, No. 15-6418 (Convictions qualifying for enhancement) (decision below 14-15733 order (11th Cir. June 9, 2015))

Question Presented: (1) Was the District Court in error when it denied relief on Petitioner’s § 2255 motion to vacate, which alleged that a prior Florida conviction for “sudden snatching,” did not qualify for ACCA enhancement pursuant to 18 U.S.C. § 924(e)? (See also cases under *Fifth Amendment*, above)

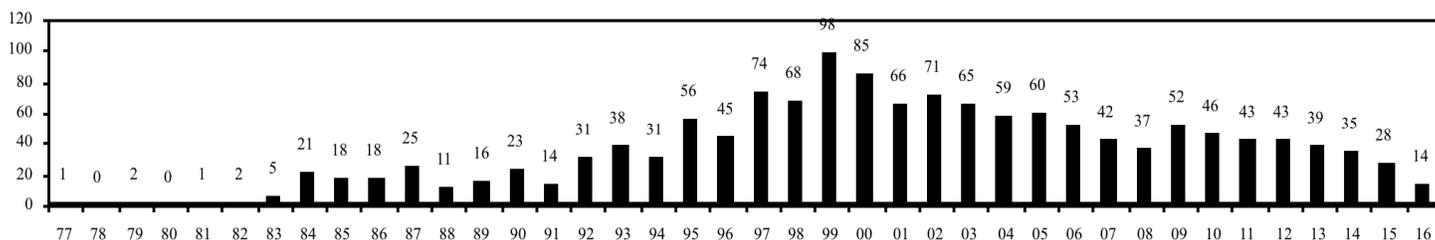
Decision: The Court did not address the question, but remanded to the lower court to make an assessment of the claim under *Johnson*, which the Court held to be retroactive.

Execution Update

As of July 1, 2016

Total number of executions since the 1976 reinstatement of capital punishment:

1436



Race of defendants executed

total number 1436

White	798	(55.57%)
Black	496	(34.54%)
Latino/a	119	(8.29%)
Native American	16	(1.12%)
Asian	7	(0.49%)

Race of victims

total number 2105

White	1592	(75.63%)
Black	323	(15.34%)
Latin	145	(6.89%)
Native American	5	(0.24%)
Asian	40	(1.90%)

Gender of defendants executed

Female	16	(1.11%)
Male	1420	(98.89%)

Gender of victims

Female	1029	(48.88%)
Male	1076	(51.12%)

Defendant-victim racial combinations

	White Victim		Black Victim		Latino/a Victim		Asian Victim		Native American Victim	
White Defendant	739	51.46%	20	1.39%	17	1.18%	6	0.42%	0	0%
Black Defendant	282	19.64%	167	11.63%	20	1.39%	15	1.04%	0	0%
Latino/a Defendant	51	3.55%	3	0.21%	57	3.97%	2	0.14%	0	0%
Asian Defendant	2	0.14%	0	0%	0	0%	5	0.35%	0	0%
Native Amer. Def.	14	.97%	0	0%	0	0%	0	0%	2	0.14%
TOTAL:	1088	75.77%	190	13.23%	94	6.55%	28	1.95%	2	0.14%

Note: In addition, there were 34 defendants executed for the murders of multiple victims of different races. Of those, 18 defendants were white, 10 black and 6 Latino. (2.37%)

Execution Breakdown by State

<i>State</i>	<i>#</i>	<i>% of Total</i>	<i>Racial Combinations</i>	<i>(see codes below)</i>		
1. TX	537	37.40	214 W/W (40%); 105 B/W (20%); 63 B/B (12%); 51 L/L (9%); 42 L/W (8%); 18 B/L (3%); 12 W/L, 9 B/A (2% each); 5 W/mix (.9%); 3 W/B, 3 L/mix (.6% each); 2 L/B, 2 L/A, 2 A/A, 2 N/W, 2 W/A, 2 B/mix (.4% each)	27*	13#	6^
2. OK	112	7.80	61 W/W (55%); 17 B/W (15%); 14 B/B (13%); 5 N/W (5%); 3 W/A (3%); 2 W/B, 2 B/A, 2 A/A, 2 W/mix (2% each); 1 N/N, 1 W/L, 1 B/L, 1 L/L (.9% each)	7*	2#	3^
3. VA	111	7.73	48 W/W (43%); 35 B/W (32%); 13 B/B (12%); 4 W/B (4%); 3 W/mix, 3 L/W (3% each); 1 B/L, 1 B/A, 1 W/A, 1 A/W, 1 B/mix (.9% each)	10*	3#	1^
4. FL	92	6.41	53 W/W (58%); 18 B/W (20%); 8 B/B (9%); 3 L/W (3%); 2 L/L, 2 W/mix, 2 B/mix, (2% each); 1 N/W, 1 L/B, 1 W/L, 1 L/mix (1% each)	10*		2^
5. MO	87	6.06	51 W/W (59%); 17 B/W, 17 B/B (20% each); 1 N/W, 1 W/B (1% each)	5*	1#	
6. GA	65	4.53	42 W/W (65%); 16 B/W (25%); 7 B/B (11%)		2#	1^
7. AL	57	3.97	31 W/W (54%); 17 B/W (30%); 8 B/B (14%); 1 W/B (2%)	6*		1^
8. OH	53	3.69	31 W/W (58%); 8 B/W, 8 B/B (15% each); 2 W/mix, 2 B/mix (4%); 1 B/A, 1 W/B (2% each)	6*		
9. NC	43	2.99	28 W/W (65%); 7 B/B (16%); 6 B/W (14%); 1 W/B, 1 N/N (2% each)	4*		1^
10. SC	43	2.99	20 W/W (47%); 11 B/W (26%); 5 W/B (12%); 4 B/B (9%); 2 W/mix (5%); 1 B/A (2%)	10*	1#	
11. AZ	37	2.58	27 W/W (73%); 3 L/L (8%); 2 N/W (5%); 1 B/W, 1 L/W, 1 W/L, 1 W/mix, 1 L/mix (3% each)	5*		
12. LA	28	1.95	15 W/W (54%); 8 B/W (29%); 5 B/B (18%)	1*	1#	
13. AR	27	1.88	19 W/W (70%); 4 B/W (15%); 3 B/B (11%); 1 L/W (4%)	4*		1^
14. MS	21	1.46	14 W/W (67%); 3 B/W (14%); 2 B/B (10%); 1 B/A 1 W/B (5% each)	1*		
15. IN	20	1.39	16 W/W (80%); 2 B/W (10%); 1 B/B, 1 W/L (5% each)	4*		
16. DE	16	1.11	8 W/W (50%); 5 B/B (31%); 2 B/W (13%); 1 N/W (6%)	5*		
17. CA	13	.91	7 W/W (54%); 2 N/W (15%); 1 B/W, 1 W/L, 1 A/A, 1 B/mix (8% each)	2*		
18. IL	12	.84	7 W/W (58%); 2 B/W, 2 B/mix (17% each); 1 B/B (8%)	2*		
19. NV	12	.84	9 W/W (75%); 1 B/W, 1 L/W, 1 A/W (8% each)	11*		

<i>State</i>	<i>#</i>	<i>% of Total</i>	<i>Racial Combinations</i>	<i>(see codes below)</i>		
20. UT	7	.49	5 W/W (71%); 2 B/W (29%)	4*		
21. TN	6	.42	5 W/W (83%); 1 B/B (17%)	1*		
22. MD	5	.35	3 B/W (60%); 2 W/W (40%)	1*		
23. WA	5	.35	5 W/W (100%)	3*		
24. ID	3	.21	3 W/W (100%)	1*		
25. KY	3	.21	3 W/W (100%)	2*		
26. MT	3	.21	3 W/W (100%)	1*		
27. NE	3	.21	2 B/W (67%); 1 W/W (33%)			
28. PA	3	.21	2 W/W (67%); 1 W/B (33%)	3*		
29. SD	3	.21	3 W/W (100%)	3*		
30. US	3	.21	1 W/mix (33%); 1 L/mix (33%); 1 B/W (33%)	1*		
31. OR	2	.14	2 W/W (100%)	2*		
32. CO	1	.07	1 W/W (100%)			
33. CT	1	.07	1 W/W (100%)	1*		
34. NM	1	.07	1 W/W (100%)	1*		
35. WY	1	.07	1 W/W (100%)			

- * Defendants who gave up their appeals (144; 10% of total) [see note to 1049 below]
Juveniles (under age 18 at the time of the offense) (23; 2% of total) [see note to 740, below]
^ Female (16; 1% of total)

ROSTER OF THE EXECUTED

DATE OF EXECUTION	NAME OF DEFENDANT/ NUMBER IF MULTIPLE VICTIMS	STATE	RACE DEF / VICTIM	VICTIM GENDER
01-17-77	1. Gary Gilmore [*]	UT	W/W	M
05-25-79	2. John Spenkelink	FL	W/W	M
10-22-79	3. Jesse Bishop [*]	NV	W/W	M
03-09-81	4. Steven Judy [*] / 3	IN	W/3W	FFF
08-10-82	5. Frank Coppola [*]	VA	W/W	F
12-07-82	6. Charlie Brooks	TX	B/W	M
04-22-83	7. John Evans	AL	W/W	M
09-02-83	8. Jimmy Lee Gray	MS	W/W	F
11-30-83	9. Robert Sullivan	FL	W/W	M
12-14-83	10. Robert W. Williams	LA	B/B	M
12-15-83	11. John Eldon Smith / 2	GA	W/2W	MF
01-26-84	12. Anthony Antone	FL	W/W	M

02-29-84	13.	John Taylor	LA	B/W	M
03-14-84	14.	James Autry	TX	W/W	F
03-16-84	15.	James Hutchins / 2	NC	W/2W	MM
03-31-84	16.	Ronald O'Bryan	TX	W/W	M
04-05-84	17.	Arthur Goode	FL	W/W	M
04-05-84	18.	Elmo Sonnier / 2	LA	W/2W	MF
05-10-84	19.	James Adams	FL	B/W	M
06-20-84	20.	Carl Shriner	FL	W/W	M
07-12-84	21.	Ivon Stanley	GA	B/W	M
07-13-84	22.	David Washington / 3	FL	B/WBW	MMF
09-07-84	23.	Ernest Dobbert	FL	W/W	F
09-10-84	24.	Timothy Baldwin	LA	W/W	F
09-20-84	25.	James Dupree Henry	FL	B/B	M
10-12-84	26.	Linwood Briley	VA	B/W	M
10-30-84	27.	Thomas Barefoot	TX	W/W	M
10-30-84	28.	Ernest Knighton	LA	B/W	M
11-02-84	29.	Velma Barfield [^]	NC	W/W	M
11-08-84	30.	Timothy Palmes	FL	W/W	M
12-12-84	31.	Alpha Otis Stephens	GA	B/W	M
12-28-84	32.	Robert Lee Willie	LA	W/W	F
01-04-85	33.	David Martin / 4	LA	W/4W	MMFF
01-09-85	34.	Roosevelt Green	GA	B/W	F
01-11-85	35.	Joseph Carl Shaw / 2	SC	W/2W	MF
01-16-85	36.	Doyle Skillern	TX	W/W	M
01-30-85	37.	James Raulerson	FL	W/W	M
02-20-85	38.	Van R. Solomon	GA	B/W	M
03-06-85	39.	Johnny Paul Witt	FL	W/W	M
03-13-85	40.	Stephen P. Morin [*]	TX	W/W	F
03-20-85	41.	John Young / 3	GA	B/3W	MFF
04-18-85	42.	James Briley / 2	VA	B/2B	MF
05-15-85	43.	Jesse de la Rosa	TX	L/A	M
05-29-85	44.	Marvin Francois / 6	FL	B/6B	6M
06-25-85	45.	Charles Milton	TX	B/B	F
06-25-85	46.	Morris Mason	VA	B/W	F
07-09-85	47.	Henry M. Porter	TX	L/W	M
09-11-85	48.	Charles Rumbaugh [*] [#]	TX	W/W	M
10-16-85	49.	William Vandiver [*]	IN	W/W	M
12-06-85	50.	Carroll Cole [*]	NV	W/W	F
01-10-86	51.	James Terry Roach [#]	SC	W/ (see #35)	(see #35)
03-12-86	52.	Charles William Bass	TX	W/W	M
03-21-86	53.	Arthur Lee Jones	AL	B/W	M
04-15-86	54.	Daniel Thomas	FL	B/W	M
04-16-86	55.	Jeffrey A. Barney [*]	TX	W/W	F
04-22-86	56.	David Funchess / 2	FL	B/2W	MF
05-15-86	57.	Jay Pinkerton [#] / 2	TX	W/2W	FF
05-20-86	58.	Ronald Straight	FL	W/ (see # 30)	(see # 30)
06-09-86	59.	Rudy Esquivel	TX	L/W	M
06-19-86	60.	Kenneth Brock	TX	W/W	M
06-24-86	61.	Jerome Bowden	GA	B/W	F
07-31-86	62.	Michael Smith	VA	B/W	F
08-20-86	63.	Randy Woolls	TX	W/W	F
08-22-86	64.	Larry Smith	TX	B/W	M

08-26-86	65.	Chester Wicker	TX	W/W	F
09-19-86	66.	John Rook	NC	W/W	F
12-04-86	67.	Michael Wayne Evans	TX	B/L	F
12-18-86	68.	Richard Andrade	TX	L/L	F
01-30-87	69.	Ramon Hernandez [*]	TX	L/L	M
03-04-87	70.	Elisio Moreno [*]	TX	L/W	M
05-15-87	71.	Joseph Mulligan	GA	B/B	M
05-20-87	72.	Edward Earl Johnson	MS	B/W	M
05-22-87	73.	Richard Tucker	GA	B/W	F
05-28-87	74.	Anthony Williams	TX	B/W	F
05-29-87	75.	William Boyd Tucker	GA	W/W	F
06-07-87	76.	Benjamin Berry	LA	W/W	M
06-09-87	77.	Alvin Moore	LA	B/W	F
06-12-87	78.	Jimmy Glass / 2	LA	W/2W	MF
06-16-87	79.	Jimmy Wingo / 2	LA	W/ (see # 78)	(see # 78)
06-24-87	80.	Elliott Johnson	TX	B/W	M
07-06-87	81.	Richard Whitley	VA	W/W	F
07-08-87	82.	John R. Thompson	TX	W/W	F
07-08-87	83.	Connie Ray Evans	MS	B/A	M
07-20-87	84.	Willie Celestine	LA	B/W	F
07-24-87	85.	Willie Watson	LA	B/W	F
07-30-87	86.	John Brogdon	LA	W/W	F
08-24-87	87.	Sterling Rault	LA	W/W	F
08-28-87	88.	Beauford White	FL	B/ (see #44)	(see #44)
08-28-87	89.	Wayne Ritter	AL	W/ (see # 7)	(see # 7)
08-28-87	90.	Dale Pierre Selby / 3	UT	B/3W	MFF
09-01-87	91.	Billy Mitchell	GA	B/W	M
09-10-87	92.	Joseph Starvaggi	TX	W/W	M
09-21-87	93.	Timothy McCorquodale	GA	W/W	F
01-07-88	94.	Robert Streetman	TX	W/W	F
03-15-88	95.	Wayne Felde	LA	W/W	M
03-15-88	96.	Willie Darden	FL	B/W	M
04-13-88	97.	Leslie Lowenfield / 5	LA	B/5B	2M3F
04-14-88	98.	Earl Clanton	VA	B/B	F
06-10-88	99.	Arthur Bishop [*] / 5	UT	W/5W	5M
06-14-88	100.	Edward Byrne	LA	W/W	M
07-28-88	101.	James Messer	GA	W/W	F
11-03-88	102.	Donald Gene Franklin	TX	B/W	F
11-07-88	103.	Jeffrey Daugherty	FL	W/W	F
12-13-88	104.	Raymond Landry	TX	B/B	M
01-06-89	105.	George "Tiny" Mercer	MO	W/W	F
01-24-89	106.	Theodore Bundy	FL	W/W	F
03-22-89	107.	Leon Rutherford King	TX	B/W	M
05-04-89	108.	Aubrey Adams	FL	W/W	F
05-18-89	109.	Henry Willis	GA	B/W	M
05-24-89	110.	Stephen McCoy	TX	W/W	F
05-26-89	111.	Michael Lindsey	AL	B/W	F
06-19-89	112.	William Thompson [*]	NV	W/W	M
06-21-89	113.	Leo Edwards	MS	B/B	M
06-23-89	114.	Sean P. Flannagan [*]	NV	W/W	M
07-14-89	115.	Horace F. Dunkins	AL	B/W	F
08-18-89	116.	Herbert Richardson	AL	B/B	F

08-30-89	117.	Alton Wayne	VA	B/W	F
09-20-89	118.	James "Skip" Paster	TX	W/W	M
11-17-89	119.	Arthur Julius	AL	B/B	F
12-07-89	120.	Carlos DeLuna	TX	L/L	F
01-18-90	121.	Gerald Smith [*]	MO	W/W	F
04-21-90	122.	Jerome Butler [*]	TX	B/B	M
04-27-90	123.	Ronald R. Woomer	SC	W/W	F
05-04-90	124.	Jessie Tafero / 2	FL	W/2W	MM
05-11-90	125.	Winford Stokes	MO	B/W	F
05-17-90	126.	Leonard Laws [*] / 2	MO	W/2W	MF
05-17-90	127.	Johnny Ray Anderson	TX	W/W	M
05-18-90	128.	Dalton Prejean [#]	LA	B/W	M
06-03-90	129.	Thomas Baal [*]	NV	W/W	F
06-18-90	130.	John E. Swindler	AR	W/W	M
06-25-90	131.	Ronald G. Simmons [*] / 16	AR	W/16W	7M9F
06-26-90	132.	James Smith [*]	TX	B/W	M
07-13-90	133.	Wallace N. Thomas	AL	B/W	F
07-18-90	134.	Mikel Derrick	TX	W/W	M
07-19-90	135.	Ricky Boggs	VA	W/W	F
07-27-90	136.	Anthony Bertolotti	FL	B/W	F
08-31-90	137.	George C. Gilmore / 2	MO	W/ (see #126)	(see #126)
09-10-90	138.	Charles T. Coleman	OK	W/W	M
09-12-90	139.	Charles Walker [*] / 2	IL	W/2W	MF
09-21-90	140.	James W. Hamblen	FL	W/W	F
10-17-90	141.	Wilbert L. Evans	VA	B/B	M
11-19-90	142.	Raymond R. Clark	FL	W/W	M
12-13-90	143.	Buddy Earl Justus	VA	W/W	F
02-26-91	144.	Lawrence L. Buxton	TX	B/W	M
04-24-91	145.	Roy A. Harich	FL	W/W	F
05-23-91	146.	Ignacio Cuevas	TX	L/W	F
06-17-91	147.	Jerry Joe Bird	TX	W/W	M
06-25-91	148.	Bobby M. Francis	FL	B/B	M
07-22-91	149.	Andrew Lee Jones	LA	B/B	F
07-24-91	150.	Albert Clozza	VA	W/W	F
08-22-91	151.	Derick Peterson	VA	B/W	M
08-23-91	152.	Maurice Byrd / 4	MO	B/4W	MFFF
09-06-91	153.	Donald Gaskins	SC	W/B	M
09-19-91	154.	James Russell	TX	B/W	M
09-25-91	155.	Warren McCleskey	GA	B/W	M
10-18-91	156.	Michael McDougall	NC	W/W	F
11-12-91	157.	G.W. Green	TX	W/ (see #92)	(see #92)
01-22-92	158.	Joe Angel Cordova	TX	L/W	M
01-22-92	159.	Mark Hopkinson	WY	W/W	M
01-24-92	160.	Ricky Ray Rector	AR	B/W	M
02-11-92	161.	Johnny Garrett [#]	TX	W/W	F
02-28-92	162.	David Clark / 2	TX	W/2W	MF
03-03-92	163.	Edward Ellis	TX	W/W	F
03-10-92	164.	Robyn Parks	OK	B/A	M
03-13-92	165.	Olan Robison / 3	OK	W/3W	MFF
03-14-92	166.	Steven Pennell [*] / 2	DE	W/2W	FF
03-20-92	167.	Larry Heath	AL	W/W	F
04-06-92	168.	Donald E. Harding / 2	AZ	W/2W	MM

04-21-92	169.	Robert A. Harris / 2	CA	W/2W	MM
04-23-92	170.	Billy Wayne White	TX	B/W	F
05-07-92	171.	Justin Lee May	TX	W/W	F
05-07-92	172.	Steven D. Hill	AR	W/W	M
05-12-92	173.	Nollie L. Martin	FL	W/W	F
05-20-92	174.	Jesus Romero, Jr.	TX	L/L	F
05-20-92	175.	Roger K. Coleman	VA	W/W	F
05-22-92	176.	Robert Black, Jr.	TX	W/W	F
07-21-92	177.	Edward D. Kennedy / 2	FL	B/2W	MM
07-23-92	178.	Edward Fitzgerald	VA	W/W	F
07-30-92	179.	William Andrews	UT	B/ (see #90)	(see #90)
08-11-92	180.	Curtis L. Johnson	TX	B/W	M
09-15-92	181.	Willie L. Jones / 2	VA	B/2B	MF
09-22-92	182.	James Demouchette / 2	TX	B/2W	MM
10-21-92	183.	Ricky Lee Grubbs	MO	W/W	M
10-23-92	184.	John Gardner / 2	NC	W/2W	MF
11-19-92	185.	Jeffery L. Griffin	TX	B/B	M
11-20-92	186.	Cornelius Singleton	AL	B/W	F
12-10-92	187.	Kavin G. Lincecum	TX	B/W	F
12-10-92	188.	Timothy Bunch	VA	W/A	F
01-05-93	189.	Westley A. Dodd [*] / 3	WA	W/3W	MMM
01-19-93	190.	Charles Stamper / 3	VA	B/3W	MMF
01-27-93	191.	Martsay Bolder	MO	B/B	M
03-03-93	192.	John Brewer [*]	AZ	W/W	F
03-03-93	193.	James Allen Red Dog [*]	DE	N/W	M
03-05-93	194.	Robert Sawyer	LA	W/W	F
03-18-93	195.	Syvasky Poyner / 5	VA	B/4W1B	5F
03-23-93	196.	Carlos Santana	TX	L/L	M
03-25-93	197.	Ramon Montoya	TX	L/W	M
04-14-93	198.	James D. Clark / 4	AZ	W/4W	MMMMF
04-21-93	199.	Robert D. Henderson / 3	FL	W/3W	MMF
05-04-93	200.	Darryl Stewart	TX	B/W	F
05-05-93	201.	Larry Joe Johnson	FL	W/W	M
05-12-93	202.	Leonel Herrera	TX	L/L	M
05-18-93	203.	John Sawyers	TX	W/W	F
06-17-93	204.	Andrew Chabrol [*]	VA	W/W	F
06-28-93	205.	Thomas Dean Stevens	GA	W/W	M
06-29-93	206.	Markham Duff-Smith	TX	W/W	F
07-01-93	207.	Curtis Paul Harris [#]	TX	B/W	M
07-21-93	208.	Walter Blair	MO	B/W	F
07-28-93	209.	Frederick Lashley [#]	MO	B/B	F
07-30-93	210.	Danny Harris	TX	B/ (see #207)	(see #207)
08-05-93	211.	Joseph P. Jernigan	TX	W/W	M
08-12-93	212.	David Holland	TX	W/W	F
08-20-93	213.	Carl Kelly / 2	TX	B/2W	MM
08-24-93	214.	Ruben Cantu [#]	TX	L/L	M
08-24-93	215.	David Mason [*] / 5	CA	W/5W	2M3F
08-25-93	216.	Michael Durocher [*] / 3	FL	W/3W	MFF
08-31-93	217.	Richard Wilkerson	TX	B/A	M
08-31-93	218.	Kenneth DeShields	DE	B/W	F
09-03-93	219.	Johnny James	TX	W/W	F
09-14-93	220.	Joe Louis Wise, Sr.	VA	B/W	M

09-28-93	221.	Antonio Bonham	TX	B/W	F
10-06-93	222.	Frank Guinan	MO	W/W	M
11-10-93	223.	Anthony Cook [*]	TX	W/W	M
12-07-93	224.	Christopher Burger [#]	GA	W/ (see #205)	(see #205)
12-15-93	225.	Clifford Phillips	TX	B/W	F
12-16-93	226.	David Pruett	VA	W/W	F
01-06-94	227.	Keith E. Wells [*] / 2	ID	W/2W	MF
02-02-94	228.	Harold Barnard	TX	W/A	M
03-03-94	229.	Johnny Watkins	VA	B/W	F
03-31-94	230.	Freddie Webb, Sr.	TX	B/L	M
03-31-94	231.	William H. Hance	GA	B/B	F
04-04-94	232.	Richard Lee Beavers [*]	TX	W/W	M
04-22-94	233.	Roy Allen Stewart	FL	W/W	F
04-26-94	234.	Larry N. Anderson	TX	W/W	F
04-27-94	235.	Timothy Spencer	VA	B/W	F
05-03-94	236.	Paul Rougeau	TX	B/B	M
05-10-94	237.	John Wayne Gacy / 12	IL	W/12W	12M
05-11-94	238.	Edward Charles Pickens	AR	B/B	M
05-11-94	239.	Jonas Whitmore	AR	W/W	F
05-17-94	240.	John Thanos [*]	MD	W/W	M
05-27-94	241.	Stephen Nethery	TX	W/W	M
05-27-94	242.	Charles Campbell / 3	WA	W/3W	FFF
06-14-94	243.	Denton Crank	TX	W/W	M
06-15-94	244.	David Lawson	NC	W/W	M
06-23-94	245.	Andre Deputy / 2	DE	B/2B	MF
08-02-94	246.	Robert N. Drew, Sr.	TX	W/W	M
08-03-94	247.	Hoyt Clines	AR	W/W	M
08-03-94	248.	Darryl Richley	AR	W/ (see #247)	(see #247)
08-03-94	249.	James Holmes	AR	W/ (see #247)	(see #247)
09-02-94	250.	Harold Lamont Otey	NE	B/W	F
09-16-94	251.	Jesse Gutierrez	TX	L/W	F
09-20-94	252.	George Lott [*]	TX	W/W	M
10-05-94	253.	Walter Williams	TX	B/W	M
11-22-94	254.	Warren E. Bridge	TX	W/W	M
12-06-94	255.	Herman R. Clark, Jr.	TX	B/W	M
12-08-94	256.	Greg Resnover	IN	B/W	M
12-11-94	257.	Raymond Kinnamon	TX	W/W	M
01-04-95	258.	Jesse D. Jacobs	TX	W/W	F
01-17-95	259.	Mario S. Marquez	TX	L/L	F
01-24-95	260.	Dana Ray Edmonds	VA	B/W	M
01-24-95	261.	Kermit Smith, Jr.	NC	W/B	F
01-31-95	262.	Clifton C. Russell	TX	W/W	M
01-31-95	263.	Willie Ray Williams	TX	B/W	M
02-07-95	264.	Jeffrey D. Motley	TX	W/L	F
02-16-95	265.	Billy Gardner	TX	W/W	F
02-21-95	266.	Samuel Hawkins	TX	B/W	F
03-17-95	267.	Nelson Shelton [*]	DE	W/W	M
03-20-95	268.	Thomas Grasso [*]	OK	W/B	F
03-22-95	269.	Hernando Williams	IL	B/W	F
03-22-95	270.	James Free	IL	W/W	M
04-06-95	271.	Noble D. Mays	TX	W/W	M

04-07-95	272.	Nicholas Ingram	GA	W/W	M
04-19-95	273.	Richard Snell	AR	W/W	M
04-28-95	274.	Willie Clisby	AL	B/B	M
05-02-95	275.	Keith Zettlemyer [*]	PA	W/W	M
05-03-95	276.	Emmett Foster	MO	B/B	M
05-10-95	277.	Duncan McKenzie	MT	W/W	M
05-12-95	278.	Varnell Weeks	AL	B/B	M
05-16-95	279.	Thomas Lee Ward	LA	B/B	M
05-17-95	280.	Girvies Davis	IL	B/W	M
05-17-95	281.	Darrell Devier	GA	W/W	F
05-25-95	282.	Willie Lloyd Turner	VA	B/W	M
06-01-95	283.	Fletcher T. Mann	TX	W/W	M
06-08-95	284.	Ronald K. Allridge	TX	B/W	F
06-20-95	285.	John Fearance, Jr.	TX	B/W	M
06-21-95	286.	Karl Hammond	TX	B/W	F
06-21-95	287.	Larry Griffin	MO	B/B	M
07-01-95	288.	Roger Stafford / 3	OK	W/3W	MMF
07-18-95	289.	Bernard Bolender / 4	FL	W/1W3L	MMMM
07-26-95	290.	Anthony R.Murray / 2	MO	B/2B	MM
08-11-95	291.	Robert Brecheen	OK	W/W	F
08-15-95	292.	Vernon Sattiewhite	TX	B/B	F
08-15-95	293.	Leon Moser [*] / 3	PA	W/3W	FFF
08-18-95	294.	Sylvester Adams	SC	B/B	M
08-31-95	295.	Barry Lee Fairchild	AR	B/W	F
09-13-95	296.	Jimmie Jeffers	AZ	W/W	F
09-19-95	297.	Carl Johnson	TX	B/B	M
09-20-95	298.	Charles Albanese	IL	W/W	F
09-22-95	299.	Phillip Ingle [*] / 4	NC	W/4W	MMFF
09-27-95	300.	Dennis Stockton	VA	W/W	M
10-04-95	301.	Harold J. Lane	TX	W/W	F
10-19-95	302.	Mickey Davison [*] / 3	VA	W/3W	FFF
11-13-95	303.	Herman Barnes	VA	B/W	M
11-15-95	304.	Robert Sidebottom	MO	W/W	F
11-22-95	305.	George del Vecchio	IL	W/W	M
11-29-95	306.	Anthony LaRette	MO	W/W	F
12-04-95	307.	Jerry White	FL	B/W	M
12-05-95	308.	Phillip Atkins	FL	W/L	M
12-06-95	309.	Robert O'Neal	MO	W/B	M
12-06-95	310.	Bernard Amos	TX	B/W	M
12-07-95	311.	Hai Hai Vuong / 2	TX	A/2A	MM
12-11-95	312.	Esequel Banda [*]	TX	L/W	F
12-12-95	313.	James M. Briddle	TX	W/W	M
01-04-96	314.	Walter Correll	VA	W/W	M
01-23-96	315.	Richard Townes	VA	B/W	F
01-25-96	316.	Billy Bailey / 2	DE	W/2W	MF
01-27-96	317.	John Albert Taylor [*]	UT	W/W	F
01-30-96	318.	William Flamer / 2	DE	B/2B	MF
02-09-96	319.	Leo Jenkins [*] / 2	TX	W/2W	MF
02-16-96	320.	Edward Horsley, Jr.	AL	B/W	F
02-21-96	321.	Jeffrey Sloan	MO	W/W	M
02-23-96	322.	William Bonin / 4	CA	W/4W	MMMM
02-27-96	323.	Kenneth Granviel	TX	B/B	F

03-01-96	324.	Antonio James	LA	B/B	M
03-30-96	325.	Richard A. Moran / 2	NV	W/2W	MF
04-10-96	326.	Doyle Williams	MO	W/W	M
04-19-96	327.	James Clark [*] / 2	DE	W/2W	MF
04-26-96	328.	Benjamin Brewer	OK	W/W	F
05-03-96	329.	Keith Williams / 3	CA	W/3L	MMM
05-31-96	330.	Robert South [*]	SC	W/W	M
06-19-96	331.	Daren Bolton [*]	AZ	W/W	F
07-17-96	332.	Joseph Savino	VA	W/W	M
07-17-96	333.	John Joubert / 2	NE	W/2W	MM
07-18-96	334.	Tommie Smith	IN	B/W	M
07-19-96	335.	Fred Kornahrens / 3	SC	W/3W	MMF
07-31-96	336.	Emmett Nave	MO	N/W	F
08-07-96	337.	Thomas Battle	MO	B/B	F
08-08-96	338.	William Frank Parker / 2	AR	W/2W	MF
08-09-96	339.	Steven Hatch / 2	OK	W/2W	MF
08-21-96	340.	Richard Oxford / 2	MO	W/2W	MF
08-22-96	341.	Luis Mata	AZ	L/W	F
09-06-96	342.	Michael Torrence [*]	SC	W/W	M
09-06-96	343.	Douglas Wright [*] / 3	OR	W/3W	MMM
09-18-96	344.	Ray Stewart / 3	IL	B/1W2B	MMM
09-18-96	345.	Joe Gonzales [*]	TX	L/L	M
10-04-96	346.	Larry Gene Bell	SC	W/W	F
10-21-96	347.	John Earl Bush	FL	B/W	M
11-14-96	348.	Larry Lonchar / 3	GA	W/3W	MMF
11-15-96	349.	Doyle Cecil Lucas [*] / 2	SC	W/2W	MF
11-15-96	350.	Ellis Wayne Felker	GA	W/W	F
11-21-96	351.	Ronald Bennett	VA	B/W	F
11-22-96	352.	Frank Middleton	SC	B/B	F
12-03-96	353.	Gregory Beaver	VA	W/W	M
12-06-96	354.	John Mills, Jr.	FL	B/W	M
12-10-96	355.	Larry Stout	VA	B/W	F
12-11-96	356.	Richard Zeitvogel	MO	W/W	M
12-12-96	357.	Lem Tuggle	VA	W/W	F
12-16-96	358.	Ronald Hoke	VA	W/W	F
01-08-97	359.	Paul Ruiz / 2	AR	L/2W	MM
01-08-97	360.	Earl Van Denton / 2	AR	W/2W	MM
01-08-97	361.	Kirt Wainwright	AR	B/W	F
01-10-97	362.	Billy Waldop	AL	W/W	M
01-23-97	363.	Randy Greenawalt / 4	AZ	W/4W	MMFF
01-29-97	364.	Eric Schneider / 2	MO	W/2W	MM
02-06-97	365.	Michael Carl George	VA	W/W	M
02-10-97	366.	Richard Brimage, Jr. [*]	TX	W/W	F
02-26-97	367.	Coleman Wayne Gray	VA	B/W	M
03-12-97	368.	John Barefield	TX	B/W	F
03-25-97	369.	Pedro Medina	FL	L/B	F
04-02-97	370.	David Herman	TX	W/W	F
04-03-97	371.	David Spence	TX	W/W	F
04-14-97	372.	Billy Joe Woods	TX	W/W	F
04-16-97	373.	Kenneth Gentry	TX	W/W	M
04-21-97	374.	Benjamin Boyle	TX	W/W	F
04-24-97	375.	John Brown	LA	W/W	M

04-29-97	376.	Ernest Baldree / 2	TX	W/2W	MF
05-02-97	377.	Walter Hill / 3	AL	B/3B	MMF
05-06-97	378.	Terry Washington	TX	B/W	F
05-08-97	379.	Scott Carpenter [*]	OK	N/W	M
05-13-97	380.	Anthony Westley	TX	B/W	M
05-16-97	381.	Harry C. Moore [*] / 2	OR	W/2W	MF
05-16-97	382.	Clifton Belyeu	TX	W/W	F
05-19-97	383.	Richard Drinkard / 3	TX	W/3W	MFF
05-20-97	384.	Clarence Lackey	TX	W/W	F
05-21-97	385.	Bruce Callins	TX	B/W	M
05-22-97	386.	Larry White	TX	W/W	F
05-28-97	387.	Robert Madden / 2	TX	W/2W	MM
06-02-97	388.	Patrick Rogers	TX	B/W	M
06-03-97	389.	Kenneth Harris	TX	B/W	F
06-04-97	390.	Davis Losada	TX	L/ (see #174)	(see # 174)
06-04-97	391.	Dorsie Johnson	TX	B/W	M
06-06-97	392.	Henry Hays	AL	W/B	M
06-11-97	393.	Earl Behringer / 2	TX	W/2W	MF
06-13-97	394.	Michael Elkins [*]	SC	W/W	F
06-16-97	395.	David Stoker	TX	W/W	M
06-17-97	396.	Eddie Johnson / 3	TX	B/3W	MFF
06-18-97	397.	Irineo Montoya	TX	L/W	M
06-25-97	398.	William Lyle Woratzeck	AZ	W/W	F
07-01-97	399.	Harold McQueen	KY	W/W	F
07-02-97	400.	Flint Gregory Hunt	MD	B/W	M
07-17-97	401.	Roy Smith	VA	W/W	M
07-23-97	402.	Joseph O'Dell	VA	W/W	F
07-29-97	403.	Robert W. West, Jr.	TX	N/W	F
08-06-97	404.	Ralph C. Feltrop	MO	W/W	F
08-06-97	405.	Eugene Wallace Perry / 2	AR	W/2W	MF
08-13-97	406.	Donald Eugene Reese / 4	MO	W/4W	MMMM
08-19-97	407.	Carlton Jerome Pope	VA	B/W	F
08-20-97	408.	Andrew Six	MO	W/W	F
09-09-97	409.	James Carl Lee Davis / 3	TX	B/3B	MMF
09-17-97	410.	Mario Benjamin Murphy	VA	L/W	M
09-22-97	411.	Jessel Turner	TX	B/B	M
09-24-97	412.	Samuel McDonald, Jr.	MO	B/B	M
09-25-97	413.	Benjamin Stone [*] / 2	TX	W/2W	FF
09-30-97	414.	John W. Cockrum	TX	W/W	F
10-01-97	415.	Dwight D. Adanandus	TX	B/W	M
10-08-97	416.	Ricky Lee Green	TX	W/W	M
10-13-97	417.	Gary Lee Davis	CO	W/W	F
10-22-97	418.	Alan J. "AJ" Bannister	MO	W/W	M
10-28-97	419.	Kenneth Ray Ransom	TX	B/L	M
11-04-97	420.	Aua Lauti	TX	A/A	F
11-06-97	421.	Aaron Lee Fuller	TX	W/W	F
11-07-97	422.	Earl Matthews, Jr.	SC	B/W	F
11-13-97	423.	Dawud Majid Mu'Min	VA	B/W	F
11-19-97	424.	Durlyn Eddmonds	IL	B/B	M
11-19-97	425.	Walter Stewart / 2	IL	B/WA	MM
11-19-97	426.	Michael E. Sharp	TX	W/W	F
11-20-97	427.	Gary Burris	IN	B/B	M

11-21-97	428.	Charlie Livingston	TX	B/W	F
12-02-97	429.	Robert E. Williams / 2	NE	B/2W	FF
12-09-97	430.	Michael L. Lockhart	TX	W/W	M
12-09-97	431.	Michael C. Satcher	VA	B/W	F
12-11-97	432.	Thomas Beavers	VA	W/B	F
01-21-98	433.	Lloyd Wayne Hampton [*]	IL	W/W	M
01-21-98	434.	Jose Jesus Ceja / 2	AZ	L/LW	MF
01-29-98	435.	Robert A. Smith [*]	IN	W/W	M
01-30-98	436.	Ricky Lee Sanderson [*]	NC	W/W	F
02-03-98	437.	Karla Faye Tucker [^]	TX	W/W	M
02-09-98	438.	Steven Ceon Renfro [*] / 3	TX	W/3W	MFF
02-10-98	439.	Tony A. Mackall	VA	B/W	F
02-20-98	440.	Michael E. Long [*] / 2	OK	W/2W	MF
02-24-98	441.	Terry Allen Langford / 2	MT	W/2W	MM
02-25-98	442.	Reginald Powell / 2	MO	B/2B	MM
03-06-98	443.	John Arnold	SC	W/B	F
03-11-98	444.	Jerry Lee Hogue	TX	W/W	F
03-18-98	445.	Douglas Buchanan, Jr. / 4	VA	W/4W	MMMMF
03-23-98	446.	Gerald Stano	FL	W/W	F
03-24-98	447.	Leo Alexander Jones	FL	B/W	M
03-25-98	448.	Milton Griffin-El	MO	B/W	M
03-25-98	449.	Ronald Watkins	VA	B/W	M
03-30-98	450.	Judy Buenoano [^]	FL	W/W	M
03-31-98	451.	Daniel Remeta	FL	N/W	M
04-14-98	452.	Angel Francisco Breard	VA	L/W	F
04-22-98	453.	Glennon Sweet	MO	W/W	F
04-22-98	454.	Jose Villafuerte	AZ	L/L	F
04-22-98	455.	Joseph Cannon [#]	TX	W/W	F
04-24-98	456.	Lesley Lee Gosch	TX	W/W	F
04-29-98	457.	Arthur Martin Ross [*]	AZ	W/W	M
04-29-98	458.	Frank Basil McFarland	TX	W/W	F
05-08-98	459.	Steven A. Thompson	AL	W/W	F
05-18-98	460.	Robert A. Carter [#]	TX	B/L	F
05-19-98	461.	Pedro Cruz Muniz	TX	L/W	F
06-03-98	462.	Douglas E. Gretzler / 2	AZ	W/2W	MF
06-09-98	463.	David Loomis Cargill / 2	GA	W/2W	MF
06-11-98	464.	Clifford Holt Boggess	TX	W/W	M
06-15-98	465.	Johnny Pyles	TX	W/W	M
06-18-98	466.	Dennis Wayne Eaton	VA	W/W	M
06-26-98	467.	Leopoldo Narvaiz / 4	TX	L/4W	MFFF
07-08-98	468.	Wilburn A. Henderson	AR	W/W	F
07-10-98	469.	John Plath	SC	W/ (see # 443)	(see # 443)
07-14-98	470.	Thomas Thompson	CA	W/W	F
07-23-98	471.	Danny Lee King	VA	W/W	F
08-05-98	472.	Stephen Edward Wood [*]	OK	W/W	M
08-14-98	473.	Zane Brown Hill	NC	W/W	M
08-20-98	474.	Lance Chandler	VA	B/W	M
08-26-98	475.	Genaro Ruiz Camacho, Jr.	TX	L/B	M
08-31-98	476.	Johnile DuBois	VA	B/W	M
09-09-98	477.	Delbert Teague, Jr.	TX	W/W	M
09-23-98	478.	David Castillo	TX	L/L	M
09-23-98	479.	Kenneth Stewart	VA	W/W	M

09-25-98	480.	Sammy Roberts / 3	SC	W/2W1B	MMM
10-01-98	481.	Javier Cruz / 2	TX	L/2W	MM
10-05-98	482.	Roderick Abeyta [*]	NV	L/W	F
10-07-98	483.	Jonathan Nobles / 2	TX	W/2W	FF
10-13-98	484.	Jeremy Sagastegui [*] / 3	WA	W/3W	MFF
10-14-98	485.	Dwayne Allen Wright [#]	VA	B/B	F
10-21-98	486.	Ronald Lee Fitzgerald / 2	VA	B/2B	MM
11-16-98	487.	Tyrone D. Gilliam	MD	B/W	F
11-17-98	488.	Kenneth McDuff	TX	W/W	F
11-17-98	489.	Kenneth Wilson	VA	B/B	M
11-20-98	490.	John Thomas Noland / 2	NC	W/2W	MF
12-03-98	491.	Kevin Wayne Cardwell	VA	B/B	M
12-04-98	492.	Larry Gilbert	SC	B/W	M
12-04-98	493.	J.D. Gleaton	SC	B/ (see #492)	(see #492)
12-07-98	494.	Daniel Lee Corwin / 2	TX	W/2W	FF
12-08-98	495.	Jeff Emery	TX	W/W	F
12-10-98	496.	Tuan Nguyen / 3	OK	A/3A	MFF
12-11-98	497.	Louis Truesdale	SC	B/W	F
12-15-98	498.	James Ronald Meanes	TX	B/ (see # 196)	(see # 196)
12-17-98	499.	John Wayne Duvall	OK	W/W	F
12-18-98	500.	Andy Smith / 2	SC	B/2B	MF
01-05-99	501.	John Glenn Moody	TX	W/W	F
01-07-99	502.	John Walter Castro	OK	N/W	F
01-08-99	503.	Ronnie Howard	SC	B/A	F
01-08-99	504.	Dobie Gillis Williams	LA	B/W	M
01-13-99	505.	Kelvin Malone	MO	B/W	M
01-13-99	506.	Jesse James Gillies	AZ	W/W	F
01-13-99	507.	Troy D. Farris	TX	W/W	M
01-20-99	508.	Mark Arlo Sheppard / 2	VA	B/2W	MF
01-22-99	509.	Joseph Ernest Atkins / 2	SC	W/WB	MF
01-26-99	510.	Martin Vega	TX	L/W	M
02-03-99	511.	Darrick Gerlaugh	AZ	N/W	M
02-04-99	512.	Sean Sellers [#] / 3	OK	W/3W	MMF
02-04-99	513.	Tony Leslie Fry	VA	W/W	M
02-09-99	514.	Jaturun Siripongs / 2	CA	A/2A	MF
02-10-99	515.	George Cordova	TX	L/L	M
02-11-99	516.	Danny Lee Barber	TX	W/W	F
02-16-99	517.	Andrew Cantu / 3	TX	L/3W	MMF
02-16-99	518.	Johnie Michael Cox / 3	AR	W/3W	FFF
02-19-99	519.	Wilford Berry [*]	OH	W/W	M
02-24-99	520.	James Rodden	MO	W/W	F
02-24-99	521.	Norman E. Green	TX	B/W	M
02-24-99	522.	Karl LaGrand	AZ	W/W	M
03-03-99	523.	Walter LaGrand	AZ	W/ (see # 522)	(see # 522)
03-09-99	524.	George A. Quesinberry, Jr.	VA	W/W	M
03-10-99	525.	Roy Michael Roberts	MO	W/W	M
03-17-99	526.	Andrew Kokoraleis	IL	W/W	F
03-25-99	527.	David Lee Fisher	VA	W/W	M
03-26-99	528.	Charles Rector	TX	B/W	F
03-26-99	529.	James Rich [*]	NC	W/W	M
03-30-99	530.	Robert Excell White	TX	W/W	M
04-05-99	531.	Alvaro Calambro [*] / 2	NV	A/2W	MF

04-12-99	532.	Marion Pruett	AR	W/W	F
04-13-99	533.	Carl Chichester	VA	B/W	M
04-14-99	534.	Roy Ramsey / 2	MO	B/2W	MF
04-20-99	535.	Arthur Jenkins / 2	VA	W/2W	MM
04-23-99	536.	David Lawrie / 3	DE	W/3W	MFF
04-28-99	537.	Ralph Davis	MO	B/W	F
04-28-99	538.	Eric Payne [*] / 2	VA	W/WB	FF
04-28-99	539.	Aaron Foust [*]	TX	W/W	M
04-29-99	540.	Ronald Yeatts	VA	W/W	F
05-04-99	541.	Manny Babbitt	CA	B/W	F
05-04-99	542.	Jose De La Cruz	TX	L/L	M
05-05-99	543.	Robert Vickers	AZ	W/W	M
05-05-99	544.	Clydell Coleman	TX	B/B	F
05-25-99	545.	Eddie Lee Harper [*] / 2	KY	W/2W	MF
05-26-99	546.	Jessie Wise	MO	B/W	F
06-01-99	547.	William Little	TX	W/W	F
06-03-99	548.	Scotty Lee Moore	OK	W/A	M
06-16-99	549.	Bruce Kilgore	MO	B/B	F
06-16-99	550.	Michael Poland / 2	AZ	W/2W	MM
06-17-99	551.	Joseph Stanley Faulder	TX	W/W	F
06-18-99	552.	Brian Baldwin	AL	B/W	F
06-30-99	553.	Robert Walls	MO	W/W	M
07-01-99	554.	Charles Tuttle	TX	W/W	F
07-06-99	555.	Gary Heidnik [*] / 2	PA	W/2B	FF
07-07-99	556.	Tyrone Fuller	TX	B/W	F
07-08-99	557.	Norman Lee Newsted	OK	W/B	M
07-08-99	558.	Allen Davis / 3	FL	W/3W	FFF
07-21-99	559.	Tommy Strickler	VA	W/B	F
08-04-99	560.	Ricky Blackmon	TX	W/W	M
08-05-99	561.	Charles Anthony Boyd	TX	B/W	F
08-06-99	562.	Victor Kennedy	AL	B/W	F
08-10-99	563.	Kenneth Dunn	TX	B/W	F
08-11-99	564.	James Earhart	TX	W/W	F
08-17-99	565.	Marlon Williams	VA	B/W	F
08-18-99	566.	Joe Trevino, Jr.	TX	L/W	F
09-01-99	567.	David R. Leisure	MO	W/W	M
09-01-99	568.	Raymond James Jones	TX	B/A	M
09-08-99	569.	Mark Gardner	AR	W/W	F
09-08-99	570.	Alan Willett [*] / 2	AR	W/2W	MM
09-10-99	571.	Willis Barnes	TX	B/W	F
09-14-99	572.	William Prince Davis	TX	B/W	M
09-16-99	573.	Everett Lee Mueller	VA	W/W	F
09-21-99	574.	Ricky Wayne Smith [*]	TX	W/W	F
09-24-99	575.	Willie Sullivan	DE	B/W	M
09-24-99	576.	Harvey Lee Green / 2	NC	B/2W	MF
10-12-99	577.	Alvin Wayne Crane	TX	W/W	M
10-14-99	578.	Jerry McFadden	TX	W/W	F
10-15-99	579.	Joseph Mitchell Parsons [*]	UT	W/W	M
10-19-99	580.	Jason Matthew Joseph	VA	B/B	M
10-21-99	581.	Arthur Martin Boyd	NC	W/W	F
10-27-99	582.	Ignacio Alberto Ortiz	AZ	L/L	F
10-28-99	583.	Domingo Cantu, Jr.	TX	N/W	F

11-09-99	584.	Thomas Lee Royal, Jr.	VA	B/B	M
11-12-99	585.	Leroy Joseph Drayton	SC	B/W	F
11-16-99	586.	Desmond Jennings / 2	TX	B/2B	MF
11-17-99	587.	John Michael Lamb	TX	W/W	M
11-18-99	588.	Jose Gutierrez	TX	L/ (see # 251)	(see # 251)
11-19-99	589.	David Junior Brown / 2	NC	B/2W	FF
12-02-99	590.	Cornel Cooks	OK	B/W	F
12-03-99	591.	David Rocheville	SC	W/W	M
12-08-99	592.	David Martin Long	TX	W/W	F
12-09-99	593.	Bobby Lynn Ross	OK	B/W	M
12-09-99	594.	D.H. Fleenor / 2	IN	W/2W	MF
12-09-99	595.	James Beathard / 3	TX	W/3W	MMF
12-09-99	596.	Andre Graham	VA	B/W	F
12-14-99	597.	Robert Atworth [*]	TX	W/W	M
12-15-99	598.	Sammie Felder, Jr.	TX	B/W	M
01-06-00	599.	Malcolm Rent Johnson	OK	B/W	F
01-07-00	600.	David Ray Duren	AL	W/W	F
01-10-00	601.	Douglas C. Thomas [#]	VA	W/W	F
01-12-00	602.	Earl Heiselbetz, Jr. / 2	TX	W/2W	FF
01-13-00	603.	Gary Alan Walker	OK	W/W	M
01-13-00	604.	Steve Edward Roach [#]	VA	W/W	F
01-18-00	605.	Spencer Goodman	TX	W/W	F
01-20-00	606.	David Hicks	TX	B/B	F
01-21-00	607.	Larry Keith Robison	TX	W/W	M
01-24-00	608.	Billy George Hughes, Jr.	TX	W/W	M
01-25-00	609.	Glen McGinnis [#]	TX	B/W	F
01-27-00	610.	James Moreland	TX	W/W	M
02-10-00	611.	Michael D. Roberts	OK	B/B	F
02-16-00	612.	Anthony Lee Chaney	AZ	W/W	M
02-23-00	613.	Terry Melvin Sims	FL	W/W	M
02-23-00	614.	Cornelius Goss	TX	B/W	M
02-24-00	615.	Anthony Bryan	FL	W/W	M
02-24-00	616.	Bettie Lou Beets [^]	TX	W/W	M
03-01-00	617.	Odell Barnes, Jr.	TX	B/B	F
03-03-00	618.	Freddie Lee Wright / 2	AL	B/2W	MF
03-14-00	619.	Ponchai Wilkerson	TX	B/A	M
03-15-00	620.	Darrell Keith Rich / 2	CA	N/2W	FF
03-15-00	621.	Patrick Poland / 2	AZ	W/ (see #550)	(see #550)
03-15-00	622.	Timothy Lane Gribble	TX	W/W	F
03-16-00	623.	Lonnie Weeks, Jr.	VA	B/L	M
03-22-00	624.	James Henry Hampton [*]	MO	W/W	F
03-23-00	625.	Kelly Lamont Rogers	OK	B/W	F
04-14-00	626.	Robert Lee Tarver, Jr.	AL	B/W	M
04-19-00	627.	Robert Glen Coe	TN	W/W	F
04-27-00	628.	Ronald Keith Boyd	OK	B/W	M
05-02-00	629.	Christina Riggs [^] [*] / 2	AR	W/2W	MF
05-04-00	630.	Tommy Ray Jackson	TX	B/W	F
05-09-00	631.	Williams Kitchens	TX	W/W	F
05-11-00	632.	Michael Lee McBride / 2	TX	W/2W	MF
05-23-00	633.	James Richardson	TX	B/W	M
05-24-00	634.	Richard D. Foster	TX	W/W	M
05-25-00	635.	Charles A. Foster	OK	B/B	M

05-25-00	636.	James E. Clayton	TX	B/W	F
05-31-00	637.	Robert E. Carter / 6	TX	B/6B	1M5F
06-01-00	638.	James Robedeaux	OK	N/W	F
06-02-00	639.	Pernell Ford [*] / 2	AL	B/2W	FF
06-06-00	640.	Feltus Taylor / 2	LA	B/2W	MF
06-07-00	641.	Bennie Demps	FL	B/B	M
06-08-00	642.	Roger James Berget	OK	W/W	M
06-12-00	643.	Thomas Wayne Mason / 2	TX	W/2W	FF
06-14-00	644.	John Albert Burks	TX	B/L	M
06-15-00	645.	William Clifford Bryson	OK	B/W	M
06-15-00	646.	Paul Nuncio	TX	L/W	F
06-21-00	647.	Thomas Provenzano	FL	W/W	M
06-22-00	648.	Gary Graham [#]	TX	B/W	M
06-28-00	649.	Bert Hunter [*] / 2	MO	W/2W	MF
06-29-00	650.	Jessy Carlos San Miguel	TX	L/W	M
07-06-00	651.	Michael D. Clagett / 4	VA	W/3W1A	MMMMF
07-12-00	652.	Orien C. Joiner / 2	TX	W/2W	FF
07-20-00	653.	Gregg Braun	OK	W/W	F
07-26-00	654.	Juan Salvez Soria	TX	L/W	M
08-09-00	655.	Brian K. Roberson	TX	B/W	M
08-09-00	656.	Oliver D. Cruz	TX	L/W	F
08-10-00	657.	George Wallace / 2	OK	W/2W	MM
08-16-00	658.	John T. Satterwhite	TX	B/L	F
08-22-00	659.	Richard W. Jones	TX	W/W	F
08-23-00	660.	David E. Gibbs / 2	TX	W/2W	FF
08-25-00	661.	Dan Hauser [*]	FL	W/W	F
08-30-00	662.	Gary Lee Roll / 3	MO	W/3W	MMF
08-30-00	663.	Jeffrey Caldwell / 3	TX	B/3B	MFF
08-30-00	664.	Russel Burket / 2	VA	W/2W	FF
09-13-00	665.	George Harris	MO	B/B	M
09-14-00	666.	Derek Barnabei	VA	W/W	F
09-27-00	667.	Ricky McGinn	TX	W/W	F
10-10-00	668.	Bobby Lee Ramdass	VA	B/A	M
11-01-00	669.	Jeffrey Dillingham	TX	W/W	F
11-03-00	670.	Kevin Dean Young	SC	B/W	M
11-08-00	671.	Donald Miller [*]	AZ	W/W	F
11-09-00	672.	Michael Sexton	NC	B/W	F
11-09-00	673.	Miguel Flores	TX	L/W	F
11-14-00	674.	Stacey L. Lawton	TX	B/W	M
11-15-00	675.	James Chambers	MO	W/W	M
11-15-00	676.	Tony Chambers	TX	B/B	F
11-17-00	677.	Dwayne Weeks / 2	DE	B/2B	MF
12-05-00	678.	Garry Dean Miller	TX	W/W	F
12-06-00	679.	Daniel Hittle	TX	W/W	M
12-06-00	680.	Christopher Goins	VA	B/B	M
12-07-00	681.	Edward Castro [*]	FL	L/W	M
12-07-00	682.	Claude Jones	TX	W/W	M
12-19-00	683.	David Johnson	AR	B/B	M
01-09-01	684.	Jack Wade Clark	TX	W/L	F
01-09-01	685.	Eddie Trice	OK	B/B	F
01-11-01	686.	Robert Glock	FL	W/W	F
01-11-01	687.	Wanda Jean Allen [^]	OK	B/B	F

01-16-01	688.	Floyd Medlock	OK	W/W	F
01-18-01	689.	Alvin Goodwin	TX	W/W	M
01-18-01	690.	Dion Smallwood	OK	N/W	F
01-23-01	691.	Mark Fowler / 3	OK	W/2W1A	MMM
01-25-01	692.	Billy Ray Fox / 3	OK	W/ (see # 691)	(see # 691)
01-29-01	693.	Caruthers Alexander	TX	B/W	F
01-30-01	694.	Loyd Lafevers	OK	W/W	F
02-01-01	695.	D.L. Jones	OK	W/W	M
02-07-01	696.	Stanley Lingar	MO	W/W	M
02-08-01	697.	Adolph Hernandez	TX	L/L	F
03-01-01	698.	Thomas Akers [*]	VA	W/W	M
03-01-01	699.	Robert Clayton	OK	W/W	F
03-07-01	700.	Dennis Dowthitt	TX	W/W	F
03-09-01	701.	Willie Fisher	NC	B/B	F
03-14-01	702.	Gerald Bivens [*]	IN	W/W	M
03-27-01	703.	Robert Massie [*]	CA	W/W	M
03-27-01	704.	Ronald Fluke [*] / 3	OK	W/3W	FFF
03-28-01	705.	Tomas Ervin / 2	MO	W/ (see # 649)	(see # 649)
04-03-01	706.	Jason Massey / 2	TX	W/2W	MF
04-21-01	707.	Sebastian Bridges [*]	NV	W/W	M
04-25-01	708.	Mose Young / 3	MO	B/3W	MMM
04-25-01	709.	David Goff	TX	B/B	M
04-26-01	710.	David Dawson	DE	W/W	F
05-01-01	711.	Marilyn Plantz [^]	OK	W/ (see # 645)	(see # 645)
05-08-01	712.	Clay King Smith [*] / 5	AR	W/5W	1M4F
05-22-01	713.	Terrance James	OK	N/W	M
05-23-01	714.	Samuel Smith	MO	B/B	M
05-25-01	715.	Abdullah Hameen	DE	B/B	M
05-29-01	716.	Vincent Johnson	OK	B/B	F
06-11-01	717.	Timothy McVeigh [*] / 168	US	W/129W32B5L2N	75M93F
06-13-01	718.	John Wheat / 3	TX	W/3W	MFF
06-14-01	719.	Jay Scott	OH	B/B	F
06-19-01	720.	Juan Garza / 3	US	L/1W2L	MMM
06-26-01	721.	Miguel Richardson	TX	B/W	M
06-27-01	722.	Jim Lowery / 2	IN	W/2W	MF
07-11-01	723.	Jerome Mallett	MO	B/W	M
07-11-01	724.	James Jay Wilkens / 2	TX	W/2W	MM
07-17-01	725.	Jerald Harjo	OK	N/N	F
08-08-01	726.	Mack O. Hill	TX	W/W	M
08-16-01	727.	Jeffery Doughtie / 2	TX	W/2W	MF
08-24-01	728.	Clifton A. White	NC	W/W	F
08-28-01	729.	James Elledge [*]	WA	W/W	F
08-28-01	730.	Jack D. Walker	OK	W/W	F
08-31-01	731.	Ronald W. Frye	NC	W/W	M
09-18-01	732.	James Roy Knox	TX	W/L	M
10-03-01	733.	Michael Roberts	MO	W/W	F
10-12-01	734.	David Junior Ward	NC	B/B	F
10-18-01	735.	Christopher Beck / 3	VA	W/3W	MMF
10-18-01	736.	Alvie Hale	OK	W/W	M
10-22-01	737.	Gerald Mitchell [#]	TX	B/W	M
10-24-01	738.	Stephen Johns	MO	W/W	M
10-25-01	739.	Terry Mincey	GA	W/W	F

11-06-01	740.	Jose High [#] [see note below]	GA	B/W	M
11-06-01	741.	Terry Clark [*]	NM	W/W	F
11-14-01	742.	Fred Gilreath / 2	GA	W/2W	MF
11-14-01	743.	Jeffrey Tucker	TX	W/W	M
11-15-01	744.	Emerson Rudd	TX	B/B	M
11-30-01	745.	John Hardy Rose	NC	W/W	F
12-04-01	746.	Lois Nadean Smith [^]	OK	W/W	F
12-06-01	747.	Sahib Al-Mosawi / 2	OK	W/2W	MF
12-11-01	748.	Byron Parker	GA	W/W	F
12-12-01	749.	Vincent Cooks	TX	B/W	M
01-09-02	750.	James Johnson / 4	MO	W/4W	MMFF
01-09-02	751.	Michael Moore	TX	W/W	F
01-16-02	752.	Jermarr Arnold	TX	B/L	F
01-24-02	753.	Ronald Spivey	GA	W/W	M
01-29-02	754.	Stephen Anderson	CA	W/W	F
01-29-02	755.	John Romano	OK	W/W	M
01-30-02	756.	Windell Broussard / 2	TX	B/2B	MF
01-31-02	757.	Randall Wayne Hafdahl, Sr.	TX	W/W	M
01-31-02	758.	David Woodruff	OK	W/(see # 755)	(see #755)
02-06-02	759.	Michael Owsley	MO	B/B	M
02-19-02	760.	John Byrd	OH	W/W	M
02-28-02	761.	Monty Allen Delk	TX	W/W	M
03-06-02	762.	Jeffrey Tokar	MO	W/W	M
03-07-02	763.	Gerald W. Tigner / 2	TX	B/2B	MM
03-12-02	764.	Tracy L. Housel	GA	W/W	F
03-14-02	765.	James Earl Patterson [*]	VA	W/W	F
04-02-02	766.	Daniel Lee Zirkle [*] / 2	VA	W/2W	FF
04-10-02	767.	Paul Kreutzer	MO	W/W	F
04-10-02	768.	Jose Santellan, Sr.	TX	L/L	F
04-11-02	769.	William K. Burns	TX	B/W	M
04-18-02	770.	Gerald Casey	TX	W/W	F
04-26-02	771.	Alton Coleman	OH	B/W	F
04-30-02	772.	Rodolfo Hernandez	TX	L/L	M
05-03-02	773.	Richard Johnson	SC	W/B	M
05-09-02	774.	Reginald L. Reeves	TX	B/W	F
05-10-02	775.	Lynda Lyon Block [^][*]	AL	W/W	M
05-10-02	776.	Leslie Martin	LA	W/W	F
05-16-02	777.	Ronford Styron	TX	W/W	M
05-22-02	778.	Johnny Martinez	TX	L/W	M
05-28-02	779.	Napoleon Beazley [#]	TX	B/W	M
05-30-02	780.	Stanley Baker, Jr.	TX	W/W	M
06-12-02	781.	Walter Mickens	VA	B/W	M
06-13-02	782.	Daniel Reneau	TX	W/W	M
06-25-02	783.	Robert Coulson / 2	TX	W/2W	MF
06-26-02	784.	Jeffrey L. Williams	TX	B/B	F
07-17-02	785.	Tracy Hansen	MS	W/W	M
07-23-02	786.	Randall Cannon	OK	W/ (see # 694)	(see # 694)
07-30-02	787.	Earl Frederick, Sr. [*]	OK	W/W	M
08-07-02	788.	Richard William Kutzner	TX	W/W	F
08-08-02	789.	T.J. Jones [#]	TX	B/W	M
08-14-02	790.	Javier Suarez Medina	TX	L/L	M
08-14-02	791.	Daniel Basile	MO	W/W	F

08-16-02	792.	Wallace Fugate	GA	W/W	F
08-20-02	793.	Gary Etheridge	TX	W/W	F
08-23-02	794.	Anthony Green	SC	B/W	F
08-28-02	795.	Toronto Patterson [#] / 3	TX	B/3B	FFF
09-10-02	796.	Tony Walker	TX	B/B	F
09-13-02	797.	Michael Passaro [*]	SC	W/W	F
09-17-02	798.	Jessie Patrick	TX	W/W	F
09-18-02	799.	Ronald Shamburger	TX	W/W	F
09-24-02	800.	Rex Mays / 2	TX	W/2W	FF
09-25-02	801.	Robert Buell	OH	W/W	F
09-25-02	802.	Calvin King	TX	B/B	M
10-01-02	803.	James R. Powell	TX	W/W	F
10-02-02	804.	Rigoberto Sanchez-Velasco[*]	FL	L/L	F
10-09-02	805.	Aileen Wuornos [^] [*]	FL	W/W	M
11-13-02	806.	William Putman / 2	GA	W/2W	MF
11-14-02	807.	Mir Aimal Kasi	VA	A/W	M
11-19-02	808.	Craig N. Ogan, Jr.	TX	W/W	M
11-20-02	809.	William Jones	MO	W/W	M
11-20-02	810.	William Chappell / 3	TX	W/3W	MFF
12-04-02	811.	Leonard Rojas / 2	TX	L/LW	MF
12-06-02	812.	Ernest Basden	NC	W/W	M
12-09-02	813.	Linroy Bottoson	FL	B/B	F
12-10-02	814.	Desmond K. Carter	NC	B/W	F
12-10-02	815.	Jerry McCracken / 4	OK	W/4W	MMMMF
12-11-02	816.	James P. Collier / 2	TX	W/2W	MF
12-11-02	817.	Jessie Williams	MS	W/W	F
12-12-02	818.	Jay W. Neill / 4	OK	W/4W	MFFF
12-12-02	819.	Anthony Keith Johnson	AL	W/W	M
12-17-02	820.	Ernest Carter, Jr.	OK	B/W	M
01-14-03	821.	Samuel Gallamore / 3	TX	W/3W	MFF
01-15-03	822.	John Richard Baltazar	TX	L/L	F
01-16-03	823.	Daniel Revilla	OK	W/L	M
01-22-03	824.	Robert Lookingbill	TX	W/W	F
01-28-03	825.	Alva E. Curry	TX	B/L	M
01-29-03	826.	Richard Dinkins / 2	TX	W/2W	FF
01-30-03	827.	Granville Riddle	TX	W/W	M
02-04-03	828.	John Elliott	TX	L/L	F
02-05-03	829.	Kenneth Kenley	MO	W/W	M
02-06-03	830.	Henry Dunn, Jr.	TX	B/L	M
02-12-03	831.	Richard Fox	OH	W/W	F
02-13-03	832.	Bobby Joe Fields	OK	B/W	F
02-25-03	833.	Richard Williams	TX	B/B	F
02-26-03	834.	Amos King	FL	B/W	F
03-11-03	835.	Bobby Cook	TX	W/W	M
03-13-03	836.	Michael Thompson	AL	W/W	F
03-18-03	837.	Louis Jones	US	B/W	F
03-18-03	838.	Walanzo Robinson	OK	B/B	M
03-20-03	839.	Keith Clay	TX	B/A	M
03-25-03	840.	John Hooker / 2	OK	B/2B	FF
03-25-03	841.	Larry Moon	GA	W/W	M
03-26-03	842.	James Colburn	TX	W/W	F
04-03-03	843.	Scott Allen Hain [#] / 2	OK	W/2W	MF

04-08-03	844.	Don Wilson Hawkins, Jr.	OK	W/W	F
04-09-03	845.	Earl Bramblett	VA	W/W	F
04-17-03	846.	Larry Jackson	OK	B/B	F
04-22-03	847.	John R. Chavez	TX	L/L	M
04-24-03	848.	Gary Brown	AL	W/W	M
04-29-03	849.	David Brewer	OH	W/W	F
05-02-03	850.	Kevin Hough / 2	IN	W/2W	MM
05-06-03	851.	Roger D. Vaughn	TX	W/W	F
05-06-03	852.	Carl Isaacs / 6	GA	W/6W	5M1F
05-15-03	853.	Bruce C. Jacobs	TX	W/W	M
05-16-03	854.	Newton Slawson [*] / 4	FL	W/4W	MMFF
05-27-03	855.	Robert Knighton / 2	OK	W/2W	MF
06-05-03	856.	Kenneth Charm	OK	B/B	F
06-11-03	857.	Kia Johnson	TX	B/W	M
06-13-03	858.	Joseph Trueblood / 3	IN	W/3W	MFF
06-18-03	859.	Ernest Martin	OH	B/B	M
07-01-03	860.	Lewis E. Gilbert II	OK	W/W	F
07-02-03	861.	Hilton Lewis Crawford	TX	W/W	M
07-08-03	862.	Robert Duckett	OK	W/W	M
07-09-03	863.	Christopher Black, Sr.	TX	B/B	F
07-09-03	864.	Riley Dobi Noel / 3	AR	B/3B	MFF
07-22-03	865.	Bryan Toles / 2	OK	B/2L	MM
07-22-03	866.	Bobby Swisher	VA	W/W	F
07-23-03	867.	Cedric Ransom	TX	B/W	M
07-24-03	868.	Jackie Willingham	OK	W/W	F
07-24-03	869.	Allen W. Janecka	TX	W/W	M
07-29-03	870.	Harold McElmurry III [*] / 2	OK	W/2W	MF
08-07-03	871.	Tommy Fortenberry / 4	AL	W/4W	MMMMF
08-22-03	872.	William Quentin Jones	NC	B/B	M
09-03-03	873.	Paul Hill [*]	FL	W/W	M
09-10-03	874.	Larry Hayes [*] / 2	TX	W/WB	FF
09-12-03	875.	Henry Lee Hunt / 2	NC	N/2N	MM
09-26-03	876.	Joseph E. Bates	NC	W/W	M
10-03-03	877.	Edward Hartman	NC	W/W	M
10-29-03	878.	John C. Smith [*]	MO	W/W	F
11-04-03	879.	James W. Brown	GA	W/W	F
11-07-03	880.	Joseph Keel	NC	W/W	M
11-14-03	881.	John D. Daniels	NC	B/B	F
11-20-03	882.	Robert Henry / 2	TX	W/2W	FF
12-03-03	883.	Richard Duncan / 2	TX	W/2W	MF
12-04-03	884.	Ivan Murphy, Jr.	TX	W/W	F
12-05-03	885.	Robbie Lyons	NC	B/W	M
01-06-04	886.	Ynobe Matthews	TX	B/W	F
01-06-04	887.	Charles Singleton	AR	B/W	F
01-09-04	888.	Raymond Rowsey	NC	W/W	M
01-13-04	889.	Tyrone Darks	OK	B/B	F
01-14-04	890.	Lewis Williams	OH	B/W	F
01-14-04	891.	Kenneth E. Bruce	TX	B/W	F
01-21-04	892.	Kevin Zimmerman	TX	W/W	M
01-28-04	893.	Billy Vickers	TX	W/W	M
02-03-04	894.	John Glenn Roe	OH	W/W	F
02-04-04	895.	Johnny Robinson	FL	B/W	F

02-11-04	896.	Edward Lagrone / 3	TX	B/3B	FFF
02-12-04	897.	Bobby Ray Hopkins / 2	TX	B/2W	FF
02-17-04	898.	Norman Cleary	OK	W/W	F
02-17-04	899.	Cameron Todd Willingham /3	TX	W/3W	FFF
03-03-04	900.	Marcus Bridger Cotton	TX	B/W	M
03-09-04	901.	David Brown	OK	W/W	M
03-18-04	902.	Brian Cherrix [*]	VA	W/W	F
03-19-04	903.	David Clayton Hill	SC	W/W	M
03-23-04	904.	Hung Thanh Le	OK	A/A	M
03-26-04	905.	Lawrence Colwell [*]	NV	W/W	M
03-30-04	906.	William Wickline, Jr.	OH	W/W	F
03-31-04	907.	Dennis W. Orbe	VA	W/W	M
04-16-04	908.	Jerry McWee	SC	W/W	M
04-23-04	909.	Jason Byram	SC	W/W	F
05-18-04	910.	Kelsey Patterson / 2	TX	B/2W	MF
05-26-04	911.	John Blackwelder [*]	FL	W/W	M
05-28-04	912.	James Tucker	SC	W/W	F
06-08-04	913.	William Zuern	OH	W/W	M
06-08-04	914.	Robert Bryan	OK	W/W	F
06-17-04	915.	Steve Oken	MD	W/W	F
06-30-04	916.	David Harris	TX	W/W	M
07-01-04	917.	Robert Karl Hicks	GA	W/W	F
07-14-04	918.	Stephen Vrabel [*] / 2	OH	W/2W	FF
07-19-04	919.	Eddie Crawford	GA	W/W	F
07-20-04	920.	Scott A. Mink [*] / 2	OH	W/2W	MF
07-22-04	921.	Mark Bailey / 2	VA	W/2W	MF
08-05-04	922.	J.B. Hubbard	AL	W/W	F
08-12-04	923.	Terry Jess Dennis [*]	NV	W/W	M
08-18-04	924.	James Bryant Hudson [*] / 2	VA	W/2W	MM
08-25-04	925.	Jasen Busby / 2	TX	W/2W	FF
08-26-04	926.	Windel Workman	OK	W/W	F
08-26-04	927.	James V. Allridge	TX	B/W	M
09-09-04	928.	James Reid	VA	B/B	F
09-21-04	929.	Andrew Flores	TX	L/L	M
09-30-04	930.	David Kevin Hocker [*]	AL	W/W	M
10-05-04	931.	Edward P. Green / 2	TX	B/2W	MF
10-06-04	932.	Peter Miniel	TX	L/W	M
10-08-04	933.	Sammy C. Perkins	NC	B/B	F
10-12-04	934.	Donald L. Aldrich	TX	W/ (see # 830)	(see # 830)
10-13-04	935.	Adremy Dennis	OH	B/W	M
10-20-04	936.	Ricky E. Morrow	TX	W/W	M
10-22-04	937.	Charles Wesley Roache [*] / 2	NC	W/2W	FF
10-26-04	938.	Dominique Green	TX	B/B	M
11-02-04	939.	Lorenzo Morris	TX	B/B	M
11-04-04	940.	Robert Morrow	TX	W/W	F
11-09-04	941.	Demarco M. McCullum	TX	B/W	M
11-10-04	942.	Frederick McWilliams	TX	B/L	M
11-12-04	943.	Frank Ray Chandler	NC	W/W	F
11-17-04	944.	Anthony Guy Fuentes	TX	L/W	M
01-04-05	945.	James Porter [*]	TX	W/L	M
01-19-05	946.	Donald J. Beardslee	CA	W/W	F
01-25-05	947.	Timothy Carr	GA	W/W	M

01-25-05	948.	Troy A. Kunkle	TX	W/W	M
02-17-05	949.	Dennis Bagwell / 4	TX	W/4W	4F
03-01-05	950.	Stephen Mobley	GA	W/W	M
03-08-05	951.	William H. Smith	OH	B/B	F
03-08-05	952.	George Anderson Hopper	TX	W/W	F
03-10-05	953.	Donald Wallace / 4	IN	W/4W	MMFF
03-11-05	954.	William Powell	NC	W/W	F
03-15-05	955.	Jimmie Ray Slaughter / 2	OK	W/2W	FF
03-16-05	956.	Stanley Hall	MO	B/W	F
04-05-05	957.	Glenn Ocha [*]	FL	W/W	F
04-15-05	958.	Richard Longworth / 2	SC	W/(see # 591) & W	(see # 591) & M
04-20-05	959.	Douglas Roberts	TX	W/L	M
04-21-05	960.	Bill Benefiel	IN	W/W	F
04-27-05	961.	Donald Jones	MO	B/B	F
04-28-05	962.	Mario Centobie [*]	AL	W/W	M
05-03-05	963.	Lonnie Pursley	TX	W/W	M
05-06-05	964.	Earl Richmond / 3	NC	B/3B	MFF
05-12-05	965.	George Miller, Jr.	OK	B/W	M
05-13-05	966.	Michael Ross [*] / 4	CT	W/4W	FFFF
05-18-05	967.	Bryan Wolfe	TX	B/B	F
05-19-05	968.	Vernon Brown	MO	B/B	M
05-19-05	969.	Richard Cartwright	TX	W/L	M
05-25-05	970.	Gregory S. Johnson	IN	W/W	F
06-02-05	971.	Jerry Henderson	AL	W/W	M
06-07-05	972.	Alexander Martinez [*]	TX	L/W	F
07-12-05	973.	Robert Conklin	GA	W/W	M
07-19-05	974.	Sharieff Sallahdin (FKA Michael Pennington)	OK	B/W	M
07-27-05	975.	Kevin Conner / 3	IN	W/3W	MMM
07-28-05	976.	David Martinez	TX	L/W	F
08-04-05	977.	George Sibley	AL	W/ (see # 775)	(see # 775)
08-10-05	978.	Gary Sterling	TX	B/W	M
08-11-05	979.	Kenneth Turrentine	OK	B/B	F
08-23-05	980.	Robert Shields	TX	W/W	F
08-31-05	981.	Timothy Johnston	MO	W/W	F
09-14-05	982.	Frances E. Newton [^] / 3	TX	B/3B	MMF
09-22-05	983.	John Peoples / 3	AL	W/3W	MMF
09-27-05	984.	Herman Ashworth [*]	OH	W/W	M
09-28-05	985.	Alan Matheny	IN	W/W	F
10-06-05	986.	Ronald Ray Howard	TX	B/W	M
10-20-05	987.	Luis Ramirez	TX	L/L	M
10-25-05	988.	Willie Williams, Jr. / 4	OH	B/4B	MMMM
10-26-05	989.	Marlin Gray / 2	MO	B/2W	FF
11-03-05	990.	Melvin White	TX	W/W	F
11-04-05	991.	Brian Steckel	DE	W/W	F
11-04-05	992.	Arthur Hastings Wise [*] / 4	SC	B/4W	MMMF
11-09-05	993.	Charles Daniel Thacker	TX	W/W	F
11-11-05	994.	Steve McHone / 2	NC	W/2W	MF
11-15-05	995.	Robert Dale Rowell / 2	TX	W/BL	MM
11-16-05	996.	Shannon Thomas / 3	TX	B/3L	MMF
11-18-05	997.	Elias Syriani	NC	W/W	F
11-28-05	998.	Eric Nance	AR	W/W	F

11-29-05	999.	John Hicks	OH	B/B	F
12-02-05	1000.	Kenneth Boyd / 2	NC	W/2W	MF
12-02-05	1001.	Shawn Humphries	SC	W/W	M
12-05-05	1002.	Wesley Baker	MD	B/W	F
12-13-05	1003.	Stanley "Tookie" Williams / 4	CA	B/1W3A	MMFF
12-14-05	1004.	John Nixon, Sr.	MS	W/W	F
01-17-06	1005.	Clarence Ray Allen / 3	CA	N/3W	MMF
01-20-06	1006.	Perrie Dyon Simpson	NC	B/W	M
01-25-06	1007.	Marion Dudley / 3	TX	B/3L	MMF
01-27-06	1008.	Marvin Bieghler / 2	IN	W/2W	MF
01-31-06	1009.	Jaime Elizalde, Jr. / 2	TX	L/2L	MM
02-07-06	1010.	Glenn Benner, II / 2	OH	W/2W	FF
02-08-06	1011.	Robert Neville, Jr.	TX	W/W	F
02-15-06	1012.	Clyde Smith, Jr.	TX	B/W	M
03-15-06	1013.	Tommie Hughes	TX	B/B	F
03-17-06	1014.	Patrick Moody	NC	W/W	M
03-22-06	1015.	Robert Salazar, Jr.	TX	L/L	F
03-29-06	1016.	Kevin Kincy	TX	B/B	M
04-18-06	1017.	Richard Thornburg, Jr. / 3	OK	W/3W	MMM
04-21-06	1018.	Willie Brown	NC	B/B	F
04-26-06	1019.	Daryl Linnie Mack [*]	NV	B/W	F
04-27-06	1020.	Dexter Lee Vinson	VA	B/W	F
05-02-06	1021.	Joseph Clark	OH	B/W	M
05-04-06	1022.	Jackie B. Wilson	TX	W/W	F
05-17-06	1023.	Jermaine Herron / 2	TX	B/2W	MF
05-24-06	1024.	Jesus Aguilar / 2	TX	L/2W	MF
06-01-06	1025.	John Boltz	OK	W/W	M
06-06-06	1026.	Timothy Titsworth	TX	W/W	F
06-20-06	1027.	Lamont Reese / 3	TX	B/3B	MMM
06-27-06	1028.	Angel Maturino Resendiz	TX	L/L	F
06-28-06	1029.	Sedley Alley	TN	W/W	F
07-11-06	1030.	Derrick O'Brien	TX	B/W	F
07-12-06	1031.	Rocky Lee Barton	OH	W/W	F
07-14-06	1032.	William Earl Downs [*]	SC	W/B	M
07-19-06	1033.	Mauriceo Brown	TX	B/B	M
07-20-06	1034.	Robert Anderson [*]	TX	W/W	F
07-20-06	1035.	Brandon W. Hedrick	VA	W/B	F
07-27-06	1036.	Michael Lenz	VA	W/W	M
08-03-06	1037.	William E. Wyatt, Jr.	TX	B/B	M
08-08-06	1038.	Darrell W. Ferguson [*] / 3	OH	W/3W	MMF
08-11-06	1039.	David T. Dawson [*] / 3	MT	W/3W	MMF
08-17-06	1040.	Richard Hinojosa	TX	L/W	F
08-18-06	1041.	Samuel Flippen	NC	W/W	F
08-24-06	1042.	Justin Fuller	TX	B/W	M
08-29-06	1043.	Eric Patton	OK	B/W	F
08-31-06	1044.	James Malicoat	OK	W/W	F
08-31-06	1045.	Derrick Frazier / 2	TX	B/(see # 1023)	(see # 1023)
09-12-06	1046.	Farley C. Matchett	TX	B/B	F
09-20-06	1047.	Clarence Hill	FL	B/W	M
10-18-06	1048.	Arthur Rutherford	FL	W/W	F
10-18-06	1049.	Bobby Wilcher [*] [see note]	MS	W/W	F
10-24-06	1050.	Jeffrey Lundgren / 5	OH	W/5W	1M4F

10-25-06	1051. Danny Rolling / 5	FL	W/4W1L	5F
10-25-06	1052. Gregory Summers	TX	W/ (see # 517)	(see # 517)
10-26-06	1053. Larry Hutcherson	AL	W/W	F
11-01-06	1054. Donell Jackson	TX	B/B	M
11-08-06	1055. Willie M. Shannon	TX	B/L	M
11-09-06	1056. John Yancey Schmitt	VA	W/B	M
12-13-06	1057. Angel Diaz	FL	L/W	M
01-09-07	1058. Corey Hamilton / 4	OK	B/4W	MMMMF
01-10-07	1059. Carlos Granados	TX	L/L	M
01-17-07	1060. Jonathan Moore	TX	W/L	M
01-30-07	1061. Christopher Swift [*] / 2	TX	W/2W	FF
02-07-07	1062. James Jackson / 2	TX	B/2B	FF
02-22-07	1063. Newton Anderson / 2	TX	W/2W	MF
02-27-07	1064. Donald A. Miller	TX	W/W	M
03-06-07	1065. Robert Martinez Perez / 2	TX	L/2L	MM
03-07-07	1066. Joseph B. Nichols	TX	B/ (see # 263)	(see # 263)
03-20-07	1067. Charles Nealy	TX	B/A	M
03-28-07	1068. Vincent Gutierrez	TX	L/L	M
03-29-07	1069. Roy Pippin / 2	TX	W/2L	MM
04-11-07	1070. James Lee Clark	TX	W/W	F
04-24-07	1071. James Filiaggi	OH	W/W	F
04-26-07	1072. Ryan Heath Dickson	TX	W/W	M
05-03-07	1073. Aaron Jones / 2	AL	B/2W	MF
05-04-07	1074. David Woods	IN	W/L	M
05-09-07	1075. Philip Workman	TN	W/W	M
05-16-07	1076. Charles E. Smith	TX	W/W	M
05-22-07	1077. Robert C. Comer [*]	AZ	W/W	M
05-24-07	1078. Christopher Newton [*]	OH	W/W	M
06-06-07	1079. Michael Griffith	TX	W/W	F
06-15-07	1080. Michael Lambert	IN	W/W	M
06-20-07	1081. Lionell Rodriguez	TX	L/A	F
06-21-07	1082. Gilberto Guadalupe Reyes	TX	L/L	F
06-22-07	1083. Calvin Shuler	SC	B/W	M
06-26-07	1084. Jimmy Bland	OK	W/W	M
06-26-07	1085. Patrick Knight / 2	TX	W/2W	MF
06-26-07	1086. John Hightower / 3	GA	B/3B	FFF
07-11-07	1087. Elijah Page [*]	SD	W/W	M
07-24-07	1088. Lonnie Johnson / 2	TX	B/2W	MM
07-26-07	1089. Darrell Grayson	AL	B/ (see # 562)	(see # 562)
08-15-07	1090. Kenneth Parr	TX	B/W	F
08-21-07	1091. Frank Welch	OK	W/W	F
08-22-07	1092. Johnny Conner	TX	B/A	F
08-23-07	1093. Luther Williams	AL	B/W	M
08-28-07	1094. DaRoyce Lamont Mosley	TX	B/W	F
08-29-07	1095. John Amador	TX	L/W	M
09-05-07	1096. Tony Roach	TX	W/W	F
09-12-07	1097. Daryl Holton [*] / 4	TN	W/4W	MMMMF
09-20-07	1098. Clifford Kimmel / 3	TX	W/3W	MFF
09-25-07	1099. Michael W. Richard	TX	B/W	F
05-06-08	1100. William Lynd	GA	W/W	F
05-21-08	1101. Earl Berry	MS	W/W	F
05-27-08	1102. Kevin Green	VA	B/W	F

06-04-08	1103. Curtis Osborne / 2	GA	B/2B	MF
06-06-08	1104. David Hill [*] / 2	SC	W/2W	MM
06-11-08	1105. Karl Chamberlain	TX	W/W	F
06-17-08	1106. Terry Short	OK	W/A	M
06-20-08	1107. James Reed [*] / 2	SC	B/2B	MF
06-25-08	1108. Robert Yarbrough	VA	B/W	M
07-01-08	1109. Mark Schwab	FL	W/W	M
07-10-08	1110. Carlton Turner / 2	TX	B/2B	MF
07-10-08	1111. Kent Jackson	VA	B/W	F
07-23-08	1112. Dale L. Bishop	MS	W/W	M
07-23-08	1113. Derrick Sonnier / 2	TX	B/2B	MF
07-24-08	1114. Christopher Emmett	VA	W/W	M
07-31-08	1115. Larry Davis	TX	B/W	M
08-05-08	1116. Jose Medellin	TX	L/L	F
08-07-08	1117. Heliberto Chi	TX	L/W	M
08-12-08	1118. Leon Dorsey, IV / 2	TX	B/2W	MM
08-14-08	1119. Michael Rodriguez [*]	TX	L/W	M
09-16-08	1120. Jack Alderman	GA	W/W	F
09-17-08	1121. William Murray	TX	W/W	F
09-23-08	1122. Richard Henyard / 2	FL	B/2B	FF
09-25-08	1123. Jesse Cummings, Jr.	OK	W/W	F
10-14-08	1124. Richard Cooley / 2	OH	W/2W	FF
10-14-08	1125. Alvin A. Kelly	TX	W/W	M
10-16-08	1126. Kevin Watts / 3	TX	B/3A	MFF
10-21-08	1127. Joseph Ries	TX	W/W	M
10-28-08	1128. Eric Nenno	TX	W/W	F
10-30-08	1129. Gregory Edward Wright	TX	W/W	F
11-06-08	1130. Elkie Lee Taylor	TX	B/B	M
11-12-08	1131. George Whittaker, III	TX	B/B	F
11-13-08	1132. Denard Manns	TX	B/W	F
11-19-08	1133. Gregory Bryant-Bey	OH	B/W	M
11-20-08	1134. Robert Jean Hudson	TX	B/B	F
11-21-08	1135. Marco Allen Chapman / 2	KY	W/2W	MF
12-05-08	1136. Joseph Gardner	SC	B/W	F
01-14-09	1137. Curtis Moore / 3	TX	B/3B	MMF
01-15-09	1138. James Callahan	AL	W/W	F
01-21-09	1139. Frank Moore / 2	TX	B/2B	MM
01-22-09	1140. Darwin Brown	OK	B/W	M
01-22-09	1141. Reginald Perkins	TX	B/B	F
01-28-09	1142. Virgil Martinez / 4	TX	L/4L	MMFF
01-29-09	1143. Ricardo Ortiz	TX	L/L	M
02-04-09	1144. Steve Henley / 2	TN	W/2W	MF
02-04-09	1145. David Martinez / 2	TX	L/2L	MF
02-10-09	1146. Dale Scheanette	TX	B/B	F
02-11-09	1147. Wayne Tompkins	FL	W/W	F
02-12-09	1148. Danny Bradley	AL	W/W	F
02-12-09	1149. Johnny Johnson	TX	B/B	F
02-19-09	1150. Edward Nathaniel Bell	VA	B/W	M
02-20-09	1151. Luke Williams, III / 2	SC	W/2W	MF
03-03-09	1152. Willie Pondexter	TX	B/W	F
03-04-09	1153. Kenneth W. Morris	TX	B/W	M
03-10-09	1154. James Edward Martinez / 2	TX	L/2W	MF

03-10-09	1155. Robert Newland	GA	W/W	F
03-11-09	1156. Luis Salazar	TX	L/L	F
04-15-09	1157. Michael Rosales	TX	L/B	F
04-16-09	1158. Jimmy Lee Dill	AL	B/B	M
04-29-09	1159. William Mark Mize	GA	W/W	M
04-30-09	1160. Derrick Johnson	TX	B/B	F
05-08-09	1161. Thomas Treshawn Ivey	SC	B/W	M
05-14-09	1162. Willie McNair	AL	B/W	F
05-14-09	1163. Donald Gilson	OK	W/W	M
05-19-09	1164. Michael Lynn Riley	TX	B/W	F
05-20-09	1165. Dennis Skillicorn	MO	W/W	M
06-02-09	1166. Terry Hankins / 2	TX	W/2W	MF
06-03-09	1167. Daniel Wilson	OH	W/W	F
06-11-09	1168. Jack Trawick	AL	W/W	F
07-09-09	1169. Micahel DeLozier / 2	OK	W/2W	MM
07-14-09	1170. John Fautenberry	OH	W/W	M
07-21-09	1171. Marvellous Keene / 5	OH	B/3W2B	MMFFF
08-18-09	1172. Jason Getsy	OH	W/W	F
08-19-09	1173. John R. Marek	FL	W/W	F
09-16-09	1174. Stephen Moody	TX	W/W	M
09-22-09	1175. Christopher Coleman / 3	TX	B/3L	MMM
10-08-09	1176. Max L. Payne	AL	W/W	M
10-20-09	1177. Mark McClain	GA	W/W	M
10-27-09	1178. Reginald W. Blanton	TX	B/L	M
11-05-09	1179. Khristian Oliver	TX	B/W	M
11-10-09	1180. Yosvanis Valle	TX	L/L	M
11-10-09	1181. John Allen Muhammad	VA	B/W	M
11-17-09	1182. Larry Bill Elliott	VA	W/W	F
11-18-09	1183. Danielle Simpson	TX	B/W	F
11-19-09	1184. Robert Thompson	TX	B/A	M
12-02-09	1185. Cecil Johnson, Jr. / 3	TN	B/3B	MMM
12-03-09	1186. Bobby Woods	TX	W/W	F
12-08-09	1187. Kenneth Biros	OH	W/W	F
12-11-09	1188. Matthew E. Wrinkles / 3	IN	W/3W	MFF
01-07-10	1189. Vernon L. Smith	OH	B/W	M
01-07-10	1190. Kenneth Mosley	TX	B/W	M
01-07-10	1191. Gerald Bordelon [*]	LA	W/W	F
01-12-10	1192. Gary J. Johnson / 2	TX	W/2W	MM
01-14-10	1193. Julius Young / 2	OK	B/2B	MF
02-04-10	1194. Mark A. Brown	OH	B/W	M
02-16-10	1195. Martin Edward Grossman	FL	W/W	F
03-02-10	1196. Michael Adam Sigala	TX	L/L	M
03-11-10	1197. Joshua Maxwell	TX	W/L	M
03-16-10	1198. Lawrence Reynolds, Jr.	OH	W/W	F
03-18-10	1199. Paul Warner Powell	VA	W/W	F
03-30-10	1200. Franklin Alix	TX	B/B	M
04-20-10	1201. Darryl Durr	OH	B/W	F
04-22-10	1202. William Josef Berkley	TX	W/L	F
04-27-10	1203. Samuel Bustamante	TX	L/L	M
05-12-10	1204. Kevin Varga	TX	W/W	M
05-13-10	1205. Michael Beuke	OH	W/W	M
05-13-10	1206. Billy John Galloway	TX	W/(see #1204)	(see #1204)

05-19-10	1207. Rogelio Cannady	TX	L/L	M
05-19-10	1208. Paul Woodward	MS	W/W	F
05-20-10	1209. Gerald Holland	MS	W/W	F
05-20-10	1210. Darick Walker / 2	VA	B/BB	MM
05-25-10	1211. John A. Alba	TX	L/L	F
05-27-10	1212. Thomas Whisenant	AL	W/W	F
06-02-10	1213. George Jones	TX	B/B	M
06-09-10	1214. Melbert Ray Ford / 2	GA	W/WW	FF
06-10-10	1215. John Parker	AL	W/W	F
06-15-10	1216. David L. Powell	TX	W/L	M
06-18-10	1217. Ronnie Gardner	UT	W/W	M
07-01-10	1218. Michael Perry	TX	W/W	F
07-13-10	1219. William Garner / 5	OH	B/5B	MFFFF
07-20-10	1220. Derrick Jackson / 2	TX	B/2W	MM
07-21-10	1221. Joseph D. Burns	MS	W/W	M
08-10-10	1222. Roderick Davie / 2	OH	B/WB	MF
08-12-10	1223. Michael J. Land	AL	W/W	F
08-17-10	1224. Peter A. Cantu	TX	L/(see #1030)	(see #1030)
09-09-10	1225. Holly Wood	AL	B/B	F
09-10-10	1226. Calvin Coburn Brown	WA	W/W	F
09-23-10	1227. Teresa Lewis [^] / 2	VA	W/2W	MM
09-27-10	1228. Brandon Rhode / 3	GA	W/3W	MMF
10-06-10	1229. Michael Benge	OH	W/W	F
10-14-10	1230. Donald Ray Wackerly	OK	W/A	M
10-21-10	1231. Larry Wooten / 2	TX	B/2B	MF
10-26-10	1232. Jeffrey Landrigan	AZ	N/W	M
11-04-10	1233. Phillip Hallford	AL	W/W	M
12-16-10	1234. John Duty	OK	W/W	M
01-06-11	1235. Billy Alverson	OK	B/(see #1140)	(see #1140)
01-11-11	1236. Jeffrey Matthews	OK	W/W	M
01-13-11	1237. Leroy White	AL	B/B	F
01-25-11	1238. Emmanuel Hammond	GA	B/W	F
02-09-11	1239. Martin Link	MO	W/W	F
02-15-11	1240. Michael Wayne Hall	TX	W/(see #1011)	(see #1011)
02-17-11	1241. Frank Spisak, Jr. / 3	OH	W/W2B	MMM
02-22-11	1242. Timothy Adams	TX	B/B	M
03-10-11	1243. Johnnie Baston	OH	B/A	M
03-29-11	1244. Eric King / 2	AZ	B/2W	MM
03-31-11	1245. William Boyd / 2	AL	W/2W	MF
04-12-11	1246. Clarence Carter	OH	B/B	M
05-03-11	1247. Cary Kerr	TX	W/W	F
05-06-11	1248. Jeffery Brian Motts [*]	SC	W/W	M
05-10-11	1249. Benny Joe Stevens / 4	MS	W/4W	MMMF
05-17-11	1250. Daniel Bedford / 2	OH	W/2W	MF
05-17-11	1251. Rodney Gray	MS	B/W	F
05-19-11	1252. Jason Williams / 4	AL	W/4W	MMMF
05-25-11	1253. Donald E. Beaty	AZ	W/W	F
06-01-11	1254. Gayland Bradford	TX	B/W	M
06-16-11	1255. Lee Taylor	TX	W/B	M
06-16-11	1256. Eddie Powell	AL	B/W	F
06-21-11	1257. Milton Mathis / 2	TX	B/WB	MM
06-23-11	1258. Roy Blankenship	GA	W/W	F

06-30-11	1259. Richard L. Bible	AZ	W/W	F
07-07-11	1260. Humberto Leal	TX	L/L	F
07-19-11	1261. Thomas West	AZ	W/W	M
07-20-11	1262. Mark Stroman	TX	W/A	M
07-21-11	1263. Andrew DeYoung / 3	GA	W/3W	MFF
07-29-11	1264. Robert Jackson	DE	W/W	F
08-10-11	1265. Martin Robles / 2	TX	L/2L	MM
08-18-11	1266. Jerry Terrell Jackson	VA	B/W	F
09-13-11	1267. Steven Woods / 2	TX	W/2W	MF
09-21-11	1268. Lawrence Brewer	TX	W/B	M
09-21-11	1269. Troy Davis	GA	B/W	M
09-22-11	1270. Derrick Mason	AL	B/W	F
09-28-11	1271. Manuel Valle	FL	L/L	M
10-20-11	1272. Christopher Thomas Johnson [*]	AL	W/W	M
10-27-11	1273. Frank Garcia	TX	L/L	M
11-15-11	1274. Reginald Brooks, Sr. / 3	OH	B/3B	MMM
11-15-11	1275. Oba Chandler / 3	FL	W/3W	FFF
11-16-11	1276. Guadalupe Esparza	TX	L//L	F
11-18-11	1277. Paul Ezra Rhoades / 2	ID	W/2W	FF
01-05-12	1278. Gary Welch	OK	W/W	M
01-26-12	1279. Rodrigo Hernandez	TX	L/W	F
02-08-12	1280. Edwin Hart Turner / 2	MS	W/2B	MM
02-15-12	1281. Robert Waterhouse	FL	W/W	F
02-29-12	1282. Robert H. Moormann	AZ	W/W	F
02-29-12	1283. George Rivas	TX	L/W	M
03-07-12	1284. Keith Steven Thurmond / 2	TX	W/2W	MF
03-08-12	1285. Robert C. Towery	AZ	W/W	M
03-15-12	1286. Timothy Stemple	OK	W/W	F
03-20-12	1287. Larry Mathew Puckett	MS	W/W	F
03-22-12	1288. William Mitchell	MS	B/W	F
03-28-12	1289. Jesse Joe Hernandez	TX	L/L	M
04-12-12	1290. David Gore	FL	W/W	F
04-18-12	1291. Mark Wayne Wiles	OH	W/W	M
04-20-12	1292. Shannon Johnson [*]	DE	B/B	M
04-25-12	1293. Thomas Kemp	AZ	W/L	M
04-26-12	1294. Beunka Adams	TX	B/W	M
05-01-12	1295. Michael Selsor	OK	W/W	M
06-05-12	1296. Henry C. Jackson / 4	MS	B/4B	MMFF
06-12-12	1297. Richard Albert Leavitt	ID	W/W	F
06-12-12	1298. Jan Michael Brawner	MS	W/4W	MFFF
06-20-12	1299. Gary Carl Simmons, Jr.	MS	W/W	M
06-27-12	1300. Samuel V. Lopez	AZ	L/L	F
07-18-12	1301. Yokamon Hearn	TX	B/W	M
08-07-12	1302. Marvin Wilson	TX	B/B	M
08-08-12	1303. Daniel Wayne Cook / 2	AZ	W/WL	MM
08-14-12	1304. Michael Hooper / 3	OK	W/3W	MFF
09-20-12	1305. Donald L. Palmer, Jr. / 2	OH	W/2W	MM
09-20-12	1306. Robert Wayne Harris / 2	TX	B/WL	FM
09-25-12	1307. Cleve Foster	TX	W/B	F
10-10-12	1308. Jonathan Marcus Green	TX	B/W	F
10-15-12	1309. Eric Donald Robert [*]	SD	W/W	M
10-24-12	1310. Bobby L. Hines	TX	W/W	F

10-30-12	1311. Donald Moeller [*]	SD	W/W	F
10-31-12	1312. Donnie Roberts	TX	W/W	F
11-06-12	1313. Garry Allen	OK	B/B	F
11-08-12	1314. Mario Rashad Swain	TX	B/W	F
11-13-12	1315. Brett Hartman	OH	W/W	F
11-14-12	1316. Ramon Hernandez	TX	L/L	F
11-15-12	1317. Preston Hughes, III / 2	TX	B/2B	MF
12-04-12	1318. George Ochoa / 2	OK	L/2L	MF
12-05-12	1319. Richard D. Stokley / 2	AZ	W/2W	FF
12-11-12	1320. Manuel Pardo, Jr. / 9	FL	L/1W8L	6M3F
01-16-13	1321. Charles Robert Flynn [*] / 2 (FKA Robert Gleason)	VA	W/WB	MM
02-21-13	1322. Carl Blue	TX	B/B	F
02-21-13	1323. Andrew Allen Cook / 2	GA	W/2W	MF
03-06-13	1324. Frederick Treesh	OH	W/B	M
03-12-13	1325. Steven Ray Thacker	OK	W/W	F
04-09-13	1326. Rickey Lynn Lewis	TX	B/W	M
04-10-13	1327. Larry Mann	FL	W/W	F
04-16-13	1328. Ronnie Threadgill	TX	B/B	M
04-25-13	1329. Richard Cobb	TX	W/(see #1294)	(see #1294)
05-01-13	1330. Steven T. Smith	OH	W/W	F
05-07-13	1331. Carroll Parr	TX	B/L	M
05-15-13	1332. Jeffrey D. Williams	TX	B/W	M
05-29-13	1333. Elmer Carroll	FL	W/W	F
06-12-13	1334. Elroy Chester	TX	B/W	M
06-12-13	1335. William Van Poyck	FL	W/W	M
06-18-13	1336. James L. DeRosa / 2	OK	W/2W	MF
06-25-13	1337. Brian Davis	OK	B/B	F
06-26-13	1338. Kimberly McCarthy [^]	TX	B/W	F
07-16-13	1339. John Quintanilla, Jr.	TX	L/W	M
07-18-13	1340. Vaughn Ross / 2	TX	B/2WB	MF
07-25-13	1341. Andrew Lackey [*]	AL	W/W	M
07-31-13	1342. Douglas Feldman / 2	TX	W/WL	MM
08-05-13	1343. John Ferguson / 8	FL	B/(see #44) & 2W	(see #44) & MF
09-10-13	1344. Anthony Rozelle Banks	OK	B/A	F
09-19-13	1345. Robert Garza / 4	TX	L/4L	FFFF
09-25-13	1346. Harry Mitts, Jr.	OH	W/WB	MM
09-26-13	1347. Arturo Diaz	TX	L/W	M
10-01-13	1348. Marshall Gore	FL	W/W	F
10-09-13	1349. Edward Schad	AZ	W/W	M
10-09-13	1350. Michael Yowell / 2	TX	W/2W	MF
10-15-13	1351. William Happ [*]	FL	W/W	F
10-23-13	1352. Robert Jones / 6	AZ	W/6W	MMMFFF
11-12-13	1353. Darius Kimbrough	FL	B/W	F
11-12-13	1354. Jamie B. McCoskey	TX	W/W	M
11-20-13	1355. Joseph P. Franklin	MO	W/W	M
12-03-13	1356. Jerry Martin [*]	TX	W/W	F
12-10-13	1357. Ronald Lott	OK	B/2W	FF
12-11-13	1358. Allen Nicklasson	MO	W/(see #1165)	(see #1165)
12-17-13	1359. Johnny Black	OK	W/W	M
01-07-14	1360. Askari Muhammad	FL	B/W	M

01-09-14	1361. Michael Wilson	OK	B/ (see #1140)	(see #1140)
01-16-14	1362. Dennis McGuire	OH	W/W	F
01-22-14	1363. Edgar Tamayo	TX	L/W	M
01-23-14	1364. Kenneth Hogan	OK	W/W	F
01-29-14	1365. Herbert Smulls	MO	B/W	M
02-05-14	1366. Suzanne Basso [^]	TX	W/W	M
02-12-14	1367. Juan Chavez	FL	L/W	M
02-26-14	1368. Michael A. Taylor	MO	B/W	F
02-26-14	1369. Paul Howell	FL	B/W	M
03-19-14	1370. Ray Jasper	TX	B/L	M
03-20-14	1371. Robert Henry / 2	FL	B/2WB	FF
03-26-14	1372. Jeffrey Ferguson	MO	W/W	F
03-27-14	1373. Anthony Doyle	TX	B/A	F
04-03-14	1374. Tommy Lynn Sells	TX	W/W	F
04-09-14	1375. Ramiro Hernandez	TX	L/W	M
04-16-14	1376. Jose Luis Villegas / 3	TX	L//3L	MFF
04-23-14	1377. William Rousan	MO	W/W	F
04-23-14	1378. Robert Hendrix	FL	W/2W	MF
04-29-14	1379. Clayton Lockett [see note below]	OK	B/W	F
06-17-14	1380. Marcus Wellons	GA	B/B	F
06-18-14	1381. John E. Winfield / 2	MO	B/2B	FF
06-18-14	1382. John Henry	FL	B/W	F
07-10-14	1383. Eddie Davis	FL	W/W	F
07-16-14	1384. John Middleton	MO	W/W	M
07-23-14	1385. Joseph R. Wood / 2	AZ	W/2W	MF
08-06-14	1386. Michael Worthington	MO	W/W	F
09-10-14	1387. Earl Ringo, Jr. / 2	MO	B/2W	MF
09-10-14	1388. Willie T. Trottie / 2	TX	B/2B	MF
09-17-14	1389. Lisa Coleman [^]	TX	B/B	M
10-28-14	1390. Miguel Paredes / 3	TX	L/2L1W	MFM
11-13-14	1391. Chadwick Banks	FL	B/B	F
11-19-14	1392. Leon Taylor	MO	B/W	M
12-09-14	1393. Robert Wayne Holsey	GA	B/W	M
12-10-14	1394. Paul Goodwin	MO	W/W	F
01-13-15	1395. Andrew Brannan	GA	W/W	M
01-15-15	1396. Johnny Kormondy	FL	W/W	M
01-15-15	1397. Charles Warner	OK	B/B	F
01-21-15	1398. Arnold Prieto / 3	TX	L/W2L	FFM
01-27-15	1399. Warren Hill	GA	B/B	M
01-29-15	1400. Robert Charles Ladd	TX	B/W	F
02-04-15	1401. Donald Keith Newbury	TX	W/W	M
02-11-15	1402. Walter Timothy Storey	MO	W/W	F
03-11-15	1403. Manuel Vasquez	TX	L/L	F
03-17-15	1404. Cecil Clayton	MO	W/W	M
04-09-15	1405. Kent Sprouse / 2	TX	W/WL	MM
04-14-15	1406. Andre Cole	MO	B/B	M
04-15-15	1407. Manuel Garza	TX	L/L	M
05-12-15	1408. Derrick Charles / 3	TX	B/3B	MFF
06-03-15	1409. Lester L. Bower / 4	TX	W/4W	MMMM
06-09-15	1410. Richard Strong / 2	MO	B/2B	FF
06-18-15	1411. Gregory Russeau	TX	B/W	M
07-14-15	1412. David Zink	MO	W/W	F

08-12-15	1413. Daniel Lopez [*]	TX	L/W	M
09-01-15	1414. Roderick Nunley	MO	B/(see # 1368)	(see # 1368)
09-30-15	1415. Kelly Gissendaner [^]	GA	W/W	M
10-01-15	1416. Alfredo Prieto / 2	VA	L/2W	MF
10-06-15	1417. Juan Martin Garcia	TX	L/L	M
10-14-15	1418. Licho Escamilla	TX	L/W	M
10-29-15	1419. Jerry Correll / 4	FL	W/4W	FFFF
11-18-15	1420. Raphael Holiday / 3	TX	B/3B	FFF
11-19-15	1421. Marcus Ray Johnson	GA	W/W	F
12-09-15	1422. Brian Terrell	GA	B/B	M
01-07-16	1423. Oscar Bolin	FL	W/W	F
01-20-16	1424. Richard Allen Masterson	TX	W/W	M
01-21-16	1425. Christopher Brooks	AL	W/W	F
01-27-16	1426. James Freeman	TX	W/W	M
02-03-16	1427. Brandon Jones	GA	B/(see # 38)	(see # 38)
02-16-16	1428. Gustavo L. Garcia	TX	L/W	M
02-17-16	1429. Travis Hittson	GA	W/W	M
03-09-16	1430. Coy Wayne Wesbrook	TX	W/LW	MF
03-22-16	1431. Adam Ward	TX	W/W	M
03-31-16	1432. Joshua D. Bishop	GA	W/W	M
04-06-16	1433. Pablo Vasquez	TX	L/L	M
04-12-16	1434. Kenneth Eugene Fults	GA	B/W	F
04-27-16	1435. Daniel Lucas / 3	GA	W/(see # 1228)	(see # 1228)
05-11-16	1436. Earl M. Forrest, II / 3	MO	W/3W	MFF

Note to 740. Jose High: records were in dispute concerning his age. He may have been 17 years of age at the time of the crime. F

Note to 1049. Bobby Wilcher's request to give up his appeals was granted. He then changed his mind and sought to reinstate his appeals. That request was denied, and he was executed without those appeals being heard.

Note to 1379. The circumstances of Clayton Lockett's death are being litigated. Initial reports suggested he died of a heart attack after lengthy attempts at lethal injection failed.

CODES FOR EXECUTION ROSTER:

B	Black	N	Native American
W	White	A	Asian
L	Latino/a		
M	Male	F	Female

* Defendants who gave up their appeals (144; 10% of total) [see note to 1049, above]

Juveniles (under age 18 at the time of the offense) (23; 2% of total) [see note to 740, above]

^ Female (16; 1% of total)

Summary of Lists of Prisoners on Death Row

State	Total	Black		White		Latino/a		Native American		Asian		Unknown	
AL	194	103	53%	88	45%	2	1%	0	—	1	.5%	0	—
AZ	126	16	13%	76	60%	28	22%	3	2%	3	2%	0	—
AR	36	20	56%	16	44%	0	—	0	—	0	—	0	—
CA	741	267	36%	249	34%	185	25%	11	1%	29	4%	0	—
CO	3	3	100%	0	—	0	—	0	—	0	—	0	—
DE	18	11	61%	4	22%	3	17%	0	—	0	—	0	—
FL	396	154	39%	208	53%	31	8%	1	.3%	2	.5%	0	—
GA	68	34	50%	31	46%	3	4%	0	—	0	—	0	—
ID	9	0	—	9	100%	0	—	0	—	0	—	0	—
IN	12	3	25%	9	75%	0	—	0	—	0	—	0	—
KS	10	3	30%	7	70%	0	—	0	—	0	—	0	—
KY	34	6	18%	28	82%	0	—	0	—	0	—	0	—
LA	77	50	65%	23	30%	3	4%	0	—	1	1%	0	—
MS	48	26	54%	21	44%	0	—	0	—	1	2%	0	—
MO	26	9	35%	17	65%	0	—	0	—	0	—	0	—
MT	2	0	—	2	100%	0	—	0	—	0	—	0	—
NE	10	2	20%	3	30%	5	50%	0	—	0	—	0	—
NV	80	30	38%	39	49%	9	11%	0	—	2	3%	0	—
NH	1	1	100%	0	—	0	—	0	—	0	—	0	—
NM	2	0	—	2	100%	0	—	0	—	0	—	0	—
NC	155	80	52%	62	40%	5	3%	7	5%	1	.6%	0	—
OH	142	76	54%	61	43%	3	2%	0	—	2	1%	0	—
OK	47	20	43%	23	49%	2	4%	2	4%	0	—	0	—
OR	34	3	9%	26	76%	3	9%	1	3%	0	—	1	3%
PA	175	94	54%	63	36%	16	9%	0	—	2	1%	0	—
SC	43	23	53%	19	44%	1	2%	0	—	0	—	0	—
SD	3	0	—	3	100%	0	—	0	—	0	—	0	—
TN	69	33	48%	33	48%	1	1%	0	—	2	3%	0	—

State	Total	Black		White		Latino/a		Native American		Asian		Unknown	
TX	254	109	43%	68	27%	71	28%	0	—	6	2%	0	—
UT	9	1	11%	5	56%	2	22%	1	11%	0	—	0	—
VA	7	3	43%	4	57%	0	—	0	—	0	—	0	—
WA	9	4	44%	5	56%	0	—	0	—	0	—	0	—
WY	1	0	—	1	100%	0	—	0	—	0	—	0	—
US Gov.	62	28	45%	25	40%	7	11%	1	2%	1	2%	0	—
Military	6	3	50%	3	50%	0	—	0	—	0	—	0	—
TOTAL	2909	1215	42%	1233	42%	380	13%	27	.9%	53	2%	1	.03%

Note: 4 prisoners were sentenced to death in more than one state. They are included in the chart above for each state in which they were sentenced to death, but the numbers on page 1 were adjusted to reflect the total number of prisoners under sentence of death.

LISTS OF PRISONERS ON DEATH ROW

CODES FOR STATE ROSTERS:

B	Black	A	Asian
W	White	N	Native American
L	Latino/a	U	Unknown at this issue
^	Female		
&	Sentenced to death in the state where listed, but incarcerated in another state		
[]	Reversals: Defendants 1) awaiting a retrial or resentencing following a court reversal; or 2) whose court-ordered reversal is not yet final		

ALABAMA (Lethal Injection or Choice of Electrocution)

Total = 194

B = 103 W = 88 L = 2 N = 0 A = 1 U = 0
Females = 5 (B = 2 W = 3)

- | | | | |
|-----|-----------------------------|-----|------------------------------|
| 1. | ACKLIN, NICK (B) | 18. | BROOKS, JIMMY LEE (W) |
| 2. | ARTHUR, THOMAS (W) | 19. | BROWN, ANTHONY (B) |
| 3. | BAKER, JR., BOBBY (B) | 20. | BROWN, MICHAEL LEE (W) |
| 4. | BARBER, JAMES EDWARD (W) | 21. | BROWN, WAKILII (B) |
| 5. | BARBOUR, CHRISTOPHER (W) | 22. | BROWNFIELD, JAMES (W) |
| 6. | BARKSDALE, TONY (B) | 23. | BRYANT, JERRY DEVANE (B) |
| 7. | BECKWORTH, REX ALLEN (W) | 24. | BURGESS, ALONZO L. (B) |
| 8. | BELISLE, RICK (W) | 25. | BURGESS, JR., WILLIE R. (B) |
| 9. | BENJAMIN, BRANDYN (B) | 26. | BURTON, CHARLES (B) |
| 10. | BENN, MARCUS (B) | 27. | BUSH, WILLIAM (B) |
| 11. | BILLUPS, KENNETH EUGENE (B) | 28. | BYRD, RODERICK (B) |
| 12. | BLACKMON, PATRICIA ^ (B) | 29. | CALHOUN, JOHN RUSSELL (B) |
| 13. | BOHANNON, JERRY (W) | 30. | CALLEN, DONTAE (B) |
| 14. | BORDEN, JEFFREY (W) | 31. | CARROLL, TAURUS JERMAINE (B) |
| 15. | BOYD, ANTHONY (B) | 32. | CARRUTH, MICHAEL DAVID (W) |
| 16. | BOYLE, TIMOTHY (W) | 33. | CLARK, GREGORY CHARLES (W) |
| 17. | BROADNAX, DONALD (B) | 34. | CLEMONS, EUGENE (B) |

35.	COLLINS, SHERMAN (B)	102.	[MARTIN, GEORGE (B)]
36.	CREQUE, JORDAAN (B)	103.	MASHBURN, ELLIS (W)
37.	[CROWE, THOMAS DOYLE (W)]	104.	MAXWELL, MICHAEL (W)
38.	DALLAS, DONALD (W)	105.	MCCRAY, HEATH (B)
39.	DANIEL, RENARD MARCEL (B)	106.	[MCGAHEE, EARL (B)]
40.	DAVIS, JIMMY (B)	107.	MCGOWAN, JAMES (W)
41.	DAVIS, MELVIN (B)	108.	[MCKINNIS, KENNETH ADAM (B)]
42.	DEARDORFF, DONALD (W)	109.	MCMILLAN, CALVIN (B)
43.	DEBLASE, JOHN (W)	110.	MCNABB, TORREY (B)
44.	DOSTER, OSCAR (W)	111.	MCWHORTER, CASEY (W)
45.	[DOTCH, GARRETT (B)]	112.	MCWILLIAMS, JAMES (B)
46.	EATMON, DIONNE (B)	113.	MELSON, ROBERT (B)
47.	EGGERS, MICHAEL (W)	114.	MILLER, ALAN EUGENE (W)
48.	FERGUSON, THOMAS (W)	115.	MILLS, JAMIE (W)
49.	FLOWERS, RICHARD JEROME (B)	116.	MINOR, WILLIE (B)
50.	FLOWERS, TIMOTHY KEITH (W)	117.	MITCHELL, BRANDON DEON (B)
51.	FLOYD, CEDRIC (B)	118.	MOODY, WALTER (W)
52.	FLOYD, CHRISTOPHER (W)	119.	MORRIS, ALFONZO (B)
53.	FRAZIER, DEMETRIUS (B)	120.	MYERS, ROBIN DION (B)
54.	FREEMAN, DAVID (W)	121.	NEWTON, CRAIG (B)
55.	GASTON, JOVON (B)	122.	[NICKS, HARRY (B)]
56.	GAVIN, KEITH (B)	123.	OSGOOD, JAMES (W)
57.	GEORGE, LARRY D. (B)	124.	[PENN, DERRICK SHAWN (B)]
58.	GILES, ARTHUR (B)	125.	PERAITA, CUHUATEMOC (L)
59.	GISSENDANNER, EMANUEL (B)	126.	PERKINS, ROY E. (W)
60.	GOBBLE, TIERRA ^ (W)	127.	PETRIC, STEVEN (W)
61.	GRAHAM, LISA ^ (W)	128.	PHILLIPS, BOBBY (W)
62.	GRAYSON, CAREY (W)	129.	PHILLIPS, JESSIE (B)
63.	HAMM, DOYLE LEE (W)	130.	PRICE, CHRISTOPHER (W)
64.	HAMMONDS, ARTEZ (B)	131.	RAY, DOMINIQUE (B)
65.	HARRIS, WESTLEY DEVONE (B)	132.	REEVES, MATTHEW (B)
66.	HENDERSON, GREGORY LANCE (W)	133.	[REVIS, CHRISTOPHER (W)]
67.	HICKS, DENNIS (W)	134.	REYNOLDS, MICHAEL (W)
68.	HODGES, MELVIN GENE (B)	135.	RIEBER, JEFFREY (W)
69.	HOOKS, JOSEPH (W)	136.	RILEY, DAVID DEWAYNE (W)
70.	[HORTON, DEREK TYLER (B)]	137.	ROBERTS, DAVID LEE (W)
71.	HUNT, GREG (W)	138.	ROBITAILLIE, WILSON EARL (W)
72.	HYDE, CHRISTOPHER SHANE (W)	139.	RUSSELL, JOSHUA (B)
73.	INGRAM, ROBERT S. (B)	140.	RUSSELL, RYAN GERALD (W)
74.	IRVIN, MICHAEL (B)	141.	SALE, MICHAEL (W)
75.	JACKSON, SHONELLE (B)	142.	SAMRA, MICHAEL (W)
76.	JAMES, JOE (B)	143.	SAUNDERS, TIMOTHY (W)
77.	JENKINS, MARK (L)	144.	SCHEUING, JESSE EARL (W)
78.	JOHNSON, BART WAYNE (W)	145.	SCOTT, CHRISTIE ^ (W)
79.	JOHNSON, JAMES A. (B)	146.	SCOTT, WILLIE EARL (B)
80.	JOHNSON, TOFOREST (B)	147.	SHANKLIN, CLAYTON (B)
81.	JONES, ANTONIO (B)	148.	SHARIFI, MOHAMMAD (W)
82.	JONES, JEREMY (W)	149.	SHARP, JASON (W)
83.	KELLEY, MICHAEL BRANDON (W)	150.	SHAW, AUBREY (W)
84.	KIRKSEY, RONNIE (B)	151.	SMITH, COREY (B)
85.	KUENZEL, WILLIAM (W)	152.	[SMITH, JERRY JEROME (B)]
86.	LANE, ANTHONY (B)	153.	SMITH, JOSEPH CLIFTON (W)
87.	LANE, THOMAS ROBERT (W)	154.	SMITH, KENNETH (W)
88.	LARGIN, JAMES (W)	155.	[SMITH, MARQUEZE TARON (B)]
89.	LEAVELL-KEATON, HEATHER ^ (B)	156.	SMITH, NICHOLAS (B)
90.	LEE, JEFFREY (B)	157.	SMITH, RONALD B. (W)
91.	LEWIS, MICHAEL JEROME (W)	158.	SMITH, WILLIE B. (B)
92.	LEWIS, RANDY (B)	159.	SNEED, ULYSEES (B)
93.	LINDSAY, STEPHON (B)	160.	SOCKWELL, MICHAEL (B)
94.	LOCKHART, COURTNEY (B)	161.	SPENCER, KERRY (B)
95.	LUONG, LAM (A)	162.	STALLWORTH, CALVIN (B)
96.	MACK, ALBERT (B)	163.	STANLEY, ANTHONY LEE (W)
97.	MADISON, VERNON (B)	164.	STEWART, RANDY (W)
98.	MAPLES, COREY (W)	165.	TAYLOR, JARROD (B)
99.	MARSHALL, AUNDR A (B)	166.	TAYLOR, MICHAEL S. (W)
100.	MARSHALL, WILLIAM BRUCE (W)	167.	THOMPSON, DEVIN DARNELL (B)
101.	MARTIN, BRENT (B)		(AKA MOORE, DEVIN)

168.	TOWLES, KEVIN (B)	182.	WHITEHEAD, LARRY (W)
169.	TOWNES, TAWUAN (B)	183.	WIGGINS, DAVID (W)
170.	TRAVIS, WAYNE (W)	184.	WILLIAMS, MARCUS (B)
171.	TURNER, DARRYL (B)	185.	WILSON, DAVID (W)
172.	[TURNER, LAMECO (B)]	186.	WILSON, JOEY (W)
173.	TYSON, ANTHONY (B)	187.	WIMBLEY, COREY (B)
174.	VANPELT, KIM (W)	188.	WINDSOR, HARVEY (W)
175.	WALDROP, BOBBY WAYNE (W)	189.	WOODS, FREDRICK D. (B)
176.	WALKER, JAMES EARL (W)	190.	WOODS, NATHANIEL (B)
177.	WARD, JOHN MICHAEL (W)	191.	WOODWARD, MARIO (B)
178.	WASHINGTON, CHARLIE (B)	192.	WOOLF, MICHAEL (W)
179.	WEST, GEOFFREY TODD (W)	193.	YANCEY, VERNON LAMAR (W)
180.	WHATLEY, DONALD (W)	194.	YEOMANS, JAMES DONALD (W)
181.	WHITE, JUSTIN (B)		

ARIZONA (Lethal Injection, or Choice of Gas Chamber If Sentenced Before 11/92) **Total = 126**

B = 16 W = 76 L = 28 N = 3 A = 3 U = 0
Females = 2 (W)

1.	ANDERSON, FRANK (W)	48.	HERNANDEZ, ROBERT (L)
2.	ANDRIANO, WENDI ^ (W)	49.	HIDALGO, ABEL (L)
3.	[APELT, MICHAEL (W)]	50.	HOOPER, MURRAY (B) &
4.	ARMSTRONG, SHAD (W)	51.	HULSEY, BRYAN (W)
5.	ATWOOD, FRANK J. (W)	52.	HURLES, RICHARD D. (W)
6.	BEARUP, PATRICK W. (W)	53.	[JAMES, STEVEN C. (W)]
7.	BENSON, TRENT CHRISTOPHER (A)	54.	JOHNSON, JAMES CLAYTON (A)
8.	BOGGS, STEVEN (W)	55.	JOHNSON, RUBEN MYRAN (B)
9.	BOYSTON, ERIC (B)	56.	JONES, BARRY L. (W)
10.	BURNS, JOHNATHAN IAN (W)	57.	[JONES, DANNY LEE (W)]
11.	BUSH, JASON (L)	58.	JOSEPH, RONNIE (B)
12.	CARLSON, MICHAEL (W)	59.	KAYER, GEORGE RUSSELL (W)
13.	CARREON, ALBERT M. (L)	60.	[KETCHNER, DARRELL BRYANT (W)]
14.	CHAPPELL, DEREK D. (W)	61.	KILES, ALVIE C. (B)
15.	CLABOURNE, SCOTT D. (B)	62.	[KUHS, RYAN W. (W)]
16.	COTA, BENJAMIN (L)	63.	LEE, CHAD ALLEN (W)
17.	CROMWELL, ROBERT (W)	64.	LEE, DARRELL (W)
18.	CROPPER, LEROY (W)	65.	LEHR, SCOTT (W)
19.	CRUZ, JOHN MONTENEGRO (L)	66.	LETEVE, ANDRE (W)
20.	DANN, BRIAN J. (W)	67.	LOPEZ, GEORGE M. (L)
21.	DELAHANTY, DONALD (W)	68.	[LYNCH, SHAWN PATRICK (W)]
22.	DETRICH, DAVID S. (W)	69.	[MANN, ERIC O. (L)]
23.	DIXON, CLARENCE (N)	70.	MANUEL, JAHMARI ALI (B)
24.	DJERF, RICHARD K. (W)	71.	MARTINEZ, CODY (L)
25.	DOERR, EUGENE (W)	72.	MARTINEZ, ERNESTO SALGADO (L)
26.	ELLISON, CHARLES DAVID (W)	73.	MARTINEZ, GILBERT (L)
27.	ESCALANTE-OROZCO, JOEL (L)	74.	MCCRAY, FRANK (W)
28.	FITZGERALD, JOHN (W)	75.	MCGILL, LEROY (W)
29.	FORDE, SHAWNA ^ (W)	76.	[MCKINNEY, JAMES (W)]
30.	GALLARDO, MICHAEL (L)	77.	MEDINA, EFREN (L)
31.	GALLEGOS, MICHAEL S. (L)	78.	[MILES, KEVIN A. (B)]
32.	GARCIA, ALFREDO L. (L)	79.	MILLER, WILLIAM CRAIG (W)
33.	GARZA, RUBEN (L)	80.	MOORE, JULIUS J. (B)
34.	GOMEZ, FABIO (L)	81.	MORRIS, CORY (B)
35.	GONZALES, ERNEST V. (L)	82.	[MURDOUGH, MICHAEL (W)]
36.	GOUDEAU, MARK (B)	83.	MURRAY, ROGER W. (W)
37.	GREENE, BEAU JOHN (W)	84.	NARANJO, ISRAEL (L)
38.	GREENWAY, RICHARD H. (W)	85.	NELSON, BRAD (W)
39.	GUARINO, VINCENT (W)	86.	NEWELL, STEVEN RAY (W)
40.	GULBRANDSON, DAVID (W)	87.	NORDSTROM, SCOTT D. (W)
41.	GUNCHES, AARON B. (W)	88.	OVANTE, MANUEL (L)
42.	HAMPTON, TRACY ALLEN (W)	89.	[PANDELI, DARRELL PETER (W)]
43.	HARDY, RODNEY EUGENE (B)	90.	PARKER, STEVEN (A)
44.	HARGRAVE, CHRISTOPHER ALLEN (W)	91.	PATTERSON, ISIAH (B)
45.	HARROD, JAMES C. (W)	92.	PAYNE, CHRISTOPHER (W)
46.	[HEDLUND, CHARLES (W)]	93.	POYSON, ROBERT (L)
47.	HENRY, GRAHAM S. (W)	94.	PRINCE, WAYNE BENOIT (W)

95.	RAMIREZ, DAVID M. (L)	111.	[SMITH, ROBERT D. (W)]
96.	REEVES, STEPHEN DOUGLAS (W)	112.	SMITH, TODD LEE (W) S
97.	RIENHARDT, CHARLES B. (W)	113.	SPEARS, ANTHONY M. (W)
98.	RILEY, THOMAS (W)	114.	SPEER, PAUL B. (W)
99.	ROGOVICH, PETER C. (W)	115.	SPREITZ, CHRISTOPHER J. (W)
100.	ROSE, EDWARD JAMES (L)	116.	STYERS, JAMES L. (W)
101.	ROSEBERRY, HOMER RAY (W)	117.	TUCKER, EUGENE (B)
102.	RUNNING EAGLE, SEAN (N)	118.	VAN WINKLE, PETE (W)
103.	RUSHING, JASPER (W)	119.	VALENZUELA, JOSE ACUNA (L)
104.	SALAZAR, ALFONSO (L)	120.	VELAZQUEZ, JUAN (L)
105.	SANDERS, DAUNTORIAN (B)	121.	[VILLALOBOS, JOSHUA (L)]
106.	SANSING, JOHN (W)	122.	WALDEN, JR., ROBERT L. (W)
107.	SCHACKART, RONALD (W)	123.	WASHINGTON, THEODORE (B)
108.	SCHURZ, ELDON M. (N)	124.	WHITE, MICHAEL R. (W)
109.	SCOTT, ROGER (W)	125.	WILLIAMS, RONALD T. (W) &
110.	SMITH, JOE C. (W)	126.	WOMBLE, BRIAN A. (W)

ARKANSAS (Lethal Injection or Choice of Electrocution If Sentenced Before 7/4/83) **Total = 36**
B = 20 W = 16 L = 0 N = 0 A = 0 U = 0

1.	ANDERSON, JUSTIN C. (B)	19.	LARD, JERRY (W)
2.	CLARK, ANTONIO (B) &	20.	LEE, LEDELLE (B)
3.	COULTER, ROGER LEWIS (W)	21.	MARCYNIUK, ZACHARIAH SCOTT (W)
4.	DANSBY, RAY (B)	22.	MCGEHEE, JASON (W)
5.	DAVIS, DON WILLIAM (W)	23.	[NEWMAN, RICKY (W)]
6.	DECAY, GREGORY (B)	24.	NOONER, TERRICK TERRELL (B)
7.	GAY, RANDY (W)	25.	RANKIN, RODERICK L. (B)
8.	GREENE, JACK GORDON (W)	26.	REAMS, KENNETH (B)
9.	HOLLAND, ROBERT (W)	27.	ROBERTS, KARL (W)
10.	HOLLY, ZACHARY (W)	28.	SALES, DEREK GIBSON (B)
11.	ISOM, KENNETH (B)	29.	SASSER, ANDREW (B)
12.	JACKSON, ALVIN BERNAL (B)	30.	SPRINGS, THOMAS LEO (B)
13.	JOHNSON, LATAVIOUS (B)	31.	THESSING, BILLY (W)
14.	JOHNSON, STACEY E. (B)	32.	THOMAS, MICKEY DAVID (B)
15.	JONES, JR., JACK HAROLD (W)	33.	WARD, BRUCE EARL (W)
16.	JONES, LARRY (B)	34.	[WERTZ, STEVEN VICTOR (W)]
17.	KEMP, TIMOTHY WAYNE (W)	35.	WILLIAMS, KENNETH (B)
18.	LACY, BRANDON EUGENE (B)	36.	WILLIAMS, MARCEL WAYNE (B)

CALIFORNIA (Lethal Injection) **Total = 741**
B = 267 W = 249 L = 185 N = 11 A = 29 U = 0
Females = 21 (B = 2 W = 11 L = 6 A = 2)

1.	ABBOTT, JOE HENRY (B)	23.	ARIAS, PEDRO (L)
2.	ABEL, JOHN CLYDE (W)	24.	ARMSTRONG, CRAIGEN (B)
3.	ACREMANT, ROBERT JAMES (W)	25.	ARMSTRONG, JAMELLE (B)
4.	ADAMS, MARCUS (B)	26.	ASHMUS, TROY ADAM (W)
5.	ADCOX, KEITH (W)	27.	AVALOS, EMILIO MANUEL (L)
6.	AGUAYO, JOSEPH MORENO (L)	28.	AVENA, CARLOS (L)
7.	AGUILAR, JEFFREY (L)	29.	AVILA, ALEJANDRO (L)
8.	AGUIRRE, JASON ALEJANDRO (L)	30.	AVILA, JR., JOHNNY (L)
9.	ALCALA, RODNEY (L)	31.	AVILA, JOSEPH (L)
10.	ALDANA, ROMAN GABRIEL (L)	32.	AYALA, HECTOR JUAN (L)
11.	ALEXANDER, ANDRE STEPHEN (B)	33.	AYALA, RONALDO MEDRANO (L)
12.	[ALFARO, MARIA DEL ROSIO ^ (L)]	34.	BACON, ROBERT ALLEN (W)
13.	[ALLEN, MICHAEL (B)]	35.	BAKER, PAUL WESLEY (W)
14.	ALVAREZ, ALBERTO (L)	36.	BALCOM, JASON MICHAEL (B)
15.	ALVAREZ, FRANCISCO JAY (L)	37.	BANKS, KELVYN (B)
16.	ALVAREZ, MANUEL MACHADO (L)	38.	BANKSTON, ANTHONY GEORGE (B)
17.	AMEZCUA, OSWALDO (L)	39.	BARBAR, MICHAEL (W)
18.	ANDERSON, ERIC STEVE (W)	40.	BARNETT, MAX LEE (W)
19.	ANDERSON, JAMES (B)	41.	BARNWELL, LAMAR (B)
20.	[ANDREWS, JESSE JAMES (B)]	42.	BARRERA, MARCO (L)
21.	ARGUETA, CARLOS (L)	43.	BARRETT, JOSEPH (W)
22.	ARIAS, LORENZO INEZ (L)	44.	BATTLE, THOMAS (B)

45.	BEAMES, JOHN MICHAEL (W)	112.	CARDENAS, REFUGIO RUBEN (L)
46.	BECERRA, FRANK KALIL (L)	113.	CAREY, DEWAYNE MICHAEL (B)
47.	[BECERRADA, RUBEN (L)]	114.	[CARO, FERNANDO (N)]
48.	BECK, JAMES DAVID (W)	115.	CARO, SOCORRO ^ (L)
49.	BEELER, RODNEY GENE (W)	116.	CARPENTER, DAVID JOSEPH (W)
50.	BELL, CIMARRON BERNARD (B)	117.	CARRASCO, ROBERT (L)
51.	BELL, MICHAEL LEON (B)	118.	CARRINGTON, CELESTE ^ (B)
52.	BELL, RONALD LEE (B)	119.	CARTER, DEAN PHILLIP (N)
53.	BELL, STEVEN M. (B)	120.	CARTER, TRACEY LAVELLE (B)
54.	BELMONTES, FERNANDO (L)	121.	CASARES, JOSE LUPERSO (L)
55.	BELTRAN, FRANCISCO (L)	122.	CASE, CHARLES EDWARD (W)
56.	BELTRAN, JULIAN ARTURO (L)	123.	CASTANEDA, GABRIEL (L)
57.	[BEMORE, TERRY DOUGLAS (B)]	124.	CASTRO, ROBERT GONZALES (L)
58.	BENAVIDES, VICENTE FIGUEROA (L)	125.	CATLIN, STEVEN DAVID (W)
59.	BENNETT, ERIC WAYNE (W)	126.	CERVANTES, DANIEL (L)
60.	BENSON, RICHARD ALLEN (W)	127.	CHAMPION, STEVEN (B)
61.	BERNOUDY, KEVIN (B)	128.	CHARLES, III, EDWARD (W)
62.	BERRYMAN, RODNEY (B)	129.	CHATMAN, ERIK SANFORD (B)
63.	BERTSCH, JOHN (W)	130.	CHAVEZ, JUAN JOSE (L)
64.	BITTAKER, LAWRENCE (W)	131.	CHEATHAM, STEVEN DEWAYNE (B)
65.	BIVERT, KENNETH RAY (W)	132.	CHHOUN, RUN PETER (W)
66.	BLACKSHER, ERVEN RAY (B)	133.	CHISM, CALVIN DION (B)
67.	BLAIR, JAMES NELSON (B)	134.	CHOYCE, WILLIAM JENNINGS (B)
68.	BLOOM, JR., ROBERT M. (W)	135.	CISNEROS, LEONARDO ALBERTO (L)
69.	BOLDEN, CLIFFORD STANLEY (B)	136.	CLARK, DOUGLAS (W)
70.	BOLIN, PAUL CLARENCE (W)	137.	CLARK, RICHARD DEAN (W)
71.	BONILLA, STEVEN WAYNE (W)	138.	CLARK, ROYAL (B)
72.	BOOKER, RICHARD (B)	139.	CLARK, WILLIAM CLINTON (B)
73.	BOX, CHRISTOPHER CLARK (B)	140.	CLEVELAND, DELLANO LEROY (B)
74.	BOYCE, KEVIN DEWAYN (B)	141.	CODDINGTON, HERBERT J. (W)
75.	BOYER, RICHARD DELMER (W)	142.	COFFMAN, CYNTHIA LYNN ^ (W)
76.	BOYETTE, MAURICE D. (B)	143.	COLBERT, TECUMSEH NEHEMAIAH (B)
77.	BRACAMONTES, MANUEL (L)	144.	COLE, STEPHEN (W)
78.	[BRADFORD, MARK ALAN (W)]	145.	COLLINS, SCOTT FORREST (W)
79.	BRADY, ROGER HOAN (W)	146.	COMBS, MICHAEL STEVEN (W)
80.	BRAMIT, MICHAEL LAMAR (B)	147.	CONTRERAS, CARLOS (L)
81.	BRANNER, WILLIE (B)	148.	CONTRERAS, GEORGE LOPEZ (L)
82.	BRASURE, SPENCER R. (W)	149.	COOK, JOSEPH LLOYD (W)
83.	BREAUX, DAVID ANTHONY (W)	150.	COOK, MICHAEL (B)
84.	BRIM, RONALD EARL (B)	151.	COOPER, KEVIN (B)
85.	BROOKS, DONALD LEWIS (W)	152.	CORDOVA, JOSEPH SEFERINO (L)
86.	BROTHERS, VINCENT EDWARD (B)	153.	CORNWELL, GLEN (B)
87.	BROWN, JR., ALBERT G. (B)	154.	CORONADO, JR., JUAN RAMON (L)
88.	BROWN, ANDREW LAMONT (B)	155.	COVARRUBIAS, DANIEL S. (L)
89.	BROWN, JOHN G. (W)	156.	COWAN, ROBERT WESLEY (W)
90.	BROWN, LATECE MEGALE (B)	157.	COX, MICHAEL A. (W)
91.	BROWN, MICHAEL CHARLES (B)	158.	COX, TIEQUON ANDREW (B)
92.	BROWN, SHERHAUN KEROD (B)	159.	CRAWFORD, CHARLES EDWARD (B)
93.	BROWN, STEVEN (W)	160.	CREW, MARK C. (W)
94.	BRYANT, STANLEY (B)	161.	[CRITTENDEN, STEVEN E. (B)]
95.	BUENROSTRO, DORA ^ (L)	162.	CRUZ, GERALD DEAN (L)
96.	BUETTNER, JEFFREE J. (W)	163.	CRUZ, TOMAS VERANO (L)
97.	BUNYARD, JERRY (W)	164.	[CUDJO, ARMENIA LEVI (B)]
98.	BURGENER, MICHAEL RAY (W)	165.	CUMMINGS, RAYNARD PAUL (B)
99.	BURNEY, SHAUN KAREEM (B)	166.	CUNNINGHAM, ALBERT (B)
100.	BURRIS, NATHAN (B)	167.	CUNNINGHAM, JOHN (W)
101.	[BURTON, ANDRE (B)]	168.	CURL, ROBERT ZANE (W)
102.	BUTLER, RAYMOND OSCAR (L)	169.	D'ARCY, JONATHAN DANIEL (W)
103.	CABALLERO, ROBERT LOUIS (L)	170.	DALTON, KERRY LYN ^ (W)
104.	CAIN, ANTHONY DEONDREA (B)	171.	DANIELS, DAVID SCOTT (B)
105.	CAIN, TRACY DEARL (B)	172.	DANIELS, JACKSON C. (B)
106.	CAGE, MICKEY (B)	173.	DANKS, JOSEPH (W)
107.	CAMACHO, ADRIAN GEORGE (L)	174.	DAVEGGIO, JAMES (W)
108.	CANALES, OSMAN (L)	175.	DAVENPORT, JOHN GALEN (W)
109.	CAPERS, LEE SAMUEL (L)	176.	DAVIS, RICHARD ALLEN (N)
110.	CAPISTRANO, JOHN LEO (L)	177.	DAVIS, STANLEY BERNARD (B)
111.	CARASI, PAUL JOE (L)	178.	DE HOYOS, RICHARD (L)

179.	DEBOSE, DONALD RAY (B)	246.	GALVAN, ROBERT (L)
180.	DEEN, OMAR R. (W)	247.	GAMACHE, RICHARD (W)
181.	DEERE, RONALD (N)	248.	GARCIA, RANDY E. (W)
182.	DELEON, SKYLAR JULIUS (W)	249.	GATES, OSCAR (B)
183.	DELGADO, ANTHONY GILBERT (L)	250.	GARTON, TODD JESSE (W)
184.	DEMENT, RONNIE D. (W)	251.	[GAY, KENNETH EARL (B)]
185.	DEMETRULIAS, GREGORY (W)\	252.	GEIER, CHRISTOPHER A. (W)
186.	DEMOLLE, ALEX (B)	253.	GEORGE, JOHNATON S. (B)
187.	DENNIS, CALVIN JERMAINE (B)	254.	[GHENT, DAVID (W)]
188.	DENNIS, WILLIAM MICHAEL (W)	255.	GHOBRIAL, JOHN (W)
189.	DENT, ANTHONY (B)	256.	GIVENS, TODD (W)
190.	DEPRIEST, TIM LEE (W)	257.	GOMEZ, REUBEN PEREZ (L)
191.	DICKEY, COLIN (W)	258.	GONZALES, IVAN (L)
192.	DIXON, JAMES WINSLOW (B)	259.	GONZALES, JOHN ANTHONY (L)
193.	DONALDSON, JASARI (B)	260.	GONZALES, VERONICA ^ (L)
194.	DOOLIN, KEITH ZON (W)	261.	GONZALEZ, FRANK CHRISTOPHER (L)
195.	DREWS, MARTIN D. (W)	262.	GONZALEZ, JESSE (L)
196.	DUENAS, ENRIQUE PARRA (L)	263.	GORDON, PATRICK BRUCE (W)
197.	DUFF, DEWEY JOE (W)	264.	GOVIN, PRAVIN (A)
198.	DUNKLE, JOHN SCOTT (W)	265.	GOVIN, VIRENDA (A)
199.	DUNLAP, DEAN ERIC (W)	266.	GRAHAM, JAWAUN DEION (B)
200.	DUNN, AARON NORMAN (W)	267.	GREEN, ELLIS EARL (B)
201.	DUNSON, ROBERT (W)	268.	GRIMES, GARY LEE (W)
202.	DUONG, ANH THE (A)	269.	GUERRA, JOSE F. (L)
203.	DWORAK, DOUGLAS EDWARD (W)	270.	GUERRERO, JOSE (L)
204.	DYKES, ERNEST E. (B)	271.	GUTIERREZ, ALFRED ANTHONY (L)
205.	EARP, RICKY LEE (W)\	272.	HAJEK, STEPHEN (W)
206.	EDWARDS, ROBERT MARK (W)	273.	HALEY, KEVIN (B)
207.	ELLIOTT, MARCHAND (B)	274.	HALVORSEN, ARTHUR HANS (W)
208.	ENRACA, SONNY (A)	275.	HAMILTON, ALEXANDER RASHAD (B)
209.	ERSKINE, SCOTT (W)	276.	[HAMILTON, MICHAEL (W)]
210.	ERVIN, CURTIS LEE (B)	277.	HANN, JASON MICHAEL (W)
211.	ERVINE, DENNIS NEWTON (W)	278.	HARDY, WARREN (B)
212.	ESPARZA, ANGEL ANTHONY (L)	279.	HARRIS, KAI (B)
213.	ESPINOZA, ANTONIO (L)	280.	HARRIS, LANELL CRAIG (B)
214.	ESPINOZA, JOHNNY (L)	281.	HARRIS, MAURICE LYDELL (B)
215.	ESPINOZA, PEDRO (L)	282.	HARRIS, WILLIE LEO (B)
216.	EUBANKS, SUSAN ^ (W)	283.	HART, JOSEPH (W)
217.	EVANS, CHRISTOPHER (B)	284.	HARTS, TYRONE L. (B)
218.	EVANS, STEVEN CARL (W)	285.	HARTSCH, CISCO (L)
219.	FAIRBANK, JR., ROBERT G. (W)	286.	HAWKINS, JEFFREY (W)
220.	FAJARDO, JONATHAN (L)	287.	HAWTHORNE, ANDERSON (B)
221.	FAMALARO, JOHN JOSEPH (W)	288.	HAWTHORNE, CARLOS A. (B)
222.	FARLEY, RICHARD WADE (W)	289.	HAYES, ROYAL (W)
223.	FARNAM, JACK GUS (W)	290.	HAZLETT, JR., LARRY (B)
224.	FAUBER, CURTIS LYNN (W)	291.	HEARD, JAMES (B)
225.	FAYED, JAMES MICHAEL (W)	292.	HEISHMAN, HARVEY (W)
226.	FELIX, MIGUEL ENRIQUE (L)	293.	HELZER, GLEN (W)
227.	FIELDS, STEVIE LAMAR (B)	294.	HENDERSON, PAUL NATHAN (B)
228.	FIERROS, EUSEBIO (L)	295.	HENRIQUEZ, CHRISTOPHER (B)
229.	FLETCHER, MARCUS (B)	296.	[HERNANDEZ, FRANCIS (L)]
230.	FLINNER, MICHAEL (W)	297.	HERNANDEZ, GEORGE ANTHONY (L)
231.	FLORES, III, ALFRED (L)	298.	HILL, IVAN JEROME (B)
232.	FLORES, JOSEPH (L)	299.	HILL, MICHAEL (B)
233.	FLORES, RALPH STEVEN (L)	300.	HILLHOUSE, DANNIE RAY (N)
234.	FORD, WAYNE ADAM (W)	301.	HIN, MAO (A)
235.	FORTE, MELVIN EARL (B)	302.	HINES, GARY (W)
236.	FOSTER, RICHARD DON (W)	303.	HINTON, ERIC L. (B)
237.	FOWLER, RICKIE LEE (W)	304.	HIRSCHFIELD, RICHARD JOSEPH (W)
238.	FRAZIER, ROBERT WARD (W)	305.	HOLLOWAY, DUANE (B)
239.	FRAZIER, TRAVIS (W)	306.	HOLMES, KARL (B)
240.	FREDERICKSON, DANIEL (W)	307.	HOLT, JOHN LEE (B)
241.	FRIEND, JACK WAYNE (W)	308.	HORNING, DANNY RAY (W)
242.	FRYE, JERRY GRANT (W)	309.	HOUSTON, ERIC (W)
243.	FUDGE, KEITH TYRONE (B)	310.	HOVARTER, JACKIE R. (W)
244.	FUIAVA, FREDDIE (A)	311.	HOWARD, ALPHONSO (B)
245.	FULLER, ROBERT DALE (W)	312.	HOWARD, DEMETRIUS (B)

313. HOYOS, JAIME ARMANDO (L)
314. HOYT, RYAN JAMES (W)
315. HRONIS, JEFFREY LEE (W)
316. HUGGINS, MICHAEL J. (B)
317. HUGHES, KRISTIN W. (W)
318. HUGHES, MERVIN (B)
319. HUGHES, MICHAEL (B)
320. INGRAM, REYON TWAIN (B)
321. JABLONSKI, PHILLIP CARL (W)
322. JACKSON, BAILEY (B)
323. JACKSON, EARL LLOYD (B)
324. JACKSON, JONATHON KEITH (B)
325. JACKSON, MICHAEL A. (B)
326. JACKSON, NOEL (B)
327. JASSO, CHRISTOPHER GUY (L)
328. JENKINS, DANIEL (B)
329. JENNINGS, GLENN WADE (B)
330. JENNINGS, MARTIN CARL (W)
331. JOHN, EMRYS JUSTIN (B)
332. JOHNSEN, BRIAN (W)
333. JOHNSON, BILLY JOE (W)
334. JOHNSON, CEDRIC JEROME (B)
335. [JOHNSON, CLEAMON (B)]
336. JOHNSON, JERROLD (W)
337. JOHNSON, JOE (B)
338. JOHNSON, LAVERNE (B)
339. JOHNSON, LUMOND (B)
340. JOHNSON, MICHAEL RAYMOND (W)
341. JOHNSON, MILA (A)
342. JOHNSON, WILLIE D. (B)
343. JONES, ALBERT (B)
344. JONES, BRYAN M. (B)
345. JONES, ERNEST D. (B)
346. JONES, GLEN JOSEPH (W)
347. JONES, JEFFREY (B)
348. JONES, KIONGOZI (B)
349. JONES, RONALD (B)
350. JONES, STEVEN ANTHONY (B)
351. JONES, JR., WILLIAM ALFRED (W)
352. JURADO, JR., ROBERT (L)
353. KELLEY, JIMMY DALE (W)
354. KELLY, DOUGLAS OLIVER (B)
355. KELLY, HORACE (B)
356. KEMP, DARRYL THOMAS (W)
357. KENNEDY, JERRY (W)
358. KENNEDY, JOHN FITZGERALD (B)
359. KIMBLE, ERIC B. (B)
360. KING, COREY LYNN (B)
361. KIPP, MARTIN (N)
362. KIRKPATRICK, JR., WILLIAM (B)
363. KLING, RANDOLPH CLIFTON (W)
364. KOPATZ, KIM RAYMOND (W)
365. KRAFT, RANDY (W)
366. KREBS, REX ALLEN (W)
367. LAMB, MICHAEL (W)
368. LANCASTER, ALEXANDER D. (B)
369. LANDRY, DANIEL GARY (W)
370. [LANG, JR., KENNETH BURTON (N)]
371. LEDESMA, FERMIN (L)
372. LEE, PHILLIAN EUGENE (B)
373. LENART, THOMAS H. (W)
374. LEON, JOSE LUIS (L)
375. LEONARD, ERIC ROYCE (W)
376. LETNER, RICHARD (W)
377. LEWIS, ALBERT (B)
378. LEWIS, JOHN IRVING (B)
379. LEWIS, KEITH ALLEN (B)
380. LEWIS, MICHAEL BERNARD (B)
381. LEWIS, MILTON OTIS (B)
382. LEWIS, RAYMOND ANTHONY (B)
383. LEWIS, JR., ROBERT (B)
384. LEWIS, TRAVIS JEREMY (B)
385. LIGHTSEY, CHRISTOPHER (W)
386. LINDBERG, GUNNER JAY (W)
387. LINTON, DANIEL ANDREW (W)
388. LIVADITIS, STEVEN (W)
389. LIVINGSTON, DAVID (W)
390. LIVINGSTON, WAYMON (B)
391. LOKER, KEITH (W)
392. LOMAX, DARREL LEE (B)
393. LOOT, KENDRICK (B)
394. LOPEZ, JR., BOBBY (L)
395. LOPEZ, JUAN MANUEL (L)
396. LOPEZ, MICHAEL A. (L)
397. LOY, ELOY (L)
398. LUCAS, DAVID A. (W)
399. LUCERO, PHILIP (L)
400. LUCKY, O. DARNELL (B)
401. LUTHER, JOHNATHAN ROSS (L)
402. LYNCH, FRANKLIN (B)
403. MACIAS, ARMANDO (L)
404. MACIEL, LUIS ROBERT (L)
405. MADISON, RICKY RENE (B)
406. MAGALLON, MIGUEL ANGEL (L)
407. MAGANA, BELINDA ^ (L)
408. MAI, HUNG THAHN (A)
409. MAJORS, JAMES (W)
410. MANIBUSAN, JOSEPH KEKO (A)
411. MANRIQUEZ, ABELINO (L)
412. MANZO, JESSE (L)
413. MARENTES, DESI ANGEL (L)
414. MARKS, DELANEY GERAL (B)
415. MARLOW, JAMES (W)
416. MARTIN, ROMAINE ULYSES (B)
417. MARTIN, VALERIE DEE ^ (W)
418. MARTINEZ, ALBERTO (L)
419. MARTINEZ, CARLOS (L)
420. MARTINEZ, MICHAEL M. (L)
421. MARTINEZ, OMAR FUENTES (L)
422. MARTINEZ, JR., SANTIAGO (L)
423. MARTINEZ, JR., TOMMY JESSE (L)
424. MASTERS, JARVIS (B)
425. MATAELE, TUPOUTOE (A)
426. MAURY, ROBERT (W)
427. MAYFIELD, DENNIS (B)
428. MCCLAIN, HERBERT (B)
429. MCCURDY, GENE ESTEL (W)
430. MCDANIEL, DONTE LAMONT (B)
431. MCDERMOTT, MAUREEN ^ (W)
432. MCDOWELL, CHARLES (W)
433. MCGHEE, TIMOTHY JOSEPH (L)
434. MCKINNON, CRANDEL (B)
435. MCKINZIE, KENNETH (B)
436. MCKNIGHT, ANTHONY (B)
437. MCPETERS, RONALD (B)
438. MCWHORTER, RICHARD (W)
439. MEJORADO, JOSE SERGIO (L)
440. MELENDEZ, ANGELO M. (B)
441. MEMRO, HAROLD RAY (W)
442. MENDEZ, JULIAN (L)
443. MENDOZA, ANGEL (L)
444. MENDOZA, HUBER JOEL (L)
445. MENDOZA, LUIS ALONZO (L)
446. MENDOZA, MANUEL (L)

447. MENDOZA, MARTIN (L)
448. MENDOZA, RONALD (L)
449. MERCADO, JOSEPH (L)
450. MERRIMAN, JUSTIN (W)
451. MICHAELS, KURT (W)
452. MICHAUD, MICHELLE LYN ^ (W)
453. MICKEL, ANDREW (W)
454. MICKEY, DOUGLAS (W)
455. MICKLE, DENNY (B)
456. MILES, JOHNNY DUANE (B)
457. MILLER, TYRONE (B)
458. MILLS, DAVID (B)
459. MILLS, JEFFREY JON (W)
460. MILLSAP, BRUCE (B)
461. MILLWEE, DONALD (W)
462. [MINCEY, BRYAN (W)]
463. MIRACLE, JOSHUA MARTIN (W)
464. MIRANDA-GUERRERO, VICTOR (L)
465. MITCHELL, JR., LOUIS (B)
466. MOLANO, CARL EDWARD (L)
467. MONTERROSO, CHRISTIAN (L)
468. MONTES, JOSEPH MANUEL (L)
469. MONTIEL, RICHARD (L)
470. MOON, RICHARD (W)
471. MOORE, JR., CHARLES EDWARD (B)
472. MOORE, RONALD (W)
473. MOORE, RYAN T. (B)
474. MORA, JOSEPH ADAM (L)
475. MORALES, ALFONSO IGNACIO (L)
476. MORALES, JOHNNY (L)
477. MORALES, MICHAEL (L)
478. MORELOS, VALDAMIR F. (L)
479. MORGAN, EDWARD PATRICK (W)
480. MORRISON, ALLEN JESSE (B)
481. MOSLEY, BARRY (B)
482. MUNGIA, JOHN (L)
483. MURTAZA, IFTEKHAR (A)
484. MYLES, JOHN (B)
485. NADEY, JR., GILES ALBERT (W)
486. NAKAHARA, EVAN TEEK (A)
487. NARINE, NARESH (A)
488. NASO, JOSEPH (W)
489. NAVARETTE, MARTIN (L)
490. NAVARRO, ANTHONY (L)
491. NEALY, EDDIE RICKY (B)
492. NELSON, BERNARD ALBERT (B)
493. NELSON, SERGIO D. (L)
494. NELSON, TANYA JAIME ^ (A)
495. NEWBORN, LORENZO (B)
496. NG, CHARLES CHITAT (A)
497. NGUYEN, LAM THANH (A)
498. NIEVES, SANDI DAWN ^ (W)
499. NISSENSOHN, JOSEPH MICHAEL (W)
500. NOGUERA, WILLIAM (L)
501. NOWLIN, KENNETH LEE (W)
502. NUNEZ, DANIEL (L)
503. O'MALLEY, JAMES (W)
504. OCHOA, ROBERT LESTER (L)
505. OCHOA, SERGIO (L)
506. ODLE, JAMES (W)
507. OLIVER, ANTHONY (B)
508. OROZCO, JOSE LUIS (L)
509. OSBAND, LANCE (B)
510. OYLER, RAYMOND LEE (W)
511. PAN, SAMRETH SAM (A)
512. PANAH, HOOMAN A. (A)
513. PANIAGUA, RODRIGO ORTIZ (L)
514. PARKER, CALVIN LAMONT (B)
515. PARKER, GERALD (B)
516. PASASOUK, KA (A)
517. PAYTON, WILLIAM CHARLES (W)
518. PEARSON, KEVIN (B)
519. PEARSON, MICHAEL (B)
520. [PENSINGER, BRETT PATRICK (W)]
521. PENUELAS, JESUS GUADALUPE (L)
522. PENUNURI, RICHARD (L)
523. PEOPLES, LOUIS JAMES (W)
524. PEREZ, CHRISTIAN (L)
525. PEREZ, JOHN MICHAEL (L)
526. PEREZ, JOSEPH ANDREW (L)
527. PERRY, CLIFTON (B)
528. PETERSON, SCOTT (W)
529. PINEDA, SANTIAGO (L)
530. PINHOLSTER, SCOTT (W)
531. PLATA, NOEL JESSE (L)
532. POLLOCK, MILTON (W)
533. POORE, CHRISTOPHER ERIC (W)
534. POPS, ASWAD (B)
535. POTTS, TOMAS JAMES (B)
536. POWELL, CARL (B)
537. POWELL, TROY LINCOLN (W)
538. PRICE, CURTIS (W)
539. PRINCE, JR., CLEOPHUS (B)
540. PROCTOR, WILLIAM ARNOLD (W)
541. RALEY, DAVID (W)
542. RAMIREZ, IRVING ALEXANDER (L)
543. RAMIREZ, JUAN VILLA (L)
544. RAMIREZ, RICHARD (L)
545. RAMOS, JR., WILLIAM JAMES (W)
546. RANGEL, JR., PEDRO (L)
547. RANGEL, RUBEN (L)
548. REDD, STEPHEN MORELAND (W)
549. REED, DAVID JOHN (W)
550. REED, ENNIS (B)
551. REILLY, MARK (W)
552. RHOADES, ROBERT (W)
553. RICES, JEAN PIERRE (B)
554. RICHARDSON, JASON RUSSELL (W)
555. RIEL, CHARLES D. (W)
556. RIGGS, BILLY RAY (B)
557. RIVERA, CUITLAHUAC (L)
558. RIVERA, SAMUEL RAMON (L)
559. ROBBINS, MALCOLM JOSEPH (W)
560. ROBERTS, LARRY (B)
561. ROBINSON, JR., JAMES (B)
562. RODRIGUEZ, ANGELINA ^ (L)
563. RODRIGUEZ, ANTONIO (L)
564. RODRIGUEZ, JERRY (L)
565. RODRIGUEZ, LUIS (L)
566. ROGERS, DAVID (W)
567. ROGERS, GLEN (W) &
568. ROGERS, RAMON JAY (L)
569. ROLDAN, RICARDO (L)
570. ROMERO, GERARDO (L)
571. ROMERO, ORLANDO (L)
572. RONQUILLO, GABRIEL ALEXANDER (L)
573. ROSS, CRAIG ANTHONY (B)
574. ROTTIERS, BROOKE MARIE ^ (W)
575. ROUNTREE, CHARLES (W)
576. ROWLAND, GUY (W)
577. [ROYBAL, RUDOLPH J. (L)]
578. RUIZ, RUDY ANTHONY (L)
579. RUNDLE, DAVID (W)
580. SALAZAR, MAGDALENO (L)

581. SALCIDO, RAMON (L)
582. SAMAYOA, RICHARD (L)
583. SAMUELS, MARY ELLEN ^ (W)
584. SAN NICOLAS, RODNEY (A)
585. SANCHEZ, JUAN (L)
586. SANCHEZ, TEDDY (W)
587. SANCHEZ, VINCENT HENRY (L)
588. SANCHEZ-FUENTES EDGARDO (L)
589. SANDERS, RICARDO RENE (B)
590. SANDERS, RONALD LEE (W)
591. SANDOVAL, JR., RAMON (L)
592. SAPP, JOHN (W)
593. SARINANA, RAUL RICARDO (L)
594. SARINANA, CATHY LYNN ^ (W)
595. SATELE, WILLIAM (A)
596. SATTIEWHITE, CHRISTOPHER (B)
597. SCHMECK, MARK L. (W)
598. SCOTT, III, DAVID LYNN (B)
599. SCOTT, JAMES (B)
600. SCOTT, ROYCE LYNN (B)
601. SCHULTZ, MICHAEL JOSEPH (W)
602. SCULLY, ROBERT WALTER (W)
603. SELF, CHRISTOPHER (L)
604. SERNA, HERMINIO (L)
605. SEUMANU, ROPATI (A)
606. SHELDON, JEFFREY (W)
607. SHERMANTINE, JR., WESLEY (W)
608. SHORTS, DONALD (B)
609. SHOVE, III, THEODORE CHURCHILL (W)
610. SILVA, MAURICIO (L)
611. SILVERIA, DANIEL TODD (W)
612. SIMON, RICHARD NATHAN (B)
613. SIMS, MITCHELL (W) &
614. SIVONGXXAY, VAENE (A)
615. SLAUGHTER, MICHAEL (B)
616. SMITH, CHARLES (B)
617. SMITH, JR., DONALD (B)
618. SMITH, FLOYD (B)
619. SMITH, GREGORY CALVIN (B)
620. SMITH, GREGORY SCOTT (W)
621. SMITH, JR., ROBERT LEE (B)
622. SNOW, PRENTICE (B)
623. SNYDER, JANEEN MARIE ^ (W)
624. SOLIZ, MICHAEL (L)
625. SOLOMON, JR., MORRIS (B)
626. SOUZA, MATTHEW ARIC (N)
627. SPENCER, CHRISTOPHER (W)
628. [STANKEWITZ, DOUGLAS (N)]
629. STANLEY, DARREN (B)
630. STANLEY, GERALD FRANK (W)
631. STATEN, DEONDRE (B)
632. STAYNER, CARY ANTHONY (W)
633. STESKAL, MAURICE (W)
634. STEVENS, CHARLES (N)
635. STITELY, RICHARD (W)
636. STREETER, HOWARD LARCELL (B)
637. SUAREZ, ARTURO JUAREZ (L)
638. SUFF, WILLIAM L. (W)
639. SULLY, ANTHONY J. (W)
640. SYKES, KESAUN KEDRON (B)
641. TAFOYA, IGNACIO A (L)
642. TATE, GREGORY (B)
643. TAYLOR, BRANDON ARNAE (B)
644. TAYLOR, FREDDIE L. (B)
645. TAYLOR, KEITH DESMOND (B)
646. TAYLOR, ROBERT (B)
647. THOMAS, ALEX DALE (B)
648. THOMAS, CORRELL LAMONT (B)
649. THOMAS, HILBERT PINEIL (B)
650. THOMAS, JUSTIN HEATH (W)
651. THOMAS, KEITH TYSON (B)
652. THOMAS, REGIS D. (B)
653. THOMPSON, CATHERINE ^ (B)
654. THOMPSON, JAMES ALVIN (W)
655. THOMSON, JOHN WAYNE (W)
656. THORNTON, MARK (W)
657. THORNTON, MICHAEL FORREST (W)
658. THREATS, DERLYN RAY (B)
659. TOBIN, CHRISTOPHER (W)
660. TOPETE, MARCO ANTONIO (L)
661. TOWNSEL, ANTHONY (B)
662. TRAN, RONALD TRI (A)
663. TRAVIS, JOHN RAYMOND (W)
664. TRINH, DUNG DINH ANH (A)
665. TRUJEQUE, JAMES (L)
666. TUCKER, JAMAR (B)
667. TUILAIPA, PAUL (A)
668. TULLY, RICHARD (W)
669. TURNER, CHESTER DWAYNE (B)
670. TURNER, MELVIN (B)
671. TURNER, RICHARD (W)
672. VALDEZ, ALFREDO (L)
673. VALDEZ, RICHARD ANTHONY (L)
674. VALENCIA, ALFREDO (L)
675. VALLES, PEDRO CORTEZ (L)
676. VANG, RONNIE (A)
677. VARGAS, EDUARDO DAVID (L)
678. VARNER, SCOTT PAUL (B)
679. VEASLEY, CHAUNCEY (B)
680. VERDUGO, NATHAN (L)
681. VICTORIANNE, JAVIER WILLIAM (B)
682. VIEIRA, RICHARD (W)
683. VILLA, RICARDO (L)
684. VINES, SEAN VENYETTE (B)
685. VIRGIL, LESTER (B)
686. VISCIOTTI, JOHN (W)
687. VO, LOI TAN (A)
688. VOLARVICH, BRENDT ANTHONY (W)
689. WADE, ANTHONY DARNELL (B)
690. WAIDLA, TAUNO (W)
691. WALDON, BILLY (N)
692. WALKER, MARVIN (B)
693. WALL, RANDALL CLARK (W)
694. WALLACE, KEONE (B)
695. WALTERS, MICHAEL J. (L)
696. WARD, CARMEN (B)
697. WATKINS, RAUL SODOA (B)
698. WATSON, PAUL (B)
699. WATTA, BENJAMIN WAYNE (L)
700. [WEATHERTON, FRED (B)]
701. WEAVER, LATWON REGENIAL (B)
702. WEAVER, WARD FRANCIS (W)
703. WEBB, DENNIS (W)
704. WELCH, DAVID E. (B)
705. WESSON, MARCUS DELON (B)
706. WEST, ERRAN LANE (B)
707. WESTERFIELD, DAVID ALAN (W)
708. WHALEN, DANIEL LEE (W)
709. WHEELER, LEROY (B)
710. WHISENHUNT, MICHAEL M. (W)
711. WHITESIDE, GREGORY C. (B)
712. [WILLIAMS, BARRY (B)]
713. WILLIAMS, JR., BOB RUSSELL (W)
714. WILLIAMS, COREY LEIGH (B)

715.	WILLIAMS, DAVID EARL (B)	729.	WREST, THEODORE (W)
716.	WILLIAMS, DEXTER (B)	730.	WRIGHT, JR., WILLIAM LEE (B)
717.	WILLIAMS, GEORGE (B)	731.	WYCOFF, EDWARD MATTHEW (W)
718.	WILLIAMS, GEORGE BRETT (B)	732.	YONKO, TONY RICKY (W)
719.	WILLIAMS, JR., JACK EMMIT (B)	733.	YOUNG, DONALD RAY (B)
720.	WILLIAMS, MANLING TSANG ^ (A)	734.	YOUNG, JEFFREY SCOTT (W)
721.	WILLIAMS, ROBERT LEE (B)	735.	YOUNG, TIMOTHY JAMES (B)
722.	WILSON, ANDRE GERALD (B)	736.	ZAMBRANO, ENRIQUE (L)
723.	WILSON, BYRON (B)	737.	ZAMUDIO, SAMUEL JIMINEZ (L)
724.	WILSON, JAVANCE MICKEY (B)	738.	ZANON, DAVID CHARLES (W)
725.	WILSON, LESTER HARLAND (B)	739.	ZAPIEN, CONRAD J. (L)
726.	WILSON, ROBERT (W)	740.	ZARAGOZA, LOUIS RANGEL (L)
727.	WINBUSH, GRAYLAND (B)	741.	ZAVALA, JR., FRANCISCO ROY (L)
728.	WOODRUFF, STEVE (B)		

COLORADO (Lethal Injection) **Total = 3**

B = 3 W = 0 L = 0 N = 0 A = 0 U = 0

1.	DUNLAP, NATHAN J. (B)	3.	RAY, ROBERT (B)
2.	OWENS, SIR MARIO (B)		

DELAWARE (Lethal Injection or Choice of Hanging If Sentenced Before 6/13/86) **Total = 18**

B = 11 W = 4 L = 3 N = 0 A = 0 U = 0

1.	[CABRERA, ANGEL (L)]	10.	[REYES, LUIS (L)
2.	COOKE, JR., JAMES E. (B)	11.	[STARLING, CHAUNCY (B)]
3.	MANLEY, MICHAEL (B)	12.	STEVENSON, DAVID (B)
4.	[MCCOY, ISAAH (B)]	13.	SWAN, RALPH (W)
5.	NORCROSS, ADAM (W)	14.	SYKES, AMBROSE (B)
6.	ORTIZ, JUAN J. (L)	15.	TAYLOR, III, EMMETT (B)
7.	PHILLIPS, OTIS (B)	16.	TAYLOR, MILTON (B)
8.	PLOOF, GARY (W)	17.	[WRIGHT, JERMAINE (B)]
9.	POWELL, DERRICK (B)	18.	ZEBROSKI, CRAIG (W)

FLORIDA (Lethal Injection or Choice of Electrocution; or Any Constitutional Method) **Total = 396**

B = 154 W = 208 L = 31 N = 1 A = 2 U = 0

Females = 5 (B = 2 W = 1 L = 2)

1.	ABDOOL, DANE (W)	27.	BELCHER, JAMES (B)
2.	AGUIRRE-JARQUIN CLEMENTE (L)	28.	BELL, MICHAEL (B)
3.	ALLEN, MARGARET ^ (B)	29.	BEVEL, THOMAS (B)
4.	ALLRED, ANDREW (W)	30.	BLANCO, OMAR (L)
5.	ALSTON, PRESSLEY (B)	31.	BOGLE, BRETT (W)
6.	ALTERSBERGER, JOSHUA LEE (B)	32.	BOOKER, STEPHEN (B)
7.	[ANDERSON, ALLEN (W)] &	33.	BOWLES, GARY (W)
8.	ANDERSON, CHARLES (B)	34.	BOYD, LUCIOUS (B)
9.	ANDERSON, FRED (B)	35.	BRADDY, HARREL (B)
10.	ANDERSON, RICHARD (W)	36.	BRADLEY, BRANDON (B)
11.	ANDRES, RAFAEL (L)	37.	BRADLEY, DONALD L. (W)
12.	ARBELAEZ, GUILLERMO (L)	38.	BRANCH, ERIC (W)
13.	ARCHER, ROBIN (W)	39.	BRANT, CHARLES (W)
14.	ARMSTRONG, LANCELOT (B)	40.	[BRIGHT, RAYMOND CURTIS (B)]
15.	ASAY, MARC (W)	41.	BROOKINS, ELIJAH (B)
16.	ATWATER, JEFFREY (W)	42.	BROOKS, LAMAR (B)
17.	AULT, HOWARD STEVEN (W)	43.	BROWN, PAUL ALFRED (W)
18.	BAILEY, ROBERT (W)	44.	BROWN, PAUL ANTHONY (W)
19.	BAKER, CORNELIUS (B)	45.	BROWN, THOMAS (B)
20.	BANKS, DONALD (B)	46.	BROWN, TINA ^ (B)
21.	BARGO, MICHAEL (W)	47.	BURNS, DANIEL (B)
22.	BARNES, JAMES (W)	48.	BUTLER, HARRY LEE (B)
23.	BARNHILL, III, ARTHUR (B)	49.	BUZIA, JOHN MICHAEL (W)
24.	BARWICK, DARRYL (W)	50.	BYRD, MILFORD (W)
25.	BATES, KAYLE (B)	51.	CALHOUN, JOHNNY (W)
26.	BEASLEY, CURTIS W. (W)	52.	CALLOWAY, TAVARES (B)

53. CAMPBELL, JOHN WILLIAM (W)
54. CANNON, MARVIN (B)
55. [CARABALLO, VICTOR (L)]
56. CARD, JAMES (W)
57. [CARDONA, ANA ^ (L)]
58. CARR, EMILIA ^ (L)
59. CARTER, PINKNEY "CHIP" (W)
60. CAVE, ALFONSO (B)
61. CAYLOR, MATTHEW (W)
62. CHERRY, ROGER L. (B)
63. CLARK, RONALD (W)
64. COLE, LORAN (W)
65. COLE, TIFFANY ^ (W)
66. CONAHAN, JR., DANIEL O. (W)
67. CONDE, RORY E. (L)
68. CONNOR, SEBURT N. (L)
69. CONSALVO, ROBERT (W)
70. COVINGTON, EDWARD (W)
71. COX, ALLEN (W)
72. COZZIE, STEVEN ANTHONY (W)
73. CRAIN, WILLIE (W)
74. CUMMING-EL, FREDERICK W. (B)
75. DAILEY, JAMES (W)
76. DAMREN, FLOYD (W)
77. DAVIS, ADAM (W)
78. DAVIS, JR., BARRY TRYNELL (B)
79. DAVIS, JR., LEON (B)
80. DAVIS, MARK (W)
81. DAVIS, TONEY (B)
82. DAVIS, III, WILLIAM (W)
83. DENNIS, LABRANT DESHAWN (B)
84. DEPARVINE, WILLIAM (W)
85. DERRICK, SAMUEL (W)
86. DESSAURE, JR., KENNETH L. (B)
87. DEVINEY, RANDALL (W)
88. DIAZ, JOEL (L)
89. DILLBECK, DONALD (W)
90. DOORBAL, NOEL (A)
91. DOTY, WAYNE (W)
92. DOUGLAS, LUTHER (B)
93. DOWNS, ERNEST (W)
94. DOYLE, DANIEL (W)
95. DUBOSE, RASHEEM (B)
96. DUCKETT, JAMES (W)
97. DUROUSSEAU, PAUL (B)
98. EAGLIN, DWIGHT (W)
99. ELLERBEE, JR. TERRY M. (W)
100. ENGLAND, RICHARD (L)
101. [EVANS, PATRICK (W)]
102. EVANS, PAUL (W)
103. EVANS, STEVEN (W)
104. EVANS, WYDELL (B)
105. EVERETT, PAUL (W)
106. [FARINA, ANTHONY (W)]
107. FENNIE, ALFRED (B)
108. FINNEY, CHARLES (B)
109. [FITZPATRICK, MICHAEL (W)]
110. FLETCHER, TIMOTHY WAYNE (W)
111. FLOYD, FRANKLIN (W)
112. FLOYD, MAURICE (B)
113. FORD, JAMES (B)
114. FOSTER, CHARLES K. (W)
115. FOSTER, JERMAINE (B)
116. FOSTER, KEVIN D. (W)
117. FOTOPOULOS, KOSTANTINOS (W)
118. FRANCES, DAVID SYLVESTER (B)
119. FRANCIS, CARLTON (B)
120. FRANKLIN, QUAWN MOSES (B)
121. FRANKLIN, RICHARD (B)
122. FRANQUI, LEONARDO (L)
123. FREEMAN, JOHN (W)
124. GAMBLE, GUY (W)
125. GASKIN, LOUIS (B)
126. GERALDS, MARK (W)
127. GILL, RICARDO (W)
128. GLOVER, DENNIS THURNADO (B)
129. GONZALEZ, LEONARD (L)
130. GONZALEZ, RICARDO (L)
131. GORDON, ROBERT (B)
132. GOSCIMINSKI, ANDREW MICHAEL (W)
133. GREGORY, WILLIAM (W)
134. GRIFFIN, MICHAEL A. (W)
135. GRIM, NORMAN (W)
136. GUARDADO, JESSE (W)
137. GUDINAS, THOMAS (W)
138. [GUZMAN, JAMES (L)]
139. GUZMAN, VICTOR (L)
140. [HAKIM, YAQUB (B)]
141. HALIBURTON, JERRY (B)
142. HALL, DONTE (B)
143. HALL, ENOCH (B)
144. HALL, FREDDIE (B)
145. HAMILTON, RICHARD (W)
146. HAMPTON, JOHN (B)
147. HANNON, PATRICK (W)
148. [HARDWICK, JOHN G. (W)]
149. HARTLEY, KENNETH (B)
150. HARVEY, HAROLD (W)
151. HAYWARD, STEVEN (B)
152. HEATH, RONALD (W)
153. HERARD, JAMES (B)
154. HERNANDEZ, MICHAEL (W)
155. HERNANDEZ-ALBERTO, PEDRO (L)
156. HERRING, TED (B)
157. HERTZ, GUERRY (W)
158. HEYNE, JUSTIN (W)
159. [HILDWIN, PAUL (W)]
160. HILTON, GARY (W)
161. HITCHCOCK, JAMES (W)
162. HOBART, ROBERT (W)
163. HODGES, GEORGE M. (W)
164. HODGES, WILLIE (B)
165. HOJAN, GERHARD (B)
166. HOLLAND, ALBERT (B)
167. HOSKINS, JOHNNY (B)
168. HUGGINS, JOHN (W)
169. HUNTER, JAMES (B)
170. HUNTER, JERONE (B)
171. [HURST, TIMOTHY (B)]
172. HUTCHINSON, JEFFREY (W)
173. [IBAR, PABLO (L)]
174. ISRAEL, CONNIE (B)
175. JACKSON, ETHERIA (B)
176. JACKSON, KENNETH RAY (W)
177. JACKSON, KIM (B)
178. JACKSON, MICHAEL (W)
179. [JACKSON, MICHAEL R. (B)]
180. JACKSON, RAY (B)
181. JAMES, EDWARD (W)
182. JEAN-PHILIPPE, LESLY (B)
183. JEFFRIES, KEVIN GENE (W)
184. JEFFRIES, SONNY (W)
185. JENNINGS, BRANDY (N)
186. JENNINGS, BRYAN (W)

187. JIMENEZ, JOSE (L)
188. JOHNSON, EMANUEL (B)
189. JOHNSON, KENTRELL (B)
190. JOHNSON, PAUL BEASLEY (W)
191. JOHNSON, RICHARD (W)
192. JOHNSON, RONNIE (B)
193. JOHNSTON, RAY (W)
194. JONES, DAVID (W)
195. JONES, HARRY (B)
196. JONES, HENRY LEE (B) &
197. JONES, MARVIN (B)
198. JONES, RANDALL (W)
199. JONES, VICTOR (B)
200. JORDAN, JOSEPH (W)
201. KACZMAR, III, LEO L. (W)
202. KEARSE, BILLY (B)
203. KELLEY, WILLIAM (W)
204. KILGORE, DEAN (B)
205. KING, CECIL (B)
206. KING, MICHAEL (W)
207. KIRKMAN, VAHTIECE (B)
208. KNIGHT, RICHARD (B)
209. KNIGHT, RONALD (W)
210. KOCAKER, GENGHIS N. (W)
211. KOKAL, GREGORY (W)
212. KOPSHO, WILLIAM (W)
213. KRAWCZUK, ANTON (W)
214. LAMARCA, ANTHONY (W)
215. LAMBRIX, CARY (W)
216. LAWRENCE, GARY (W)
217. LAWRENCE, JONATHAN (W)
218. LEBRON, JERMAINE (B)
219. LEBRON, JOEL (B)
220. LIGHTBOURNE, IAN (B)
221. LONG, ROBERT (W)
222. LOONEY, JASON (W)
223. LOTT, KEN (W)
224. LOWE, RODNEY (B)
225. LUCAS, HAROLD (W)
226. LUGO, DANIEL (L)
227. LUKEHART, ANDREW (W)
228. LYNCH, RICHARD (W)
229. MANSFIELD, SCOTT (W)
230. MARQUARD, JOHN (W)
231. MARQUARDT, BILL (W)
232. MARSHALL, MATTHEW (B)
233. MARTIN, ARTHUR (B)
234. MARTIN, DAVID (W)
235. MATTHEWS, DOUGLAS (B)
236. MCCLOUD, ROBERT (B)
237. MCCOY, THOMAS (W)
238. MCCRAY, GARY (B)
239. MCDONALD, MERYL (B)
240. MCGIRTH, RENALDO (B)
241. MCKENZIE, NORMAN (W)
242. MCLEAN, DERRICK (B)
243. MCMILLIAN, JUSTIN (B)
244. MEEKS, DOUGLAS (B)
245. MELTON, ANTONIO (B)
246. MENDOZA, MARBEL (L)
247. MERCK, TROY (W)
248. MIDDLETON, DALE (W)
249. MILLER, JR., DAVID (B)
250. MILLER, LIONEL (W)
251. MOORE, THOMAS (B)
252. MORRIS, DONTAE (B)
253. MORRIS, ROBERT (B)
254. [MORRISON, RAYMOND (B)]
255. MORTON, ALVIN (W)
256. MOSLEY, JR., JOHN (B)
257. MUEHLEMAN, JEFFRY A. (W)
258. MULLENS, KHADAFY (B)
259. MUNGIN, ANTHONY (B)
260. MURRAY, GERALD (W)
261. NELSON, JOSHUA (W)
262. NELSON, MICAH (B)
263. NEWBERRY, RODNEY (B)
264. NIXON, JOE E. (B)
265. OATS, SONNY BOY (B)
266. OCCHICONE, DOMINICK (W)
267. OKAFOR, BESSMAN (B)
268. OLIVER, TERENCE TABIUS (B)
269. ORME, RODERICK (W)
270. OVERTON, THOMAS (W)
271. OWEN, DUANE (W)
272. OYOLA, MIGUEL (L)
273. PACE, BRUCE (B)
274. PAGAN, ALEX (L)
275. PARKER, J.B. (B)
276. PARTIN, PHILLUP (W)
277. PASHA, KHALID (B)
278. PATRICK, ERIC (W)
279. [PEEDE, ROBERT (W)]
280. PETERKA, DANIEL (W)
281. PETERSON, CHARLES (B)
282. PETERSON, ROBERT (W)
283. PHAM, TAI (A)
284. PHILLIPS, GALANTE (B)
285. PHILLIPS, HARRY (B)
286. PHILLIPS, TERRANCE (B)
287. PHILMORE, LENARD (W)
288. PIETRI, NORBERTO (L)
289. PITTMAN, DAVID (W)
290. PONTICELLI, ANTHONY (W)
291. POOLE, MARK ANTHONY (B)
292. POOLER, LEROY (B)
293. POPE, THOMAS DEWEY (W)
294. PUIATTI, CARL (W)
295. QUINCE, KENNETH (B)
296. RALEIGH, BOBBY (W)
297. RANDOLPH, RICHARD (B)
298. RASHID, JAMIL (B)
299. [REAVES, WILLIAM (B)]
300. REED, GROVER (W)
301. REESE, JOHN (B)
302. REYNOLDS, MICHAEL (W)
303. RHODES, RICHARD (W)
304. RIGTERINK, THOMAS (W)
305. RIMMER, ROBERT (B)
306. RIVERA, MICHAEL (L)
307. ROBARDS, RICHARD (W)
308. ROBERTSON, JAMES (W)
309. ROBINSON, MICHAEL (W)
310. RODGERS, JEREMIAH (W)
311. RODGERS, THEODORE (B)
312. RODRIGUEZ, JUAN (L)
313. RODRIGUEZ, MANOLO (L)
314. ROGERS, GLEN (W)
315. ROSE, JAMES (W)
316. ROSE, MILO A. (W)
317. RUSS, DAVID BYRON (W)
318. SALAZAR, NEIL (B)
319. SAN MARTIN, PABLO (L)
320. SANCHEZ-TORREZ, HECTOR (L)

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|------|-------------------------------|------|----------------------------|
| 321. | SCHOENWETTER, RANDY (W) | 360. | TREASE, ROBERT (W) |
| 322. | SCOTT, PAUL (W) | 361. | TREPAL, GEORGE (W) |
| 323. | SEIBERT, MICHAEL (W) | 362. | TROTTER, MELVIN (B) |
| 324. | SERRANO, NELSON (W) | 363. | TROY, JOHN (W) |
| 325. | SEXTON, JR., JOHN (W) | 364. | TRUEHILL, QUENTIN (B) |
| 326. | [SHELLITO, MICHAEL (L)] | 365. | TUNDIDOR, RANDY W. (W) |
| 327. | SHEPPARD, BILLY (B) | 366. | TURNER, JAMES (W) |
| 328. | SHERE, RICHARD E. (W) | 367. | TWILEGAR, MARK (W) |
| 329. | SILVIA, JR., WILLIAM (W) | 368. | VALENTINE, TERANCE (B) |
| 330. | SIMMONS, ERIC (W) | 369. | VICTORINO, TROY (L) |
| 331. | SIMPSON, JASON (W) | 370. | WADE, ALAN (W) |
| 332. | SIRECI, HENRY (W) | 371. | WAINWRIGHT, ANTHONY (W) |
| 333. | SLINEY, JACK (W) | 372. | WALL, CRAIG (W) |
| 334. | SMITH, COREY (B) | 373. | WALLS, FRANK (W) |
| 335. | SMITH, III, DELMER (W) | 374. | WALTON, JASON DIRK (W) |
| 336. | SMITH, DERRICK (B) | 375. | WATTS, TONY R. (B) |
| 337. | SMITH, JOSEPH (W) | 376. | [WELCH, ANTHONY (W)] |
| 338. | SMITH, SEAN HECTOR (B) | 377. | WHEELER, JASON (W) |
| 339. | SMITH, STEPHEN (W) | 378. | WHITE, DWAYNE (B) |
| 340. | SMITH, TERRY (B) | 379. | WHITE, WILLIAM (W) |
| 341. | SMITHERS, SAMUEL (W) | 380. | WHITFIELD, ERNEST (B) |
| 342. | SNELGROVE, DAVID B. (W) | 381. | WHITTON, GARY (W) |
| 343. | SOCHOR, DENNIS (W) | 382. | WILCOX, DARIOUS (B) |
| 344. | SPANN, ANTHONY (B) | 383. | WILLACY, CHADWICK (B) |
| 345. | SPARRE, DAVID (W) | 384. | WILLIAMS, DONALD (W) |
| 346. | SPENCER, DUSTY RAY (W) | 385. | WILLIAMS, RONNIE K. (B) |
| 347. | STEIN, STEVEN (W) | 386. | WILLIAMSON, DANA (W) |
| 348. | STEPHENS, JASON D. (B) | 387. | WINDOM, CURTIS (B) |
| 349. | STEWART, KENNETH (W) | 388. | WOOD, ZACHARY TAYLOR (W) |
| 350. | SUGGS, ERNEST (W) | 389. | WOODEL, THOMAS (B) |
| 351. | SWEET, WILLIAM (B) | 390. | WRIGHT, JOEL (W) |
| 352. | TANZI, MICHAEL (W) | 391. | WRIGHT, RALPH (B) |
| 353. | TAYLOR, JOHN (W) | 392. | WRIGHT, TAVARES (B) |
| 354. | TAYLOR, PERRY A. (B) | 393. | ZACK, III, MICHAEL D. (W) |
| 355. | TAYLOR, STEVEN (W) | 394. | ZAKRZEWSKI, EDWARD (W) |
| 356. | TAYLOR, WILLIAM (W) | 395. | ZEIGLER, WILLIAM (W) |
| 357. | THOMAS, WILLIAM (W) | 396. | ZOMMER, TODD (W) |
| 358. | THOMPSON, WILLIAM (W) | | |
| 359. | TISDALE, ERIESE ALPHONSO (B) | | |

GEORGIA (Lethal Injection)

B = 34 W = 31 L = 3 N = 0 A = 0 Total = 68

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|-----|--------------------------------|-----|---------------------------------|
| 1. | ARRINGTON, ROBERT O. (W) | 24. | KING, WARREN (B) |
| 2. | BROCKMAN, ANTHONY W. (W) | 25. | LANCE, DONNIE (W) |
| 3. | BROOKINS, BRIAN DUANE (W) | 26. | LAWLER, GREGORY (W) |
| 4. | BUTTS, EARL (B) | 27. | LEDFORD, J.D. "BOY" (W) |
| 5. | [CLARK, CLEVELAND (B)] | 28. | LEDFORD, MICHAEL WILLIAM (W) |
| 6. | CONNOR, JOHN WAYNE (W) | 29. | LEE, JAMES ALLYSON (W) |
| 7. | CROMARTIE, RAY JEFFERSON (B) | 30. | MALDONADO, PABLO FERNANDEZ (L) |
| 8. | [DOBBS, WILEY (B)] | 31. | MARTIN, DEKELVIN R. (B) |
| 9. | DRANE, LEONARD (W) | 32. | MEDERS, JIMMY F. (W) |
| 10. | DRUCKER, JOSHUA KEVIN (W) | 33. | MILLER, MICHAEL (B) |
| 11. | EDENFIELD, DAVID (W) | 34. | MITCHELL, NELSON E (B) |
| 12. | ESPOSITO, JOHN ANTHONY (W) | 35. | MOODY, JEREMY (B) |
| 13. | [FOSTER, TIMOTHY (B)] | 36. | [MORRISON, ERNEST (W)] |
| 14. | FRANKS, DAVID (W) | 37. | MORROW, SCOTTY (B) |
| 15. | GARY, CARLTON (B) | 38. | NANCE, MICHAEL WAYNE (L) |
| 16. | HARGROVE, ADRIAN (B) | 39. | O'KELLEY, DORIAN FRANK (W) |
| 17. | HEIDLER, JERRY SCOTT (W) | 40. | PACE, LYNDON (B) |
| 18. | HOLIDAY, DALLAS (B) | 41. | PALMER, WILLIE WILLIAMS (B) |
| 19. | HULETT, JR., DONNIE ALLEN (W) | 42. | [PERKINS, DAVID AARON (W)] |
| 20. | HUMPHREYS, STACEY IAN (W) | 43. | PERKINSON, ERIC (B) |
| 21. | JEFFERSON, LAWRENCE (B) | 44. | PRESNELL, VIRGIL (W) |
| 22. | JONES, ASHLEY (B) | 45. | PYE, WILLIE JAMES (B) |
| 23. | JONES, JERRY (W) | 46. | RAHEEM, MUSTAFA (B) |

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|-----------------------------------|-----------------------------------|
| 47. RAULERSON, BILLY D. (W) | 58. THARPE, KEITH (B) |
| 48. RICE, LAWRENCE (B) | 59. TOLLETTE, LEON (B) |
| 49. RIVERA, REINALDO (L) | 60. [WALKER, ARTEMUS RICK (B)] |
| 50. ROGERS, JAMES (W) | 61. [WARD, JAMIE (W)] |
| 51. SALLIE, WILLIAM (W) | 62. WHATLEY, FREDERICK (B) |
| 52. SEALEY, RICHARD LESTER (B) | 63. WILLIAMS, JOSEPH (B) |
| 53. SEARS, DEMARCUS (B) | 64. WILLIS, DEMETRIUS G. (B) |
| 54. SPEARS, STEVEN FREDERICK (W) | 65. WILSON, JR., MARION (B) |
| 55. [SPEED, NORRIS (B)] | 66. WILSON, WILLIE (B) |
| 56. STINSKI, DARRYL SCOTT (W) | 67. WORSLEY, JOHNNIE ALFRED (B) |
| 57. TATE, NICHOLAS (W) | 68. YOUNG, RODNEY RENIA (B) |

IDAHO (Lethal Injection) **Total = 9**
B = 0 W = 9 L = 0 N = 0 A = 0 U = 0
Females = 1 (W)

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|-------------------------------|--------------------------------|
| 1. ABDULLAH, AZAD HAJI (W) | 6. HAIRSTON, JAMES HARVEY (W) |
| 2. CARD, DAVID LESLIE (W) | 7. HALL, ERICK VIRGIL (W) |
| 3. CREECH, THOMAS EUGENE (W) | 8. PIZZUTO, GERALD ROSS (W) |
| 4. DUNLAP, TIMOTHY ALAN (W) | 9. ROW, ROBIN LEE ^ (W) |
| 5. FIELDS, ZANE JACK (W) | |

INDIANA (Lethal Injection) **Total = 12**
B = 3 W = 9 L = 0 N = 0 A = 0 U = 0
Females = 1 (B)

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|---------------------------------|----------------------------------|
| 1. BAER, FREDERICK MICHAEL (W) | 7. KUBSCH, WAYNE (W) |
| 2. BROWN, DEBRA ^ (B) & | 8. OVERSTREET, MICHAEL DEAN (W) |
| 3. CORCORAN, JOSEPH (W) | 9. RITCHIE, BENJAMIN (W) |
| 4. GIBSON, WILLIAM CLYDE (W) | 10. [STEPHENSON, JOHN (W)] |
| 5. HOLMES, ERIC D. (B) | 11. WARD, ROY LEE (W) |
| 6. ISOM, KEVIN (B) | 12. WEISHEIT, JEFFREY (W) |

KANSAS (Lethal Injection) **Total = 10**
B = 3 W = 7 L = 0 N = 0 A = 0 U = 0

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|------------------------------|------------------------------------|
| 1. CARR, JONATHAN (B) | 6. GLEASON, SIDNEY JOHN (B) |
| 2. CARR, REGINALD (B) | 7. KAHLER, JAMES CRAIG (W) |
| 3. CHEEVER, SCOTT (W) | 8. KLEYPAS, GARY WAYNE (W) |
| 4. CROSS, FRAZIER GLENN (W) | 9. ROBINSON, SR., JOHN EDWARD (W) |
| 5. FLACK, KYLE (W) | 10. THURBER, JUSTIN EUGENE (W) |

KENTUCKY (Lethal Injection or Choice of Electrocution If Sentenced Before 6/1/98; or Electrocution if Lethal Injection Held Facially Unconstitutional) **Total = 34**
B = 6 W = 28 L = 0 N = 0 A = 0 U = 0
Females = 1 (W)

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|----------------------------------|-----------------------------------|
| 1. BAZE, RALPH (W) | 16. MATTHEWS, DAVID EUGENE (W) |
| 2. BOWLING, RONNIE LEE (W) | 17. MEECE, WILLIAM HARRY (W) |
| 3. CAUDILL, VIRGINIA ^ (W) | 18. [MILLS, JOHN (W)] |
| 4. DUNLAP, KEVIN (W) | 19. MOORE, BRIAN KEITH (W) |
| 5. EPPERSON, ROGER DALE (W) | 20. [ORDWAY, CARLOS (B)] |
| 6. FIELDS, SAMUEL STEVEN (W) | 21. PARRISH, MELVIN LEE (B) |
| 7. FOLEY, ROBERT (W) | 22. ST. CLAIR, MICHAEL (W) |
| 8. FURNISH, FRED (W) | 23. SANBORN, PARRAMORE LEE (W) |
| 9. GARLAND, JOHN ROSCOE (W) | 24. SANDERS, DAVID LEE (W) |
| 10. GOFORTH, JONATHAN WAYNE (W) | 25. STOPHER, VINCENT (W) |
| 11. HAIGHT, RANDY (W) | 26. TAYLOR, VICTOR D. (B) |
| 12. HALVORSEN, LEIF (W) | 27. THOMPSON, WILLIAM EUGENE (W) |
| 13. HODGE, BENNY LEE (W) | 28. WHEELER, ROGER (B) |
| 14. HUNT, JAMES (W) | 29. WHITE, KARU GENE (W) |
| 15. JOHNSON, DONALD (W) | 30. WHITE, LARRY LAMONT (B) |

31. WILLOUGHBY, MITCHELL (W)
 32. WILSON, GREGORY L. (B)

33. WINDSOR, SHAWN (W)
 34. WOODALL, ROBERT KEITH (W)

LOUISIANA (Lethal Injection)

B = 50 W = 23 L = 3 N = 0 A = 1 Total = 77
Females = 2 (B = 1 W = 1) U = 0

1. ALLEN, JOHN DALE (B)
 2. [ALLEN, WILLARD (W)]
 3. ANDERSON, HENRY (B)
 4. ANTHONY, PHILLIP (B)
 5. BALDWIN, IV, JAMES (W)
 6. BALL, ELZIE (B)
 7. BELL, ANTHONY (B)
 8. BLANK, DANIEL (W)
 9. BOURQUE, SCOTT (W)
 10. BOWIE, DAVID (B)
 11. BROADEN, QUINCY (B)
 12. BROADWAY, HENRI (B)
 13. BROWN, DAVID (B)
 14. BROWN, GREGORY (B)
 15. CAMPBELL, LADERICK (B)
 16. CASEY, JAMES M. (W)
 17. CHESTER, TEDDY (B)
 18. CLARK, JEFFREY CAMERON (W)
 19. CLARK, SEDWRIC (B)
 20. CODE, NATHANIEL (B)
 21. COOKS, MICHAEL (B)
 22. COPELAND, JAMES (W)
 23. COSEY, FRANK FORD (B)
 24. CRAWFORD, RODRICUS (B)
 25. DAVIS, PERCY (B)
 26. DEAL, CURTIS (W)
 27. DERUISE, CLIFFORD (B)
 28. DORSEY, FELTON (B)
 29. DOYLE, ISAAH (B)
 30. DRAUGHN, DARRYL (B)
 31. DRESSNER, DUSTIN (W)
 32. DUNCAN, JIMMY CHRISTIAN (W)
 33. DUNN, JAMES (B)
 34. EATON, WINTHROP (B)
 35. EDWARDS, CEDRIC (B)
 36. FRANK, ANTOINETTE ^ (B)
 37. GARCIA, MICHAEL (L)
 38. HAMILTON, MARCUS (B)
 39. HAMPTON, BOBBY (B)

40. HARRIS, CLARENCE (B)
 41. HOFFMAN, JESSIE (B)
 42. HOLLIDAY, DACARIOUS (B)
 43. HOLMES, BRANDY ^ (W)
 44. HORN, BRIAN (W)
 45. IRISH, DANIEL (W)
 46. JUNIORS, GLYNN (B)
 47. LAM, THAO TAN (A)
 48. LEE, TRACY (B)
 49. LEGER, DONALD (W)
 50. LEGRAND, MICHAEL (W)
 51. LUCKY, JULIUS (B)
 52. MAGEE, JAMES (W)
 53. MANNING, JEREMIAH (B)
 54. MCCOY, ROBERT (B)
 55. MILLER, ROBERT CRAIG (B)
 56. MONTEJO, JESSIE (W)
 57. NEAL, JARRELL (B)
 58. ODENBAUGH, LEE ROY (W)
 59. ORTIZ, MANUEL (L)
 60. PERRY, MICHAEL OWEN (W)
 61. REED, MARCUS (B)
 62. REEVES, JASON (W)
 63. ROBERTSON, ALLEN (B)
 64. ROBINSON, DARREL (W)
 65. ROY, LARRY (B)
 66. SEPULVADO, CHRISTOPHER (L)
 67. TART, WILLIE (B)
 68. TATE, ANTOINE (B)
 69. TAYLOR, EMMETT (B)
 70. TAYLOR, MICHAEL (W)
 71. TUCKER, LAMONDRE (B)
 72. TURNER, LEE (B)
 73. TYLER, JAMES S. (B)
 74. [WEARRY, MICHAEL (B)]
 75. [WESSINGER, TODD (B)]
 76. WILLIAMS, SHEDRAN (B)
 77. WRIGHT, DONALD (W)

MISSISSIPPI (Lethal Injection)

B = 26 W = 21 L = 0 N = 0 A = 1 Total = 48
Females = 1 (W) U = 0

1. AMBROSE, ABDUR (B)
 2. BATISTE, JR., BOBBY (B)
 3. BENNETT, DEVIN ALLEN (W)
 4. BILLIOT, JAMES (W)
 5. BLAKENEY, JUSTIN (W)
 6. BROWN, JOSEPH P. (B)
 7. BROWN, SHERWOOD D. (B)
 8. BROWN, XAVIER (B)
 9. CARR, ANTHONY (B)
 10. CARROTHERS, CALEB (B)
 11. [CHAMBERLIN, LISA ^ (W)]
 12. CHASE, RICKY (B)

13. CONNER, RONNIE L. (B)
 14. COX, SR., DAVID (W)
 15. CRAWFORD, CHARLES (W)
 16. DICKERSON, DAVID (W)
 17. EVANS, TIMOTHY (W)
 18. FLOWERS, CURTIS GIOVANNI (B)
 19. GALLOWAY, LESLIE (B)
 20. [GILLETT, ROGER (W)]
 21. GOFF, JOSEPH (W)
 22. GRAYSON, BLAYDE N (W)
 23. HAVARD, JEFFREY (W)
 24. [HODGES, QUINTEZ (B)]

25. [HOLLIE, ERIK (W)]
26. HOWARD, EDDIE LEE (B)
27. HOWELL, MARLON (B)
28. HUTTO, III, JAMES COBB (W)
29. JORDAN, KELVIN (B)
30. JORDAN, RICHARD (W)
31. KELLER, JASON (W)
32. KNOX, STEVE (B)
33. LE, THONG (A)
34. LODEN, THOMAS (W)
35. MANNING, WILLIE J. (B)
36. MOFFETT, ERIC (B)

37. PITCHFORD, TERRY (B)
38. POWERS, STEVEN (B)
39. RONK, TIMOTHY (W)
40. [RUSSELL, WILLIE (B)]
41. [SCOTT, KEVIN (B)]
42. SIMON, ROBERT (B)
43. SMITH, CLYDE (B)
44. THORSON, ROGER (W)
45. UNDERWOOD, JUSTIN (B)
46. WALKER, ALAN (W)
47. WALKER, DERRICK (B)
48. WILSON, WILLIAM (W)

MISSOURI (Lethal Injection or Gas Chamber)

B = 9 W = 17 L = 0 N = 0 A = 0 Total = 26
U = 0

1. ANDERSON, TERRANCE L. (B)
2. [BARNETT, DAVID (W)]
3. BARTON, WALTER (W)
4. BLURTON, ROBERT (W)
5. BOLIEK, WILLIAM (W)
6. BUCKLEW, RUSSELL E. (W)
7. CHRISTESON, MARK (W)
8. [CLEMONS, REGINALD (B)]
9. COLLINGS, CHRISTOPHER (W)
10. DAVIS, RICHARD (W)
11. DECK, CARMAN (W)
12. DORSEY, BRIAN (W)
13. DRISKELL, JESSIE DEAN (W)

14. [GILL, MARK ANTHONY (B)]
15. HOSIER, DAVID (W)
16. JOHNSON, ERNEST (B)
17. JOHNSON, JOHNNY (W)
18. JOHNSON, KEVIN (B)
19. MATHENIA, CHARLES L. (W)
20. MCFADDEN, VINCENT (B)
21. MCLAUGHLIN, SCOTT (W)
22. POLLARD, ROOSEVELT (B)
23. SHOCKLEY, LANCE (W)
24. TAYLOR, LEONARD (B)
25. TISIUS, MICHAEL (W)
26. WILLIAMS, MARCELLUS (B)

MONTANA (Lethal Injection)

B = 0 W = 2 L = 0 N = 0 A = 0 Total = 2
U = 0

1. GOLLEHON, WILLIAM (W)

2. SMITH, RONALD (W)

NEBRASKA (Lethal Injection)

B = 2 W = 3 L = 5 N = 0 A = 0 Total = 10
U = 0

1. ELLIS, ROY (B)
2. GALES, JR., ARTHUR LEE (B)
3. GALINDO, JORGE (L)
4. HESSLER, JEFFREY (W)
5. LOTTER, JOHN (W)

6. MATA, RAYMOND (L)
7. MOORE, CAREY (W)
8. SANDOVAL, JOSE (L)
9. TORRES, MARCO (L)
10. VELA, ERICK (L)

NEVADA (Lethal Injection)

B = 30 W = 39 L = 9 N = 0 A = 2 Total = 80
U = 0

1. ADAMS, LARRY EDWARD (W)
2. ARCHANIAN, AVETIS (W)
3. ATKINS, STERLING "BUBBA" (B)
4. BEAN, JEREMIAH DIAZ (L)
5. BEJARANO, JOHN (L)
6. BIELA, JAMES MICHAEL (W)
7. BLAKE, ALFONSO (B)
8. BOLIN, GREGORY (B)
9. BOLLINGER, DAVID (W)
10. BRADFORD, JULIUS (B)
11. BROWNING, PAUL (B)
12. BURNSIDE, TIMOTHY RAMON (B)
13. BYFORD, ROBERT (W)
14. CANAPE, RICHARD (B)
15. CASTILLO, WILLIAM (W)
16. CHAPPELL, JAMES (B)

17. [COLLMAN, THOMAS JOHN (W)]
18. [CONNER, CHARLES REESE (W)]
19. CRUMP, THOMAS W. (W)
20. DOYLE, ANTONIO LAVON (B)
21. DOZIER, SCOTT (W)
22. [ECHAVARRIA, JOSE LORRENTE (L)]
23. EMIL, RODNEY (W)
24. FLANAGAN, DALE (W)
25. FLOYD, ZANE (W)
26. GREENE, TRAVERS A. (B)
27. GUTIERREZ, CARLOS (L)
28. GUY, CURTIS (B)
29. HABERSTROH, RICHARD (W)
30. HALL, BRYAN L. (W)
31. HAMILTON, TAMIR (B)
32. HARRIS, AMMAR (B)

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| 33. HERNANDEZ, FERNANDO (L) | 57. RANDOLPH, CHARLES (B) |
| 34. HOGAN, MICHAEL (W) | 58. RICHARDSON, THOMAS (W) |
| 35. HOVER, GREGORY LEE (W) | 59. [RILEY, BILLY RAY (B)] |
| 36. HOWARD, SAMUEL (B) | 60. RIPPO, MICHAEL (W) |
| 37. JEREMIAS, RALPH SIMON (A) | 61. ROBINS, CHARLES L. (B) |
| 38. JOHNSON, DONTE (B) | 62. RODRIGUEZ, PEDRO (L) |
| 39. KECK, WILLIAM JOHN (W) | 63. [ROGERS, MARK J. (W)] |
| 40. LEONARD, GREGORY (B) | 64. [SECHREST, RICKY D. (W)] |
| 41. LEONARD, WILLIAM B. (W) | 65. SHERMAN, DONALD WILLIAM (W) |
| 42. LISLE, KEVIN JAMES (W) | 66. SMITH, JOSEPH W. (B) |
| 43. LOPEZ, MANUEL SAUCEDO (L) | 67. SNOW, JOHN OLIVER (B) |
| 44. MAESTAS, BEAU (W) | 68. SONNER, MICHAEL H. (W) |
| 45. [MCCARTY, JASON DUVAL (B)] | 69. THOMAS, MARLO (B) |
| 46. MCCONNELL, ROBERT LEE (W) | 70. [VALERIO, JOHN E. (W)] |
| 47. MCKENNA, PATRICK (W) | 71. VANISI, SIAOSI (A) |
| 48. MCNELTON, CHARLES D. (B) | 72. WALKER, JAMES (B) |
| 49. MENDOZA, FREDERICK (W) | 73. WATSON, III, JOHN MATTHIAS (W) |
| 50. MIDDLETON, DAVID S. (B) | 74. WEBER, TIMMY "T.J." (W) |
| 51. MOORE, RANDOLPH (W) | 75. [WESLEY, HERBERT DWAYNE (B)] |
| 52. MULDER, MICHAEL (W) | 76. [WILLIAMS, ANTOINE L. (B)] |
| 53. NIKA, AVRAM VINETO (W) | 77. WILLIAMS, CARY (B) |
| 54. NUNNERY, EUGENE (B) | 78. WILSON, EDWARD T. (W) |
| 55. PETROCELLI, TRACY (W) | 79. WITTER, WILLIAM L. (L) |
| 56. POWELL, KITRICH (W) | 80. YBARRA, JR., ROBERT (L) |

NEW HAMPSHIRE (Lethal Injection) **Total = 1**
B = 1 W = 0 L = 0 N = 0 A = 0 U = 0

1. ADDISON, MICHAEL (B)

NEW MEXICO (Lethal Injection) **Total = 2**
B = 0 W = 2 L = 0 N = 0 A = 0 U = 0

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|------------------------|-------------------------|
| 1. ALLEN, TIMOTHY (W) | 2. FRY, ROBERT RAY (W) |
|------------------------|-------------------------|

NORTH CAROLINA (Lethal Injection) **Total = 155**
B = 80 W = 62 L = 5 N = 7 A = 1 U = 0
Females = 3 (B = 1 W = 1 N = 1)

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|-------------------------------------|------------------------------------|
| 1. AL-BAYYINAH, JATHIYAH (B) | 26. BURKE, RAEFORD LEWIS (B) |
| 2. ALLEN, SCOTT (W) | 27. BURR, JOHN EDWARD (W) |
| 3. ANTHONY, ANTWAN (B) | 28. CAGLE, RICHARD (W) |
| 4. ANTHONY, WILLIAM "TODD" (W) | 29. CAMPBELL, JAMES A. (W) |
| 5. ATKINS, RANDY L. (W) | 30. CAMPBELL, TERRANCE (B) |
| 6. AUGUSTINE, QUINTEZ MARTINEZ (L) | 31. CARTER, SHAN E. (B) |
| 7. BACOTE, HASSON (B) | 32. CHAMBERS, FRANK (B) |
| 8. BADGETT, JOHN SCOTT (W) | 33. COLE, WADE L. (B) |
| 9. BALL, TERRY (W) | 34. CONNOR, JERRY W. (W) |
| 10. BARDEN, IZIAH (B) | 35. CUMMINGS, JR., DANIEL (N) |
| 11. BARNES, WILLIAM (B) | 36. CUMMINGS, PAUL (N) |
| 12. BARRETT, JEFFREY LEE (B) | 37. DAUGHTRY, JOHNNY R. (W) |
| 13. BELL, BRYAN CHRISTOPHER (B) | 38. DAVIS, EDWARD E. (W) |
| 14. BEST, NORFOLK JUNIOR (B) | 39. DAVIS, JAMES (W) |
| 15. BILLINGS, ARCHIE (W) | 40. DAVIS, PHILLIP (B) |
| 16. BLAKENEY, ROGER (B) | 41. DECASTRO, EUGENE (B) |
| 17. BOND, CHARLES (B) | 42. DUKE, JEFFREY N. (W) |
| 18. BOWIE, NATHAN (B) | 43. EAST, KEITH (B) |
| 19. BOWIE, WILLIAM (B) | 44. ELLIOTT, JOHN (W) |
| 20. BOWMAN, TERRANCE (B) | 45. ELLIOTT, TERENCE RODRICUS (B) |
| 21. BRAXTON, MICHAEL JEROME (B) | 46. FAIR, NATHANIEL (B) |
| 22. BREWINGTON, ROBERT (N) | 47. FLETCHER, ANDRE (B) |
| 23. BROWN, PAUL A. (B) | 48. FORTE, LINWOOD (B) |
| 24. BUCKNER, GEORGE C. (W) | 49. FOWLER, ELRICO (B) |
| 25. BUCKNER, STEPHEN MONROE (W) | 50. FROGGE, DANNY (W) |

51. [GAINEY, DAVID (B)]
52. GARCELL, RYAN (L)
53. GARCIA, FERNANDO (L)
54. GARNER, DANIEL T. (W)
55. GEDDIE, JR., MALCOLM (B)
56. GOLPHIN, TILMON (B)
57. GOSS, CHRISTOPHER (W)
58. GREGORY, WARREN (B)
59. GREGORY, WILLIAM (B)
60. GROOMS, TIMMY EUVONNE (W)
61. GUEVARA, ANGEL (L)
62. HARDEN, ALDEN (B)
63. HARTFORD, TIMOTHY (W)
64. HASELDON, JIM E. (W)
65. HEDGEPEETH, ROWLAND (W)
66. [HEMBREE, DANNY (W)]
67. HILL, JERRY (W)
68. HOLMAN, ALLEN RICHARD (W)
69. HOLMES, MITCHELL D. (B)
70. HOOKS, CERRON THOMAS (B)
71. HURST, JASON (W)
72. HYATT, TERRY ALVIN (W)
73. HYDE, JOHNNY (N)
74. JAYNES, JAMES (W)
75. KANDIES, JEFFREY (W)
76. LAMP, BERNARD (W)
77. LANE, ERIC (W)
78. LARRY, THOMAS M. (B)
79. LAWRENCE, JIMMIE (B)
80. LAWS, WAYNE A. (W)
81. LEGRANDE, GUY (B)
82. LITTLE, III, JAMES RAY (B)
83. LOCKLEAR, ROBBIE (N)
84. LYNCH, DAVID (W)
85. MANESS, DARRELL (W)
86. MANN, LEROY ELWOOD (B)
87. MAY, LYLE (W)
88. MCCARVER, ERNEST PAUL (W)
89. MCNEILL, JOHN (B)
90. MCNEILL, MARIO (B)
91. MEYER, JEFFREY (W)
92. MILLER, CLIFFORD RAY (A)
93. MITCHELL, MARCUS DECARLOS (B)
94. MOORE, BLANCHE T. ^ (W)
95. MORGAN, JAMES LEWIS (B)
96. MORGANHERRING, WILLIAM (B)
97. MOSELEY, CARL STEPHEN (W)
98. MOSES, ERROL DUKE (B)
99. MURILLO, ERIC (W)
100. MURRELL, JEREMY (B)
101. PARKER, CARLETTE ^ (B)
102. PARKER, JOHNNY (W)
103. PETERSON, LAWRENCE (B)
104. PHILLIPS, MARIO LYNN (B)
105. POLKE, ALEXANDER (N)
106. PREVATTE, TED (W)
107. RAINES, WILLIAM (W)
108. RAMSEUR, ANDREW DARRIN (B)
109. REEVES, MICHAEL (W)
110. RICHARDSON, JONATHAN (W)
111. RICHARDSON, MARTIN A. (B)
112. RICHARDSON, TIMOTHY (B)
113. ROBINSON, EDDIE (B)
114. ROBINSON, MARCUS (B)
115. ROBINSON, TERRY LAMONT (B)
116. ROBINSON, WILLIAM E. (B)
117. RODRIGUEZ, JUAN CARLOS (L)
118. ROSE, CLINTON (W)
119. ROSEBORO, CHRISTOPHER (B)
120. ROUSE, KENNETH (B)
121. RYAN, MICHAEL PATRICK (W)
122. SHERRILL, MICHAEL WAYNE (W)
123. SIDDEN, TONY (W)
124. SMITH, JAMIE (B)
125. SMITH, RECHE (B)
126. SMITH, JR., WESLEY TOBE (W)
127. SQUIRES, MARK L. (B)
128. STEEN, PATRICK JOSEPH (W)
129. STEPHENS, DAVY (W)
130. STRICKLAND, DARRELL (N)
131. SUMMERS, TONY (B)
132. TAYLOR, EDDIE (B)
133. TAYLOR, RODNEY (B)
134. THIBODEAUX, THOMAS R. (W)
135. THOMAS, JAMES EDWARD (B)
136. THOMAS, WALIC CHRISTOPHER (B)
137. THOMPSON, JOHN HENRY (B)
138. TRULL, GARY ALLEN (W)
139. TUCKER, RUSSELL (B)
140. TYLER, STACEY (B)
141. WALLACE, HENRY LOUIS (B)
142. WALTERS, CHRISTINA S. ^ (N)
143. WARING, BYRON LAMAR (B)
144. WARREN, LESLIE (W)
145. WATTS, JAMES HOLLIS (W)
146. WHITE, MELVIN (B)
147. WHITE, TIMOTHY L. (W)
148. WILEY, JR., KEITH DEDRICK (B)
149. WILKERSON, GEORGE (W)
150. WILKINSON, PHILLIP E. (W)
151. WILLIAMS, DAVID KENT (B)
152. WILLIAMS, EUGENE JOHNNY (B)
153. WILLIAMS, JOHN (B)
154. WOODS, DARRELL (B)
155. WOOTEN, VINCENT (B)

OHIO (Lethal Injection) **Total = 142**
B = 76 **W = 61** **L = 3** **N = 0** **A = 2** **U = 0**
Females = 1 (W)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. ADAMS, STANLEY (W) 2. AHMED, NAWAZ (A) 3. ALLEN, DAVID (W) 4. [APANOVITCH, ANTHONY (W)] 5. AWKAL, ABDUL H. (W) 6. BALLEW, TYRONE (B) 7. BAYS, RICHARD R. (W) | <ol style="list-style-type: none"> 8. BEASLEY, RICHARD (W) 9. BELTON, ANTHONY (B) 10. BETHEL, ROBERT W. (W) 11. BONNELL, MELVIN (W) 12. BRADEN, DAVID (W) 13. BRINKLEY, GRADY (B) 14. BROOM, ROMELL (B) |
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15.	[BRYAN, QUISI (B)]	79.	LOZA, JOSE T. (L)
16.	CAMPBELL, JR., ALVA (W)	80.	LYNCH, RALPH (W)
17.	CARTER, CEDRIC (B)	81.	MACK, CLARENCE (W)
18.	CARTER, SEAN (B)	82.	MADISON, MICHAEL (B)
19.	CASSANO, AUGUST (W)	83.	MAMMONE, III, JAMES (W)
20.	CEPEC, STEVEN (W)	84.	MARTIN, DAVID (B)
21.	CHINN, DAVEL (B)	85.	[MASON, MAURICE (B)]
22.	CLINTON, CURTIS (B)	86.	MAXWELL, CHARLES (B)
23.	COLEMAN, TIMOTHY (B)	87.	MCKELTON, CALVIN (B)
24.	COLEY, DOUGLAS (B)	88.	MCKNIGHT, GREGORY (B)
25.	CONWAY, III, JAMES T. (W)	89.	MCNEILL, JR., FREDDIE (B)
26.	COOK, DERRICK L. (B)	90.	MONROE, JONATHAN D. (B)
27.	CUNNINGHAM, JERONIQUE (B)	91.	MONTGOMERY, CARON (B)
28.	DAVIS, ROLAND T. (B)	92.	MONTGOMERY, WILLIAM (B)
29.	DAVIS, VON CLARK (B)	93.	MOORE, JR., LEE EDWARD (B)
30.	DEAN, JASON (W)	94.	MORELAND, SAMUEL (B)
31.	DIXON, ARCHIE (W)	95.	MUNDT, JR., FRED (W)
32.	DRUMMOND, JR., JOHN (B)	96.	MYERS, AUSTIN (W)
33.	DUNLAP, TIMOTHY (W) &	97.	MYERS, DAVID LEE (W)
34.	ELMORE, PHILLIP L. (B)	98.	NEYLAND, JR., CALVIN (B)
35.	ESPARZA, GREGORY (L)	99.	NOLING, TYRONE L. (W)
36.	FEARS, ANGELO (B)	100.	OBERMILLER, DENNY (W)
37.	FITZPATRICK, STANLEY (B)	101.	O'NEAL, JAMES D. (B)
38.	FORD, JR., SHAWN (B)	102.	OSIE, GREGORY (W)
39.	[FOUST, KELLY (W)]	103.	OTTE, GARY (W)
40.	FRANKLIN, ANTONIO SANCHEZ (B)	104.	PEREZ, KERRY (L)
41.	FRAZIER, JAMES (B)	105.	PHILLIPS, RONALD (W)
42.	FRY, JR., CLARENCE (B)	106.	PICKENS, MARK (B)
43.	GAPEN, LARRY JAMES (W)	107.	POWELL, WAYNE (B)
44.	GILLARD, JOHN (W)	108.	RAGLIN, WALTER (B)
45.	GOFF, JAMES (W)	109.	ROBB, JASON (W)
46.	GROUP, SCOTT (W)	110.	ROBERTS, DONNA ^ (W)
47.	HALE, JR., DELANO (B)	111.	ROJAS, MARTIN (W)
48.	HAND, GERALD (W)	112.	SANDERS, CARLOS (B)
49.	HANNA, JAMES (W)	113.	SAPP, WILLIAM K. (W)
50.	HENDERSON, JEROME (B)	114.	SCOTT, JR., MICHAEL DEAN (B)
51.	HENNESS, WARREN K. (W)	115.	SCUDDER, KEVIN (B)
52.	HILL, DANNY (B)	116.	SHEPPARD, BOBBY T. (B)
53.	HILL, GENESIS (B)	117.	SHORT, DUANE A. (W)
54.	HOFFNER, TIMOTHY (W)	118.	SKATZES, GEORGE (W)
55.	HUGHBANKS, GARY (W)	119.	SMITH, KENNY (W)
56.	HUNTER, LAMONT (B)	120.	SNEED, DAVID (B)
57.	HUTTON, PERCY (B)	121.	SOWELL, ANTHONY (B)
58.	ISSA, AHMAD FAWZI (A)	122.	SPAULDING, DAWUD (B)
59.	JACKSON, ANDRE (B)	123.	SPIVEY, WARREN (B)
60.	JACKSON, CLEVELAND (B)	124.	STOJETZ, JOHN (W)
61.	JACKSON, JEREMIAH (B)	125.	STUMPF, JOHN (W)
62.	JACKSON, KAREEM (B)	126.	TENCH, JAMES (W)
63.	JACKSON, NATHANIEL (B)	127.	THOMAS, JOSEPH (W)
64.	JALOWIEC, STANLEY (W)	128.	THOMPSON, ASHFORD (B)
65.	JOHNSON, MARVIN G. (B)	129.	TIBBETTS, RAYMOND (W)
66.	JONES, ELWOOD (B)	130.	TRIMBLE, JAMES EARL (W)
67.	JONES, ODRAYE (B)	131.	TURNER, MICHAEL RAY (W)
68.	JONES, PHILLIP L. (B)	132.	TWYFORD, III, RAYMOND (W)
69.	KETTERER, DONALD (W)	133.	VAN HOOK, ROBERT (W)
70.	KINLEY, JUAN (B)	134.	WADDY, WARREN (B)
71.	KIRKLAND, ANTHONY (B)	135.	WEBB, MICHAEL (W)
72.	LAMAR, KEITH (B)	136.	WERE, JAMES (B)
73.	LANDRUM, LAWRENCE (W)	137.	WESSON, HERSIE (B)
74.	LANG, III, EDWARD (B)	138.	WILKS, WILLIE (B)
75.	LEONARD, PATRICK (W)	139.	WILLIAMS, ANDRE (B)
76.	LINDSEY, CARL (W)	140.	WILLIAMS, CLIFFORD (B)
77.	LORRAINE, CHARLES (W)	141.	WILLIAMS, JR., ROBERT (B)
78.	LOTT, GREGORY (B)	142.	WOGENSTAHL, JEFFREY (W)

OKLAHOMA (Lethal Injection Unless Held Unconstitutional; then Electrocutation Unless Held Unconstitutional;
then Firing Squad)

B = 20 **W = 23** **L = 2** **N = 2** **A = 0** **Total = 47**
Females = 1 (W) **U = 0**

1.	ANDREW, BRENDA ^ (W)	25.	JACKSON, SHELTON (B)
2.	BENCH, MILES STERLING (W)	26.	JOHNSON, RAYMOND EUGENE (B)
3.	BOSSE, SHAUN MICHAEL (W)	27.	JONES, JARED (W)
4.	BROWN, FABION (B)	28.	JONES, JULIUS DARIUS (B)
5.	[BROWNING, MICHAEL (W)]	29.	LAY, WADE (W)
6.	BUSH, RONSON KYLE (W)	30.	LITTLEJOHN, EMMANUEL (B)
7.	CANNON, JERMAINE (B)	31.	MALONE, RICKY RAY (W)
8.	CODDINGTON, JAMES ALLEN (W)	32.	MARTINEZ, MICA ALEXANDER (N)
9.	COLE, BENJAMIN (W)	33.	MITCHELL, ALFRED (B)
10.	CUESTA-RODRIGUEZ, CARLOS (L)	34.	MURPHY, PATRICK DWAIN (N)
11.	DAVIS, NICHOLAS (B)	35.	PAVATT, JAMES (W)
12.	EIZEMBER, SCOTT (W)	36.	POSTELLE, GILBERT (W)
13.	FAIRCHILD, RICHARD (W)	37.	ROJEM, JR., RICHARD (W)
14.	FREDERICK, DARRELL WAYNE (B)	38.	RYDER, JAMES C. (W)
15.	GLOSSIP, RICHARD (W)	39.	SANCHEZ, ANTHONY CASTILLO (L)
16.	GOODE, CLARENCE (B)	40.	SIMPSON, KENDRICK (B)
17.	GRANT, DONALD (B)	41.	SMITH, MICHAEL DEWAYNE (B)
18.	GRANT, JOHN MARION (B)	42.	SMITH, RODERICK (B)
19.	GRISSOM, WENDELL ARDEN (W)	43.	STOUFFER, II, BIGLER (W)
20.	HANCOCK, PHILLIP (W)	44.	TRYON, ISAIAH GLENDELL (B)
21.	HANSON, JOHN G. (W)	45.	UNDERWOOD, KEVIN RAY (W)
22.	HARMON, MARLON (B)	46.	WILLIAMS, JEREMY (B)
23.	HARRIS, JR., DONNIE LEE (B)	47.	WOOD, TERMANE (B)
24.	HARRIS, JIMMY DEAN (W)		

OREGON (Lethal Injection)

B = 3 **W = 26** **L = 3** **N = 1** **A = 0** **Total = 34**
Females = 1 (W) **U = 1**

1.	[AGEE, ISAAC CREED (W)]	18.	MCDONNELL, MICHAEL (W)
2.	BOWEN, GREGORY (W)	19.	MONTEZ, MARCO (L)
3.	[BRUMWELL, JASON (W)]	20.	[OATNEY, JR., BILLY LEE (W)]
4.	COMPTON, JESSE CELEB (W)	21.	REYES-CAMARENA, HORACIO A. (L)
5.	COX, DAVID LEE (W)	22.	ROGERS, DAYTON (W)
6.	CUNNINGHAM, CLINTON (W)	23.	RUNNING, ERIC WALTER (U)
7.	DAVIS, MICHAEL ANDRE (B)	24.	SERRANO, RICARDO (L)
8.	GUZEK, RANDY (W)	25.	SIMONSEN, DAVID (W)
9.	HALE, CONAN WAYNE (W)	26.	[SPARKS, JEFFREY (W)]
10.	HAUGEN, GARY (W)	27.	TAYLOR, DAVID (W)
11.	HAYWARD, MICHAEL JAMES (W)	28.	TERRY, KARL ANTHONY (W)
12.	JOHNSON, JESSE LEE (B)	29.	THOMPSON, MATTHE.75W DWIGHT (W)
13.	[JOHNSON, MARTIN ALLEN (W)]	30.	[TINER, JEFFREY DALE (W)]
14.	LANGLEY, ROBERT (W)	31.	TURNIDGE, BRUCE (W)
15.	LONGO, CHRISTIAN (W)	32.	TURNIDGE, JOSHUA (W)
16.	LOTCHES, ERNEST (N)	33.	WASHINGTON, MICHAEL (B)
17.	MCANULTY, ANGELA D. ^ (W)	34.	WILLIAMS, JEFFREY (W)

PENNSYLVANIA (Lethal Injection)

B = 94 **W = 63** **L = 16** **N = 0** **A = 2** **Total = 175**
Females = 2 (B = 1 W = 1) **U = 0**

1.	ABDUL-SALAAM, SEIFULLAH (B)	9.	[BLYSTONE, SCOTT (W)]
2.	ARRINGTON, LANCE (B)	10.	BOMAR, ARTHUR JEROME (B)
3.	BAEZ, ORLANDO (L)	11.	[BOND, AQUIL (B)]
4.	BALLARD, MICHAEL ERIC (W)	12.	BOXLEY, RICHARD (B)
5.	BANKS, GEORGE (B)	13.	[BREAKIRON, MARK (W)]
6.	BAUMHAMMERS, RICHARD (W)	14.	[BRIDGES, SHAWN FATEE M. (B)]
7.	BIRDSONG, RALPH (B)	15.	BRIGGS, DUSTIN (W)
8.	BLAKENEY, HERBERT (B)	16.	[BRONSHTEIN, ANTUAN (W)]

17.	BROWN, JOHN W. (B)	83.	[LARK, ROBERT (B)]
18.	BROWN, KENNETH (B)	84.	LESKO, JOHN (W)
19.	BROWN, LAVAR (B)	85.	LESTER, EMANUAL (B)
20.	BRYANT, LAQUAILLE (B)	86.	LIGONS, ANTIONE (B)
21.	BURNO, JUNIUS (B)	87.	LOPEZ, GEORGE (L)
22.	BUSANET, JOSE (L)	88.	LYONS, GLENN (B)
23.	CASH, OMAR (B)	89.	MAISONET, ORLANDO (L)
24.	CHAMBERLAIN, TERRY RAY (W)	90.	MARINELLI, KEVIN (W)
25.	CHAMBERS, JERRY (B)	91.	MARSHALL, JEROME (B)
26.	[CHAMPNEY, RONALD (W)]	92.	MARTIN, JEFFREY (W)
27.	CHMIEL, DAVID (W)	93.	MASON, LENWOOD (B)
28.	CLEMONS, JORDAN (B)	94.	MATTISON, KEVIN EDWARD (B)
29.	CONFORTI, MICHAEL (W)	95.	MAY, LANDON (W)
30.	[COOK, ROBERT (B)]	96.	MEADOWS, THOMAS (B)
31.	[COUSAR, BERNARD (B)]	97.	MICHAEL, JR., HUBERT L. (W)
32.	COX, JERMONT (B)	98.	MILLER, DENNIS (W)
33.	COX, RUSSELL (B)	99.	MITCHELL, WAYNE (B)
34.	[CRISPELL, DANIEL (W)]	100.	MONTALVO, MILTON (L)
35.	DANIELS, HENRY (B)	101.	MONTALVO, NOEL (L)
36.	DAVIDO, III, TEDOR (W)	102.	MOORE, MIKAL (B)
37.	DEJESUS, JOSE (L)	103.	MORALES, HECTOR MANUEL (L)
38.	DENNIS, JAMES A. (B)	104.	MURPHY, CRAIG (B)
39.	DIAMOND, ROBERT (W)	105.	MURPHY, KEVIN (W)
40.	DICK, ANTHONY JAMES (W)	106.	[MURRAY, IV, HAROLD (B)]
41.	DOWLING, KEVIN (W)	107.	NATIVIDAD, RICARDO (B)
42.	DRUMHELLER, TROY (W)	108.	OGROD, WALTER (W)
43.	DUFFEY, STEVEN (W)	109.	PADDY, DONYELL (B)
44.	EDMISTON, STEPHEN (W)	110.	PADILLA, MIGUEL (L)
45.	EICHINGER, JOHN (W)	111.	PARRISH, MICHAEL (W)
46.	[FAHY, HENRY (W)]	112.	PATTERSON, MAURICE (B)
47.	FEARS, LEROY (B)	113.	[PELZER, KEVIN (B)]
48.	FIEBIGER, ANTHONY JAMES (W)	114.	PEREZ, ALBERT (L)
49.	FISHER, ROBERT (B)	115.	PHILISTEN, BORTELLA (B)
50.	FLETCHER, ANTHONY (B)	116.	PIERCE, MICHAEL (W)
51.	FLOR, ROBERT (W)	117.	POPLAWSKI, RICHARD (W)
52.	FREY, JR., JAMES (W)	118.	[PORTER, ERNEST (B)]
53.	[GALVIN, BRYAN S. (W)]	119.	POWELL, GREGORY (B)
54.	GIBSON, RONALD (B)	120.	PRUITT, MICHAEL (B)
55.	GWYNN, DANIEL (B)	121.	RAGAN, DERRICK (B)
56.	HAAG, RANDY (W)	122.	RANDOLPH, IV, SAMUEL B. (B)
57.	HACKETT, RICHARD (W)	123.	REED, DENNIS (B)
58.	HAIRSTON, KENNETH (B)	124.	REGA, ROBERT (W)
59.	[HALL, DARRICK U. (B)]	125.	REID, ALBERT E. (B)
60.	HANEY, PATRICK RAY (W)	126.	REID, ANTHONY (B)
61.	HANNIBAL, SHELDON (B)	127.	RIVERA, CLETUS (B)
62.	HARRIS, FRANCIS BAUER (W)	128.	RIVERA, WILLIAM (L)
63.	HAWKINS, THOMAS (B)	129.	ROBINSON, ANTYANE (B)
64.	HICKS, CHARLES (B)	130.	ROBINSON, HARVEY (W)
65.	HITCHO, JR., GEORGE (W)	131.	ROMERO, EDWIN R. (L)
66.	HOUSER, DARIEN (B)	132.	RONEY, CHRISTOPHER (B)
67.	HOUSMAN, WILLIAM HOWARD (W)	133.	RUSH, LARRY (B)
68.	HUGHES, ROBERT (W)		(AKA THOMAS, LEROY)
69.	[JACOBS, DANIEL (B)]	134.	SAM, THAVIRAK (A)
70.	JACOBY, TIMOTHY MATTHEW (W)	135.	SANCHEZ, ABRAHAM (L)
71.	JOHNSON, CHRISTOPHER (W)	136.	SANCHEZ, ALFONSO (L)
72.	JOHNSON, HARVE LAMAR (B)	137.	SARANCHAK, DANIEL (W)
73.	JOHNSON, MARCEL (B)	138.	[SATTAZAHN, DAVID ALLEN (W)]
74.	JOHNSON, RODERICK ANDRE (B)	139.	SEPULVEDA, MANUEL M. (L)
75.	[JOHNSON, WILLIAM (B)]	140.	SHERWOOD, BRENTT (W)
76.	JONES, AARON C. (B)	141.	SIMPSON, RASHEEN L. (B)
77.	JORDAN, LEWIS (B)	142.	SINGLEY, MICHAEL (W)
	(AKA LEWIS, JOHN)	143.	SMALL, JOHN AMOS (W)
78.	KENNEDY, CHRISTOPHER (B)	144.	SMITH, CHRISTOPHER (B)
79.	[KINDLER, JOSEPH (W)]	145.	SMITH, WAYNE (B)
80.	KNIGHT, MELVIN (B)	146.	SMYRNES, RICKY (W)
81.	KOEHLER, JOHN J. (W)	147.	SPEIGHT, MELVIN (B)
82.	LAIRD, RICHARD (W)	148.	SPOTZ, MARK NEWTON (W)

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| 149. | STATON, ANDRE (B) | 163. | WALTER, SHONDA ^ (B) |
| 150. | [STEELE, ROLAND (B)] | 164. | [WASHINGTON, ANTHONY (B)] |
| 151. | STOKES, RALPH (B) | 165. | WATKINS, GERALD (B) |
| 152. | STOLLAR, PATRICK JASON (W) | 166. | WATSON, HERBERT (B) |
| 153. | TAYLOR, PAUL (B) | 167. | WHARTON, ROBERT (B) |
| 154. | TAYLOR, RONALD (B) | 168. | WHOLAVER, JR., ERNEST (W) |
| 155. | TEDFORD, DONALD (W) | 169. | [WILLIAMS, CHRISTOPHER (B)] |
| 156. | [THARP, MICHELLE SUE ^ (W)] | 170. | WILLIAMS, JAMES T. (B) & |
| 157. | THOMAS, DONTE (B) | 171. | WILLIAMS, ROY L. (B) |
| 158. | TOWLES, JAKEEM LYDELL (B) | 172. | [WILLIAMS, TERRANCE (B)] |
| 159. | TRAVAGLIA, MICHAEL (W) | 173. | WOODARD, ARIC (B) |
| 160. | TREIBER, STEPHEN (W) | 174. | WRIGHT, WILLIAM (W) |
| 161. | UDERRA, JOSE (L) | 175. | YANDAMURI, RAGHUNANDAN (A) |
| 162. | VANDIVNER, JAMES W. (W) | | |

SOUTH CAROLINA (Lethal Injection or Choice of Electrocutation If Sentenced After 6/8/95; Electrocutation or

Choice of Lethal Injection If Sentenced Before 6/8/95) **Total = 43**

B = 23 W = 19 L = 1 N = 0 A = 0 U = 0

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| 1. | ALEKSEY, BAYAN (W) | 23. | MOORE, RICHARD BERNARD (B) |
| 2. | ALLEN, QUINCY (B) | 24. | NORTHCUTT, CLINTON ROBERT (W) |
| 3. | [BARNES, STEVEN (B)] | 25. | OWENS, FREDDIE (B) |
| 4. | BELL, WILLIAM H. (B) | 26. | ROBERTS, TYREE ALFONZO (B) |
| 5. | [BENNETT, JOHNNY (B)] | | (AKA ALKEBULANYAHH, ABDIYAAH BEN) |
| 6. | [BINNEY, JONATHAN KYLE (W)] | 27. | ROBERTSON, JAMES (W) |
| 7. | BIXBY, STEVEN VERNON (W) | 28. | SIGMON, BRAD KEITH (W) |
| 8. | BLACKWELL, SR., RICKY LEE (W) | 29. | [SIMMONS, KENNETH (B)] |
| 9. | BOWMAN, JR., MARION (B) | 30. | SIMS, MITCHELL (W) |
| 10. | BRYANT, JAMES NATHANIEL (B) | 31. | SINGLETON, FRED (B) |
| 11. | BRYANT, STEPHEN C. (W) | 32. | STANKO, STEPHEN (W) |
| 12. | COTTRELL, LUZENSKI ALLEN (B) | 33. | STARNES, NORMAN (W) |
| 13. | [COUNCIL, DONEY (B)] | 34. | STOKES, SAMMIE LOUIS (B) |
| 14. | DICKERSON, JR., WILLIAM (B) | 35. | STONE, BOBBY WAYNE (W) |
| 15. | [EVANS, KAMELL DELSHAWN (B)] | 36. | TERRY, GARY (W) |
| 16. | FINKLEA, RON (B) | 37. | TORRES, ANDRES ANTONIO (L) |
| 17. | HUGHES, MAR-REECE (B) | 38. | [WEIK, JOHN EDWARD (W)] |
| 18. | [HUGHEY, JOHN (B)] | 39. | WILLIAMS, CHARLES CHRISTOPHER (B) |
| 19. | INMAN, JERRY "BUCK" (W) | 40. | WILSON, JAMES (W) |
| 20. | JONES, DONALD ALLEN (B) | 41. | [WINKLER, LOUIS MICHAEL (W)] |
| 21. | LINDSEY, MARION (W) | 42. | WOOD, JOHN RICHARD (W) |
| 22. | MAHDI, MIKAL D. (B) | 43. | WOODS, ANTHONY (B) |

SOUTH DAKOTA (Lethal Injection)

Total = 3

B = 0 W = 3 L = 0 N = 0 A = 0 U = 0

- | | | | |
|----|---------------------|----|----------------------|
| 1. | BERGET, RODNEY (W) | 3. | RHINES, CHARLES (W) |
| 2. | PIPER, BRILEY (W) | | |

TENNESSEE (Lethal Injection or Choice of Electrocutation If Sentenced Before 1/1/99; or Electrocutation If No Chemicals Available or Lethal Injection Held Unconstitutional) **Total = 69**

B = 33 W = 33 L = 1 N = 0 A = 2 U = 0

Females = 1 (W)

- | | | | |
|-----|----------------------------------|-----|--------------------------------|
| 1. | ABDUR'RAHMAN, ABU-ALI (B) | 11. | CHALMERS, TYRONE (B) |
| 2. | BANE, JOHN M. (W) | 12. | CLAYTON, SEDRICK (B) |
| 3. | BELL, RICKEY (B) | 13. | CONE, GARY (W) |
| 4. | [BERRY, G'DONGALAY PARLO (B)] | 14. | DAVIDSON, LEMARICUS (B) |
| 5. | BLACK, BYRON (B) | 15. | DELLINGER, JAMES ANDERSON (W) |
| 6. | BLAND, ANDRE (B) | 16. | DOTSON, JESSIE (B) |
| 7. | BURNS, KEVIN (B) | 17. | DUNCAN, DAVID (B) |
| 8. | CARRUTHERS, TONY (B) | 18. | [FAULKNER, ROBERT (B)] |
| 9. | [CARUTHERS, WALTER (B)] | 19. | FREELAND, JOHN (B) |
| 10. | [CAUTHERN, RONNIE (W)] | 20. | HALL, BILLY (W) |

21. HALL, JON (W)
22. HALL, LEROY (W)
23. HENDERSON, KENNATH (B)
24. HINES, ANTHONY DARRELL (W)
25. HODGES, HENRY (W)
26. HUGUELY, STEPHEN LYNN (W)
27. IRICK, BILLY R. (W)
28. IVY, DAVID (B)
29. JAHI, AKIL (B) (FKA CARTER, PRESTON)
30. JOHNSON, DONNIE E. (W)
31. JOHNSON, NIKOLAUS (B)
32. JONES, HENRY LEE (B)
33. JORDAN, DAVID LYNN (W)
34. KEEN, DAVID (W)
35. KING, TERRY (W)
36. KISER, MARLAN (W)
37. MCKAY, LARRY (B)
38. [MCNISH, DAVID (W)]
39. MIDDLEBROOKS, DONALD (W)
40. MILLER, DAVID (W)
41. MORRIS, FARRIS (B)
42. [NESBIT, CLARENCE (B)]
43. NICHOLS, HAROLD (W)
44. ODOM, RICHARD (W)
45. PAYNE, PERVIS (B)

46. PIKE, CHRISTA ^ (W)
47. POWERS, GERALD LEE (A)
48. PRUITT, CORINIO (B)
49. QUINTERO, DERRICK (L)
50. RICE, CHARLES (B)
51. RIMMER, MICHAEL (W)
52. ROBINSON, GREGORY (B)
53. ROGERS, WILLIAM GLENN (W)
54. SAMPLE, MICHAEL (B)
55. SIMS, VINCENT (B)
56. SMITH, OSCAR F. (W)
57. STEPHENSON, JONATHAN (W)
58. SUTTLES, DENNIS WADE (W)
59. SUTTON, GARY (W)
60. SUTTON, NICHOLAS (W)
61. THOMAS, ANDREW (B)
62. THOMAS, JAMES WILLIAM (B)
(AKA HAWKINS, JAMES)
63. THOMPSON, GREGORY (B)
64. TRAN, HECK VAN (A)
65. WEST, STEVEN (W)
66. WILLIS, HOWARD HAWK (W)
67. WRIGHT, CHARLES (B)
68. [YOUNG, LEONARD (W)]
69. ZAGORSKI, EDMUND (W)

TEXAS (Lethal Injection)

B = 109 W = 68 L = 71
Females = 6 (B = 2 W = 3 L = 1)

N = 0

A = 6

Total = 254

U = 0

1. ACKER, DANIEL (W)
2. ALDRIDGE, RULFORD (B)
3. [ALEXANDER, GUY S. (W)]
4. ALLEN, GUY (B)
5. ALLEN, KERRY (B)
6. ALVAREZ, JUAN (L)
7. ANDRUS, TERENCE (B)
8. ARANDA, ARTURO D. (L)
9. ARMSTRONG, DOUGLAS (B)
10. AUSTIN, PERRY ALLEN (W)
11. AVILA, JR., RIGOBERTO (L)
12. AYESTAS, CARLOS (L)
13. BALDERAS, JUAN (L)
14. BALENTINE, JOHN (B)
15. BARBEE, STEPHEN (W)
16. BARTEE, ANTHONY (B)
17. BATISTE, TEDDRICK (B)
18. BATTAGLIA, JOHN (W)
19. BEATTY, TRACY (W)
20. BESS, DONALD (W)
21. BIBLE, DANNY PAUL (W)
22. BIGBY, JAMES (W)
23. BLUNTSON, DEMOND (B)
24. BRAZIEL, JR., ALVIN (B)
25. BREWER, BRENT (W)
26. BRIDGERS, ALLEN (B)
27. BROADNAX, JAMES (B)
28. BROWN, ARTHUR (B)
29. BROWN, MICAH (W)
30. BROWNLOW, CHARLES (B)
31. BROXTON, EUGENE A. (B)
32. BUCK, DUANE, EDWARD (B)
33. BUNTION, CARL W. (W)
34. BURTON, ARTHUR (B)
35. BUSBY, JR., EDWARD (B)
36. BUTLER, STEVEN A. (B)

37. CADE, TYRONE (B)
38. CALVERT, JAMES (W)
39. CAMPBELL, ROBERT J. (B)
40. CANALES, ANIBAL (L)
41. CANTU, IVAN (L)
42. CARDENAS, RUBEN (L)
43. CARGILL, KIMBERLY ^ (W)
44. CARPENTER, DAVID (W)
45. CARTER, TILON (B)
46. CARTY, LINDA ^ (B)
47. CASTILLO, JUAN (L)
48. CATHEY, ERIC (B)
49. CHANTHAKOUMMANE, KOSOUL (A)
50. CLARK, TROY JAMES (W)
51. COBLE, BILLIE W. (W)
52. COLE, JAIME (L)
53. CORTEZ, RAUL (L)
54. CRUTSINGER, BILLY JACK (W)
55. CRUZ-GARCIA, OBEL (L)
56. CUBAS, EDGARDO (L)
57. CUMMINGS, RICKEY (B)
58. CURRY, GEORGE (B)
59. DANIEL, BRANDON (A)
60. DAVILA, ERICK (B)
61. DAVIS, BRIAN E. (W)
62. DAVIS, FRANKLIN (B)
63. DAVIS, IRVING ALVIN (B)
64. DENNES, REINALDO (L)
65. DEVOE, PAUL (W)
66. DRUERY, MARCUS (B)
67. EARVIN, HARVEY Y. (B)
68. EDWARDS, TERRY (B)
69. ELDRIDGE, GERALD C. (B)
70. ESCOBAR, ARELI (L)
71. ESCOBEDO, JOEL (L)
72. [ESPADA, NOAH (L)]

73. ESTRADA, LARRY (L)
74. FIERRO, CESAR R. (L)
75. FLORES, CHARLES (L)
76. FORD, TONY (B)
77. FRANCOIS, ANTHONY (B)
78. FRATTA, ROBERT (W)
79. FREENEY, RAY (B)
80. FULLER, BARNEY (W)
81. GALLO, TOMAS (L)
82. GAMBOA, JOSEPH (L)
83. [GARCIA, HECTOR L. (L)]
84. GARCIA, JOSEPH (L)
85. GARDNER, JOHN STEVEN (W)
86. GARZA, HUMBERTO (L)
87. GARZA, JR., JOE FRANCO (L)
88. GATES, BILL (B)
89. GOBERT, MILTON (B)
90. GOMEZ, IGNACIO (L)
91. [GONGORA, NELSON (L)]
92. GONZALES, MICHAEL (L)
93. GONZALES, RAMIRO (L)
94. GONZALEZ, MARK ANTHONY (L)
95. GRANGER, BARTHOLOMEW (B)
96. GREEN, GARY (B)
97. GREEN, TRAVIS (B)
98. [GREER, RANDOPHL M. (B)]
99. GUEVARA, GILMAR (L)
100. GUIDRY, HOWARD (B)
101. GUTIERREZ, GERONIMO (L)
102. GUTIERREZ, RUBEN (L)
103. HALL, GABRIEL PAUL (A)
104. HALL, JUSTEN (W)
105. HALPRIN, RANDY (W)
106. HAMILTON, JR., RONALD JAMES (B)
107. HARPER, GARLAND (B)
108. HARRIS, JR., JAMES (B)
109. HARRIS, RODERICK (B)
110. HATTEN, LARRY (B)
111. HAYNES, ANTHONY (B)
112. HENDERSON, JAMES LEE (B)
113. HERNANDEZ, FABIAN (L)
114. HOLBERG, BRITTANY ^ (W)
115. HOWARD, JAMAAL (B)
116. HUMMEL, JOHN (W)
117. [HUNTER, CALVIN (B)]
118. IBARRA, RAMIRO (L)
119. IRVAN, WILLIAM (W)
120. JACKSON, CHRISTOPHER (B)
121. JEAN, JOSEPH (B)
122. JENKINS, WILLIE (B)
123. JENNINGS, ROBERT M. (B)
124. JOHNSON, DEXTER (B)
125. JOHNSON, MATTHEW (B)
126. JONES, QUINTIN (B)
127. JONES, SHELTON D. (B)
128. JORDAN, CLARENCE (B)
129. JOUBERT, ELIJAH DWAYNE (B)
130. KEMP, JR., EMANUEL (B)
131. KING, JOHN WILLIAM (W)
132. LANDOR, III, MABRY (B)
133. LAVE, JOSEPH R. (B)
134. LEZA, ARMANDO (L)
135. [LEWIS, DAVID LEE (W)]
136. LEWIS, III, HARLEM (B)
137. [LIM, KIM LY (A)]
138. LIZCANO, JUAN (L)
139. LONG, STEPHEN (W)
140. LOVE, ALBERT (B)
141. LUCIO, MELISSA ^ (L)
142. LUNA, JOE MICHAEL (L)
143. MAMOU, JR., CHARLES (B)
144. MARSHALL, GERALD (B)
145. [MARTINEZ, JOSE NOEY (L)]
146. MARTINEZ, RAYMOND D. (L)
147. MASON, WILLIAM MICHAEL (W)
148. MATTHEWS, DAMON (B)
149. MAYS, RANDALL (W)
150. MCFARLAND, GEORGE E. (B)
151. MEDINA, ANTHONY (L)
152. MEDINA, HECTOR (L)
153. MEDRANO, RODOLFO (L)
154. MELENDEZ, PABLO (L)
155. MENDOZA, MOISES (L)
156. MILAM, BLAINE (W)
157. MILLER, DEMONTRELL (B)
158. MOONEY, NELSON W. (W)
159. MOORE, BOBBY JAMES (B)
160. MUHAMMAD, NAIM (B)
161. MULLIS, TRAVIS (W)
162. MURPHY, JEDEDIAH (W)
163. MURPHY, JULIUS (B)
164. MURPHY, PATRICK (W)
165. [NELSON, MARLIN E. (W)]
166. NELSON, STEVEN (B)
167. NORMAN, LEJAMES (B)
168. [NORRIS, MICHAEL W. (B)]
169. OCHOA, ABEL (L)
170. PANETTI, SCOTT LOUIS (W)
171. PEREZ, LOUIS (L)
172. PETETAN, US (B)
173. PREVOST, JEFFREY (B)
174. PREYOR, TAICHIN (B)
175. PRIBLE, JR., RONALD JEFFREY (W)
176. PRUETT, ROBERT LYNN (W)
177. PRYSTASH, JOSEPH (B)
178. RABBANI, SYED M. (A)
179. RABY, CHARLES (W)
180. RAMEY, KER'SEAN (B)
181. RAMIREZ, JOHN (L)
182. RAMIREZ, JUAN RAUL (L)
183. RAMOS, ROBERT M. (L)
184. RAYFORD, WILLIAM (B)
185. REED, RODNEY (B)
186. RENTERIA, DAVID (W)
187. REYNOSA, JUAN (L)
188. RHOADES, RICK ALLEN (W)
189. RICKS, CEDRIC (B)
190. RILES, RAYMOND G. (B)
191. RIPKOWSKI, BRITT (W)
192. [RIVERA, ANGEL (L)]
193. [RIVERA, JOSE A. (L)]
194. [RIVERS, WARREN (B)]
195. ROBERSON, ROBERT (W)
196. ROBERTSON, MARK (W)
197. ROBINSON, CORTNE (B)
198. ROCHA, FELIX (L)
199. ROCKWELL, KWAME (B)
200. RODRIGUEZ, ROSENDO (L)
201. ROUTIER, DARLIE LYNN ^ (W)
202. RUBIO, JOHN ALLEN (L)
203. RUIZ, ROLANDO (L)
204. RUIZ, WESLEY (L)
205. RUNNELS, TRAVIS (B)
206. RUSSELL, JR., PETE (B)

- | | |
|---------------------------------|-----------------------------------|
| 207. SALDANO, VICTOR (L) | 231. TONG, CHUONG DUONG (A) |
| 208. SALES, TARUS (B) | 232. TREVINO, CARLOS (L) |
| 209. SEGUNDO, JUAN MEZA (L) | 233. TURNER, ALBERT (B) |
| 210. SHEPPARD, ERICA ^ (B) | 234. VALDEZ, FIDENCIO (L) |
| 211. SHORE, ANTHONY ALLEN (W) | 235. VASQUEZ, RICHARD (L) |
| 212. SKINNER, HENRY (W) | 236. VILLANUEVA, JORGE (L) |
| 213. SLATER, PAUL (B) | 237. WARDLOW, BILLY JOE (W) |
| 214. SMITH, DEMETRIUS (B) | 238. WARDRIP, FARYION (W) |
| 215. SOLIZ, MARK (L) | 239. WASHINGTON, WILLIE T. (B) |
| 216. SORTO, WALTER (L) | 240. WEATHERS, OBIE (B) |
| 217. [SOSA, PEDRO S. (L)] | 241. [WHEATFALL, DARYL K. (B)] |
| 218. SPARKS, ROBERT (B) | 242. WHITAKER, THOMAS BART (W) |
| 219. SPEER, WILLIAM (W) | 243. WHITE, GARCIA G. (B) |
| 220. STALEY, STEVEN (W) | 244. WILKINS, CHRISTOPHER (W) |
| 221. STOREY, PAUL DAVID (B) | 245. WILL, II, ROBERT GENE (W) |
| 222. SUNIGA, BRIAN (L) | 246. WILLIAMS, ARTHUR LEE (B) |
| 223. SWEARINGEN, LARRY (W) | 247. WILLIAMS, CLIFTON (B) |
| 224. TABLER, RICHARD (W) | 248. WILLIAMS, ERIC (W) |
| 225. [TERCERO, BERNARDO (L)] | 249. WILLIAMS, PERRY EUGENE (B) |
| 226. THOMAS, ANDRE (B) | 250. WOOD, DAVID L. (W) |
| 227. THOMAS, KENNETH D. (B) | 251. WOOD, JEFFERY (W) |
| 228. THOMAS, STEVEN (W) | 252. WOODARD, ROBERT (B) |
| 229. THOMPSON, CHARLES (W) | 253. YOUNG, CHRISTOPHER (B) |
| 230. THUESEN, JOHN (W) | 254. YOUNG, CLINTON (W) |

UTAH (Lethal Injection or Choice of Firing Squad If Sentenced Prior to March 15, 2004 or If LI Drugs Unavailable) **Total = 9**

B = 1 W = 5 L = 2 N = 1 A = 0 U = 0

- | | |
|-----------------------------|----------------------------------|
| 1. ARCHULETA, MICHAEL (L) | 6. LOVELL, DOUGLAS ANDERSON (W) |
| 2. CARTER, DOUGLAS (B) | 7. MAESTAS, FLOYD EUGENE (L) |
| 3. HONI, DAVE TABERONE (N) | 8. MENZIES, RALPH (W) |
| 4. KELL, TROY (W) | 9. TAYLOR, VON (W) |
| 5. LAFFERTY, RON (W) | |

VIRGINIA (Lethal Injection or Choice of Electrocution) **Total = 7**

B = 3 W = 4 L = 0 N = 0 A = 0 U = 0

- | | |
|-------------------------------|---------------------------|
| 1. BURNS, WILLIAM JOSEPH (W) | 5. MORVA, WILLIAM (W) |
| 2. GRAY, RICKY JOVAN (B) | 6. PORTER, THOMAS A. (B) |
| 3. JUNIPER, ANTHONY B. (B) | 7. TELEGUZ, IVAN (W) |
| 4. LAWLOR, MARK (W) | |

WASHINGTON (Lethal Injection or Choice of Hanging) **Total = 9**

B = 4 W = 5 L = 0 N = 0 A = 0 U = 0

- | | |
|-------------------------------|---------------------------|
| 1. CROSS, DAYVA (W) | 6. SCHERF, BYRON (W) |
| 2. DAVIS, CECIL (B) | 7. SCHIERMAN, CONNER (W) |
| 3. ELMORE, CLARK RICHARD (W) | 8. WOODS, DWAYNE (B) |
| 4. GENTRY, JONATHAN LEE (B) | 9. YATES, ROBERT LEE (W) |
| 5. GREGORY, ALLEN EUGENE (B) | |

WYOMING (Lethal Injection Unless Held Unconstitutional, then Gas Chamber) **Total = 1**

B = 0 W = 1 L = 0 N = 0 A = 0 U = 0

- | |
|-------------------------------|
| 1. [EATON, DALE WAYNE (W)] |
|-------------------------------|

U.S. GOVERNMENT (Lethal Injection)

B = 28 W = 25 L = 7 N = 1 A = 1 Total = 62
Females = 1 (W) U = 0

1.	AGOSKY, SHANNON (W)	32.	KADAMOVAS, JURIJUS (W)
2.	ALLEN, BILLIE JEROME (B)	33.	LAWRENCE, DARYL (B)
3.	AQUART, AZIBO (B)	34.	LECROY, WILLIAM (W)
4.	BARNETTE, AQUILA MARCIVICCI (B)	35.	LEE, DANIEL (W)
5.	BARRETT, KENNETH (W)	36.	LIGHTY, KENNETH JAMAL (B)
6.	BASHAM, BRANDON (W)	37.	MIKHEL, IOURI (W)
7.	BATTLE, ANTHONY (B)	38.	MIKOS, RONALD (W)
8.	BERNARD, BRANDON (B)	39.	MITCHELL, LEZMOND (N)
9.	BOLDEN, ROBERT (B)	40.	MONTGOMERY, LISA ^ (W)
10.	BOURGOIS, ALFRED (B)	41.	NELSON, KEITH D. (W)
11.	BROWN, MEIER JASON (B)	42.	ORTIZ, ARBOLEDA (B)
12.	CARO, CARLOS (L)	43.	PAUL, JEFFREY WILLIAMS (W)
13.	COONCE, WESLEY PAUL (W)	44.	PURKEY, WESLEY IRA (W)
14.	CORLEY, ODELL (B) (AKA RA'ID, NASIH)	45.	ROANE, JR., JAMES H. (B)
15.	DAVIS, LEN (B)	46.	ROBINSON, JULIUS (B)
16.	DUNCAN, JOSEPH (W)	47.	RODRIGUEZ, ALFONSO (L)
17.	EBRON, JOSEPH (B)	48.	RUNYON, DAVID (A)
18.	[FELL, DONALD (W)]	49.	[SAMPSON, GARY LEE (W)]
19.	FIELDS, EDWARD (W)	50.	SANCHEZ, RICARDO (L)
20.	FIELDS, SHERMAN LAMONT (B)	51.	SANDERS, THOMAS (W)
21.	FULKS, CHADRICK (W)	52.	SAVAGE, KABONI (B)
22.	GABRION, II, MARVIN CHARLES (W)	53.	SNARR, MARK ISAAC (W)
23.	GARCIA, EDGAR BALTAZAR (L)	54.	TAYLOR, REJON (B)
24.	HAGER, THOMAS (B)	55.	TIPTON, RICHARD (B)
25.	HALL, CHARLES MICHAEL (W)	56.	TORREZ, JORGE AVILA (L)
26.	HALL, ORLANDO (B)	57.	TROYA, DANIEL (L)
27.	HIGGS, DUSTIN (B)	58.	TSARNAEV, DZHOKHAR, A. (W)
28.	HOLDER, NORRIS (B)	59.	UMANA, ALEJANDRO (L)
29.	HONKEN, DUSTIN (W)	60.	VIALVA, CHRISTOPHER (B)
30.	JACKSON, RICHARD ALLEN (W)	61.	WEBSTER, BRUCE (B)
31.	JOHNSON, CORY (B)	62.	[WILSON, RONELL (B)]

U.S. MILITARY (Lethal Injection for Army, Navy and Marines; No Means Chosen for Air Force or Coast Guard)

B = 3 W = 3 L = 0 N = 0 A = 0 Total = 6
U = 0

1.	AKBAR, HASAN (B)	4.	HENNIS, TIMOTHY (W)
2.	GRAY, RONALD (B)	5.	LOVING, DWIGHT J. (B)
3.	HASAN, NIDAL (W)	6.	WITT, ANDREW (W)

CODES FOR STATE ROSTERS:

B	Black	A	Asian
W	White	N	Native American
L	Latino/a	U	Unknown at this issue

^ Female

& Sentenced to death in the state where listed, but incarcerated in another state

[] Reversals: Defendants 1) awaiting a retrial or a new sentencing proceeding following a court order; or 2) whose court ordered conviction or sentence reversal is not yet final

BRIEFING BOOK



July 2016 Update

John Bel Edwards, Governor
State of Louisiana

James M. Le Blanc, Secretary
Department of Public Safety and Corrections

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**CORRECTIONS
POPULATION TRENDS
RAW DATA**

Yr-Mo Label	State Facilities	Local Jail Facilities	Contract TWP	Non-Contract TWP	Total TWP	Local/Contract TWP	Total Custody	Difference
Jan-83	9342	1615					10,957	
F	9353	1687					11,040	83
M	9306	1843					11,149	109
A	9381	1949					11,330	181
May	9392	2107					11,499	169
J	9308	2334					11,642	143
Jul	9399	2432					11,831	189
A	9768	2225					11,993	162
Sep	10075	1935					12,010	17
O	10210	1958					12,168	158
N	10182	2066					12,248	80
D	10269	2174					12,443	195
Jan-84	10350	2124					12,474	31
F	10409	2025					12,434	-40
M	10435	2150					12,585	151
A	10411	2246					12,657	72
May	10423	2459					12,882	225
J	10457	2536					12,993	111
Jul	10298	2853					13,151	158
A	10319	2802					13,121	-30
Sep	10349	2753					13,102	-19
O	10375	2726					13,101	-1
N	10459	2774					13,233	132
D	10540	2659					13,199	-34
Jan-85	10632	2584					13,216	17
F	10706	2591					13,297	81
M	10734	2522					13,256	-41
A	10712	2574					13,286	30
May	10730	2464					13,194	-92
J	10738	2630					13,368	174
Jul	10746	2656					13,402	34
A	10819	2574					13,393	-9
Sep	10844	2602					13,446	53
O	10889	2649					13,538	92
N	10946	2740					13,686	148
D	10922	2677					13,599	-87
Jan-86	11027	2923					13,950	351
F	11055	2792					13,847	-103
M	11018	2918					13,936	89
A	11128	2918					14,046	110
May	11247	3118					14,365	319
J	11237	2979					14,216	-149
Jul	11198	3416					14,614	398
A	10918	3531					14,449	-165
Sep	10685	3721					14,406	-43
O	10668	3814					14,482	76
N	10919	3690					14,609	127
D	11160	3485					14,645	36

**CORRECTIONS
POPULATION TRENDS
RAW DATA**

Y-Axis Label	State Facilities	Local Jail Facilities	Contract TWP	Non-Contract TWP	Total TWP	Local/Contract TWP	Total Custody	Difference
Jan-87	11280	3439					14,719	74
F	11442	3383					14,825	106
M	11570	3355					14,925	100
A	11707	3371					15,078	153
May	11765	3447					15,212	134
J	11792	3472					15,264	52
Jul	11723	3621					15,344	80
A	11604	3718					15,322	-22
Sep	11676	3627					15,303	-19
O	11697	3789					15,486	183
N	11703	3772					15,475	-11
D	11697	3760					15,457	-18
Jan-88	11339	3776					15,115	-342
F	11547	3712					15,259	144
M	11736	3547					15,283	24
A	11873	3585					15,458	175
May	12000	3562					15,562	104
J	12058	3512					15,570	8
Jul	12101	3581					15,682	112
A	12073	3621					15,694	12
Sep	12116	3722					15,838	144
O	12087	3868					15,955	117
N	12062	4011					16,073	118
D	12088	4125					16,213	140
Jan-89	12139	4110					16,249	36
F	12108	3811					15,919	-330
M	12152	3826					15,978	59
A	12168	3996					16,164	186
May	12183	4102					16,285	121
J	12256	4233					16,489	204
Jul	12253	4309					16,562	73
A	12439	4037					16,476	-86
Sep	12989	3791					16,780	304
O	13067	3893					16,960	180
N	13195	3977					17,172	212
D	13190	4078					17,268	96
Jan-90	13176	4153					17,329	61
F	13230	4295					17,525	196
M	13263	4362					17,625	100
A	13605	4154					17,759	134
May	13802	4194					17,996	237
J	13861	4305					18,166	170
Jul	13881	4466					18,347	181
A	13858	4494					18,352	5
Sep	13865	4588					18,453	101
O	13910	4710					18,620	167
N	14009	4689					18,698	78
D	14079	4720					18,799	101

**CORRECTIONS
POPULATION TRENDS
RAW DATA**

Y-Axis Label	State Facilities	Local Jail Facilities	Contract TWP	Non-Contract TWP	Total TWP	Local/Contract TWP	Total Custody	Difference
Jan-91	14298	4334					18,632	-167
F	14403	4319					18,722	90
M	14504	4264					18,768	46
A	14605	4247					18,852	84
May	14670	4270					18,940	88
J	14771	4281					19,052	112
Jul	14806	4326					19,132	80
A	14778	4431					19,209	77
Sep	14732	4585					19,317	108
O	14844	4857					19,701	384
N	14882	4976					19,858	157
D	14970	5047					20,017	159
Jan-92	14975	5011					19,986	-31
F	15036	5256					20,292	306
M	15063	5312					20,375	83
A	15112	5233					20,345	-30
May	15088	5369					20,457	112
J	15114	5454					20,568	111
Jul	15097	5351					20,448	-120
A	15270	5279					20,549	101
Sep	15486	5059					20,545	-4
O	15740	4952					20,692	147
N	15968	4975					20,943	251
D	16152	4855					21,007	64
Jan-93	16233	4663					20,896	-111
F	16383	4647					21,030	134
M	16502	4739					21,241	211
A	16385	5065					21,450	209
May	16362	5170					21,532	82
J	16459	5291					21,750	218
Jul	16464	5452					21,916	166
A	16288	5799					22,087	171
Sep	16075	6098					22,173	86
O	16144	6277					22,421	248
N	16181	6458					22,639	218
D	16141	6422					22,563	-76
Jan-94	16142	6390					22,532	-31
F	16197	6664					22,861	329
M	16229	6703					22,932	71
A	16283	6818					23,101	169
May	16300	6889					23,189	88
J	16224	7099					23,323	134
Jul	16241	7115					23,356	33
A	16281	7326					23,607	251
Sep	16132	7445					23,577	-30
O	16140	7766					23,906	329
N	16093	8038					24,131	225
D	16071	8149					24,220	89

**CORRECTIONS
POPULATION TRENDS
RAW DATA**

Y-Axis Label	State Facilities	Local Jail Facilities	Contract TWP	Non-Contract TWP	Total TWP	Local/Contract TWP	Total Custody	Difference
Jan-95	16018	8081					24,099	-121
F	16225	8228					24,453	354
M	16203	8243					24,446	-7
A	16184	8318					24,502	56
May	16166	8604					24,770	268
J	16266	8601					24,867	97
Jul	16234	8770					25,004	137
A	16383	8751					25,134	130
Sep	16497	8741					25,238	104
O	16803	8799					25,602	364
N	16986	8683					25,669	67
D	17077	8600					25,677	8
Jan-96	16975	8472					25,447	-230
F	17246	8480					25,726	279
M	17407	8471					25,878	152
A	17539	8682					26,221	343
May	17470	8786					26,256	35
J	17535	8752					26,287	31
Jul	17516	8914					26,430	143
A	17532	8913					26,445	15
Sep	17553	8951					26,504	59
O	17600	9012					26,612	108
N	17630	9264					26,894	282
D	17635	9364					26,999	105
Jan-97	17597	9256					26,853	-146
F	17838	9243					27,081	228
M	17857	9587					27,444	363
A	17797	9984					27,781	337
May	17727	10305					28,032	251
J	17856	10353					28,209	177
Jul	18014	10540					28,554	345 **
A	18174	10677					28,851	297
Sep	18384	10702					29,086	235
O	18519	10763					29,282	196
N	18529	10868					29,397	115
D	18470	10795					29,265	-132
Jan-98	18559	10784					29,343	78
F	18554	11294					29,848	505
M	18565	11517					30,082	234
A	18606	11717					30,323	241
May	18616	11825					30,441	118
J	18679	12228					30,907	466
Jul	18705	12419					31,124	217
A	18819	12500					31,319	195
Sep	18880	12701					31,581	262
O	19001	12976					31,977	396 **
N	19004	13267					32,271	294 **
D	19016	13211					32,227	-44

**CORRECTIONS
POPULATION TRENDS
RAW DATA**

Y-Axis Label	State Facilities	Local Jail Facilities	Contract TWP	Non-Contract TWP	Total TWP	Local/Contract TWP	Total Custody	Difference
Jan-99	19053	13328					32,381	154
F	19226	13364					32,590	209
M	19259	13214					32,473	-117
A	19131	13748					32,879	406
May	19127	13897					33,024	145
J	19303	14080					33,383	359
Jul	19320	14099					33,419	36
A	19239	14170					33,409	-10
Sep	19278	14365					33,643	234
O	19281	14409					33,690	47
N	19190	14649					33,839	149
D	19174	14838					34,012	173
Jan-00	19292	14671					33,963	-49
F	19355	15145					34,500	537
M	19406	15300					34,706	206
A	19403	15158					34,561	-145
May	19462	15259					34,721	160
J	19463	15194					34,657	-64
Jul	19541	15027					34,568	-89
A	19443	15285					34,728	160
Sep	19450	15489					34,939	211
O	19440	15596					35,036	97
N	19515	15596					35,111	75
D	19450	15504					34,954	-157
Jan-01	19476	15397					34,873	-81
F	19651	15537					35,188	315
M	19611	15559					35,170	-18
A	19543	15742					35,285	115
May	19534	15776					35,310	25
J	19528	15901					35,429	119
Jul	19663	15670					35,333	-96
A	19603	15707					35,310	-23
Sep	19604	15825					35,429	119
O	19929	16063					35,992	563
N	19929	15995					35,924	-68
D	19949	15874					35,823	-101
Jan-02	19929	15705					35,634	-189
F	19994	15664					35,658	24
M	19964	15731					35,695	37
A	19964	15873					35,837	142
May	19919	16254					36,173	336
J	19999	16397					36,396	223
Jul	19907	16252					36,159	-237
A	19,911	16251					36,162	3
Sep	19911	16215					36,126	-36
O	19927	16145					36,072	-54
N	19830	15973					35,803	-269
D	19830	16048					35,878	75

**CORRECTIONS
POPULATION TRENDS
RAW DATA**

Yr-Mo Label	State Facilities	Local Jail Facilities	Contract TWP	Non-Contract TWP	Total TWP	Local/Contract TWP	Total Custody	Difference
Jan-03	19547	15927					35,474	-404
F	19587	16029					35,616	142
M	19601	16050					35,651	35
A	19593	16222					35,815	164
May	19639	16248					35,887	72
J	19575	16321					35,896	9
Jul	19509	16512					36,021	125
A	19504	16525					36,029	8 Updated using 9/2/03
Sep	19425	16782					36,207	178 Updated using 9/30/03
O	19405	16798					36,203	-4 Updated using 11/04/0
N	19403	16726					36,129	-74 Last Updated using 12
D	19318	16547					35,865	-264 Last Updated using 12
Jan-04	19326	16559					35,885	20 Last Updated using 02
F	19321	16569					35,890	5 Last Updated using 03
M	19393	16776					36,169	279 Last Updated using 03
A	19530	16886					36,416	247 Last Updated using 05
May	19457	17152					36,609	193 Last Updated using 06
J	19381	17147					36,528	-81 Last Updated using 06
Jul	19365	17110					36,475	-53 Last Updated using 07
A	19321	17265					36,586	111 Last Updated using 08
Sep	19400	17164					36,564	-22 Last Update using 09/2
O	19341	17409					36,750	186 Last Update using 10/2
N	19276	17422					36,698	-52 Last Update using 11/2
D	19265	17269					36,534	-164 Last Update using 12/2
Jan-05	19300	17066					36,366	-168 Last Update using 1/2
F	19439	17378					36,817	451 Last Update using 2/22
M	19569	17327					36,896	79 Last Update using 3/2
A	19435	17431					36,866	-30 Last Update using 4/27
May	19484	17708					37,192	326 Last Update using 6/1/
J	19591	17645					37,236	44 Last Update using 6/2
Jul	19589	17685					37,274	38 Last Update using 8/2/
A	25378	16819					42,197	4,923 Last Update using 8/30
Sep	25297	17953					43,250	1,053 Last Update using 9/27
O	23045	17558					40,603	-2,647 Last Update using 11/0
N	22065	17581					39,646	-957 Last Update using 11/2
D	21583	17456					39,039	-607 Last Update using 12/2
Jan-06	20501	17780					38,281	-758 Last Update using 1/2
F	20255	17609					37,864	-417 Last Update using 3/1/
M	20344	17327					37,671	-193 Last Update using 3/2
A	20113	16887					37,000	-671 Last Update using 4/2
May	20042	16525					36,567	-433 Last Update using 5/31
J	20341	16182					36,523	-44 Last Update using 6/2
Jul	20396	16112					36,508	-15 Last Update using 7/2
A	20554	16044					36,598	90 Last Update using 8/2
Sep	20636	16171					36,807	209 Last Update using 9/2
O	20799	16285					37,084	277 Last Update using 10/2
N	20852	16268					37,120	36 Last Update using 11/2
D	20815	15995					36,810	-310 Last Update using 12/2

**CORRECTIONS
POPULATION TRENDS
RAW DATA**

Yr-Mo	State Facilities	Local Jail Facilities	Contract TWP	Non-Contract TWP	Total TWP	Local/Contract TWP	Total Custody	Difference
Jan-07	20580	15901					36,481	-329 Last Update using 1/30
F	20577	15942					36,519	38 Last Update using 2/27
M	20596	16066					36,662	143 Last Update using 3/27
A	20795	16093					36,888	226 Last Update using 4/24
May	20772	16097					36,869	-19 Last Update using 5/25
J	20869	16121					36,990	121 Last Update using 6/25
Jul	20790	16,335					37,125	135 Last Update using 7/31
A	20750	16625					37,375	250 Last Update using 7/31
Sep	20700	16665					37,365	-10 Last Update using 7/31
O	20600	17051					37,651	286 Last Update using 10/31
N	20632	17000					37,632	-19 Last Update using 11/2
D	20461	17035					37,496	-136 Last Update using 12/2
Jan-08	20507	17060				17,060	37,567	71 Last Update using 10/31
F	20535	17024				17,024	37,559	-8 Last Update using 11/2
M	20537	17360				17,360	37,897	338 Last Update using 12/2
A	20671	17168				17,168	37,839	-58 Last Update using 4/30
May	20644	17322				17,322	37,966	127 Last Update using 5/25
J	20929	17347				17,347	38,276	310 Last Update using 6/25
Jul	20782	17,455				17,455	38,237	-39 Last Update using 7/25
A	20887	17716				17,716	38,603	366 Last Update using 8/27
Sep	21673	17493				17,493	39,166	563 Last Update using 9/24
O	21,199	17604				17,604	38,803	-363 Last Updated using 10/31
N	20,997	17559				17,559	38,556	-247 Last Updated using 11/2
D	20,857	17371				17,371	38,228	-328 Last Updated using 12/2
Jan-09	19698	17565	1,111	2,197	3,308	18,676	38,374	146 Last Update using 1/25
F	19802	17683	1,110	2,262	3,372	18,793	38,595	221 Last Update using 2/25
M	19868	17988	1,123	2,339	3,462	19,111	38,979	384 Last Update using 3/25
A	19266	18298	1,161	2,771	3,932	19,459	38,725	-254
May	19252	18533	1,129	2,342	3,471	19,662	38,914	189
J	19301	18420	1,065	2,413	3,478	19,485	38,786	-128
Jul	19,187	18,723	1,099	2,388	3,487	19,822	39,009	223
A	19003	19,350	1,091	2,385	3,476	20,441	39,444	435
Sep	19,013	19,634	1,079	2,401	3,480	20,713	39,726	282
O	19,003	19,923	1,038	2,493	3,531	20,961	39,964	238
N	19,024	19,869	1,034	2,433	3,467	20,903	39,927	-37
D	18,896	19,891	993	2,286	3,279	20,884	39,780	-147
Jan-10	18,774	20,059	994	2,403	3,397	21,053	39,827	47
F	18,697	20,207	981	2,508	3,489	21,188	39,885	58
M	18,868	20,201	1,007	2,538	3,545	21,208	40,076	191
A	18,928	20,044	1,016	2,715	3,731	21,060	39,988	-88
May	18,863	20,122	995	2,604	3,599	21,117	39,980	-8
J	18,963	19,827	1,032	2,556	3,588	20,859	39,822	-158
Jul	18,973	19,651	1,055	2,526	3,581	20,706	39,679	-143
A	18,944	19,865	1,104	2,553	3,657	20,969	39,913	234
Sep	19,103	19,964	1,126	2,609	3,735	21,090	40,193	280
O	19,041	19,675	1,118	2,377	3,495	20,793	39,834	-359
N	19,070	19,410	1,138	2,355	3,493	20,548	39,618	-216
D	19,008	19,287	1,096	2,363	3,459	20,383	39,391	-227

**CORRECTIONS
POPULATION TRENDS
RAW DATA**

Y-Axis Label	State Facilities	Local Jail Facilities	Contract TWP	Non-Contract TWP	Total TWP	Local/Contract TWP	Total Custody	Difference
Jan-11	18,983	19,373	1,120	2,310	3,430	20,493	39,476	85
F	18,978	19,460	1,150	2,406	3,556	20,610	39,588	112
M	18,896	19,759	997	2,657	3,654	20,756	39,652	64
A	18,628	20,016	1,023	2,702	3,725	21,039	39,667	15
May	18,137	20,641	988	2,735	3,723	21,629	39,766	99
J	17,980	20,709	994	2,721	3,715	21,703	39,683	-83
Jul	18,269	20,335	1,006	2,618	3,624	21,341	39,610	-73
A	18,690	20,169	982	2,672	3,654	21,151	39,841	231
Sep	18,779	20,296	1,004	2,748	3,752	21,300	40,079	238
O	18,786	20,334	1,005	2,775	3,780	21,339	40,125	46
N	18,843	20,299	999	2,717	3,716	21,298	40,141	16
D	18,843	19,892	974	2,635	3,609	20,866	39,709	-432
Jan-12	18,825	20,014	989	2,445	3,434	21,003	39,828	119
F	18,818	20,314	976	2,634	3,610	21,290	40,108	280
M	18,765	20,684	971	2,661	3,632	21,655	40,420	312
A	18,732	20,630	959	2,512	3,471	21,589	40,321	-99
May	18,561	20,988	989	2,692	3,681	21,977	40,538	217
J	18,236	21,230	994	2,868	3,862	22,224	40,460	-78
Jul	18,124	21,257	1,005	2,795	3,800	22,262	40,386	-74
A	18,236	21,063	976	2,757	3,733	22,039	40,275	-111
Sep	18,271	21,289	1,008	2,866	3,874	22,297	40,568	293
O	18,194	21,317	1,008	2,607	3,615	22,325	40,519	-49
N	18,216	21,256	979	2,666	3,645	22,235	40,451	-68
D	18,599	20,624	947	2,582	3,529	21,571	40,170	-281
Jan-13	18,611	20,466	962	2,497	3,459	21,428	40,039	-131
F	18,687	20,446	963	2,654	3,617	21,409	40,096	57
M	18,671	20,413	941	2,649	3,590	21,354	40,025	-71
A	18,666	20,305	959	2,637	3,596	21,264	39,930	-95
May	18,604	20,409	928	2,781	3,709	21,337	39,941	11
J	18,703	20,315	908	2,878	3,786	21,223	39,926	-15
Jul	18,870	19,860	913	2,841	3,754	20,773	39,643	-283
A	18,828	19,854	977	2,824	3,801	20,831	39,659	16
Sep	18,894	19,867	995	2,870	3,865	20,862	39,756	97
O	18,837	19,833	1,022	2,831	3,853	20,855	39,692	-64
N	18,842	19,693	1,017	2,762	3,779	20,710	39,552	-140
D	18,913	19,393	993	2,669	3,662	20,386	39,299	-253
Jan-14	18,923	19,292	964	2,523	3,487	20,256	39,179	-120
F	18,992	19,431	955	2,603	3,558	20,386	39,378	199
M	18,802	19,499	977	2,540	3,517	20,476	39,278	-100
A	18,757	19,429	957	2,502	3,459	20,386	39,143	-135
May	18,753	19,531	950	2,555	3,505	20,481	39,234	91
J	18,763	19,366	933	2,519	3,452	20,299	39,062	-172
Jul	18,787	19,301	935	2,496	3,431	20,236	39,023	-39
A	18,774	19,475	963	2,575	3,538	20,438	39,212	189
Sep	18,778	19,491	942	2,585	3,527	20,433	39,211	-1
O	18,853	19,128	941	2,502	3,443	20,069	38,922	-289
N	18,900	18,911	926	2,409	3,335	19,837	38,737	-185
D	18,787	18,308	935	2,278	3,213	19,243	38,030	-707

**CORRECTIONS
POPULATION TRENDS
RAW DATA**

Y-Axis Label	State Facilities	Local Jail Facilities	Contract TWP	Non-Contract TWP	Total TWP	Local/Contract TWP	Total Custody	Difference
Jan-15	18,767	18,027	945	2,248	3,193	18,972	37,739	-291
F	18,611	17,874	988	2,236	3,224	18,862	37,473	-266
M	18,601	18,050	1,000	2,287	3,287	19,050	37,651	178
A	18,247	18,169	1,036	2,272	3,308	19,205	37,452	-199
May	18,296	18,086	1,019	2,198	3,217	19,105	37,401	-51
J	18,256	18,011	1,033	2,230	3,263	19,044	37,300	-101
Jul	18,091	17,794	1,054	2,198	3,252	18,848	36,939	-361
A	18,093	17,758	1,059	2,125	3,184	18,817	36,910	-29
Sep	18,157	17,653	1,064	2,243	3,307	18,717	36,874	-36
O	18,321	17,594	957	2,271	3,228	18,551	36,872	-2
N	18,425	17,069	1,101	2,062	3,163	18,170	36,595	-277
D	18,430	16,877	1,070	1,982	3,052	17,947	36,377	-218
Jan-16	18,496	16,973	1,064	1,997	3,061	18,037	36,533	156
F	18,474	16,977	1,053	1,921	2,974	18,030	36,504	-29
M	18,542	16,872	1,049	1,908	2,957	17,921	36,463	-41
A	18,622	16,605	1,027	1,856	2,883	17,632	36,254	-209
May	18,567	16,769	1,054	1,900	2,954	17,823	36,390	136
J	18,612	16,646	1,022	1,946	2,968	17,668	36,280	-110
Jul	18,676	18,632	1,000	2,740	3,740	19,632	38,308	2028
A	18,676	18,595	1,000	2,740	3,740	19,595	38,271	-37
Sep	18,676	18,563	1,000	2,740	3,740	19,563	38,239	-32
O	18,676	18,574	1,000	2,740	3,740	19,574	38,250	11
N	18,676	18,555	1,000	2,740	3,740	19,555	38,231	-19
D	18,676	18,515	1,000	2,740	3,740	19,515	38,191	-40
Jan-17	18,676	18,525	1,000	2,600	3,600	19,525	38,201	10
F	18,676	18,599	1,000	2,600	3,600	19,599	38,275	74
M	18,676	18,631	1,000	2,600	3,600	19,631	38,307	32
A	18,676	18,595	1,000	2,600	3,600	19,595	38,271	-36
May	18,676	18,588	1,000	2,600	3,600	19,588	38,264	-7
J	18,676	18,571	1,000	2,600	3,600	19,571	38,247	-17
Jul	18,676	18,506	1,000	2,600	3,600	19,506	38,182	-65
A	18,676	18,481	1,000	2,600	3,600	19,481	38,157	-25
Sep	18,676	18,461	1,000	2,600	3,600	19,461	38,137	-20
O	18,676	18,441	1,000	2,600	3,600	19,441	38,117	-20
N	18,676	18,453	1,000	2,600	3,600	19,453	38,129	12
D	18,676	18,379	1,000	2,600	3,600	19,379	38,055	-74
Jan-18	18,676	18,415	1,000	2,150	3,150	19,415	38,091	36
F	18,676	18,395	1,000	2,150	3,150	19,395	38,071	-20
M	18,676	18,414	1,000	2,150	3,150	19,414	38,090	19
A	18,676	18,404	1,000	2,150	3,150	19,404	38,080	-10
May	18,676	18,414	1,000	2,150	3,150	19,414	38,090	10
J	18,676	18,401	1,000	2,150	3,150	19,401	38,077	-13
Jul	18,676	18,409	1,000	2,150	3,150	19,409	38,085	8
A	18,676	18,415	1,000	2,150	3,150	19,415	38,091	6
Sep	18,676	18,431	1,000	2,150	3,150	19,431	38,107	16
O	18,676	18,415	1,000	2,150	3,150	19,415	38,091	-16
N	18,676	18,429	1,000	2,150	3,150	19,429	38,105	14
D	18,676	18,385	1,000	2,150	3,150	19,385	38,061	-44

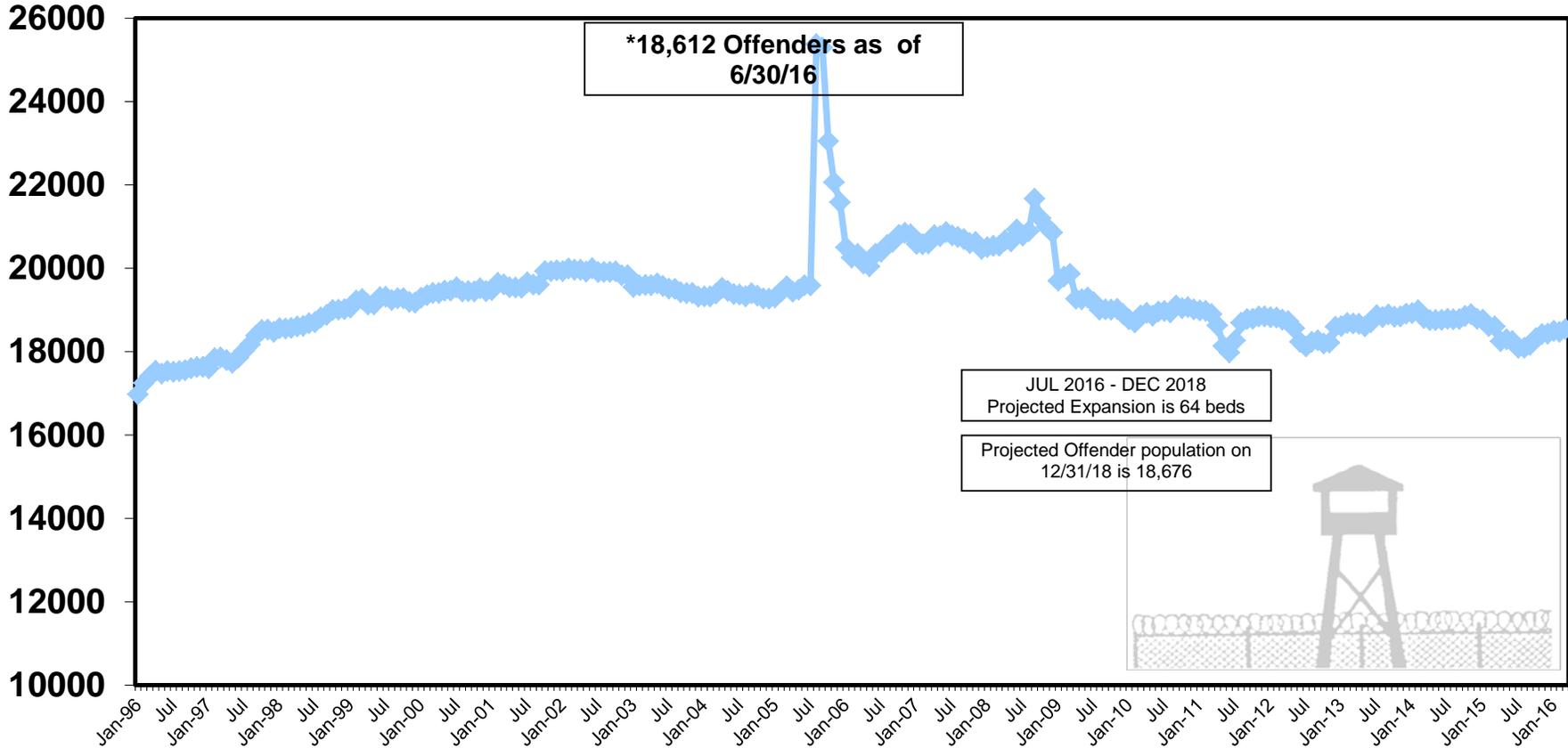
ACTUAL DATA DEPICTED THROUGH

6/29/2016

date of last

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS POPULATION TRENDS ADULT OFFENDERS IN STATE FACILITIES

Offenders



05/09/11 Threat of the flooding of the Mississippi River occurred, LSP offenders were evacuated to other state facilities, therefore intakes from parish prisons were suspended for 7 weeks.

Effective 1/1/09 Contract transitional work programs are separated out from State Facilities.

09/01/08 Hurricane Gustav occurred, therefore parish jail evacuees were taken into DOC population.

8/29/05 Hurricane Katrina occurred and Hurricane Rita occurred on 9/24/05, therefore parish jail evacuees were taken into DOC population.

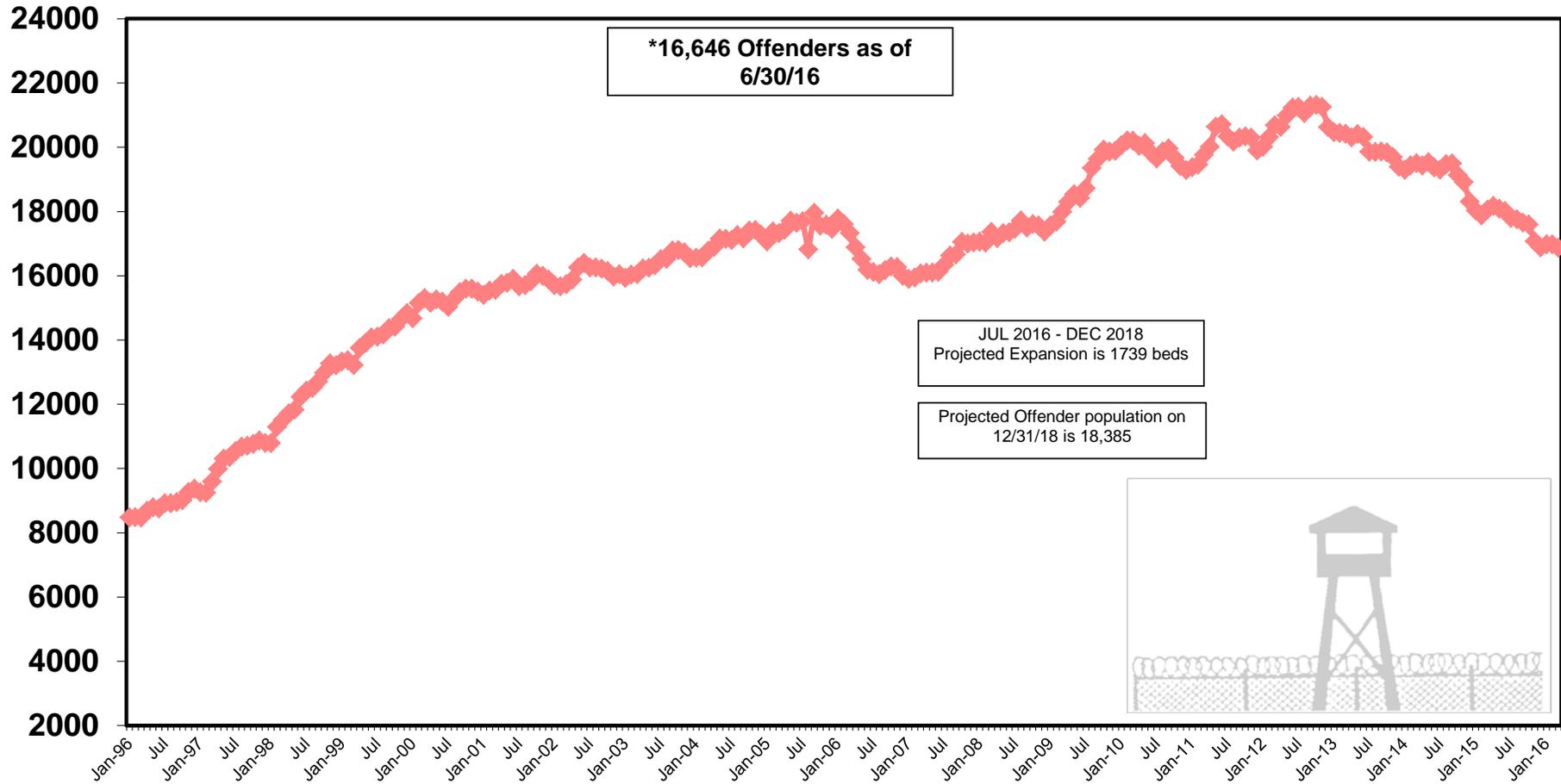
* Effective 07/01/02, current state offender populations are based on assigned capacity from the Weekly Census plus the number of evacuees/other TOC located in state institutions

ACTUAL DATA DEPICTED THROUGH 6/30/2016

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS POPULATION TRENDS

Offenders

ADULT OFFENDERS IN LOCAL JAIL FACILITIES (EXCLUDING CONTRACT TWP)



05/09/11 Threat of the flooding of the Mississippi River occurred, LSP offenders were evacuated to other state facilities, therefore intakes from parish prisons were suspended for 7 weeks.

Effective 1/1/09 Contract transitional work programs are separated out from State Facilities.

09/01/08 Hurricane Gustav occurred, therefore parish jail evacuees were taken into DOC population.

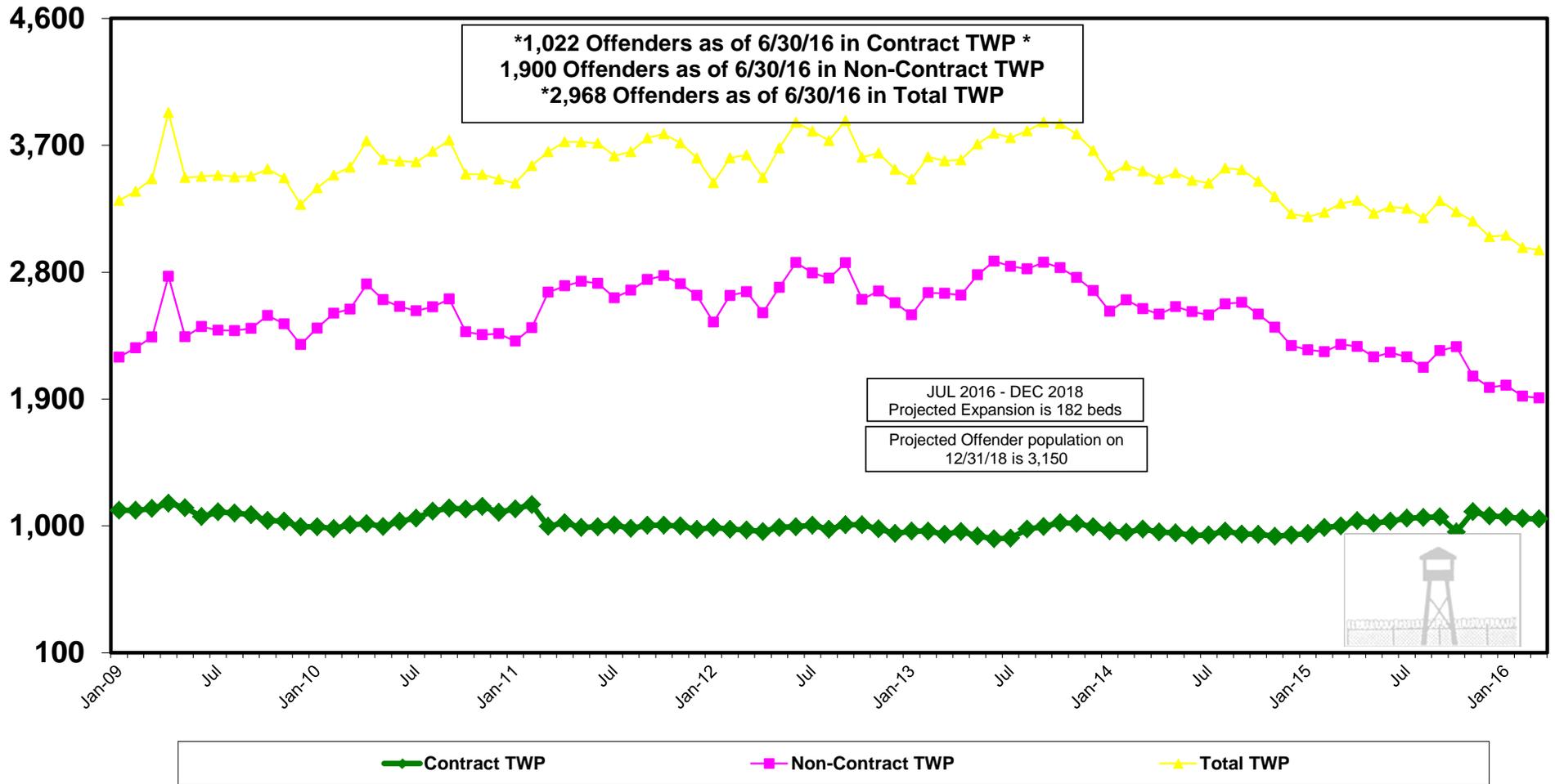
* Effective 8/30/05 current state offender populations based on operational capacity from Current State Offender Populations: Projected Expansions document plus the number of evacuees located in parish jails

8/29/05 Hurricane Katrina occurred and Hurricane Rita occurred on 9/24/05, therefore parish jail evacuees were taken into DOC population.

ACTUAL DATA DEPICTED THROUGH 6/30/2016

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS POPULATION TRENDS ADULT OFFENDERS IN TRANSITIONAL WORK PROGRAMS

Offenders

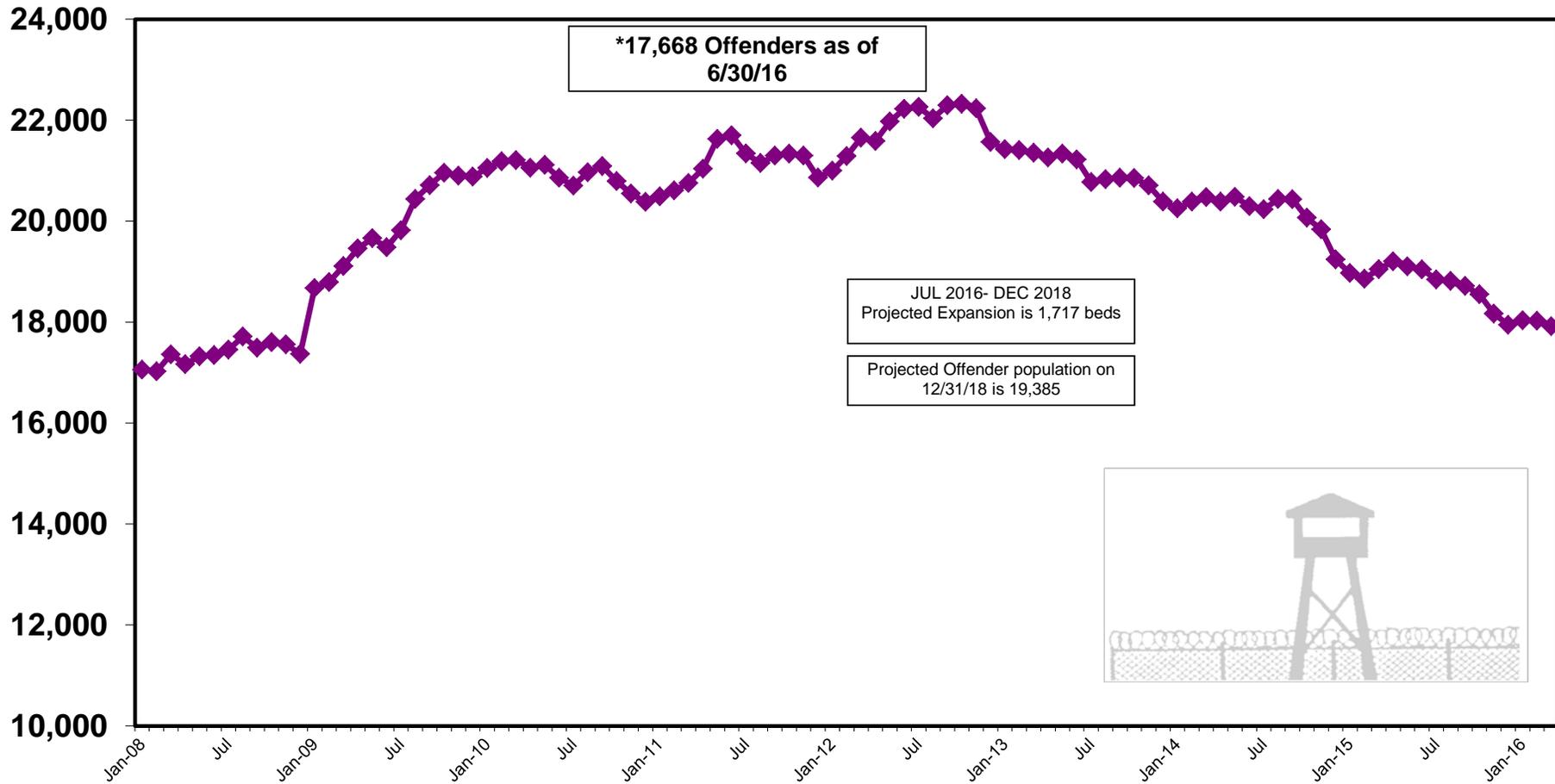


Effective 1/1/09 Contract transitional work programs are separated out from State Facilities.

ACTUAL DATA DEPICTED THROUGH 6/30/2016

**DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
POPULATION TRENDS
ADULT OFFENDERS IN LOCAL FACILITIES (INCLUDING TWP)**

Offenders

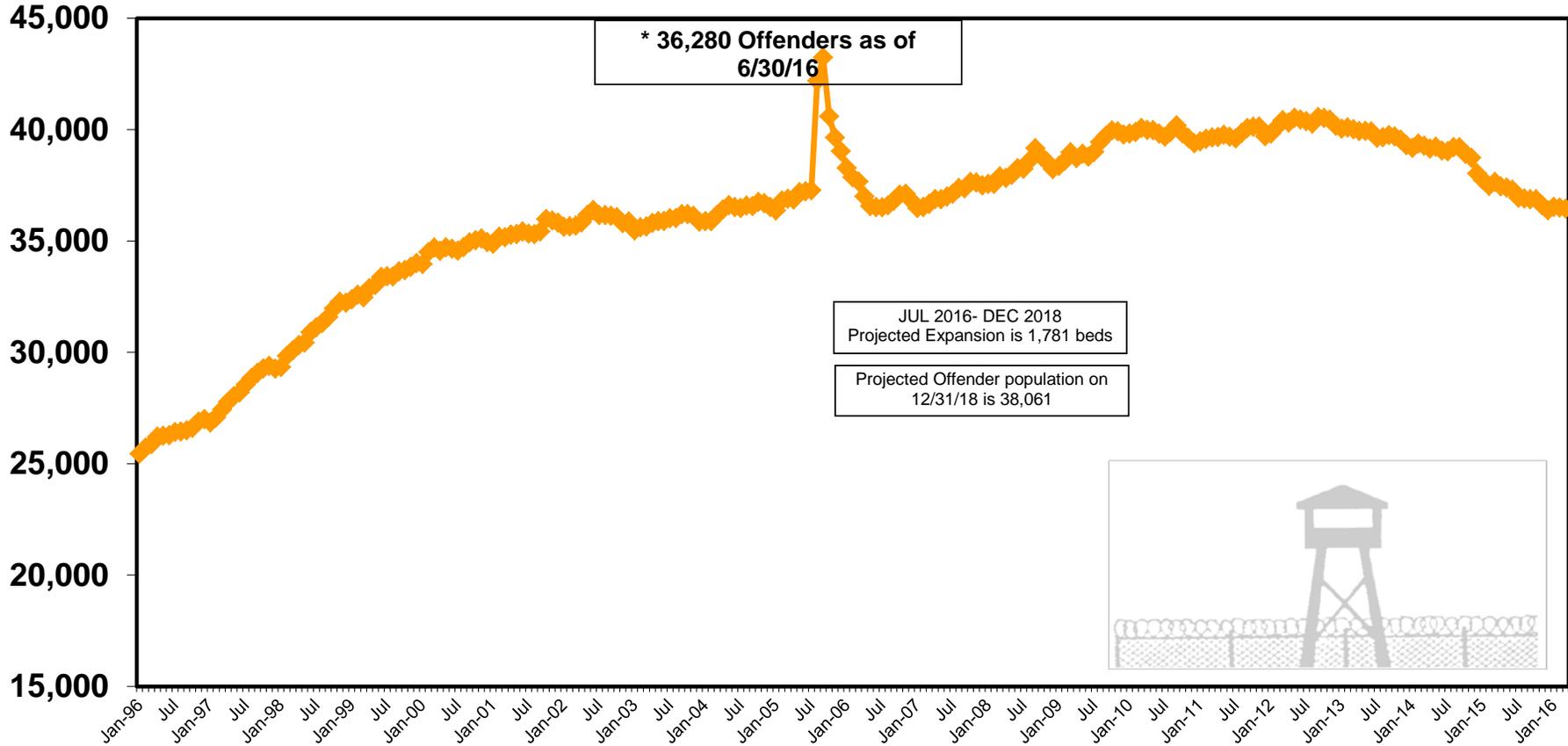


This number includes Transitional Work Programs beginning in 1/1/09.
Effective 1/1/09 Contract transitional work programs are separated out from State Facilities.

ACTUAL DATA DEPICTED THROUGH 6/30/2016

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS POPULATION TRENDS TOTAL ADULT OFFENDERS

Offenders



05/09/11 Threat of the flooding of the Mississippi River occurred, LSP offenders were evacuated to other state facilities, therefore intakes from parish prisons were suspended for 7 weeks.

09/01/08 Hurricane Gustav occurred, therefore parish jail evacuees were taken into DOC population.

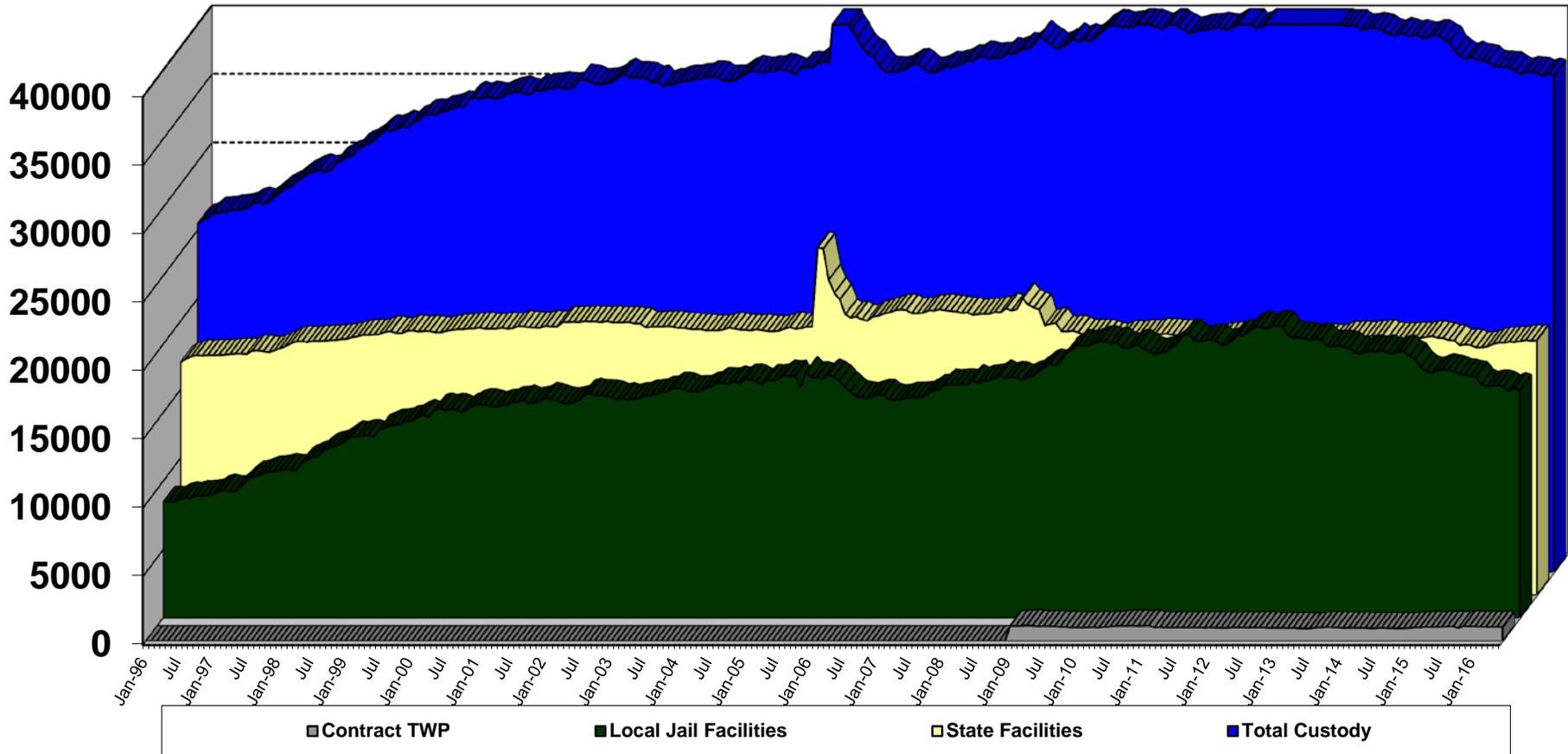
8/29/05 Hurricane Katrina occurred and Hurricane Rita occurred on 9/24/05, therefore parish jail evacuees were taken into DOC population.

* Effective 10/26/01 current state offender populations based on operational capacity from Current State Offender Populations: Projected Expansions document plus the number of evacuees located in state institutions and parish jails

ACTUAL DATA DEPICTED THROUGH 6/30/2016

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS POPULATION TRENDS JANUARY 1996 - PRESENT (SEMI-ANNUALLY)

Offenders



DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
POPULATION TRENDS - RAW DATA
1989 - 2015

YEAR	STATE FACILITIES	LOCAL FACILITIES	CONTRACT TWP	TOTAL CUSTODY POPULATION			Cause of Significant Change
1989	JAN	12139	4110	16249			
	FEB	12108	3811	15919	-330	-2.03%	
	MAR	12152	3826	15978	59	0.37%	
	APR	12168	3996	16164	186	1.16%	
	MAY	12183	4102	16285	121	0.75%	
	JUN	12256	4233	16489	204	1.25%	
	JUL	12253	4309	16562	73	0.44%	Avoyelles Corr. Opens
	AUG	12439	4037	16476	-86	-0.52%	
	SEP	12989	3791	16780	304	1.85%	
	OCT	13067	3893	16960	180	1.07%	
	NOV	13195	3977	17172	212	1.25%	
	DEC	13190	4078	17268	96	0.56%	
1990	JAN	13176	4153	17329	61	0.35%	
	FEB	13230	4295	17525	196	1.13%	
	MAR	13263	4362	17625	100	0.57%	Winn Corr. Opens
	APR	13605	4154	17759	134	0.76%	
	MAY	13802	4194	17996	237	1.33%	
	JUN	13861	4305	18166	170	0.94%	
	JUL	13881	4466	18347	181	1.00%	
	AUG	13858	4494	18352	5	0.03%	
	SEP	13865	4588	18453	101	0.55%	
	OCT	13910	4710	18620	167	0.91%	
	NOV	14009	4689	18698	78	0.42%	
	DEC	14079	4720	18799	101	0.54%	Allen Corr. Opens
1991	JAN	14298	4334	18632	-167	-0.89%	
	FEB	14403	4319	18722	90	0.48%	
	MAR	14504	4264	18768	46	0.25%	
	APR	14605	4247	18852	84	0.45%	
	MAY	14670	4270	18940	88	0.47%	
	JUN	14771	4281	19052	112	0.59%	
	JUL	14806	4326	19132	80	0.42%	Perdiem inc. to \$21/day
	AUG	14778	4431	19209	77	0.40%	
	SEP	14732	4585	19317	108	0.56%	
	OCT	14844	4857	19701	384	1.99%	
	NOV	14882	4976	19858	157	0.80%	
	DEC	14970	5047	20017	159	0.80%	
1992	JAN	14975	5011	19986	-31	-0.15%	
	FEB	15036	5256	20292	306	1.53%	
	MAR	15063	5312	20375	83	0.41%	
	APR	15112	5233	20345	-30	-0.15%	
	MAY	15088	5369	20457	112	0.55%	
	JUN	15114	5454	20568	110	0.54%	
	JUL	15097	5351	20448	-120	-0.58%	DOC begins prison expansion
	AUG	15270	5279	20549	101	0.49%	
	SEP	15486	5059	20545	-4	-0.02%	
	OCT	15740	4952	20692	147	0.72%	
	NOV	15968	4975	20943	251	1.21%	
	DEC	16152	4855	21007	64	0.31%	
1993	JAN	16233	4663	20896	-111	-0.53%	
	FEB	16383	4647	21030	134	0.64%	
	MAR	16502	4739	21241	211	1.00%	
	APR	16385	5065	21450	209	0.98%	
	MAY	16362	5170	21532	82	0.38%	
	JUN	16459	5291	21750	218	1.01%	
	JUL	16464	5452	21916	166	0.76%	
	AUG	16288	5799	22087	171	0.78%	LSP Camps A & H closed
	SEP	16075	6098	22173	86	0.39%	
	OCT	16144	6277	22421	248	1.12%	
	NOV	16181	6458	22639	218	0.97%	
	DEC	16141	6422	22563	-76	-0.34%	
1994	JAN	16142	6390	22532	-31	-0.14%	
	FEB	16197	6664	22861	329	1.46%	
	MAR	16229	6703	22932	71	0.31%	
	APR	16283	6818	23101	169	0.74%	
	MAY	16300	6889	23189	88	0.38%	
	JUN	16224	7099	23323	134	0.58%	
	JUL	16241	7115	23356	33	0.14%	
	AUG	16281	7326	23607	251	1.07%	
	SEP	16132	7445	23577	-30	-0.13%	
	OCT	16140	7766	23906	329	1.40%	
	NOV	16093	8038	24131	225	0.94%	
	DEC	16071	8149	24220	89	0.37%	

YEAR		STATE FACILITIES	LOCAL FACILITIES	CONTRACT TWP	TOTAL CUSTODY POPULATION			Cause of Significant Change
1995	JAN	16018	8081		24099	-121	-0.50%	ALC, AVC, WNC operational capacities inc. to 1474 ea.
	FEB	16225	8228		24453	354	1.47%	
	MAR	16203	8243		24446	-7	-0.03%	
	APR	16184	8318		24502	56	0.23%	
	MAY	16166	8604		24770	268	1.09%	
	JUN	16266	8601		24867	97	0.39%	
	JUL	16234	8770		25004	137	0.55%	
	AUG	16383	8751		25134	130	0.52%	
	SEP	16497	8741		25238	104	0.41%	
	OCT	16803	8799		25602	364	1.44%	
	NOV	16986	8683		25669	67	0.26%	
	DEC	17077	8600		25677	8	0.03%	
1996	JAN	16975	8472		25447	-230	-0.90%	
	FEB	17246	8480		25726	279	1.10%	
	MAR	17407	8471		25878	152	0.59%	
	APR	17539	8682		26221	343	1.33%	
	MAY	17470	8786		26256	35	0.13%	
	JUN	17535	8752		26287	31	0.12%	
	JUL	17516	8914		26430	143	0.54%	
	AUG	17532	8913		26445	15	0.06%	
	SEP	17553	8951		26504	59	0.22%	
	OCT	17600	9012		26612	108	0.41%	
	NOV	17630	9264		26894	282	1.06%	
	DEC	17635	9364		26999	105	0.39%	
1997	JAN	17597	9256		26853	-146	-0.54%	
	FEB	17838	9243		27081	228	0.85%	
	MAR	17857	9587		27444	363	1.34%	
	APR	17797	9984		27781	337	1.23%	
	MAY	17727	10305		28032	251	0.90%	
	JUN	17856	10353		28209	177	0.63%	
	JUL	18014	10540		28554	345	1.22%	
	AUG	18174	10677		28851	297	1.04%	
	SEP	18384	10702		29086	235	0.81%	
	OCT	18519	10763		29282	196	0.67%	
	NOV	18529	10868		29397	115	0.39%	
	DEC	18470	10795		29265	-132	-0.45%	
1998	JAN	18559	10784		29343	78	0.27%	
	FEB	18554	11294		29848	505	1.72%	
	MAR	18565	11517		30082	234	0.78%	
	APR	18606	11717		30323	241	0.80%	
	MAY	18616	11825		30441	118	0.39%	
	JUN	18679	12228		30907	466	1.53%	
	JUL	18705	12419		31124	217	0.70%	
	AUG	18819	12500		31319	195	0.63%	
	SEP	18880	12701		31581	262	0.84%	
	OCT	19001	12976		31977	396	1.25%	
	NOV	19004	13267		32271	294	0.92%	
	DEC	19016	13211		32227	-44	-0.14%	
1999	JAN	19053	13364		32417	190	0.59%	
	FEB	19072	13364		32436	19	0.06%	
	MAR	19259	13214		32473	37	0.11%	
	APR	19350	13380		32730	257	0.79%	
	MAY	19129	13897		33026	296	0.90%	
	JUN	19320	14099		33419	393	1.19%	
	JUL	19320	14099		33419	0	0.00%	
	AUG	19239	14170		33409	-10	-0.03%	
	SEP	19278	14365		33643	234	0.70%	
	OCT	19281	14409		33690	47	0.14%	
	NOV	19267	14649		33916	226	0.67%	
	DEC	19174	14838		34012	96	0.28%	
2000	JAN	19292	14671		33963	-49	-0.14%	
	FEB	19325	15081		34406	443	1.30%	
	MAR	19406	15300		34706	300	0.87%	
	APR	19403	15158		34561	-145	-0.42%	
	MAY	19259	15259		34518	-43	-0.12%	
	JUN	19510	15194		34704	186	0.54%	
	JUL	19541	15027		34568	-136	-0.39%	
	AUG	19443	15285		34728	160	0.46%	
	SEP	19478	15412		34890	162	0.47%	
	OCT	19440	15596		35036	146	0.42%	
	NOV	19515	15596		35111	75	0.21%	
	DEC	19450	15504		34954	-157	-0.45%	

YEAR		STATE FACILITIES	LOCAL FACILITIES	CONTRACT TWP	TOTAL CUSTODY POPULATION			Cause of Significant Change
2001	JAN	19476	15397		34873	-81	-0.23%	
	FEB	19651	15537		35188	315	0.90%	
	MAR	19611	15559		35170	-18	-0.05%	
	APR	19543	15742		35285	115	0.33%	
	MAY	19534	15776		35310	25	0.07%	
	JUN	19528	15901		35429	119	0.34%	
	JUL	19663	15670		35333	-96	-0.27%	
	AUG	19603	15707		35310	-23	-0.07%	
	SEP	19604	15825		35429	119	0.34%	
	OCT	19929	16063		35992	563	1.59%	
	NOV	19929	15995		35924	-68	-0.19%	
	DEC	19949	15874		35823	-101	-0.28%	
2002	JAN	19547	16114		35661	-162	-0.45%	
	FEB	19587	16063		35650	-11	-0.03%	
	MAR	19601	16138		35739	89	0.25%	
	APR	19593	16162		35755	16	0.04%	
	MAY	19593	16219		35812	57	0.16%	
	JUN	19593	16242		35835	23	0.06%	
	JUL	19907	16252		36159	324	0.90%	Beginning of George Washington University Projections
	AUG	19911	16251		36162	3	0.01%	
	SEP	19911	16215		36126	-36	-0.10%	
	OCT	19927	16145		36072	-54	-0.15%	
	NOV	19830	15973		35803	-269	-0.75%	
	DEC	19830	16048		35878	75	0.21%	
	2003	JAN	19547	15927		35474	-404	-1.13%
FEB		19587	16029		35616	142	0.40%	
MAR		19601	16050		35651	35	0.10%	
APR		19593	16222		35815	164	0.46%	
MAY		19639	16248		35887	72	0.20%	
JUN		19575	16321		35896	9	0.03%	
JUL		19509	16512		36021	125	0.35%	
AUG		19504	16525		36029	8	0.02%	
SEP		19425	16782		36207	178	0.49%	
OCT		19405	16798		36203	-4	-0.01%	
NOV		19403	16726		36129	-74	-0.20%	
DEC		19318	16547		35865	-264	-0.73%	
2004	JAN	19326	16559		35885	20	0.06%	Due to Hurricanes Katrina (8/29/05) and Rita(9/24/05), evacuees were taken into our population.
	FEB	19321	16569		35890	5	0.01%	Aug '05: Of the 25,378 in state facilities, 3,814 are Pre-trial Non-state offenders/arrestees
	MAR	19393	16776		36169	279	0.78%	Aug '05: Of the 16,819 in local facilities, 1309 are Pre-trial Non-state offenders/arrestees
	APR	19530	16886		36416	247	0.68%	Sep '05: Of the 25,437 in state facilities, 920 are physically located in Bureau of Prisons in Florida; 4,298 are Pre-trial Non-state offenders/arrestees
	MAY	19457	17152		36609	193	0.53%	Sep '05: Of the 17,953 in local facilities, 1,655 are Pre-trial Non-state offenders/arrestees
	JUN	19381	17147		36528	-81	-0.22%	Oct '05: Of the 23,045 in state facilities, 777 are physically located in Bureau of Prisons in Florida; 2,771 are Pre-trial Non-state offenders/arrestees
	JUL	19365	17110		36475	-53	-0.15%	Oct '05: Of the 17,558 in local facilities, 1,396 are Pre-trial Non-state offenders/arrestees
	AUG	19321	17265		36586	111	0.30%	Nov '05: Of the 22,065 in state facilities, 579 are physically located in Bureau of Prisons in Florida 2,084 are Pre-trial Non-state offenders/arrestees
	SEP	19400	17164		36564	-22	-0.06%	Nov '05: Of the 17,581 in local facilities, 1,474 are Pre-trial Non-state offenders/arrestees
	OCT	19341	17409		36750	186	0.51%	Dec '05: Of the 21,583 in state facilities, 529 are physically located in Bureau of Prisons in Florida 1,682 are Pre-trial Non-state offenders/arrestees
	NOV	19276	17422		36698	-52	-0.14%	Dec '05: Of the 17,456 in local facilities, 1,422 are Pre-trial Non-state offenders/arrestees
	DEC	19265	17269		36534	-164	-0.45%	
2005	JAN	19300	17066		36366	-168	-0.46%	Jan '06: Of the 20,501 in state facilities, 289 are physically located in Bureau of Prisons in Florida 703 are Pre-trial Non-state offenders/arrestees
	FEB	19439	17378		36817	451	1.24%	Jan '06: Of the 17,780 in local facilities, 1,838 are Pre-trial Non-state offenders/arrestees
	MAR	19569	17327		36896	79	0.21%	Feb '06: Of the 20,255 in state facilities, 532 are Pre-trial Non-state offenders/arrestees
	APR	19435	17431		36866	-30	-0.08%	Feb '06: Of the 17,609 in local facilities, 1,475 are Pre-trial Non-state offenders/arrestees
	MAY	19484	17708		37192	326	0.88%	Mar '06: Of the 20,344 in state facilities, 753 are Pre-trial Non-state offenders/arrestees
	JUN	19591	17645		37236	44	0.12%	Mar '06: Of the 17,327 in local facilities, 1,347 are Pre-trial Non-state offenders/arrestees
	JUL	19589	17685		37274	38	0.10%	Apr '06: Of the 20,113 in state facilities, 474 are Pre-trial Non-state offenders/arrestees
	AUG	25378	16819		42197	4923	13.21%	Apr '06: Of the 16,887 in local facilities, 1,010 are Pre-trial Non-state offenders/arrestees
	SEP	25437	17953		43390	1193	2.83%	May '06: Of the 20,042 in state facilities, 320 are Pre-trial Non-state offenders/arrestees
	OCT	23045	17558		40603	-2787	-6.42%	May '06: Of the 16,525 in local facilities, 584 are Pre-trial Non-state offenders/arrestees
	NOV	22065	17581		39646	-957	-2.36%	June '06: Of the 20,341 in state facilities, 381 are Pre-trial Non-state offenders/arrestees
	DEC	21583	17456		39039	-607	-1.53%	June '06: Of the 16,182 in local facilities, 395 are Pre-trial Non-state offenders/arrestees
2006	JAN	20501	17780		38281	-758	-1.94%	July '06: Of the 20,396 in state facilities, 446 are Pre-trial Non-state offenders/arrestees
	FEB	20255	17609		37864	-417	-1.09%	July '06: Of the 16,112 in local facilities, 396 are Pre-trial Non-state offenders/arrestees
	MAR	20344	17327		37671	-193	-0.51%	Aug '06: Of the 20,554 in state facilities, 528 are Pre-trial Non-state offenders/arrestees
	APR	20113	16887		37000	-671	-1.78%	Aug '06: Of the 16,044 in local facilities, 302 are Pre-trial Non-state offenders/arrestees
	MAY	20042	16525		36567	-433	-1.17%	Sept '06: Of the 20,539 in state facilities, 513 are Pre-trial Non-state offenders/arrestees
	JUN	20341	16182		36523	-44	-0.12%	Sept '06: Of the 16,171 in local facilities, 209 are Pre-trial Non-state offenders/arrestees
	JUL	20396	16112		36508	-15	-0.04%	Oct '06: Of the 20,799 in state facilities, 641 are Pre-trial Non-state Offenders/arrestees
	AUG	20554	16044		36598	90	0.25%	Oct '06: Of the 16,285 in local facilities, 117 are Pre-trial Non-state offenders/arrestees
	SEP	20539	16171		36710	112	0.31%	Nov '06: Of the 20,852 in state facilities, 624 are Pre-trial Non-state Offenders/arrestees
	OCT	20799	16285		37084	374	1.02%	Nov '06: Of the 16,268 in local facilities, 93 are Pre-trial Non-state offenders/arrestees
	NOV	20852	16268		37120	36	0.10%	Dec '06: Of the 20,815 in state facilities, 572 are Pre-trial Non-state offenders/arrestees
	DEC	20815	15995		36810	-310	-0.84%	Dec '06: Of the 15,995 in local facilities, 64 are Pre-trial Non-state offenders/arrestees
								Jan '07: Of the 20,580 in state facilities, 270 are Pre-trial Non-state offenders/arrestees
								Jan '07: Of the 15,901 in local facilities, 39 are Pre-trial Non-state offenders/arrestees
								Feb '07: Of the 20,577 in state facilities, 213 are Pre-trial Non-state offender/arrestees

YEAR		STATE FACILITIES	LOCAL FACILITIES	CONTRACT TWP	TOTAL CUSTODY POPULATION			Cause of Significant Change
2007	JAN	20580	15901		36481	-329	-0.89%	Feb '07: Of the 15,942 in local facilities, 13 are Pre-trial Non-state offenders/arrestees
	FEB	20577	15942		36519	38	0.10%	Mar '07: Of the 20,596 in state facilities, 178 are Pre-trial Non-state offenders/arrestees
	MAR	20596	16066		36662	143	0.39%	Apr '07: Of the 20,795 in state facilities, 231 are Pre-trial Non-state offenders/arrestees
	APR	20795	16093		36888	226	0.62%	Apr '07: Of the 16,093 in local facilities, 1 is a Pre-trial Non-state offender/arrestee
	MAY	20772	16097		36869	-19	-0.05%	May '07: Of the 20,772 in state facilities, 217 are Pre-trial Non-state offenders/arrestees
	JUN	20,869	16121		36990	121	0.33%	May '07: Of the 16,097 in local facilities, 1 is a Pre-trial Non-state offender/arrestee
	JUL	20790	16,335		37125	135	0.36%	June '07: Of the 20,869 in state facilities, 203 are Pre-trial Non-state offenders/arrestees
	AUG	20750	16625		37375	250	0.67%	June '07: Of the 16,121 in local facilities, 1 is a Pre-trial Non-state offender/arrestee
	SEP	20700	16665		37365	-10	-0.03%	July '07: Of the 20,790 in state facilities, 214 are Pre-trial Non-state offenders/arrestees
	OCT	20600	17051		37651	286	0.77%	July '07: Of the 16,335 in local facilities, 1 is a Pre-trial Non-state offender/arrestee
	NOV	20632	17000		37632	-19	-0.05%	Aug '07: Of the 20,750 in state facilities, 181 are Pre-trial Non-state offenders/arrestees
	DEC	20461	17035		37496	-136	-0.36%	Aug '07: Of the 16,625 in local facilities, 1 is a Pre-trial Non-state offender/arrestee
2008	JAN	20507	17060		37567	71	0.19%	Oct '07: Of the 20,750 in state facilities, 181 are Pre-trial Non-state offenders/arrestees
	FEB	20575	17024		37599	32	0.09%	Oct '07: Of the 20,600 in state facilities, 173 are Pre-trial Non-state offenders/arrestees
	MAR	20537	17360		37897	298	0.79%	Oct '07: Of the 17,051 in local facilities, 1 is a Pre-trial Non-state offender/arrestee
	APR	20671	17168		37839	-58	-0.15%	Nov '07: Of the 20,632 in state facilities, 217 are Pre-trial Non-state offenders/arrestees
	MAY	20644	17322		37966	127	0.34%	Nov '07: Of the 17,000 in local facilities, 1 is a Pre-trial Non-state offender/arrestee
	JUN	20929	17347		38276	310	0.82%	Dec '07: Of the 20,461 in state facilities, 198 are Pre-trial Non-state offenders/arrestees
	JUL	20782	17,455		38237	-39	-0.10%	Dec '07: Of the 17,034 in local facilities, 1 is a Pre-trial Non-state offender/arrestee
	AUG	20887	17716		38603	366	0.96%	Jan '08: Of the 20,507 in state facilities, 199 are physically located in Bureau of Prisons in Florida
	SEP	21673	17493		39166	563	1.46%	Jan '08: Of the 17,060 in local facilities, 1 is a Pre-trial Non-state offenders/arrestees
	OCT	21199	17604		38803	-363	-0.93%	Feb '08: Of the 20,575 in state facilities, 200 are Pre-trial Non-state offenders/arrestees
	NOV	20997	17559		38556	-247	-0.64%	Feb '08: Of the 17,024 in local facilities, 1 is a Pre-trial Non-state offender/arrestee
	DEC	20857	17371		38228	-328	-0.85%	Mar '08: Of the 20537 in state facilities, 144 are Pre-trial Non-state offenders/arrestees
2009	JAN	19698	17565	1111*	38374	146	0.38%	Mar '08: As of this month, local facilities are no longer housing Pre-trial Non-state offenders/arrestees
	FEB	19802	17683	1110	38595	221	0.58%	Apr '08: Of the 20,671 in state facilities, 200 are Pre-trial Non-state offenders/arrestees
	MAR	19868	17988	1123	38979	384	0.99%	May '08: Of the 20,644 in state facilities, 152 are Pre-trial Non-state offenders/arrestees
	APR	19266	18298	1161	38725	-254	-0.65%	June '08: Of the 20,622 in state facilities, 307 are Pre-trial Non-state offenders/arrestees
	MAY	19252	18533	1129	38914	189	0.49%	July '08: Of the 20,782 in state facilities, 183 are Pre-trial Non-state offenders/arrestees
	JUN	19301	18420	1065	38786	-128	-0.33%	Aug '08: Of the 20,887 in state facilities, 193 are Pre-trial Non-state offenders/arrestees
	JUL	19187	18723	1099	39009	223	0.57%	Sept '08: Of the 21,673 in state facilities, 1,199 are Pre-trial Non-state offenders/arrestees
	AUG	19003	19350	1091	39444	435	1.12%	Oct '08: Of the 21,199 in state facilities, 618 are Pre-trial Non-state offenders/arrestees
	SEP	19013	19634	1079	39726	282	0.71%	Nov '08: Of the 20,997 in state facilities, 615 are Pre-trial Non-state offenders/arrestees
	OCT	19003	19923	1038	39964	238	0.60%	Dec '08: Of the 20,857 in state facilities, 577 are Pre-trial Non-state offenders/arrestees
	NOV	19024	19869	1034	39927	-37	-0.09%	Ending of George Washington University Projections
	DEC	18896	19891	993	39780	-147	-0.37%	*Effective 1/1/09 Budgeted projections have been used and contract transitional work program was separated out from State Facilities.
2010	JAN	18774	20059	994	39827	47	0.12%	
	FEB	18697	20207	981	39885	58	0.15%	
	MAR	18868	20201	1007	40076	191	0.48%	
	APR	18928	20044	1016	39988	-88	-0.22%	
	MAY	18863	20122	995	39980	-8	-0.02%	
	JUN	18963	19827	1032	39822	-158	-0.40%	
	JUL	18973	19651	1055	39679	-143	-0.36%	
	AUG	18944	19865	1104	39913	234	0.59%	
	SEP	19103	19964	1126	40193	280	0.70%	
	OCT	19041	19675	1118	39834	-359	-0.89%	
	NOV	19070	19410	1138	39618	-216	-0.54%	
	DEC	19008	19287	1096	39391	-227	-0.57%	
2011	JAN	18983	19373	1120	39476	85	0.22%	
	FEB	18978	19460	1150	39588	112	0.28%	
	MAR	18896	19759	997	39652	64	0.16%	
	APR	18628	20016	1023	39667	15	0.04%	
	MAY	18137	20641	988	39766	99	0.25%	May '11: Threat of the flooding of the Mississippi River occurred on 5/9/11, LSP offenders were evacuated to other state facilities, therefore intakes from parish prisons were suspended for 7 weeks.
	JUN	17980	20709	994	39683	-83	-0.21%	
	JUL	18269	20335	1006	39610	-73	-0.18%	
	AUG	18690	20169	982	39841	231	0.58%	
	SEP	18779	20296	1004	40079	238	0.60%	
	OCT	18786	20334	1005	40125	46	0.11%	
	NOV	18843	20299	999	40141	16	0.04%	
	DEC	18843	19892	974	39709	-432	-1.08%	
2012	JAN	18825	20014	989	39828	119	0.30%	
	FEB	18818	20314	976	40108	280	0.70%	
	MAR	18765	20684	971	40420	312	0.78%	
	APR	18732	20630	959	40321	-99	-0.24%	
	MAY	18561	20988	989	40538	217	0.54%	
	JUN	18236	21230	994	40460	-78	-0.19%	
	JUL	18124	21257	1005	40386	-74	-0.18%	
	AUG	18236	21063	976	40275	-111	-0.27%	
	SEP	18271	21289	1008	40568	293	0.73%	
	OCT	18194	21317	1008	40519	-49	-0.12%	
	NOV	18216	21256	979	40451	-68	-0.17%	
	DEC	18599	20624	947	40170	-281	-0.69%	

YEAR	STATE FACILITIES	LOCAL FACILITIES	CONTRACT TWP	TOTAL CUSTODY POPULATION			Cause of Significant Change
2013	JAN	18611	20466	962	40039	-131	-0.33%
	FEB	18687	20446	963	40096	57	0.14%
	MAR	18671	20413	941	40025	-71	-0.18%
	APR	18666	20305	959	39930	-95	-0.24%
	MAY	18604	20409	928	39941	11	0.03%
	JUN	18703	20315	908	39926	-15	-0.04%
	JUL	18870	19860	913	39643	-283	-0.71%
	AUG	18828	19854	977	39659	16	0.04%
	SEP	18894	19867	995	39756	97	0.24%
	OCT	18837	19833	1022	39692	-64	-0.16%
	NOV	18842	19693	1017	39552	-140	-0.35%
	DEC	18913	19393	993	39299	-253	-0.64%
2014	JAN	18923	19292	964	39179	-120	-0.31%
	FEB	18992	19431	955	39378	199	0.51%
	MAR	18802	19499	977	39278	-100	-0.25%
	APR	18757	19429	957	39143	-135	-0.34%
	MAY	18753	19531	950	39234	91	0.23%
	JUN	18763	19366	933	39062	-172	-0.44%
	JUL	18787	19301	935	39023	-39	-0.10%
	AUG	18774	19475	963	39212	189	0.48%
	SEP	18778	19491	942	39211	-1	0.00%
	OCT	18853	19128	941	38922	-289	-0.74%
	NOV	18900	18911	926	38737	-185	-0.48%
	DEC	18787	18308	935	38030	-707	-1.83%
2015	JAN	18767	18027	945	37739	-291	-0.77%
	FEB	18611	17874	988	37473	-266	-0.70%
	MAR	18601	18050	1000	37651	178	0.48%
	APR	18247	18169	1036	37452	-199	-0.53%
	MAY	18296	18086	1019	37401	-51	-0.14%
	JUN	18256	18011	1033	37300	-101	-0.27%
	JUL	18091	17794	1054	36939	-361	-0.97%
	AUG	18093	17758	1059	36910	-29	-0.08%
	SEP	18157	17653	1064	36874	-36	-0.10%
	OCT	18321	17594	957	36872	-2	-0.01%
	NOV	18425	17069	1101	36595	-277	-0.75%
	DEC	18430	16877	1070	36377	-218	-0.60%
2016	JAN	18,496	16973	1064	36533	156	0.43%
	FEB	18,474	16977	1053	36504	-29	-0.08%
	MAR	18,542	16872	1049	36463	-41	-0.11%
	APR	18,622	16605	1027	36254	-209	-0.57%
	MAY	18,567	16769	1054	36390	136	0.38%
	JUN	18,612	16646	1022	36280	-110	-0.30%
	JUL	18,676	18632	1000	38308	2028	5.59%
	AUG	18,676	18595	1000	38271	-37	-0.10%
	SEP	18,676	18563	1000	38239	-32	-0.08%
	OCT	18,676	18574	1000	38250	11	0.03%
	NOV	18,676	18555	1000	38231	-19	-0.05%
	DEC	18,676	18515	1000	38191	-40	-0.10%
2017	JAN	18,676	18525	1000	38201	10	0.03%
	FEB	18,676	18599	1000	38275	74	0.19%
	MAR	18,676	18631	1000	38307	32	0.08%
	APR	18,676	18595	1000	38271	-36	-0.09%
	MAY	18,676	18588	1000	38264	-7	-0.02%
	JUN	18,676	18571	1000	38247	-17	-0.04%
	JUL	18,676	18506	1000	38182	-65	-0.17%
	AUG	18,676	18481	1000	38157	-25	-0.07%
	SEP	18,676	18461	1000	38137	-20	-0.05%
	OCT	18,676	18441	1000	38117	-20	-0.05%
	NOV	18,676	18453	1000	38129	12	0.03%
	DEC	18,676	18379	1000	38055	-74	-0.19%
2018	JAN	18,676	18415	1000	38091	36	0.09%
	FEB	18,676	18395	1000	38071	-20	-0.05%
	MAR	18,676	18414	1000	38090	19	0.05%
	APR	18,676	18404	1000	38080	-10	-0.03%
	MAY	18,676	18414	1000	38090	10	0.03%
	JUN	18,676	18401	1000	38077	-13	-0.03%
	JUL	18,676	18409	1000	38085	8	0.02%
	AUG	18,676	18415	1000	38091	6	0.02%
	SEP	18,676	18431	1000	38107	16	0.04%
	OCT	18,676	18415	1000	38091	-16	-0.04%
	NOV	18,676	18429	1000	38105	14	0.04%
	DEC	18,676	18385	1000	38061	-44	-0.12%

**Actual data depicted to this point
Projected figures start

DATE: 6/29/2016
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
WEEKLY VACANCY AND RELEASE REPORT

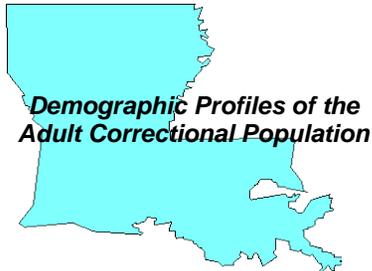
INSTITUTIONS	OPERATIONAL CAPACITY	ASSIGNED	PHYSICALLY PRESENT	NON DOC/ PARISH HOLDS	CURRENT VACANCIES	PROJECTED RELEASES
WARDEN'S REGION 1						
LSP	5246	5519	5490	0	-273	3
NURSING UNIT 2	34	33	33	0	1	0
CAMP CPCC	942	641	639	0	301	0
DEATH ROW	90	76	76	0	14	0
SUBTOTAL LSP	6312	6269	6238	0	43	3
DCI	1378	1403	1397	1	-26	2
Youthful Offender	40	17	17	0	23	0
UNIT 3	242	224	223	0	18	0
UNIT 4	140	134	134	0	6	0
SUBTOTAL DCI	1800	1778	1771	1	21	2
DWCC *1	1174	1173	1170	0	1	2
PROTECTION (WCC)	50	47	47	0	3	0
SUBTOTAL DWCC	1224	1220	1217	0	4	2
LCIW - GEN. POP. *7	912	894	896	0	18	13
FRDC	20	36	36	2	-18	0
DEATH ROW	4	2	2	0	2	0
SUBTOTAL LCIW	936	932	934	2	2	13
WNC	1576	1574	1565	0	2	1
REGION 1 TOTAL	11848	11773	11725	3	72	21
WARDEN'S REGION 2						
ALC	1576	1576	1572	0	0	4
AVC	1688	1690	1685	0	-2	7
JLDCC	120	115	115	0	5	0
SUBTOTAL AVC	1808	1805	1800	0	3	7
EHCC - GEN. POP.	1510	1593	1587	0	-83	3
SKILLED NURSING UNIT *4	54	60	60	0	-6	0
HRDC	411	355	350	4	52	6
SUBTOTAL HCC	1975	2008	1997	4	-37	9
RCC *6	1314	1309	1307	0	5	2
STATE POLICE	155	141	141	0	14	0
REGION 2 TOTAL	6828	6839	6817	4	-15	22
TOTAL PUBLIC INST	15524	15462	15405	7	55	38
TOTAL PRIVATE INST	3152	3150	3137	0	2	5
TOTAL INSITUIONS	18676	18612	18542	7	57	43
CONTRACT TWP						
CEDARWOOD MANOR	100	91	91		9	0
COF/MON-MEN	162	94	94		68	0
EFL TWP	75	69	69		6	0
LAFOURCHE TWP	174	110	110		64	0
WFL TWP	60	57	57		3	0
RAPIDES TWP *2	200	147	147		53	1
SOUTHWEST TWP	350	227	227		123	0
STM TWP	70	65	65		5	0
WBR TWP *3	185	162	162		23	0
TOTAL CONTRACT TWP *5	1376	1022	1022	0	354	1
GRAND TOTAL	20052	19634	19564	7	411	44

*1 Includes 0 WRDC.
*2 RAP TWP Co-op agreement is for 245.
*3 WBR TWP Co-op agreement is for 185.
*4 rated capacity is 64
*5 totals are included on the CFACILITY report
*6 physically present includes 0 intensive incarceration offenders
*7 physically present includes 7 intensive incarceration offenders
*8 there are 36 Orleans non DOC offenders in the HSU dorm not included in Hunt totals

**Louisiana Department of Public Safety
and Corrections
Corrections Services**

**James M. Le Blanc
Secretary**

**FACT SHEET
June 30, 2016**

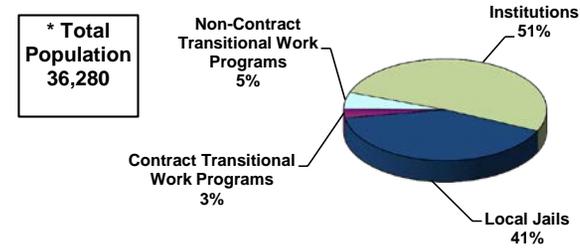


This document represents a demographic snapshot of the adult inmates in the state correctional system on June 30, 2016

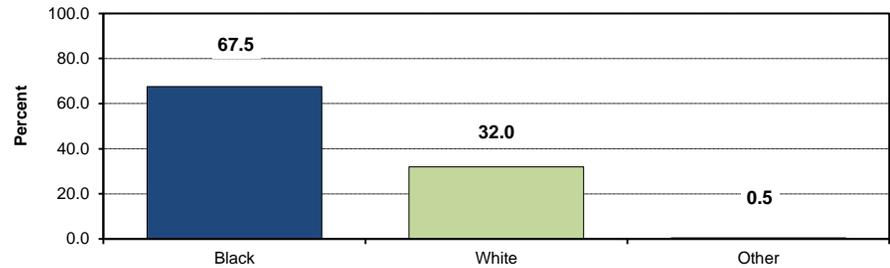
Presently there are 18,612 adult inmates incarcerated in state prison facilities, an additional 17,668 adults, which includes 1,946 adults in non-contract transitional work programs, sentenced to the Department's custody and housed in local jails, and 1,022 adults in contract transitional work programs for a total of 36,280 DOC offenders.



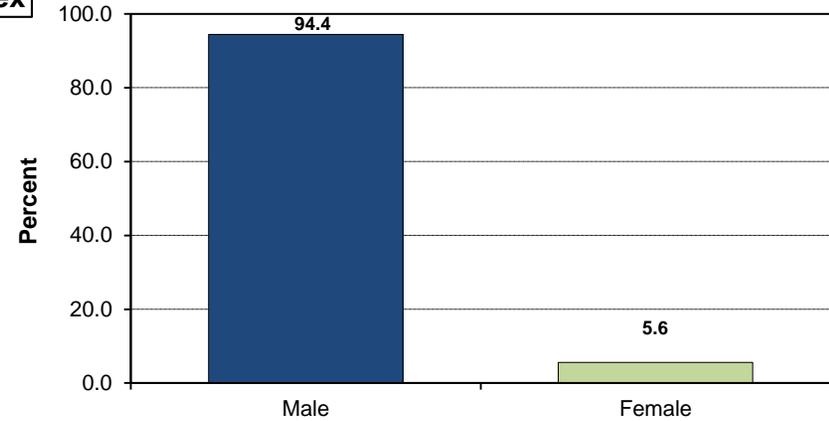
**Demographic Profiles of the
Adult Correctional Population**



Race



Sex

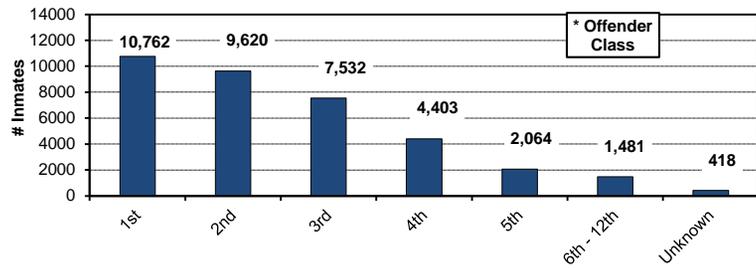
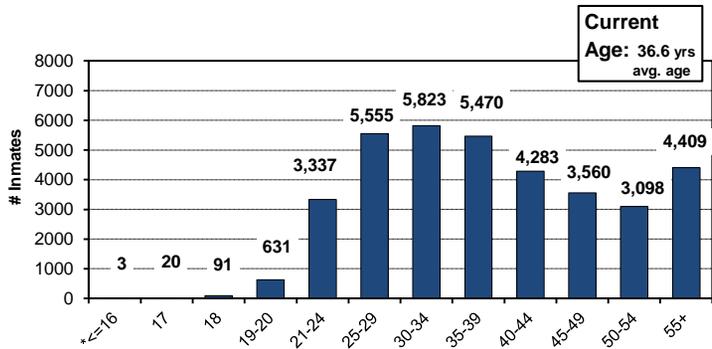


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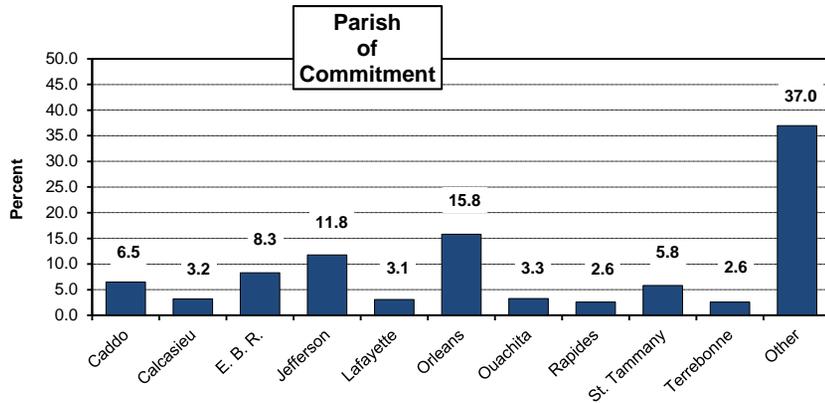
**Prepared By
Office of Management & Finance
Information Services
(225) 342-6544**



Demographic Profiles of the Adult Correctional Population



** Offender class is the number of sequential felonies committed for which an offender has been convicted



Demographic Profiles of the Adult Correctional Population

FACT SHEET
June 30, 2016

Most Serious Crime Commitment	Percent
Violent Crimes	44.8
Drug Crimes	22.1
Property Crimes	16.9
All Other Crimes	16.2

Average Maximum Years Sentenced						
Category	# Inmates in Total Pop	Avg. Max Sentence in Tot Pop	# Inmates in State Facilities	Avg. Max Sent. in State Facilities	# Inmates in Local Pop	Avg. Max Sent. In Local Pop
Total Population	36,280	16.4	18,612	23.5	17,668	8.6
Parole Eligible	8,229	17.2	3,569	29.8	4,660	7.6
Dim.Sent.Elignble	16,840	14.7	7,164	21.6	9,676	9.5

*(Includes Life computed as 21 years and Death as 13 years.)

Maximum Years Sentenced						
Years	# Inmates in Total Pop	% of Total Pop	# Inmates in State Facilities	% of State Pop	# Inmates in Local Pop	% of Local Pop
0-2	2047	5.6	237	1.3	1810	10.2
3-4	3208	8.8	517	2.8	2691	15.2
5-6	5148	14.2	1220	6.6	3928	22.2
7-10	7642	21.1	2583	13.9	5059	28.6
11-16	4731	13.0	2056	11.0	2675	15.1
17 - 20	2665	7.3	1741	9.4	924	5.2
>20 (Fixed Term)	5868	16.2	5292	28.4	576	3.3
Life	4895	13.5	4890	26.3	5	0.0
Death	76	0.2	76	0.4	0	0.0
Pending Calculation/ Re-calculation	0	0.0	0	0.0	0	0.0
	36280	100.0	18612	100.0	17668	100.0

Avg Sentence Length: 15.80 Yrs

*Avg Time Served: 5.73 Yrs

**Louisiana Department of Public Safety
and Corrections
Corrections Services**

**James M. Le Blanc
Secretary**

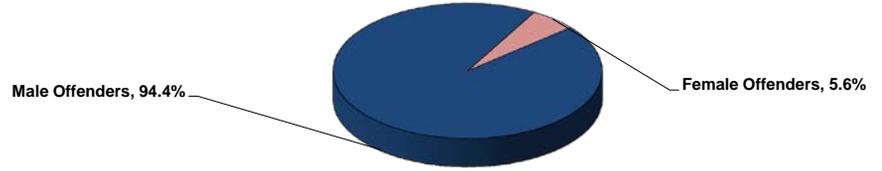
**FACT SHEET
June 30, 2016**



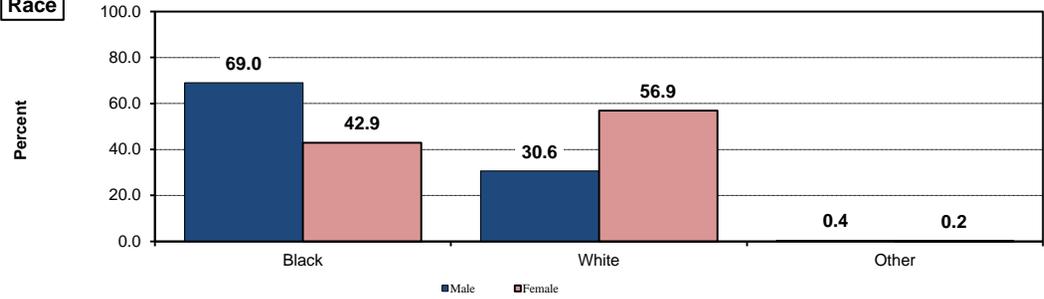
**Demographic Profiles of the
Adult Male and Female Correctional Populations**

**Male
Population:
34,236**

**Female
Population:
2,044**



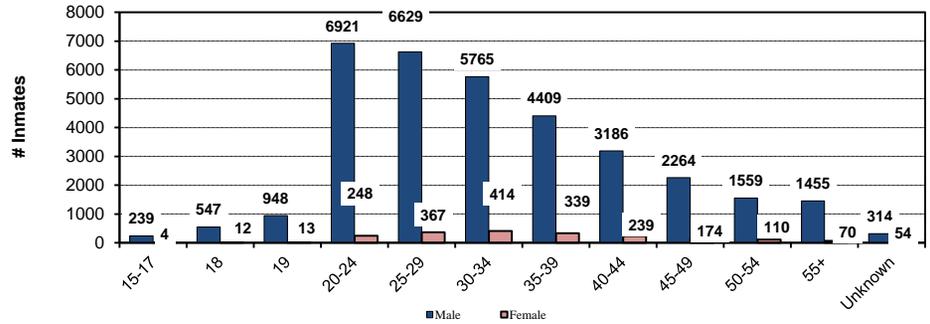
Race



This document represents a demographic snapshot of the 34,236 male offenders in the custody of the state correctional system and the 2,044 female offenders in the custody of the state correctional system on June 30, 2016.

**Male Age at Conviction
32.9 yrs Avg. Age**

**Female Age at Conviction
33.0 yrs Avg. Age**



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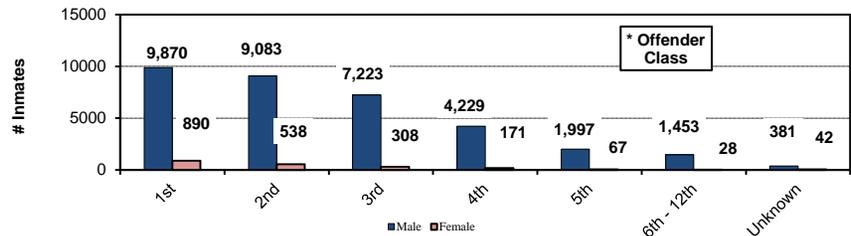
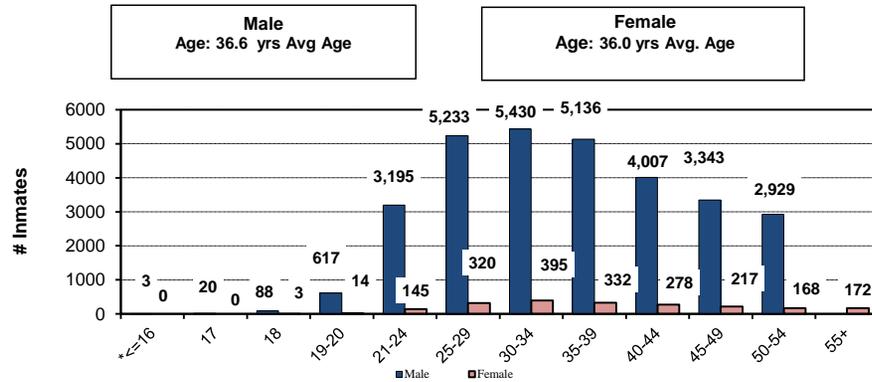


Demographic Profiles of the Adult Male and Female Correctional Populations

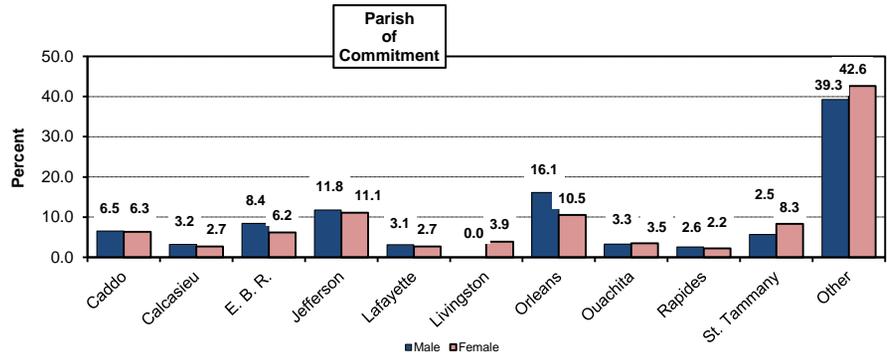


Demographic Profiles of the Adult Male and Female Correctional Populations

FACT SHEET
June 30, 2016



* Offender class is the number of sequential reoffenses committed for which an inmate has been convicted



Time Served (Yrs)	Percent of Male Population	Percent of Female Population
0-5	67.0	79.2
6-10	12.4	7.7
11-15	7.2	4.7
16 - 20	5.6	3.1
21 +	6.5	2.7
Unknown	1.3	2.6

*Avg time served of Male Pop: 5.88 yrs. Avg time served of Female Pop: 6.15 yrs.

Most Serious Commitment Crime	Percent of Male Population	Percent of Female Population
Violent Crimes	45.4	35.0
Drug Crimes	21.5	31.3
Property Crimes	16.7	21.5
All Other Crimes	16.4	12.2

Maximum Years Sentenced	# of Male Offenders	Percent of Male	# of Female Offenders	Percent of Female
0-2	1764	5.2	204	10.0
3-4	2800	8.2	357	17.5
5-6	4678	13.7	402	19.7
7-10	7181	21.0	396	19.4
11-16	4535	13.2	174	8.5
17 - 20	2569	7.5	111	5.4
>20 (Fixed Term)	5777	16.9	197	9.6
Life	4858	14.2	146	7.1
Death	74	0.2	2	0.1
Pending Calculation/ Re-calculation	0	0.0	55	2.7

Avg Sentence of Male Pop: 16.1Yrs

Avg Sentence of Female Pop: 10.90 Yrs

**Louisiana Department of Public Safety
and Corrections
Corrections Services**

**James M. Le Blanc
Secretary**

**FACT SHEET
June 30, 2016**



This document represents a demographic snapshot of the 18,612 offenders in state facilities and 17,668 offenders in local facilities on June 30, 2016.

Local facilities total includes all offenders housed in Transitional Work Programs.

- Series of Fact Sheets made available by LDPS&C:
- Demographic Profiles of the Adult Correctional Population
 - Demographic Profiles of Adult Offenders Housed in State and Local Facilities
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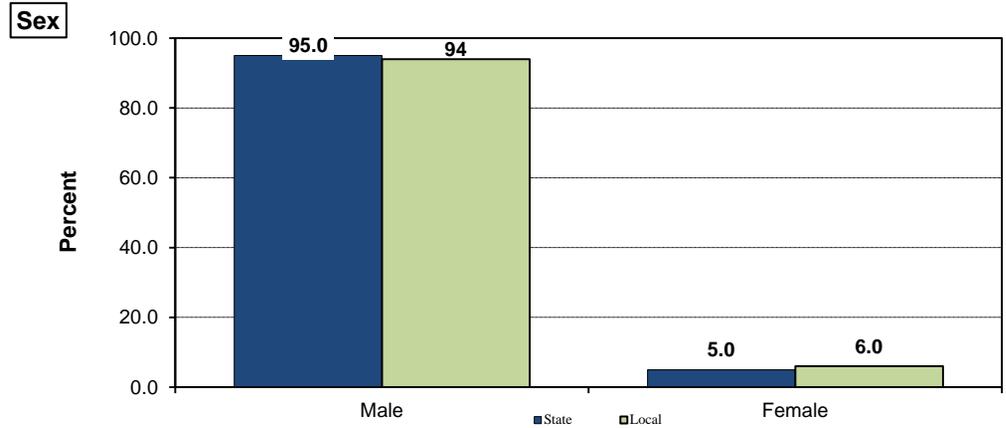
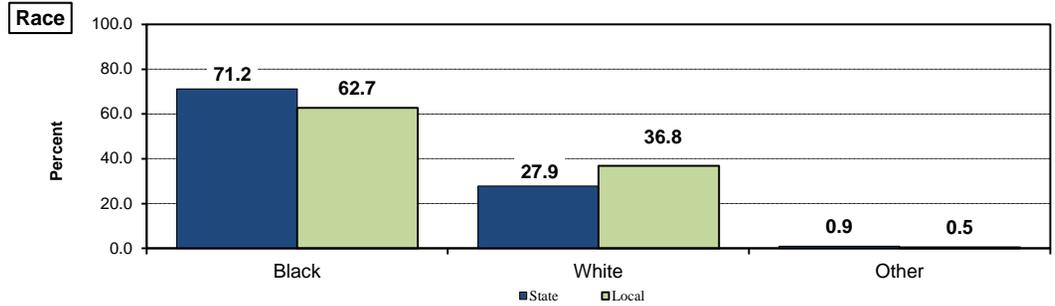
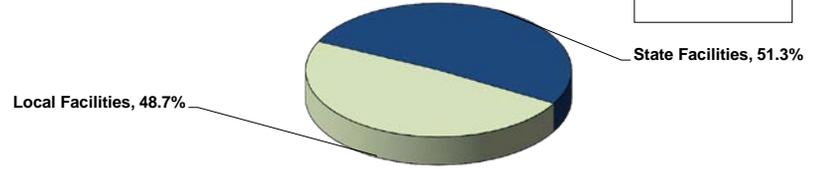
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**Demographic Profiles of
Adult Offenders Housed in State and Local Facilities**

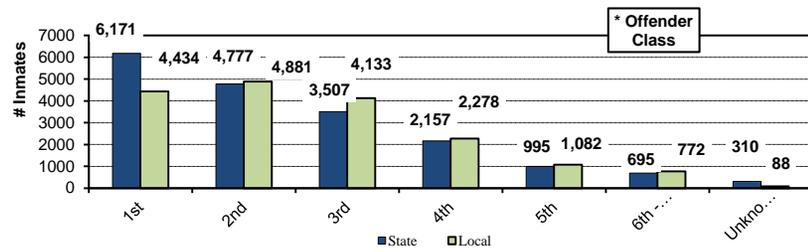
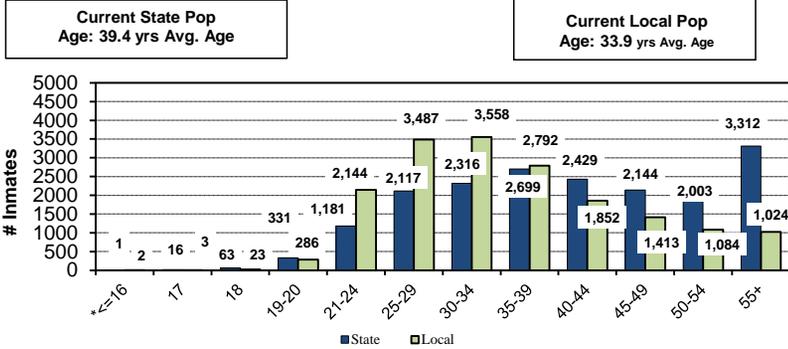
**Local Facilities
Population:
17,668**

**State Facilities
Population:
18,612**

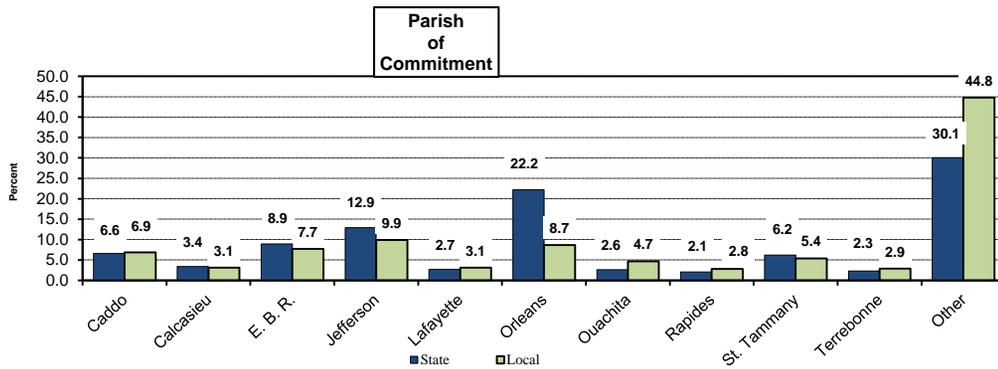




Demographic Profiles of Adult Offenders Housed in State and Local Facilities



** Offender class is the number of sequential felonies committed for which an inmate has been convicted



Demographic Profiles of Adult Offenders Housed in State and Local Facilities

FACT SHEET
June 30, 2016

Time Served (Yrs)	Percent of State Population	Percent of Local Population
0-5	49.0	89.8
6-10	17.2	6.3
11-15	11.4	1.8
16 - 20	9.5	0.9
21 +	11.7	0.2
Unknown	1.2	1.0

*Avg time served of State Pop: 9.09 yrs. *Avg time served of Local Pop: 1.98 yrs.

Most Serious Commitment Crime	Percent of State Population	Percent of Local Population
Violent Crimes	65.2	19.3
Drug Crimes	13.4	36.1
Property Crimes	9.6	23.5
All Other Crimes	11.8	21.1

Maximum Years Sentenced	# of State Offenders	Percent of State	# of Local Offenders	Percent of Local Population
0-2	237	1.3	1631	9.2
3-4	517	2.8	2642	15.0
5-6	1220	6.6	4003	22.7
7-10	2583	13.9	5201	29.4
11-16	2056	11.0	2728	15.4
17 - 20	1741	9.4	912	5.2
>20 (Fixed Term)	5292	28.4	546	3.1
Life	4890	26.3	5	0.0
Death	76	0.4	0	0.0
Pending Calculation/ Re-calculation	0	0.0	0	0.0

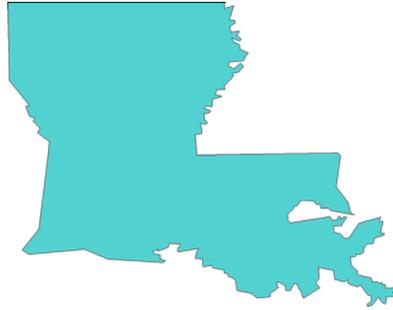
Avg Sentence of State Pop: 22.4 Yrs

Avg Sentence of Local Pop: 9.0 Yrs

**Louisiana Department of Public Safety
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Corrections Services**

**James M. Le Blanc
Secretary**

**FACT SHEET
June 30, 2016**



This document represents a demographic snapshot of the 2,968 offenders in transitional work programs on June 30, 2016.

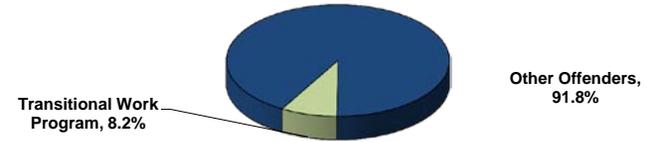
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 - Demographic Profiles of the Adult Sex Offender Probation and Parole Population
 - Demographic Profiles of the Adult Probation and Parole Population

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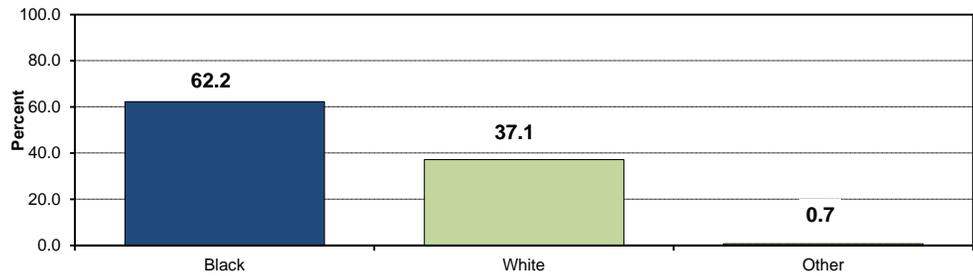


**Demographic Profiles of
Adult Offenders in Transitional Work Program**

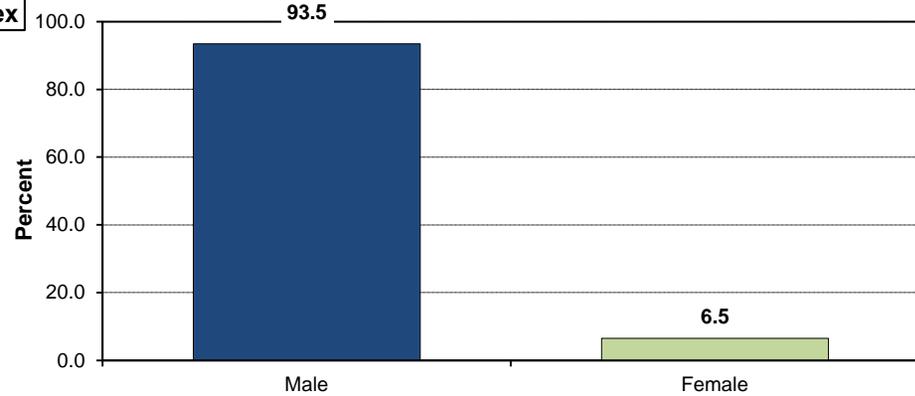
**Transitional Work Program
Population:
2,968**



Race



Sex



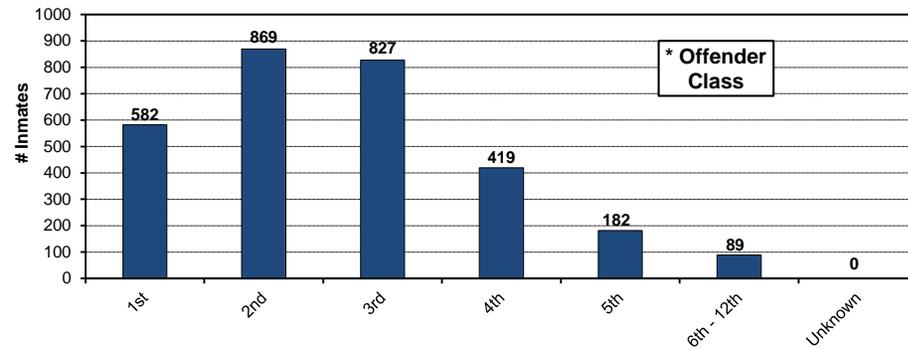
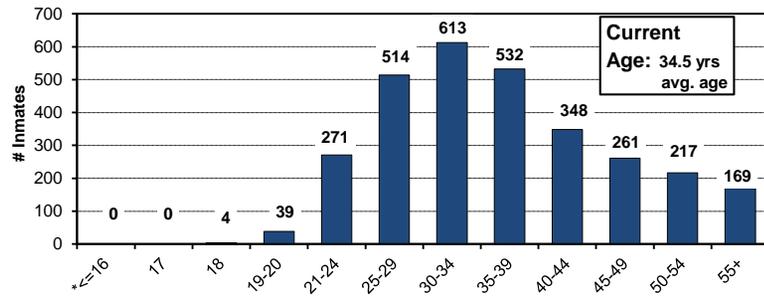


Demographic Profiles of Adult Offenders in Transitional Work Program

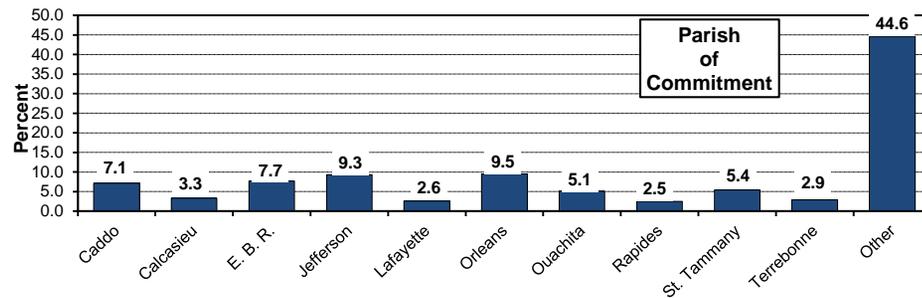


Demographic Profiles of Adult Offenders in Transitional Work Program

FACT SHEET
June 30, 2016



* Offender class is the number of sequential felonies committed for which an inmate has been convicted.



Time Served (Yrs)	Percent of Population
0-5	90.1
6-10	6.5
11-15	1.7
16 - 20	1.2
21 +	0.2
Unknown	0.3

*Average time served: 2.19yrs

Most Serious Commitment Crime	Percent
Violent Crimes	17.0
Drug Crimes	40.8
Property Crimes	21.2
All Other Crimes	21.1

Max Sent to be Served (Yrs)	# of Offenders	Percent of Population
0-2	49	1.7
3-4	284	9.6
5-6	665	22.4
7-10	1,081	36.4
11-16	600	20.2
17 - 20	197	6.6
>20 (Fixed Term)	93	3.1
Life	0	0.0
Death	0	0.0
Pending Calculation/ Re-calculation	0	0.0

Avg Sentence: 9.70 yrs

**Louisiana Department of Public Safety
and Corrections
Corrections Services**

**James M. Le Blanc
Secretary**

**FACT SHEET
June 30, 2016**



This document represents a demographic snapshot of the adult offenders in the custody of the state correctional system on June 30, 2016 serving death sentences.

Presently there are 74 adult male offenders and 2 adult female offenders incarcerated in state prison facilities, who received death sentences for violent crimes.

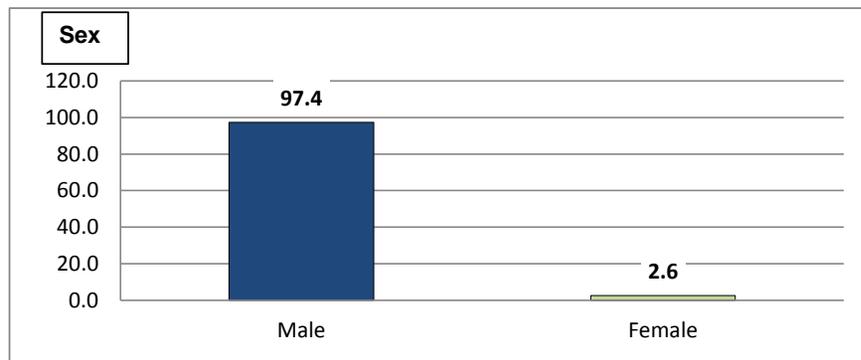
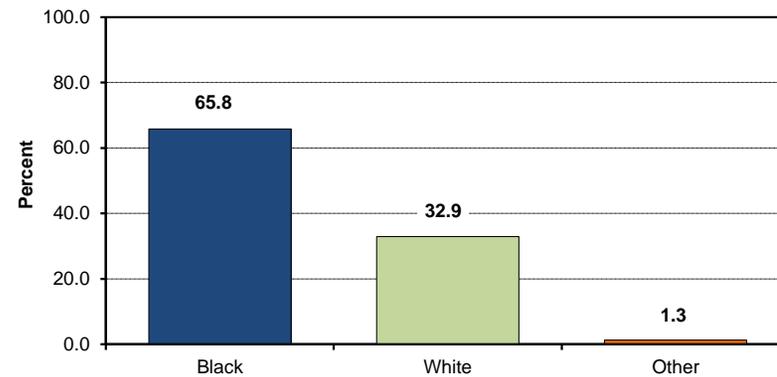
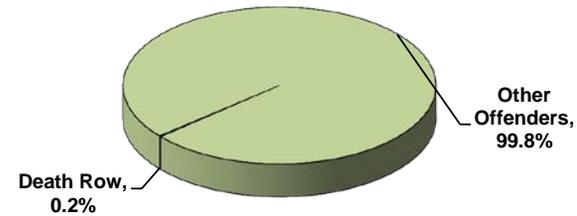
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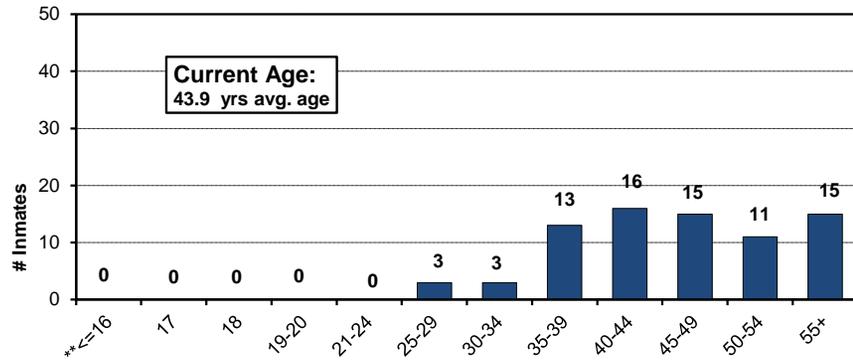
**Demographic Profiles of the
Death Row Correctional Population**

**Death Row
Population:
76**



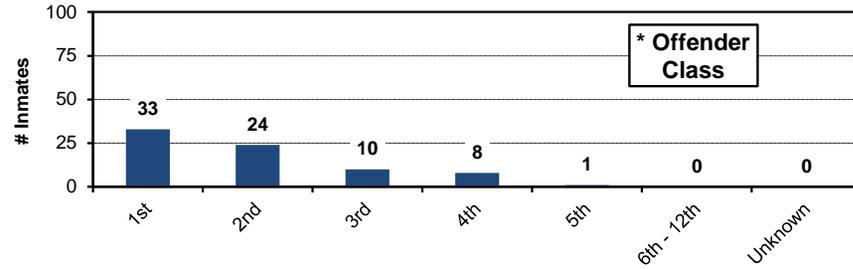


Demographic Profiles of the Death Row Correctional Population

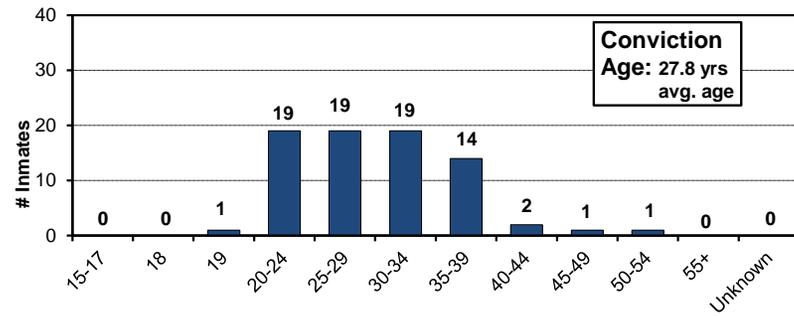
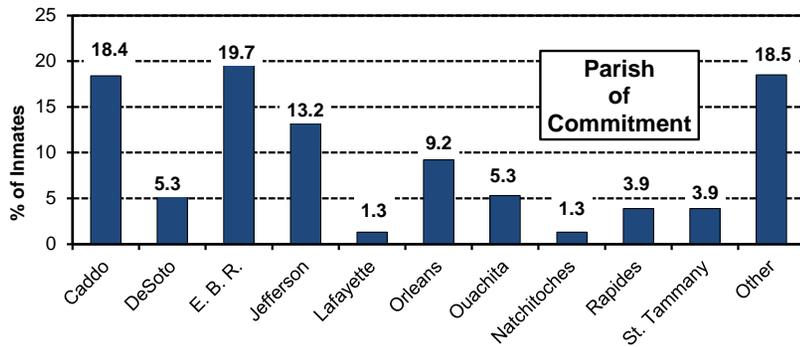


Demographic Profiles of the Death Row Correctional Population

FACT SHEET
June 30, 2016



* Offender class is the number of sequential felonies committed for which an offender has been convicted.



Time Served (Yrs)	Percent of Population
0-5	7.9
6-10	10.5
11-15	17.1
16 - 20	46.1
21-30	18.4
Unknown	0.0

*Average time served: 14.3 yrs.

**Louisiana Department of Public Safety
and Corrections
Corrections Services**

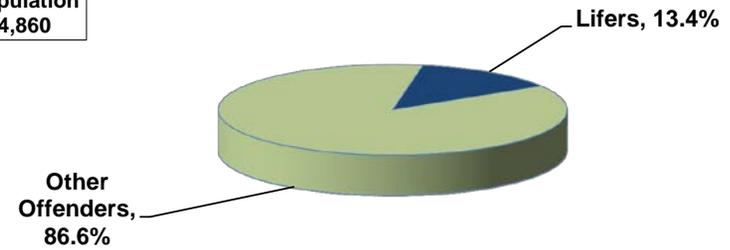
**James M. Le Blanc
Secretary**

**FACT SHEET
June 30, 2016**

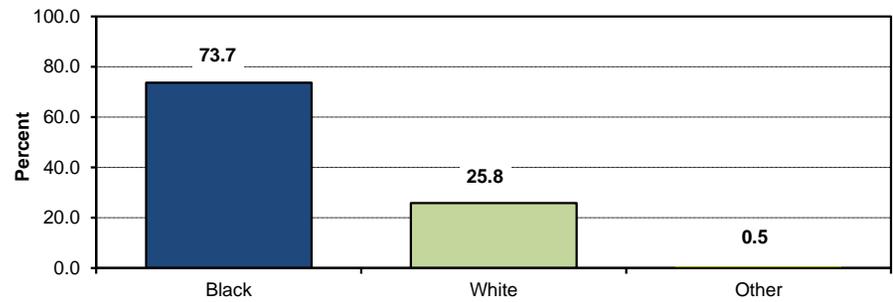


**Demographic Profiles of LIFERS
Adult Correctional Population**

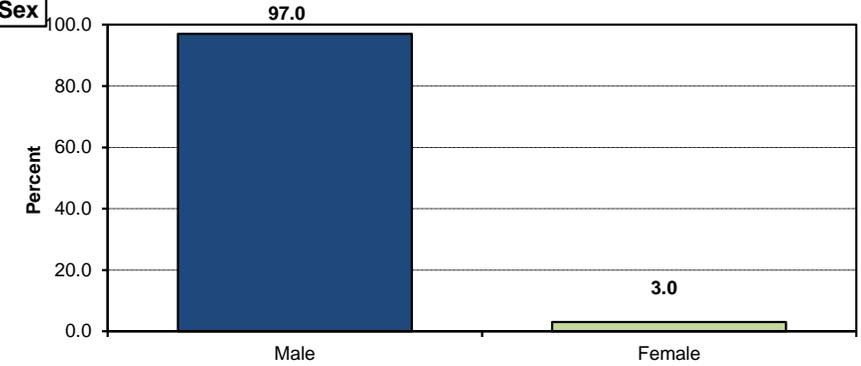
**LIFER
Population
4,860**



Race



Sex



This document represents a demographic snapshot of the adult offenders in the custody of the state correctional system on June 30, 2016 serving natural life sentences.

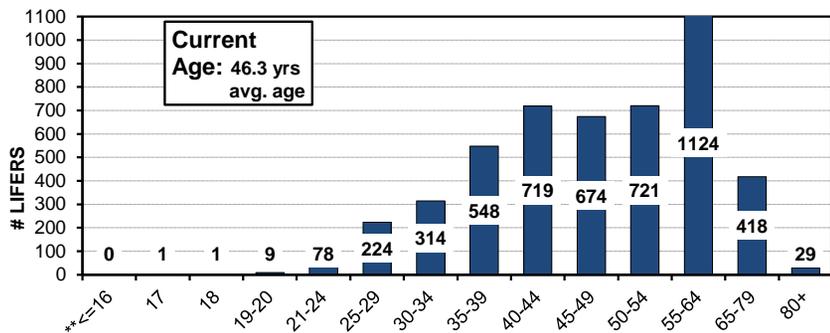
Presently there are 4,860 adult offenders incarcerated in state prison facilities with life sentences.

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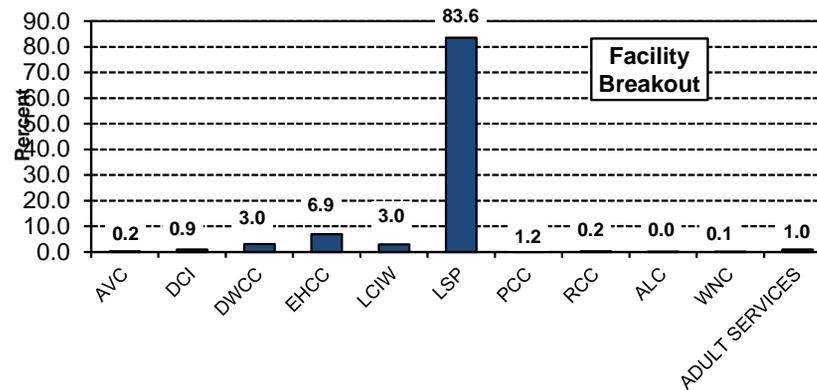
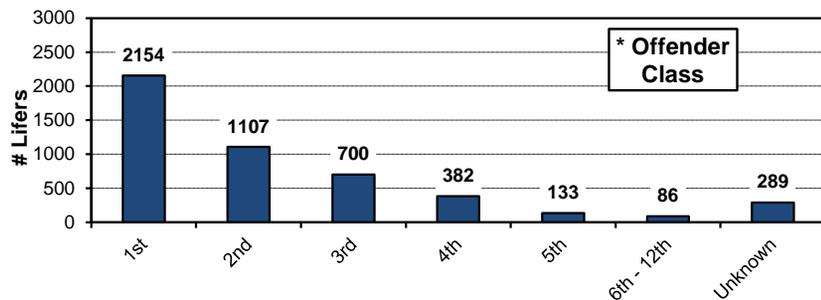
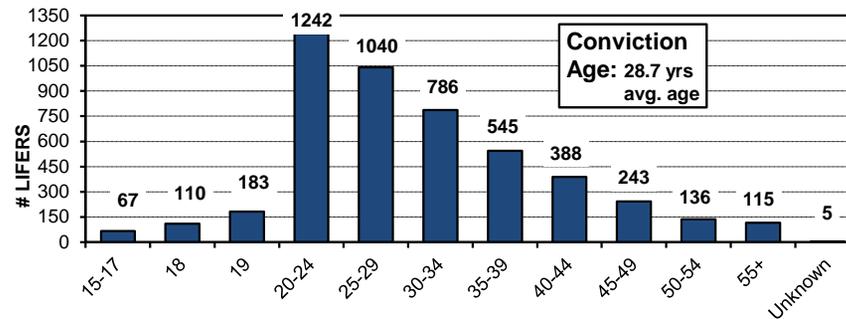


Demographic Profiles of LIFERS Adult Correctional Population

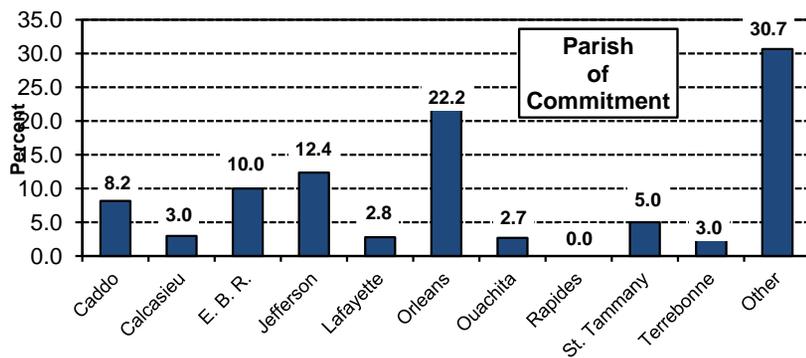


Demographic Profiles of LIFERS Adult Correctional Population

FACT SHEET
June 30, 2016



* Offender class is the number of sequential felonies committed for which an offender has been convicted



Most Serious Commitment Crime	Percent
Violent Crimes	94.6
Drug Crimes	3.2
Property Crimes	1.3
All Other Crimes	1.0

Time Served	Percent of Population
0-5	17.1
6-10	12.7
11-15	13.4
16 - 20	18.8
21-30	21.4
31-40	13.7
41+	2.8
Unknown	0.1

*Average time served: 16.0 yrs.

**Louisiana Department of Public Safety
and Corrections
Corrections Services**

**James M. Le Blanc
Secretary**

**FACT SHEET
June 30, 2016**



This document represents a demographic snapshot of the youthful offenders in the state correctional system on June 30, 2016.

Presently, there are 340 offenders who are youthful offenders housed in state prisons. The youthful offender population is composed of offenders who are currently 16, 17, 18 and 19 years of age and who were convicted in criminal court and sentenced to the custody of the Department.

Series of Fact Sheets made available by LDPS&C:

- Demographic Profiles of the Adult Correctional Population
- Demographic Profiles of Adult Offenders Housed in State and Local Facilities
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- Demographic Profiles of the Adult Sex Offender Probation and Parole Population

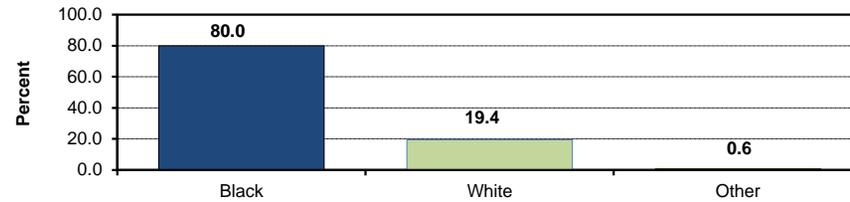
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(225) 342-6544**



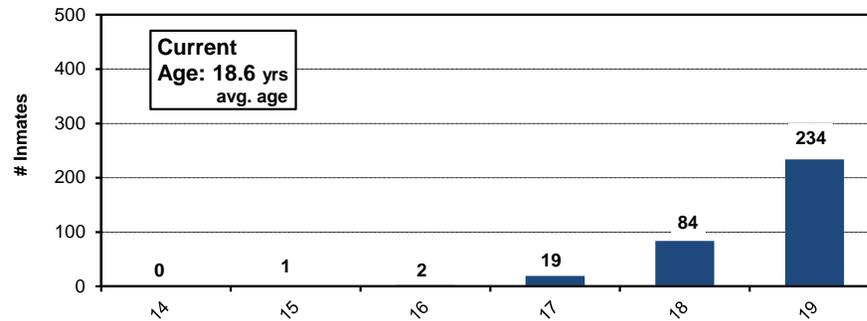
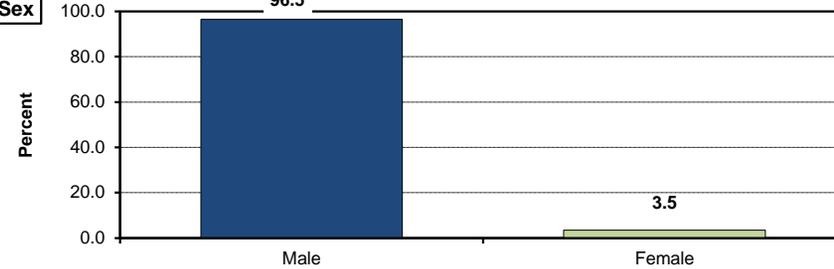
**Demographic Profiles of the
Youthful Offender Population**

**Youthful Offender
Population
340**

Race

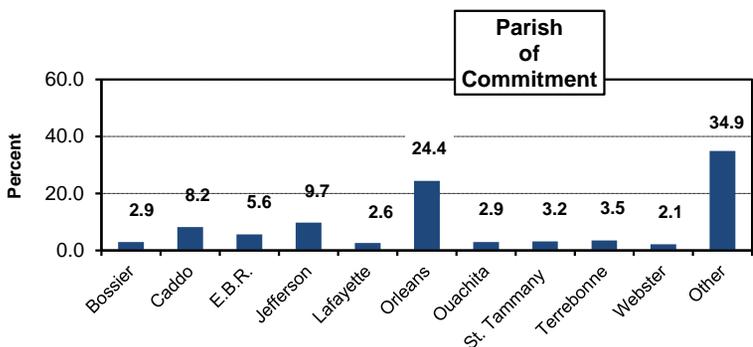
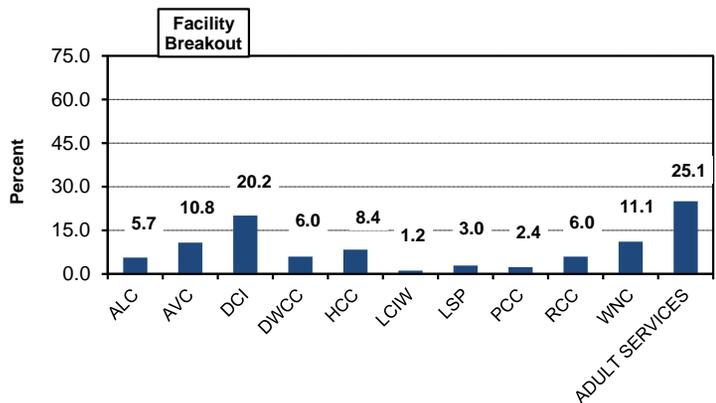
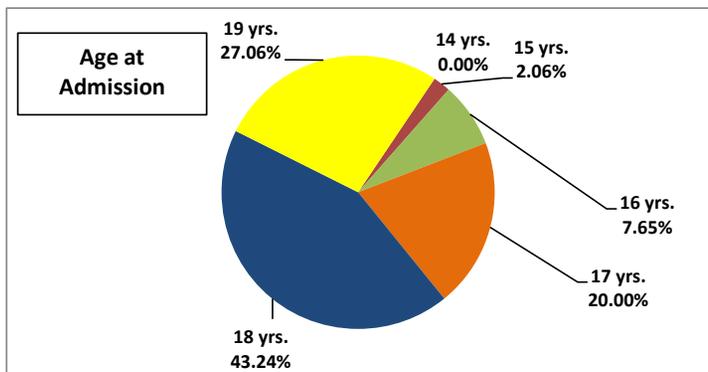


Sex



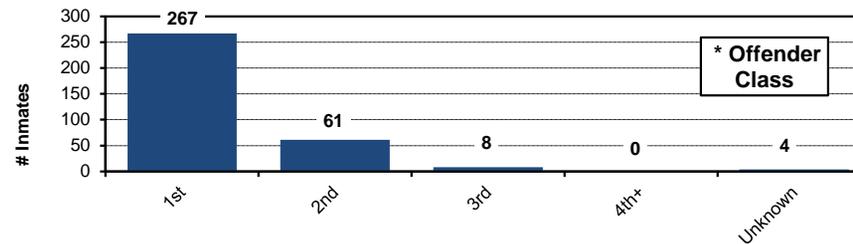


Demographic Profiles of the Youthful Offender Population



Demographic Profiles of the Youthful Offender Population

FACT SHEET
June 30, 2016

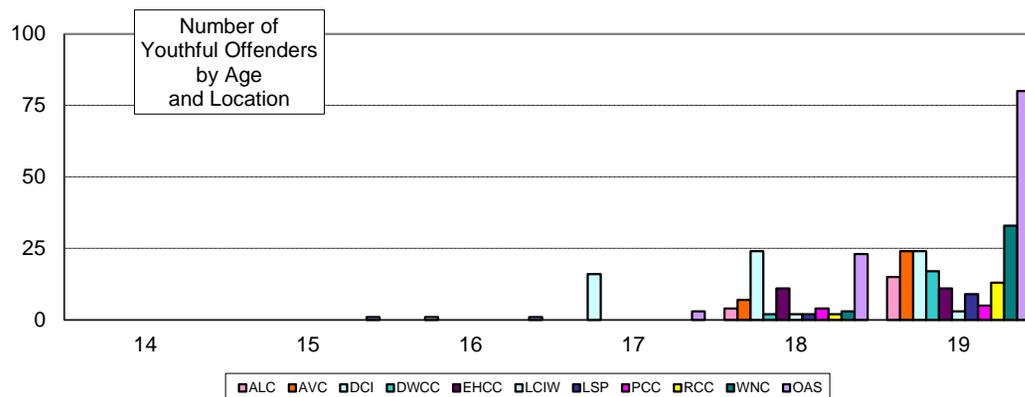


* Offender class is the number of sequential felonies committed for which an inmate has been convicted

Most Serious Commitment Crime	Percent
Violent Crimes	49.3
Drug Crimes	7.7
Property Crimes	32.3
All Other Crimes	10.7

Max Sent to be Served (YRS)	Percent of Population
0-2	16.2
3 - 4	20.0
5 - 6	22.6
7 - 10	23.3
11 - 16	7.3
17 - 20	2.1
>20 (Fixed Term)	5.0
Life	1.8
Death	0.0
Pending Calculation/Re-calculation	1.7

Avg Sentence: 7.5 yrs



**Louisiana Department of Public Safety
and Corrections
Corrections Services**

**James M. Le Blanc
Secretary**

**FACT SHEET
June 30, 2016**



This document represents a demographic snapshot of the geriatric population in the custody of the state correctional system on June 30, 2016

Presently there are 7,341 adult offenders in the custody of the state correctional system who fall within the age range of 50+ years (inclusive).

**As of December 31, 2013 the computation for life and death sentences is based on national standards by ASCA (see asca.net/projects/1 for calculation information). These sentences are now computed as 20 years.*

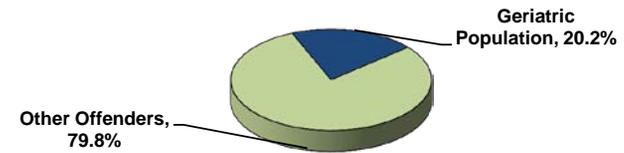
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 - Demographic Profiles of the Sex Offender Correctional Population
 - Demographic Profiles of the Adult Probation and Parole Population

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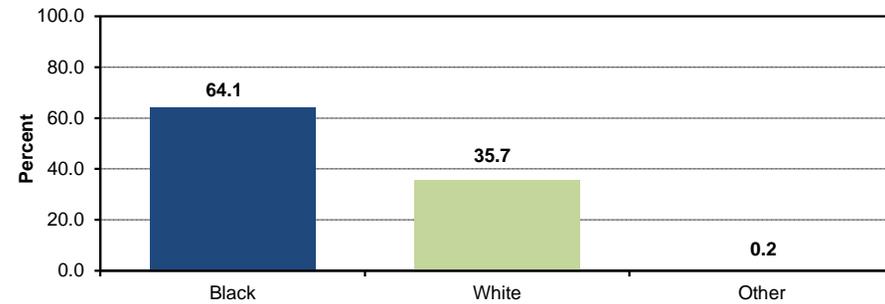


**Demographic Profiles of the
Geriatric Correctional Population**

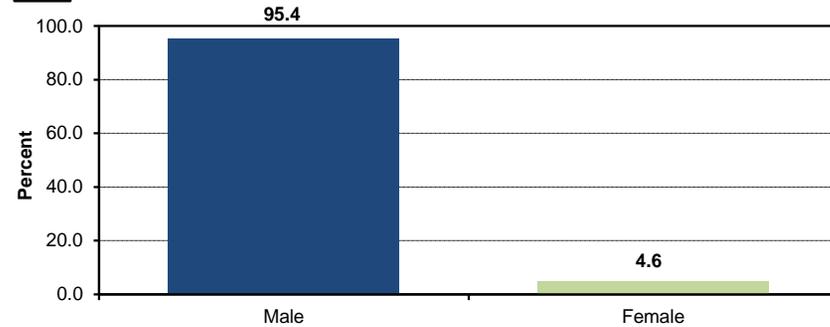
**Geriatric
Population
7,341**



Race

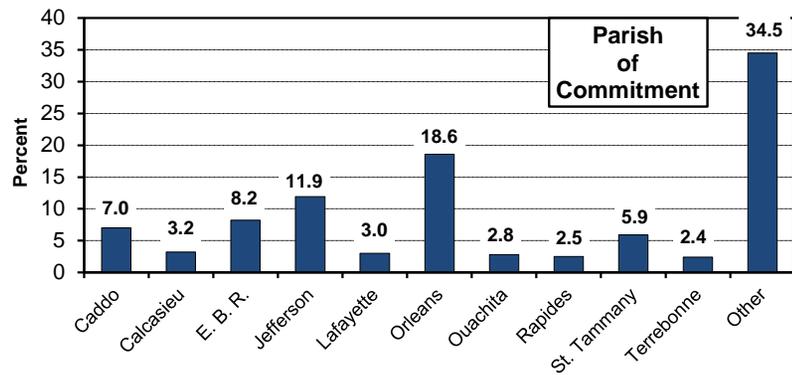
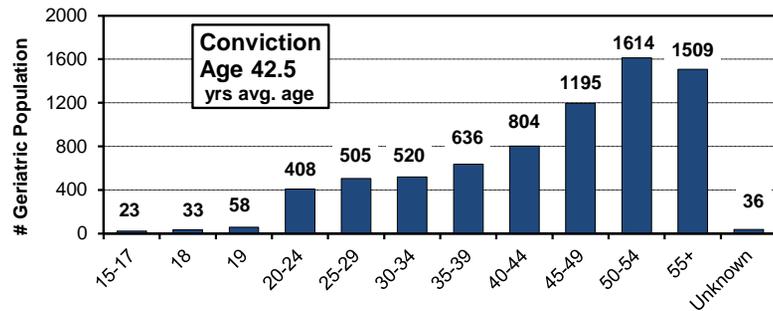
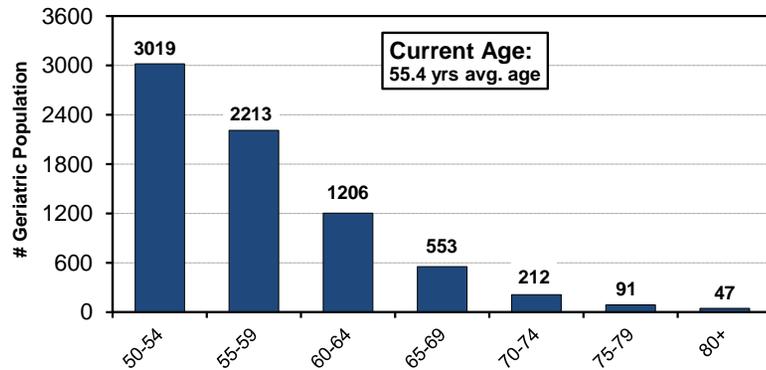


Sex



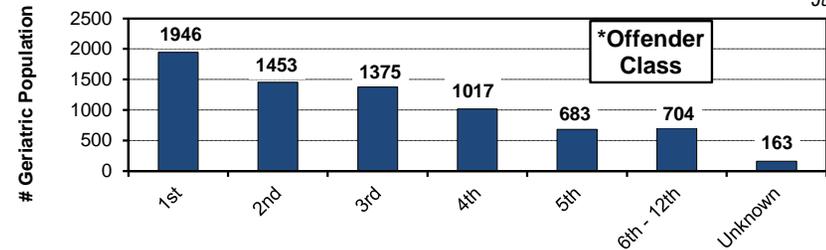


Demographic Profiles of the Geriatric Correctional Population

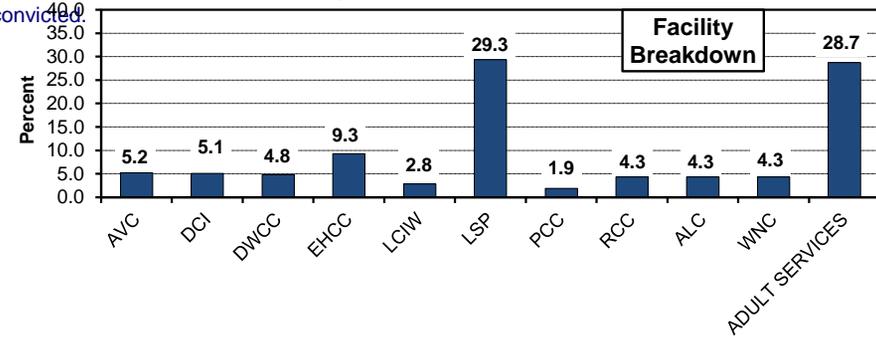


Demographic Profiles of the Geriatric Correctional Population

FACT SHEET
June 30, 2016



* Offender class is the number of sequential felonies committed for which an offender has been convicted.



Max Sent to be Served (Yrs)	Percent of Population
0-2	2.9
3-4	4.5
5-6	8.2
7-10	12.7
11-16	10.3
17 - 20	8.3
>20 (Fixed Term)	20.8
Life	31.4
Death	0.4
Pending Calculation/ Re-calculation	0.5
Avg Sentence: 22.40 Yrs	
100.0	

Most Serious Commitment Crime	Percent
Violent Crimes	52.5
Drug Crimes	14.5
Property Crimes	14.4
All Other Crimes	18.6

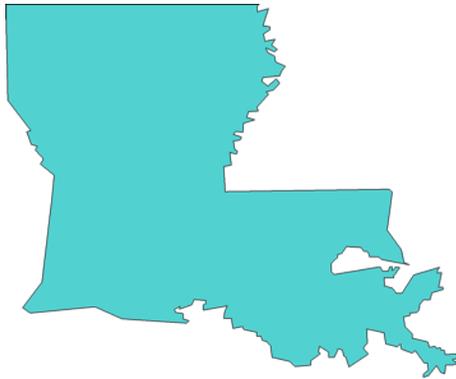
Time Served	Percent of Population
0-5	42.0
6-10	13.3
11-15	10.3
16 - 20	9.3
21-30	11.2
31-40	10.0
41+	1.9
Unknown	2.0

*Average time served: 12.2 yrs.

**Louisiana Department of Public Safety
and Corrections
Corrections Services**

**James M. Le Blanc
Secretary**

**FACT SHEET
June 30, 2016**



This document represents a demographic snapshot of the 2,044 female offenders in the custody of the state correctional system on June 30, 2016.

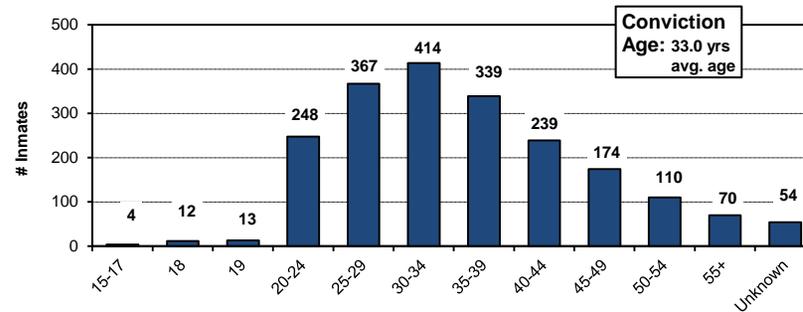
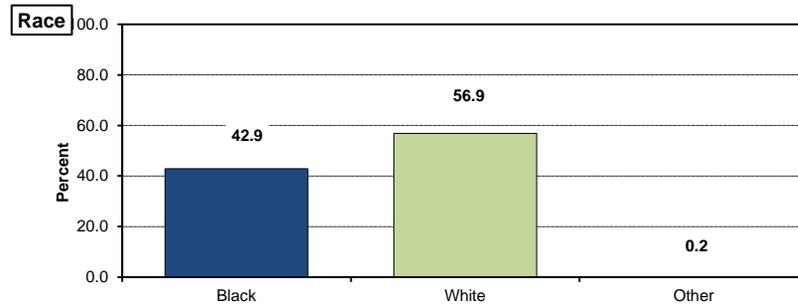
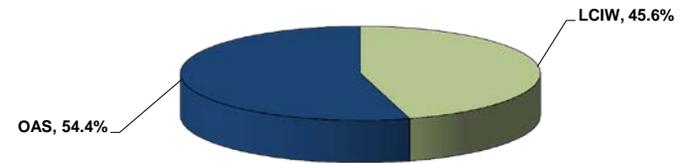
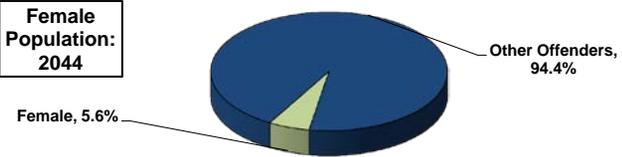
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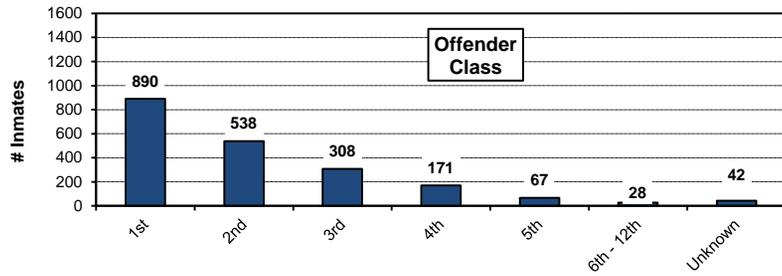
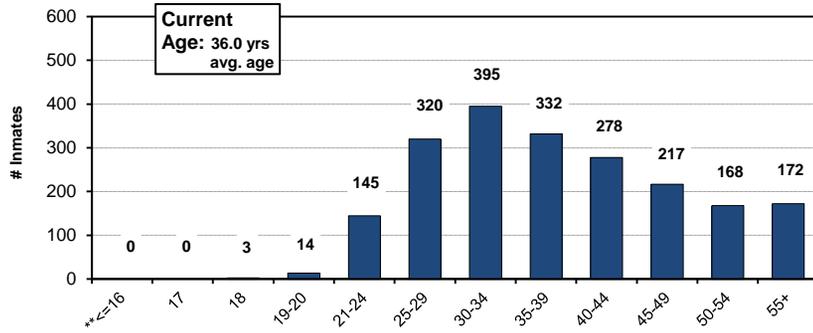
**Demographic Profiles of the
Female Correctional Population**

**Female
Population:
2044**

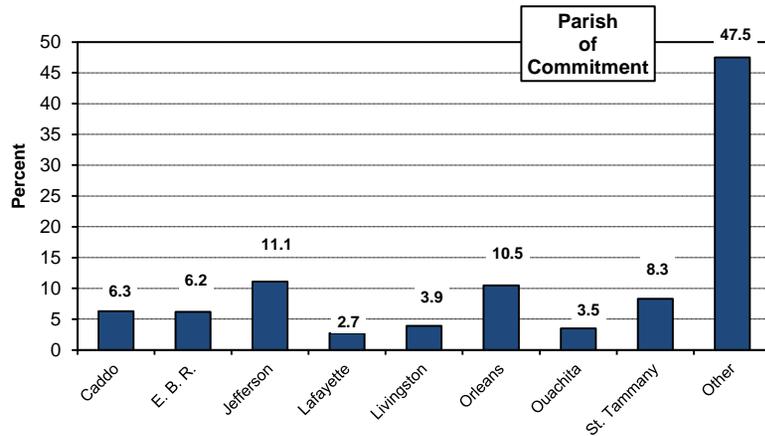




Demographic Profiles of the Female Correctional Population



** Offender class is the number of sequential felonies committed for which an offender has been convicted



Demographic Profiles of the Female Correctional Population

FACT SHEET
June 30, 2016

Most Serious Commitment Crime	Percent
Violent Crimes	35.0
Drug Crimes	31.3
Property Crimes	21.5
All Other Crimes	12.2

Time Served (Yrs)	Percent of Population
0-5	79.2
6-10	7.7
11-15	4.7
16 - 20	3.1
21 +	2.7
Unknown	2.6

*Average time served: 6.15 yrs.

Average Maximum Sentence						
Category	# Inmates in Total Pop	Avg. Max Sentence in Tot Pop	# Inmates in State Facilities	Avg. Max Sent. in State Facilities	# Inmates in Local Jails	Avg. Max Sent. In Local Jails
Total Population	2,044	10.9	932	15.3	1,112	6.9
Parole Eligible	716	8.7	273	13.4	443	5.7
Dim.Sent.Eligible	958	11.7	476	15.3	482	8.3

*(Includes Life computed as 21 and Death as 13 years.)

Maximum Years Sentenced						
Years	# Inmates in Total Pop	% of Total Pop	# Inmates in State Facilities	% of State Pop	# Inmates in Local Pop	% of Local Pop
0-2	204	10.0	37	4.0	167	15.0
3-4	356	17.4	93	10.0	263	23.7
5-6	402	19.7	149	16.0	253	22.8
7-10	396	19.4	179	19.2	217	19.5
11-16	174	8.5	83	8.9	91	8.2
17 - 20	111	5.4	73	7.8	38	3.4
>20 (Fixed Term)	197	9.6	171	18.3	26	2.3
Life	146	7.1	145	15.6	1	0.1
Death	2	0.1	2	0.2	0	0.0
Pending Calculation/ Re-calculation	56	2.7	0	0.0	56	5.0
	2044	100.0	932	100.0	1112	100.0

Avg Sentence Length: 10.90 Yrs

**Louisiana Department of Public Safety
and Corrections
Corrections Services**

**James M. Le Blanc
Secretary**

**FACT SHEET
June 30, 2016**



This document represents a demographic snapshot of the adult offenders in the custody of the state correctional system June 30, 2016, serving for sex offenses.

Presently there are 5,013 adult offenders incarcerated in state prison facilities, who received sentences for sex crimes.

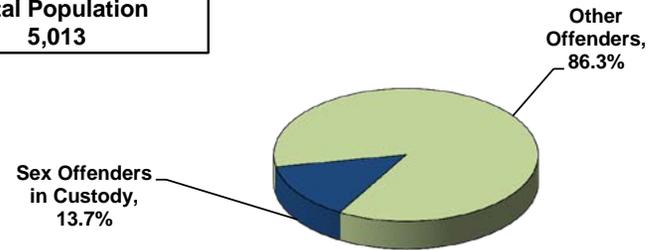
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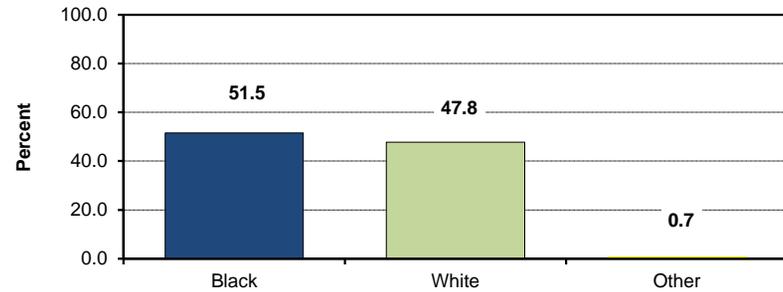


**Demographic Profiles of the
Sex Offenders in Custody Correctional Population**

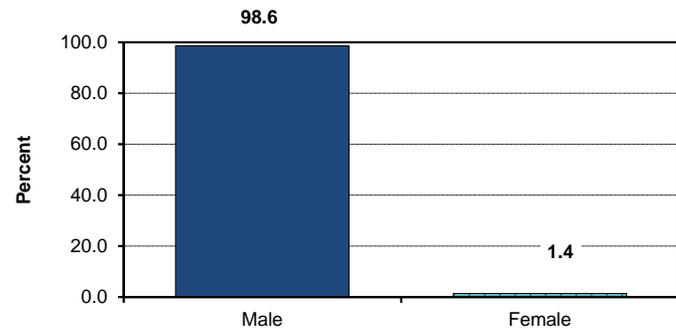
**Sex Offenders in Custody
Total Population
5,013**



Race

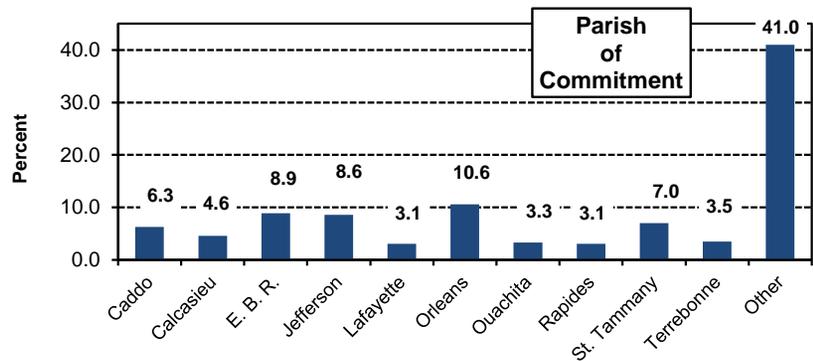
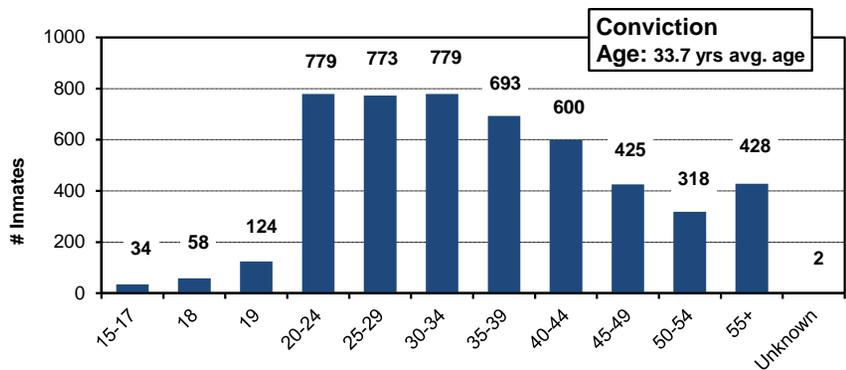
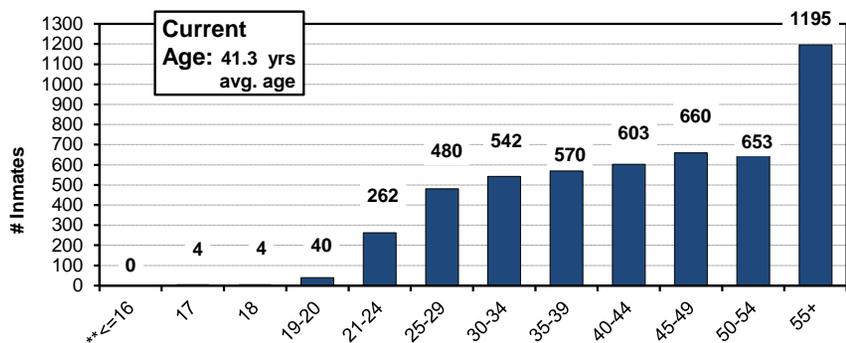


Sex



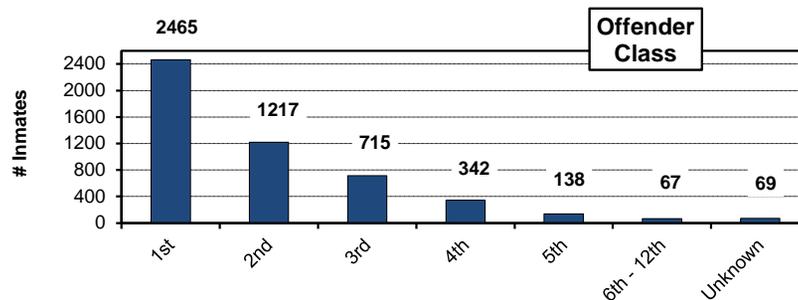


Demographic Profiles of the Sex Offenders in Custody Correctional Population



Demographic Profiles of the Sex Offenders in Custody Correctional Population

FACT SHEET
June 30, 2016



** Offender class is the number of sequential felonies committed for which an offender has been convicted

Time Served (Yrs)	Percent of Population
0-5	52.6
6-10	19.7
11-15	10.1
16 - 20	6.1
21 +	11.3
Unknown	0.2

*Average time served: 8.28 yrs.

Most Serious Commitment Crime	Percent
Violent Crimes	58.3
Drug Crimes	1.3
Property Crimes	1.9
All Other Crimes	38.6

**Louisiana Department of Public Safety
and Corrections
Corrections Services**

**James M. Le Blanc
Secretary**

**FACT SHEET
June 30, 2016**



This document represents a demographic snapshot of the adult offenders in the custody of the state correctional system on June 30, 2016 serving for habitual offenses.

Presently there are 5,590 adult offenders incarcerated in state prison facilities, who received sentences for habitual crimes.

- Series of Fact Sheets made available by LDPS&C:
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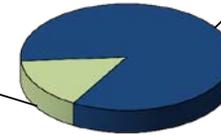


**Demographic Profiles of the
Population of Habitual Offenders**

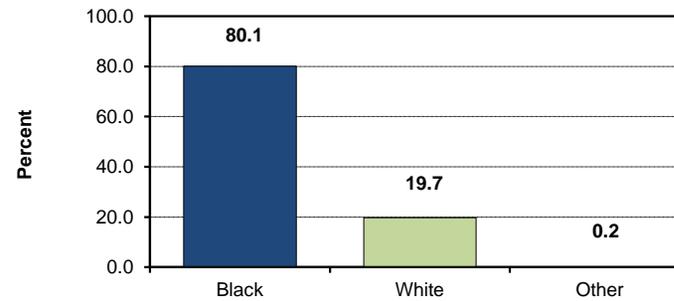
**Habitual Offender
Population
5,590**

**Other
Offenders,
30,690**

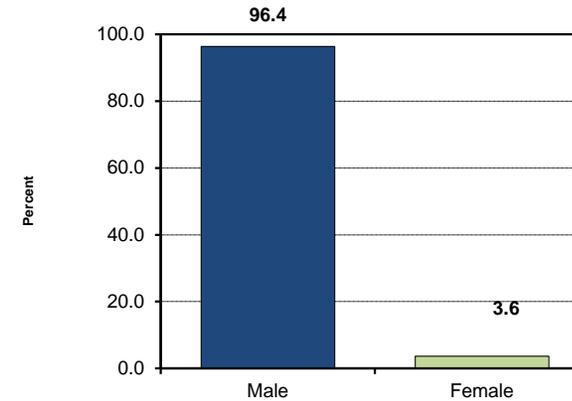
**Habitual
Offenders in
Custody,
5,590**



Race

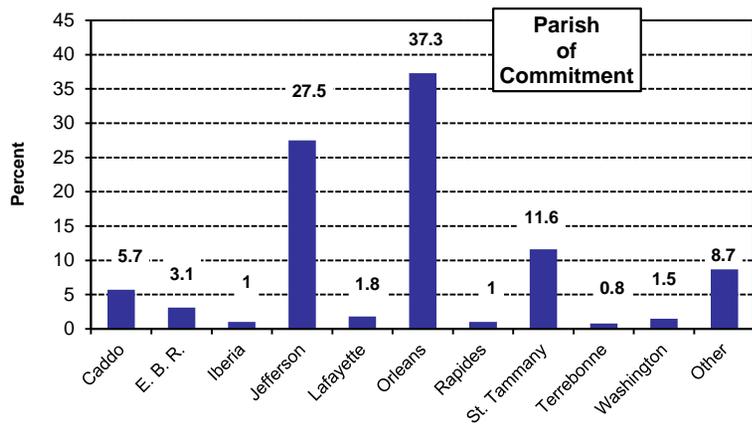
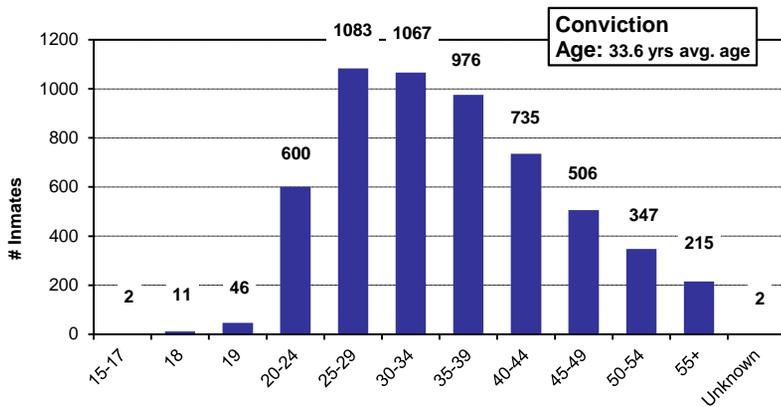
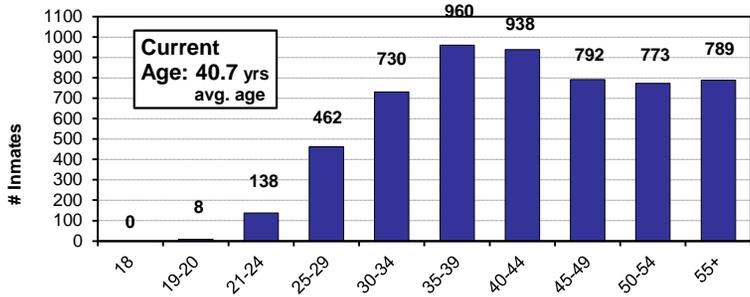


Sex



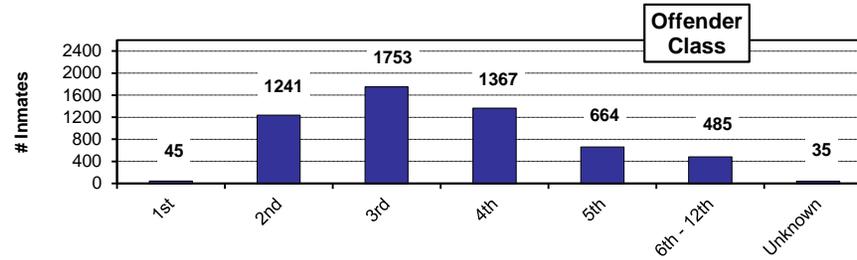


Demographic Profiles of the Population of Habitual Offenders



Demographic Profiles of the Population of Habitual Offenders

FACT SHEET
June 30, 2016



** Offender class is the number of sequential felonies committed for which an offender has been convicted

Time Served (Yrs)	Percent of Population
0-5	55.7
6-10	17.9
11-15	11.4
16 - 20	10.3
21 +	4.4
Unknown	0.3

*Average time served: 7.12 yrs.

Max Sent to be Served (Yrs)	# of Offenders	Percent of Population
0-2	29	0.5
3-4	238	4.3
5-6	693	12.4
7-10	1,069	19.2
11-16	802	14.4
17 - 20	567	10.2
>20 (Fixed Term)	1,504	27.0
Life	687	12.3
Death	1	0.0
Pending Calculation/ Re-calculation	0	0.0

Avg Sentence: 32.8 Yrs



**Demographic Profiles of the
Population of Habitual Offenders**

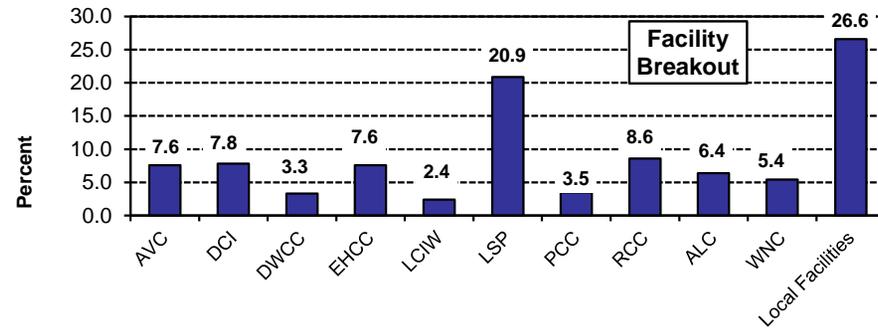
Crime Category	Percent On Offender
Violent Crimes	32.6
Drug Crimes	35.0
Property Crimes	21.3
All Other Crimes	11.1



**Demographic Profiles of the
Population of Habitual Offenders**

FACT SHEET

June 30, 2016



DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (PERCENT RETURN)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

OFFENDERS ARE TRACKED FOR A PERIOD OF TIME FROM DATE OF RELEASE BASED ON THE YEAR OF RETURN :

1st Year Returns: 12 months
2nd Year Returns: 24 months
3rd Year Returns: 36 months
4th Year Returns: 48 months
5th Year Returns: 60 months

RELEASE YR.:	1st Year (2014)	2nd Year (2013)	3rd Year (2012)	4th Year (2011)	5th Year (2010)
Total Population	15.2%	27.5%	35.3%	40.3%	42.2%
State Facilities	13.0%	25.4%	35.4%	40.5%	43.6%
Local Facilities	17.2%	30.3%	37.5%	42.0%	44.3%
Transitional Work Programs	11.5%	22.2%	31.2%	37.0%	37.1%
Impact	12.8%*	26.8%*	38.9%	41.7%	43.1%
Blue Walters	14.8%	31.3%	38.6%	44.6%	42.9%
Parole Board Releases	8.4%	18.8%	30.3%	29.2%	30.2%
Sex Offenders	9.3%	20.0%	26.5%	32.2%	40.2%
Education	8.6%	17.6%	32.9%	36.2%	39.2%
Female	9.4%	17.7%	24.7%	25.8%	28.1%

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (TOTAL POPULATION)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

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 2nd Year Returns: 24 months
 3rd Year Returns: 36 months
 4th Year Returns: 48 months
 5th Year Returns: 60 months

	Total Releases	1st Year Returns	%	2nd Year Returns	%	3rd Year Returns	%	4th Year Returns	%	5th Year Returns	%
2004	13,691	2,736	20.0%	4,374	31.9%	5,295	38.7%	5,892	43.0%	6,328	46.2%
2005	13,550	2,485	18.3%	4,188	30.9%	5,124	37.8%	5,762	42.5%	6,234	46.0%
2006	13,032	2,301	17.7%	3,827	29.4%	4,736	36.3%	5,376	41.3%	5,875	45.1%
2007	12,650	2,235	17.7%	3,732	29.5%	4,646	36.7%	5,265	41.6%	5,731	45.3%
2008	12,833	2,141	16.7%	3,676	28.6%	4,643	36.2%	5,277	41.1%	5,727	44.6%
2009	12,933	2,026	15.7%	3,579	27.7%	4,543	35.1%	5,103	39.5%	5,519	42.7%
2010	14,744	2,195	14.9%	4,055	27.5%	5,135	34.8%	5,777	39.2%	6,225	42.2%
2011	14,179	2,165	15.3%	4,005	28.2%	5,065	35.7%	5,713	40.3%		
2012	14,434	2,256	15.6%	4,061	28.1%	5,130	35.5%				
2013	15,209	2,349	15.4%	4,184	27.5%						
2014	14,988	2,272	15.2%								

STATE OFFENDERS RELEASED FROM ADULT FACILITIES, LOCAL JAIL FACILITIES, AND TRANSITIONAL WORK PROGRAMS.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (STATE FACILITIES)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

OFFENDERS ARE TRACKED FOR A PERIOD OF TIME FROM DATE OF RELEASE BASED ON THE YEAR OF RETURN :

1st Year Returns: 12 months
2nd Year Returns: 24 months
3rd Year Returns: 36 months
4th Year Returns: 48 months
5th Year Returns: 60 months

	Total Releases	1st Year Returns	%	2nd Year Returns	%	3rd Year Returns	%	4th Year Returns	%	5th Year Returns	%
2004	2,992	531	17.7%	911	30.4%	1,107	37.0%	1,246	41.6%	1,341	44.8%
2005	3,010	507	16.8%	924	30.7%	1,138	37.8%	1,287	42.8%	1,373	45.6%
2006	3,487	574	16.5%	969	27.8%	1,230	35.3%	1,413	40.5%	1,548	44.4%
2007	3,294	519	15.8%	950	28.8%	1,200	36.4%	1,357	41.2%	1,471	44.7%
2008	3,161	543	17.2%	924	29.2%	1,201	38.0%	1,360	43.0%	1,458	46.1%
2009	3,141	487	15.5%	871	27.7%	1,082	34.4%	1,188	37.8%	1,297	41.3%
2010	3,613	532	14.7%	1,009	27.9%	1,313	36.3%	1,458	40.4%	1,576	43.6%
2011	3,279	460	14.0%	923	28.1%	1,168	35.6%	1,328	40.5%		
2012	3,070	434	14.1%	859	28.0%	1,087	35.4%				
2013	3,268	434	13.3%	829	25.4%						
2014	3,089	401	13.0%								

STATE OFFENDERS RELEASED FROM ADULT INSTITUTIONS.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (LOCAL FACILITIES)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

OFFENDERS ARE TRACKED FOR A PERIOD OF TIME FROM DATE OF RELEASE BASED ON THE YEAR OF RETURN :

- 1st Year Returns:** 12 months
- 2nd Year Returns:** 24 months
- 3rd Year Returns:** 36 months
- 4th Year Returns:** 48 months
- 5th Year Returns:** 60 months

	Total Releases	1st Year Returns	%	2nd Year Returns	%	3rd Year Returns	%	4th Year Returns	%	5th Year Returns	%
2004	7,536	1,771	23.5%	2,646	35.1%	3,121	41.4%	3,434	45.6%	3,674	48.8%
2005	7,114	1,472	20.7%	2,313	32.5%	2,783	39.1%	3,121	43.9%	3,374	47.4%
2006	5,941	1,257	21.2%	1,943	32.7%	2,357	39.7%	2,647	44.6%	2,868	48.3%
2007	5,776	1,246	21.6%	1,915	33.2%	2,309	40.0%	2,613	45.2%	2,828	49.0%
2008	6,184	1,163	18.8%	1,906	30.8%	2,351	38.0%	2,645	42.8%	2,873	46.5%
2009	6,670	1,174	17.6%	1,980	29.7%	2,477	37.1%	2,796	41.9%	2,996	44.9%
2010	7,750	1,329	17.1%	2,307	29.8%	2,842	36.7%	3,196	41.2%	3,432	44.3%
2011	7,801	1,382	17.7%	2,360	30.3%	2,923	37.5%	3,280	42.0%		
2012	8,401	1,514	18.0%	2,551	30.4%	3,154	37.5%				
2013	9,019	1,607	17.8%	2,731	30.3%						
2014	9,153	1,572	17.2%								

STATE OFFENDERS RELEASED FROM LOCAL FACILITIES .

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (TRANSITIONAL WORK PROGRAMS)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

OFFENDERS ARE TRACKED FOR A PERIOD OF TIME FROM DATE OF RELEASE BASED ON THE YEAR OF RETURN :

1st Year Returns: 12 months
2nd Year Returns: 24 months
3rd Year Returns: 36 months
4th Year Returns: 48 months
5th Year Returns: 60 months

	Total Releases	1st Year Returns	%	2nd Year Returns	%	3rd Year Returns	%	4th Year Returns	%	5th Year Returns	%
2004	2,440	358	14.7%	659	27.0%	845	34.6%	962	39.4%	1,040	42.6%
2005	2,732	432	15.8%	800	29.3%	1,009	36.9%	1,138	41.7%	1,247	45.6%
2006	3,024	406	13.4%	795	26.3%	997	33.0%	1,138	37.6%	1,266	41.9%
2007	3,193	415	13.0%	760	23.8%	995	31.2%	1,128	35.3%	1,320	41.3%
2008	3,036	399	13.1%	764	25.2%	974	32.1%	1,147	37.8%	1,253	41.3%
2009	2,736	328	12.0%	662	24.2%	877	32.1%	990	36.2%	1,084	39.6%
2010	2,957	313	10.6%	674	22.8%	876	29.6%	1,008	34.1%	1,098	37.1%
2011	2,802	301	10.7%	678	24.2%	915	32.7%	1,037	37.0%		
2012	2,738	302	11.0%	628	22.9%	853	31.2%				
2013	2,860	322	11.3%	635	22.2%						
2014	2,846	326	11.5%								

STATE OFFENDERS RELEASED FROM TRANSITIONAL WORK PROGRAMS.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (IMPACT GRADUATES)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

OFFENDERS ARE TRACKED FOR A PERIOD OF TIME FROM DATE OF RELEASE BASED ON THE YEAR OF RETURN :

1st Year Returns: 12 months
2nd Year Returns: 24 months
3rd Year Returns: 36 months
4th Year Returns: 48 months
5th Year Returns: 60 months

	Total Releases	1st Year Returns	%	2nd Year Returns	%	3rd Year Returns	%	4th Year Returns	%	5th Year Returns	%
2004	256	24	9.4%	65	25.4%	98	38.3%	121	47.3%	135	52.7%
2005	225	19	8.4%	55	24.4%	77	34.2%	89	39.6%	100	44.4%
2006	175	16	9.1%	44	25.1%	60	34.3%	72	41.1%	82	46.9%
2007	181	23	12.7%	46	25.4%	59	32.6%	73	40.3%	80	44.2%
2008	236	13	5.5%	46	19.5%	72	30.5%	89	37.7%	103	43.6%
2009	245	33	13.5%	66	26.9%	97	39.6%	116	47.3%	124	50.6%
2010	253	19	7.5%	54	21.3%	84	33.2%	101	39.9%	109	43.1%
2011	192	16	8.3%	49	25.5%	70	36.5%	80	41.7%		
2012	149	19	12.8%	40	26.8%	58	38.9%				

NUMBERS INCLUDE STATE OFFENDERS RELEASED THAT COMPLETED THE IMPACT PROGRAM AT EHCC, FWAVE, AND LCIW. IMPACT PROGRAM ENDED MAY 2013.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (BLUE WALTERS)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

OFFENDERS ARE TRACKED FOR A PERIOD OF TIME FROM DATE OF RELEASE BASED ON THE YEAR OF RETURN :

- 1st Year Returns:** 12 months
- 2nd Year Returns:** 24 months
- 3rd Year Returns:** 36 months
- 4th Year Returns:** 48 months
- 5th Year Returns:** 60 months

	Total Releases	1st Year Returns	%	2nd Year Returns	%	3rd Year Returns	%	4th Year Returns	%	5th Year Returns	%
2004	244	52	21.3%	93	38.1%	124	50.8%	130	53.3%	139	57.0%
2005	267	56	21.0%	101	37.8%	124	46.4%	139	52.1%	154	57.7%
2006	241	51	21.2%	83	34.4%	101	41.9%	115	47.7%	122	50.6%
2007	172	31	18.0%	60	34.9%	79	45.9%	88	51.2%	100	58.1%
2008	105	18	17.1%	34	32.4%	41	39.0%	52	49.5%	55	52.4%
2009	106	13	12.3%	29	27.4%	48	45.3%	49	46.2%	57	53.8%
2010	322	43	13.4%	88	27.3%	117	36.3%	128	39.8%	138	42.9%
2011	359	55	15.3%	108	30.1%	143	39.8%	160	44.6%		
2012	428	62	14.5%	120	28.0%	165	38.6%				
2013	550	87	15.8%	172	31.3%						
2014	445	66	14.8%								

INCLUDES OFFENDERS THAT PARTICIPATED IN BLUE WALTERS PRIOR TO RELEASE.

*BLUE WALTERS IS A SUBSTANCE ABUSE TREATMENT CENTER

**AUGUST 2005 ORLEANS/BLUE WALTERS PROGRAM IN NEW ORLEANS CLOSED

***TENSAS/BLUE WALTERS PROGRAM OPEN MAY 2004 TO JULY 2006.

****JULY 2006-JULY 2007 BLUE WALTERS PROGRAM TRANSFERRED TO SOUTH LOUISIANA CORRECTIONAL CENTER

*****JULY 2007 SOUTH LOUISIANA CORRECTIONAL CENTER RENAMED RICHWOOD

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (PAROLE BOARD RELEASES)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

OFFENDERS ARE TRACKED FOR A PERIOD OF TIME FROM DATE OF RELEASE BASED ON THE YEAR OF RETURN :

1st Year Returns: 12 months
2nd Year Returns: 24 months
3rd Year Returns: 36 months
4th Year Returns: 48 months
5th Year Returns: 60 months

	Total Releases	1st Year Returns	%	2nd Year Returns	%	3rd Year Returns	%	4th Year Returns	%	5th Year Returns	%
2004	1,048	158	15.1%	302	28.8%	383	36.5%	424	40.5%	454	43.3%
2005	1,004	152	15.1%	305	30.4%	382	38.0%	427	42.5%	454	45.2%
2006	1,015	113	11.1%	243	23.9%	309	30.4%	363	35.8%	398	39.2%
2007	1,119	137	12.2%	272	24.3%	364	32.5%	415	37.1%	453	40.5%
2008	620	52	8.4%	147	23.7%	188	30.3%	216	34.8%	237	38.2%
2009	378	34	9.0%	76	20.1%	101	26.7%	118	31.2%	130	34.4%
2010	371	22	5.9%	67	18.1%	94	25.3%	103	27.8%	112	30.2%
2011	391	29	7.4%	75	19.2%	104	26.6%	114	29.2%		
2012	696	59	8.5%	143	20.5%	211	30.3%				
2013	601	49	8.2%	113	18.8%						
2014	513	43	8.4%								

EXCLUDES: IMPACT GRADUATES

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (SEX OFFENDERS)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

OFFENDERS ARE TRACKED FOR A PERIOD OF TIME FROM DATE OF RELEASE BASED ON THE YEAR OF RETURN :

- 1st Year Returns:** 12 months
- 2nd Year Returns:** 24 months
- 3rd Year Returns:** 36 months
- 4th Year Returns:** 48 months
- 5th Year Returns:** 60 months

	Total Releases	1st Year Returns	%	2nd Year Returns	%	3rd Year Returns	%	4th Year Returns	%	5th Year Returns	%
2004	811	196	24.2%	293	36.1%	348	42.9%	387	47.7%	415	51.2%
2005	769	173	22.5%	252	32.8%	290	37.7%	326	42.4%	349	45.4%
2006	675	133	19.7%	202	29.9%	309	45.8%	363	53.8%	307	45.5%
2007	580	101	17.4%	159	27.4%	194	33.4%	229	39.5%	257	44.3%
2008	620	96	15.5%	150	24.2%	187	30.2%	219	35.3%	246	39.7%
2009	610	86	14.1%	139	22.8%	172	28.2%	188	30.8%	213	34.9%
2010	605	92	15.2%	155	25.6%	203	33.6%	229	37.9%	243	40.2%
2011	615	53	8.6%	120	19.5%	164	26.7%	198	32.2%		
2012	574	52	9.1%	112	19.5%	152	26.5%				
2013	664	72	10.8%	133	20.0%						
2014	602	56	9.3%								

STATE OFFENDERS RELEASED FROM ADULT INSTITUTIONS, LOCAL FACILITIES, AND TRANSITIONAL WORK PROGRAMS.

SEX OFFENSES A VIOLATION OF ANY PROVISION OF SUBPART C OF PART II, SUBPART B OF PART IV, OR SUBPART A(1) OR A(4) OF SUBPART V OF CHAPTER 1 OF TITLE 14 OF THE LOUISIANA REVISED STATUTES OF 1950.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (EDUCATION)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

OFFENDERS ARE TRACKED FOR A PERIOD OF TIME FROM DATE OF RELEASE BASED ON THE YEAR OF RETURN :

- 1st Year Returns:** 12 months
- 2nd Year Returns:** 24 months
- 3rd Year Returns:** 36 months
- 4th Year Returns:** 48 months
- 5th Year Returns:** 60 months

	Total Releases	1st Year Returns	%	2nd Year Returns	%	3rd Year Returns	%	4th Year Returns	%	5th Year Returns	%
2004	1,042	105	10.1%	252	24.2%	347	33.3%	416	39.9%	455	43.7%
2005	1,151	117	10.2%	264	22.9%	366	31.8%	430	37.4%	470	40.8%
2006	1,231	103	8.4%	243	19.7%	330	26.8%	396	32.2%	444	36.1%
2007	1,242	128	10.3%	261	21.0%	368	29.6%	434	34.9%	486	39.1%
2008	1,450	159	11.0%	333	23.0%	454	31.3%	540	37.2%	593	40.9%
2009	1,477	177	12.0%	351	23.8%	483	32.7%	544	36.8%	598	40.5%
2010	1,798	170	9.5%	383	21.3%	548	30.5%	634	35.3%	705	39.2%
2011	1,573	138	8.8%	366	23.3%	490	31.2%	570	36.2%		
2012	1,466	159	10.8%	340	23.2%	483	32.9%				
2013	1,444	107	7.4%	254	17.6%						
2014	1,268	109	8.6%								

STATE OFFENDERS RELEASED FROM ADULT INSTITUTIONS, LOCAL FACILITIES, AND TRANSITIONAL WORK PROGRAMS THAT HAVE COMPLETED AN EDUCATION CLASS WHILE INCARCERATED IN A STATE FACILITY.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (FEMALE RECIDIVISM)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

OFFENDERS ARE TRACKED FOR A PERIOD OF TIME FROM DATE OF RELEASE BASED ON THE YEAR OF RETURN :

1st Year Returns: 12 months
2nd Year Returns: 24 months
3rd Year Returns: 36 months
4th Year Returns: 48 months
5th Year Returns: 60 months

	Total Releases	1st Year Returns	%	2nd Year Returns	%	3rd Year Returns	%	4th Year Returns	%	5th Year Returns	%
2004	1,562	234	15.0%	354	22.7%	437	28.0%	488	31.2%	528	33.8%
2005	1,493	205	13.7%	337	22.6%	410	27.5%	468	31.3%	507	34.0%
2006	1,445	173	12.0%	298	20.6%	360	24.9%	400	27.7%	434	30.0%
2007	1,423	168	11.8%	281	19.7%	345	24.2%	390	27.4%	440	30.9%
2008	1,434	159	11.1%	271	18.9%	354	24.7%	404	28.2%	446	31.1%
2009	1,435	133	9.3%	242	16.9%	310	21.6%	355	24.7%	391	27.2%
2010	1,739	163	9.4%	310	17.8%	388	22.3%	445	25.6%	488	28.1%
2011	1,625	167	10.3%	295	18.2%	368	22.6%	420	25.8%		
2012	1,547	178	11.5%	303	19.6%	382	24.7%				
2013	1,662	171	10.3%	295	17.7%						
2014	1,663	156	9.4%								

FEMALE STATE OFFENDERS RELEASED FROM ADULT INSTITUTIONS, LOCAL FACILITIES, AND TRANSITIONAL WORK PROGRAMS.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (ALL PNP COMPLETIONS)

May 10, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

OFFENDERS ARE TRACKED FOR A PERIOD OF TIME FROM DATE OF RELEASE BASED ON THE YEAR OF RETURN :

- 1st Year Returns:** 12 months
- 2nd Year Returns:** 24 months
- 3rd Year Returns:** 36 months
- 4th Year Returns:** 48 months
- 5th Year Returns:** 60 months

	Total Releases	1st Year Returns	%	2nd Year Returns	%	3rd Year Returns	%	4th Year Returns	%	5th Year Returns	%
2004	16,717	716	4.3%	1,461	8.7%	2,120	12.7%	2,718	16.3%	3,288	19.7%
2005	17,543	631	3.6%	1,467	8.4%	2,209	12.6%	2,921	16.7%	3,535	20.2%
2006	18,557	679	3.7%	1,667	9.0%	2,540	13.7%	3,295	17.8%	3,890	21.0%
2007	17,185	743	4.3%	1,691	9.8%	2,545	14.8%	3,175	18.5%	3,691	21.5%
2008	17,299	723	4.2%	1,700	9.8%	2,495	14.4%	3,162	18.3%	3,721	21.5%
2009	18,266	783	4.3%	1,752	9.6%	2,652	14.5%	3,347	18.3%	3,841	21.0%
2010	18,757	753	4.0%	1,759	9.4%	2,673	14.3%	3,364	17.9%	3,917	20.9%
2011	19,264	873	4.5%	1,924	10.0%	2,795	14.5%	3,466	18.0%		
2012	19,004	866	4.6%	1,881	9.9%	2,690	14.2%				
2013	19,527	858	4.4%	1,834	9.4%						
2014	18,299	894	4.9%								

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (TOTAL POPULATION - CRIME TYPE)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

OFFENDERS ARE TRACKED FOR A PERIOD OF TIME FROM DATE OF RELEASE BASED ON THE YEAR OF RETURN :

1st Year Returns: 12 months
2nd Year Returns: 24 months
3rd Year Returns: 36 months
4th Year Returns: 48 months
5th Year Returns: 60 months

	Total Releases	1st Year Returns	%	2nd Year Returns	%	3rd Year Returns	%	4th Year Returns	%	5th Year Returns	%
2004	13,691	2,736	20.0%	4,374	31.9%	5,295	38.7%	5,892	43.0%	6,328	46.2%
2005	13,550	2,485	18.3%	4,188	30.9%	5,124	37.8%	5,762	42.5%	6,234	46.0%
2006	13,032	2,301	17.7%	3,827	29.4%	4,736	36.3%	5,376	41.3%	5,875	45.1%
2007	12,650	2,235	17.7%	3,732	29.5%	4,646	36.7%	5,265	41.6%	5,730	45.3%
2008	12,833	2,141	16.7%	3,676	28.6%	4,643	36.2%	5,277	41.1%	5,727	44.6%
2009	12,933	2,026	15.7%	3,579	27.7%	4,543	35.1%	5,103	39.5%	5,519	42.7%
2010	14,744	2,195	14.9%	4,055	27.5%	5,135	34.8%	5,777	39.2%	6,225	42.2%
2011	14,179	2,165	15.3%	4,005	28.2%	5,065	35.7%	5,713	40.3%		
2012	14,434	2,256	15.6%	4,061	28.1%	5,130	35.5%				
2013	15,209	2,349	15.4%	4,184	27.5%						
2014	14,988	2,272	15.2%								

	1st Year (2014)	2nd Year (2013)	3rd Year (2012)	4th Year (2011)	5th Year (2010)
PERCENT RETURNED WITHIN EACH RELEASE CRIME TYPE (Based on Last Full Year's Returns)					
VIOLENT CRIMES:	1.5%	2.7%	3.6%	4.2%	4.0%
DRUG CRIMES:	5.0%	9.8%	13.0%	16.1%	16.7%
PROPERTY CRIMES:	6.2%	10.5%	13.2%	14.0%	14.8%
ALL OTHER CRIMES:	2.6%	4.5%	5.6%	6.0%	6.7%

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STATE OFFENDERS RELEASED FROM ADULT INSTITUTIONS, LOCAL FACILITIES, AND WORK RELEASE CENTERS.
 CRIME TYPE IS THE CRIME THE OFFENDER SERVED TIME FOR AND THEN WAS RELEASED FROM INCARCERATION.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (TOTAL POPULATION - OFFENDER CLASS)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

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2014	14,988	2,272	15.2%								

	1st Year (2014)	2nd Year (2013)	3rd Year (2012)	4th Year (2011)	5th Year (2010)
PERCENT RETURNED BY CURRENT OFFENDER CLASS (Based on Last Full Year's Returns)					
1ST OFFENDER:	13.9%	11.5%	10.2%	8.2%	8.5%
2ND OFFENDER:	24.8%	27.0%	25.3%	24.6%	22.2%
3RD OFFENDER:	26.0%	26.2%	28.3%	27.6%	28.3%
4TH OFFENDER+:	35.1%	35.1%	36.2%	39.5%	40.9%
UNKNOWN:	0.2%	0.2%	0.0%	0.1%	0.1%

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

RECIDIVISM IN ADULT CORRECTIONS (TOTAL POPULATION - AGE)

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

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2005	13,550	2,485	18.3%	4,188	30.9%	5,124	37.8%	5,762	42.5%	6,234	46.0%
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2013	15,209	2,349	15.4%	4,184	27.5%						
2014	14,988	2,272	15.2%								

	1st Year (2014)	2nd Year (2013)	3rd Year (2012)	4th Year (2011)	5th Year (2010)
PERCENT RETURNED WITHIN EACH RELEASE AGE GROUP (Based on Last Full Year's Returns)					
<=16	0.0%	0.0%	0.0%	0.0%	0.0%
17	0.0%	0.0%	0.0%	0.0%	0.0%
18	0.1%	0.1%	0.2%	0.2%	0.2%
19 - 20	0.6%	1.0%	1.6%	1.5%	1.5%
21 - 24	2.7%	4.9%	5.8%	6.1%	6.4%
25 - 29	3.0%	5.8%	7.9%	9.4%	9.3%
30 - 34	3.0%	5.6%	7.2%	8.0%	7.7%
35 - 39	2.1%	3.3%	4.2%	4.9%	5.4%
40 - 44	1.3%	2.4%	3.3%	4.1%	4.9%
45 - 49	1.1%	2.1%	2.7%	3.4%	3.8%
50 - 54	0.7%	1.4%	1.7%	2.0%	2.1%
55+	0.5%	0.8%	0.8%	1.0%	1.0%

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

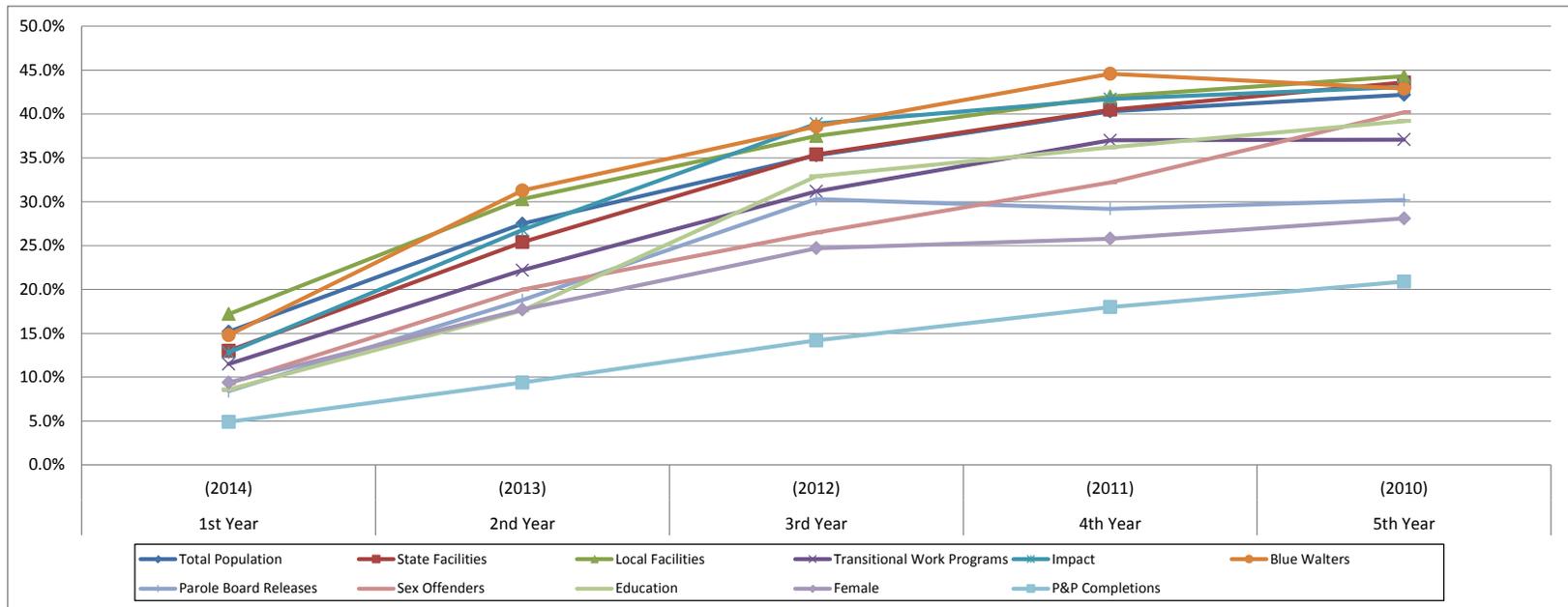
RECIDIVISM IN ADULT CORRECTIONS

March 18, 2016

RECIDIVISM: RETURN TO CUSTODY FOLLOWING CONVICTION FOR A NEW FELONY OR TECHNICAL REVOCATION OF SUPERVISION AFTER HAVING BEEN RELEASED FROM INCARCERATION THROUGH COMPLETED SENTENCE, RELEASED ON PAROLE, CONDITIONAL RELEASE, OR SPLIT PROBATION SENTENCE. OFFENDERS RELEASED TO A DETAINER, RELEASED IN ERROR, DECEASED, OR TRANSFERRED TO ANOTHER JURISDICTION ARE NOT INCLUDED. AN OFFENDER MAY BE RELEASED MULTIPLE TIMES BUT IS ONLY COUNTED ONCE PER RELEASE YEAR.

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**Department of Public Safety and Corrections
INCARCERATION ONLY : Admissions/Releases Comparison 1994-2015**

	1994			1995			1996			1997			1998			1999		
	admits	releases	net total	admits	releases	net total	admits	releases	net total	admits	releases	net total	admits	releases	net total	admits	releases	net total
Jan	1092	850	242	1041	963	78	1133	956	177	1198	994	204	1256	1058	198	1434	1147	287
Feb	856	781	75	974	885	89	1115	926	189	1115	921	194	1226	1020	206	1139	1142	-3
Mar	1083	919	164	1168	1016	152	1183	1040	143	1362	991	371	1387	1081	306	1468	1181	287
Apr	923	861	62	1095	932	163	1139	997	142	1332	1036	296	1401	1085	316	1316	1194	122
May	1105	903	202	1061	912	149	1278	1088	190	1362	1015	347	1342	1123	219	1357	1152	205
Jun	1027	957	70	1091	1015	76	1000	967	33	1230	1025	205	1318	1054	264	1251	1192	59
Jul	1051	895	156	981	948	33	1070	1026	44	1304	1076	228	1398	1142	256	1197	1284	-87
Aug	938	870	68	1146	957	189	1074	974	100	1245	1063	182	1281	1124	157	1335	1289	46
Sep	1114	891	223	1182	925	257	1135	964	171	1386	1104	282	1290	1147	143	1413	1255	158
Oct	1093	892	201	1053	1059	-6	1280	987	293	1350	1060	290	1231	1143	88	1257	1293	-36
Nov	969	875	94	1003	925	78	1018	963	55	1097	1059	38	1262	1095	167	1185	1082	103
Dec	813	943	-130	833	990	-157	1105	949	156	1075	1151	-76	1236	1176	60	1009	1140	-131
TOTAL	12064	10637	1427	12628	11527	1101	13530	11837	1693	15056	12495	2561	15628	13248	2380	15361	14351	1010

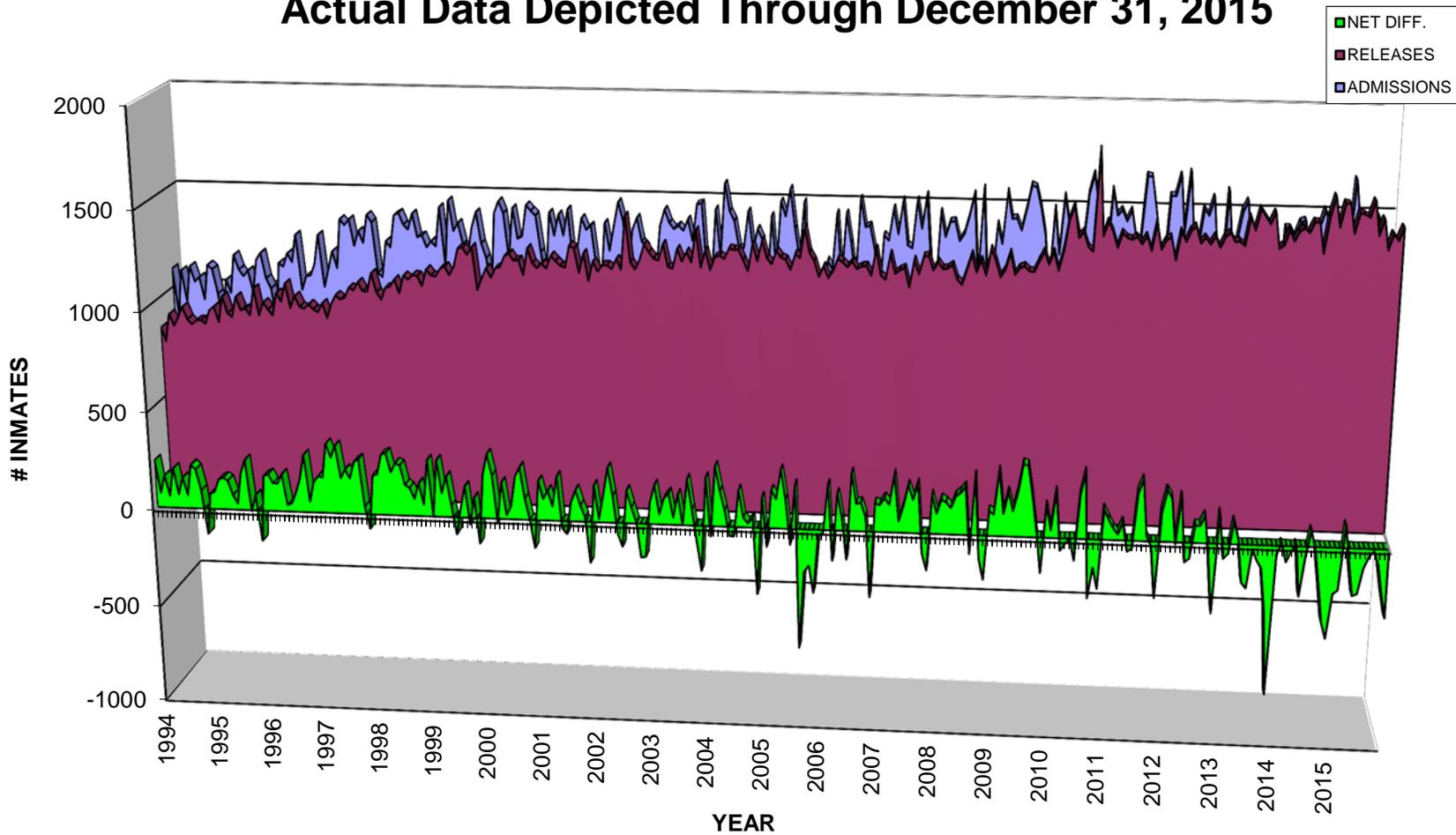
	2000			2001			2002			2003			2004			2005		
	admits	releases	net total	admits	releases	net total	admits	releases	net total	admits	releases	net total	admits	releases	net total	admits	releases	net total
Jan	1410	1191	219	1419	1220	199	1374	1188	186	1367	1259	108	1454	1210	244	1428	1275	153
Feb	1470	1144	326	1305	1196	109	1237	1220	17	1447	1250	197	1219	1273	-54	1150	1246	-96
Mar	1411	1191	220	1411	1260	151	1360	1220	140	1382	1331	51	1582	1281	301	1500	1310	190
Apr	1178	1198	-20	1307	1234	73	1479	1202	277	1352	1221	131	1446	1266	180	1427	1279	148
May	1437	1252	185	1437	1212	225	1388	1251	137	1370	1211	159	1399	1316	83	1564	1269	295
Jun	1285	1265	20	1166	1203	-37	1146	1201	-55	1345	1308	37	1264	1311	-47	1368	1220	148
Jul	1298	1231	67	1247	1313	-66	1344	1465	-121	1401	1248	153	1265	1313	-48	1217	1298	-81
Aug	1453	1235	218	1395	1298	97	1403	1238	165	1294	1296	-2	1448	1262	186	1501	1279	222
Sep	1426	1161	265	1338	1179	159	1285	1203	82	1477	1245	232	1258	1209	49	815	1427	-612
Oct	1403	1294	109	1359	1276	83	1259	1251	8	1482	1401	81	1362	1342	20	1089	1306	-217
Nov	1222	1221	1	1163	1141	22	1154	1327	-173	1142	1221	-79	1309	1259	50	1081	1266	-185
Dec	1053	1197	-144	1026	1236	-210	1119	1288	-169	1074	1305	-231	1019	1359	-340	866	1190	-324
TOTAL	16046	14580	1466	15573	14768	805	15548	15054	494	16133	15296	837	16025	15401	624	15006	15365	-359

	2006			2007			2008			2009			2010			2011		
	admits	releases	net total	admits	releases	net total	admits	releases	net total	admits	releases	net total	admits	releases	net total	admits	releases	net total
Jan	1213	1241	-28	1347	1204	143	1468	1276	192	1413	1289	124	1469	1338	131	1593	1456	137
Feb	1171	1185	-14	1320	1184	136	1345	1242	103	1318	1210	108	1273	1249	24	1470	1377	93
Mar	1449	1221	228	1480	1309	171	1420	1246	174	1572	1248	324	1558	1346	212	1497	1440	57
Apr	1125	1280	-155	1353	1214	139	1423	1263	160	1441	1328	113	1422	1494	-72	1443	1423	20
May	1449	1263	186	1520	1232	288	1327	1194	133	1445	1224	221	1510	1565	-55	1495	1415	80
Jun	1303	1241	62	1300	1243	57	1362	1169	193	1386	1257	129	1391	1409	-18	1366	1428	-62
Jul	1120	1267	-147	1286	1150	136	1451	1241	210	1489	1266	223	1308	1438	-130	1349	1398	-49
Aug	1523	1232	291	1522	1283	239	1557	1317	240	1607	1242	365	1571	1367	204	1666	1430	236
Sep	1384	1245	139	1383	1215	168	1135	1231	-96	1597	1241	356	1668	1346	322	1661	1370	291
Oct	1392	1249	143	1548	1301	247	1587	1290	297	1499	1292	207	1510	1832	-322	1510	1492	18
Nov	1276	1202	74	1202	1305	-103	1099	1218	-119	1371	1339	32	1272	1421	-149	1338	1373	-35
Dec	996	1332	-336	1048	1235	-187	1121	1345	-224	1099	1278	-179	1235	1490	-255	1123	1416	-293
TOTAL	15401	14958	443	16309	14875	1434	16295	15032	1263	17237	15214	2023	17187	17295	-108	17511	17018	493

	2012 #			2013 #			2014 #			2015 #			Totals		
	admits	releases	net total	admits	releases	net total	admits	releases	net total	admits	releases	net total	admits	releases	net total
Jan	1574	1423	151	1602	1450	152	1426	1469	-43	1366	1599	-233	30077	21088	8989
Feb	1572	1323	249	1337	1418	-81	1426	1421	5	1247	1461	-214	27732	26074	1658
Mar	1672	1464	208	1369	1426	-57	1385	1467	-82	1667	1558	109	31366	27546	3820
Apr	1393	1410	-17	1510	1398	112	1456	1485	-29	1478	1553	-75	29439	27353	2086
May	1687	1469	218	1562	1538	24	1467	1460	7	1298	1538	-240	30860	27602	3258
Jun	1386	1493	-107	1278	1472	-194	1258	1511	-253	1388	1616	-228	20992	21347	-355
Jul	1317	1413	-96	1366	1572	-206	1459	1510	-51	1354	1453	-99	21271	21576	-305
Aug	1515	1437	78	1560	1538	22	1431	1365	66	1491	1532	-41	23937	21351	2586
Sep	1486	1406	80	1511	1504	7	1521	1543	-22	1374	1386	-12	22319	20911	1408
Oct	1571	1442	129	1586	1555	31	1442	1636	-194	1383	1463	-80	22982	22422	560
Nov	1298	1394	-96	1251	1394	-143	1118	1498	-380	1207	1431	-224	19503	21010	-1507
Dec	1081	1448	-367	1121	1425	-304	1154	1607	-453	1149	1495	-346	17284	21646	-4362
TOTAL	17552	17122	430	17053	17690	-637	16543	17972	-1429	16402	18085	-1683	297762	279926	17836

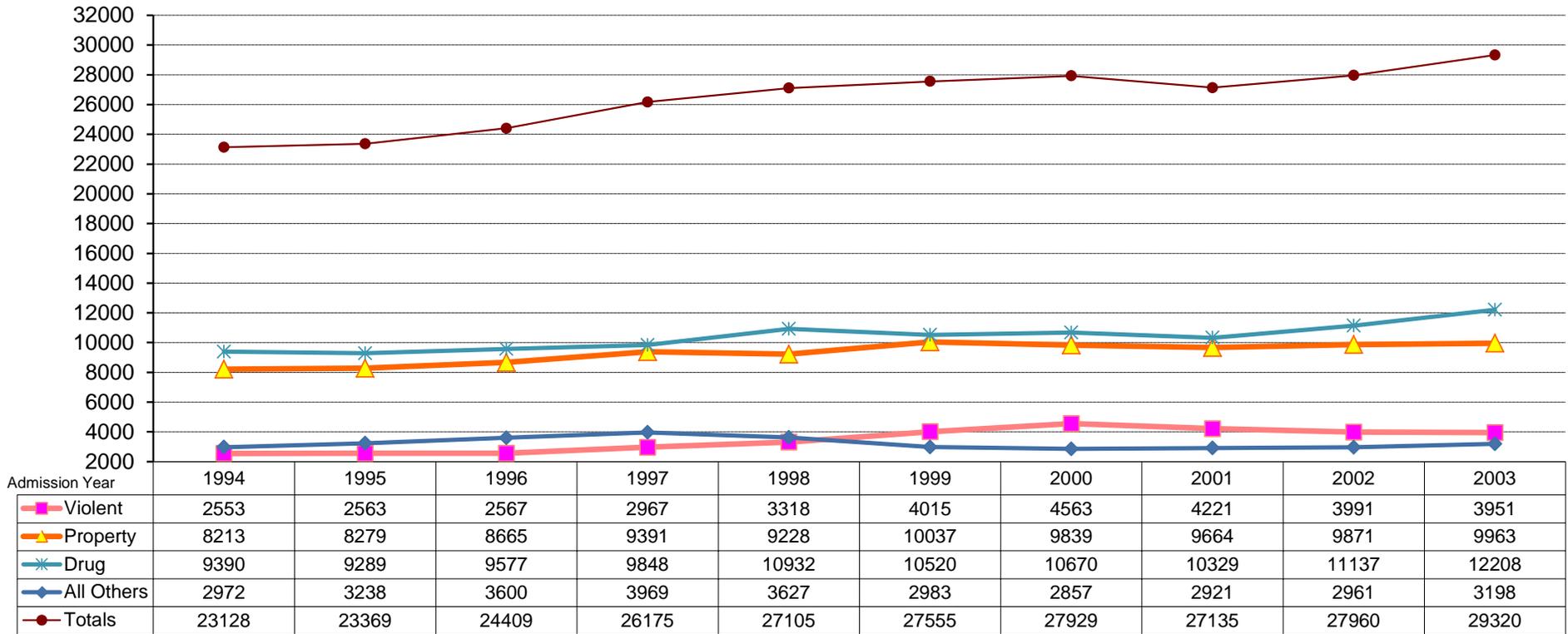
INCARCERATION ONLY: ADMISSIONS/RELEASES COMPARISON FOR 1994 - 2015

Actual Data Depicted Through December 31, 2015



Adult Admissions 1994-2003 (Incarceration & Supervision)

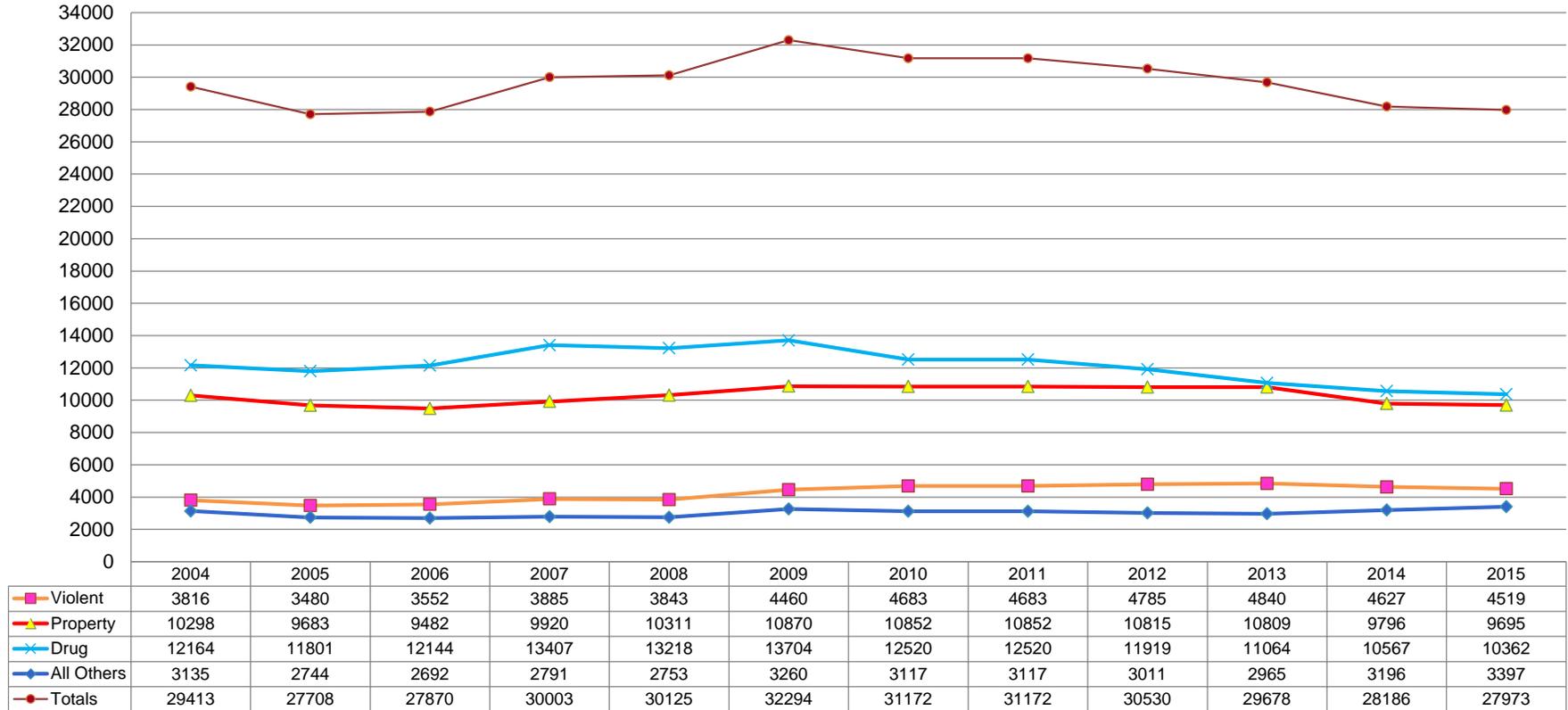
Offenders



Based Upon Most Serious Commitment Crime

Adult Admissions 2004-2015 (Incarceration & Supervision)

Offenders

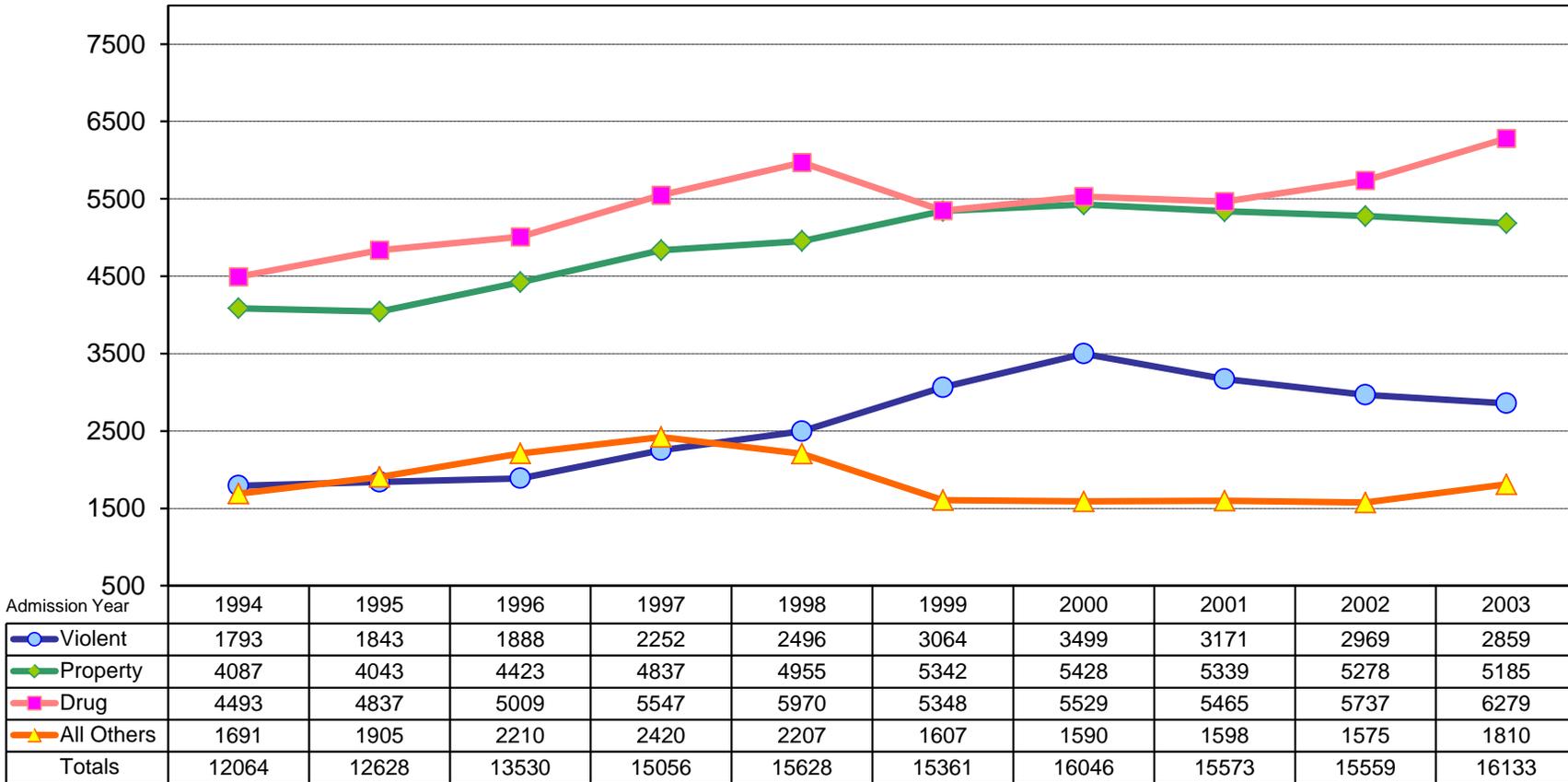


Based Upon Most Serious Commitment Crime

Adult Admissions 1994-2003 (Incarceration Only)

Offenders

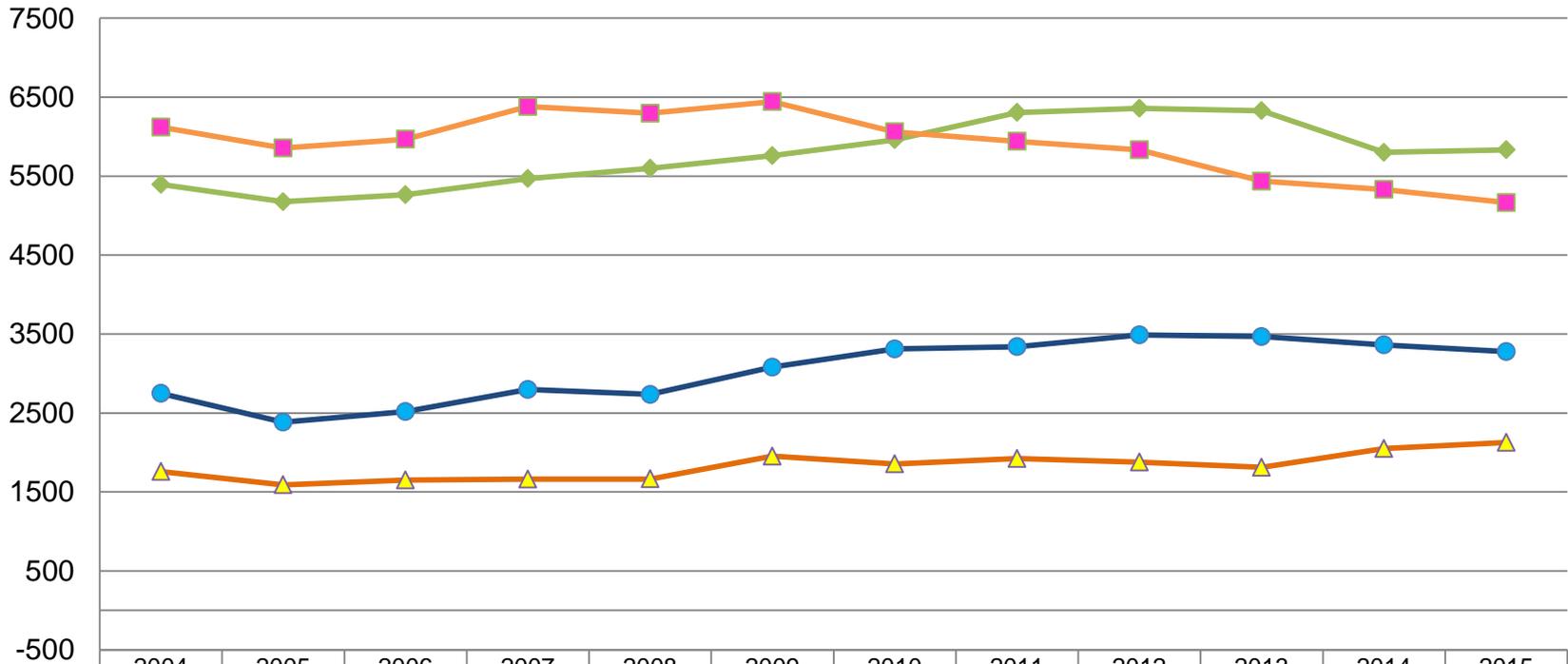
Based Upon Most Serious Commitment Crime



Adult Admissions 2004-2015 (Incarceration Only)

Based Upon Most Serious Commitment Crime

Offenders

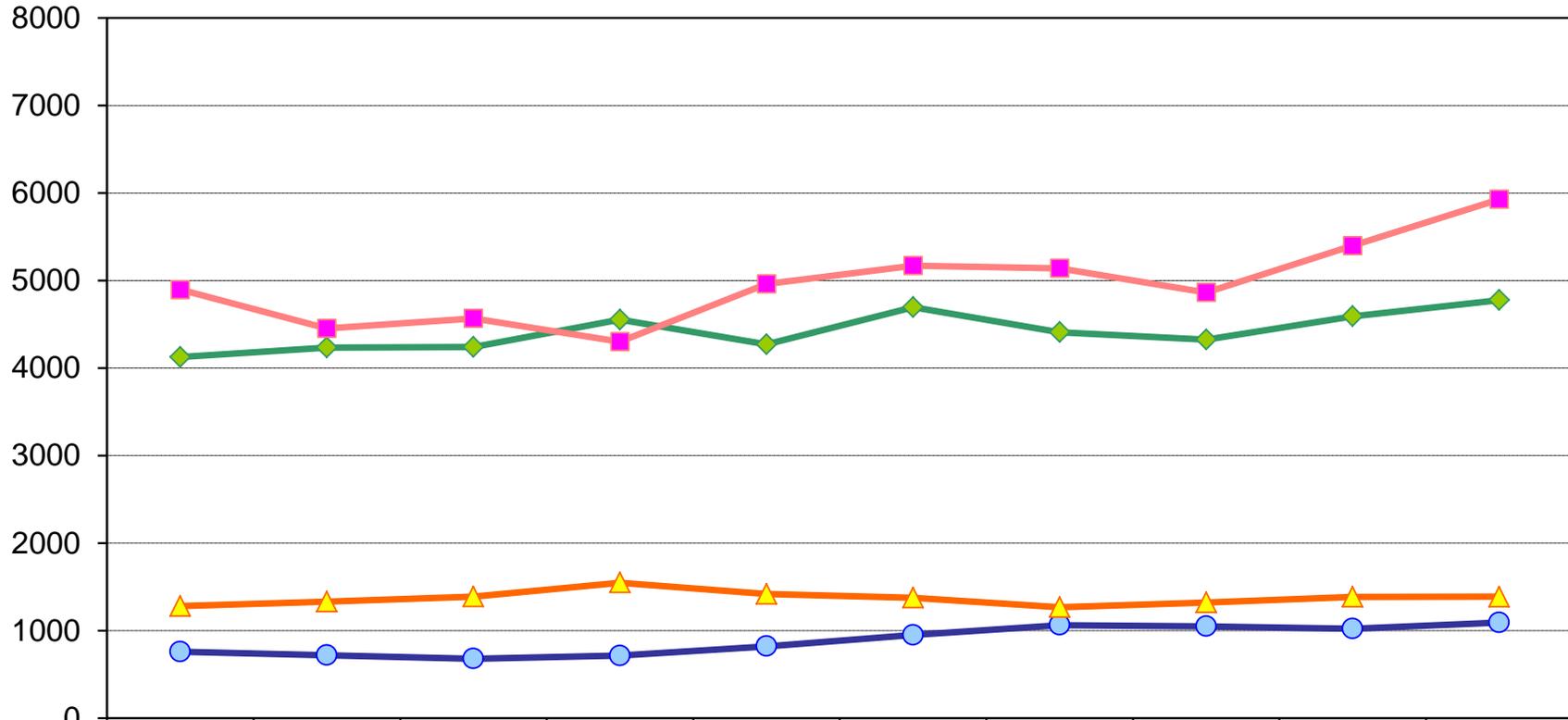


	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
● Violent	2749	2385	2518	2799	2735	3080	3311	3339	3490	3468	3362	3277
◆ Property	5396	5176	5263	5469	5600	5761	5960	6306	6359	6329	5802	5834
■ Drug	6120	5855	5968	6380	6296	6444	6060	5940	5834	5436	5330	5164
▲ All Others	1760	1590	1652	1661	1664	1952	1856	1923	1879	1812	2049	2127
Totals	16025	15006	15401	16309	16295	17237	17187	17508	17562	17045	16543	16402

Adult Admissions 1994-2003 (Supervision Only)

Based Upon Most Serious Commitment Crime

Offenders



	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Violent	760	720	679	715	822	951	1064	1050	1022	1092
Property	4126	4236	4242	4554	4273	4695	4411	4325	4593	4778
Drug	4897	4452	4568	4301	4962	5172	5141	4864	5400	5929
All Others	1281	1333	1390	1549	1420	1376	1267	1323	1386	1388
Totals	11064	10741	10879	11119	11477	12194	11883	11562	12401	13187

Adult Admissions 2004-2015 (Supervision Only) Based Upon Most Serious Commitment Crime

Offenders



	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Violent	1067	1095	1034	1086	1108	1380	1372	1230	1295	1372	1265	1242
Property	4902	4507	4219	4451	4711	5109	4892	4662	4456	4480	3994	3861
Drug	6044	5946	6176	7027	6922	7260	6460	5850	6085	5628	5237	5198
All Others	1375	1154	1040	1130	1089	1308	1261	1206	1132	1153	1147	1270
Totals	13388	12702	12469	13694	13830	15057	13985	12948	12968	12633	11643	11571

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

Summary of Adult Admissions 1994 - 2014

(Based upon the Most Serious Commitment Crime)

1994	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	3 Incarceration						Prob. New Fel.
									New Fel	Rev. NF	Rev. Tech.	Rev. Waiv	Eligibilities**		
													Parole	GTPS	
Violent Crimes	2553	11%	18.57	4.37	13.67	10.32	70%	30%	1281	81	288	143	47%	82%	760
Property Crimes	8213	36%	4.86	3.35	5.18	4.62	50%	50%	1774	479	1285	549	44%	89%	4126
Drug Crimes	9390	41%	5.37	3.68	5.43	5.19	48%	52%	2094	662	1283	454	59%	90%	4897
All Others	2972	13%	5.59	3.28	4.30	4.25	57%	43%	960	261	308	162	47%	93%	1281
Grand Total	23128		7.19	3.56	7.13	6.07	52%	48%	6109	1483	3164	1308	50%	89%	11064

1995	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	3 Incarceration						Prob. New Fel.
									New Fel	Rev. NF	Rev. Tech.	Rev. Waiv	Eligibilities**		
													Parole	GTPS	
Violent Crimes	2563	11%	19.12	4.06	14.17	10.09	72%	28%	1256	85	355	147	48%	80%	720
Property Crimes	8279	35%	4.47	3.10	4.72	4.40	49%	51%	1684	445	1374	540	46%	89%	4236
Drug Crimes	9289	40%	5.25	3.44	5.80	5.10	52%	48%	2162	627	1546	502	60%	89%	4452
All Others	3238	14%	5.56	3.17	4.64	4.23	59%	41%	1063	225	398	219	50%	92%	1333
Grand Total	23369		7.07	3.31	7.56	5.89	54%	46%	6165	1382	3673	1408	52%	88%	10741

1996	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	3 Incarceration						Prob. New Fel.
									New Fel	Rev. NF	Rev. Tech.	Rev. Waiv	Eligibilities**		
													Parole	GTPS	
Violent Crimes	2567	11%	18.98	3.63	13.82	9.07	74%	26%	1232	101	372	183	45%	75%	679
Property Crimes	8665	35%	4.17	2.94	4.36	4.35	51%	49%	1738	427	1414	844	48%	89%	4242
Drug Crimes	9577	39%	5.00	3.24	5.97	5.03	52%	48%	2126	603	1569	711	58%	87%	4568
All Others	3600	15%	5.18	3.02	4.72	4.51	61%	39%	1248	233	398	331	50%	91%	1390
Grand Total	24409		6.71	3.12	6.99	5.59	55%	45%	6344	1364	3753	2069	52%	87%	10879

1 Crime category percentage of total admissions.

2 Percentage of admissions by crime category sentenced to incarceration.

3 Percentage of admissions by crime category sentenced to probation supervision.

* In the case of revocations due to new felony, the admission count may reflect the original commitment crime or the new felony, depending on the sentence length. The longer sentence length determines which crime is counted.

** Based upon the number of persons sentenced to incarcerations and those sentenced to probation supervision.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Admissions 1994 - 2014

(Based upon the Most Serious Commitment Crime)

1997	1		2						3		Incarceration						Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	New Fel	Rev. NF	Rev. Tech.	Rev. Waiv	Eligibilities**				
													Parole	GTPS			
Violent Crimes	2967	11%	17.26	3.23	12.08	8.38	76%	24%	1459	99	428	266	36%	63%	715		
Property Crimes	9391	36%	4.00	2.74	4.39	4.08	52%	48%	1927	366	1622	922	46%	81%	4554		
Drug Crimes	9848	38%	5.12	3.10	5.91	4.91	56%	44%	2092	553	1904	998	48%	74%	4301		
All Others	3969	15%	5.01	2.99	4.49	4.27	61%	39%	1288	210	493	429	46%	81%	1549		
Grand Total	26175		6.56	2.95	6.55	5.29	58%	42%	6766	1228	4447	2615	45%	76%	11119		

1998	1		2						3		Incarceration						Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	New Fel	Rev. NF	Rev. Tech.	Rev. Waiv	Eligibilities**				
													Parole	GTPS			
Violent Crimes	3318	12%	14.93	3.16	9.86	8.38	75%	25%	1425	142	539	390	32%	58%	822		
Property Crimes	9228	34%	3.71	2.80	4.36	3.95	54%	46%	1760	352	1674	1169	42%	73%	4273		
Drug Crimes	10932	40%	4.92	3.00	5.47	4.81	55%	45%	2561	474	1768	1167	41%	62%	4962		
All Others	3627	13%	5.18	3.35	4.45	4.32	61%	39%	1252	123	448	384	44%	71%	1420		
Grand Total	27105		6.17	2.98	5.86	5.20	58%	42%	6998	1091	4429	3110	40%	66%	11477		

1999	1		2						3		Incarceration						Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	New Fel	Rev. NF	Rev. Tech.	Rev. Waiv	Eligibilities**				
													Parole	GTPS			
Violent Crimes	4015	15%	13.86	1.31	9.18	8.27	76%	24%	1474	293	663	634	38%	75%	951		
Property Crimes	10037	36%	3.73	2.82	4.18	3.67	53%	47%	1804	421	1735	1382	46%	84%	4695		
Drug Crimes	10520	38%	4.76	2.99	5.03	4.50	51%	49%	2261	340	1696	1051	50%	78%	5172		
All Others	2983	11%	4.20	3.09	4.39	4.16	54%	46%	1005	41	314	247	56%	85%	1376		
Grand Total	27555		6.16	2.96	5.40	4.89	56%	44%	6544	1095	4408	3314	47%	80%	12194		

1 Crime category percentage of total admissions.
 2 Percentage of admissions by crime category sentenced to incarceration.
 3 Percentage of admissions by crime category sentenced to probation supervision.
 * In the case of revocations due to new felony, the admission count may reflect the original commitment crime or the new felony, depending on the sentence length. The longer sentence length determines which crime is counted.
 ** Based upon the number of persons sentenced to incarceration and those sentenced to probation supervision.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Admissions 1994 - 2014
 (Based upon the Most Serious Commitment Crime)

2000	1	2							3			Incarceration					Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	New Fel	Rev. NF	Rev. Tech.	Rev. Waiv	Eligibilities**				
													Parole	GTPS			
Violent Crimes	4563	16%	13.10	4.22	8.06	8.41	77%	23%	1677	285	796	741	37%	81%	1064		
Property Crimes	9839	35%	4.23	3.10	4.31	3.95	55%	45%	1769	427	1770	1462	37%	90%	4411		
Drug Crimes	10670	38%	4.92	3.14	5.07	4.45	52%	48%	2390	388	1652	1091	44%	88%	5149		
All Others	2857	10%	3.84	3.22	3.70	3.80	56%	44%	924	58	341	267	51%	85%	1267		
Grand Total	27929		6.37	3.23	5.26	5.02	57%	43%	6760	1158	4559	3561	41%	87%	11891		

2001	1	2							3			Incarceration					Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	New Fel	Rev. NF	Rev. Tech.	Rev. Waiv	Eligibilities**				
													Parole	GTPS			
Violent Crimes	4221	16%	12.70	3.47	8.36	8.61	75%	25%	1564	233	740	634	36%	79%	1050		
Property Crimes	9664	36%	4.23	3.07	4.26	4.02	55%	45%	1722	415	1689	1513	34%	91%	4325		
Drug Crimes	10329	38%	4.75	3.23	5.00	4.49	53%	47%	2372	367	1573	1153	41%	89%	4864		
All Others	2921	11%	3.98	3.24	4.21	3.94	55%	45%	858	49	386	305	50%	80%	1323		
Grand Total	27135		6.11	3.19	5.31	5.03	57%	43%	6516	1064	4388	3605	38%	87%	11562		

2002	1	2							3			Incarceration					Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	New Fel	Rev. NF	Rev. Tech.	Rev. Waiv	Eligibilities**				
													Parole	GTPS			
Violent Crimes	3991	14%	12.59	3.27	8.25	8.20	74%	26%	1501	199	684	585	36%	79%	1022		
Property Crimes	9871	35%	4.06	3.02	4.24	3.91	53%	47%	1814	370	1690	1404	38%	92%	4593		
Drug Crimes	11137	38%	4.50	3.11	4.67	4.23	52%	48%	2480	345	1698	1214	42%	90%	5400		
All Others	2961	11%	4.25	3.20	4.43	4.09	53%	47%	854	62	405	254	53%	80%	1386		
Grand Total	27960		5.87	3.10	5.10	4.79	56%	44%	6649	976	4477	3457	41%	88%	12401		

1 Crime category percentage of total admissions.
 2 Percentage of admissions by crime category sentenced to incarceration.
 3 Percentage of admissions by crime category sentenced to probation supervision.
 * In the case of revocations due to new felony, the admission count may reflect the original commitment crime or the new felony, depending on the sentence length. The longer sentence length determines which crime is counted.
 ** Based upon the number of persons sentenced to incarceration and those sentenced to probation supervision.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Admissions 1994 - 2014
 (Based upon the Most Serious Commitment Crime)

2003	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sent	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration						Prob. New Fel.
									New Fel	Rev. NF	Rev. Tech.	Rev. Waiv	Eligibilities**		
													Parole	GTPS	
Violent Crimes	3951	13%	12.35	3.22	8.56	8.68	72%	28%	1518	189	608	544	37%	79%	1092
Property Crimes	9963	34%	3.89	3.10	3.96	3.73	52%	48%	1787	355	1616	1427	35%	93%	4778
Drug Crimes	12208	38%	4.40	3.07	4.76	4.17	51%	49%	2560	394	1856	1469	40%	94%	5929
All Others	3198	11%	4.73	3.22	4.68	4.52	57%	43%	877	83	481	369	46%	80%	1388
Grand Total	29320		5.68	3.11	5.17	4.76	55%	45%	6742	1021	4561	3809	39%	89%	13187

2004	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sent	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration						Prob. New Fel.
									New Fel	Rev. NF	Rev. Tech.	Rev. Waiv	Eligibilities**		
													Parole	GTPS	
Violent Crimes	3816	13%	11.83	3.27	7.62	7.92	72%	28%	1540	156	567	486	37%	8%	1067
Property Crimes	10298	35%	3.84	3.02	4.02	3.73	52%	48%	1873	384	1683	1456	37%	94%	4902
Drug Crimes	12164	41%	4.17	3.18	4.60	4.03	50%	50%	2406	443	1780	1491	42%	93%	6044
All Others	3135	11%	4.41	3.23	4.75	4.21	56%	44%	871	83	458	348	47%	81%	1375
Grand Total	29413		5.40	3.14	4.92	4.52	54%	46%	6690	1066	4488	3781	40%	90%	13388

2005	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sent	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration							Prob. New Fel.	
									New Fel	Rev. NF	Rev. Tech.	Rev. Waiv	Waiv	Waiv	Eligibilities**		
													Tech	Pend	Parole		GTPS
Violent Crimes	3480	13%	11.81	3.25	7.92	8.46	59%	31%	1326	143	448	125	189	154	40%	79%	1095
Property Crimes	9683	35%	3.80	2.99	4.03	3.67	42%	47%	1723	411	1554	356	647	485	40%	95%	4507
Drug Crimes	11801	43%	4.12	3.11	4.47	4.01	40%	50%	2301	437	1542	400	630	545	42%	95%	5946
All Others	2744	10%	5.35	3.92	5.95	5.13	52%	42%	787	92	405	134	102	70	47%	80%	1154
Grand Total	27708		5.36	3.16	5.02	4.60	54%	46%	6137	1083	3949	1015	1568	1254	42%	91%	12702

- 1 Crime category percentage of total admissions.
- 2 Percentage of admissions by crime category sentenced to incarceration.
- 3 Percentage of admissions by crime category sentenced to probation supervision.
- 4 Revocations/Waivers has been removed as of May, 2005 and has been replaced with Waiver/Technical and Waiver/Pending
- * In the case of revocations due to new felony, the admission count may reflect the original commitment crime or the new felony, depending on the sentence length. The longer sentence length determines which crime is counted.
- ** Based upon the number of persons sentenced to incarceration and those sentenced to probation supervision.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Admissions 1994 - 2014
 (Based upon the Most Serious Commitment Crime)

2006 ***	1		2						3			4						Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration									
									New Fel	Rev. NF	Rev. Tech.	Waiv Tech	Waiv Pend	Inc. Total	Eligibilities**			
		Parole	GTPS															
Violent Crimes	3552	13%	12.35	3.37	8.66	8.53	58%	29%	1382	164	516	174	282	2518	40%	76%	1034	
Property Crimes	9482	34%	4.58	3.21	4.38	4.33	39%	44%	1848	416	1461	592	946	5263	33%	92%	4219	
Drug Crimes	12144	44%	4.88	3.30	4.87	4.61	37%	51%	2486	480	1547	548	907	5968	37%	94%	6176	
All Others	2692	10%	5.31	3.37	5.15	4.87	49%	39%	871	83	376	145	177	1652	43%	79%	1040	
Grand Total	27870		6.05	3.28	5.42	5.08	55%	45%	6587	1143	3900	1459	2312	15401	37%	89%	12469	

2007 ***	1		2						3			4						Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration									
									New Fel	Rev. NF	Rev. Tech.	Waiv Tech	Waiv Pend	Inc. Total	Eligibilities**			
		Parole	GTPS															
Violent Crimes	3885	13%	11.59	3.35	8.22	8.18	59%	28%	1559	215	537	169	319	2799	38%	76%	1086	
Property Crimes	9920	33%	4.50	3.27	4.29	4.29	40%	45%	2102	403	1481	252	1231	5469	36%	92%	4451	
Drug Crimes	13407	45%	4.81	3.25	4.70	4.60	37%	52%	2855	496	1582	280	1167	6380	39%	93%	7027	
All Others	2791	9%	5.24	3.39	5.11	4.73	50%	40%	965	96	336	87	177	1661	47%	79%	1130	
Grand Total	30003		5.91	3.27	5.22	5.04	54%	46%	7481	1210	3936	788	2894	16309	39%	89%	13694	

2008 ***	1		2						3			4						Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration									
									New Fel	Rev. NF	Rev. Tech.	Waiv Tech	Waiv Pend	Inc. Total	Eligibilities**			
		Parole	GTPS															
Violent Crimes	3843	13%	11.86	3.32	8.00	8.18	60%	29%	1629	185	473	131	317	2735	41%	77%	1108	
Property Crimes	10311	34%	4.42	3.23	4.29	4.26	41%	46%	2243	502	1437	270	1148	5600	39%	92%	4711	
Drug Crimes	13218	44%	4.98	3.20	4.81	4.70	38%	52%	2882	510	1599	212	1093	6296	42%	94%	6922	
All Others	2753	9%	5.81	3.26	4.85	4.88	50%	40%	1032	75	282	82	193	1664	45%	80%	1089	
Grand Total	30125		6.03	3.23	5.18	5.07	54%	46%	7786	1272	3791	695	2751	16295	41%	89%	13830	

- 1 Crime category percentage of total admissions.
- 2 Percentage of admissions by crime category sentenced to incarceration.
- 3 Percentage of admissions by crime category sentenced to probation supervision.
- 4 Revocations/Waivers has been removed as of May, 2005 and has been replaced with Waiver/Technical and Waiver/Pending
- * In the case of revocations due to new felony, the admission count may reflect the original commitment crime or the new felony, depending on the sentence length. The longer sentence length determines which crime is counted.
- ** Based upon the number of persons sentenced to incarceration and those sentenced to probation supervision.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Admissions 1994 - 2014
 (Based upon the Most Serious Commitment Crime)

2009 ***	1		2						3			4						Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sent	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration									
									New Fel	Rev. NF	Rev. Tech.	Waiv Tech	Waiv Pend	Inc. Total	Eligibilities**			
Parole	GTPS																	
Violent Crimes	4460	14%	10.15	3.38	8.44	8.61	61%	31%	1987	237	502	96	258	3080	42%	76%	1380	
Property Crimes	10870	34%	4.60	3.29	4.51	4.49	41%	47%	2325	547	1563	202	1124	5761	40%	93%	5109	
Drug Crimes	13704	42%	5.05	3.29	4.70	4.81	38%	53%	3019	570	1684	147	1024	6444	40%	95%	7260	
All Others	3260	10%	4.96	3.28	4.64	4.52	53%	40%	1350	77	315	58	152	1952	46%	80%	1308	
Grand Total	32294		5.80	3.30	5.31	5.25	53%	47%	8681	1431	4064	503	2558	17237	41%	89%	15057	

2010 ***	1		2						3			4						Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sent	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration									
									New Fel	Rev. NF	Rev. Tech.	Waiv Tech	Waiv Pend	Inc. Total	Eligibilities**			
Parole	GTPS																	
Violent Crimes	4613	15%	10.25	3.67	8.20	8.65	62%	30%	2102	251	526	19	343	3241	46%	79%	1372	
Property Crimes	10831	35%	4.78	3.38	4.60	4.67	37%	45%	2587	558	1469	144	1181	5939	44%	93%	4892	
Drug Crimes	12541	40%	5.32	3.38	4.84	5.12	39%	52%	2942	576	1421	165	977	6081	43%	95%	6460	
All Others	3187	10%	5.13	3.27	4.45	4.68	54%	40%	1379	58	273	89	127	1926	47%	79%	1261	
Grand Total	31172		6.07	3.41	5.40	5.51	55%	45%	9010	1443	3689	417	2628	17187	44%	90%	13985	

2011 ***	1		2						3			4						Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sent	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration									
									New Fel	Rev. NF	Rev. Tech.	Waiv Tech	Waiv Pend	Inc. Total	Eligibilities**			
Parole	GTPS																	
Violent Crimes	4568	15%	10.91	3.62	8.92	8.90	62%	27%	2083	284	448	97	426	3338	44%	77%	1230	
Property Crimes	10967	36%	4.58	3.37	4.67	4.50	43%	43%	2613	660	1490	185	1357	6305	44%	93%	4662	
Drug Crimes	11791	39%	5.11	3.33	4.90	4.90	40%	50%	2801	547	1422	136	1035	5941	44%	94%	5850	
All Others	3130	10%	5.18	3.25	4.76	4.70	56%	39%	1426	75	266	27	130	1924	47%	80%	1206	
Grand Total	30456		6.04	3.37	5.58	5.39	57%	43%	8923	1566	3626	445	2948	17508	44%	89%	12948	

- 1 Crime category percentage of total admissions.
- 2 Percentage of admissions by crime category sentenced to incarceration.
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- 4 Revocations/Waivers has been removed as of May, 2005 and has been replaced with Waiver/Technical and Waiver/Pending
- * In the case of revocations due to new felony, the admission count may reflect the original commitment crime or the new felony, depending on the sentence length. The longer sentence length determines which crime is counted.
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DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Admissions 1994 - 2015
 (Based upon the Most Serious Commitment Crime)

2012 # **	1		2						3		4							Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration									
									New Fel	Rev. NF	Rev. Tech.	Waiv Tech	Waiv Pend	Inc. Total	Eligibilities**			
Parole	GTPS																	
Violent Crimes	4785	16%	9.37	3.59	8.02	8.15	62%	27%	2230	262	488	80	430	3490	43%	79%	1295	
Property Crimes	10815	35%	4.58	3.33	4.58	4.55	45%	41%	2784	635	1420	213	1307	6359	39%	94%	4456	
Drug Crimes	11919	39%	5.16	3.36	4.88	5.00	39%	51%	2856	571	1278	147	982	5834	40%	97%	6085	
All Others	3011	10%	5.16	3.30	4.58	4.53	56%	38%	1371	65	243	39	161	1879	42%	82%	1132	
Grand Total	30530		5.79	3.37	5.42	5.34	58%	42%	9241	1533	3429	479	2880	17562	40%	90%	12968	

2013 # **	1		2						3		4							Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration									
									New Fel	Rev. NF	Rev. Tech.	Waiv Tech	Waiv Pend	Inc. Total	Eligibilities**			
Parole	GTPS																	
Violent Crimes	4840	16%	9.21	3.54	7.18	7.75	59%	28%	2090	230	536	109	503	3468	40%	80%	1372	
Property Crimes	10809	36%	4.62	3.34	4.53	4.58	43%	41%	2564	547	1492	285	1441	6329	39%	94%	4480	
Drug Crimes	11064	37%	5.07	3.32	4.70	4.96	38%	51%	2497	481	1197	216	1045	5436	38%	97%	5628	
All Others	2965	10%	5.23	3.34	4.88	4.60	54%	39%	1284	54	267	45	162	1812	44%	79%	1153	
Grand Total	29678		5.76	3.35	5.17	5.28	57%	43%	8435	1312	3492	655	3151	17045	39%	90%	12633	

2014	1		2						3		4							Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration									
									New Fel	Rev. NF	Rev. Tech.	Waiv Tech	Waiv Pend	Inc. Total	Eligibilities**			
Parole	GTPS																	
Violent Crimes	4627	16%	9.25	3.44	7.58	7.71	59%	27%	1988	273	478	90	533	3362	40%	80%	1265	
Property Crimes	9796	35%	4.62	3.22	4.61	4.57	42%	41%	2165	550	1406	244	1437	5802	39%	97%	3994	
Drug Crimes	10567	37%	5.08	3.35	4.67	4.98	38%	50%	2411	470	1185	187	1077	5330	39%	97%	5237	
All Others	3196	11%	5.21	3.31	5.08	4.73	56%	36%	1484	60	240	63	202	2049	35%	76%	1147	
Grand Total	28186		5.78	3.35	5.31	5.29	59%	41%	8048	1353	3309	584	3249	16543	39%	91%	11643	

2015	1		2						3		4							Prob. New Fel.
	Total Admissions	% of Total	Avg. Lgth.* Inc Sent	Avg. Lgth. Prob Sent	Avg. Lgth. Par Sen	Avg. Lgth. Dim of Sent	% to Inc.	% to Prob. Supv.	Incarceration									
									New Fel	Rev. NF	Rev. Tech.	Waiv Tech	Waiv Pend	Inc. Total	Eligibilities**			
Parole	GTPS																	
Violent Crimes	4519	16%	8.92	3.68	7.67	7.42	61%	27%	2036	263	441	102	435	3277	40%	80%	1242	
Property Crimes	9695	35%	4.59	3.22	4.44	4.52	44%	40%	2352	614	1260	248	1360	5834	40%	97%	3861	
Drug Crimes	10362	37%	5.02	3.25	4.62	4.86	38%	50%	2342	509	1134	189	990	5164	39%	96%	5198	
All Others	3397	12%	4.89	3.30	4.88	4.39	56%	37%	1588	74	227	42	196	2127	34%	79%	1270	
Grand Total	27973		5.63	3.29	5.21	5.13	59%	41%	8318	1460	3062	581	2981	16402	39%	91%	11571	

1 Crime category percentage of total admissions.
 2 Percentage of admissions by crime category sentenced to incarceration.
 3 Percentage of admissions by crime category sentenced to probation supervision.
 4 Revocations/Waivers has been removed as of May, 2005 and has been replaced with Waiver/Technical and Waiver/Pending
 * In the case of revocations due to new felony, the admission count may reflect the original commitment crime or the new felony, depending on the sentence length. The longer sentence length determines which crime is counted.
 ** Based upon the number of persons sentenced to incarceration and those sentenced to probation supervision.
 # 241 unprocessed custody admission records have been proportionally applied to the incarceration totals.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Incarceration Releases 1994-2012
 (Based Upon Most Serious Commitment Crime)

1994	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2305	9.5	4.6	71.0%	5.9%	2.1%	10.8%	10.2%
Property Crimes	3690	5.2	2.3	71.8%	0.2%	3.4%	12.6%	12.0%
Drug Crimes	3763	5.9	2.9	61.8%	0.1%	2.6%	22.8%	12.7%
All Others	879	4.9	2.3	75.9%	0.1%	1.9%	7.4%	14.7%
Grand Total	10637	6.4	3.0	68.4%	1.4%	2.7%	15.4%	12.1%

1995	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2417	9.2	4.5	72.7%	3.6%	1.8%	12.2%	9.6%
Property Crimes	3827	4.8	2.3	70.4%	0.1%	3.5%	13.2%	12.8%
Drug Crimes	4296	5.5	2.8	62.9%	0.0%	2.7%	21.8%	12.6%
All Others	987	4.9	2.1	73.5%	0.1%	2.8%	6.4%	17.2%
Grand Total	11527	6.0	2.9	68.4%	0.8%	2.8%	15.6%	12.4%

1996	Total Releases	Avg.* Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2480	9.0	4.8	75.4%	2.9%	2.5%	7.2%	10.8%
Property Crimes	3742	4.9	2.8	71.6%	0.2%	3.4%	10.5%	11.7%
Drug Crimes	4582	5.3	2.7	65.6%	0.0%	3.6%	18.9%	10.0%
All Others	1033	4.1	2.0	70.5%	0.1%	2.0%	6.8%	20.7%
Grand Total	11837	5.8	3.1	70.0%	0.7%	3.2%	12.7%	11.6%

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** Goodtime/parole supervision (diminution of sentence).

*** Goodtime; inmates sentenced prior to 1972.

**** Represents Parole Board actions.

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DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Incarceration Releases 1994-2012
 (Based Upon Most Serious Commitment Crime)

1997	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2756	7.7	2.9	89.5%	1.4%	2.8%	3.6%	2.8%
Property Crimes	3999	4.4	1.3	88.6%	0.1%	3.9%	6.3%	1.1%
Drug Crimes	4671	4.8	1.6	82.5%	0.0%	4.5%	11.6%	1.3%
All Others	1069	3.7	1.1	90.9%	0.1%	3.2%	4.5%	1.3%
Grand Total	12495	5.2	1.7	86.7%	0.3%	3.8%	7.5%	1.6%

1998	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2757	7.5	3.1	88.0%	1.9%	4.0%	3.0%	3.1%
Property Crimes	4185	4.0	1.3	88.7%	0.0%	4.4%	5.8%	1.0%
Drug Crimes	5086	4.4	1.6	83.4%	0.0%	4.9%	10.7%	1.0%
All Others	1220	3.5	1.0	90.8%	0.0%	3.4%	3.7%	2.1%
Grand Total	13248	4.8	1.8	86.7%	0.4%	4.4%	6.9%	1.5%

1999	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2808	7.2	3.3	86.6%	1.2%	5.7%	3.2%	3.3%
Property Crimes	4457	3.7	1.4	88.0%	0.1%	4.4%	6.6%	0.9%
Drug Crimes	5683	4.3	1.6	81.4%	0.0%	5.2%	12.3%	1.1%
All Others	1403	3.1	1.1	92.1%	0.1%	3.8%	1.9%	2.2%
Grand Total	14351	4.6	1.8	85.5%	0.3%	4.9%	7.7%	1.6%

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DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Incarceration Releases 1994-2012
 (Based Upon Most Serious Commitment Crime)

2000	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2681	7.2	3.3	86.4%	0.9%	6.9%	2.5%	3.4%
Property Crimes	4281	3.7	1.5	85.9%	0.0%	6.2%	6.9%	1.0%
Drug Crimes	6141	4.2	1.7	80.9%	0.0%	6.3%	11.5%	1.2%
All Others	1460	3.2	1.1	89.5%	0.1%	5.0%	3.3%	2.2%
Grand Total	14563	4.5	1.9	84.3%	0.2%	6.3%	7.7%	1.6%

2001	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2928	8.0	3.6	83.7%	1.1%	8.8%	3.0%	3.3%
Property Crimes	5059	4.4	1.6	83.9%	0.0%	6.0%	8.9%	1.2%
Drug Crimes	5251	4.4	1.7	77.2%	0.0%	7.0%	14.6%	1.3%
All Others	1530	3.7	1.3	83.7%	0.0%	8.0%	4.0%	4.2%
Grand Total	14768	5.0	2.0	81.5%	0.2%	7.1%	9.3%	2.0%

2002	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2771	8.6	4.2	82.5%	1.3%	8.8%	3.6%	3.7%
Property Crimes	5220	4.4	1.7	82.0%	0.0%	5.5%	11.1%	1.4%
Drug Crimes	5455	4.6	1.8	76.5%	0.0%	6.2%	15.9%	1.4%
All Others	1606	3.7	1.3	75.0%	0.0%	10.2%	4.6%	10.2%
Grand Total	15052	5.2	2.1	79.3%	0.3%	6.9%	10.8%	2.8%

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DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Incarceration Releases 1994-2012
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

2003	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2807	8.7	4.1	81.2%	1.4%	9.4%	3.9%	4.2%
Property Crimes	5286	4.3	1.7	83.2%	0.0%	5.6%	10.0%	1.2%
Drug Crimes	5742	4.2	1.7	76.6%	0.0%	6.7%	15.1%	1.6%
All Others	1509	3.7	1.3	71.4%	0.0%	10.3%	4.2%	14.0%
Grand Total	15344	5.0	2.1	79.2%	0.3%	7.2%	10.2%	3.1%

2004	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2572	7.4	3.9	83.1%	0.6%	9.3%	2.2%	4.9%
Property Crimes	5421	3.9	1.6	84.6%	0.0%	4.7%	9.1%	1.6%
Drug Crimes	5964	4.2	1.7	79.5%	0.0%	6.1%	12.8%	1.7%
All Others	1443	3.4	1.3	72.7%	0.0%	10.3%	2.1%	14.9%
Grand Total	15400	4.5	2.0	81.3%	0.1%	6.5%	8.7%	3.4%

2005	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2642	7.5	4.2	82.0%	1.0%	10.1%	2.6%	4.4%
Property Crimes	5524	3.7	1.7	84.7%	0.0%	4.7%	9.1%	1.5%
Drug Crimes	5824	4.0	1.7	82.9%	0.0%	4.8%	10.9%	1.4%
All Others	1374	3.4	1.5	73.0%	0.0%	12.6%	2.3%	12.2%
Grand Total	15364	4.5	2.1	82.5%	0.2%	6.4%	8.1%	2.9%

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DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Incarceration Releases 1994-2012
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

2006	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2602	9.6	4.8	81.7%	0.7%	11.1%	2.2%	4.3%
Property Crimes	5448	4.7	1.7	85.9%	0.1%	4.3%	8.5%	1.4%
Drug Crimes	5672	4.9	1.7	81.6%	0.1%	5.2%	11.8%	1.4%
All Others	1236	4.1	1.4	76.3%	0.0%	12.9%	1.3%	9.5%
Grand Total	14958	5.5	2.2	82.7%	0.2%	6.5%	8.0%	2.6%

2007	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2428	9.6	4.8	77.9%	0.9%	11.9%	4.5%	4.9%
Property Crimes	5525	4.5	1.7	84.4%	0.0%	4.7%	9.5%	1.3%
Drug Crimes	5627	4.8	1.7	81.9%	0.1%	4.6%	11.9%	1.5%
All Others	1295	3.8	1.4	74.4%	0.0%	13.1%	1.8%	10.8%
Grand Total	14875	5.3	2.2	81.5%	0.2%	6.6%	8.9%	2.8%

2008	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2402	7.8	4.6	77.3%	0.8%	15.0%	1.6%	5.3%
Property Crimes	5374	4.5	1.7	87.9%	0.0%	5.0%	5.8%	1.4%
Drug Crimes	5870	4.6	1.7	86.8%	0.0%	4.0%	8.0%	1.2%
All Others	1386	4.1	1.6	72.7%	0.0%	14.8%	1.9%	10.7%
Grand Total	15032	5.0	2.1	84.4%	0.1%	7.1%	5.6%	2.8%

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DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Incarceration Releases 1994-2012
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

2009	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2369	7.7	4.8	78.6%	0.6%	14.9%	0.6%	5.3%
Property Crimes	5423	4.0	1.7	89.2%	0.0%	5.3%	4.2%	1.3%
Drug Crimes	5903	4.4	1.8	88.4%	0.0%	4.0%	6.0%	1.6%
All Others	1519	3.5	1.4	74.0%	0.0%	12.7%	1.3%	12.0%
Grand Total	15214	4.7	2.2	85.7%	0.1%	7.0%	4.0%	3.1%

2010	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2634	7.8	4.8	78.7%	0.3%	14.2%	0.8%	6.0%
Property Crimes	6040	4.4	1.7	89.3%	0.0%	5.4%	3.9%	1.4%
Drug Crimes	6764	4.7	1.9	89.5%	0.0%	4.2%	5.0%	1.3%
All Others	1815	3.8	1.5	76.1%	0.0%	12.0%	1.0%	10.9%
Grand Total	17253	5.0	2.3	86.4%	0.1%	7.0%	3.5%	3.1%

2011	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	3018	8.0	4.6	76.7%	0.4%	13.7%	1.1%	4.9%
Property Crimes	6033	4.9	1.5	85.0%	0.0%	6.1%	3.5%	1.5%
Drug Crimes	6186	5.0	1.6	91.9%	0.0%	5.6%	5.0%	1.3%
All Others	1885	4.4	1.6	71.0%	0.0%	12.8%	1.3%	7.5%
Grand Total	17122	5.6	2.3	84.5%	0.1%	8.0%	3.4%	2.7%

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DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
Summary of Adult Incarceration Releases 1994-2015
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

2012	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	2905	8.4	4.8	75.3%	0.2%	14.9%	3.1%	6.5%
Property Crimes	6021	4.6	1.6	86.1%	0.0%	6.7%	5.5%	1.7%
Drug Crimes	6207	5.0	1.8	86.8%	0.0%	5.2%	6.5%	1.5%
All Others	1887	4.2	1.5	78.7%	0.0%	13.6%	2.1%	5.6%
Grand Total	17020	5.5	2.4	83.7%	0.0%	8.3%	5.1%	2.9%

2013	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	3073	8.6	5.1	75.7%	0.3%	14.5%	3.2%	6.4%
Property Crimes	6313	4.6	1.7	89.0%	0.0%	5.8%	3.2%	2.0%
Drug Crimes	6293	5.1	1.8	89.1%	0.0%	4.4%	4.7%	1.8%
All Others	2011	4.0	1.5	76.8%	0.0%	14.3%	1.5%	7.4%
Grand Total	17690	5.6	2.5	85.3%	0.0%	7.8%	3.5%	3.3%

2014	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	3166	9.2	5.1	76.8%	0.1%	14.0%	3.5%	5.6%
Property Crimes	6169	4.8	1.6	92.6%	0.0%	3.2%	2.8%	1.4%
Drug Crimes	6262	5.0	1.7	91.9%	0.0%	3.0%	3.5%	1.6%
All Others	2375	4.2	1.5	74.3%	0.0%	17.9%	1.1%	6.7%
Grand Total	17972	5.8	2.5	87.1%	0.0%	7.0%	2.9%	2.9%

2015	Total Releases	Avg. * Length of Sent. (Yrs.)	Avg.* Time Served (Yrs.)	Release Types				
				GTPS**	GT***	Fullterm	Parole****	Other*****
Violent Crimes	3233	9.9	5.5	76.6%	0.2%	12.9%	4.1%	6.3%
Property Crimes	6290	4.7	1.6	94.3%	0.0%	2.6%	1.9%	1.3%
Drug Crimes	6185	5.3	1.7	93.4%	0.0%	2.3%	2.9%	1.5%
All Others	2377	4.5	1.6	76.5%	0.0%	15.9%	0.6%	7.0%
Grand Total	18085	6.1	2.6	88.5%	0.0%	6.1%	2.4%	3.0%

* Offenders may have multiple convictions at the time of commitment; this data represents cumulative sentences a convictions. Life & death sentences are computed as 99 yrs. for sentence averages. This is average sentence length of those released and does not include inmates remaining in prison.

** Goodtime/parole supervision (diminution of sentence).

*** Goodtime; inmates sentenced prior to 1972.

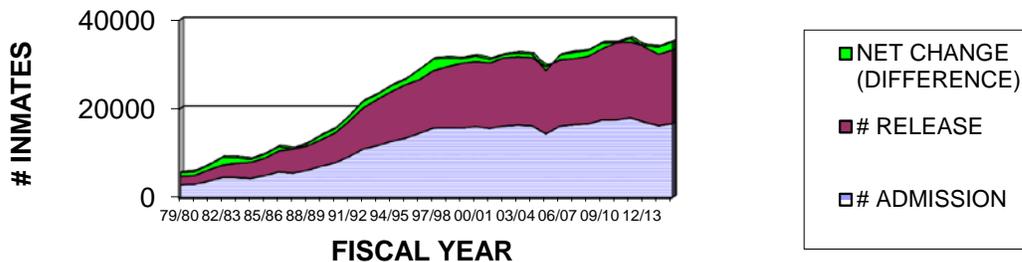
**** Represents Parole Board actions.

***** Includes conviction overturns, court orders, death, and release to probation on a split sentence.

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS ADMISSIONS/RELEASES COMPARISON FY 79/80 - CURRENT

FISCAL YEAR	# ADMISSION	% CHANGE	# RELEASE	% CHANGE	NET CHANGE (DIFFERENCE)
79/80	2771		1896		875
80/81	2887	4.19%	1987	4.80%	900
81/82	3596	24.56%	2531	27.38%	1065
82/83	4490	24.86%	2736	8.10%	1754
83/84	4444	-1.02%	3184	16.37%	1260
84/85	4272	-3.87%	3588	12.69%	684
85/86	4849	13.51%	3926	9.42%	923
86/87	5693	17.41%	4704	19.82%	989
87/88	5421	-4.78%	5395	14.69%	26
88/89	6033	11.29%	5474	1.46%	559
89/90	6965	15.45%	5957	8.82%	1008
90/91	7728	10.95%	6738	13.11%	990
91/92	9138	18.25%	7973	18.33%	1165
92/93	10819	18.40%	9284	16.44%	1535
93/94	11588	7.11%	10433	12.38%	1155
94/95	12568	8.46%	11200	7.35%	1368
95/96	13281	5.67%	12050	7.59%	1231
96/97	14395	8.39%	12070	0.17%	2325
97/98	15567	8.14%	12934	7.16%	2633
98/99	15663	0.62%	13764	6.42%	1899
99/00	15590	-0.47%	14576	5.90%	1014
00/01	15900	1.99%	14664	0.60%	1236
01/02	15519	-2.40%	14725	0.42%	794
02/03	16033	3.31%	15352	4.26%	681
03/04	16234	1.25%	15373	0.14%	861
04/05	16098	-0.84%	15343	-0.20%	755
05/06	14279	-11.30%	15197	-0.95%	-918
06/07	16011	12.13%	14913	-1.87%	1098
07/08	16334	2.02%	14879	-0.23%	1455
08/09	16525	1.17%	15198	2.14%	1327
09/10	17396	5.27%	16059	5.67%	1337
10/11	17428	0.18%	17384	8.25%	44
11/12	17913	2.78%	17020	-2.09%	893
12/13	16916	-5.57%	17231	1.24%	-315
13/14	16106	-4.79%	17752	3.02%	-1646
14/15	16569	2.87%	18484	4.12%	-1915
TOTAL	423019		391974		31045
AVG					1069.37

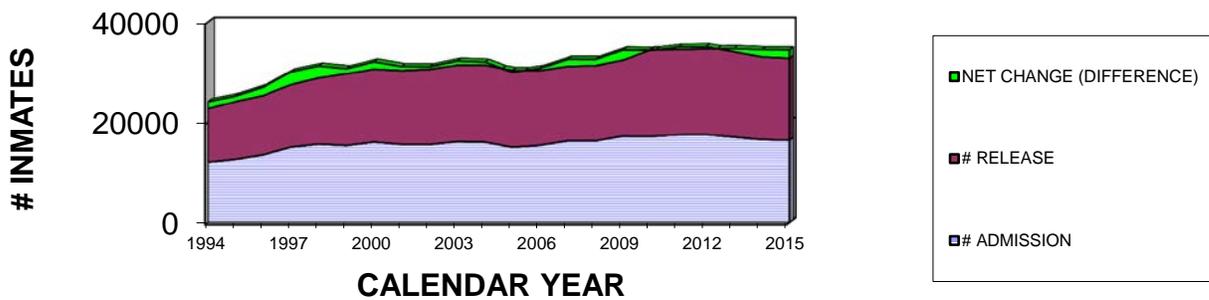
ADMISSION RELEASE: FY 79/80 - 14/15



DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS ADMISSIONS/RELEASES COMPARISON CY 1994-Current

CALENDAR YEAR	# ADMISSION	% CHANGE	# RELEASE	% CHANGE	NET CHANGE (DIFFERENCE)
1994	12064		10637		1427
1995	12628	4.68%	11527	8.37%	1101
1996	13530	7.14%	11837	2.69%	1693
1997	15056	11.28%	12495	5.56%	2561
1998	15628	3.80%	13248	6.03%	2380
1999	15361	-1.71%	14351	8.33%	1010
2000	16046	4.46%	14580	1.60%	1466
2001	15573	-2.95%	14768	1.29%	805
2002	15548	-0.16%	15054	1.94%	494
2003	16133	3.76%	15296	1.61%	837
2004	16025	-0.67%	15401	0.69%	624
2005	15006	-6.36%	15365	-0.23%	-359
2006	15401	2.63%	14958	-2.65%	443
2007	16309	5.90%	14875	-0.55%	1434
2008	16295	-0.09%	15032	1.06%	1263
2009	17237	5.78%	15214	1.21%	2023
2010	17187	-0.29%	17295	13.68%	-108
2011	17511	1.89%	17018	-1.60%	493
2012	17552	0.23%	17122	0.61%	430
2013	17053	-2.84%	17690	3.32%	-637
2014	16543	-3.08%	17972	1.59%	-1429
2015	16402	-0.86%	18085	0.63%	-1683
TOTAL	346088		329820		16268
AVG					944.89

ADMISSION RELEASE: CY 1994 - 2015



SENTENCING STRUCTURE
LOUISIANA DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS
December 07, 2014

A. **Basic Concepts of Good Time**

Offenders who are sentenced to a fixed number of years to the Department of Corrections for crimes committed before July, 1, 1982, will satisfy all of the legal requirements for that sentence:

After being in actual custody and earning good time that equal the length of the sentence imposed.

Offenders who are sentence to a fixed number of years to the Department of Corrections for crimes committed on or after July 1, 1982, will become eligible to be released on parole supervision pursuant to R.S. 15:571.5.

These offenders will satisfy all of the legal requirements for that sentence:
After being in actual custody and being on successful parole supervision equal to the length of the sentence imposed.

A. **DIMINUTION OF SENTENCE ELIGIBILITY**—in accordance with DOC REG No. B-04-001

1. **30 DAYS FOR EVERY 30 DAYS INCARCERATED**

Act 138 of the 1991 Regular Session, effective January 1, 1982, provides for the earning of 30 days good time for every 30 days in custody. It also allowed good time to be earned on jail time spent in custody prior to the imposition of sentence. This rate applies to inmates convicted of violent and non-violent crimes prior to January 1, 1997, but only to those inmates committing a non-violent offense on or after January 1, 1997

2. **35 DAYS FOR EVERY 30 DAYS INCARCERATED**

Act 572 of the 2006 Regular Session, effective August 15,2006, provides for the earning of 35 days for every 30 days in actual custody, including the time spent in custody pursuant to C.Cr. P.Art. 880. Good time at the rate of 35 days for every 30 days in actual custody shall be awarded only in lieu of incentive wages.

Act 649 of the 2010 Regular Session, effective 10/15/2010, provides for the earning of 35 days good time for every 30 days in custody for offenders convicted retroactive to January 01,1992. Violent offenders and Sex offenders are not eligible.

3. 45 DAYS FOR EVERY 30 DAYS INCARCERATED

Act 110 of the 2012 Regular Session, effective August 01, 2012 provides for the earning of 45 days of good time for every 30 days of the sentence imposed. This rate does not apply to Violent offenders and Sex offenders.

2. 3/17 Rate – VIOLENT CRIMES

Act 1099 of the 1995 Regular Session, effective January 01.1997 provides that offenders convicted a first time for a crime of violence as defined in La. R.S. 14:2(b) which is committed on or after January 1, 1997, and who are otherwise eligible to earn good time, shall earn diminution of sentence at a rate of three days for every seventeen days in actual custody, including time spent in custody with good behavior for which the inmate is eligible for jail credit; serves 85%.

4. Certified Treatment and Rehabilitation Program Credits - in accordance with DOC REG No. B-04-003

During the instant incarceration, a total of 360 days CTRP credit may be earned toward the reduction of the projected release date by an offender earning regular good time, an offender earning under Act 1099 and an offender sentenced under La. R.S. 15:529.1 of a non violent, non sex offense.

*Offenders participating in a Community Resource Center, (a facility designated by the Department to provide housing for inmates to remediate the damage done following a natural disaster or emergency) may be eligible to earn thirty days of good time in addition to that otherwise authorized by law for every thirty days of service in this program.

B. DIMINUTION OF SENTENCE INELIGIBILITY

1. HABITUAL FELON CONVICTIONS - COURT ADJUDICATION

The offender has been sentenced on the instant offense under the Habitual Offender Law as set forth in La. R.S. 15:529.1, and also meets all of the criteria as set forth in La. R.S. 15:571.3C.

< Any prior or instant conviction listed in La. R.S. 15:571.3C1 (a) through (t) shall be used to meet the criteria as set forth in this section .

2. The offender has been sentenced on the instant offense under the Habitual Offender Law as set forth in La. R.S. 15:529.1 and committed the instant offense on or after August 15, 2011.

3. VIOLENT CRIMES

< **First Offense Violent Crimes - Court Discretion**

The offender was sentenced for a crime of violence committed on or after August 15, 1995 and prior to August 15, 2011, and the sentencing court denied or placed conditions on eligibility for diminution of sentence. C.Cr.P. Art. 890.1. (Act 946 of the 1995 Regular Session)

< **Second Offense Violent Crime - No Court Discretion**

Diminution of sentence shall not be allowed an offender in the custody of the Department if the instant offense is a second offense crime of violence as defined by La. R.S. 14:2(b) committed on or after August 27, 1994, pursuant to La. R.S. 15:571.3B. (Act 150 of the 1994 2nd Extraordinary Session)

4. SEX CRIMES

< **Sex Crime with Court Discretion**

The offender is serving a sentence for a sex offense which was committed on or after August 27, 1994 and before August 15, 1999 and the sentencing court denied or placed conditions on eligibility for the earning of good time pursuant to La. R.S. 15:537 (Act 110 of the 1994 3rd Extraordinary Session).

< **Sex Crime with No Court Discretion**

The offender is serving a sentence for a sex offense which was committed on or after August 15, 1999 pursuant to La. R.S. 15:537(A) (Act 1209 of the 1999 Regular Session). (See attachment #2)

< **Sex Crime Second Offense-Specific Class-No Court Discretion**

The offender has been convicted two or more times under the laws of this state of any one or more of the following crimes where the instant offense was committed on or after August 27, 1994, pursuant to La. R.S. 15:571.3C(4), (Act 149 of the 1994 3rd Extraordinary Session); or the inmate has been convicted two or more times under the laws of this state, any other state, or the federal government of any one or more of the following crimes or attempts to commit any of the following crimes where the instant offense was committed on or after August 15, 1999, pursuant to La. R.S. 15:571.3C(4), (Act 223 of the 1999 Regular Session).

- 1) 14:80 Carnal Knowledge of a juvenile
- 2) 14:81 Indecent behavior with a juvenile
- 3) 14:81.2 Molestation of a juvenile
- 4) 14:78 Incest
- 5) 14:78.1 Aggravated Incest

< **SEX CRIMES COMMITTED ON OR AFTER AUGUST 15, 2006**

The offender has been convicted one or more times under the laws of this state, any other state, or the federal government of any one or more of the following crimes or attempts to commit any of the following crimes when the instant offense was committed on or after August 15, 2006, pursuant to Act 572 of the 2006 Regular Session.

- 1) 14:80 Carnal Knowledge of a juvenile
- 2) 14:81 Indecent behavior with a juvenile
- 3) 14:81.2 Molestation of a juvenile
- 4) 14:78 Incest
- 5) 14:78.1 Aggravated Incest

NOTE: Sex offenders must have an approved residence plan prior to release on supervision in accordance with R.S. 15:541(14.1), pursuant to Act 26 of the 2006 Regular Session. (See attachment #3)

5. STALKING

An offender who is convicted of a violation of R.S. 14:40.2 (Stalking), and the offense was committed on or after August 15, 1999, shall be prohibited from earning diminution of sentence at the discretion of the trial court, pursuant to La. R.S. 15:571.3C(5). (Act 963 of the 1999 Regular Session).

6. LIFE SENTENCE

offenders serving life sentences are ineligible to earn good time. However, offenders serving life sentences will be credited with good time earned which will be applied toward diminution of their sentences at such time as the life sentence might be commuted to a specific number of years. • (La. R.S. 15:571.3B.)

7. JUVENILE LIFE

Any offender who was a 14 year old juvenile at the time of the commission of any of the following crimes committed on or after August 27, 1994, AND who was sentenced as an adult under the provisions of La. Children's Code Article 857 shall not be held past his 31st birthday on the instant offense for which he was convicted and sentenced: (Act 15 of the 1994 3rd Extraordinary Session, effective August 27, 1994).

- < First degree Murder
- < Second degree murder
- < Aggravated kidnapping
- < Aggravated Rape
- < Aggravated battery when committed by the discharge of a firearm
- < Armed robbery when committed with a firearm
- < Forcible rape committed upon a child at least two years younger than the rapist (added by Act 1137 of the 1997 Regular Session effective July 14, 1997).

8. MEDICAL PAROLE

In accordance with La. R.S. 15:574.20(D) the parole term of an offender released on medical parole shall be for the remainder of the offender's sentence, without diminution of sentence for good behavior.

C. FORFEITURE OF GOOD TIME - In accordance with DOC REG No. B-04-005

1. ESCAPES

Prior to August 30, 1986 - offenders who escape prior to this date and are convicted of escape in a court of law shall be required to forfeit all good time earned on that portion of his sentence served prior to his escape in accordance with La. R.S. 15:571.4B(1) (Act 502 of the 1979 Regular Session).

On or after August 30, 1986 - offenders who escape on or after this date may forfeit good time earned in accordance with Department Regulation No. B-04-005.

On or after August 15, 2004, an offender serving a sentence and participating in a Transitional Work Program authorized by law, fails to report to or return from his planned employment or other activity under the program may forfeit all good time earned on that portion of his sentence served prior to his escape. (ACT 43 of the 2004 Regular Session)

- < offenders who commit serious rule violations (Schedule B) may be required to forfeit up to a maximum of 180 days of good time per offense.

2. PAROLE VIOLATORS

Granted Parole before August 15, 1997 for a crime committed after

July 26, 1972:

Parole violators are required to forfeit all good time earned on that portion of the sentence served prior to the granting of parole, up to a maximum of 180 days

Granted Parole on or after August 15, 1997:

An offender who has been granted regular parole on or after August 15, 1997, should his parole be revoked for any reason, good time earned prior to parole and good time that would have been earned if parole had not been granted will be forfeited (including educational good time), as required by La. R.S. 15:571.4B(2) (Act 820 of the 1997 Regular Session) and La. R.S. 15:574.4(l)(2).

When the parole of a parolee has been revoked by the board for the violation of the conditions of parole, the parolee shall be returned to the physical custody of the Department and serve the remainder of his sentence as of the date of his release on parole subject to any credit for time served for good behavior while on parole. (Act 792 of the 2010 Regular Session)

Critical comment: **Offenses committed before July 26, 1972:** Beebe v. Phelps, 650 F.2d 774 ruled that inmates who were serving time for an offense committed before July 26, 1972 and granted parole, will not forfeit any good time should their parole be revoked.

D. PAROLE ELIGIBILITY - In accordance with DOC REG No. B-04-004

NOTE: offenders who are serving a term for an offense that was committed on or after July 1, 1982, pursuant to Act 762 of the 1981 Regular Session will have their parole eligibility dates computed in accordance with their offender classification at the time of that offense.

1. FIRST OFFENDERS

Offenders convicted of a first felony offense and who are otherwise eligible for parole, shall be eligible for parole consideration upon serving one-third of the sentence imposed.

Offenders sentenced on or after August 15/2011 and not serving a sentence for a violent offense, sex offense or sentenced under R.S. 15:529.1 regardless of the date of conviction, convicted of a first felony offense shall be eligible for parole consideration upon serving one-fourth of the sentence imposed.

2. SECOND OFFENDERS

Inmates convicted of a second felony offense and who are otherwise eligible for parole, shall be eligible for parole consideration upon serving one-half of the sentence imposed.

Offenders sentence on or after August 01, 2012, conviction of a second felony offense and not serving a sentence for a violence offense, sex offense or sentenced under R.S. 15:529.1 regardless of the date of conviction, shall be eligible for parole consideration upon serving one third of the sentence imposed.

3. OFFENDER CLASSIFICATION

Sequential Rule - The number of sequential felonies committed for which an inmate has been convicted. A second offender status can only result from an offense committed after a first conviction, and third offender status can only result from an offense committed after a second conviction

4. VIOLENT CRIMES

Offenders convicted of a crime of violence, which is committed on or after January 1, 1997, and who are otherwise eligible for parole, shall serve at least 85% of their sentence before receiving any parole consideration. (Act 1099 of the 1995 Regular Session).

Exceptions To The Above Restrictions

5. Act 790, Geriatric Parole (1) Sentenced to a term or terms of imprisonment with or without benefit of parole for thirty years or more after serving at least twenty consecutive years in actual custody and reaching age forty-five. Life sentences are not eligible.

Armed Robbery not eligible for persons who has committed the offense on or after 1/1/1997. Convictions for a crime of violence as defined in R.S. 14:2 or a sex offense as defined in R.S. 15:541 are not eligible for persons committing an offense on or after 8/01/2014.

6. Act 253, Geriatric Parole (2) Sentenced to a term of imprisonment with or without benefit of parole who has served at least ten consecutive years in actual custody and reaching the age of sixty if all **conditions are met. No crimes of violence or sex offenses regardless of date of conviction. Life Sentences are not eligible

**** Conditions**

1. Obtained a low-risk level
2. No major disciplinary infractions in 12 consecutive months prior to eligibility date.
3. Completed mandatory minimum of 100 hrs Pre-Release, if available at the facility where the offender is incarcerated.
4. Complete substance abuse treatment if applicable

5. Obtained a GED if not previously obtained or if deemed incapable, shall complete at least one of, literacy, adult basic education program or job skills program

7. **Cleansing Period Between Offenses** The current offense shall not be counted as a second or subsequent offense if more than ten years have lapsed between the date of the commission of the current offense or offenses and the expiration of the person's maximum sentence or sentences (FTD) of the previous conviction or convictions or between the expiration of his maximum sentence or sentences of each preceding conviction and the date of the commission of the following offense or offenses. This shall not apply to anyone convicted of a crime of violence as defined in 14:2(B) or a sex offense as defined in 15:541, sentenced under 15:529.1 or otherwise ineligible for parole.

NOTE: An inmate who has completed the good time requirements on a non-parolable sentence may be considered eligible for parole on other parolable sentences within the term of incarceration. (See Ronald Glover v. Mary Cockerham, Et al No. 431,819 Division "I" 19th JDC East Baton Rouge Parish).

E. **PAROLE INELIGIBILITY**

1. **THIRD OFFENDERS**

Inmates convicted of a third or subsequent felony and committed to the DPS&C shall not be eligible for parole

2. **LIFE SENTENCES**

No inmate serving a life sentence shall be eligible for parole consideration until the life sentence has been commuted to a fixed term of years.

3. **Life Sentences Exceptions:**

A. **Life Sentences for Production, manufacturing, distribution, or dispensing or possessing with intent to produce, manufacture or distribute heroin.** Eligible for benefit of parole after serving 15 years of incarceration.- Act 533 of 2009.

B. **Life Sentences for persons who was under the age of 18 at the time of the commission of the offense, except for the conviction of first degree murder (14:30) or second degree murder (14:30.1).** Eligible for benefit of parole after serving 30 years of incarceration if all ** conditions are met. A written evaluation of the offender by an expert in adolescent brain development submitted to the Board. Act 466 of 2012

C. Life Sentences for persons who was under the age of 18 at the time of the commission of the offense for a conviction of first degree murder (La. R.S. 14:30) or second degree murder (La. R.S. 14:30.1)

Eligible for benefit of parole after serving 35 years of the sentence in actual custody if a judicial determination has been made that the person is entitled to parole eligibility and all of the *** conditions are met:

A written evaluation of the offender by an expert in adolescent brain development and behavior is submitted to the Committee on Parole.

Act 239 of 2013

D. Life Sentences with or without the benefit of parole and not serving a sentence for a crime of violence or sex offense regardless of date of conviction.

At least 18 and under 25 at the time of sentencing – Eligible for benefit of parole after serving 25 years of the sentence if all **conditions are met

At least 25 and under 35 at the time of sentencing- Eligible for benefit of parole after serving 20 years of the sentence if all **conditions are met

At least 35 and under 50 at the time of sentencing – Eligible for benefit of parole after serving 15 of the sentence if all **conditions are met.

At least 50 at the time of sentencing – Eligible for benefit of parole after serving 10 years of the sentence if all **conditions are met. Act 401 of 2012

**** Conditions**

1. Obtained a low-risk level
2. No major disciplinary infractions in 12 consecutive months prior to eligibility date.
3. Completed mandatory minimum of 100 hrs Pre-Release, if available at the facility where the offender is incarcerated.
4. Complete substance abuse treatment if applicable
5. Obtained a GED if not previously obtained or if deemed incapable, shall complete at least one of, literacy, adult basic education program or job skills program

3. PENDING CHARGES

Inmates may not be paroled while there is a pending indictment or formal charge for any crime suspected of having been committed while incarcerated. .

4. SERIAL SEX OFFENDER

No inmate sentenced as a serial sex offender shall be eligible for parole when the instant sex offense was committed on or after August 15, 1999. (La. R.S. 15:537.(B), Act 1209 of the 1999 Regular Session).

5. **STATUTORILY NOT ELIGIBLE – “Please refer to the PED Hot List”**

Inmates convicted of certain crimes will not be eligible for parole consideration if the particular penalty statute under which they were convicted prohibits parole eligibility, even if the court fails to state that the sentence is imposed without benefit of parole. (Effective August 15, 1999, pursuant to Act 94 of the 1999 Regular Session).

< **When the expressed orders of the sentencing court is less than the restrictions for parole than what the law requires, the Department will indicate parole eligibility in compliance with the applicable law.**

6. **PARDON**

When the Governor (through a commutation of sentence) orders that an inmate is eligible for parole consideration after serving a portion of a sentence, the parole eligibility date shall be computed as specified by the commutation of sentence.

F. **DNA** – In accordance with DOC REG No. B-08-016

1. Offenders shall not be released in any manner, including parole, diminution of sentence (GTPS), good time, full term, compassionate release or transitional work program unless and until a DNA sample has been drawn. (See Department Regulation No. B-08-016 “DNA Protocols” for additional information).

2015

"LIST OF SEX CRIMES"
(For the purpose of denying good time)

- 14:41 Rape
- 14:42 Aggravated Rape **or First Degree Rape**
- 14:42.1 Forcible Rape **or Second Degree Rape**
- 14:43 Simple Rape **or Third Degree Rape**
- 14:43.1 Sexual Battery
- 14:43.2 Aggravated Sexual Battery
- 14:43.3 Oral Sexual Battery
- ~~14:43.4 Aggravated Oral Sexual Battery Repealed by Act 301 August 15, 2001~~
- 14:43.5 Intentional Exposure to AIDS Virus
- ~~14:76 Bigamy Repealed by Act 1206 August 15, 2001~~
- ~~14:77 Abetting in Bigamy Repealed by Act 1206 August 15, 2001~~
- 14:78 Incest *Repealed by Act 602, June 12, 2014*
- 14:78.1 Aggravated Incest *Repealed by Act 602, June 12, 2014*
- 14:80 Felony Carnal Knowledge of a Juvenile
- 14:81 Indecent Behavior with Juveniles
- 14:81.1 Pornography Involving Juvenile
- 14:81.2 Molestation of a Juvenile
- 14:81.3 Computer-aided Solicitation of a Minor *Added in 2008, by Act 461 (Committed on or after June 25, 2008)*
- ~~14:89 Crime Against Nature Repealed by Act 1206 August 15, 2001~~
- 14:89(A) (1) Crime Against Nature *Added in 2001, by Act 1206 (Effective August 15, 2001)*

- 14:89 *Crime Against Nature Added in 2014 by Act 602 (effective for crimes committed 6/12/2014)*
- 14:89.1 *Aggravated Crime Against Nature*
- 14:93.5 *Sexual Battery of the Infirm Added in 2001, by Act 1206 (Effective August 15, 2001)*

A conviction for the attempt of the above offenses shall not be considered as a sex offense for the purpose of denying good time except the following offenses when the commitment is on or after 8/15/06:

- 14:80 *Felony Carnal Knowledge of a Juvenile***
- 14:81 *Indecent Behavior of a Juvenile***
- 14:81.2 *Molestation of a Juvenile***
- 14:78 *Incest***
- 14:78.1 *Aggravated Incest***
- 14:89(A)(2) *Crime Against Nature Added in 2014 by Act 602***
(effective for crimes committed 6/12/2014)
- 14:89.1(A)(2) *Aggravated Crimes Against Nature Added in 2014 by***
Act 602 (effective for crimes committed 6/14/2014)

The Department considers “Principal Parties (La. R.S. 14:24) of any of the above offenses to be a sex offense. The Department does not consider “Accessory After the Fact” (La. R.S. 14:25) or Criminal Conspiracy to Commit” (La. R.S. 14:26) to be a sex offense.

Crimes of Violence
La. R.S. 14:2

"Crime of violence" means an offense that has, as an element, the use, attempted use, or threatened use of physical force against the person or property of another, and that, by its very nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense, an offense that involves the possession or use of a dangerous weapon or a crime designated by the sentencing court. The following offenses and attempts to commit any of them are included as "crimes of violence":

- 14.28.1 Solicitation for murder
- 14:30 First degree murder
- 14:30.1 Second degree murder
- 14:31 Manslaughter
- 14:32.1 Vehicular homicide *(Added by La. Supreme Court, State v. Oliphant, No. 2012-K-1176.So.3d effective for offenses committed on or after March 19, 2013 and committed prior to 5/28/2014)*
- 14:32.1 C Vehicular homicide if the offender's blood alcohol concentration at the time of the offense exceeds .20 percent BAC as stated in the record. (committed on or after 5/28/2014, Act 280 of 2014)
- 14:34 Aggravated battery
- 14:34.1 Second degree battery
- 14:34.2 Battery of a Police Officer *Added in 2008 by Act 619 effective for committed on or after August 15, 2008*
- 14:34.6 Disarming of a peace officer *Added in 2003 by Act 637 effective August 15, 2003*
- 14:34.7 Aggravated second degree battery *Added in 2003 by Act 637 effective August 15, 2003*
- 14:35.3 M *Domestic Abuse, Battery by burning that causes serious bodily injury added in 2012 by Act 289 effective June 14, 2013*
- 14:37 Aggravated assault

- 14:37.1 Assault by drive-by shooting
- 14:37.2 Aggravated assault upon a peace officer with a firearm *Added in 2003 by Act 637 effective August 15, 2003*
- 14:37.4 Aggravated assault with a firearm *Added in 2003 by Act 637 effective August 15, 2003*
- 14:37.7 Domestic Abuse, Aggravated Assault added in 2014 by Act 194 committed on or after 08/01/2014
- 14:38.1 Mingling harmful substances
- 14:40.2 Stalking *Added in 2003 by Act 637 effective August 15, 2003*
- 14:42 Aggravated rape *Renamed in 2015 by Acts 184 and 256 effective August 01, 2015*
- 14:42 First degree rape *Added in 2015 by Acts 184 and 256 effective August 01, 2015*
- 14:42.1 Forcible rape *Renamed in 2015 by Acts 184 and 256 effective August 01, 2015*
- 14:42.1 Second degree rape *Added in 2015 by Acts 184 and 256 effective August 01, 2015*
- 14:43 Simple rape *Renamed in 2015 by Acts 184 and 256 effective August 01, 2015*
- 14:43 Third degree rape *Added in 2015 by Acts 184 and 256 effective August 01, 2015*
- 14:43.1 Sexual battery
- 14:43.2 Aggravated sexual battery *Renamed in 2004 by Act 676 effective August 15, 2004*
- 14:43.2 Second degree sexual battery *Added in 2004 by Act 676 effective August 15, 2004*
- ~~14:43.3 Oral sexual battery *Repealed by Act 301 August 15, 2001*~~
- ~~14:43.4 Aggravated oral sexual battery *Repealed by Act 301 August 15, 2001*~~

- 14:43.5 Intentional exposure to AIDS virus
- 14:44 Aggravated kidnapping
- 14:44.1 Second degree kidnapping
- 14:45 Simple kidnapping
- 14:46.2 Human Trafficking *Added in 2010 by Act 387, August 15, 2010*
- 14:46.3 Trafficking of children *Added in 2010 by Act 387, August 15, 2010*
- 14:51 Aggravated arson
- 14:55 Aggravated criminal damage to property
- 14:60 Aggravated burglary
- 14:62.8 Home Invasion *Added in 2010 by Act 524, August 15, 2010*
- 14:64 Armed robbery
- 14:64.1 First degree robbery
- 14:64.2 Car jacking
- 14:64.3 Armed robbery; use of firearm; additional penalty *Added in 2003 by Act 637 effective August 15, 2003*
- ~~14:64.4 Aggravated robbery *Added in 2003 by Act 637 effective August 15, 2003*~~
- 14:64.4 Aggravated robbery *Renamed in 2004 by Act 651 effective August 15, 2004*
- 14:64.4 Second degree robbery *Added in 2004 by Act 651 effective August 15, 2004*
- 14:65 Simple robbery
- 14:65.1 Purse snatching
- 14:66 Extortion
- 14:78.1 Aggravated Incest *Added in 2006 by Act 72 effective August 15, 2006 (Elements of this crime moved to 14:89.1 effective 6/12/2014 by Act 602 of 2014))*

- 14:89.1 Aggravated crime against nature
- 14:93.2.3 Second degree cruelty to juveniles *Added in 2003 by Act 637 effective August 15, 2003*
- 14:94 Illegal use of weapons or dangerous instrumentalities *Added in 1995 by Act 1223 effective August 15, 1995*
- 14:108.1C Aggravated flight from an officer *Added in 2003 by Act 637 effective August 15, 2003*
- 14:128.1 Terrorism (*1st Ex. Sessoin Act 128 June 16, 2002*)

890.1 Crimes designated by the Court *repealed in 2011*

The Department of Corrections considers "Principal Parties" (14:24) to be an enumerated violent crime . The Department does not consider "Accessory After the Fact" (La. R.S. 14:25) or Criminal Conspiracy to Commit" (La. R.S. 14:26) to be a crime of violence.

**Louisiana Department of Public Safety
and Corrections
Corrections Services**

**James M. Le Blanc
Secretary**

**FACT SHEET
June 30, 2016**



This document represents a demographic snapshot of the adult probation and parole population under state supervision on June 30, 2016

Presently there are 40,248 probationers and 31,026 parolees being supervised by the Department. The parole population includes those offenders released pursuant to diminution of sentence/parole supervision for a total of 71,247

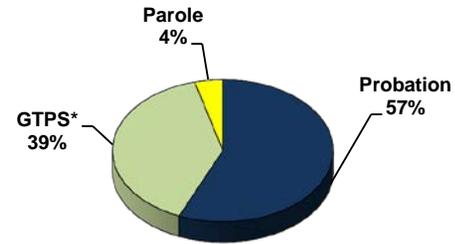
- Series of Fact Sheets made available by LDPS&C:
- Demographic Profiles of the Adult Correctional Population
 - Demographic Profiles of Adult Offenders Housed in State and Local Facilities
 - Demographic Profiles of Adult Offenders in Transitional Work Program
 - Demographic Profiles of the Death Row Correctional Population
 - Demographic Profiles of the LIFERS Adult Correctional Population
 - Demographic Profiles of the Youthful Offender Population
 - Demographic Profiles of the Geriatric Correctional Population
 - Demographic Profiles of the Female Correctional Population
 - Demographic Profiles of the Sex Offender Correctional Population
 - Demographic Profiles of the Adult Probation and Parole Population
 - Demographic Profiles of the Adult Sex Offender Probation and Parole Population

**Prepared By
Office of Management & Finance
Information Services
(225) 342-6544**

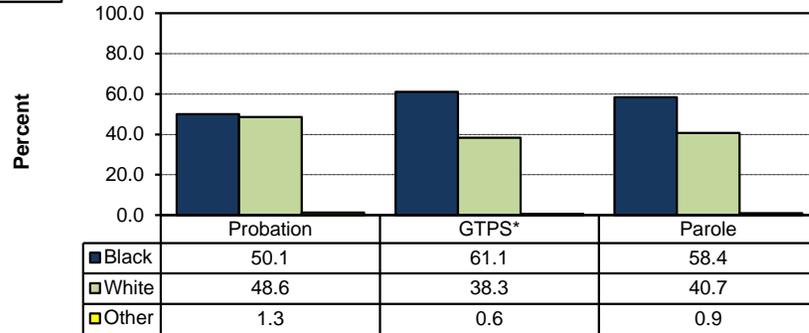


**Demographic Profiles of the
Adult Probation and Parole Population**

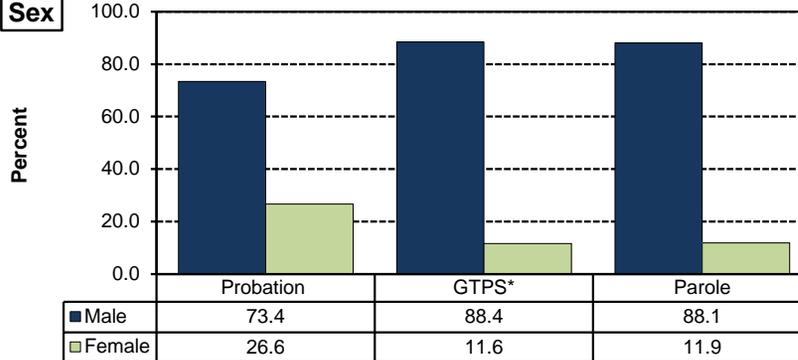
**Total
Population
71,274**



Race



Sex

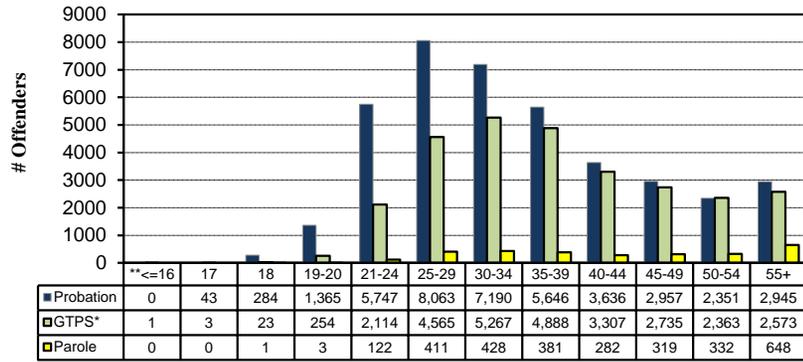


*(Diminution of sentence) GTPS-goodtime/parole supervision



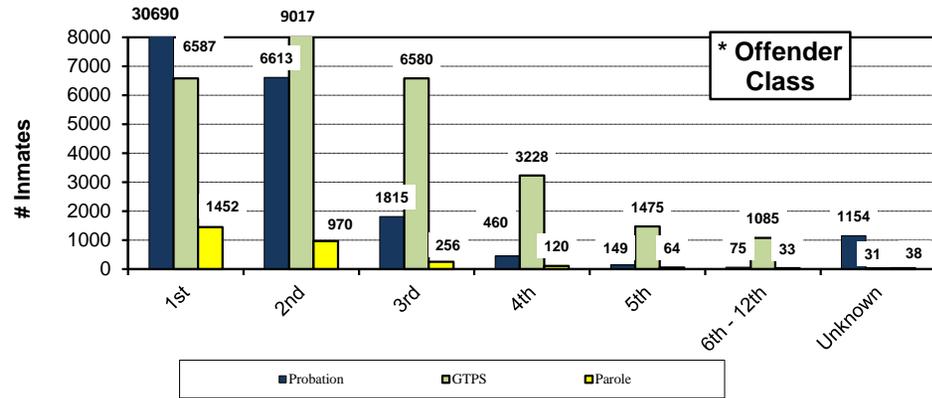
Demographic Profiles of the Adult Probation and Parole Population

Age



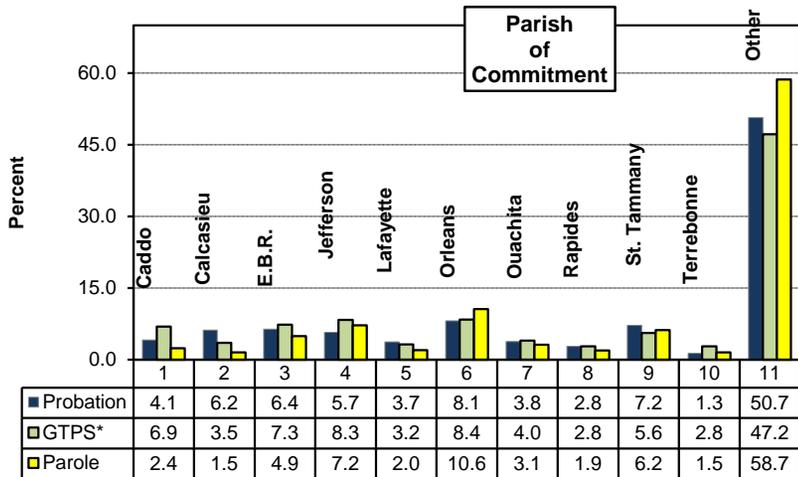
Demographic Profiles of the Adult Probation and Parole Population

FACT SHEET
June 30, 2016



* Offender class is the number of sequential felonies committed for which an offender has been convicted

Most Serious Commitment Crime	Probation	GTPS*	Parole
Violent Crimes	8.6%	10.6%	27.1%
Drug Crimes	43.1%	41.8%	43.8%
Property Crimes	31.4%	30.1%	20.6%
All Other Crimes	16.9%	17.5%	8.5%



*(Diminution of sentence) GTPS-goodtime/parole supervision

Max Sent (YRS)	Probation	GTPS*	PAROLE
0-2	20.8%	14.6%	1.4%
3-4	34.5%	21.5%	4.2%
5-6	41.5%	25.5%	18.5%
7-10	1.8%	23.7%	19.1%
11-16	0.2%	8.2%	5.2%
17-20	0.0%	2.3%	3.1%
>20	0.1%	4.2%	20.3%
Life	0.0%	0.0%	2.9%
Pending Calculation/Re-calculation	1.1%	0.0%	25.3%

Avg. Max Sent: 5.80 years

**Louisiana Department of Public Safety
and Corrections
Corrections Services**

**James M. Le Blanc
Secretary**

**FACT SHEET
June 30, 2016**



This document represents a demographic snapshot of the adult sex offender probation and parole population under state supervision on June 30, 2016.

Presently there are 1,351 probationers, 151 parolees, and 596 offenders released pursuant to diminution of sentence for a total of 2,098 being supervised by the Department.

Series of Fact Sheets made available by LDPS&C:

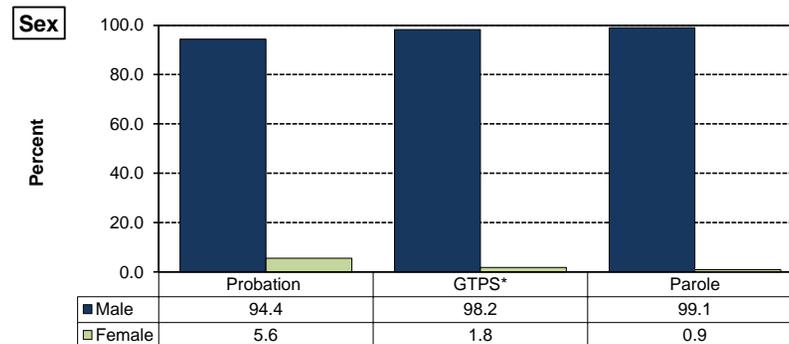
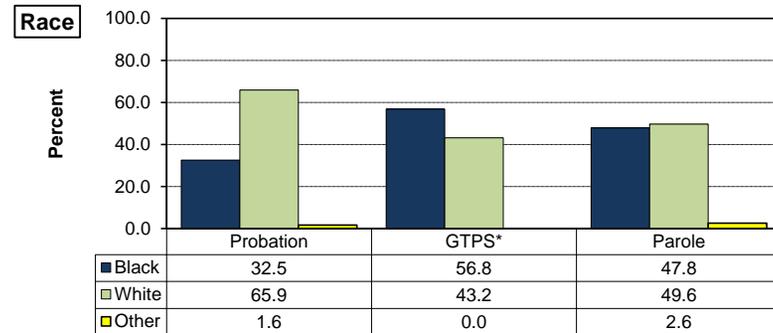
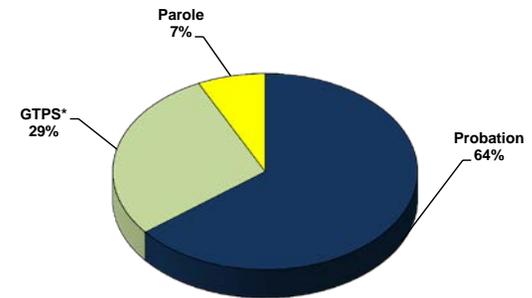
- Demographic Profiles of the Adult Correctional Population
- Demographic Profiles of Adult Offenders Housed in State and Local Facilities
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- Demographic Profiles of the Adult Sex Offender Probation and Parole Population

**Prepared By
Office of Management & Finance
Information Services
(225) 342-6544**



**Demographic Profiles of the
Adult Sex Offender Probation and Parole Population**

**Total
Population
2,098**



*(Diminution of sentence) GTPS-goodtime/parole supervision



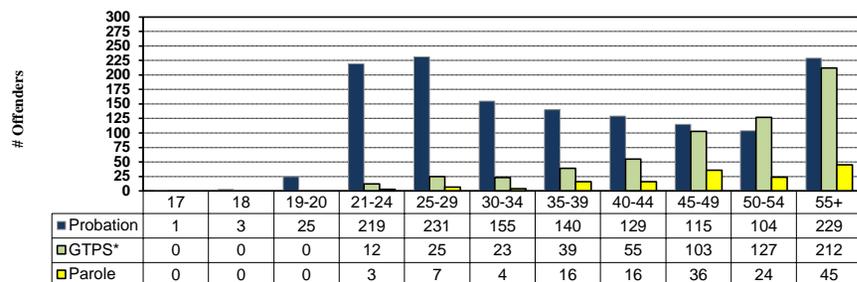
Demographic Profiles of the Adult Sex Offender Probation and Parole Population



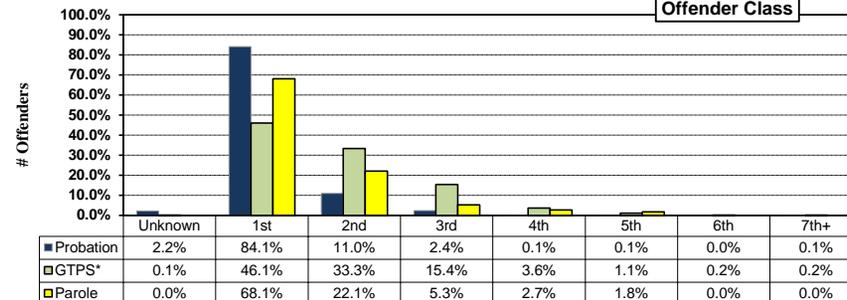
Demographic Profiles of the Adult Sex Offender Probation and Parole Population

FACT SHEET
June 30, 2016

Age

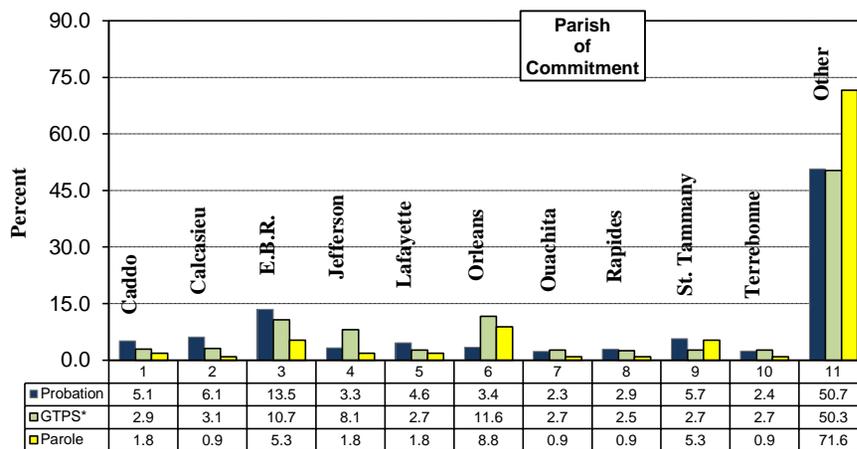


Offender Class



Most Serious Commitment Crime	Probation	GTPS*	Parole
Violent Crimes	7.9%	70.7%	61.1%
Drug Crimes	0.9%	3.1%	0.9%
Property Crimes	0.8%	4.3%	2.7%
All Other Crimes	90.4%	21.9%	35.3%

* Offender class is the number of sequential felonies committed for which an offender has been convicted



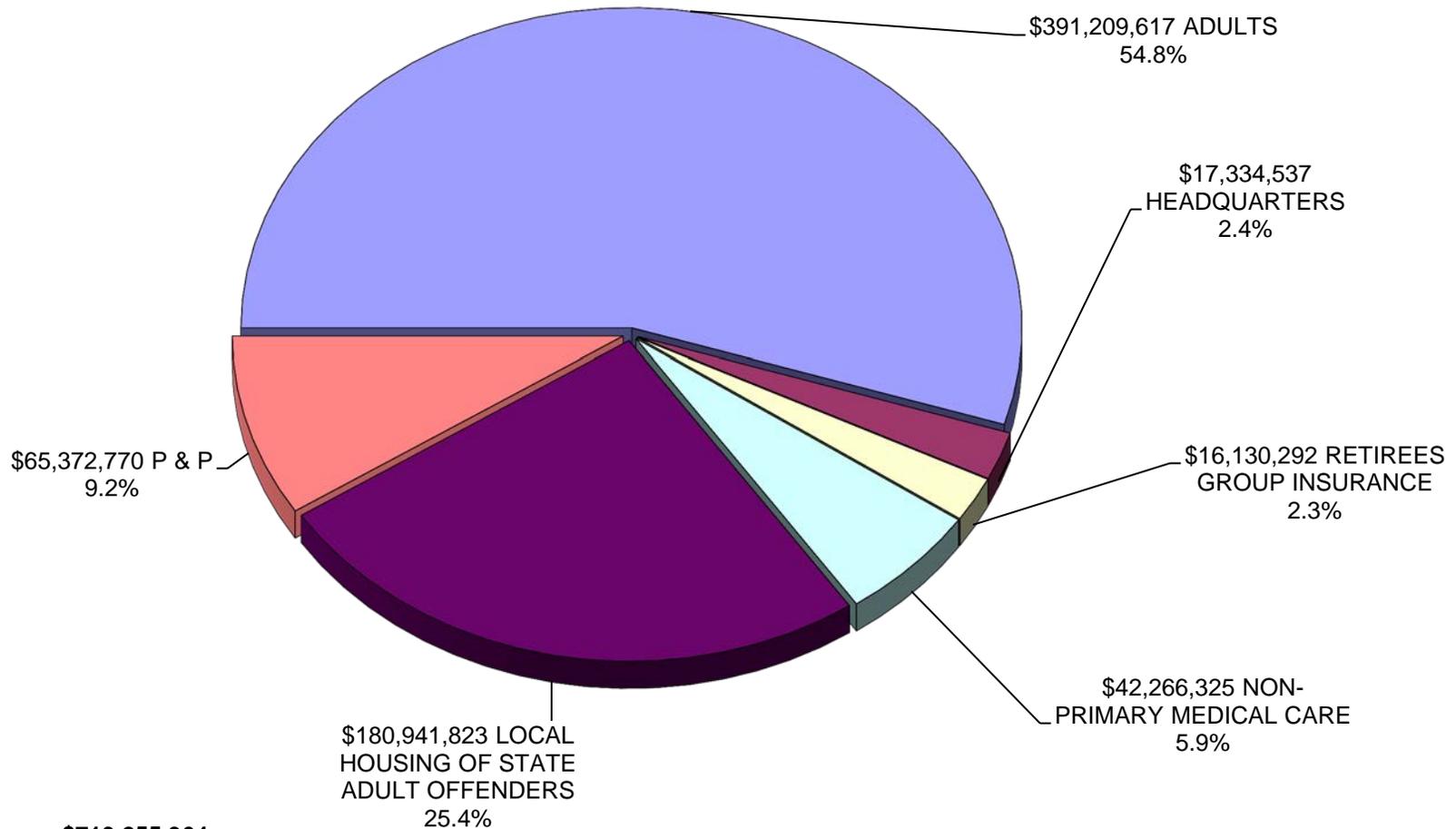
Max Sent (YRS)	Probation	GTPS*	Parole
0-2	8.2%	3.6%	0.9%
3-4	20.9%	4.3%	1.8%
5-6	64.9%	7.8%	3.5%
7-10	3.4%	12.7%	6.2%
11-16	0.7%	17.2%	3.6%
17-20	0.3%	10.1%	4.4%
>20	0.2%	44.1%	14.2%
Life	0.0%	0.0%	15.0%
Death	0.0%	0.0%	0.0%
Pending Calculation/Recalculation	1.4%	0.2%	50.4%

Avg. Maximum Sentence: 10.4 years

*(Diminution of sentence) GTPS-goodtime/parole supervision

DPS&C - CORRECTIONS SERVICES

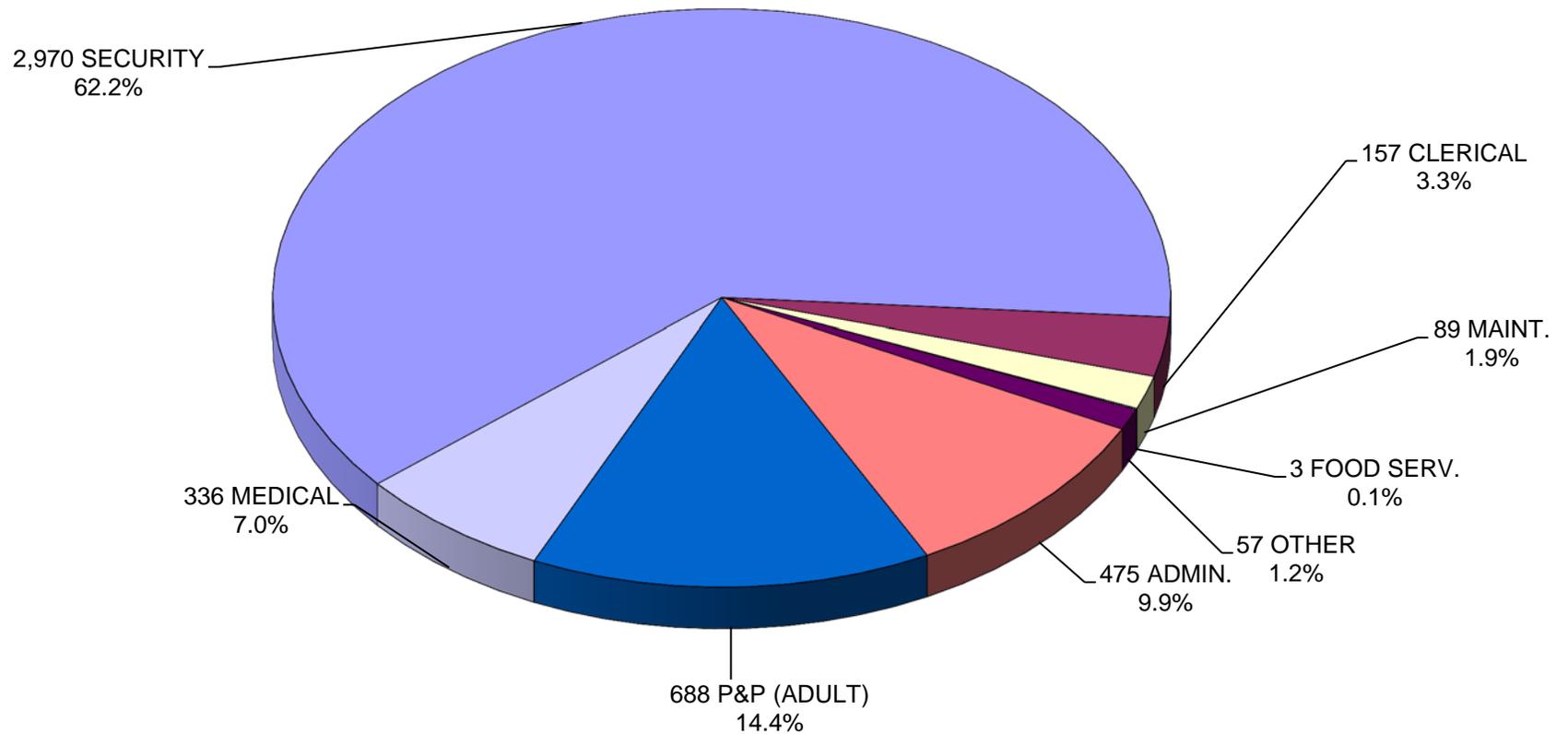
BREAKDOWN OF BUDGETED COSTS BY FUNCTION FY 2014-2015 PER ACT 15



TOTAL = \$713,255,364

DPS&C - CORRECTIONS SERVICES

TABLE OF ORGANIZATION
FISCAL YEAR 2014-2015
PER ACT 15



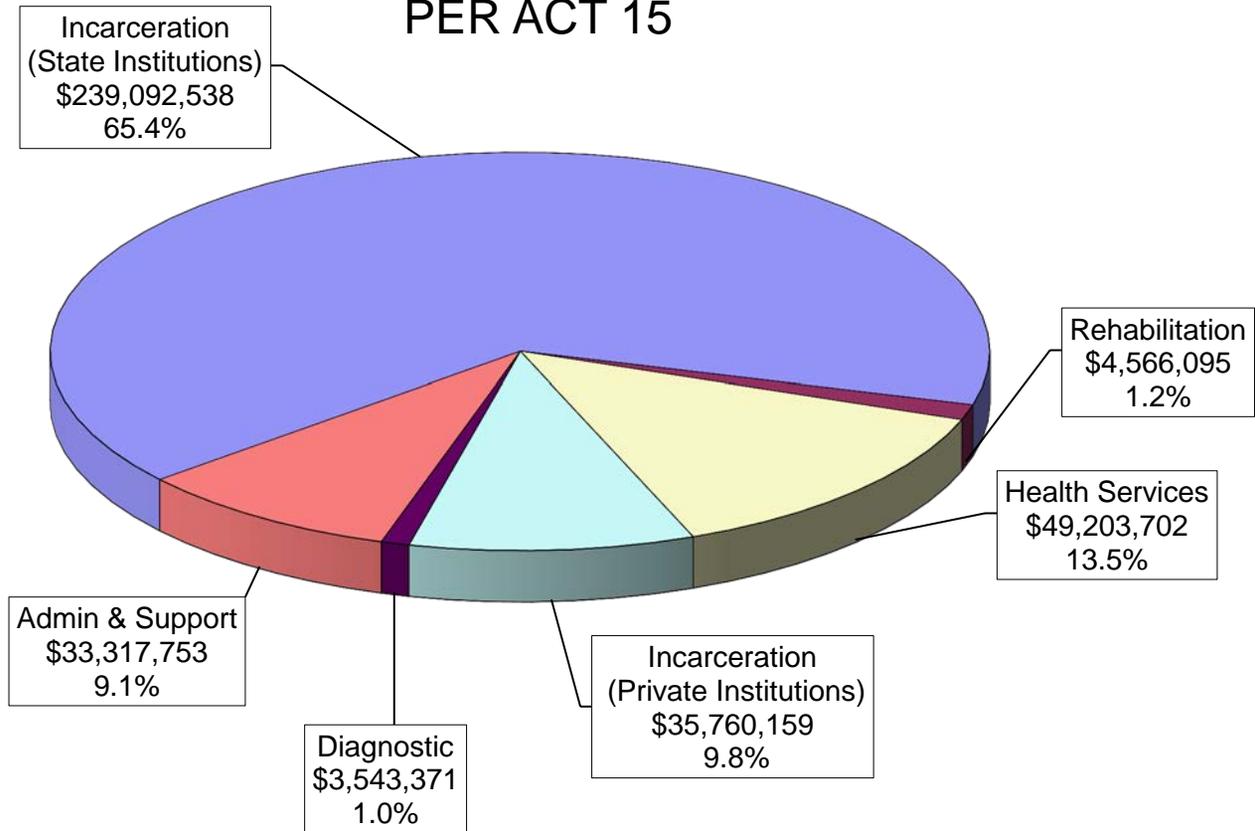
TOTAL T.O. = 4,775

DPS&C - CORRECTIONS SERVICES

ADULT INSTITUTIONS FY 2014-2015

BUDGETS BY ACTIVITY

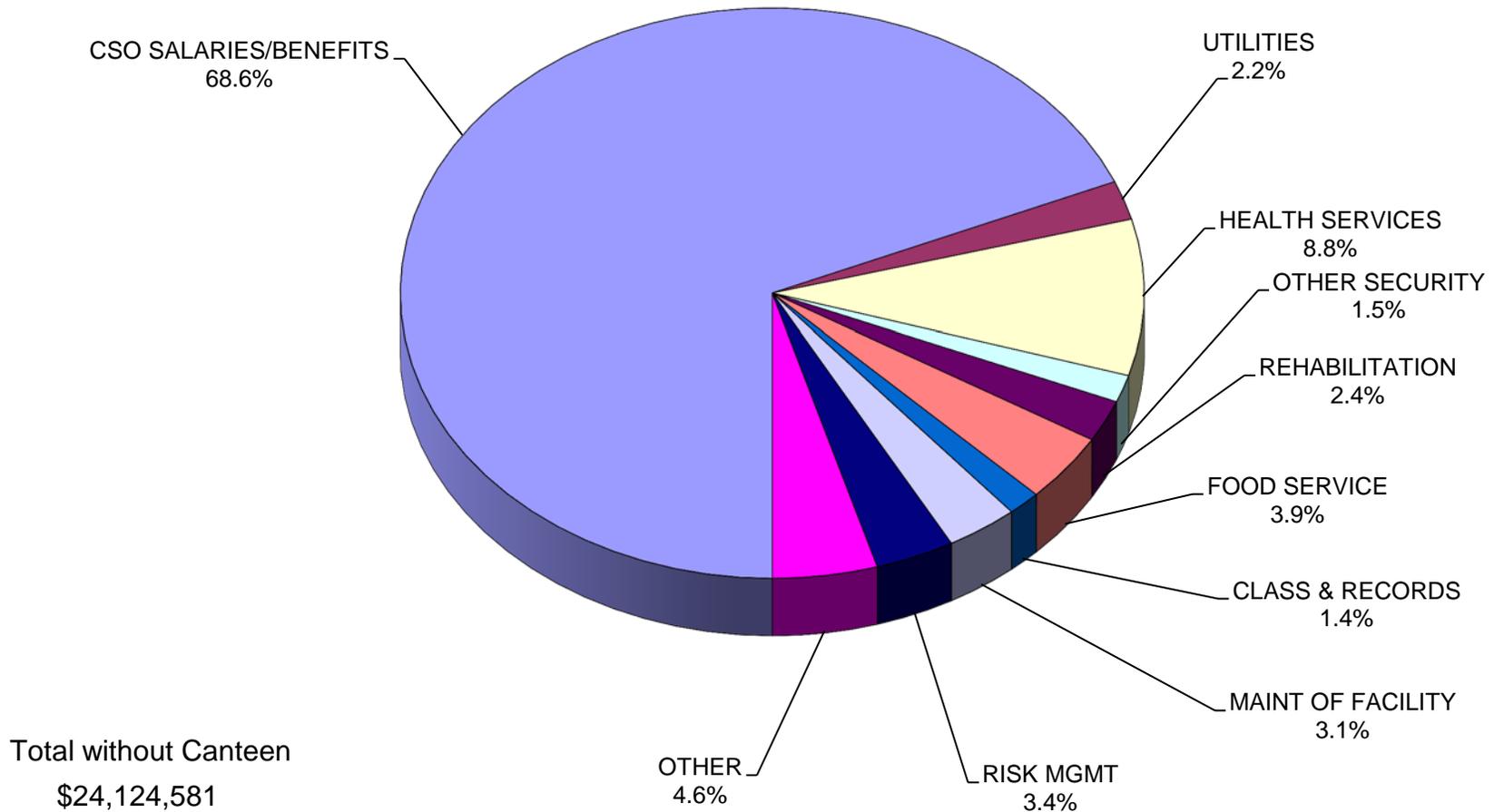
PER ACT 15



TOTAL \$365,483,618
Excludes Canteens

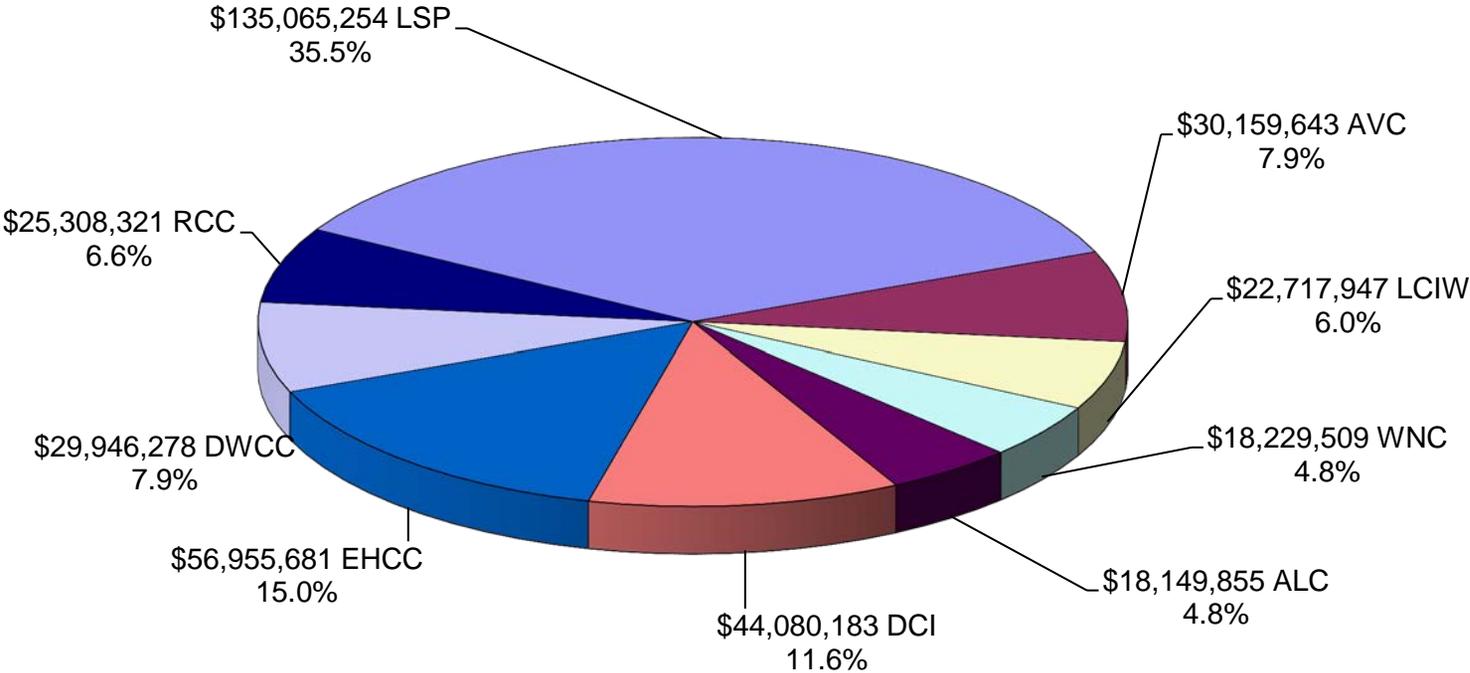
DPS&C - CORRECTIONS SERVICES

BREAKDOWN OF BUDGETED COSTS FOR TYPICAL
ADULT CORRECTIONAL INSTITUTION PER ACT 15
FY 2014-2015



DPS&C - CORRECTIONS SERVICES

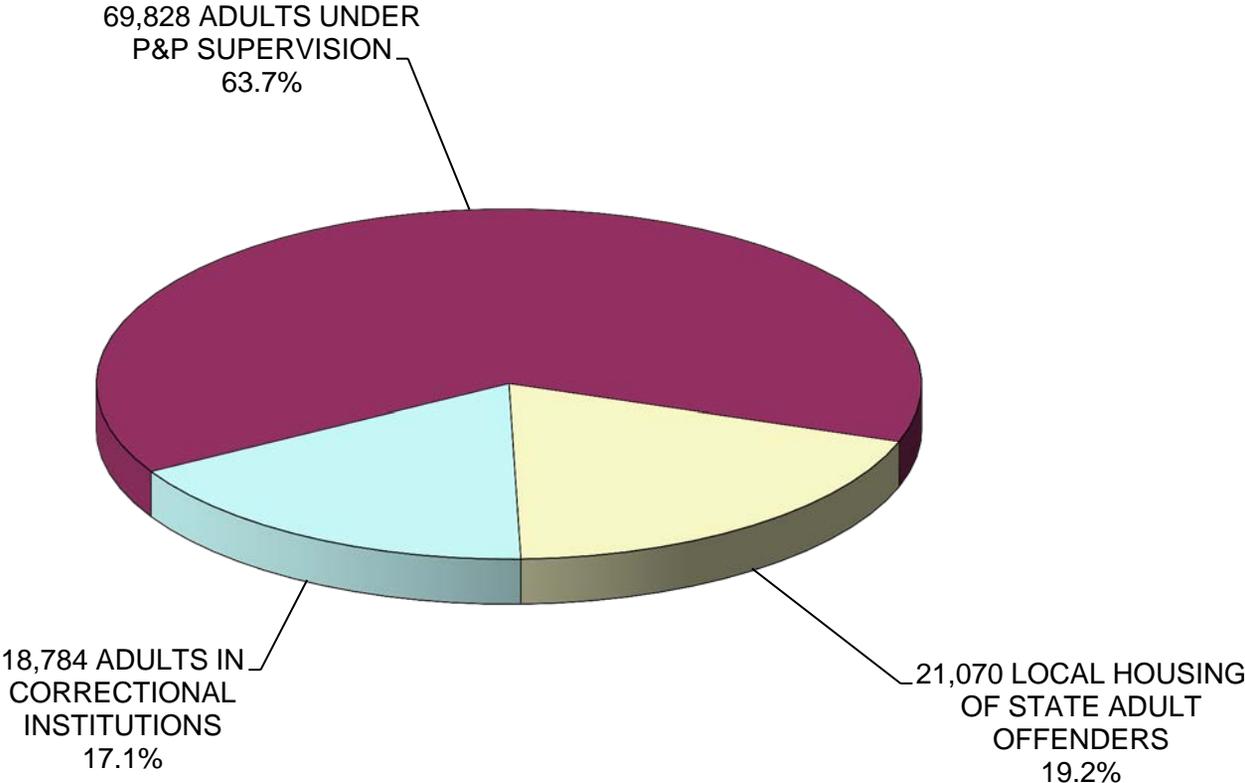
ADULT INSTITUTIONS FY 2014-2015 BUDGETS PER ACT 15



TOTAL BUDGET = \$380,612,671 INCLUDING CANTEENS

DPS&C - CORRECTIONS SERVICES

BREAKDOWN OF BUDGETED OFFENDERS FY 2014-2015 PER ACT 15

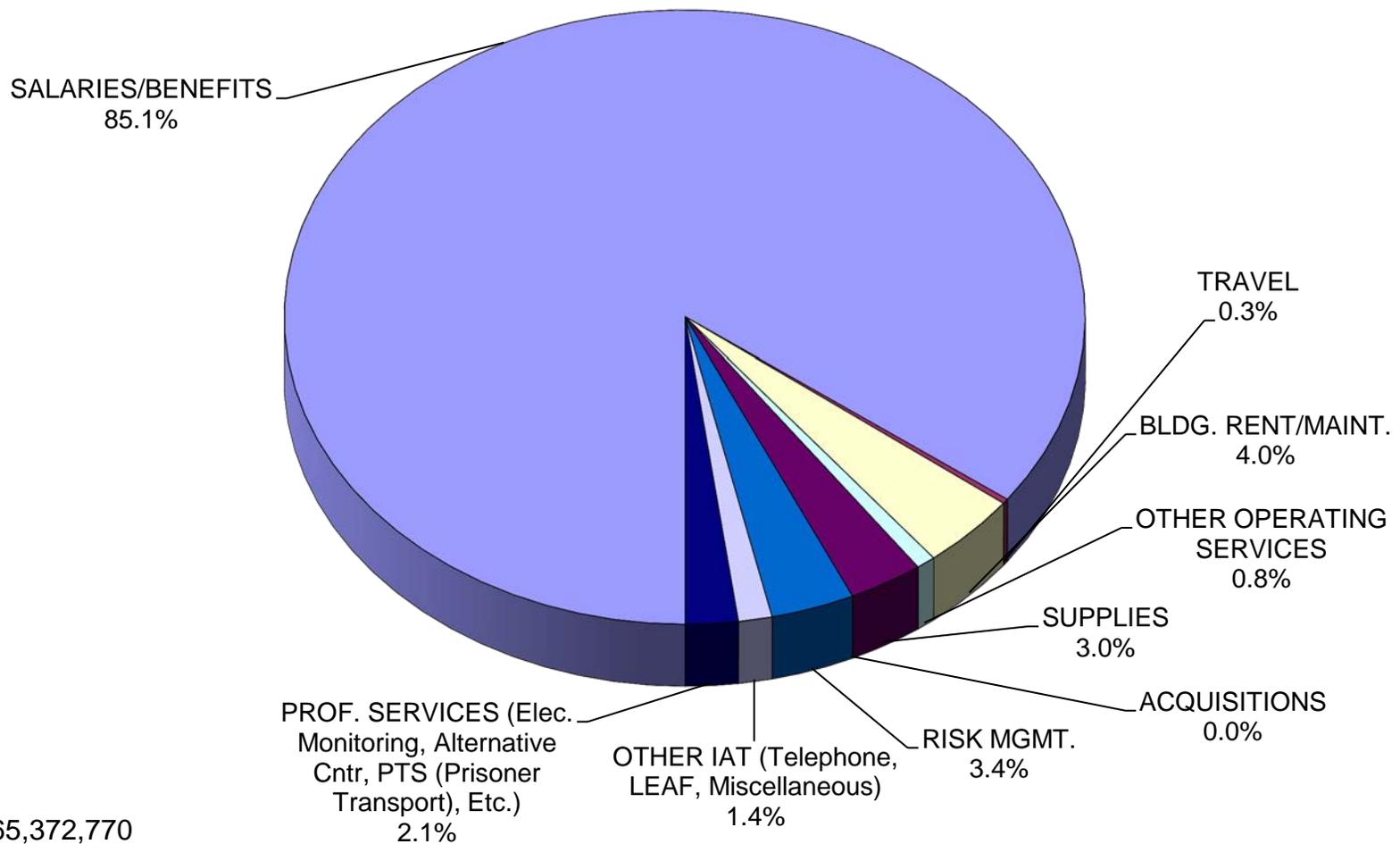


109,682 TOTAL OFFENDERS

DPS&C - CORRECTIONS SERVICES

BREAKDOWN OF BUDGETED COST FOR ADULT PROBATION AND PAROLE PER ACT 15

FY 2014-2015



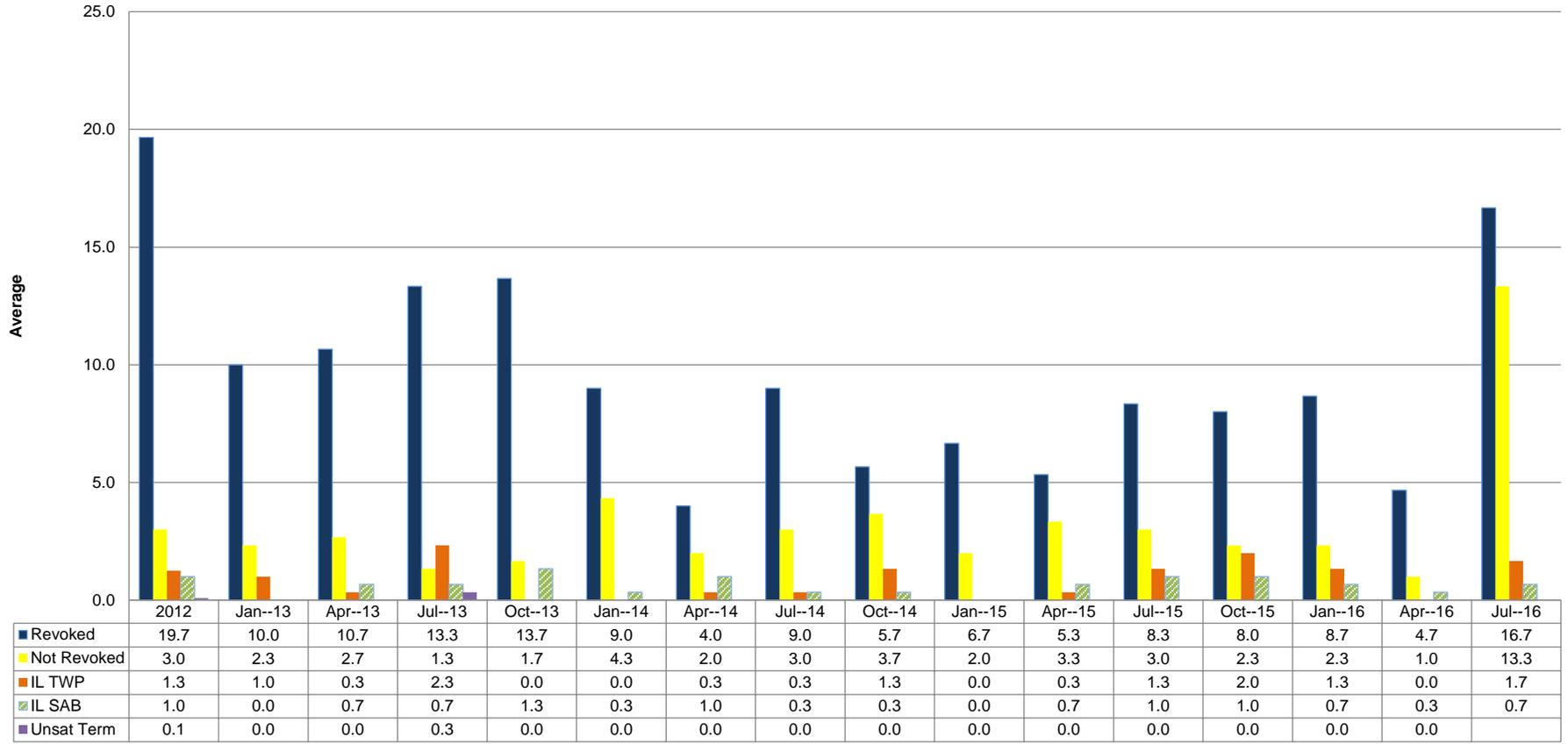
Total \$65,372,770

Revocation Hearing Actions

	Conducted	Revoked	% Revoked	Not Revoked	Unsat Term	In Lieu of	
						TWP	SAB
Jul -- 11	36	34	94.4	1	0	0	1
Aug	32	30	93.8	1	0	1	0
Sept	28	28	100.0	0	0	0	0
Oct	47	45	95.7	1	0	1	0
Nov	21	16	76.2	3	1	1	0
Dec	26	24	92.3	2	0	0	0
Jan -- 12	32	30	93.8	2	0	0	0
Feb	20	19	95.0	1	0	0	0
Mar	16	11	68.8	2	0	1	2
Apr	42	28	66.7	10	0	1	3
May	18	16	88.9	1	0	1	0
Jun	16	10	62.5	3	0	2	1
Jul	11	6	54.5	2	0	2	1
Aug	20	10	50.0	3	0	4	3
Sept	31	21	67.7	6	0	2	2
Oct	13	8	61.5	4	0	1	0
Nov	10	8	80.0	1	0	1	0
Dec	17	14	82.4	2	0	1	0
Jan -- 13	15	13	86.7	1	0	1	0
Feb	15	13	86.7	2	0	0	0
Mar	13	6	46.2	5	0	0	2
Apr	13	9	69.2	2	0	1	1
May	24	17	70.8	1	1	4	1
Jun	17	14	82.4	1	0	2	0
Jul	12	12	100.0	0	0	0	0
Aug	28	22	78.6	3	0	0	3
Sept	10	7	70.0	2	0	0	1
Oct	18	12	66.7	5	0	0	1
Nov	5	3	60.0	2	0	0	0
Dec	18	12	66.7	6	0	0	0
Jan -- 14	11	5	45.5	2	0	1	3
Feb	6	5	83.3	1	0	0	0
Mar	5	2	40.0	3	0	0	0
Apr	14	8	57.1	4	0	1	1
May	7	7	100.0	0	0	0	0
Jun	17	12	70.6	5	0	0	0
Jul	13	4	30.8	6	0	2	1
Aug	9	5	55.6	3	0	1	0
Sept	11	8	72.7	2	0	1	0
Oct	7	4	57.1	3	0	0	0
Nov	13	12	92.3	1	0	0	0
Dec	6	4	66.7	2	0	0	0

Jan -- 15	11	6	54.5	4	0	0	1
Feb	9	3	33.3	5	0	0	1
Mar	9	7	77.8	1	0	1	0
Apr	18	9	50.0	6	0	2	1
May	4	2	50.0	1	0	1	0
Jun	19	14	73.7	2	0	1	2
Jul	14	8	57.1	1	0	4	1
Aug	12	9	75.0	2	0	0	1
Sept	14	7	50.0	4	0	2	1
Oct	16	8	50.0	6	0	1	1
Nov	11	8	72.7	1	0	2	0
Dec	12	10	83.3	0	0	1	1
Jan -- 16	7	5	71.4	0	0	0	1
Feb	9	7	77.8	2	0	0	0
Mar	3	2	66.7	1	0	0	0
Apr	10	9	90.0	1	0	0	0
May	10	10	100.0	0	0	0	0
Jun	30	21	70.0	0	0	5	2
Jul							
Aug							
Sept							
Oct							
Nov							
Dec							

Parole Board Revocation Hearing Actions July 2011- Present (Quarterly Averages)



* Outcomes includes Unsat terms, In Lieu of TWP, and In Lieu of SAB.

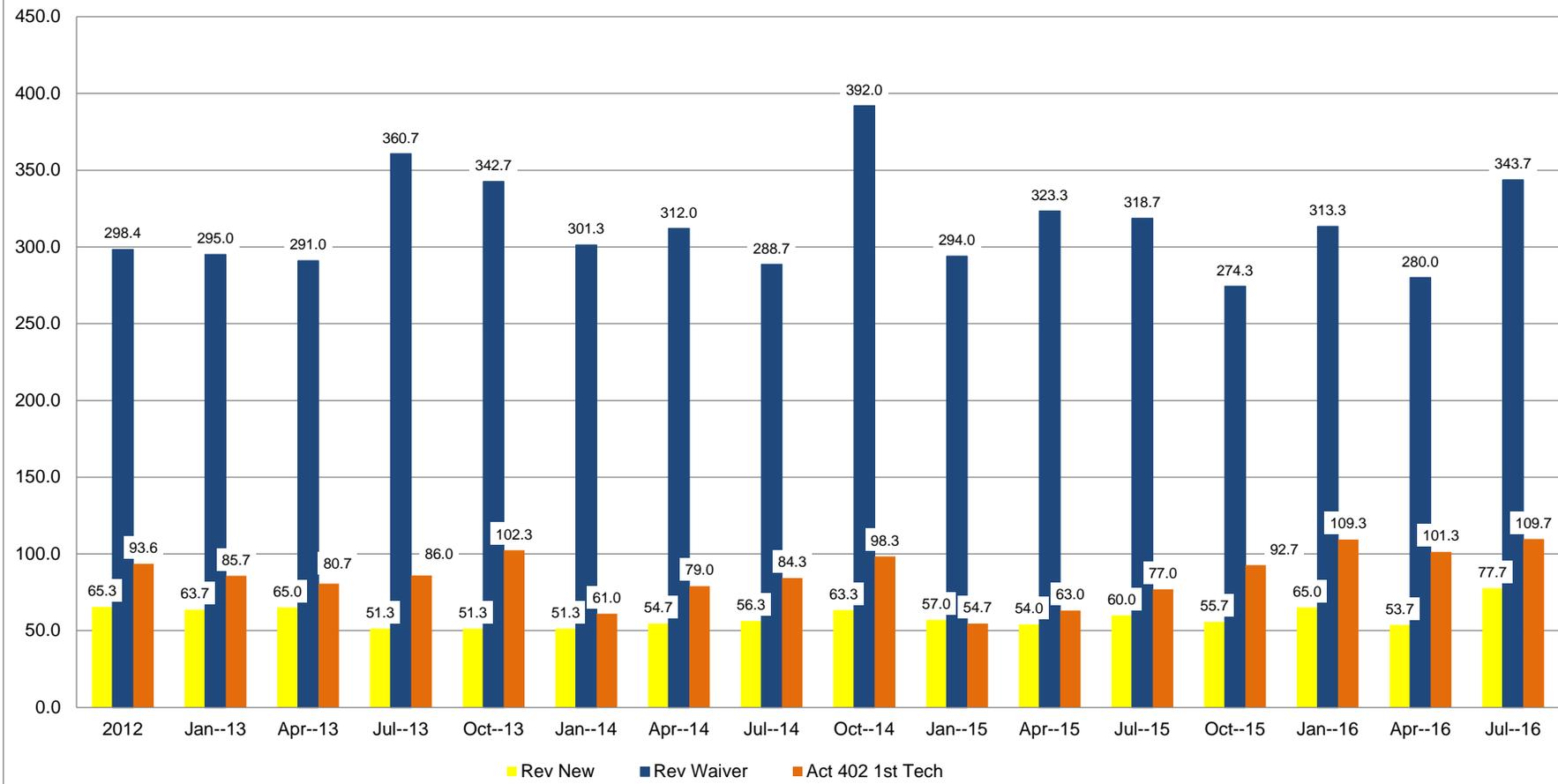
** Three member panel

Other Violation Actions

	Rev New	Rev Waiver	Unsat Term	Act 402 1st Tech	Defer Pending Charge	Warrant Issued	Reprimands	Add/Remove Special Condition
Jul -- 11	39	340	7	94	120	580	126	123
Aug	63	312	85	101	218	671	122	170
Sept	38	364	40	79	140	655	118	115
Oct	33	302	62	99	153	625	120	126
Nov	72	308	53	78	152	514	114	119
Dec	40	259	18	81	90	591	81	97
Jan -- 12	52	278	76	88	172	657	142	161
Feb	51	321	43	77	76	545	97	109
Mar	28	228	35	96	216	653	131	115
Apr	217	406	108	95	91	585	145	191
May	88	296	60	103	203	685	153	186
Jun	61	388	59	89	161	667	151	144
Jul	60	271	47	107	130	580	136	147
Aug	35	230	39	128	97	607	90	110
Sept	47	294	50	82	135	591	86	109
Oct	84	391	88	104	164	704	139	155
Nov	56	280	58	85	128	559	98	96
Dec	51	214	39	68	90	534	97	100
Jan -- 13	66	317	59	94	188	653	109	155
Feb	67	325	66	67	139	614	104	107
Mar	62	231	60	81	123	604	113	136
Apr	56	381	116	107	153	664	108	111
May	47	398	107	79	205	718	130	186
Jun	51	303	102	72	158	646	119	157
Jul	42	341	81	94	166	638	107	117
Aug	67	353	65	117	176	635	109	92
Sept	45	334	76	96	141	608	116	108
Oct	59	344	70	82	171	616	103	108
Nov	39	289	45	47	154	506	84	78
Dec	56	271	33	54	169	618	105	105
Jan -- 14	46	238	84	81	130	487	73	82
Feb	76	361	85	85	161	630	116	95
Mar	42	337	62	71	161	655	121	110
Apr	83	290	60	71	169	644	91	97
May	46	293	83	112	201	624	105	101
Jun	40	283	62	70	130	630	83	90
Jul	71	387	74	83	240	818	128	143
Aug	60	411	91	110	215	662	79	96
Sept	59	378	55	102	198	608	106	110
Oct	59	236	55	78	206	661	128	127
Nov	59	248	43	37	105	445	80	77
Dec	53	398	70	49	225	645	98	101

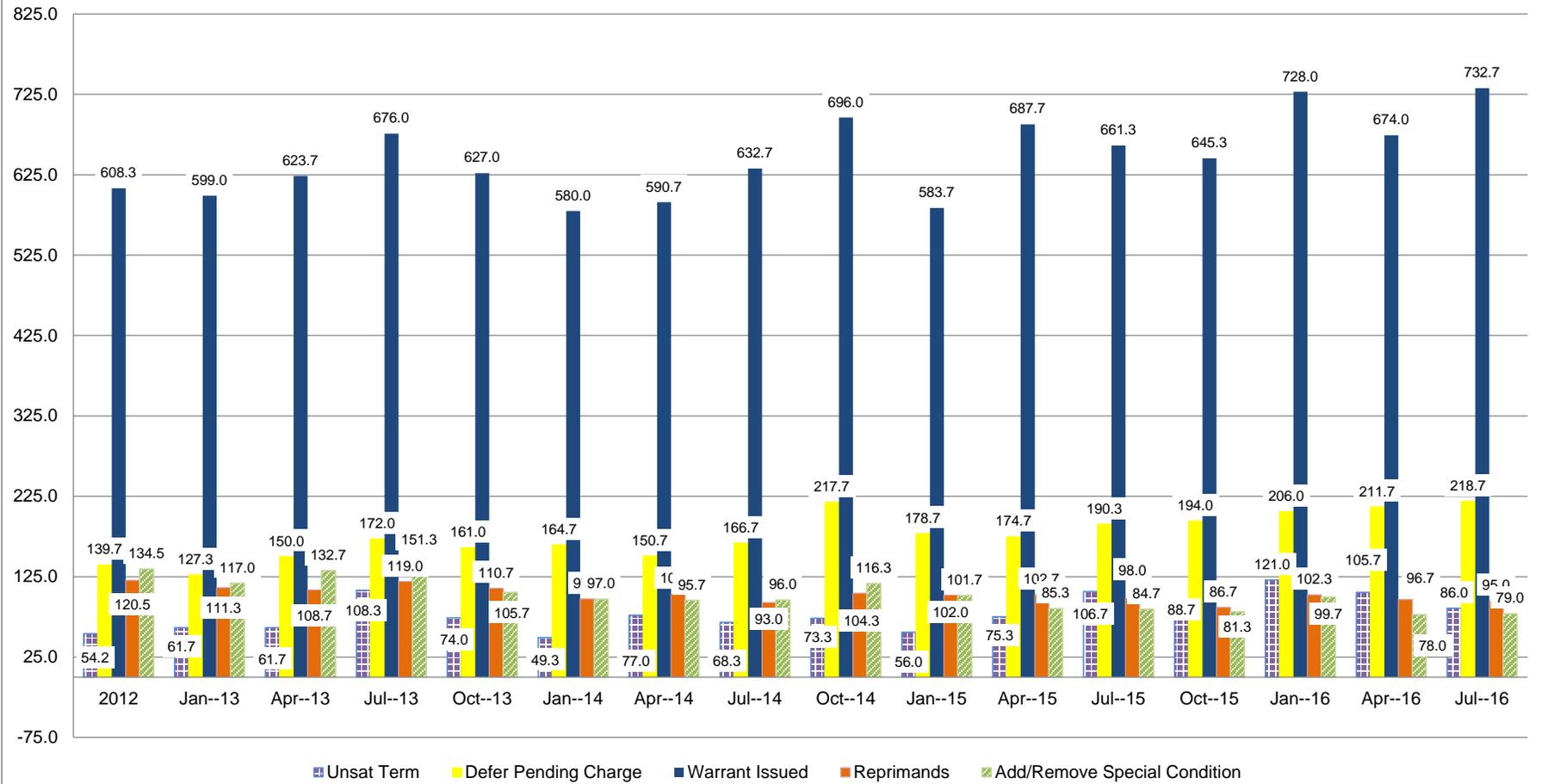
Jan -- 15	61	328	66	46	150	701	109	87
Feb	43	324	71	74	163	657	95	73
Mar	58	318	89	69	211	705	104	96
Apr	68	316	94	86	183	708	94	59
May	47	299	134	69	184	659	101	108
Jun	65	341	92	76	204	617	99	87
Jul	46	333	97	104	214	568	72	72
Aug	59	260	75	86	130	655	87	72
Sept	62	230	94	88	238	713	101	100
Oct	92	351	90	114	240	785	95	108
Nov	49	232	87	107	183	610	107	105
Dec	54	357	186	107	195	789	105	86
Jan -- 16	62	258	94	113	193	657	71	60
Feb	44	325	110	108	240	600	110	102
Mar	55	257	113	83	202	765	109	72
Apr	65	399	62	89	195	666	67	56
May	92	368	113	124	213	715	66	82
Jun	76	264	83	116	248	817	152	99
Jul								
Aug								
Sept								
Oct								
Nov								
Dec								

Parole Board Other Violation Actions (Revocations) July 11- Present (Quarterly Averages)



* One member decision

Parole Board Other Violation Actions (Other Actions) July 11- Present (Quarterly Averages)

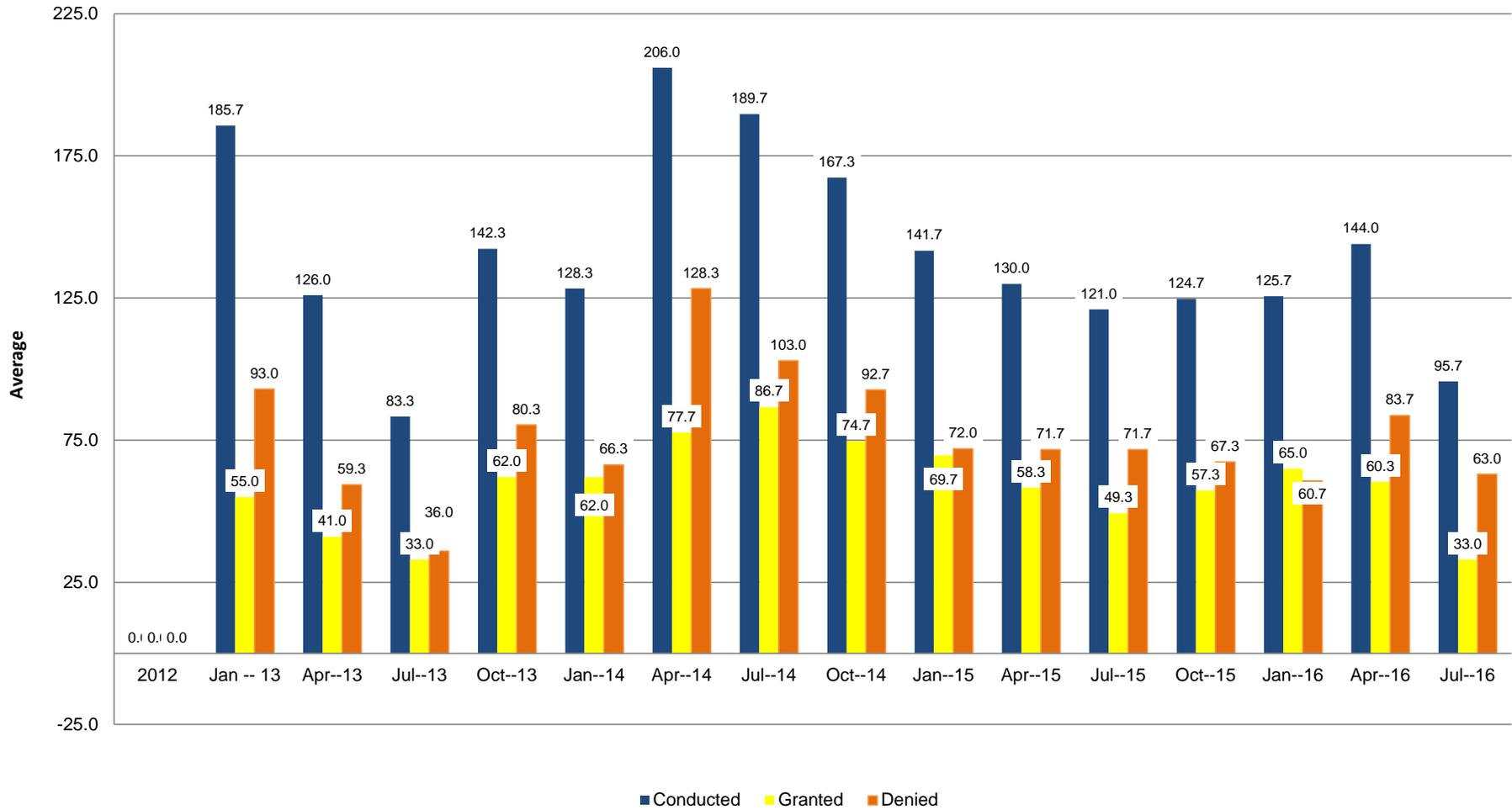


Regular Parole Hearing Actions

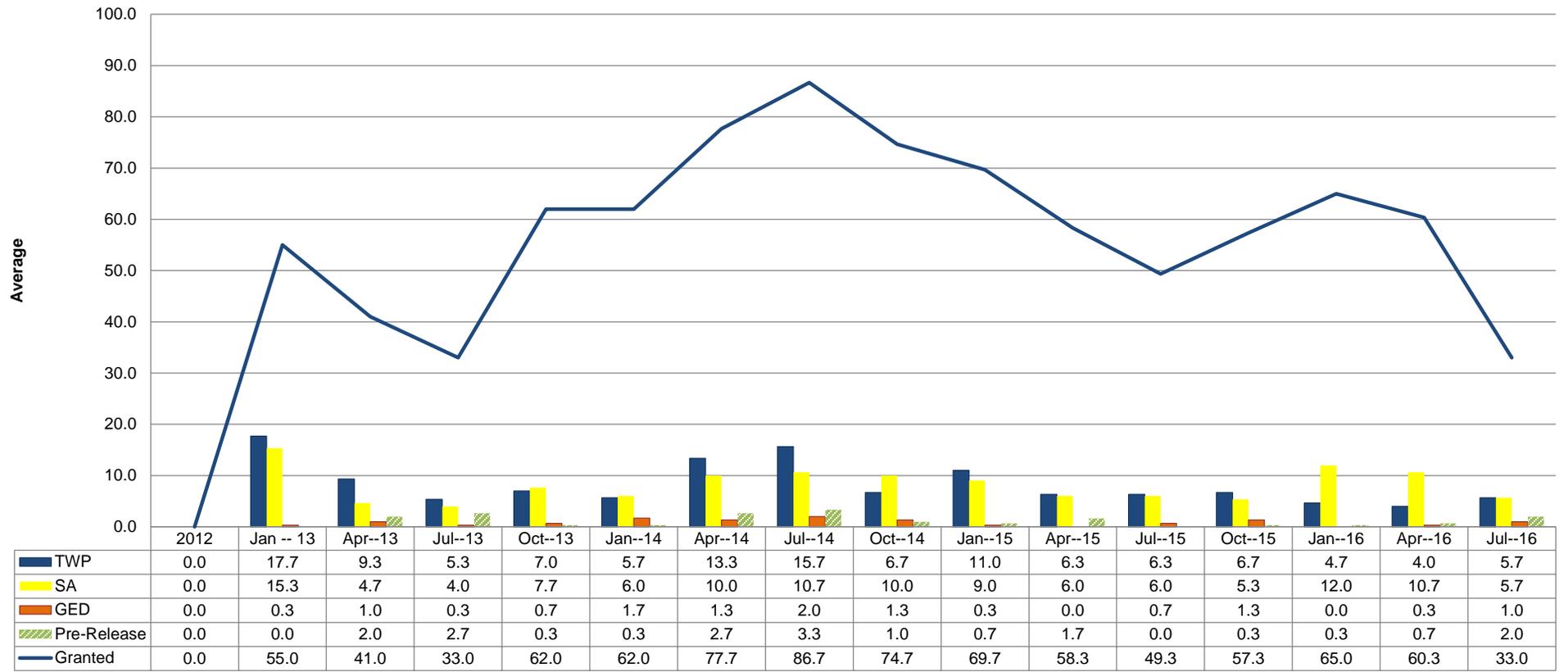
	Conducted	Granted	Granted Upon Completion					Total	Denied
			TWP	SA	GED	Pre-Release			
Jul -- 11	206	41	3	15	0	0	18	136	
Aug	179	29	3	13	0	0	16	122	
Sept	71	30	1	5	0	0	6	32	
Oct	258	84	6	21	0	0	27	132	
Nov	136	30	8	4	0	0	12	93	
Dec	137	31	2	4	10	0	16	75	
Jan -- 12	184	39	6	29	2	0	37	95	
Feb	144	32	3	12	1	0	16	84	
Mar	132	51	6	21	1	0	28	37	
Apr	181	62	24	21	0	0	45	69	
May	94	41	4	7	1	0	12	37	
Jun	201	81	20	16	1	0	37	73	
Jul	130	58	11	11	0	0	22	47	
Aug	193	75	20	17	2	0	39	69	
Sept	224	81	22	20	1	0	43	92	
Oct	186	50	20	11	0	0	31	101	
Nov	146	52	11	9	1	0	21	67	
Dec	225	63	22	26	0	0	48	111	
Jan -- 13	111	33	7	6	0	0	13	54	
Feb	135	50	6	1	1	2	10	67	
Mar	132	40	15	7	2	4	28	57	
Apr	107	42	4	4	1	3	12	53	
May	50	18	5	2	0	1	8	20	
Jun	93	39	7	6	0	4	17	35	
Jul	157	56	10	7	0	0	17	101	
Aug	154	78	6	11	1	1	19	76	
Sept	116	52	5	5	1	0	11	64	
Oct	144	68	8	9	2	0	19	76	
Nov	94	52	3	6	1	0	10	42	
Dec	147	66	6	3	2	1	12	81	
Jan -- 14	214	109	11	25	2	4	42	105	
Feb	234	74	23	4	1	2	30	160	
Mar	170	50	6	1	1	2	10	120	
Apr	275	126	27	16	4	7	54	149	
May	101	51	12	7	1	0	20	50	
Jun	193	83	8	9	1	3	21	110	
Jul	160	84	3	13	2	2	20	76	
Aug	175	69	4	6	1	0	11	106	
Sept	167	71	13	11	1	1	26	96	
Oct	148	78	13	13	0	0	26	70	
Nov	153	76	16	9	1	0	26	77	
Dec	124	55	4	5	0	2	11	69	

Jan -- 15	123	65	8	5	0	2	15	58
Feb	108	49	5	7	0	2	14	59
Mar	159	61	6	6	0	1	13	98
Apr	147	55	9	8	1	0	18	92
May	74	35	4	2	0	0	6	39
Jun	142	58	6	8	1	0	15	84
Jul	105	50	5	6	1	0	12	55
Aug	128	63	10	5	0	1	16	65
Sept	141	59	5	5	3	0	13	82
Oct	116	63	3	8	0	0	11	53
Nov	154	82	5	16	0	1	22	72
Dec	107	50	6	12	0	0	18	57
Jan -- 16	159	68	5	14	0	2	21	91
Feb	140	63	2	10	1	0	13	77
Mar	133	50	5	8	0	0	13	83
Apr	135	49	7	7	1	3	18	86
May	61	18	2	3	2	2	9	43
Jun	91	32	8	7	0	1	16	60
Jul								
Aug								
Sept								
Oct								
Nov								
Dec								

Parole Board Hearings July 11- Present (Quarterly Averages)



Parole Board Hearings Granted and Granted upon Completion Breakdown July 11- Present (Quarterly Averages)

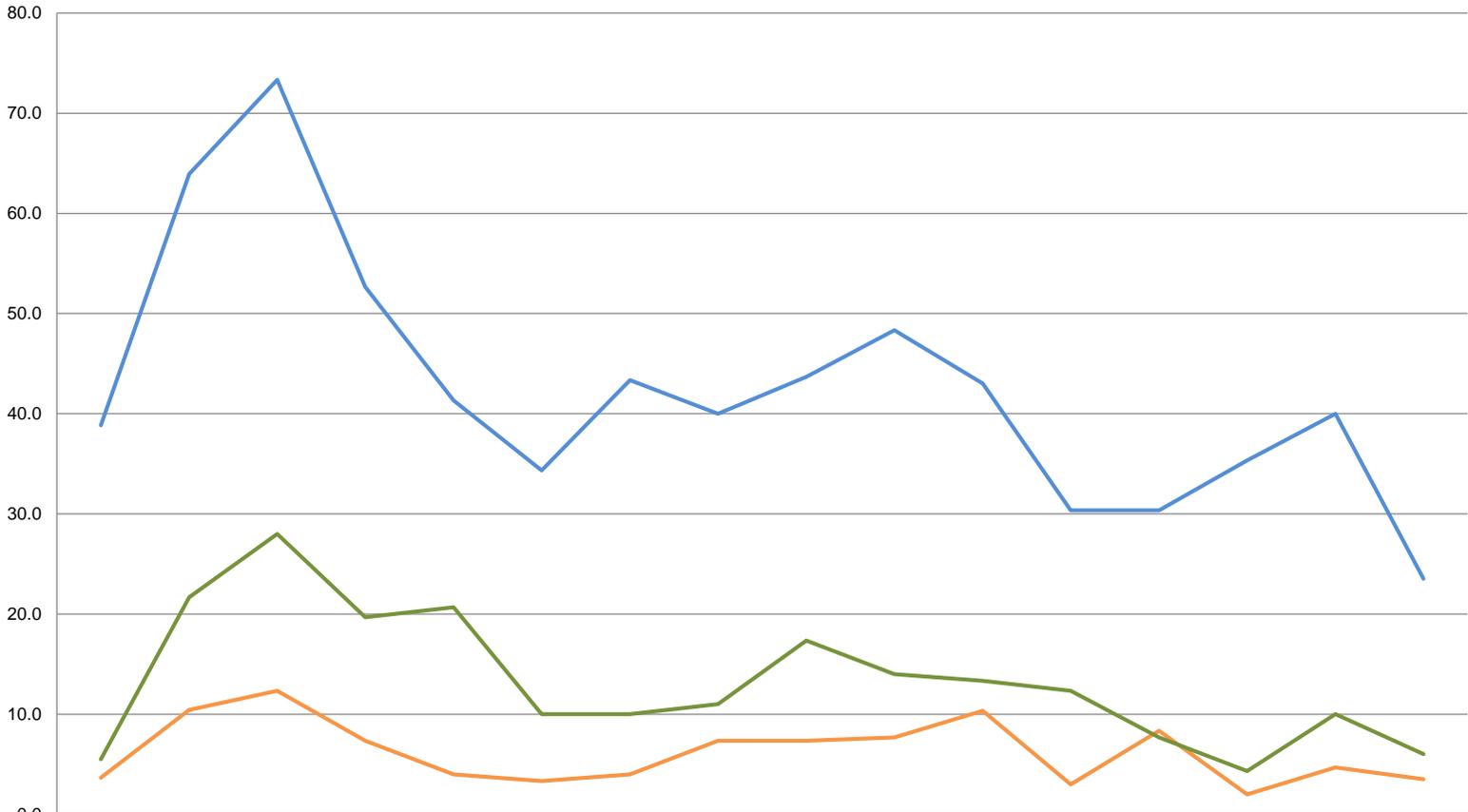


* TWP, SA, GED, and Pre-release are granted upon completion of these programs ordered by the board.

Parole Release and Rescinds

	Paroled	Rescinded	Conditional Releases
Jul -- 11	46	4	8
Aug	30	10	8
Sept	41	4	5
Oct	42	4	4
Nov	34	0	4
Dec	40	0	4
Jan -- 12	48	8	12
Feb	55	14	17
Mar	65	9	17
Apr	67	6	27
May	57	2	8
Jun	54	11	22
Jul	54	8	19
Aug	87	14	31
Sept	74	13	25
Oct	90	14	36
Nov	68	9	18
Dec	48	17	28
Jan -- 13	59	9	15
Feb	83	20	35
Mar	78	8	34
Apr	53	6	20
May	51	9	19
Jun	54	7	20
Jul	32	5	18
Aug	51	2	27
Sept	41	5	17
Oct	35	4	9
Nov	19	3	7
Dec	49	3	14
Jan -- 14	46	6	15
Feb	39	1	10
Mar	45	5	5
Apr	50	5	18
May	30	10	5
Jun	40	7	10
Jul	46	6	18
Aug	48	14	18
Sept	37	2	16
Oct	62	8	17
Nov	34	6	14
Dec	49	9	11
Jan -- 15	38	3	11
Feb	51	13	12
Mar	40	15	17
Apr	37	6	15
May	35	0	16
Jun	19	3	6
Jul	33	8	7
Aug	32	13	13
Sept	26	4	3
Oct	28	3	3
Nov	43	0	6
Dec	35	3	4
Jan -- 16	37	10	11
Feb	46	4	16
Mar	37	0	3
Apr	25	5	7
May	22	2	5
Jun			
Jul			
Aug			
Sept			
Oct			
Nov			
Dec			

Parole Board Releases and Rescinds July 11- Present



	2011	2012	13-Apr	13-Jul	13-Oct	14-Jan	14-Apr	14-Jul	14-Oct	15-Jan	15-Apr	15-Jul	15-Oct	16-Jan	16-Apr	16-Jul
Paroled	38.8	63.9	73.3	52.7	41.3	34.3	43.3	40.0	43.7	48.3	43.0	30.3	30.3	35.3	40.0	23.5
Rescinded	3.7	10.4	12.3	7.3	4.0	3.3	4.0	7.3	7.3	7.7	10.3	3.0	8.3	2.0	4.7	3.5
Conditional Releases	5.5	21.7	28.0	19.7	20.7	10.0	10.0	11.0	17.3	14.0	13.3	12.3	7.7	4.3	10.0	6.0

Parole Board Actions: Raw Data

	Waivers	New Felony	Technical	Impact	Unsat/ Discharge	Work Release	Heard	Denied	Granted	Other **	% Denied	% Granted	% Other **
Jan-88	0	20	39				213	87	126		40.85	59.15	0.00
Feb	0	15	40				221	86	135		38.91	61.09	0.00
Mar	0	15	43				269	125	144		46.47	53.53	0.00
Apr	0	28	49				242	94	148		38.84	61.16	0.00
May	0	22	50				303	181	122		59.74	40.26	0.00
Jun	0	25	43				317	170	147		53.63	46.37	0.00
Jul	0	44	63				198	104	94		52.53	47.47	0.00
Aug	0	30	65				188	110	78		58.51	41.49	0.00
Sep	0	17	77				257	144	113		56.03	43.97	0.00
Oct	0	18	72				193	122	71		63.21	36.79	0.00
Nov	0	16	31				170	99	71		58.24	41.76	0.00
Dec	0	38	52				238	125	113		52.52	47.48	0.00
Jan-89	0	49	80				151	97	54		64.24	35.76	0.00
Feb	0	35	60				226	128	98		56.64	43.36	0.00
Mar	0	40	66				221	128	93		57.92	42.08	0.00
Apr	0	24	66				261	163	98		62.45	37.55	0.00
May	0	40	71				213	134	79		62.91	37.09	0.00
Jun	0	30	85				236	132	104		55.93	44.07	0.00
Jul	0	24	69				206	108	98		52.43	47.57	0.00
Aug	0	45	61				252	139	113		55.16	44.84	0.00
Sep	0	33	95				211	105	106		49.76	50.24	0.00
Oct	21	37	65				189	90	99		47.62	52.38	0.00
Nov	20	24	32				183	96	87		52.46	47.54	0.00
Dec	32	55	35				235	120	115		51.06	48.94	0.00
Jan-90	26	26	56				242	131	111		54.13	45.87	0.00
Feb	30	37	55				206	109	97		52.91	47.09	0.00
Mar	39	34	51				198	77	121		38.89	61.11	0.00
Apr	21	37	42				238	128	110		53.78	46.22	0.00
May	40	69	59				196	95	101		48.47	51.53	0.00
Jun	32	31	55				245	106	139		43.27	56.73	0.00
Jul	37	44	25				241	130	111		53.94	46.06	0.00
Aug	24	27	68				254	107	147		42.13	57.87	0.00
Sep	37	39	44				191	73	118		38.22	61.78	0.00
Oct	42	44	47				243	123	120		50.62	49.38	0.00
Nov	29	36	27				203	110	93		54.19	45.81	0.00
Dec	48	46	48				218	98	120		44.95	55.05	0.00
Jan-91	44	32	49	0	0	0	214	110	104		51.40	48.60	0.00
Feb	42	42	54	0	0	0	243	98	145		40.33	59.67	0.00
Mar	40	59	51	0	0	0	256	118	138		46.09	53.91	0.00
Apr	48	37	23	0	0	0	228	86	142		37.72	62.28	0.00
May	55	42	30	0	0	0	203	88	115		43.35	56.65	0.00
Jun	46	45	45	0	0	0	193	80	113		41.45	58.55	0.00
Jul	47	38	15	0	0	0	229	96	133		41.92	58.08	0.00
Aug	54	57	35	0	0	0	198	104	94		52.53	47.47	0.00
Sep	54	57	35	0	0	0	205	97	108		47.32	52.68	0.00
Oct	58	77	54	0	0	0	218	98	120		44.95	55.05	0.00
Nov	41	34	30	2	0	18	206	102	104		49.51	50.49	0.00
Dec	50	30	34	2	0	18	204	90	114		44.12	55.88	0.00
Jan-92	39	58	42	6	1	18	199	70	129		35.18	64.82	0.00
Feb	55	65	49	37	1	34	256	42	214		16.41	83.59	0.00
Mar	36	60	42	4	1	16	234	71	163		30.34	69.66	0.00
Apr	62	62	48	22	1	22	267	83	184		31.09	68.91	0.00
May	48	56	46	7	2	27	329	84	245		25.53	74.47	0.00
Jun	62	79	57	14	0	15	253	95	158		37.55	62.45	0.00
Jul	76	52	49	9	2	27	257	90	167		35.02	64.98	0.00
Aug	67	37	50	1	0	29	223	83	140		37.22	62.78	0.00
Sep	72	53	52	7	1	11	202	72	130		35.64	64.36	0.00
Oct	66	60	79	0	0	15	246	78	168		31.71	68.29	0.00
Nov	73	43	20	0	1	24	255	96	159		37.65	62.35	0.00
Dec	44	87	44	0	0	10	260	116	144		44.62	55.38	0.00

	Waivers	New Felony	Technical	Impact	Unsat/ Discharge	Work Release	Heard	Denied	Granted	Other **	% Denied	% Granted	% Other **
Jan-93	65	64	42	0	1	12	227	67	160		29.52	70.48	0.00
Feb	66	55	35	0	2	12	237	79	158		33.33	66.67	0.00
Mar	99	99	39	0	0	2	237	58	179		24.47	75.53	0.00
Apr	81	78	62	0	0	5	295	114	181		38.64	61.36	0.00
May	94	65	67	0	3	10	247	100	147		40.49	59.51	0.00
Jun	70	80	68	0	1	10	272	102	170		37.50	62.50	0.00
Jul	94	65	81	0	0	9	270	95	175		35.19	64.81	0.00
Aug	93	87	71	0	2	5	260	103	157		39.62	60.38	0.00
Sep	84	60	74	0	1	10	278	97	181		34.89	65.11	0.00
Oct	78	74	79	0	2	13	252	79	173		31.35	68.65	0.00
Nov	88	83	26	0	0	11	237	75	162		31.65	68.35	0.00
Dec	91	84	42	0	0	14	237	82	155		34.60	65.40	0.00
Jan-94	80	73	83	0	3	9	234	85	149		36.32	63.68	0.00
Feb	80	67	99	0	0	14	243	72	171		29.63	70.37	0.00
Mar	100	86	92	0	1	12	279	114	165		40.86	59.14	0.00
Apr	83	74	74	0	1	12	253	79	174		31.23	68.77	0.00
May	112	84	87	0	0	14	246	78	168		31.71	68.29	0.00
Jun	122	83	83	0	0	19	293	87	206		29.69	70.31	0.00
Jul	91	79	104	0	0	0	269	96	173		35.69	64.31	0.00
Aug	162	97	85	0	0	17	210	68	142		32.38	67.62	0.00
Sep	128	68	80	0	0	9	243	82	161		33.74	66.26	0.00
Oct	125	99	121	0	0	22	264	94	170		35.61	64.39	0.00
Nov	112	56	86	0	0	14	248	70	178		28.23	71.77	0.00
Dec	116	71	70	0	1	13	264	90	174		34.09	65.91	0.00
Jan-95	122	81	85	0	3	14	261	93	168		35.63	64.37	0.00
Feb	97	159	114	0	1	8	279	88	191		31.54	68.46	0.00
Mar	134	40	95	0	1	15	296	109	187		36.82	63.18	0.00
Apr	133	75	79	0	0	8	303	111	192		36.63	63.37	0.00
May	127	100	53	0	0	11	276	109	167		39.49	60.51	0.00
Jun	154	100	117	0	4	7	294	87	207		29.59	70.41	0.00
Jul	119	80	90	0	2	13	254	77	177		30.31	69.69	0.00
Aug	169	101	92	0	0	13	254	79	175		31.10	68.90	0.00
Sep	111	83	134	0	2	16	243	79	164		32.51	67.49	0.00
Oct	119	100	97	0	0	19	272	91	181		33.46	66.54	0.00
Nov	106	66	91	0	1	17	258	91	167		35.27	64.73	0.00
Dec	83	45	90	0	2	13	286	104	182		36.36	63.64	0.00
Jan-96	160	88	107	0	1	6	285	103	182		36.14	63.86	0.00
Feb	136	101	106	0	1	16	269	81	188		30.11	69.89	0.00
Mar	148	110	120	0	3	17	289	94	195		32.53	67.47	0.00
Apr	159	104	99	0	2	14	267	80	187		29.96	70.04	0.00
May	184	86	104	0	1	28	250	83	167		33.20	66.80	0.00
Jun	108	78	147	0	5	14	236	89	147		37.71	62.29	0.00
Jul	142	97	94	0	2	27	227	117	110		51.54	48.46	0.00
Aug	252	109	144	0	2	16	313	145	168		46.33	53.67	0.00
Sep	214	101	130	0	3	19	300	145	155		48.33	51.67	0.00
Oct	189	82	136	0	1	16	275	122	153		44.36	55.64	0.00
Nov	165	56	121	0	4	13	228	127	101		55.70	44.30	0.00
Dec	175	68	103	0	2	17	260	145	115		55.77	44.23	0.00
Jan-97	164	79	143	0	0	14	256	134	122		52.34	47.66	0.00
Feb	193	96	104	0	3	14	253	131	122		51.78	48.22	0.00
Mar	220	94	139	0	6	5	282	158	124		56.03	43.97	0.00
Apr	231	98	175	0	1	16	252	147	105		58.33	41.67	0.00
May	197	70	168	0	0	15	217	114	103		52.53	47.47	0.00
Jun	171	87	148	0	3	13	249	122	127		49.00	51.00	0.00
Jul	216	97	142	0	4	10	223	114	109		51.12	48.88	0.00
Aug	130	52	149	0	2	7	122	81	41		66.39	33.61	0.00
Sep	277	87	144	0	2	1	236	146	90		61.86	38.14	0.00
Oct	244	74	130	0	5	7	339	219	120		64.60	35.40	0.00
Nov	149	67	140	0	0	15	211	114	97		54.03	45.97	0.00
Dec	287	76	154	0	2	11	245	145	100		59.18	40.82	0.00

	Waivers	New Felony	Technical	Impact	Unsat/ Discharge	Work Release	Heard	Denied	Granted	Other **	% Denied	% Granted	% Other **
Jan-98	205	62	178	0	0	0	316	237	79		75.00	25.00	0.00
Feb	253	84	184	0	2	13	267	199	68		74.53	25.47	0.00
Mar	272	135	135	0	3	16	202	129	73		63.86	36.14	0.00
Apr	255	75	131	0	1	8	277	149	128		53.79	46.21	0.00
May	232	81	130	0	4	10	234	129	105		55.13	44.87	0.00
June	205	62	85	0	2	83	246	134	112		54.47	45.53	0.00
July	217	62	187	0	4	0	324	175	149		54.01	45.99	0.00
Aug	249	72	149	0	4	0	282	159	123		56.38	43.62	0.00
Sep	284	93	139	0	4	0	263	153	110		58.17	41.83	0.00
Oct	287	97	127	0	4	0	281	170	111		60.50	39.50	0.00
Nov	210	55	146	0	2	8	243	142	101		58.44	41.56	0.00
Dec	276	69	133	0	7	8	270	149	121		55.19	44.81	0.00
Jan-99	199	67	142	0	12	11	337	174	163		51.63	48.37	0.00
Feb	255	84	173	0	9	0	173	107	66		61.85	38.15	0.00
Mar	260	74	138	0	6	1	259	140	119		54.05	45.95	0.00
Apr	282	48	131	0	11	0	250	129	121		51.60	48.40	0.00
May	298	69	143	0	7	0	251	131	120		52.19	47.81	0.00
June	295	63	108	0	8	0	243	112	131		46.09	53.91	0.00
July	256	50	123	0	7	0	335	176	159		52.54	47.46	0.00
Aug	310	53	112	0	11	0	303	155	148		51.16	48.84	0.00
Sep	233	71	103	0	3	0	253	135	118		53.36	46.64	0.00
Oct	260	59	126	0	4	0	243	136	57		55.97	23.46	20.58
Nov	260	56	106	0	6	0	209	115	94		55.02	44.98	0.00
Dec	274	65	142	0	6	0	222	108	114		48.65	51.35	0.00
Jan-00	241	52	146	0	10	0	222	114	108		51.35	48.65	0.00
Feb	352	75	132	19	5	23	218	121	97		55.50	44.50	0.00
Mar	283	53	151	22	13	28	228	101	127		44.30	55.70	0.00
Apr	240	67	164	14	9	36	238	126	112		52.94	47.06	0.00
May	313	74	140	14	11	23	205	100	105		48.78	51.22	0.00
Jun	305	66	130	18	0	48	344	168	176		48.84	51.16	0.00
Jul	228	48	166	18	7	26	218	111	107		50.92	49.08	0.00
Aug	411	72	140	14	11	27	211	93	118		44.08	55.92	0.00
Sep	295	41	159	24	5	9	239	105	134		43.93	56.07	0.00
Oct	342	64	148	27	2	14	247	109	138		44.13	55.87	0.00
Nov	222	61	118	14	6	23	260	148	112		56.92	43.08	0.00
Dec	266	47	101	16	5	32	246	100	146		40.65	59.35	0.00
Jan-01	134	25	192	33	8	31	266	109	157		40.98	59.02	0.00
Feb	287	45	144	17	6	39	270	123	147		45.56	54.44	0.00
Mar	371	68	129	24	4	36	237	102	135		43.04	56.96	0.00
Apr	274	41	156	15	12	38	229	87	142		37.99	62.01	0.00
May	382	77	140	29	9	28	224	71	153		31.70	68.30	0.00
Jun	243	18	161	25	11	38	248	101	147		40.73	59.27	0.00
Jul	321	73	166	16	7	39	223	78	145		34.98	65.02	0.00
Aug	335	72	173	32	6	39	278	110	168		39.57	60.43	0.00
Sep	187	34	165	18	8	48	223	89	134		39.91	60.09	0.00
Oct	279	53	148	36	4	25	247	96	151		38.87	61.13	0.00
Nov	195	49	149	27	11	38	253	96	157		37.94	62.06	0.00
Dec	164	44	115	21	6	38	255	106	149		41.57	58.43	0.00
Jan-02	222	45	146	37	13	36	278	106	172		38.13	61.87	0.00
Feb	233	52	120	25	2	31	248	104	144		41.94	58.06	0.00
Mar	333	75	118	59	9	26	319	121	198		37.93	62.07	0.00
Apr	218	54	148	39	3	25	240	94	146		39.17	60.83	0.00
May	300	61	154	26	6	38	269	94	175		34.94	65.06	0.00
Jun	269	55	123	35	4	36	249	93	156		37.35	62.65	0.00
Jul	244	56	166	35	7	29	250	86	164		34.40	65.60	0.00
Aug	294	91	148	22	11	30	239	105	134		43.93	56.07	0.00
Sep	187	50	177	45	12	26	290	113	177		38.97	61.03	0.00
Oct	223	49	156	32	7	23	207	91	116		43.96	56.04	0.00
Nov	171	47	141	37	8	23	287	90	197		31.36	68.64	0.00
Dec	228	46	171	30	3	25	211	80	32		37.91	15.17	46.92

	Waivers	New Felony	Technical	Impact	Unsat/ Discharge	Work Release	Heard	Denied	Granted	Other **	% Denied	% Granted	% Other **	
Jan-03	242	52	97	18		6	12	284	106	98		37.32	34.51	28.17
Feb	301	63	110	47		0		267	89	57		33.33	21.35	45.32
Mar	307	53	72	36		0	25	239	82	57		34.31	23.85	41.84
Apr	235	52	80	34		0	5	208	70	52		33.65	25.00	41.35
May	271	60	101	26		5	8	271	103	66		38.01	24.35	37.64
June	347	65	109	21		6	37	232	96	54		41.38	23.28	35.34
July	291	58	126	15		13	5	242	99	81		40.91	33.47	25.62
Aug	332	56	100	47		15	15	307	101	82		32.90	26.71	40.39
Sep	283	54	85	29		7	15	262	99	71		37.79	27.10	35.11
Oct	268	43	109	25		4	12	176	58	38		32.95	21.59	45.45
Nov	166	34	86	33		3	7	241	74	71		30.71	29.46	39.83
Dec	398	71	73	42		7	26	208	83	35		39.90	16.83	43.27
Jan-04	211	32	116	26		7	38	263	100	66		38.02	25.10	36.88
Feb	263	55	91	20		11	23	223	96	37		43.05	16.59	40.36
Mar	344	81	90	29		5	36	301	113	77		37.54	25.58	36.88
Apr	299	72	142	37		9	26	281	95	61		33.81	21.71	44.48
May	209	53	72	44		5	42	270	82	45		30.37	16.67	52.96
June	234	76	84	21		38	20	229	102	39		44.54	17.03	38.43
July	509	81	192	36		82	34	309	139	56		44.98	18.12	36.89
Aug	261	51	185	20		99	15	267	145	54		54.31	20.22	25.47
Sep	351	51	115	30		6	17	254	111	69		43.70	27.17	29.13
Oct	423	66	74	45		4	16	262	104	74		39.69	28.24	32.06
Nov	311	55	144	12		1	26	196	88	47		44.90	23.98	31.12
Dec	179	50	61	17		7	20	170	89	29		52.35	17.06	30.59
Jan-05	447	69	81	26		4	30	213	79	56		37.09	26.29	36.62
Feb	312	61	70	11		4	32	264	126	49		47.73	18.56	33.71
Mar	360	66	93	21		5	28	234	95	55		40.60	23.50	35.90
Apr	308	62	132	21		7	16	217	113	45		52.07	20.74	27.19
May	395	70	103	17		1	35	230	90	69		39.13	30.00	30.87
June	383	72	86	14		4	28	230	92	63		40.00	27.39	32.61
July	337	50	88	11		5	27	213	94	63		44.13	29.58	26.29
Aug	391	51	75	12		3	16	155	56	59		36.13	38.06	25.81
Sep *	0	0	0	0		0	0	0	0	0		0.00	0.00	0.00
Oct	202	43	76	7		7	29	307	129	81		42.02	26.38	31.60
Nov	215	66	86	18		3	12	165	36	74		21.82	44.85	33.33
Dec	253	48	70	11		1	23	192	68	57		35.42	29.69	34.90
Jan-06	265	51	108	13		3	15	170	69	41		40.59	24.12	35.29
Feb	273	50	95	19		4	31	220	73	35		33.18	15.91	50.91
Mar	298	56	61	10		2	14	180	59	46		32.78	25.56	41.67
Apr	260	43	67	12		0	11	192	41	67		21.35	34.90	43.75
May	346	65	88	15		5	12	280	100	83		35.71	29.64	34.64
June	366	77	93	5		1	13	203	82	48		40.39	23.65	35.96
July	260	61	104	16		0	11	339	127	83		37.46	24.48	38.05
Aug	348	39	99	16		0	15	251	106	53		42.23	21.12	36.65
Sep	242	60	79	13		0	11	226	86	58		38.05	25.66	36.28
Oct	326	74	123	17		5	22	276	124	47		44.93	17.03	38.04
Nov	253	74	127	19		4	9	214	79	51		36.92	23.83	39.25
Dec	191	36	51	10		1	6	207	75	57		36.23	27.54	36.23
Jan-07	267	59	109	22		1	4	216	100	48		46.30	22.22	31.48
Feb	314	55	70	29		5	9	222	72	73		32.43	32.88	34.68
Mar	328	62	73	37		4	8	250	101	55		40.40	22.00	37.60
Apr	276	62	91	8		2	5	199	97	41		48.74	20.60	30.65
May	276	62	91	21		2	5	282	116	41		41.13	14.54	44.33
June	303	66	62	13		3	7	217	85	70		39.17	32.26	28.57
July	269	63	97	20		1	9	213	85	52		39.91	24.41	35.68
Aug	393	74	82	24		1	8	277	100	78		36.10	28.16	35.74
Sept	283	66	65	11		1	3	259	105	83		40.54	32.05	27.41
Oct	271	56	110	9		0	7	262	104	61		39.69	23.28	37.02
Nov	222	47	96	13		0	4	155	45	47		29.03	30.32	40.65
Dec	179	21	90	5		1	5	217	100	55		46.08	25.35	28.57

	Waivers	New Felony	Technical	Impact	Unsat/ Discharge	Work Release	Heard	Denied	Granted	Other **	% Denied	% Granted	% Other **
Jan--08	203	51	114	13	1	5	245	107	118	20	43.67	48.16	8.16
Feb	297	63	128	9	0	5	232	97	122	13	41.81	52.59	5.60
Mar	240	52	110	9	0	6	186	105	76	5	56.45	40.86	2.69
Apr	294	64	139	5	0	3	167	106	58	3	63.47	34.73	1.80
May	257	66	100	5	0	1	265	173	89	3	65.28	33.58	1.13
June	250	64	119	11	0	1	304	211	90	3	69.41	29.61	0.99
July	323	60	140	13	1	4	229	159	58	12	69.43	25.33	5.24
Aug	342	43	145	5	0	4	247	179	52	16	72.47	21.05	6.48
Sept	135	50	80	5	5	6	273	204	61	8	74.73	22.34	2.93
Oct	228	54	101	35	1	22	360	212	118	30	58.89	32.78	8.33
Nov	269	37	59	15	0	19	280	175	89	16	62.50	31.79	5.71
Dec	215	54	55	18	0	12	199	130	60	9	65.33	30.15	4.52
Jan--09	244	47	56	29	1	6	201	133	60	8	66.17	29.85	3.98
Feb	138	84	56	6	0	7	114	75	33	6	65.79	28.95	5.26
Mar	399	98	60	30	0	6	253	168	76	9	66.40	30.04	3.56
Apr	214	58	64	30	0	10	223	135	75	13	60.54	33.63	5.83
May	261	58	53	24	0	7	230	137	63	30	59.57	27.39	13.04
June	284	44	54	16	0	5	177	117	50	10	66.10	28.25	5.65
July	293	75	59	7	0	4	228	179	37	12	78.51	16.23	5.26
Aug	361	51	39	10	0	8	212	134	60	18	63.21	28.30	8.49
Sept	277	79	50	15	0	4	178	116	39	23	65.17	21.91	12.92
Oct	252	28	46	43	0	12	231	132	82	17	57.14	35.50	7.36
Nov	175	43	27	1	0	7	144	105	28	11	72.92	19.44	7.64
Dec	223	47	81	18	0	5	194	130	46	18	67.01	23.71	9.28
Jan--10	236	28	92	28	1	2	204	110	72	22	53.92	35.29	10.78
Feb	323	67	77	23	0	0	218	136	50	32	62.39	22.94	14.68
Mar	181	63	114	17	1	4	124	70	43	11	56.45	34.68	8.87
Apr	356	49	120	17	0	10	124	61	39	24	49.19	31.45	19.35
May	151	42	92	13	0	13	256	130	83	43	50.78	32.42	16.80
June	323	77	92	25	0	2	165	90	55	20	54.55	33.33	12.12
July	252	51	53	18	0	1	121	56	25	40	46.28	20.66	33.06
Aug	290	46	76	18	0	1	243	129	74	40	53.09	30.45	16.46
Sept	210	51	98	5	1	1	267	163	53	51	61.05	19.85	19.10
Oct	385	60	110	32	0	3	286	146	98	42	51.05	34.27	14.69
Nov	216	40	75	22	0	3	169	71	54	44	42.01	31.95	26.04
Dec	163	40	91	12	0	1	213	109	43	61	51.17	20.19	28.64
Jan--11	439	69	94	18	0	1	225	141	35	49	62.67	15.56	21.78
Feb	285	73	90	18	0	3	185	103	35	47	55.68	18.92	25.41
Mar	304	45	92	22	0	1	226	97	43	86	42.92	19.03	38.05
Apr	304	53	122	19	0	3	164	85	47	32	51.83	28.66	19.51
May***	303	34	94	0	0	0	10	7	3	0	70.00	30.00	0.00
June	215	58	112	40	0	4	211	112	81	18	53.08	38.39	8.53
July	340	39	94	11	0	3	217	134	59	24	61.75	27.19	11.06
Aug	312	63	101	9	0	3	193	121	45	27	62.69	23.32	13.99
Sept	364	38	79	18	0	1	64	32	29	3	50.00	45.31	4.69
Oct	302	33	81	18	0	6	294	131	81	82	44.56	27.55	27.89
Nov	308	72	78	13	1	8	233	93	42	98	39.91	18.03	42.06
Dec	259	40	81	11	0	2	152	75	59	18	49.34	38.82	11.84

	Waivers	New Felony	Technical	Impact	Unsat/ Discharge	Work Release	Heard	Denied	Granted	Other **	% Denied	% Granted	% Other **
Jan--12	278	52	88	18	0	3	165	95	21	49	57.58	12.73	29.70
Feb	321	51	77	18	0	6	122	84	14	24	68.85	11.48	19.67
Mar	228	28	96	15	0	24	108	37	34	37	34.26	31.48	34.26
Apr	406	217	95	21	0	4	155	69	39	47	44.52	25.16	30.32
May	296	88	103	18	0	20	74	37	22	15	50.00	29.73	20.27
June	388	61	89	27	0	5	167	73	53	41	43.71	31.74	24.55
July	271	60	107	15	0	11	130	47	58	25	36.15	44.62	19.23
Aug	230	35	128	8	0	20	193	69	75	49	35.75	38.86	25.39
Sept	294	47	82	12	0	22	224	92	81	51	41.07	36.16	22.77
Oct	391	84	104	18	0	20	162	100	50	12	61.73	30.86	7.41
Nov	280	56	85	9	0	11	129	67	52	10	51.94	40.31	7.75
Dec	214	51	68	13	0	22	211	111	63	37	52.61	29.86	17.54
Jan--13	317	66	94	20	0	7	111	54	33	24	48.65	29.73	21.62
Feb	325	67	67	24	0	6	135	67	50	18	49.63	37.04	13.33
Mar	231	62	81	20	0	15	132	57	40	35	43.18	30.30	26.52
Apr	381	56	107	15	0	4	107	53	42	12	49.53	39.25	11.21
May	398	47	79	8	1	5	50	20	18	12	40.00	36.00	24.00
June	303	51	72	11	0	7	93	35	39	19	37.63	41.94	20.43
July	341	42	94	0	0	10	157	101	56	0	64.33	35.67	0.00
Aug	353	67	117	0	0	6	154	76	78	0	49.35	50.65	0.00
Sept	334	45	96	0	0	5	116	64	52	0	55.17	44.83	0.00
Oct	344	59	82	0	0	8	144	76	68	0	52.78	47.22	0.00
Nov	289	39	47	0	0	3	94	42	52	0	44.68	55.32	0.00
Dec	271	56	54	0	0	6	147	81	66	0	55.10	44.90	0
Jan--14	238	46	81	0	0	11	214	105	109	0	49.07	50.93	0
Feb	361	76	85	0	0	23	234	160	74	0	68.38	31.62	0
Mar	337	42	71	0	0	6	170	120	50	0	70.59	29.41	0
Apr	290	83	71	0	0	27	275	149	126	0	54.18	45.82	0
May	293	46	112	0	0	12	101	50	51	0	49.50	50.50	0
June	283	40	70	0	0	8	193	110	83	0	56.99	43.01	0
July	387	71	83	0	0	3	160	76	84	0	47.50	52.50	0
Aug	411	60	110	0	0	4	175	106	69	0	60.57	39.43	0
Sept	378	59	102	0	0	13	167	96	71	0	57.49	42.51	0
Oct	236	59	78	0	0	13	148	70	78	0	47.30	52.70	0
Nov	248	59	37	0	0	16	153	77	76	0	50.33	49.67	0
Dec	398	53	49	0	0	4	124	69	55	0	55.65	44.35	0
Jan--15	328	61	46	0	0	8	123	58	65	0	47.15	52.85	0
Feb	324	43	74	0	0	5	108	59	49	0	54.63	45.37	0
Mar	318	58	69	0	0	6	159	98	61	0	61.64	38.36	0
Apr	316	68	86	0	0	9	147	92	55	0	62.59	37.41	0
May	299	47	69	0	0	4	74	39	35	0	52.70	47.30	0
June	341	65	76	0	0	6	142	84	58	0	59.15	40.85	0
July	333	46	104	0	0	5	105	55	50	0	52.38	47.62	0
Aug	260	59	86	0	0	10	128	65	63	0	50.78	49.22	0
Sept	230	62	88	0	0	5	141	82	59	0	58.16	41.84	0
Oct	351	92	114	0	0	3	116	53	63	0	45.69	54.31	0
Nov	232	49	107	0	0	5	154	72	82	0	46.75	53.25	0.00
Dec	357	54	107	0	0	6	107	57	50	0	53.27	46.73	0.00
Jan--16	258	62	113	0	0	5	159	91	68	0	57.23	42.77	0.00
Feb	325	44	108	0	0	2	140	77	63	0	55.00	45.00	0.00
Mar	257	55	83	0	0	5	133	83	50	0	62.41	37.59	0.00
Apr	399	65	89	0	0	7	135	86	49	0	63.70	36.30	0.00
May	368	92	124	0	0	5	61	43	18	0	70.49	29.51	0.00
June	264	76	116	0	0	8	91	60	32	-1	65.93	35.16	-1.10
July													
Aug													
Sept													
Oct													
Nov													
Dec													

* Due to Hurricanes Katrina and Rita, parole and revocation hearings postponed until Oct. 2005. There were 168 administrative hearings conducted for inmates who previously appeared before the Board for a hearing and were granted or deferred to a rehabilitation program. Of the 168 hearings, 141 were granted, 27 to complete program. Other Violator Actions were as follows:

Revocations/New Felony - 31
 Revocations/Waiver - 184
 Warrants Issued - 304
 Reprimands Issued - 180
 Add/Remove Spec. Conditions - 297
 TOTAL = 996

*** Due to the Mississippi River Flooding, only one day of hearings were conducted.

PRISON ENTERPRISES FINANCIAL INFORMATION

Sales and Expense Summary

FY 2014-2015

Sales consisted of the following:

Sales to Corrections	\$ 9,402,488	
Sales to Other State Agencies	\$ 6,008,630	
Sales to Non-State Agencies	\$ 6,483,780	
Sales to Canteens	\$ 10,632,978	
Total		\$32,527,876

Sales from Prison Enterprises Divisions:

Manufacturing	\$ 9,530,285	
Service	\$ 2,807,889	
Retail	\$ 15,611,869	
Agriculture	\$ 4,577,833	
Total		\$32,527,876

Major Categories of Expense Included:

Cost of Sales:

Manufacturing	\$ 6,175,698	
Service	\$ 1,760,107	
Retail	\$ 13,073,490	
Agriculture	\$ 2,961,569	
Total		\$23,970,864

*** Inmate Incentive Wages**

Prison Enterprises	\$ 145,601	
Department of Corrections	\$ 1,139,135	
Total		\$ 1,284,736
Personnel Costs	\$ 7,208,144	
Insurance	\$ 272,432	
Depreciation	\$ 529,505	
Telephone & Utilities	\$ 312,805	
Repairs and Maintenance	\$ 1,122,486	
Gas & Oil	\$ 496,265	
Feed	\$ 502,282	
Fertilizer	\$ 519,889	
Insecticides	\$ 30,986	
Seed	\$ 288,689	
Herbicides	\$ 168,494	
Total		\$11,451,977

* Portions of these costs that are related to selected agricultural operations are "deferred" and expensed through Cost of Sales shown above.

**PRISON ENTERPRISES
FY 2014-2015**

SALES BY OPERATION

MANUFACTURING	SALES
Hunt Soap Plant	\$ 1,298,336
Tag Plant	\$ 2,116,618
Silk Screen Shop	\$ 165,278
Hunt Garment Factory	\$ 716,138
Winn Garment Factory	\$ 1,008,430
LCIW Garment Factory	\$ 1,250,780
Metal Fabrication	\$ 269,658
Mattress, Mop & Broom	\$ 760,056
Print Shop	\$ 335,352
Allen Furniture	\$ 675,338
DCI Chair Plant	\$ 434,065
DCI Embroidery	\$ 500,238
TOTAL INDUSTRIES	\$ 9,530,287

SERVICE	SALES
Baton Rouge Janitorial	\$ 2,807,889
TOTAL INDUSTRIES	\$ 2,807,889

RETAIL	SALES
Canteen Distribution Center	\$ 10,632,580
Wakefield Meat Plant	\$ 4,979,289
TOTAL RETAIL	\$ 15,611,869

AGRICULTURE	SALES
DCI Replacement Heifers	\$ 568,361
LSP Rangeherd	\$ 1,049,760
Hunt Rangeherd	\$ 14,351
AVC Rangeherd	\$ -
Wade Rangeherd	\$ 613,290
LSP Corn	\$ 195,214
Cotton	\$ -
Soybeans	\$ 1,050,102
Wheat	\$ 38,718
Milo	\$ 45,629
Land & Agriculture Management	\$ 850,494
DCI Orchard	\$ -
Horse Program	\$ 35,033
Flight Bird Production	\$ 116,883
TOTAL AGRICULTURE	\$ 4,577,835

TOTAL SALES	\$ 32,527,880
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PRISON ENTERPRISES PURCHASES OF LOUISIANA PRODUCTS

PARISH	PURCHASES
East Baton Rouge Parish	\$ 3,580,535.77
East Feliciana Parish	\$ 2,254,644.82
Caddo Parish	\$ 1,733,367.00
Jefferson Parish	\$ 1,543,760.56
West Baton Rouge Parish	\$ 1,330,714.20
Tangipahoa Parish	\$ 556,739.57
West Feliciana Parish	\$ 497,310.31
Orleans Parish	\$ 468,019.79
Ouachita Parish	\$ 307,841.40

PARISH	PURCHASES
Pointe Coupee Parish	\$ 272,051.64
St Martin Parish	\$ 184,777.27
Ascension Parish	\$ 176,117.68
Lafayette Parish	\$ 145,127.23
Washington Parish	\$ 120,907.41
Plaquemine Parish	\$ 111,428.19
Acadia Parish	\$ 105,030.72
Other <\$100,000(see below)	\$ 515,731.64

LOUISIANA PURCHASES TOTAL	\$ 13,904,105
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Other < \$100,000

Natchitoches Parish	\$	77,825.55
Concordia Parish	\$	56,289.61
Lincoln Parish	\$	53,000.00
Rapides Parish	\$	34,614.86
Claiborne Parish	\$	33,408.32
Avoyelles Parish	\$	33,242.02
St Landry Parish	\$	32,536.05
Iberville Parish	\$	29,035.57
Desoto Parish	\$	25,000.00
Iberia Parish	\$	22,956.76
Allen Parish	\$	18,697.33
Franklin Parish	\$	14,000.00
Terrebonne Parish	\$	13,827.42
St Tammany Parish	\$	13,427.09
St John the Baptist Parish	\$	13,379.61
St Charles Parish	\$	12,539.10
Livingston Parish	\$	11,703.81
Calcasieu Parish	\$	5,908.45
Evangeline Parish	\$	3,217.50
Jefferson Davis Parish	\$	2,328.95
Webster Parish	\$	2,301.87
Grant Parish	\$	2,125.00
Bossier Parish	\$	2,018.47
Winn Parish	\$	1,074.22
Vernon Parish	\$	898.00
Beauregard Parish	\$	376.08
	\$	<u>515,731.64</u>

1. ACA ACCREDITATION SCORES

Accreditation offers the opportunity for institutions to evaluate their operations against national standards, remedy deficiencies, and upgrade the quality of programs and services. Some of the recognized benefits from such a process include improved management, a defense against lawsuits through documentation, increased accountability and enhanced public credibility, and a safer and more humane environment for staff and offenders. In order to be accredited, an agency must comply with 100% of all mandatory standards and 90% of all non-mandatory standards.

F.1.

Institution	Audit Score and Audit Date		Final Score and Panel Hearing Date		Next Anticipated Audit Date
ALC	99.8%	9/11/13	99.8%	1/14	Fall 2016
AVC	99.3%	9/25/13	99.3%	1/14	Fall 2016
DCI	99.6%	5/7/14	99.6%	8/14	Spring 2017
DWCC	98.6%	4/25/13	98.6%	8/13	Spring 2016
EHCC	99%	7/16/14	99%	2/15	Fall 2017
LCIW	99.5%	7/18/14	99.5%	2/15	Fall 2017
LSP LSP TRG Academy	99.1%	8/27/13	99.1%	1/14	Fall 2016
	100%	8/27/13	100%	1/14	Fall 2016
RCC	98.1%	5/9/14	98.1%	8/13	Spring 2017
WNC	98.8%	5/23/12	99%	8/12	TBD
Parole Board	99%	1/12/15	99%	5/15	Winter 2018
Central Office	99.3%	10/24/13	99.3%	1/14	Fall 2016
P&P - Adult	99.4%	11/30/15	99.4%	1/16	Summer 2018
Prison Enterprises	100%	10/22/13	100%	1/14	Fall 2016

Accreditation is granted for a three year period. During this time, ACA requires that accredited agencies submit annual certification statements confirming continued standards compliance at levels necessary for accreditation. To maintain accreditation status, application must be made nine months prior to the anniversary of accreditation. Agencies seeking reaccreditation must again satisfy the criteria.

THE DOWNSTREAM CONSEQUENCES OF MISDEMEANOR PRETRIAL DETENTION

Paul Heaton^{*}
Sandra Mayson[†]
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Abstract: In misdemeanor cases, pretrial detention poses a particular problem because it may induce otherwise innocent defendants to plead guilty in order to exit jail, potentially creating widespread error in case adjudication. While practitioners have long recognized this possibility, empirical evidence on the downstream impacts of pretrial detention on misdemeanor defendants and their cases remains limited. This Article uses detailed data on hundreds of thousands of misdemeanor cases resolved in Harris County, Texas—the third largest county in the U.S.—to measure the effects of pretrial detention on case outcomes and future crime. We find that detained defendants are 25% more likely than similarly situated releasees to plead guilty, 43% more likely to be sentenced to jail, and receive jail sentences that are more than twice as long on average. Furthermore, those detained pretrial are more likely to commit future crime, suggesting that detention may have a criminogenic effect. These differences persist even after fully controlling for the initial bail amount as well as detailed offense, demographic, and criminal history characteristics. Use of more limited sets of controls, as in prior research, overstates the adverse impacts of detention. A quasi-experimental analysis based upon case timing confirms that these differences likely reflect the causal effect of detention. These results raise important constitutional questions, and suggest that Harris County could save millions of dollars a year, increase public safety, and reduce wrongful convictions with better pretrial release policy.

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INTRODUCTION

The United States likely detains millions of people each year for inability to post modest bail. There are approximately eleven million admissions into local jails annually.¹ Many of those admitted remain jailed pending trial. At midyear 2014 there were an estimated 467,500 people awaiting trial in local jails, up from 349,800 in 2000 and 298,100 in 1996.² Available evidence suggests that the vast majority of pretrial detainees are detained because they cannot afford their bail, and that even bail of a few thousand dollars or less results in systemic detention.³

This expansive system of pretrial detention has profound consequences, within and beyond the criminal justice system. A person detained for even a few days may lose her job, her housing, or custody of her children. There is also substantial reason to believe that detention affects case outcomes. A detained defendant “is hindered in his ability to gather evidence, contact witnesses, or otherwise prepare his defense.”⁴ This is thought to increase the likelihood of conviction, either by trial or by plea, and may also increase the severity of any sanctions imposed. More directly, a detained person may plead guilty—even if innocent—simply to get out of jail. Not least important, a money bail system that selectively detains the poor violates basic constitutional protections.⁵

These problems are particularly extreme in the misdemeanor context. “Misdemeanor” may sound synonymous with “trivial,” but that connotation is misleading. Misdemeanors matter. Misdemeanor convictions can result in jail time, heavy fines, invasive probation requirements, and collateral consequences that include deportation, loss of child custody, ineligibility for public

¹ TODD D. MINTON AND ZHEN ZENG, JAIL INMATES AT MIDYEAR 2014, 1 (Bureau of Justice Statistics, 2015).

² *Id.* at 3; DARRELL K. GILLIARD AND ALLEN J. BECK, PRISON AND JAIL INMATES AT MIDYEAR 1996, 7 (Bureau of Justice Statistics, 1997). Pretrial detention rates rose steadily between 1980 and 2007, accompanying a shift away from release on recognizance and toward reliance on cash bail. Whereas between the years 1990 and 1994, 41% of pretrial releases were on recognizance and 24% were by cash bail, between 2002 and 2004 the relation was reversed: 23% of releases were on recognizance and 42% were by cash bail. BUREAU OF JUSTICE STATISTICS, PRETRIAL RELEASE OF FELONY DEFENDANTS IN STATE COURTS 1990-2004, 2 (2007); JUSTICE POLICY INSTITUTE, FOR BETTER OR FOR PROFIT, at 5 (2012); BRENNAN CENTER FOR JUSTICE, REDUCING RACIAL AND ETHNIC DISPARITIES IN JAILS 9 (June 2015); RAM SUBRAMANIAN, ET AL., VERA INST. OF JUSTICE, INCARCERATION’S FRONT DOOR: THE MISUSE OF JAILS IN AMERICA 8-10 (2015). As of 2015, financial conditions of release were imposed in 61% of all criminal cases and 70% of felony cases nationwide. BRENNAN CENTER, *supra*, at 9.

³ See BRIAN A. REAVES, FELONY DEFENDANTS IN LARGE URBAN COUNTIES, 2009-STATISTICAL TABLES (Bureau of Justice Statistics, 2013) (reporting that nine in ten felony defendants detained until disposition had bail set); THOMAS H. COHEN & BRIAN A. REAVES, PRETRIAL RELEASE OF FELONY DEFENDANTS IN STATE COURTS 1 (Bureau of Justice Statistics, 2007) (reporting that five in six felony defendants detained until disposition had bail set, and that approximately 30% of felony defendants with bail set at \$5000 or less were detained); NEW YORK CITY CRIMINAL JUSTICE AGENCY, ANNUAL REPORT 2013, 22 (2014) (documenting bail less than \$500 in 33% of non-felony cases and 3% of felony cases in New York City, and reporting that 30% of felony defendants and 46% of non-felony defendants whose bail was \$500 or less were detained until the disposition of their case). What is unclear is how many of the defendants detained despite bail are there for inability to pay, and how many may have elected not to post bail for reasons other than financial inability (for instance, because they have a probation detainer, or plan to plead guilty and expect a custodial sentence). See also *infra*, Tbl.1 and accompanying text (discussing rates of misdemeanor pretrial detention in Harris County).

⁴ *Barker v. Wingo*, 407 U.S. 514, 533 (1972).

⁵ See *infra* note 123 and accompanying text. Note that wealth-based detention also exacerbates racial inequality. See BESIKI LUKA KUTATELADZE & NANCY R. ANDILORO, PROSECUTION AND RACIAL JUSTICE IN NEW YORK COUNTY – TECHNICAL REPORT FOR THE NATIONAL INSTITUTE OF JUSTICE ii–iii (2014), www.ncjrs.gov/pdffiles1/nij/grants/247227.pdf (finding that, controlling for other relevant variables, racial minorities are disproportionately detained).

services and barriers to finding employment and housing.⁶ Beyond the consequences of misdemeanor convictions for individuals, the misdemeanor system has a profound impact as a whole, because it is enormous; it represents the majority of criminal prosecutions in the United States. While national data on misdemeanors are lacking, one analysis finds that misdemeanors represent more than three quarters of the criminal caseload in state courts.⁷

Existing data suggest that a substantial percentage of misdemeanor defendants are detained pretrial for inability to post bail.⁸ For this group, the worst punishment may come before conviction.⁹ Conviction generally means getting out of jail; people detained on misdemeanor charges are routinely offered sentences for “time served” or probation in exchange for tendering a guilty plea. The incentives to take the deal are overwhelming. For defendants with a job or apartment on the line, the chance to get out of jail may be impossible to pass up. Misdemeanor pretrial detention therefore seems especially likely to induce guilty pleas, including wrongful ones.¹⁰ This is also, perversely, the realm where the utility of cash bail or pretrial detention is most attenuated, because these defendants’ incentives to abscond should be relatively weak, and the public-safety benefit of detention is dubious.¹¹

Despite these structural problems, money-bail practices that result in systemic misdemeanor pretrial detention have persisted nationwide. In Harris County, the site of our

⁶ Jenny Roberts, *Crashing the Misdemeanor System*, 70 WASH. & LEE L. REV. 1089, 1090-91 (2013) (noting that misdemeanor convictions “can affect future employment, housing, and many other basic facets of daily life”); Alexandra Natapoff, *Misdemeanors*, 85 S. CAL. L. REV. 1313, 1316-17 (2012) (reporting that a misdemeanor conviction can limit a person’s access to “employment, as well as educational and social opportunities;” can limit eligibility for “professional licenses, child custody, food stamps, student loans, health care” or public housing; can “lead to deportation;” and “heightens the chances of subsequent arrest, and can ensure a longer felony sentence later on”).

⁷ See Roberts, *supra* (reporting that a “2010 analysis of seventeen state courts revealed that misdemeanors comprised 77.5% of the total criminal caseload in those courts”); Natapoff, *supra*, at 1315 (“Most U.S. convictions are misdemeanors, and they are generated in ways that baldly contradict the standard due process model of criminal adjudication.”).

⁸ See, e.g., Charlie Gerstein, *Plea Bargaining and the Right to Counsel at Bail Hearings*, 111 MICH. L. REV. 1513, 1534 (2013) (“In New York . . . 25 percent of nonfelony defendants are held on bail. In Baltimore, that number is closer to 50 percent.”); Natapoff, *Misdemeanors*, *supra* note 6, at 1321-22 (“In New York, the vast majority of such defendants cannot pay their bail.”); ROBERT C. BORUCHOWITZ ET AL., *MINOR CRIMES, MASSIVE WASTE: THE TERRIBLE TOLL OF AMERICA’S BROKEN MISDEMEANOR COURTS* 11 (Nat’l Ass’n of Criminal Def. Lawyers, 2009), [www.nacdl.org/public.nsf/defenseupdates/misdemeanor/\\$FILE/Report.pdf](http://www.nacdl.org/public.nsf/defenseupdates/misdemeanor/$FILE/Report.pdf) (estimating based on a sample of twelve states) (“If the whole country behaves about as well as New York State does, approximately 2.5 million people nationwide are held on bail they cannot pay for misdemeanor charges each year.”).

⁹ Cf. MALCOLM FEELEY, *THE PROCESS IS THE PUNISHMENT: HANDLING CASES IN A LOWER CRIMINAL COURT* (1979); *Stack v. Boyle*, 342 U.S. 1, 4 (1951) (noting that the “traditional right to freedom before conviction . . . serves to prevent the infliction of punishment prior to conviction”).

¹⁰ See, e.g., Natapoff, *supra* note 6 at 1315 (“[E]very year the criminal system punishes thousands of petty offenders who are not guilty.”); *id.* at 1347-50 (cataloging pressures that lead innocent misdemeanor defendants to plead guilty); Samuel Gross, *Frequency and Predictors of False Conviction: Why We Know So Little, and New Data on Capital Cases*, 5 J. EMPIRICAL LEGAL STUD. 927, 930-31 (2008) (noting that it is “entirely possible” that most wrongful convictions are “based on negotiated guilty pleas to comparatively light charges” to avoid “prolonged pretrial detention”); Alexandra Natapoff, *Negotiating Accuracy: DNA in the Age of Plea Bargaining*, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2693218 (asserting that, “[b]ecause most of those arrested [for public-order offenses pursuant to aggressive broken-windows policing in New York City] pled out to avoid pretrial detention, that police policy resulted in numerous wrongful convictions”).

¹¹ That is both because people accused of misdemeanors are likely to pose much less of a threat than people charged with more serious offenses, and because detention for the life of a misdemeanor case constitutes only very short-term incapacitation—which may be outweighed by criminogenic effects. See *infra* Part III(C).

study, more than 50% of misdemeanor defendants are detained.¹² Other jurisdictions also detain people accused of misdemeanors at surprising rates.¹³ There are several possible reasons. A money-bail system may be easier to operate than a system of broad release with effective pretrial services. The bail bondsman lobby is a potent political force. In some jurisdictions, the local sheriff or jail administrator is paid on the basis of jail beds occupied, and so has a financial incentive to support policies that keep jails full. The individual judges or magistrates who make pretrial custody decisions, finally, suffer political blowback if they release a person (either directly or via affordable bail) who subsequently commits a violent crime, but few consequences, if any, for setting unaffordable bail that keeps misdemeanor defendants detained. In short, institutional actors in the misdemeanor system have had strong incentives to rely on money-bail practices that result in systemic pretrial detention.¹⁴

Given the inertia, misdemeanor bail policy is unlikely to shift in the absence of compelling empirical evidence that the status quo does more harm than good. Policymakers may be particularly attuned to whether misdemeanor pretrial detention produces wrongful convictions, and how it affects future crime. The evidence, however, has so far been thin. There is ample documentation that those detained pretrial are convicted more frequently, receive longer sentences, and commit more future crimes than those who are not (on average). But this is precisely what one would expect if the system detained those who pose the greatest flight or public safety risk. The key question for pretrial law and policy is whether detention actually *causes* the adverse outcomes with which is linked, independently of other factors. On this question, prior empirical work is not conclusive. The literature has produced suggestive evidence of the causal effects of detention. Nearly all prior studies, however, have been limited by the data available and by the number of variables for which they have been able to control. Only one study, a report published by the New York Criminal Justice Agency, has focused on misdemeanor cases specifically.¹⁵

This Article presents original evidence that misdemeanor pretrial detention causally affects case outcomes and the commission of future crimes. We offer new evidence from an empirical analysis of a large dataset from Harris County, Texas, the third-most-populous county in the United States. The data include uniquely detailed information about hundreds of thousands of misdemeanor cases. Our regression analysis controls for a wide range of confounding factors: defendant demographics, extensive criminal history variables, wealth measures (ZIP code and claims of indigence), judge effects, and 121 different categories of charged offense. In addition, we undertake a quasi-experimental analysis that leverages random variation in the access that

¹² *Infra* Tbl.1.

¹³ In Philadelphia and New York City around 25% of misdemeanor defendants are detained pretrial. See Megan Stevenson, *Distortion of Justice: How the Inability to Pay Bail Affects Case Outcomes* (May 2, 2016), <https://www.law.upenn.edu/cf/faculty/mstevens/workingpapers/Distortion-of-Justice-April-2016.pdf> and MARY T. PHILLIPS, PRETRIAL DETENTION AND CASE OUTCOMES, PART I: NONFELONY CASES (NYC Criminal Justice Agency, 2007)

¹⁴ Although that may be changing in some places, thanks to recent reform efforts. See, e.g., *Ending the American Money Bail System*, <http://equaljusticeunderlaw.org/wp/current-cases/ending-the-american-money-bail-system> (last visited July 7, 2016) (describing litigation campaign).

¹⁵ PHILLIPS, *supra* note 13.

defendants have to bail money based on the timing of arrest. These quasi-experimental results are very similar to those produced through regression analysis with detailed controls.

We find that detained defendants are much more likely than similarly situated releasees to plead guilty and serve jail time. Compared to similarly situated releases, detained defendants are 14 percentage points (25%) more likely to be convicted and 17 percentage points (43%) more likely to be sentenced to jail. On average, their incarceration sentences are 9 days longer, more than double that of similar releasees. Furthermore, we find that pretrial detainees are more likely than similarly situated releases to commit future crime. Although detention exerts an incapacitative effect in the short term, by 18 months post-hearing, detention is associated with a 30% increase in felonies and a 20% increase in misdemeanors, a finding consistent with other research suggesting that even short-term detention has criminogenic effects. These results raise important constitutional questions, and suggest that, with modest changes to misdemeanor pretrial policy, Harris County could save millions of dollars a year, increase public safety, and reduce wrongful convictions.

The Article proceeds in four parts. Part I provides background on pretrial detention and surveys the existing empirical literature assessing its effects. Part II outlines the pretrial process in Harris County, which has much in common with the process in other large jurisdictions, and describes our dataset. Part II also reports the result of an empirical analysis on the relationship between wealth and detention rates. Part III presents the results from a series of empirical analyses designed to measure the effect of pretrial detention on case and crime outcomes. Part IV, finally, explores the implications of the results for ongoing constitutional and policy debates.

I. THE PRETRIAL PROCESS AND PRIOR EMPIRICAL LITERATURE

A. *On Bail and Pretrial Detention*

The pretrial process begins with arrest and ends with the disposition of the criminal case. Since its founding, the United States has relied heavily on a money bail system adapted from the English model to ensure the appearance of the accused at trial.¹⁶ Bail is deposited with the court and serves as security. If the accused appears in court when ordered to do so, his bail is returned at the conclusion of the case; if not, it is forfeited. But whereas in eighteenth-century England many offenses were “unbailable,” the American colonies guaranteed a broad right to bail, with a narrow exception for capital cases.¹⁷ In 1951, the Supreme Court held that the Excessive Bail Clause prohibits bail “set at a figure higher than an amount reasonably calculated” to ensure the

¹⁶ See, e.g., Hermine Herta Meyer, *Constitutionality of Pretrial Detention*, 60 GEO. L. J. 1139, 1146 (1971-1972) (chronicling history of U.S. bail system); TIMOTHY R. SCHNACKE, FUNDAMENTALS OF BAIL: A RESOURCE GUIDE FOR PRETRIAL PRACTITIONERS AND A FRAMEWORK FOR AMERICAN PRETRIAL REFORM 21-45 (2014).

¹⁷ See Meyer, *supra*; SCHNACKE, *supra*; Judiciary Act of 1789, ch. 20, 1 Stat. 91 (repealed by 18 U.S.C. §§ 3141 to 3151 (1982) (guaranteeing a right to bail in noncapital cases); JOHN S. GOLDKAMP, TWO CLASSES OF THE ACCUSED: A STUDY OF BAIL AND DETENTION IN AMERICAN JUSTICE 55-60 (1979) (explaining “classic” state constitutional bail clause).

appearance of the accused.¹⁸ The Court ruminated that “[u]nless this right to bail before trial is preserved, the presumption of innocence, secured only after centuries of struggle, would lose its meaning.”¹⁹

The second half of the twentieth century brought major changes to America’s pretrial system. In the 1960s, the realization that many people were detained pretrial for inability to post bail led to a national reform movement that limited the use of money bail in favor of simple release on recognizance (“ROR”) for many defendants, as well as non-financial conditions of release.²⁰ In the 1970s and 80s, concerns about rising rates of pretrial crime led to a second wave of reform, this time directed at identifying and managing defendants who posed a threat to public safety.²¹ The federal government and many states enacted pretrial preventive detention statutes, and almost every jurisdiction in the country amended its pretrial laws to direct courts to consider “public safety” when setting bail or conditions of release.²²

As of this writing, most U.S. jurisdictions have reverted to a heavy reliance on money bail as the central mechanism of the pretrial system.²³ Despite the Supreme Court’s admonition that “the function of bail is limited” to ensuring appearance, so that “the fixing of bail for any individual defendant must be based upon standards relevant to the purpose of assuring the presence of that defendant,” taking into account his or her financial status, many jurisdictions do not adhere to that mandate.²⁴ Bail hearings are typically just a few minutes long, often conducted over videoconference and without defense representation. Some jurisdictions employ bail “schedules” with predetermined bail amounts for each offense, which do not consider individual circumstances relevant to flight risk or ability to pay.²⁵ In many jurisdictions, judges set higher bail for defendants they perceive as dangerous, either as directed by statute or on their own initiative, despite the Supreme Court’s statement that money bail is not an appropriate tool for controlling crime risk.²⁶

Those who can post bail are released. Often a bail bondsman serves as a middleman; the bondsman posts the refundable bail deposit in exchange for a non-refundable fee (usually about ten percent of the total). Those who cannot post bail are detained pending trial. The length of pretrial detention varies tremendously by jurisdiction and by the particulars of a given case. In most places, the state must institute formal charges and arraign the defendant within a few days

¹⁸ *Stack v. Boyle*, 342 U.S. 1, 5 (1951).

¹⁹ *Id.* at 4.

²⁰ See *GOLDKAMP*, *supra* note 17, at 23-25, 84; Bail Reform Act, Pub. L. No. 98-473, 98 Stat. 1985 (1966) (codified at 18 U.S.C. §§ 3141-51) (repealed 1984), at Sec. 2 (“The purpose of this Act is to revise the practices relating to bail to assure that all persons, regardless of their financial status, shall not needlessly be detained pending their appearance . . .”).

²¹ See generally John S. Goldkamp, *Danger and Detention: A Second Generation of Bail Reform*, 76 J. CRIM. L. & CRIMINOLOGY 1 (1985).

²² *Id.* at 15-30.

²³ See *supra* note 2.

²⁴ *Stack v. Boyle*, 342 U.S. 1, 5 (1951).

²⁵ *Cf.* Standard 10-5.3(f), ABA STANDARDS ON PRETRIAL RELEASE (3rd ed. 2002) (“Financial conditions . . . should never be set by reference to a predetermined schedule of amounts fixed according to the nature of the charge.”).

²⁶ *Cf. id.*, Standard 10-5.3(b) (“Financial conditions of release should not be set to prevent future criminal conduct during the pretrial period or to protect the safety of the community or any person.”).

of arrest, and misdemeanor cases may be resolved within a few weeks. In other places the timeline is longer, so that a misdemeanor defendant may be detained for weeks or months before she is even arraigned.²⁷

It has long been conventional wisdom that pretrial detention has an adverse effect on case outcomes (from the perspective of the accused). If this is true, there are at least six possible mechanisms. Most obviously, detention alters the incentives for fighting a charge. A detained defendant generally has less to lose by pleading guilty; detention may have already caused major disruption to her life. And whereas for a released defendant the prospect of a criminal sentence—custodial or otherwise—represents a serious loss of liberty, for a detainee it is, at worst, an extension of the status quo. For misdemeanor detainees, as noted above, pleading guilty usually means an *increase* in liberty, while fighting the charge means staying in jail. A second possible mechanism is that detention may limit the ability of the accused to develop a defense by working with his attorney or collecting relevant evidence. Relatedly, detention might limit the financial resources a person has to dedicate to her defense (if, for instance, it results in loss of wages). Fourth, detention prevents an accused person from engaging in commendable behavior that might mitigate her sentence or increase the likelihood of acquittal, dismissal or diversion, like paying restitution, seeking drug or mental health treatment, or demonstrating commitment to educational or professional advancement. Fifth, detention might prevent accused persons from engaging in reprehensible behaviors that have similar effects, like intimidating witnesses, destroying evidence, or engaging in bad-faith delay tactics. Finally, even if released defendants do not actively seek to delay adjudication, it may be the case that they have better outcomes simply because their cases move more slowly, which entails some inevitable degradation of evidence.

B. Challenges for Empirical Study

For policymakers and the public to properly consider changes to bail policy, such as reduction of cash bail or liberalization of ROR, they would ideally have estimates of the causal effects of pretrial detention on various outcomes of interest. The causal effect of pretrial detention represents the difference in outcomes between a representative defendant who is released pretrial as compared to an otherwise identical individual who is detained. There is, in fact, a tradition of empirical scholarship seeking to measure this effect.

As a practical matter, however, testing whether detention has a causal impact on case outcomes is complicated by the fact that those detained are systematically different from those released. Because those who are detained pretrial are likely to have committed more serious crimes, have a longer criminal history, or have less wealth, one might expect to observe differences in case outcomes between detainees and releasees even absent any causal effect of

²⁷ In Louisiana, people may be detained on misdemeanor arrest charges for up to 75 days without being arraigned. See La. C. Cr. P. § 701(B)(1)(a) (requiring that formal charges be instituted within 45 days of arrest); § 701(C) (requiring arraignment within 30 days of filing of formal charges).

pretrial custody status. To take a simple example, if crime is correlated over time, such that more frequent offenders in one period are more likely to offend in future periods, and a bail process detains defendants with more past convictions, then one would expect the future recidivism of those detained (who are high-frequency offenders) to be greater than that of those who are released even when pretrial release does not affect behavior at all. Thus, estimates of the causal effect of bail must properly account for any sorting effect of bail that occurs in the real world.

The sorting is further complicated by the fact that defendants themselves may have information about their guilt or innocence that is unobserved by the court or by researchers, but that also may alter the relative desirability of release versus detention. A defendant who is factually guilty and who plans to plead guilty may wish to forego bail simply to get the punishment over with, anticipating that she will receive credit for time served. On the other hand, a defendant who believes she has a strong case for innocence may have greater incentive to try to post bail in order to avoid being detained when innocent.

Because case-level factors such as the quality of evidence and underlying culpability of the defendant can generally not be observed in empirical studies of bail settings, all existing studies are subject to the potential for bias in measuring causal effects. The degree of bias depends on not only how significantly the unobserved factors affect the outcome of interest, but how closely correlated they are with pretrial detention. A final difficulty for measuring the effect of pretrial detention is that data on those factors known to be relevant for determining outcomes tends to be limited.

C. Prior Empirical Literature

Notwithstanding these challenges, there is a body of prior empirical work dedicated to assessing the effects of pretrial detention on criminal justice outcomes. To varying degrees, prior studies have attempted to control for underlying differences between detainees and releasees in order to estimate the true causal effect of detention. Earlier studies, which preceded the advent of computers and digitized data systems, could only control for a few variables at a time. More recent studies have been able to control for a wider variety of variables, coming closer to a causal estimate.

The first major empirical study addressed to the causal effect of detention was an innovative study conducted by the Vera Foundation in 1961, which was known as the Manhattan Bail Project.²⁸ The researchers conducted pretrial interviews and verifications designed to assess flight risk on the basis of community ties. They recommended release on recognizance (ROR) for all cases that met certain criteria for low flight risk. They only communicated this recommendation to the responsible judge, however, for a randomly selected subset of the cases. To a modern researcher, this experimental approach is an ideal way of determining the causal impact of pretrial detention: those for whom the ROR recommendation was communicated

²⁸ Charles E. Ares et al., *The Manhattan Bail Project*, 38 N.Y.U. L. REV 67 (1963).

should be statistically identical to those for whom it was not, the only difference being a higher pretrial release rate among the former. If the two groups also had differing case outcomes, one could infer that the difference was due to pretrial detention. Disappointingly, the researchers did not report overall outcomes for these two groups. They only compared case outcomes among those in the reporting group who were released versus those in the non-reporting group who were detained. They found that those detained were dramatically more likely to be found guilty and sentenced to prison. This study made a profound contribution, but was limited by its design. Because the two groups actually compared were subject to the additional filter of a release decision, they cannot be considered statistically identical. Comparing their outcomes might therefore provide a biased view of the causal impact of pretrial detention.²⁹

Another important early paper came to different conclusions. John Goldkamp examined whether pretrial detention affected case outcomes at three separate stages in the criminal proceedings: whether the case was dismissed at the outset, whether the defendant entered a diversion program, and whether the defendant was ultimately adjudicated guilty.³⁰ Focusing on about 8000 Philadelphia court cases, Goldkamp found that after controlling for five factors – charge seriousness, detainers/warrants, number of prior arrests, open cases and number of charges – pretrial detention had no discernible impact on any of these phases. The only outcome where Goldkamp found some support for a causal channel of influence was on the likelihood of being sentenced to incarceration.

Empirical scholarship evaluating pretrial detention waned in the 1980s and 90s, but the new millennium brought new research. Since 2000, nearly a dozen correlational studies have been published on the subject. Although most of these studies have evaluated relatively small samples, they have taken advantage of improvements in data to control for a wider variety of underlying differences in characteristics. Most of these studies have found that pretrial detention was correlated with unfavorable case outcomes.³¹

²⁹ A follow-up study using data on 700 of the Manhattan Bail Project cases used some basic cross-tabulations which suggest that the correlation between detention and unfavorable case outcomes is not explained away by prior record, bail amount, type of counsel, family integration or employment stability. Anne Rankin, *The Effect of Pretrial Detention*, 39 N.Y.U. L. REV. 641 (1964).

³⁰ John S. Goldkamp, “The Effects of Detention on Judicial Decisions: A Closer Look,” 5 JUST. SYSTEM J. 234 (1980).

³¹ Oleson et al., *The Effect of Pretrial Detention on Sentencing in Two Federal Districts*, JUST. Q. 16 (May 2014) (showing that pretrial detention was associated with an increased prison sentence in federal courts); Marvin D. Free Jr., *Bail and Pretrial Release Decisions*, 2 J. ETHNICITY IN CRIM. JUST. 23 (2004) (providing a review of studies looking at race and pretrial release); Christine Tartaro; Christopher M. Sedelmaier, *A Tale of Two Counties: The Impact of Pretrial Release, Race, and Ethnicity upon Sentencing Decisions*, 22 CRIM. JUST. STUD. 203 (2009) (examining heterogeneity in the effects of pretrial detention on sentences of incarceration for minority defendants in different Florida counties); Michael J. Leiber & Kristan C. Fox, *Race and the Impact of Detention on Juvenile Justice Decision Making*, 51 CRIME & DELINQ. 470 (2005) (assessing how the interaction between race and detention status affects juvenile delinquency case outcomes); Marian R. Williams, *The Effect of Pretrial Detention on Imprisonment Decisions*, 28 CRIM. JUST. REV. 299 (2003) (showing that pretrial detention is correlated with increased incarceration sentences using a small sample of Florida felony cases); Gail Kellough & Scot Wortley, *Remand for Plea: Bail Decisions and Plea Bargaining as Commensurate Decisions*, 42 BRIT. J. CRIMINOLOGY 186 (2002) (finding that a negative personality assessment by police increases the likelihood of detention in Canada, and that those detained are more likely to plead guilty).

The new millennium also brought the publication of several important research studies funded by nonprofit organizations. Although not published in peer-reviewed or academic journals, these papers represented an advance because of their large sample sizes. In 2007 and 2008, the New York Criminal Justice Agency published two reports that assessed the impact of pretrial detention on case outcomes for non-felony and felony cases respectively.³² Several years later, the Laura and John Arnold Foundation funded a pair of studies that assessed the impact of pretrial detention on case outcomes and on future crime.³³ With sample sizes in the tens to hundreds of thousands, the CJA and Arnold Foundation studies controlled for offense type within eight main classifications along with gender, race, age, and criminal history. These studies still found substantial correlations between pretrial detention and conviction rates, sentences of incarceration and post-disposition crime. One Arnold Foundation study in particular found large effects: low-risk defendants detained throughout the pretrial period were 5.41 times more likely to be sentenced to jail and 3.76 times more likely to be sentenced to prison than similarly situated defendants who were released at some point in their detention status.³⁴ These large effects, however, are unlikely to represent the true causal effect of pretrial detention. The researchers did not control for the particular offense charged, only broad offense categories such as “violent offenses”. Those released on a violent offense are more likely to be facing minor charges like simple assault, and those detained on a violent offense are more likely to be facing serious charges like murder or rape. Given that likely variation, the study does not necessarily compare outcomes across similarly situated individuals, and differences in outcomes would be expected even in the absence of a causal effect.

In general, then, despite major improvements in data and analysis, this prior research has controlled for only a limited set of confounding variables, making it difficult to distinguish the effect of detention from the effects of underlying differences between detainees and releasees. Prior studies have typically controlled for limited measures of prior criminal involvement, and grouped cases into a limited number of offense categories. They have also tended to lack controls for defendants’ wealth, which clearly affects pretrial release in cash bail systems, and which is likely to also affect defendant access to high-quality defense counsel and services such as counseling or drug treatment that might encourage the courts to impose a more lenient sentence. It is difficult, in other words, to exclude the possibility of “omitted-variable bias.”

The newest empirical work on pretrial detention effects seeks to avoid the problem of omitted-variable bias by deploying quasi-experimental design. A working paper by Megan Stevenson, one of this paper’s authors, uses a natural experiment in Philadelphia to estimate the causal effect of pretrial detention on case outcomes.³⁵ She exploits the fact that defendants have their bail set by different bail magistrates with broad discretion. Some magistrates tend to set bail

³² MARY PHILIPS, PRETRIAL DETENTION AND CASE OUTCOMES, PART 1: NONFELONY CASES (2007); MARY PHILIPS, BAIL, DETENTION AND FELONY CASE OUTCOMES (2008).

³³ CHRISTOPHER T. LOWENKAMP ET AL., INVESTIGATING THE IMPACT OF PRETRIAL DETENTION ON SENTENCING OUTCOMES (2013); CHRISTOPHER T. LOWENKAMP ET AL., THE HIDDEN COSTS OF PRETRIAL DETENTION (2013).

³⁴ LOWENKAMP ET AL., THE HIDDEN COSTS OF PRETRIAL DETENTION, *supra*.

³⁵ Stevenson, *supra* note 13.

at unaffordable levels, while others set bail more leniently. The group of defendants randomly assigned to a high-bail magistrate are detained pretrial at higher rates than the group assigned to the more lenient magistrate. In all other respects, however, the two groups should be similar. Stevenson finds that defendants who receive the strict magistrate are also more likely to plead guilty and receive harsher sentences. Since this quasi-experimental method eliminates the bias that results from comparing individuals with different underlying characteristics, it produces a causal estimate of the effect of pretrial detention. Stevenson also performs a standard regression analysis (controlling for a detailed set of variables) that yields very similar results, suggesting that with enough controls, researchers can produce reasonable estimates of the causal effects of pretrial detention even in the absence of a natural experiment.

This Article offers several contributions to the field. First, like Stevenson, we offer both a quasi-experimental analysis and a regression analysis with a large set of highly detailed controls. Secondly, we focus on misdemeanor defendants, and assess the effect of pretrial detention both on case outcomes and on future crime. Third, we offer the first large-scale empirical study of misdemeanor pretrial detention in Harris County—which, because its pretrial process is representative of many jurisdictions, and because of the sheer number of people it affects, presents a particularly illuminating location of study.

II. MISDEMEANOR PRETRIAL DETENTION IN HARRIS COUNTY

A. *The Misdemeanor Pretrial Process*

The present analysis focuses on Harris County, Texas, the third largest county in the United States, which includes Houston, the nation's fourth largest city. Harris County contains a diverse population of 4.5 million residents, 20% of whom are African-American, 42% Hispanic/Latino, 25% foreign born, and 17% living below the federal poverty line.³⁶ In Houston, which comprises about half of the county by population, the 2014 FBI index crime rate was 1 per 100 residents for violent crime and 5.7 per 100 residents overall, placing Houston 30th among the 111 U.S. cities with population above 200,000.³⁷ Countywide, around 70,000 misdemeanors are processed each year, and these cases are adjudicated by the Harris County Criminal Courts at Law.³⁸ Historically, indigent defense in the county was provided through an appointed private counsel system, but a public defender office was established in 2010 and has gradually expanded, although it handles only a small subset misdemeanor cases.³⁹

³⁶ U.S. Census Bureau, *Quick Facts, Harris County, Texas*, <https://www.census.gov/quickfacts/table/PST045214/48201>.

³⁷ Authors' calculations from FEDERAL BUREAU OF INVESTIGATION, CRIME IN THE UNITED STATES (2014).

³⁸ We report this total misdemeanor count on the basis of the data (on file with authors).

³⁹ The Public Defender's office represents only those misdemeanor defendants who are severely mentally ill, as identified by a computer algorithm on the basis of three criteria: (1) they have taken prescribed psychoactive drugs in the last 90 days, (2) they have a diagnosis of Schizophrenia, Bipolar Disorder or Major Depression, or (3) they are assigned to the jail's specialty mental health housing. In total, this totals approximately 2500 persons annually. *Personal correspondence with Alex Bunin, Harris County Public Defender* (June 16, 2016).

After arrest and booking, misdemeanants are held at the county jail complex located in downtown Houston until a bail hearing occurs.⁴⁰ Bail hearings are held continuously every day during the year, and nearly always occur within 24 hours of the initial booking. To manage the large volume of new defendants that arrive each day, the county has developed a videoconferencing process for bail hearings, whereby defendants are taken to a conferencing facility within the jail, and participate in the hearing by speaking toward a split video screen that shows a prosecutor and the magistrate handling the hearing. Bail hearings are typically handled in an assembly-line fashion, with some hearings lasting under a minute. Unless they have somehow managed to retain counsel, which is very rare, defendants are not represented at the bail hearings, and although the hearings begin with a basic advisory of rights, defendants may self-incriminate or otherwise take actions that might affect their future case.

Magistrates making bail determinations have access to information from a pretrial services report that includes prior criminal record, and can also direct questions towards the defendant during the bail hearing. Texas statutory law defines bail as “the security given by the accused that he will appear and answer before the proper court the accusation brought against him.”⁴¹ Notwithstanding this unitary focus on ensuring appearance, the law also directs the officer who sets bail to consider public safety in determining the bail amount.⁴² In Harris County, bail is typically set according to a bail schedule promulgated by the county courts. The schedule proposes bail of \$500 for a first-time low-level misdemeanor with no prior criminal record and escalates bail in \$500 increments according to the seriousness of the charged offense and the number of prior felony and misdemeanor convictions, up to a maximum of \$5,000.⁴³ Although release without bail—referred to as a “personal bond” in Harris County—is allowed, it is not included on the schedule and occurs infrequently.⁴⁴ Prosecutors have an opportunity during the bail hearing to argue for departures from the schedule.

Nearly all misdemeanor offenders in Harris County are theoretically eligible for appointed counsel in the event of indigence, and indigent defense in misdemeanor cases is provided almost exclusively through appointed private counsel.⁴⁵ To apply for appointed counsel, defendants complete a form that asks about income and other assets and judges may also direct questions regarding defendants’ financial circumstances from the bench either during

⁴⁰ Some of the processes detailed here are described in Harris County Criminal Courts at Law, *Rules of Court* (Sept. 6, 2012), available at <http://www.ccl.hctx.net/criminal/Rules%20of%20Court.pdf>. The others are reported as described in personal communications with Alex Bunin, Harris County Public Defender (June 16 and July 27, 2016).

⁴¹ Tex. Crim. Proc. Code Ann. § 17.01.

⁴² Tex. Crim. Proc. Code Ann. § 17.15(5).

⁴³ Harris County Criminal Courts at Law, *Rule 9, Setting and Modifying Bail Schedule* (July 5, 2016), available at <http://www.ccl.hctx.net/attorneys/BailSchedule.pdf>. A non-profit advocacy organization, Equal Justice Under Law, recently filed a civil rights lawsuit against Harris County on behalf of misdemeanor pretrial detainees, alleging that reliance on the bail schedule violates due process and equal protection. *See, e.g.,* Lise Olsen, *Harris County’s Pretrial Detention Practices Challenged as Unlawful in Federal Court*, HOUSTON CHRONICLE (May 19, 2016).

⁴⁴ *See* Tex. Crim. Proc. Code Ann. § 17.03 (defining “personal bond” and judicial authority to order it).

⁴⁵ *See supra* note 39. In the analysis that follows we control for public defender representation on the theory that these cases may be systematically different for other cases.

the bail hearing or in later proceedings.⁴⁶ In some cases, when it would facilitate a more orderly transition of court business, particularly when defendants appear *pro se* (without a lawyer), the judge may appoint indigent counsel without a formal request.⁴⁷ Although Texas law and the County’s written policy prohibits judges from considering whether a defendant made bail in deciding whether she qualifies for appointed counsel (except to the extent that it reflects her financial circumstances),⁴⁸ there is considerable anecdotal evidence suggesting that this rule is violated in practice.⁴⁹ Thus, under the current system one potential impact of posting bail may be to alter one’s chances of receiving an appointed attorney.

B. Data Description

Study data are derived from the court docket sheets maintained by the Harris County District Clerk.⁵⁰ These docket sheets include the universe of unsealed criminal cases adjudicated in the county, and include considerable detail regarding each case. We focus attention on 380,689 misdemeanor cases filed between 2008 and 2013. For each case, we observe the defendant name, address, and demographic information; prior criminal history; and top charge. We also observe the time of the bail hearing, bail amount, whether and when bail was posted, judge and courtroom assignment, motions and other metrics of procedural progress, and final case outcome, including whether the case was resolved through a plea. In the discussion below, we focus on the bail amount set at the initial hearing, which is likely to have a disproportionate impact on detention both because it is the operative bail during the early period when most defendants who post bail do so, and because it serves as a reference point for any further negotiations over bail. However, in Harris County, as in other jurisdictions, judges can exercise discretion to adjust bail as additional facts about a particular defendant or case come to light. To obtain information about the neighborhood environment for each defendant, we linked the court data by defendant ZIP code of residence—which was available for 85% of defendants—to ZIP code level demographic data from the 2008-2012 American Community Survey.

The court data have a few important limitations. Only a single most serious charge is recorded in each misdemeanor case, so it is not possible to clearly differentiate defendants with large numbers of charges. Although court personnel have access to criminal history information

⁴⁶ Harris County District Courts, *Standards and Procedures: Appointment of Counsel for Indigent Defendants* (Sept. 2, 2009), available at <https://www.justex.net/JustexDocuments/0/FDAMS/standards.pdf>.

⁴⁷ This is apparent on the basis of the data, which sometimes shows counsel appointed without a motion (often on the day of final adjudication), and was confirmed in personal correspondence with Alex Bunin, Harris County Public Defender (July 27, 2016).

⁴⁸ Tex. Crim. Proc. Code Ann. § 26.04; Harris County District Courts, *Standards and Procedures* 15 (Sept. 2, 2009), available at <https://www.justex.net/JustexDocuments/0/FDAMS/standards.pdf>.

⁴⁹ See, for example, Emily DePrang, *Poor Judgment*, TEXASOBSERVER.ORG (Oct. 12, 2015), <https://www.texasobserver.org/poor-judgment> and Paul B. Kennedy, *Who is indigent in Harris County?*, THE DEFENSE RESTS BLOG (Jan. 25, 2010), <http://kennedy-law.blogspot.com/2010/01/who-is-indigent-in-harris-county.html>.

⁵⁰ These are available at CHRIS DANIEL, HARRIS COUNTY DISTRICT CLERK WEBSITE, <http://www.hcdistrictclerk.com/edocs/public/search.aspx>.

from across the state, these data only include criminal history data covering offenses within Harris County, not other jurisdictions. A further limitation is that the data do not in all cases provide clear indications of failure to appear, an obvious outcome of interest in a comprehensive evaluation of bail. The attorney information is also less than complete—although the data do indicate the identity of court-appointed counsel, as well as the fact that they are court-appointed, the identity of counsel is not observed when privately retained, nor can we distinguish between those who proceed *pro se* and those who hire a private attorney. Race and citizenship data are not carefully verified, so they may not be fully reliable.⁵¹ Finally, although these data represent the near universe of criminal cases in the county, a small fraction of criminal court records are sealed or otherwise unavailable on the online court docket database. Additionally, arrestees who successfully complete diversion programs through which they avoid having charges filed are not included in the data.⁵²

Table 1: Characteristics of Defendants by Pretrial Release Status

	Overall	Detained	Released
Convicted	68.3%	79.4%	55.7%
Guilty plea	65.6%	76.8%	52.8%
Any jail sentence	58.7%	75.0%	40.2%
Jail sentence days	17.0	25.4	7.4
Any probation sentence	14.0%	6.2%	22.9%
Probation sentence days	49.4	22.5	79.9
Requested appointed counsel	53.2%	71.3%	32.6%
Amount of bail	\$2,225	\$2,786	\$1,624
Level A misdemeanor	30.7%	33.5%	27.4%
Male	76.8%	79.8%	73.5%
Age (years)	30.8	31.6	30.0
Black	38.9%	45.6%	31.3%
Citizen	74.1%	71.5%	77.0%
Prior misdemeanors	1.51	2.08	0.85
Prior felonies	0.74	1.11	0.31
Sample size	380,689	202,386	178,303

Table 1 presents summary statistics describing the sample of misdemeanor defendants examined in the study. We categorize as detained any individual who did not post bond with the first 7 days following the bail hearing. The data reveal stark differences in plea rates, conviction

⁵¹ Anecdotal reports from Harris County criminal justice system actors suggest that this is the case.

⁵² An example of one such program operating in Harris County is the First Chance Intervention Program, which diverts first-time, low-level marijuana offenders and is described at <https://app.dao.hctx.net/OurOffice/FirstChanceIntervention.aspx>.

rates, and jail sentences for detainees as compared to those who are able to make bail. However, detainees are also different from releasees across a number of pre-existing characteristics that seem likely to be related to case outcomes. For example, detainees are much more likely to request appointed counsel due to indigence (71% vs. 33%), disproportionately commit more serious Class A misdemeanors (34% vs. 24%), and have more extensive prior criminal records. Thus, it remains unclear to what extent the differences in case outcomes reflect the effect of detention versus other pre-existing differences across the two groups.

C. Pretrial Detention and Wealth

Not listed in Table 1, because it is unobserved in our data—but probably the most obvious characteristic that would likely differ between the detained and released—is wealth. A clear concern with a predominantly cash-based bail system as exists in Harris County is that individuals with money or other liquid assets will be most able to make bail, skewing the system in favor of the wealthy. Although the individual wealth of each defendant is unobserved, we can proxy for defendant wealth based upon median income in each defendant’s ZIP code of residence. To illustrate the prominent role of wealth in the system, Figure 1 calculates the pretrial detention rate for defendants residing in each of the 217 ZIP codes observed in the data that contain at least 50 defendants, and plots this against the median household income in the ZIP.

The pattern is striking. Those who come from poorer neighborhoods are substantially more likely to be detained than those coming from wealthier neighborhoods. Only about 30% of defendants coming from the wealthiest ZIP codes are detained pretrial, versus around 60-70% in the poorest ZIP codes.

Although Figure 1 suggests that wealth may be an important determinant of pretrial release, it is possible that the patterns in Figure 1 reflect differential offending by defendants from lower-income ZIP codes. If, for example, lower-income misdemeanor defendants commit more serious offenses or tend to have more extensive criminal histories, one might expect them to be assigned higher bail amounts and be more likely to be detained for legally appropriate reasons. However, Figure 2, which shows the average seriousness of the offense, demonstrates that there is no relationship between wealth and offense seriousness.⁵³ Figure 3, moreover, demonstrates that the strongly negative wealth/detention relationship persists when focusing attention on the pool of defendants who have no prior charges in Harris County. Thus, the wealth gradient does not seem to be explainable simply as a matter of more extensive or more serious offending by low-income defendants.

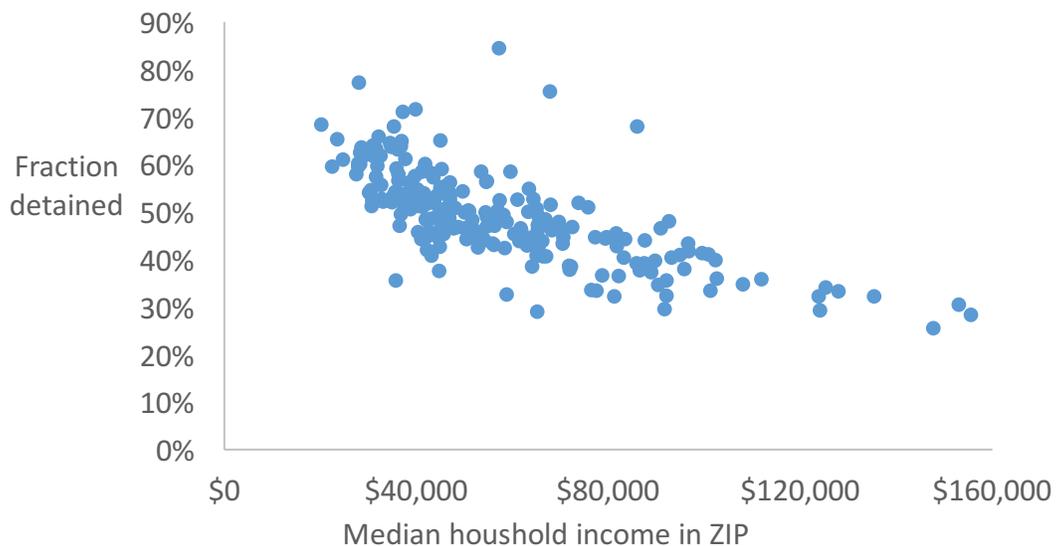
Would wealthier defendants still be detained less frequently if we could perfectly account for evidence and other factors relevant to flight or public-safety risk? To assess this question, for each defendant, we constructed an expected probability of detention by looking at the actual

⁵³ In a ZIP-code level regression of average seriousness on median household income, the estimated coefficient on income is practically small and not statistically significant.

detention rates of all other defendants in the sample who were assigned identical bail amounts at the initial hearing. This measure captures the average custody outcome for all defendants who were considered by the court as representing the same degree of risk, at least as expressed through the bail amount. For defendants falling within each decile of the ZIP code income distribution, we then compared this expected detention measure to the true rates of detention. The results of this analysis are reported in Figure 4.

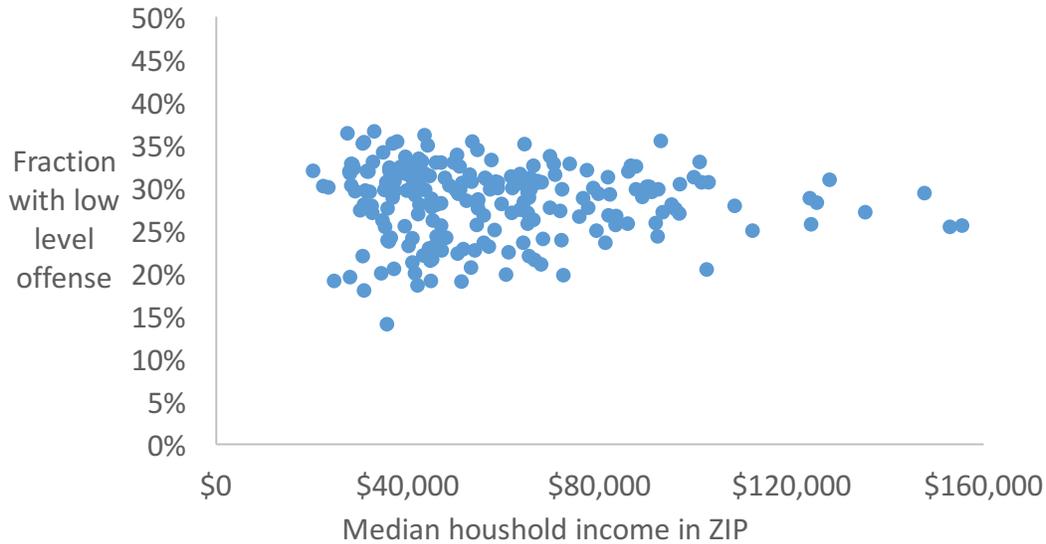
We see a striking pattern in which, for the poorest defendants, the actual detention rates are substantially above those that would be predicted based upon their assigned bail, whereas the reverse is true for the wealthiest defendants. Defendants in the lowest-income decile are about 15% (8 percentage points) more likely to be detained than would be expected based on their court assigned bail, and those in the top decile are 19% (9 percentage points) less likely to be detained. Because these comparisons already account for the bail amount, the differences cannot be plausibly attributed to anything in the court record that might implicate worthiness for bail. Thus, it appears that wealthier defendants are advantaged in their ability to obtain pretrial release beyond what would be expected simply based on the merits of their case.

Figure 1: Relationship Between Wealth and Detention Rates Among Misdemeanor Defendants in Harris County, TX



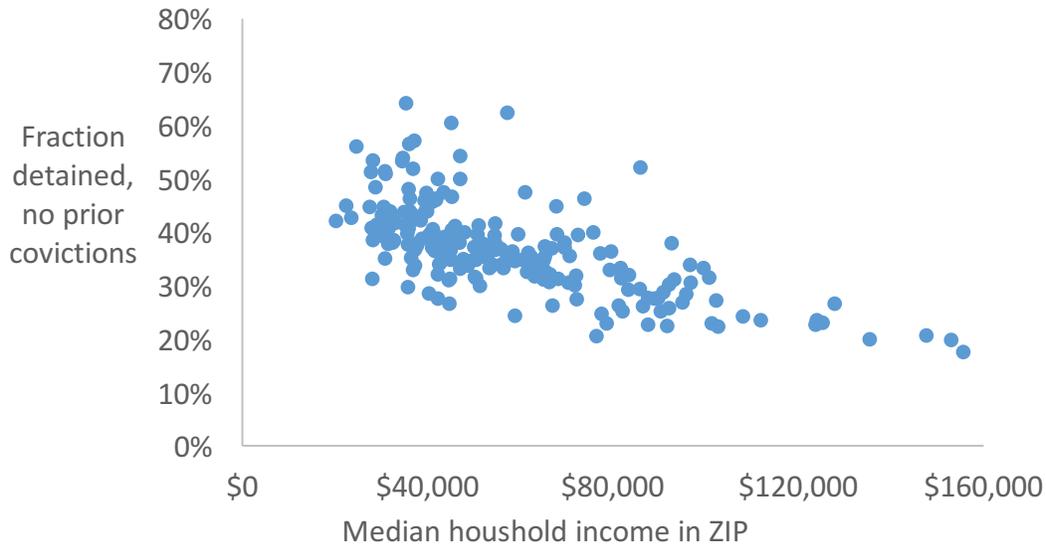
Note: This figure reports detention rates versus median income by ZIP code. Each dot in the chart represents defendants residing within a particular ZIP code.

Figure 2: Relationship Between Wealth and Offense Seriousness Among Misdemeanor Defendants in Harris County, TX



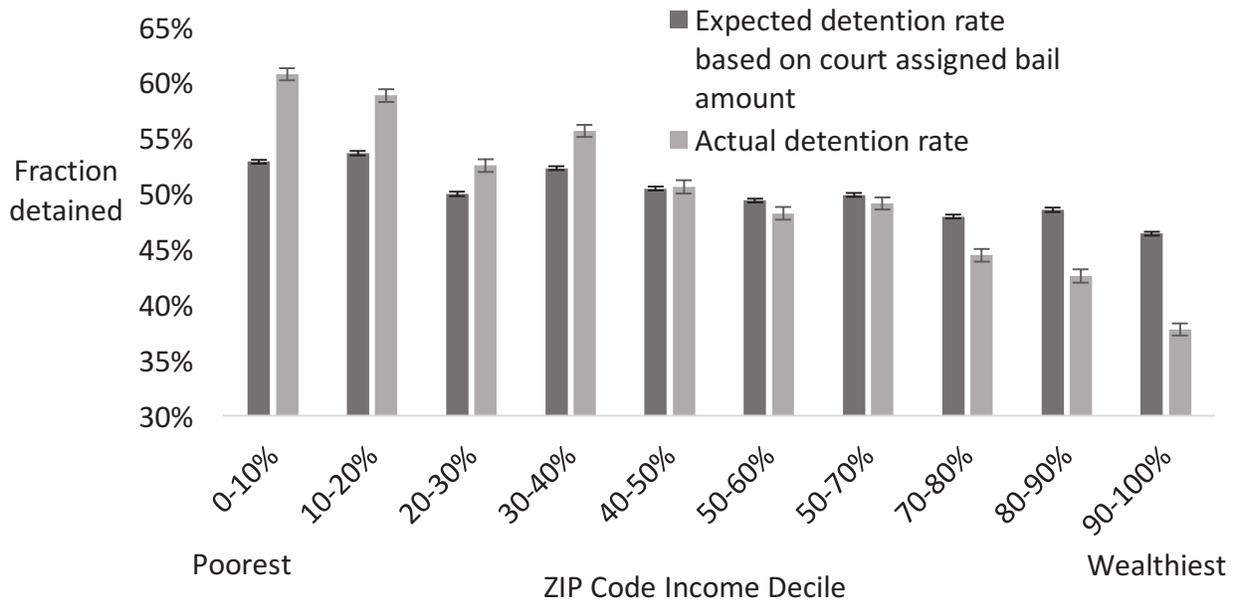
Note: This figure reports the fraction of defendants charged with a Class A misdemeanor versus median income by ZIP code. Each dot in the chart represents defendants residing within a particular ZIP code.

Figure 3: Relationship Between Wealth and Detention Rates Among Misdemeanor Defendants with No Prior Criminal Record in Harris County, TX



Note: This figure reports detention rates versus median income by ZIP code. Each dot in the chart represents defendants residing within a particular ZIP code.

Figure 4: Expected Detention Rates Versus Actual Detention Rates by Income Decline



Note: Expected detention rates are calculated by comparing defendants to all other defendants with equal bail amounts. Whiskers represent 95% confidence intervals.

III. ANALYSIS OF THE EFFECTS OF PRETRIAL DETENTION

A. Regression Analysis

Does this apparent unequal access to release have implications for the outcomes of cases? To begin to assess the impacts of bail, we estimate a series of regression models where the unit of observation is a case, the outcome is whether the case resulted in conviction, and the primary explanatory variable is a 0/1 indicator for whether a particular defendant was detained pretrial. We progressively introduce richer and richer sets of control variables to assess the extent to which the measured “effects” of detention might simply be attributable to uncontrolled factors other than detention.⁵⁴ As we progressively add additional controls we may get closer to the true causal estimate, but these estimates are all subject to the limitation that there may be uncontrolled, unobserved factors such as defendant wealth or quality of evidence that bias these as estimates of the causal effect of detention.

⁵⁴ We do not seek, by this methodology, to measure the effect of any of the variables we progressively introduce. For that purpose, this methodology would be flawed. See Jonah Gelbach, *When Do Covariates Matter? And Which Ones, and How Much?* 34 J. LABOR ECON. 509 (2016). We simply seek to assess the impact of detention under various specifications of increasing complexity.

Table 2 reports the regression estimates. The first specification reports a coefficient from a bivariate regression with no controls. The baseline conviction rate for those not detained is 56%, so detainees are 23.6 percentage points, or 42% more likely to be convicted. In Specification 2, we add controls for the charged offense along with the age, race, gender, and citizenship status of the defendant. In contrast to prior research, which tends to group crimes into a small number of general categories (e.g. “sex offense” or “minor public order offense”), in our regression we control for 121 different offense categories representing a wide range of different types and severities of offending. These additional controls do not dramatically alter the measured relationship between detention and conviction.

In Specification 3, we add controls for defendant build, skin color, and nativity and also include a full set of fixed effects for the ZIP code of residence. One clear drawback of attempting to measure the effects of pretrial detention through regression modeling is that wealth and SES are strong predictors of case outcomes, and seem likely to also be correlated with pretrial detention, but are rarely observed in court data. By including ZIP code controls, we are in essence comparing two individuals who come from the same neighborhood but who differ in pretrial detention status. While wealth and SES can vary within a ZIP code, the high degree of segregation by socioeconomic status that exists in Harris County (as in many urban areas in the United States) suggests that the ZIP codes can be a reasonable proxy for SES and education. Once again, the additional controls do not dramatically alter the results.

In Specification 4, we include indicators for the number of prior misdemeanor and felony charges and convictions as additional controls. Controlling for prior criminal history is important because prior offenses enter directly into the bail schedule, thus having a direct influence on detention. Prior criminal history may also factor into the outcome of the current case, particularly with reference to sentencing. As noted previously, our criminal history data only captures criminal justice contacts within Harris County. After conditioning on factors such as citizenship status, nativity, and residence location, however, it seems less likely that patterns of out-of-county offending would differ systematically between those who are detained and those who are released, suggesting the available controls may be adequate for capturing prior criminal activity. Somewhat surprisingly, controlling for prior criminal activity only modestly reduces the estimated relationship between detention and conviction.

Although we don’t directly observe individual wealth, we can further proxy for wealth by whether a particular defendant requested appointed counsel, claiming indigence. Specification 5 adds an indigence indicator to the set of control variables. Controlling for this proxy for wealth appreciably reduces the coefficient estimate on detention, but it remains statistically significant and practically large.

In Specification 6 we add a full set of indicators for the actual bail amount set. In this specification, we are comparing individuals who have the same bail set at their hearing—and who are also equivalent across all variables enumerated in prior specifications—but who differ in their detention status. Since the amount of cash bail is, at least in theory, supposed to adjust to reflect the risk of flight and threat to public safety, conditioning precisely to the bail amount is

akin to comparing individuals only to others whom the court has deemed to be equally risky to one another. On a conceptual level, comparing individuals with similar court-determined risk seems attractive because it means that any subsequent difference in outcomes cannot result from the sorting function of the bail process, because the controls completely account for the instrumentality of sorting, which is the bail amount. In this, our preferred specification, pretrial detention is associated with a 14 percentage point, or 25%, increase in the likelihood of conviction.

Table 2: Regression Estimates of the Effect of Pretrial Detention on Conviction

Specification	
1. No controls	0.236** (0.001)
2. Add controls for offense and basic demographics	0.266** (0.002)
3. Add controls for ZIP code of residence other characteristics	0.255** (0.002)
4. Add controls for prior criminal history	0.220** (0.002)
5. Add control for a claim of indigence	0.151** (0.002)
6. Add control for bail amount	0.140** (0.002)

Note: This table reports coefficient estimates from linear probability regressions estimating the relationship between pretrial detention and whether or not a misdemeanor defendant is convicted. The unit of observation is a case, and the sample size is 380,689. The dependent variable is an indicator for whether or not a particular defendant in a case was convicted, and the primary explanatory variable of interest is an indicator for whether the defendant in the case was released pretrial. Each table entry reports a coefficient from a separate regression, coefficients on other control variables are unreported. The mean conviction probability among those not detained was .557. Specification 1 is a simple bivariate regression. Specification 2 adds controls for defendant age (85 categories), gender, race (6 categories), citizenship status (3 categories), charged offense (121 categories), and week of case filing (289 categories). Specification 3 adds controls for the defendant's skin tone (14 categories), build (5 categories), whether they were born in Texas, and ZIP code of residence (223 categories). Specification 4 adds controls for the number of prior misdemeanor and felony charges (10 misdemeanor and 10 felony categories) and convictions (10 misdemeanor and 10 felony categories). Specification 5 adds an indicator for whether a defendant requested appointed counsel due to indigence. Specification 6 adds a full set of initial bail amount fixed effects (315 categories) as additional controls. Because the public defender handles a non-random subset of misdemeanors, all regressions with controls include an indicator for cases handled by the public defender. Robust standard errors are reported in parentheses. * denotes an estimate that is statistically significant at the .05 level in a two-sided test, and ** at the .01 level.

One variable not included in our specifications, and which might be important, is the type of defense representation actually provided (hired private counsel, public defender, appointed private counsel or no counsel (*pro se*)). We have not included it for two reasons. First, we cannot fully control for representation type, because our data do not allow us to distinguish between those who hire a private attorney and those who choose to represent themselves.⁵⁵ While we can control for whether or not the defendant receives a court-appointed attorney, this specification is difficult to interpret, as it essentially places those with a hired attorney and those representing themselves in the same category. Second, it might not be optimal to control for counsel type even if the data were available. The type of counsel may itself be an outcome of whether or not the defendant is detained pretrial; to control for it is thus to ignore one important effect of detention.⁵⁶ Changes to detention policy would likely also alter the type of representation received by defendants.

Finally, controlling for counsel type might actually introduce a new source of bias. In general, statistical practice cautions against controlling for variables that are not predetermined (*i.e.* variables that are influenced by the main variable of interest). The evidence suggests that judges are more likely to approve a request for counsel if the defendant is detained.⁵⁷ This suggests that releasees who receive court-appointed attorneys may be poorer and have more challenging cases than detainees with appointed counsel. Thus controlling for attorney status would tend to bias the results towards zero, since instead of comparing similarly situated individuals we would be comparing relatively wealthy detainees with relatively poor releasees.

Nonetheless, for the sake of completeness we did estimate a specification that controls for whether or not the defendant received a court-appointed attorney. The estimated coefficient was .042 with a p-value <.01—a smaller bail/conviction relationship, but one that remains statistically significant and relevant for policy purposes. This is not our preferred specification, however, due both to the data limitations and to the difficulties of interpreting the results of a regression that controls for one of the outcomes of pretrial detention.

The basic message from the analysis of conviction is that accounting for pre-existing differences in detainees and releasees is important, but even after controlling for a fairly wide range of relevant characteristics, pretrial detention remains a sizeable predictor of outcomes.

In Table 3, we extend the analysis to consider a range of additional case outcomes. The first row of the table replicates the previously reported results for conviction. The columns of the table report results from regressions with no controls, with a limited set of controls (basic offense

⁵⁵ In Harris County, judges will as a rule not proceed in misdemeanor cases without eventually assigning counsel, but in rare cases defendants will insist on representing themselves. *Personal correspondence with Alex Bunin, Harris County Public Defender* (June 16, 2016).

⁵⁶ There is some evidence that judges see the posting of bail as an indication that a defendant is not indigent enough to merit public defense. *See supra* note 47. In Harris County, 90% of detainee requests for counsel are granted, versus 44% of releasee requests. Detention may also affect attorney type through other channels. Those who have lost their job as a result of detention may be less able to afford a private attorney, for instance.

⁵⁷ In Harris County, 90% of detainee requests for counsel are granted, versus 44% of release requests. This could be because the act of paying bail is interpreted as evidence that the defendant has funds, or because detainees are unable to work while detained.

and demographics, similar to much of the past research measuring the effects of detention), and from our preferred specification that controls for a rich set of defendant and case characteristics and the bail amount (equivalent to Specification 6 in Table 2). Although there is a sizable impact of detention on all outcomes, estimated effects become smaller as one controls for a richer set of defendant and case characteristics. Prior research, which controlled for a limited set of variables, may indeed have overestimated the causal effect of detention.

The table demonstrates that nearly all of the difference in convictions can be explained by higher plea rates among those who are detained, with detainees pleading at a 25% higher rate than similarly situated releasees. We also find that those detained are more likely to receive jail sentences instead of probation. In our preferred specification, those detained are 43% (17 percentage points) more likely to receive a jail sentence, and will receive jail sentences that are nine days longer, more than double that of non-detainees. This estimate of the impact of pretrial detention includes in the sample those without a jail sentence, so it incorporates both the extensive effect on jail time (those detainees who, but for detention, would not have received a jail sentence at all) and the intensive effect on jail time (those who would have received a jail sentence regardless, but whose sentence may be longer as a result of detention). Those detained are less likely to receive sentences of probation, and receive fewer days of probation (including, once again, both the extensive and intensive margin).

Do these results shed light on which of the various potential mechanisms linking detention to case outcomes operate in Harris County? Although we cannot answer definitively, the overall patterns in Table 3 are consistent with an environment in which released defendants are able to engage in prophylactic measures—such as maintaining a clean record, engaging in substance abuse or anger management treatment, or providing restitution—that lead to charges being dismissed or encourage more lenient treatment. Detained defendants, in contrast, have essentially accumulated credits towards a final sentence of jail as a result of their detention, and therefore are more likely to accede to and receive sentences of imprisonment.

Are some defendants affected more dramatically by detention than others? For example, if one mechanism through which detention induces guilty pleas is by causing some defendants to “pre-serve” their expected sentences, so that contesting guilt has little ultimate effect on the amount of punishment, we might expect to see larger effects of detention for offenses where the expected punishment is low. To address this question, we constructed estimates of the effects of detention analogous to those presented in Tables 2 and 3, but limiting the sample to various subsets of the defendant population. Comparing the estimated impact of detention across different subgroups offers a means of assessing whether certain types of defendants are more or less disadvantaged by detention.

Table 3: Regression Estimates of the Effect of Pretrial Detention on Other Case Outcomes

Outcome	Average for those released	Estimated effect of pre-trial detention		
		No controls	Limited controls	Preferred specification
Conviction	.557	.236** (.001)	.266** (.002)	.140** (.002)
Guilty plea	.528	.240** (.002)	.264** (.002)	.133** (.002)
Received jail sentence	.402	.348** (.002)	.317** (.002)	.172** (.002)
Jail sentence days	7.38	18.0** (.10)	15.85** (.10)	8.67** (.12)
Received probation	.229	-.167** (.001)	-.125** (.001)	-.076** (.001)
Probation days	79.9	-57.5** (0.45)	-41.2** (0.46)	-25.3** (0.55)

Note: This table reports coefficient estimates from linear regressions estimating the relationship between case outcomes and whether a defendant was detained pretrial. Each entry represents results from a unique regression. The “Limited Controls” column reports regressions with controls as in Specification 2 of Table 2, and the “Preferred Specification” column reports regressions with controls as in Specification 6 of Table 2. See notes for Table 2. The jail and probation days outcomes include defendants assigned no jail or probation.

Table 4 reports the subgroup analysis. We first consider differences by prior criminal history, comparing defendants with no prior charges in Harris County to those with prior charges. We categorize by charges rather than convictions to account for the possibility that some individuals who are charged but later acquitted may have nonetheless accumulated experience with pretrial detention. Several mechanisms suggest that there may be different effects of detention for someone who has never been previously detained. First, those with prior experience in detention may experience less psychological or emotional discomfort because they have a clearer idea of what detention entails, a sort of acclimation effect. Second, these defendants may experience fewer collateral consequences of detention, either because they have already been labeled as offenders due to their prior acts, or because they have accumulated experience in dealing with collateral consequences. A third possibility is that those with a prior record face different types of potential punishments that change their calculus regarding the benefits and drawbacks of a plea. Finally, those with no prior record may be more likely to receive plea offers that involve low sanctions, increasing the incentives to accept the plea even if innocent.

Table 4 reveals that defendants without prior records are disproportionately affected by detention. Detention has more than twice the effect on conviction for first-time offenders, and appreciably increases their likelihood of being given a custodial sentence. Although other explanations are possible, this pattern is consistent with a scenario in which defendants detained for the first time are particularly eager to cut a deal to escape custody as quickly as possible; more experienced defendants, who perhaps have become acclimated to the jail environment or who face more serious consequences of conviction, are less influenced by their detention status. It appears that one consequence of pretrial detention, at least as practiced in Harris County, is that it causes large numbers of first-time alleged misdemeanants to be convicted and sentenced to jail time, rather than receiving intermediate sanctions or avoiding a criminal conviction altogether.

Table 4 demonstrates few differences in outcomes between “Whites” and “non-Whites,” or between U.S. citizens and non-citizens.⁵⁸ Incentives to post bail may be different for non-citizens with immigration detainees, who would be held in custody for immigration purposes even after posting bail. However, the fact that we obtain similar results for citizens and non-citizens suggests that detainees may not be an important omitted variable here.

We do observe some important heterogeneity in the effects of custody by the primary offense of record. For DWI, for example, detention has little effect on adjudication of guilt—presumably because there is sufficient evidence from alcohol tests in most cases to convict—but there is evidence that those who are not detained are much more readily able to substitute probation for a custodial sentence. The largest effects on conviction accrue for assault and trespassing, two crimes for which physical evidence may be lacking, and the ability to obtain statements from witnesses in court may play an important role.⁵⁹

Consistent with the evidence for defendants of varying criminal history, when we examine subsets of the defendant population based upon assigned bail, the most substantial effects are observed for those with low bail, at least for conviction and type of sentence. Effects on sentence length are largest in absolute terms for those with higher bail amounts, but this is perhaps unsurprising, since these defendants will also face more serious sentences overall. Detention has a greater *relative* effect on sentence length for people with low bail, given the shorter average sentence lengths of that group. One implication of these patterns is that Harris County could potentially achieve much of the benefit of liberalizing access to pretrial release by focusing on those with the lowest bail amounts, which may make a course of reform more politically feasible. This may be true in other jurisdictions with features similar to Harris County as well.

Finally, we analyzed the effects of bail by ZIP code quartile, examining whether those detained from wealthier neighborhoods fare as badly in their case outcomes as those from poorer neighborhoods. Although Table 4 shows that those from the poorest areas of the county are much

⁵⁸ As noted above, the race and citizenship designations in our data may not be wholly reliable.

⁵⁹ Stevenson observes similar patterns in her Philadelphia data. *See* Stevenson, *supra* note 13, at 19.

more likely to be detained, the effects of detention itself are fairly uniform across the wealth distribution. Thus, those who cannot post bond suffer higher conviction rates and a lowered likelihood of probation versus jail even when they come from more affluent parts of the county.

Table 4: Estimated Effects of Pretrial Detention for Population Subgroups

Group	Group detention rate	Estimated effect of pre-trial detention on:				
		Conviction	Sentenced to jail?	Jail sentence (days)	Sentenced to probation?	Probation sentence (days)
<i>Criminal History</i>						
No prior charges	.384	.195** (.003)	.213** (.003)	7.07** (.126)	-.084** (.003)	-23.6** (.909)
Prior charges	.634	.092** (.002)	.128** (.002)	9.44** (.177)	-.057** (.001)	-23.0** (.677)
<i>Citizenship</i>						
U.S. citizen	.514	.145** (.002)	.163** (.002)	8.24** (.137)	-.064** (.002)	-19.9** (.630)
Non-citizen	.586	.114** (.004)	.178** (.004)	9.50** (.219)	-.099** (.003)	-36.4** (1.12)
<i>Race</i>						
White	.481	.143** (.002)	.184** (.002)	9.63** (.156)	-.085** (.002)	-29.6** (.784)
Non-white	.603	.132** (.003)	.148** (.003)	7.12** (.173)	-.058** (.002)	-16.5** (.728)
<i>Offense</i>						
Drug	.464	.150** (.004)	.143** (.004)	5.31** (.142)	-.033** (.003)	-7.34** (.868)
DWI	.309	.034** (.004)	.224** (.005)	13.22** (.331)	-.190** (.005)	-82.8** (2.35)
Assault	.597	.215** (.007)	.210** (.007)	15.51** (.528)	-.046** (.005)	-12.3** (2.11)
Theft	.592	.151** (.005)	.132** (.005)	5.26** (.245)	-.094** (.004)	-23.1** (1.48)
Trespassing	.809	.196** (.008)	.229** (.008)	8.04** (.409)	-.047** (.004)	-12.5** (1.30)
<i>Bond Amount</i>						
\$0-\$500	.353	.179** (.003)	.198** (.003)	5.75** (.109)	-.082** (.003)	-2.88** (1.02)
\$501-\$2,500	.464	.146** (.003)	.173** (.003)	8.42** (.180)	-.075** (.002)	-24.2** (.975)
\$2,501+	.704	.085** (.003)	.128** (.003)	10.92** (.265)	-.053** (.002)	-25.3** (.855)

<i>ZIP Code Income Quartile</i>						
1st Quartile (Lowest)	.597	.131** (.004)	.175** (.004)	9.13** (.267)	-.087** (.003)	-29.6** (1.07)
2nd Quartile	.550	.127** (.004)	.166** (.004)	8.61** (.261)	-.084** (.003)	-27.8** (1.14)
3rd Quartile	.495	.148** (.004)	.170** (.004)	8.25** (.230)	-.069** (.003)	-21.9** (1.17)
4th Quartile (Highest)	.423	.158** (.004)	.168** (.004)	8.32** (.238)	-.053** (.003)	-16.9** (1.37)

Note: This table reports coefficient estimates from linear regressions estimating the relationship between case outcomes and whether a defendant was detained pretrial for subgroups of the defendant population. Each entry represents results from a unique regression. Controls are as in Specification 6 of Table 2. See notes for Tables 2 and 3.

B. Natural Experiment

The preceding analysis indicates that even after controlling for a wide range of defendant and case characteristics, including bail amount (which should capture the information observed by the court when making bail decisions), there remains a large gap in case outcomes between those who are detained and observationally similar defendants who make bail. Nevertheless, it remains possible that some of the differences in outcomes revealed thus far reflect unobserved factors other than pretrial detention that were not controlled for in the regression analysis.

From a purely research perspective, the ideal approach to estimating the causal effect of pretrial detention would be to randomly select a subset of defendants and detain them, and then compare their downstream outcomes with those who were not detained. Random assignment to detention status would help to ensure that the two groups were otherwise comparable on other factors that might influence outcomes, including culpability. As a practical matter, however, implementing such an experiment would be ethically dubious.

Absent the ability to run a true experiment, one might seek to identify a naturally occurring “experiment”, or some situation that causes pretrial detention to vary across different defendants for reasons unrelated to their underlying characteristics or culpability. Comparing outcomes among those more likely to be detained for such idiosyncratic reasons to those less likely to be detained could offer another way to measure the effects of detention.

Here we propose comparing defendants with bail hearings earlier in the week to those with hearings later in the week as a sort of natural experiment, under the theory that those with bail set later in the week are more likely to actually make bail. We limit attention to bail hearings that occur Tuesday through Thursday so as to focus on a set of days with fairly uniform crime patterns, and avoid comparisons between crime occurring on the weekends—which tends to involve different types of actors and activities—and crime occurring on weekdays.

Table 5 helps to illustrate the logic behind this natural experiment, reporting the amount of time elapsed between the bail hearing and posting of bond for those who successfully make

bail. The first 48 hours following the bail hearing appear to be a fairly critical period for making bail, as 77% of all those who eventually make bail do so during this period. Put differently, at the time of the bail hearing, a representative defendant has a 44% chance of being detained until judgement, but after two days have elapsed without yet making bail, the chances of never making bail have risen to 75%.

Typically, defendants rely on friends or family members to either post cash bail at a predetermined facility⁶⁰ or to visit a bail bonding company, which then posts a surety bond. The premise behind the natural experiment is that it is easier get ahold of someone who is willing to show up to post bail on the weekend than during the week. As an example, consider a defendant with a Tuesday bail hearing, who then must get in contact with someone to post bail. Family members or friends may be reluctant to disrupt school or work schedules to come to the bail facility and post bond, and they may be more difficult to contact if they are at work or otherwise away from home. A similarly-situated defendant with a bail hearing on a Thursday, in contrast, may have an easier time getting ahold of someone who is willing to appear to post bail, since the acquaintance could more easily do so on a Saturday.

Table 5: Time Elapsed Between Bail Bond Hearing and Release for Misdemeanor Defendants Posting Bond in Harris County, TX

	Number of defendants	Fraction of defendants
Same day	107,327	50.30%
1 day later	50,191	23.52%
2 days later	7,598	3.56%
3 days later	3,794	1.78%
4 days later	2,867	1.34%
5 days later	2,493	1.17%
6 days later	2,103	0.99%
7 days later	1,930	0.90%
>7 days later	35,088	16.44%

An additional factor that may contribute to the ability to make bail is liquidity. Because bail must be paid in cash or cash equivalents (cashiers’ check or money order) in Harris County, to the extent that access to cash varies over the course of the week, this is likely to affect access to pretrial release. Many workers are paid on Friday, and so workers may have more ready access to cash on weekends immediately after being paid than at other times during the week.⁶¹

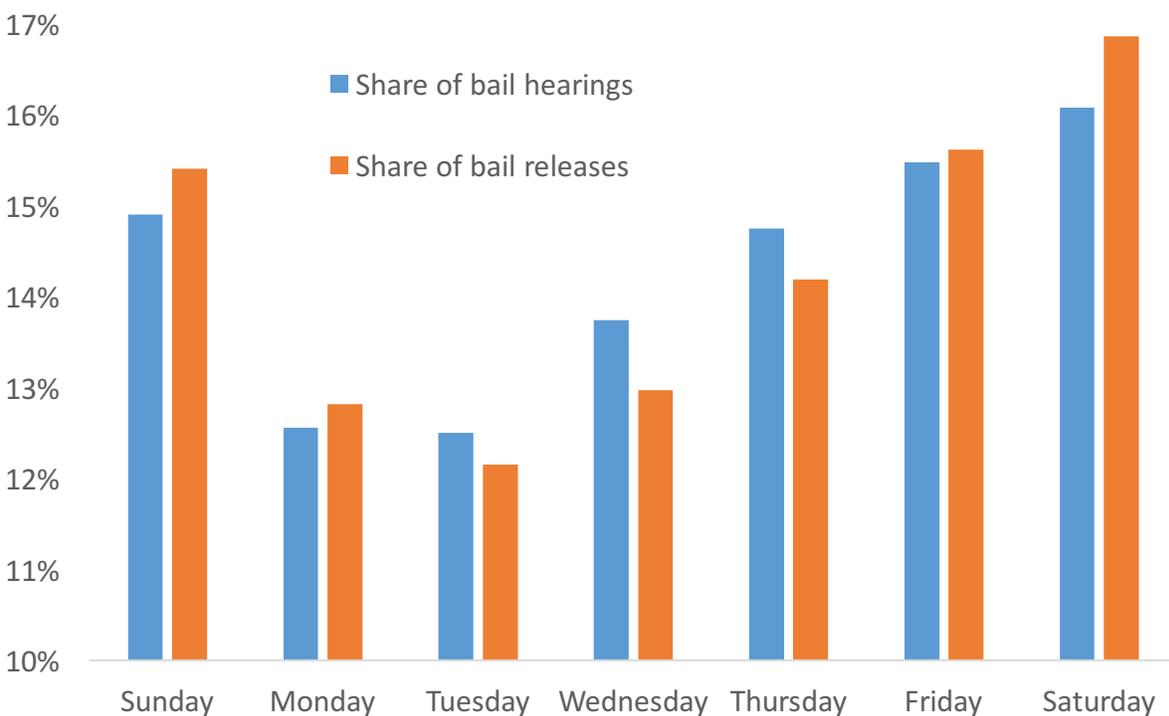
⁶⁰ In Harris County, this is the correctional complex located at 49 San Jacinto in Houston.

⁶¹ Appendix Figure A.1 provides direct evidence on this point by plotting Google search volume for the terms “payday”, “check cashing”, and “payday loans” by day of week. Search volume for “payday” peaks on Friday, and demand for check cashing services is highest on Friday, Saturday, and Sunday. Searches for “payday loans”, which are typically provided by

Thus, this liquidity channel might also explain why those with bail hearings closer to the weekend could be more likely to make bail.

Figure 5 provides evidence that weekend availability may indeed be a constraint affecting pretrial release by comparing the distribution of bail hearing dates over the course of the week with the dates on which defendants actually post bond. If it were equally easy to get a friend to post bond on any day of the week, we might expect the distribution of release days to closely mirror the distribution of bail hearings. In actuality, however, the figure reveals that releases are disproportionately more likely on Saturdays and Sundays, and less likely in the middle of the week. While other factors certainly influence the patterns shown in Figure 1, this simple comparison suggests that it may be easier to obtain release if the critical 48-hour period where pretrial releases most often occur overlaps with a weekend.

Figure 5: Comparison of Timing of Bail Hearings Versus Timing of Release by Day of Week



The basic premise underlying the natural experiment is that defendants with bail hearings on Thursdays should be largely similar to those with bail hearings on Tuesday or Wednesday, including in underlying culpability, but Thursday defendants may be more likely make bail

similar outlets to those offering check cashing services, and thus should be affected in similar ways by store hours, etc., but which represent negative rather than positive liquidity, show a reverse pattern, with the lowest search traffic observed on Saturdays and Sundays.

simply because there is an upcoming weekend when someone can more easily appear on their behalf with the necessary cash to post bail. Table 6 explores this possibility by comparing the average characteristics for defendants with bail hearings held on Tuesday, Wednesday, and Thursday, and reports results from tests designed to assess whether there is a statistically significant difference across the three groups of defendants in the listed characteristics. Because there is abundant evidence that the composition of offenses varies by day of the week⁶², and differences in the charged offense could legitimately affect pretrial detention, the comparisons in Table 6 control for the underlying offense, which is conceptually equivalent to comparing defendants charged with the same offense who appear at bail hearings on different days.

Table 6: Average Characteristics of Defendants by Day of Bail Hearing

	Tues.	Wed.	Thurs.	P-Value
Amount of bail	\$2,297	\$2,300	\$2,297	0.945
Pretrial release	40.6%	41.8%	44.2%	0.000
Level A misdemeanor	31.1%	31.1%	31.1%	0.916
Male	75.3%	74.9%	75.2%	0.159
Age (years)	30.7	30.7	30.7	0.809
Black	43.1%	44.0%	44.3%	0.000
Citizen	76.2%	76.0%	76.1%	0.822
Height (in.)	67.8	67.8	67.8	0.576
Weight (lbs.)	164.8	164.7	164.9	0.573
Born in TX	46.0%	46.0%	46.3%	0.495
Dark complexion	20.7%	20.8%	21.2%	0.212
Prior misdemeanor charges	1.90	1.91	1.90	0.476
Prior misdemeanor convictions	1.63	1.65	1.63	0.407
Prior felony charges	1.05	1.06	1.04	0.272
Prior felony convictions	0.83	0.84	0.82	0.109
Requested appointed counsel	55.2%	54.6%	53.6%	0.000

Note: Reported p-values are p-values from statistical tests of the null hypothesis that the characteristics listed in each row do not vary on average across all three days of the week.

⁶² See for example Gerhard J. Falk, *The Influence of the Seasons on the Crime Rate*, 43 J. CRIM. L. & CRIMINOLOGY 199 (1952); THE CHIEF JUSTICE EARL WARREN INSTITUTE ON LAW AND SOCIAL POLICY, WHEN AND WHERE DOES CRIME OCCUR IN OAKLAND?: A TEMPORAL AND SPATIAL ANALYSIS, JANUARY 2008 – JULY 2013 (March 2014), available at https://www.law.berkeley.edu/files/When_and_Where_Does_Crime_Occur_in_Oakland.pdf; Marcus Felson & Erika Poulsen, *Simple Indicators of Crime by Time of Day*, 19 INT'L J. FORECASTING 595 (2003).

Table 6 suggests a remarkable degree of similarity between defendants with bail hearings on Tuesdays, Wednesday, and Thursdays across a broad range of case and offender characteristics. While for a few characteristics (race, appointed counsel request) there are statistically significant differences due to the large sample, the size of these differences are quite small. Importantly, as demonstrated in the first row of the table, the actual bail amounts set for these different groups are statistically and practically the same on average, and, as shown in Appendix Figure A.2, the entire distribution of bail amounts is in fact virtually unvarying across day of bail hearing. These patterns provide strong evidence that the courts view these three sets of defendants as identical in terms of their worthiness for pretrial release. However, the second row of the table demonstrates that, despite being assessed the same bail amounts, defendants with hearings on Thursday are about 3.6 percentage points (9%) more likely to make bail than those with hearings on Tuesday. This difference seems likely attributable to ease in producing the cash for bail, which may be greater on weekends for the reasons described above. Because the convenience/accessibility of paying bail is likely unrelated to the underlying culpability of a defendant, the weekend effect shown in Table 5 offers a plausible source of variation in pretrial detention that might be used to measure its causal effect.⁶³

The main results from the analysis based upon the natural experiment are presented in Table 7. For reference in gauging the magnitude of the impacts, the first column reports the average outcome among defendants released pretrial. The second column reports coefficient estimates from ordinary regressions similar to those presented previously, where the offense, defendant demographics, ZIP code, prior criminal history, indigence status, and bail amount have been controlled. These estimates differ from those presented in Column 3 of Table 3 only because the sample for this analysis is restricted to the subset of defendants with bail hearings on Tuesday, Wednesday, or Thursday. The final column reports effects as measured by the natural experiment, which are estimated using two-stage least squares in an instrumental variables (IV) framework.⁶⁴

Several patterns in the table are notable. The natural experiment/IV estimates are large, almost all statistically significant, and, consonant with the regression results, indicate that pretrial detention greatly influences case outcomes. As a general matter, the IV point estimates indicate larger effects of pretrial detention than the regression estimates, suggesting that the estimates

⁶³ One might wonder why defendants arrested on Tuesday do not simply wait until the weekend to post bail and get out, and thus have delayed but ultimately equivalent rates of release. There are several possible explanations. It may be that for those who lose jobs or suffer other major life disruptions as the result of pretrial detention, the damage is done within the first few days, such that after a few days, spending money on bail offers diminishing returns (especially if the money will go to a bail bondsman). Moreover, for a crime with an expected punishment of a few days' imprisonment, after a few days a quick guilty plea may become relatively more attractive than posting bail.

⁶⁴ Two-stage least squares is a regression-based approach for measuring the effect of an explanatory variable (here, detention) on an outcome, controlling for other factors, that relies on an "instrument" (here, day of week of bail hearing) that shifts the explanatory variable but is thought to be otherwise unrelated to the outcome. By only exploiting variation in the explanatory variable that arises due to the instrument—which may be less prone to incorporate influences of unobserved, confounding factors—this approach is designed to deliver better causal estimates. See Joshua Angrist & Jörn-Steffen Pischke, *Mostly Harmless Econometrics: An Empiricist's Companion* 113-215 (2009).

presented earlier, to the extent that they imperfectly capture the causal effect of pretrial detention due to inability to control for all relevant factors, may in fact understate its effects. Such understatement could occur if, for example, defendants who have spent their funds on paying bail are less able to afford a high-quality private attorney than a similarly situated (i.e. from the same ZIP code, charged with the same crime, etc.) individual who did not pay bail. For all of the outcomes except jail days, however, the difference between the natural experiment and regression estimates is not statistically significant, suggesting that the regression approach yields reasonable causal estimates when sufficient controls are available.

Table 7: Effects of Pretrial Detention Based Upon the Natural Experiment

Outcome	Average for those released	Estimated effect of pre-trial detention	
		Regression w/controls	Natural experiment
Conviction	.542	.122** (.003)	.204** (.077)
Guilty plea	.510	.116** (.003)	.234** (.078)
Received jail sentence	.410	.142** (.003)	.227** (.078)
Jail sentence days	7.5	7.33** (0.18)	19.3** (5.39)
Received probation	.214	-.067** (.002)	-.124* (.058)
Probation days	71.2	-2.2** (0.81)	-42.3 (22.1)

Note: This table reports coefficients from ordinary least squares (column II) and instrumental variables (IV) (column III) regressions measuring the effect of pretrial detention on the listed outcome. In the IV regressions, the instrument is whether the bail hearing occurred on Tuesday, Wednesday, or Thursday; the unreported first-stage effect is in the expected direction and highly significant. Controls are as in Specification 6 of Table 2; see notes for Table 2. Each reported estimated effect is from a unique regression. Sample size is 146,078 and the sample is limited to defendants with bail hearings on Tuesday, Wednesday, and Thursday.

The natural experiment is not without drawbacks. The underlying assumption of the natural experiment—that those with Thursday bail hearings would have had similar case outcomes to those with Tuesday or Wednesday bail hearings were it not for their enhanced access to pretrial release—is not directly testable. Moreover, because the absolute difference in detention rates across the Thursday, Wednesday, and Tuesday groups is relatively modest—about four percentage points—to the extent that there are remaining uncontrolled, unobserved differences across the groups, even small ones, such differences could be the true causal source

of what appear to be detention effects. Additionally, although the natural experiment still does deliver statistically significant estimates, the confidence intervals on these estimates are much larger, meaning that this approach allows us to make less definitive claims about the magnitude of the relationship between detention and outcomes. Thus, the results of this analysis are probably best interpreted as providing evidence that, after including a fairly rich set of controls, regression estimates approximate causal estimates of the effects of detention, and any remaining biases that may exist seem unlikely to fundamentally alter the conclusion that pretrial detention has significant adverse downstream consequences.

C. Future Crime

In addition to the impacts in the immediate case, pretrial detention carries the theoretical potential to affect later criminal activity. Given that a primary policy purpose of pretrial detention is to enhance public safety, such downstream effects, to the extent that they exist, should be an important component of the assessment of any particular bail system.⁶⁵ Unfortunately, rigorous estimates of the downstream crime effects of pretrial detention are relatively uncommon in the existing empirical work on bail. This section presents new estimates of the impact of misdemeanor detention in Harris County on future crime.

Downstream crime effects might occur through several mechanisms. Some would reduce future offending. Most directly, pretrial detention generates an incapacitation effect over the period of pretrial custody. Thus, at least in the immediate period following arrest, we expect detainees to commit fewer crimes than similarly situated releasees simply due to fact that they are in custody. Second, the experience of being detained might change offender perceptions of the disutility of confinement. To the extent that offenders discover that confinement is worse than expected, this could enhance the deterrent effect of the criminal law. This mechanism seems more likely to operate for first-time offenders or those with relatively little prior experience with confinement. Lastly, if pretrial detention increases the conviction rate (as our prior analysis suggests), and a prior conviction increases the possible sanctions for additional crime, pretrial detention may augment the expected sanction following a new crime, which would also enhance deterrence.

Other mechanisms would increase future offending (or arrest). If detention teaches offenders that confinement is less unpleasant than anticipated, it could reduce deterrence. Detention may also lead to job loss, disrupted interpersonal relationships, or other collateral consequences that change the relative attractiveness of crime in the future. To take a simple example: If a detained defendant loses her job, acquisitive criminal activities such as larceny or robbery might become a comparatively more attractive as a means of making up for lost income. Pretrial detainees may also make new social ties or learn new skills through their interactions

⁶⁵ For a discussion of the constitutional dimensions of this point, see *infra* Part IV.

with other jail inmates that change their propensity for crime.⁶⁶ Detention could also paradoxically lower expected sanctions for future crime if detention leads defendants to substitute custodial sentences for probation, because those on probation would face a supervision period where additional crime would trigger punishment for not only the new but also the prior offense. Finally, pretrial detention might alter the probability that future behavior is labeled by the criminal justice system as worthy of sanction. For instance, imagine that Defendant A is detained pretrial and then pleads guilty, while similar Defendant B is released, enrolls in a treatment program, and ultimately has the charge dismissed. Both are arrested in the future on allegations that the prosecutor views as presenting a marginal case. The prosecutor pursues charges against Defendant A because he has a prior conviction, but not against Defendant B, who does not.

Given that these various potential mechanisms cut in opposite directions, it is not apparent on a theoretical level whether pretrial detention should increase or decrease future crime. This is thus an empirical question of considerable import. To measure recidivism, we examined new charges for each defendant that were filed during the 18 months following his or her initial misdemeanor bail hearing. We measured future crime relative to the date that the bail hearing occurred, rather than the date the case ended, because the cases of released defendants take considerably longer to clear than those of detained defendants.⁶⁷ The recidivism analysis was conducted using conventional regression modeling and continues to adjust for offense, defendant demographics, prior criminal record, ZIP code of residence, indigence, and time and court of adjudication.⁶⁸ We separately consider misdemeanor and felony charges, and measure charges cumulatively.

An important feature of this analysis is that, as before in the preferred specification, it fully controls for the bail amount assessed at the bail hearing, which means that it compares detained defendants to similarly situated released defendants who were assigned the same bail. As a general matter, one might expect higher recidivism among those who are detained relative to those who are released simply as a result of the correct operation of the bail process. In particular, if the government is correctly assessing defendant risk, higher-risk defendants (who will ultimately commit more crime) should be detained more often. Our analysis, however, compares two defendants that the bail process has determined to be of equal risk, because their

⁶⁶ See, e.g., Patrick Bayer et al., *Building Criminal Capital Behind Bars: Peer Effects in Juvenile Corrections*, 124 Q.J. ECON. 105 (2009) and Megan Stevenson, *Breaking Bad: Mechanisms of Social Influence and the Path to Criminality in Juvenile Jails* (October 12, 2015), <http://ssrn.com/abstract=2627394> (presenting evidence of peer effects in juvenile incarceration).

⁶⁷ Unsurprisingly, defendants in detention tend to resolve cases much sooner. For detained defendants, the median time to first judgment is 3 days, and 80% of defendants have their cases resolved within 18 days. For those who make bond, the median time to first judgment is 125 days. Waiting until a case is resolved to start the clock would compare released defendants months or in some cases even years after their initial arrest to detained defendants in the days and weeks after their arrest.

⁶⁸ We explored applying the natural experiment to the recidivism outcomes, but the results, while not inconsistent with the results reported in the paper, were sufficiently imprecise so as to not provide useful guidance. For example, the instrumental variables estimates implied that detention increases felonies committed as of 18 months after the bail hearing by 15%, but the 95% confidence interval for this estimate was -59% to 219%.

bail was set identically. Thus, the impacts documented here already net out any effects that might reflect the differential sorting of defendants through the bail system.

Figure 6 plots results from a series of regressions where the outcome is the number of new misdemeanors recorded between the bail hearing and some number of days post-hearing. The actual average number of offenses for the non-detained population is depicted in the figure along with the adjusted rate for the detained population; this adjusted rate is calculated by estimating regressions similar to those in Specification 6 of Table 2, but with new offenses as the outcome, and then adding the resultant estimate for the effect of pretrial detention to the actual offending rate for non-detainees. This, in essence, depicts what the expected misdemeanor offending rate would be for the detainees if they were similar in demographics, case characteristics, prior criminal history, etc. to the released population. Figure 6 includes bars denoting the 95% confidence intervals for the adjusted rates, and shows impacts through the first 30 days post-hearing.

The figure demonstrates a steady rise in the number of new charges for both groups over time; this increase over time is a direct consequence of the choice to define the outcome as the cumulative number of new charges. For the first 19 days post bail hearing, the incidence of misdemeanors for detainees is below that of releasees, which likely reflects the incapacitative effect of being in jail. These differences are statistically significant through day 13. By day 30, however, there is a statistically significantly higher incidence of misdemeanors among the detained population. Thus, despite the initial incapacitation, by one month after the hearing those who were detained have exceeded their similarly situated counterparts who were released. To the extent that the rich set of controls allow us to construe these differences as causal, they suggest that pretrial detention has a greater criminogenic than deterrent effect.

Figure 7 plots similar differences between releasees and detainees in misdemeanor crime, but expands the time window to a full 18 months post-bail hearing. Throughout this later period the disparity between detainees and releasees remains statistically significant and practically large. Appendix Table A1, which reports the numeric estimates underlying the figure, shows that the gap between detainees and those released stabilizes at about one year post-hearing, and represents a roughly 22% increase in misdemeanor crime associated with detention. Figure 8 depicts similar estimates but this time focusing on felonies and considering the time window from 0 to 100 days post-hearing. For felony offending, the incapacitative effect of detention appears somewhat longer lasting, with detainees overtaking releasees only after several months. By three months post-hearing, however, there is a statistically significant positive effect of detention on felony offending.

Figure 6: New Misdemeanor Charges by Pretrial Release Status During the First 30 Days After the Bail Hearing

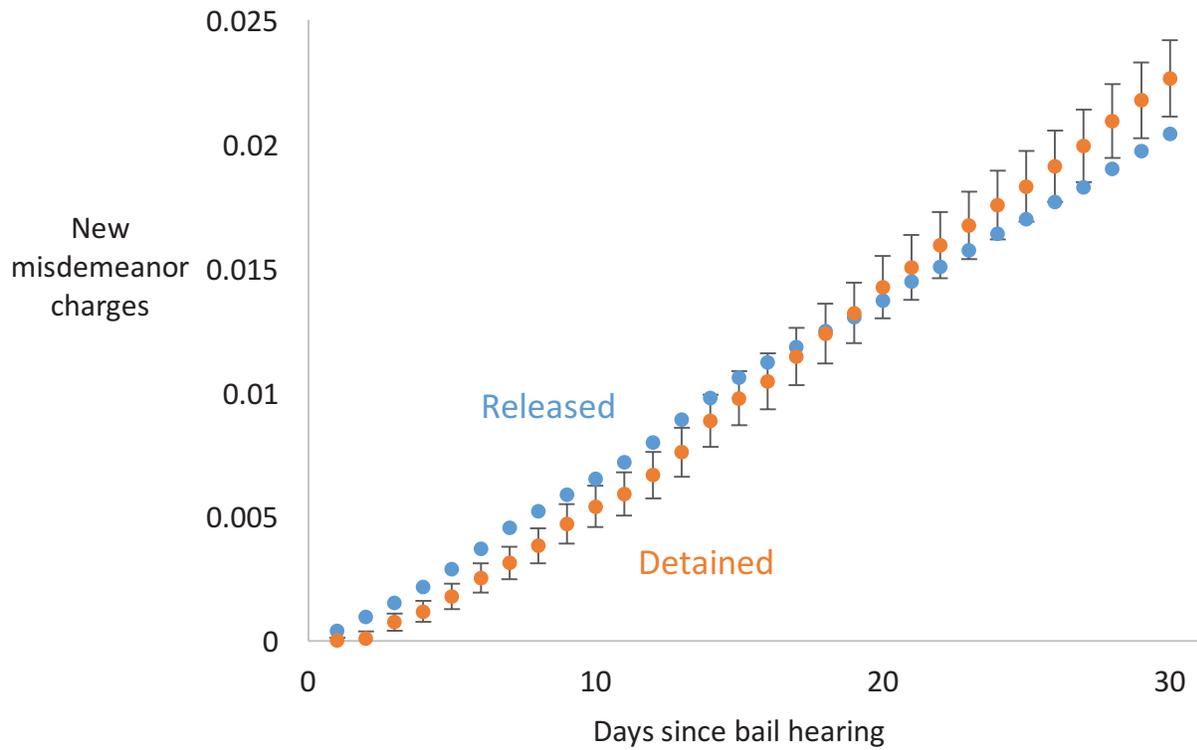


Figure 7: New Misdemeanor Charges by Pretrial Release Status During the First 18 Months After the Bail Hearing

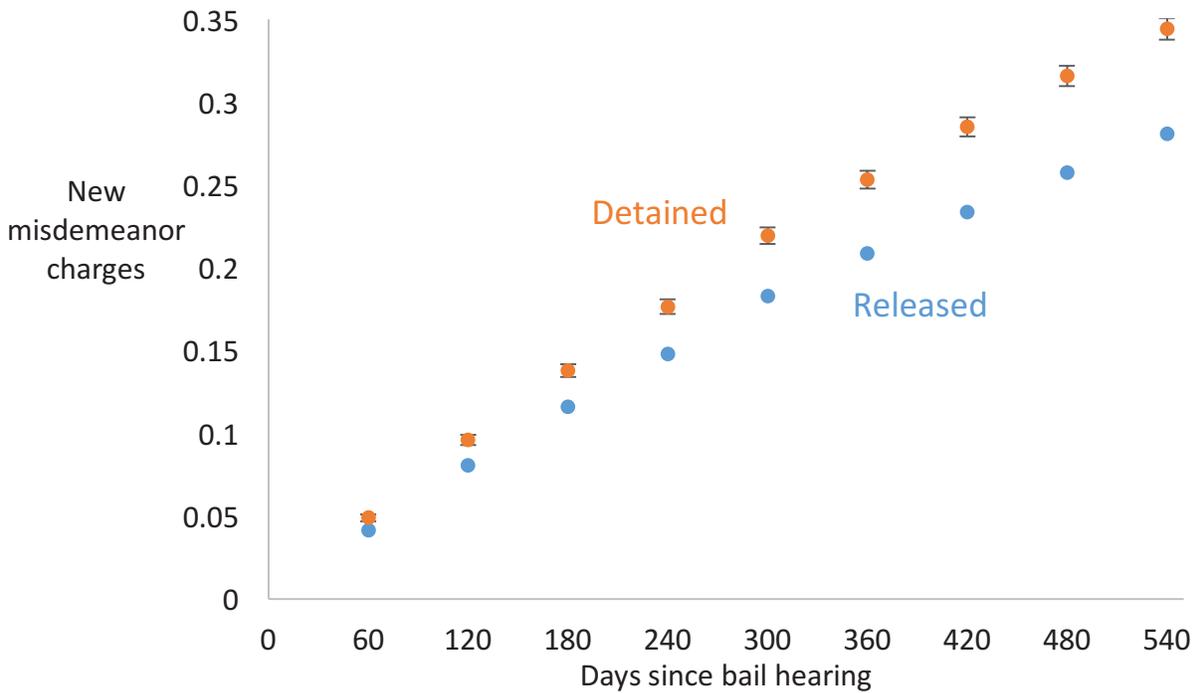


Figure 9, which extends the analysis to a full 18 months after the hearing, demonstrates continued heightened felony offending for those who are detained compared to similarly situated releasees. Appendix Table A2, which reports the estimates used to construct Figures 8 and 9, demonstrates that the offending gap appears to stabilize towards the end of our sample period, with detainees committing nearly a third more felonies. By 18 months after the conviction, a group of 100 detained defendants would be expected to have committed about 4 additional felonies as compared to an observationally similar group of 100 released defendants.

The notion that pretrial detention might actually increase future crime is consistent with recent research that suggests that incarceration might itself be criminogenic. A working paper by Michael Mueller-Smith, also set in Harris County, uses a research design that leverages random assignment to judges to estimate the causal effect of incarceration on future crime.⁶⁹ He finds that incarceration for misdemeanor defendants – who are in jail for a median of 10 days following the filing of charges – leads to a 6 percentage point increase in the likelihood of being charged with a new misdemeanor and a 6.7 percentage point increase in the likelihood of being charged with a new felony.⁷⁰ These estimates are not dissimilar to ours, although the timing of the effects is somewhat different. Mueller-Smith finds most of the effect within the first three months after charges are filed, while ours find a larger effect somewhat further out.⁷¹

These differences in recidivism are important from a policy perspective. To the extent that our estimates can be construed as causal, they suggest that a representative group of 10,000 misdemeanor offenders who are released pretrial would accumulate an additional 2,800 misdemeanor charges in Harris County over the next 18 months, and roughly 1,300 new felony charges. If this same group were instead detained they would accumulate 3,400 new misdemeanors and 1,700 felonies, an increase of 600 misdemeanors and 400 felonies. While pretrial detention clearly exerts a protective effect in the short run, for misdemeanor defendants it may ultimately serve to compromise public safety.

⁶⁹ Michael Mueller-Smith, *The Criminal and Labor Market Impacts of Incarceration* (Aug. 18, 2015), <http://sites.lsa.umich.edu/mgms/wp-content/uploads/sites/283/2015/09/incar.pdf>

⁷⁰ Those incarcerated will be 4.6 percentage points more likely to be charged with a new misdemeanor and 6.4 percentage points more likely to be charged with a felony during the first quarter after charges are filed, even though a portion of that quarter will be spent in jail. After the first quarter, those incarcerated will be 1.4 percentage points more likely to be charged with a misdemeanor and 0.3 percentage points more likely to be charged with a new felony, although the latter effect is not statistically significant.

⁷¹ Anna Aizer & Joseph J. Doyle, Jr., *Juvenile Incarceration, Human Capital and Future Crime: Evidence from Randomly-Assigned Judges* 130 Q. J. ECON 759 (2015) and Rafael Di Tella & Ernesto Schargrotsky, *Criminal Recidivism after Prison and Electronic Monitoring* (Nat'l Bureau of Econ. Research, Working Paper No. 15602, 2009), <http://www.nber.org/papers/w15602.pdf> also find that incarceration has a criminogenic effect. Earlier papers, however, have concluded that incarceration is not in fact criminogenic. See Jeffrey R. Kling, *Incarceration Length, Employment, and Earnings*, 96 AM. ECON. REV. 863 (2006) and Charles E. Loeffler, *Does Imprisonment Alter the Life Course? Evidence on Crime and Employment from a Natural Experiment*, 51 CRIMINOLOGY 137 (2013).

Figure 8: New Felony Charges by Pretrial Release Status During the First 100 Days After the Bail Hearing

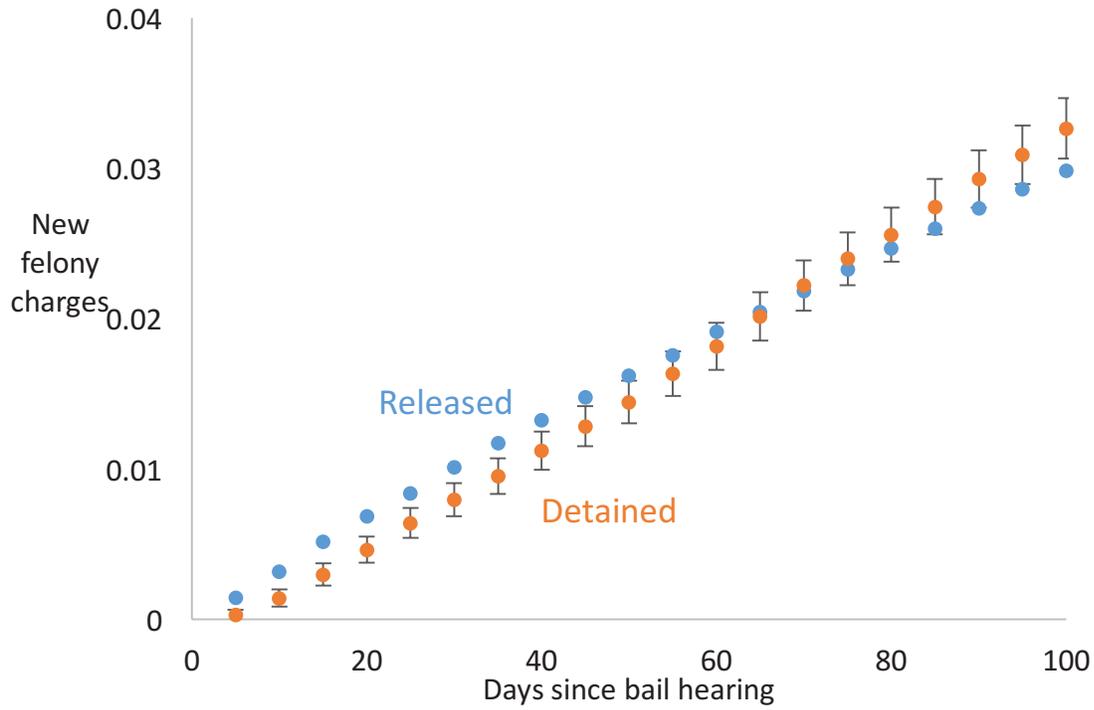
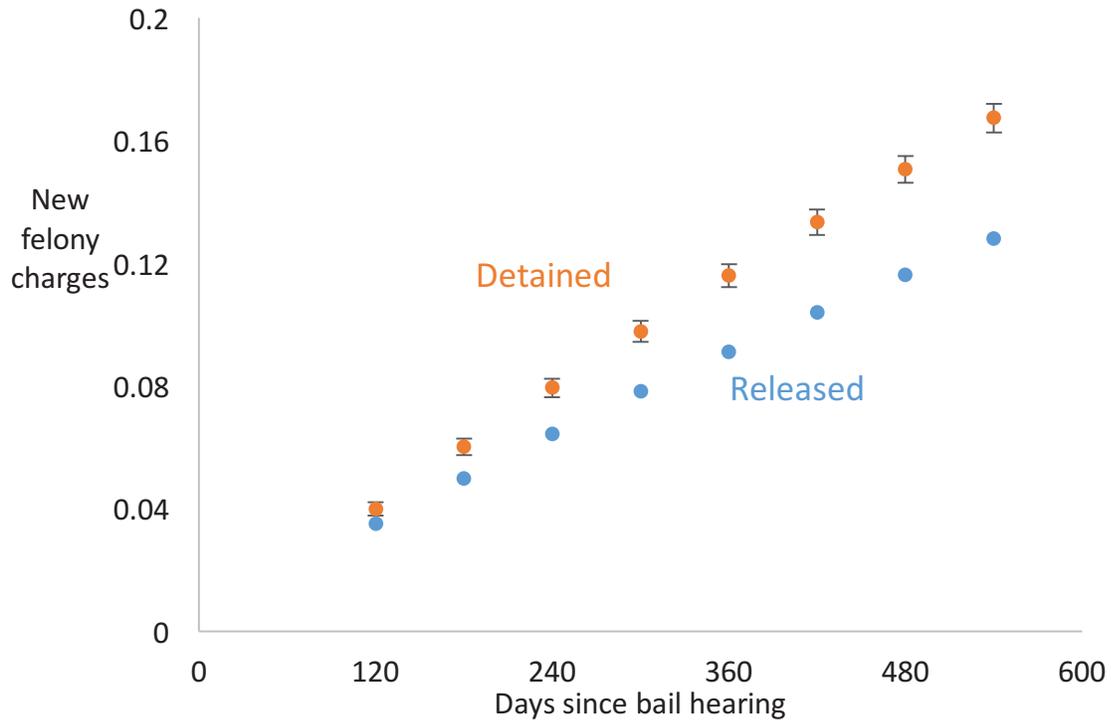


Figure 9: New Felony Charges by Pretrial Release Status During the First 18 Months After the Bail Hearing



IV. CONSTITUTIONAL IMPLICATIONS

The results reported here are relevant to an array of constitutional questions. As the Supreme Court has affirmed, “[i]n our society liberty is the norm, and detention prior to trial or without trial is the carefully limited exception.”⁷² Whether or not that remains true as a descriptive matter, it remains the aspiration of the law. The constitutional provisions that serve to safeguard pretrial liberty include the Sixth Amendment, the Eighth Amendment, the Due Process Clause and the Equal Protection Clause. The effects of pretrial detention should inform constitutional analysis in each of these arenas.

Our study is limited, of course, to a particular dataset. It does not support generalization about the downstream effects of pretrial detention in all times and places and for all people. But it adds further evidence to the body of literature finding that pretrial detention causally affects conviction and future crime rates. This Part synthesizes the constitutional implications of such effects, in Harris County and wherever else they might exist.

A. Sixth Amendment Right to Counsel: Is Bail-Setting a “Critical Stage”?

The results suggest, first, that bail-setting should be deemed a “critical stage” of criminal proceedings at which accused persons have the right to the effective assistance of counsel.

Despite arguments by scholars and advocates that accused persons should benefit from the assistance of counsel at bail hearings, that has not been the practical or legal reality.⁷³ Some jurisdictions provide counsel at bail hearings (or “first appearances”), but many do not. Federal statutory law does not include the right to counsel at a bail hearing (although an accused person does have the right to representation in a pretrial detention hearing).⁷⁴ A 2008 survey of state practice found that only ten states guaranteed the presence of counsel at an accused’s first

⁷² United States v. Salerno, 481 U.S. 739, 755 (1987).

⁷³ See, e.g., THE CONSTITUTION PROJECT’S NATIONAL RIGHT TO COUNSEL COMMITTEE, DON’T I NEED A LAWYER? PRETRIAL JUSTICE AND THE RIGHT TO COUNSEL AT FIRST JUDICIAL BAIL HEARING (2015), http://www.constitutionproject.org/wp-content/uploads/2015/03/RTC-DINAL_3.18.15.pdf; SIXTH AMENDMENT CENTER AND PRETRIAL JUSTICE INSTITUTE, EARLY IMPLEMENTATION OF COUNSEL: THE LAW, IMPLEMENTATION AND BENEFITS (2014), sixthamendment.org/6ac/6ACPJI_earlyappointmentofcounsel_032014.pdf; Alexander Bunin, *The Constitutional Right to Counsel at Bail Hearings*, 31 CRIM. JUST. 23 (ABA 2016); Douglas L. Colbert, *Prosecution without Representation*, 59 BUFF. L. REV. 333, 400 (2011); Douglas L. Colbert, *Coming Soon to A Court Near You—Convicting the Unrepresented at the Bail Stage: An Autopsy of A State High Court’s Sua Sponte Rejection of Indigent Defendants’ Right to Counsel*, 36 SETON HALL L. REV. 653 (2006); Douglas L. Colbert et al., *Do Attorneys Really Matter? The Empirical and Legal Case for the Right of Counsel at Bail*, 23 CARDOZO L. REV. 1719 (2002); Douglas L. Colbert, *Thirty-Five Years after Gideon: The Illusory Right to Counsel at Bail Proceedings*, 1998 U. ILL. L. REV. 1 (1998); Charlie Gerstein, Note, *Plea Bargaining and the Right to Counsel at Bail Hearings*, 111 MICH. L. REV. 1513 (2013) (arguing that, given the Supreme Court’s recent holding that “the Constitution requires effective assistance of counsel to protect plea bargains,” it also “requires the presence of counsel at proceedings that have the capacity to prejudice those bargains”).

⁷⁴ See 18 U.S.C. § 3142(f).

appearance.⁷⁵ Ten states uniformly denied the right to counsel.⁷⁶ The remaining thirty assigned appointed counsel “in select counties only.”⁷⁷

It has remained an open question of constitutional law, meanwhile, whether the Sixth Amendment right to counsel extends to bail hearings. The Sixth Amendment provides that “[i]n all criminal prosecutions, the accused shall enjoy the right . . . to have the Assistance of Counsel for his defence.”⁷⁸ The Supreme Court has held the right to include the “effective” assistance of counsel with respect to any charge that may carry a sentence of incarceration, and the right to an appointed attorney if the accused cannot afford to hire one.⁷⁹ As a temporal matter, the right “attaches” at “the first appearance before a judicial officer at which a defendant is told of the formal accusation against him and restrictions are imposed on his liberty” (which is the nature of most bail hearings).⁸⁰ After that, “counsel must be appointed within a reasonable time . . . to allow for adequate representation at any critical stage before trial, as well as at trial itself.”⁸¹

The question is whether the first appearance is itself a “critical stage.”⁸² Unfortunately, the term has no precise definition.⁸³ The Court most recently described critical stages as those “proceedings between an individual and agents of the State . . . that amount to trial-like confrontations, at which counsel would help the accused in coping with legal problems or . . . meeting his adversary.”⁸⁴ It has also suggested that “those pretrial procedures that would impair defense on the merits if the accused is required to proceed without counsel” constitute critical stages—among other formulations.⁸⁵ The Court has classified arraignments, preliminary hearings, pretrial lineups, deliberate attempts to elicit incriminating information from an accused, efforts to elicit consent to a psychiatric interview, and plea-bargaining as critical stages.⁸⁶

⁷⁵ Colbert, *Prosecution without Representation*, *supra* note 69 at 396.

⁷⁶ *Id.*

⁷⁷ *Id.* at 345, 400. *But see* Rothgery v. Gillespie Cty., 554 U.S. 191, 203-04 (2008) (“We are advised without contradiction that not only the Federal Government, including the District of Columbia, but 43 States take the first step toward appointing counsel “before, at, or just after initial appearance.”).

⁷⁸ U.S. Const. Sixth Amendment; *see also* Gideon v. Wainwright, 372 U.S. 335 (1963) (overruling *Betts v. Brady*, 316 U.S. 455 (1942); holding that right to counsel is “so fundamental and essential to a fair trial, and so, to due process of law, that it is made obligatory upon the states by the Fourteenth Amendment”).

⁷⁹ *McMann v. Richardson*, 397 U.S. 759, 771 n.14 (1970) (“It has long been recognized that the right to counsel is the right to the effective assistance of counsel.”); *Strickland v. Washington*, 466 U.S. 668 (1984) (articulating test for ineffective assistance claim); *Argersinger v. Hamlin*, 407 U.S. 25, 37 (1972) (holding that “absent a knowing and intelligent waiver, no person may be imprisoned for any offense . . . unless he was represented by counsel at his trial”); *Gideon*, 372 U.S. 335 (incorporating right to counsel, including appointed counsel for indigent persons, against the states).

⁸⁰ Rothgery v. Gillespie Cnty., 554 U.S. 191, 194 (2008).

⁸¹ *Id.* at 212.

⁸² The *Rothgery* majority stopped short of deciding it. *Id.* (emphasizing that it was not deciding this question).

⁸³ *See Van v. Jones*, 475 F.3d 292, 312 (6th Cir. 2007) (noting that “[o]ne would welcome a comprehensive and final one-line definition of ‘critical stage,’” and providing survey of varying Supreme Court formulations).

⁸⁴ *Rothgery*, 554 U.S. at 233 n.16 (internal quotation marks and citations omitted).

⁸⁵ *Gerstein v. Pugh*, 420 U.S. 103, 122 (1975).

⁸⁶ *See Hamilton v. Alabama*, 368 U.S. 52 (1961) (arraignment); *White v. Maryland*, 373 U.S. 59 (1963) (arraignment); *Coleman v. Alabama*, 399 U.S. 1, 7 (1970) (preliminary hearing); *United States v. Wade*, 388 U.S. 218 (1967) (pretrial lineup); *Massiah v. United States*, 377 U.S. 201 (1964) (attempt to elicit information from accused); *Estelle v. Smith*, 451 U.S. 454 (1981) (consent to psychiatric interview); *Lafler v. Cooper*, 132 S. Ct. 1376, 1385 (2012) (plea-bargaining).

This case law offers arguments both for and against adding bail hearings to the list. In *Coleman v. Alabama*, the Court concluded that an Alabama preliminary hearing was a critical stage for reasons that apply with almost equal force to bail hearings.⁸⁷ On the other hand, in *Gerstein v. Pugh* the Court rejected the claim that a Fourth Amendment probable cause determination is a critical stage.⁸⁸ The Court distinguished *Coleman* on the basis that a probable cause determination “is addressed only to pretrial custody.”⁸⁹ The Court acknowledged that “pretrial custody may affect to some extent the defendant’s ability to assist in preparation of his defense,” but concluded that “this does not present the high probability of substantial harm identified as controlling in *Wade* and *Coleman*.”⁹⁰

Our study demonstrates that pretrial custody *does* present a “high probability of substantial harm,” at least for Harris County misdemeanor defendants.⁹¹ It increases the likelihood of conviction by approximately fourteen percentage points, or 25%, for no reason relevant to guilt. While there are several possible explanations for this detention effect, it is likely that for many defendants, detention essentially eliminates the possibility of pursuing a trial altogether, by obligating them to serve out a likely sentence prior to adjudication. If pleading guilty for “time served” or a non-custodial sentence is an option, many a detained person will find that it is the only one; the costs of staying in jail to fight a charge are simply overwhelming. In this sense, the bail hearing is *the* critical stage of criminal proceedings. More broadly, our results suggest that the outcome of a bail hearing can profoundly impair the accused’s ability to contest the charges against him.⁹² And there is reason to think that representation makes a

⁸⁷ The Court reasoned that an effective defense counsel at a preliminary hearing could (1) “expose fatal weaknesses in the State’s case that may lead the magistrate to refuse to bind the accused over;” (2) examine witnesses so as to “fashion a vital impeachment tool” for trial “or preserve testimony favorable to the accused;” (3) “discover the case the State has against his client and make possible the preparation of a proper defense;” and (4) make “effective arguments for the accused on such matters as the necessity for an early psychiatric examination or bail.” 399 U.S. at 9. Three of these four reasons—all except the opportunity to question witnesses—apply to bail hearings.

⁸⁸ 420 U.S. 103.

⁸⁹ *Id.* at 122-23. The Court also noted that a probable cause determination does not involve witness testimony, but given that the Court has recognized plea-bargaining as a critical stage this cannot be determinative.

⁹⁰ *Id.*

⁹¹ See Colbert, *Thirty-Five Years After Gideon*, *supra* note 73 at 37 (noting that “a showing that counsel’s absence at the bail hearing prejudiced the accused’s fair trial rights” would provide grounds for finding that bail-setting is a critical stage); *cf.* State v. Williams, 210 S.E.2d 298, 300 (S.C. 1974) (“There is no showing in this record, nor does appellant contend, that anything occurred at the bail hearing which in any way affected or prejudiced his subsequent trial or that was likely to do so.”). Also note that the Supreme Court’s recent recognition of the centrality of plea-bargaining to the contemporary criminal process might support this argument. See Missouri v. Frye, 132 S. Ct. 1399, 1407 (2012) (“In today’s criminal justice system, therefore, the negotiation of a plea bargain, rather than the unfolding of a trial, is almost always the critical point for a defendant.”).

⁹² This is true of any of the potential mechanisms discussed above *except* if the detention effect results from the inability of detainees to obstruct justice. It seems unlikely, however, that misdemeanor defendants released pretrial routinely engage in obstructionist tactics.

significant difference in bail and detention outcomes.⁹³ It is difficult to maintain, in these circumstances, that the bail hearing is not a critical stage.⁹⁴

B. Eighth Amendment: When is Bail or Detention “Excessive”?

Our results also suggest that Harris County bail officers may be regularly setting bail that is unconstitutionally excessive. The Eighth Amendment provides that “[e]xcessive bail shall not be required.”⁹⁵ This means that if money bail is set in order to ensure the appearance of the accused at trial, it must not be more than “reasonably calculated to fulfill this purpose.”⁹⁶ The premise of money bail is that the prospect of some financial loss is a sufficient deterrent to prevent pretrial flight; full detention is not necessary. If money bail results in detention because a defendant cannot pay, it is thus arguably excessive *per se*.⁹⁷ Federal statutory law explicitly prohibits the setting of money bail in an amount that results in detention, as do the ABA Standards on Pretrial Release.⁹⁸ Yet in Harris County, half of misdemeanor defendants with bail set are nonetheless detained pending trial. The average bail amount for these detainees is only \$2,225.

Our study also has broader implications for the question of when pretrial detention is “excessive” for purposes of the Eighth Amendment. This will become a particularly topical question as jurisdictions seeking to curtail the use of money bail adopt more explicit preventive detention regimes.⁹⁹ In *United States v. Salerno*, the Supreme Court held that the Excessive Bail Clause does not entail an absolute right to bail—that is, it does not prohibit detention without bail in some circumstances.¹⁰⁰ The Court also endorsed public safety as a potential basis for

⁹³ See, e.g., SIXTH AMENDMENT CENTER AND PRETRIAL JUSTICE INSTITUTE, EARLY IMPLEMENTATION OF COUNSEL, *supra* note 69; Colbert *et al.*, *Do Attorneys Really Matter?*, *supra* note 69 (reporting “convincing empirical data that the benefits of representation are measurable and that representation is crucial to the outcome of a pretrial release hearing”).

⁹⁴ *Accord*, e.g., Hurrell-Harring v. State, 930 N.E.2d 217, 223 (N.Y. Ct. App. 2010) (“There is no question that ‘a bail hearing is a critical stage of the State’s criminal process’”) (quoting and citing Higazy v. Templeton, 505 F.3d 161, 172 (2d Cir. 2007)); *cf.* Gonzalez v. Comm’r of Correction, 68 A.3d 624, 637 (Ct. 2013), *cert. denied*, 134 S. Ct. 639 (2013) (concluding “the petitioner had a sixth amendment right to effective assistance of counsel at the arraignment stage in which proceedings pertaining to the setting of bond and credit for presentence confinement occurred”).

⁹⁵ U.S. Const. Eighth amend.

⁹⁶ *Stack v. Boyle*, 342 U.S. 1, 4-5 (1951); *see also* *United States v. Salerno*, 481 U.S. 739, 754 (1987) (“[W]hen the Government has admitted that its only interest is in preventing flight, bail must be set by a court at a sum designed to ensure that goal, and no more.”).

⁹⁷ The counterargument is that in some cases, an unaffordable bail amount is the only amount sufficient to create an adequate disincentive to flee. But if that is so, it is more accurate to say that *no* bail can reasonably assure appearance, and more honest to explicitly order detention on that basis—if no other non-financial conditions will suffice. The federal Bail Reform Act and many state statutes authorize such determinations. *See* 18 U.S.C. § 3142(e) (“If . . . the judicial officer finds that no condition or combination of conditions will reasonably assure the appearance of the person as required . . . , such judicial officer shall order the detention of the person before trial.”).

⁹⁸ *See* 18 U.S.C. § 3142(c)(2) (“The judicial officer may not impose a financial condition that results in the pretrial detention of the person.”); Standard 10-1.4(e), Standards for Pretrial Release (American Bar Association, 3d ed. 2002) (“The judicial officer should not impose a financial condition of release that results in the pretrial detention of a defendant solely due to the defendant’s inability to pay.”).

⁹⁹ *See* Sandra G. Mayson, *Dangerous Defendants: Bail Reform and Pretrial Prediction* (manuscript on file with authors).

¹⁰⁰ 481 U.S. 739, 754 (1987).

ordering the pretrial detention of some particularly dangerous defendants.¹⁰¹ But the Court did suggest that the Bail Clause requires that “the Government’s proposed conditions of release or detention not be ‘excessive’ in light of the perceived evil” they are designed to address, and that, to determine whether the intrusion on pretrial liberty is excessive, courts must “compare” it “against the interest the Government seeks to protect by means of that response.”¹⁰² The analysis of Eighth Amendment “excessiveness” thus requires a kind of cost-benefit analysis. In the case of detention without bail, the analysis should turn on whether the costs of detention are excessive in relation to its benefit.¹⁰³

The downstream effects of detention must factor into this analysis. In our sample set, it appears that detention distorts criminal adjudication. That is a significant cost, both to the people who would not have been convicted but for their detention and for the legitimacy of the system as a whole. Secondly, our study provides additional evidence that detention increases future criminal offending. To the extent that jurisdictions impose pretrial detention in order to prevent pretrial crime, its benefit—the pretrial crime averted—must be discounted by the increase in future crime it produces. If it is not clear that the pretrial crime averted is worth the increase in future crime, detention might be an excessive response to the public-safety threat. This is especially likely if less restrictive alternatives like GPS monitoring are capable of achieving the same results.¹⁰⁴

C. Substantive Due Process: Is Pretrial Detention Punishment? Does it Impermissibly Infringe Liberty?

Our results might also support an argument that pretrial detention in some circumstances violates substantive due process by inflicting punishment before trial. “Under the Due Process Clause, a detainee may not be punished prior to an adjudication of guilt in accordance with due process of law.”¹⁰⁵ Pretrial detainees, that is, have the right to be “free from punishment.”¹⁰⁶ The difficult question is when a restraint on liberty amounts to punishment.

Pursuant to current doctrine, the answer turns on whether the restraint is rationally related to a non-punitive purpose, and not “excessive” for that purpose.¹⁰⁷ Thus far, the Court has declined to classify any pretrial restraint as punishment. In *Bell v. Wolfish*, a challenge to certain

¹⁰¹ *Id.*

¹⁰² *Id.*

¹⁰³ For a recent effort to engage in this kind of cost-benefit analysis of pretrial detention, see Shima Baradaran Baughman, *Costs of Pretrial Detention*, B.U. L. REV (Forthcoming, 2017), http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2757251.

¹⁰⁴ See Samuel Wiseman, *The Right to Be Monitored*, 123 YALE L.J. 1344 (2014).

¹⁰⁵ *Bell v. Wolfish*, 441 U.S. 520, 535 (1979). Note that this right against punishment is distinct from the presumption of innocence. See *id.* at 533 (holding that the presumption of innocence “is a doctrine that allocates the burden of proof in criminal trials,” and “has no application to a determination of the rights of a pretrial detainee”). But see *County of Riverside v. McLaughlin*, 500 U.S. 44, 58 (1991) (alluding to the importance of minimizing “the time a presumptively innocent individual spends in jail”).

¹⁰⁶ *Id.* at 534.

¹⁰⁷ *Id.* at 538; *United States v. Salerno*, 481 U.S. 739, 747 (1987).

conditions of pretrial confinement, the Court concluded that the conditions did not amount to punishment because they were rationally related to legitimate needs of prison administration and not excessive for those ends.¹⁰⁸ In *Salerno*, the Court rejected the argument that pretrial detention pursuant to the federal Bail Reform Act constituted punishment *per se*, on the basis that the detention regime was carefully tailored to the “legitimate” goal of preventing pretrial crime, and the “incidents” of detention were not “excessive in relation to the regulatory goal Congress sought to achieve.”¹⁰⁹ In both cases, however, the Court left open the possibility that in other circumstances it might reach a different conclusion. This “punishment” analysis should also be responsive to the costs of pretrial detention, since it, like the Bail Clause analysis, is a genre of cost-benefit (or means-end) test. That is, detention that increases the likelihood of conviction and future crime might be an excessive means of preventing pretrial flight and crime, and therefore constitute impermissible pretrial “punishment.”

Even if it not, pretrial detention might, in some cases, violate substantive due process as an impermissible regulatory infringement on individual liberty. “Freedom from imprisonment . . . lies at the heart of the liberty that [the Due Process] Clause protects.”¹¹⁰ The state must therefore meet a high burden of justification when it seeks to detain individuals for regulatory (that is, non-punitive) purposes. When challenges to regulatory detention have made their way to the Supreme Court, the Court has generally applied some type of heightened scrutiny.¹¹¹ Most relevant here, in *Salerno* the Supreme Court rejected the straight substantive-due-process challenge to the federal preventive detention regime on the ground that the regime was “narrowly focuse[d]” on the “legitimate and compelling” state interest of preventing pretrial crime by an especially dangerous subset of defendants.¹¹² Pursuant to the same analysis, pretrial detention might violate substantive due process if it is not carefully tailored to its goal, or if its costs vastly outweigh its benefits. Once again, the costs documented here should inform the calculation.¹¹³

¹⁰⁸ *Bell*, 441 U.S. at 541-42.

¹⁰⁹ *Salerno*, 481 U.S. at 747-48.

¹¹⁰ *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

¹¹¹ *See, e.g., id.* at 690 (explaining that regulatory detention violates substantive due process except “in certain special and narrow nonpunitive circumstances, where a special justification, such as harm-threatening mental illness, outweighs the individual’s constitutionally protected interest in avoiding physical restraint”) (internal quotation marks and citations omitted).

¹¹² 481 U.S. at 750-52 (1987); *id.* at 752 (“Given the legitimate and compelling regulatory purpose of the Act and the procedural protections it offers, we conclude that the Act is not facially invalid under the Due Process Clause of the Fifth Amendment.”).

¹¹³ The tests that the Court has articulated for impermissible pretrial “punishment” and impermissible regulatory detention are quite close, and also overlap with the Eighth Amendment prohibition on “excessive” pretrial restraints on liberty. It is unclear how the doctrine will evolve in these related areas. It is also possible to frame a constitutional challenge to pretrial restraints on liberty in Fourth Amendment terms, by alleging that the restraint constitutes an unreasonable search or seizure. *See Gerstein v. Pugh*, 420 U.S. 103, 125 (1975) (“The Fourth Amendment was tailored explicitly for the criminal justice system, and its balance between individual and public interests always has been thought to define the ‘process that is due’ for seizures of person or property in criminal cases, including the detention of suspects pending trial.”).

*D. Procedural Due Process: Does Pretrial Detention Produce “Involuntary”
Plea Bargains?*

To the extent that the causal effect of detention on conviction rates reflects a reality that detained people plead guilty simply to get out of jail, it raises the question of whether such pleas are fully “voluntary,” or whether they present procedural due process concerns.

The Due Process Clauses of the Fifth and Fourteenth Amendments require that guilty pleas be “voluntary” and “intelligent”, which implies that a defendant must have, and make, a meaningful choice.¹¹⁴ Plea-bargaining poses a dilemma because it is always coercive. This makes it extremely difficult to draw the due-process line. How much coercion is too much? The Supreme Court has confronted this question in two cases since 1970: *Brady v. United States* and *Bordenkircher v. Hayes*.¹¹⁵ In *Brady*, the Court held that a plea was not rendered involuntary by the fact that it was motivated by the defendant’s fear of receiving the death penalty if convicted at trial.¹¹⁶ In *Bordenkircher*, the Court held that it did not violate due process for a prosecutor to threaten to re-indict the defendant on more serious charges unless he pled guilty (and then to carry out the threat).¹¹⁷ The Court reasoned that “the imposition of these difficult choices is an inevitable—and permissible—attribute of any legitimate system which tolerates and encourages the negotiation of pleas.”¹¹⁸

This precedent is clearly hostile to any argument that pretrial detention might render a guilty plea involuntary, but the Supreme Court did leave the door just slightly ajar. In *Brady*, the Court qualified its expansive endorsement of bargains driven by fear: “Of course, the agents of the State may not produce a plea by actual or threatened physical harm or by mental coercion overbearing the will of the defendant.”¹¹⁹ And in *Bordenkircher*, the Court suggested that its decision was predicated on the assumption that the inducement at issue would not lead an innocent person to plead guilty. The Court reasoned that “[d]efendants advised by competent counsel and protected by other procedural safeguards are . . . unlikely to be driven to false self-condemnation.”¹²⁰ It also noted that the case did not “involve the constitutional implications” of a prosecutor threatening harm or offering benefit to a third party, “which might pose a greater

¹¹⁴ *Brady v. United States*, 397 U.S. 742, 747-48 (1970) (holding that plea must be a “knowing, intelligent act[] done with sufficient awareness of the relevant circumstances and likely consequences”); *see also* *Boykin v. Alabama*, 395 U.S. 238, 241 (1969) (holding, on procedural-due-process grounds, that guilty plea must be knowing and voluntary).

¹¹⁵ 397 U.S. 742, 750 (1970); 434 U.S. 357, 363 (1978).

¹¹⁶ 397 U.S. at 750-52. The Court noted that “[t]he State to some degree encourages pleas of guilty at every important step in the criminal process,” and rejected the idea “that a guilty plea is compelled and invalid under the Fifth Amendment whenever motivated by the defendant’s desire to accept the certainty or probability of a lesser penalty rather than face a wider range of possibilities” after trial. *Id.*; *see also id.* (““The issue we deal with is inherent in the criminal law and its administration. . . .”).

¹¹⁷ 434 U.S. at 365.

¹¹⁸ *Id.* at 364 (internal quotation marks and citation omitted).

¹¹⁹ 397 U.S. at 750.

¹²⁰ *Id.* at 363.

danger of inducing a false guilty plea by skewing the assessment of the risks a defendant must consider.”¹²¹

These offhand caveats are hardly a firm foundation for a new jurisprudence of due-process limits to coercion in plea-bargaining, but they are suggestive. Evidence that pretrial detention leads to wrongful convictions by guilty plea might lead the Court to reconsider its due process conclusions. It is worth noting that the benefit of such a doctrinal shift is dubious. What remedy could the Court order – the chance for the accused to vacate his plea and sit in jail until trial? That problem aside, the question of the constitutional limits to coercive plea-bargaining practices is a pressing one, and our evidence that detention alone produces guilty pleas renders it all the more acute.

E. Equal Protection: Does Pretrial Detention Produce Class-Based Case Outcomes?

Finally, our data and results illustrate the extent to which the Harris County pretrial system produces disparate outcomes for the poor and for the wealthy. The principle of equal protection (as applied to the states by the Fourteenth Amendment, and to the federal government by the Fifth) prohibits invidious or irrational state discrimination.¹²² Supreme Court precedent clearly establishes that incarcerating a person solely on the basis of her poverty violates equal protection.¹²³ Nonetheless, half of the misdemeanor defendants in our dataset were detained pending trial, nearly all of them ostensibly due to inability to post bail. Their detention, alone, significantly increased the chance of conviction. That is to say that not only were these people deprived of their liberty on the basis of wealth; they were also deprived of equal access to justice. In Harris County misdemeanor court, all do not stand equal before the law.¹²⁴

There are reform efforts underway that may mitigate this problem, but they will not eliminate equality concerns. The new bail reform movement seeks to shift pretrial policy from a “resource-based” to a “risk-based” model driven by actuarial assessment of a defendant’s risk of

¹²¹ *Id.* at 371 n.8 (internal citation omitted); *see also id.* at 363 (“[I]n the ‘give-and-take’ of plea bargaining, there is no such element of punishment or retaliation so long as the accused is *free* to accept or reject the prosecution’s offer”) (emphasis added).

¹²² *See, e.g.,* *City of Cleburne v. Cleburne Living Ctr.*, 473 U.S. 432, 439 (1985) (“The Equal Protection Clause of the Fourteenth Amendment commands that no State shall ‘deny to any person within its jurisdiction the equal protection of the laws,’ which is essentially a direction that all persons similarly situated should be treated alike.”) (citing *Plyler v. Doe*, 457 U. S. 202, 216 (1982)); *Bolling v. Sharpe*, 347 U.S. 497, 499 (1954) (noting that the Fifth Amendment includes the same prohibition *vis-à-vis* the federal government).

¹²³ *See, e.g.,* U.S. Dep’t of Justice, Statement of Interest filed in *Varden v. City of Clanton*, No. 2:15-cv-34-MHT-WC (M.D. Al., Feb. 13, 2015) (“Incarcerating individuals solely because of their inability to pay for their release . . . violates the Equal Protection Clause of the Fourteenth Amendment.”) (citing *Tate v. Short*, 401 U.S. 395, 398 (1971); *Williams v. Illinois*, 399 U.S. 235, 240–41 (1970); *Smith v. Bennett*, 365 U.S. 708, 709 (1961)); *see also* *Bearden v. Georgia*, 461 U.S. 660, 671 (1983).

¹²⁴ To the extent that Harris County relies on “bail schedules” that are unresponsive to a defendant’s ability to pay, that practice violates the Equal Protection Clause. *See* U.S. Dep’t of Justice, Statement of Interest, *supra* note 119 (“[A]s courts have long recognized, any bail or bond scheme that mandates payment of pre-fixed amounts for different offenses in order to gain pretrial release, without any regard for indigence, not only violates the Fourteenth Amendment’s Equal Protection Clause, but also constitutes bad public policy.”).

flight and rearrest.¹²⁵ The effort to eliminate wealth disparities in the system is laudable, but actuarial risk assessment is likely to import the effects of race and class bias earlier in the system.¹²⁶ Without violating the Equal Protection Clause, risk assessment might still discriminate, subtly, along race and class lines, and result in the disproportionate pretrial detention of poor and minority communities.¹²⁷ To the extent that detention also changes case outcomes, this means that a risk-based system of pretrial detention could continue to dispense deeply unequal justice. In view of the cost of detention—both its immediate fiscal and human costs and its downstream effects—policymakers should work to avoid this result.

CONCLUSION

Pretrial detention has a significant impact on downstream criminal justice outcomes—both in the immediate case, and through the future criminal activity of detained defendants. Detention increases the rate of guilty pleas, and leads detained individuals to commit more crime in the future. These findings carry import for not only Harris County, but raise a host of broader empirical and constitutional questions that merit attention.

To appreciate the magnitude of the effects we document here, we offer the following thought experiment: Imagine if, during the period of our sample, Harris County had released those defendants assigned the lowest amount of bail, \$500, on personal bond (recognizance) rather than assessing bail. Using these estimates, and drawing from other data carefully documenting the costs of detention and probation supervision in Harris County¹²⁸, we predict that the county would have released 40,000 additional defendants pretrial, and these individuals would have avoided approximately 5,900 criminal convictions, many of which would have come through possibly erroneous guilty pleas. Incarceration days in the county jail—severely overcrowded as of April 2016—would have been reduced by at least 400,000¹²⁹. Over the next 18 months post-release, these defendants would have committed 1,600 fewer felonies and 2,400 fewer misdemeanors. On net, after accounting for both reductions in jail time and increases in probation time, the county would have saved an estimated \$20 million in supervision costs alone

¹²⁵ See, e.g., Pretrial Justice Institute, Presentation, Resource-based to Risk-based Pretrial Justice (Aug. 7, 2015), available at <https://prezi.com/h6eboff0oyhx/resource-based-to-risk-based-pretrial-justice>.

¹²⁶ The most universal risk factors for future criminal behavior in current pretrial risk assessment tools are prior contacts with the criminal justice system. See Mayson, *supra* note 95; Bernard E. Harcourt, *Risk as a Proxy for Race: The Dangers of Risk Assessment*, 27 FED. SENT. R. 237 (Vera Inst. Just. 2015).

¹²⁷ Equal protection only prohibits facial (explicit) and intentional discrimination. *Washington v. Davis*, 426 U.S. 229, 240-42 (1976). There is an argument that actuarial risk assessment is facially discriminatory if the variables used to predict risk include things like race and income. See Sonja B. Starr, *Evidence-Based Sentencing and the Scientific Rationalization of Discrimination*, 66 STAN. L. REV. 803, 811-12, 821-36 (2014).

¹²⁸ VERA INSTITUTE OF JUSTICE, THE PRICE OF JAILS: MEASURING THE TAXPAYER COST OF LOCAL INCARCERATION (May 2015), <http://www.vera.org/sites/default/files/resources/downloads/price-of-jails.pdf>; TEXAS CRIMINAL JUSTICE COALITION, HARRIS COUNTY, TEXAS ADULT CRIMINAL JUSTICE DATA SHEET, http://countyresources.texascjc.org/sites/default/files/adult_county_data_sheets/TCJC's%20Adult%20Harris%20County%20Data%20Sheet.pdf

¹²⁹ This is actually a conservative estimate because it is based on the estimate of the change in the jail sentence associated with detention, and thus ignores time spent in pretrial detention that does not end up counting against the final sentence of the accused.

for this population. Thus, with better pretrial detention policy, Harris County could save millions of dollars per year, increase public safety, and likely reduce wrongful convictions.

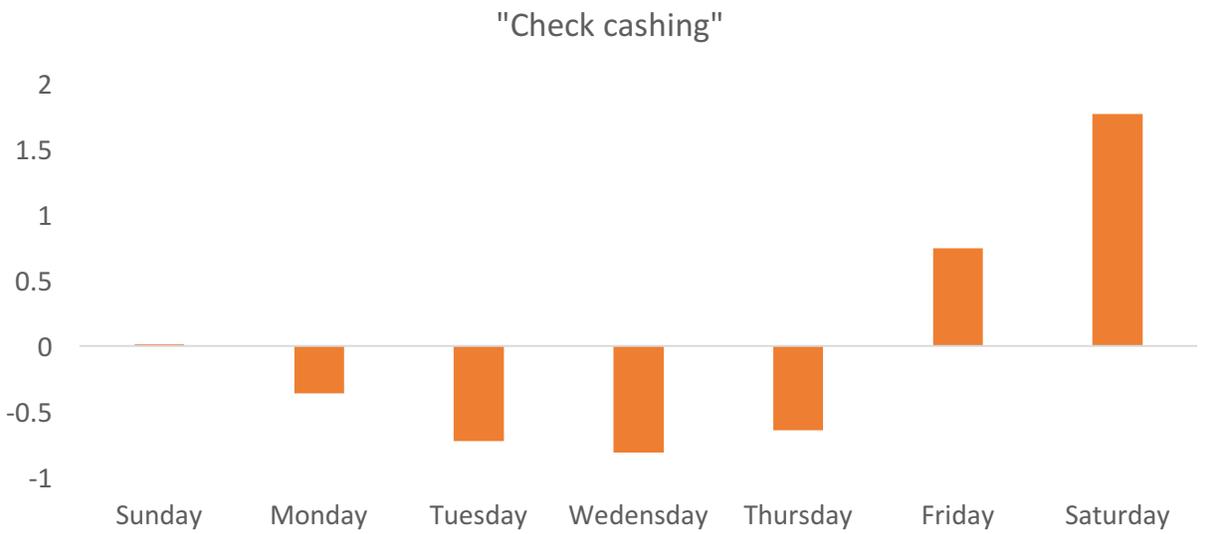
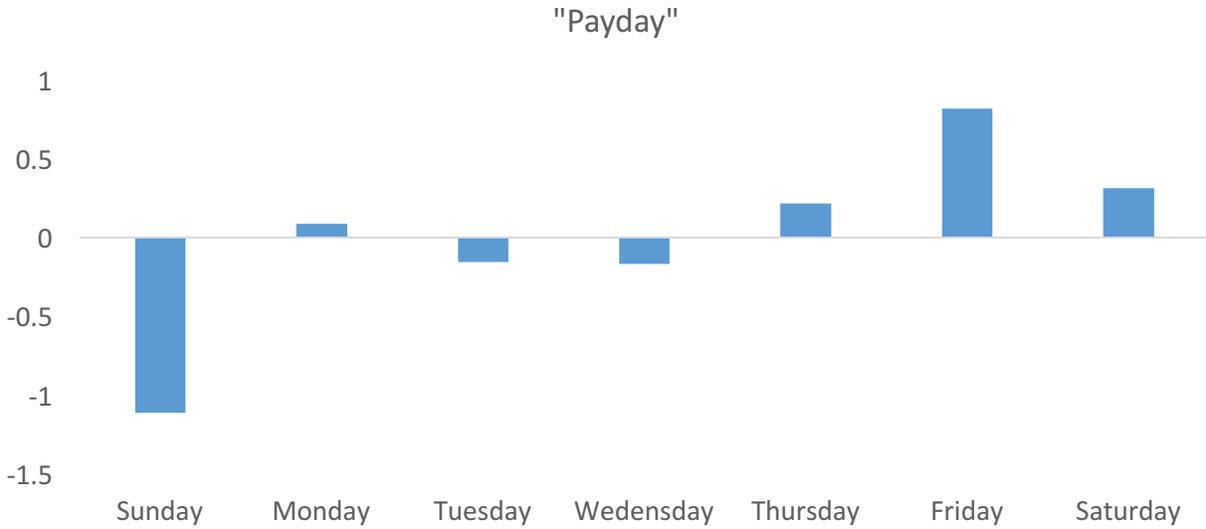
Our findings also carry import beyond the borders of Harris County. Many of the key features of Harris County’s system—a heavy reliance on cash bail, assembly-line handling of bail hearings, and nonexistent representation for defendants at these hearings—are characteristic of misdemeanor bail systems across the country. The strong empirical evidence that under such circumstances the bail hearing influences later case outcomes demands further clarification from the courts as to whether the Sixth Amendment guarantees the assistance of counsel at such hearings, and whether such a process sufficiently protects the due process and Eighth Amendment rights of defendants.

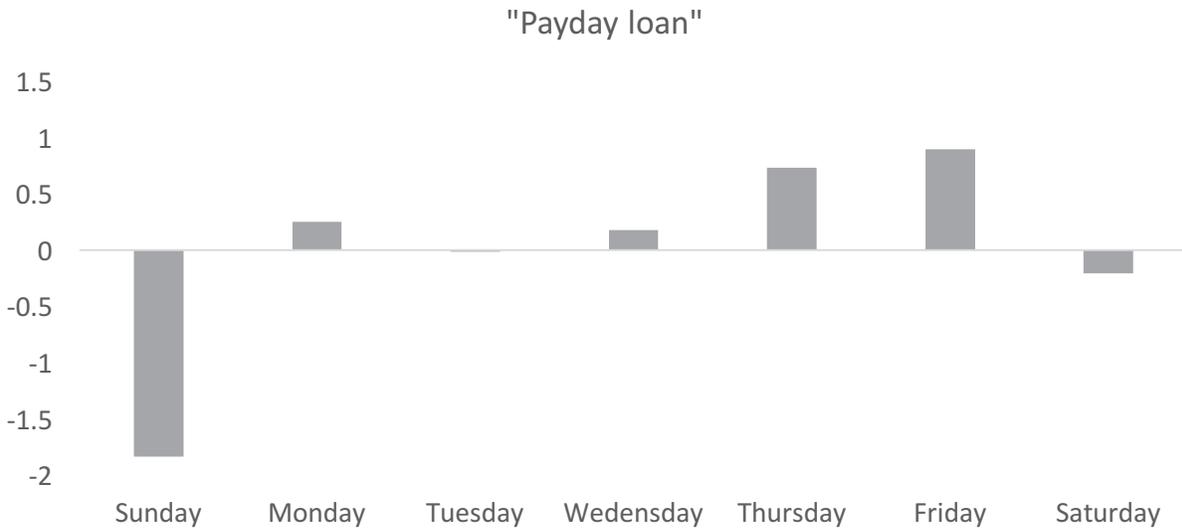
Our results also have important implications for the conduct of future empirical studies assessing the effects of pretrial detention. Our analysis suggests that prior work measuring the association between pretrial detention and case outcomes, which controls for only a limited set of defendant and case characteristics, risks the possibility of overestimating the causal effect of detention. After controlling for a broader set of characteristics, however—including the exact offense and the precise amount of bail set at the initial hearing—we are able to obtain correlational estimates that approach the causal estimates we observe using a natural experiment. In this respect, our results mirror those of Stevenson.¹³⁰ Researchers therefore may be able learn much about bail effects across many other jurisdictions operating under different systems without resorting to costly, and in some cases practically infeasible, randomized controlled trials, so long as we are sufficiently careful to account for pre-existing differences between the pools of detained and released defendants. Such future work could help to catalyze a shift towards bail systems that reduce wealth disparities, increase public safety, and minimize the lengthy periods of detention that have such high budgetary and human costs.

¹³⁰ See *supra* note 35 and accompanying text.

APPENDIX

Figure A.1: Google Daily Keyword Search Volume by Day of Week, Standardized Score





Note: This figure plots average daily Google search volume by day of week for several search terms that serve as proxies for liquidity. For each term, daily search volume was standardized and then averaged by day of week to construct the bars in the chart. Data were downloaded from Google Trends (<https://www.google.com/trends/>) and cover the period from 1/31/2016 to 4/23/2016.

Figure A.2: Distribution of Bail Assessments By Day of Week of Hearing

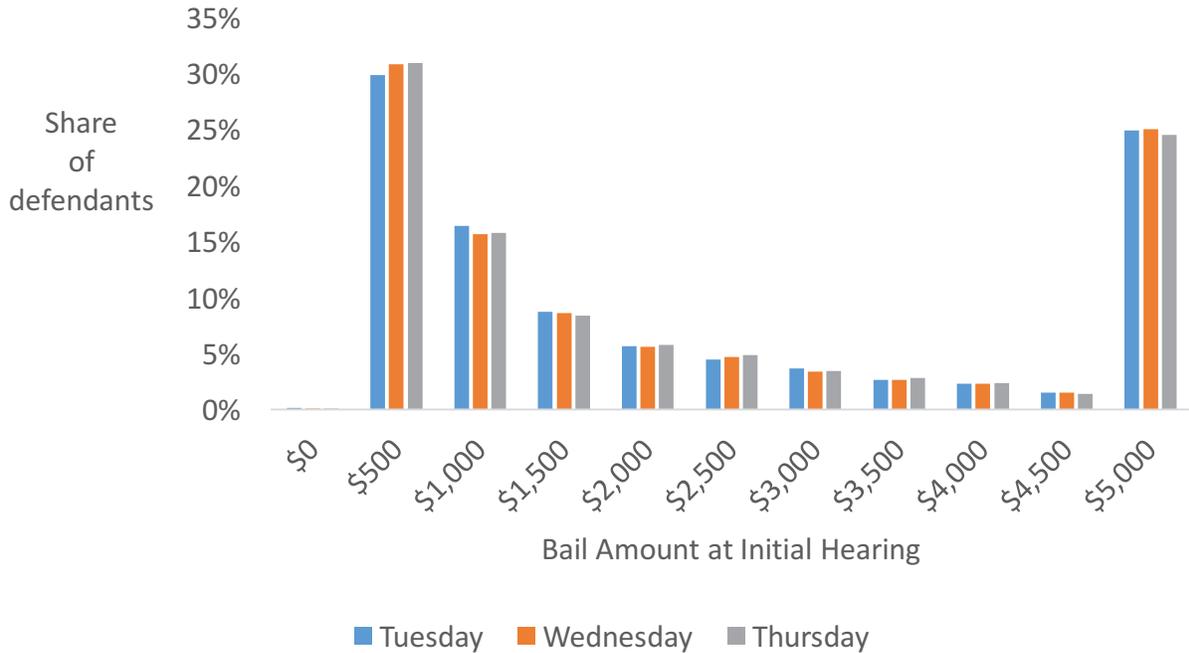


Table A.1: Numeric Results for Misdemeanor Recidivism Analysis

Days since bail hearing	Cumulative new misdemeanors per released defendant	Estimated effect of detention	Standard Error	P-Value	% change in misdemeanors due to detention
1	0.0004	-0.0004	0.00006	4.56E-10	-97.0%
2	0.0010	-0.0009	0.00013	4.55E-11	-89.1%
3	0.0015	-0.0008	0.00018	1.12E-05	-50.6%
4	0.0022	-0.0010	0.00022	5.52E-06	-45.6%
5	0.0029	-0.0011	0.00026	1.74E-05	-38.1%
6	0.0037	-0.0012	0.00030	7.28E-05	-31.8%
7	0.0046	-0.0014	0.00033	2.14E-05	-31.2%
8	0.0052	-0.0014	0.00036	0.000	-26.8%
9	0.0059	-0.0012	0.00040	0.003	-20.0%
10	0.0065	-0.0011	0.00043	0.009	-17.0%
11	0.0072	-0.0013	0.00045	0.005	-17.6%
12	0.0080	-0.0013	0.00048	0.005	-16.6%
13	0.0089	-0.0013	0.00050	0.009	-14.8%
14	0.0098	-0.0009	0.00053	0.079	-9.5%
15	0.0106	-0.0008	0.00056	0.127	-8.0%
16	0.0112	-0.0008	0.00057	0.178	-6.9%
17	0.0118	-0.0004	0.00059	0.520	-3.2%
18	0.0125	-0.0001	0.00061	0.870	-0.8%
19	0.0130	0.0002	0.00062	0.800	1.2%
20	0.0137	0.0005	0.00064	0.406	3.9%
21	0.0145	0.0006	0.00066	0.399	3.9%
22	0.0151	0.0009	0.00068	0.197	5.8%
23	0.0157	0.0010	0.00069	0.149	6.3%
24	0.0164	0.0012	0.00071	0.097	7.1%
25	0.0170	0.0013	0.00072	0.069	7.7%
26	0.0177	0.0014	0.00074	0.054	8.0%
27	0.0183	0.0017	0.00075	0.025	9.2%
28	0.0190	0.0019	0.00076	0.012	10.1%
29	0.0197	0.0020	0.00078	0.009	10.3%
30	0.0204	0.0022	0.00079	0.005	10.9%
60	0.0413	0.0075	0.00113	2.32E-11	18.2%
120	0.0805	0.0154	0.00158	1.58E-22	19.2%
180	0.1160	0.0219	0.00193	4.98E-30	18.9%
240	0.1480	0.0284	0.00223	3.26E-37	19.2%
300	0.1830	0.0364	0.00249	3.58E-48	19.9%
360	0.2086	0.0447	0.00272	1.19E-60	21.4%
420	0.2335	0.0515	0.00294	1.36E-68	22.0%
480	0.2575	0.0584	0.00314	3.07E-77	22.7%
540	0.2808	0.0638	0.00332	5.13E-82	22.7%

Table A.2: Numeric Results for Felony Recidivism Analysis

Days since bail hearing	Cumulative new felonies per released defendant	Estimated effect of detention	Standard Error	P-Value	% change in felonies due to detention
5	0.0015	-0.0012	0.00018	1.48E-10	-79.5%
10	0.0032	-0.0018	0.00028	6.28E-10	-55.1%
15	0.0052	-0.0022	0.00038	1.05E-08	-42.2%
20	0.0069	-0.0022	0.00045	6.67E-07	-32.5%
25	0.0084	-0.0020	0.00051	0.0001	-23.7%
30	0.0101	-0.0022	0.00056	0.0001	-21.3%
35	0.0117	-0.0022	0.00061	0.000	-18.6%
40	0.0133	-0.0020	0.00065	0.002	-15.4%
45	0.0148	-0.0019	0.00068	0.005	-13.0%
50	0.0162	-0.0018	0.00072	0.015	-10.8%
55	0.0176	-0.0012	0.00076	0.111	-6.9%
60	0.0192	-0.0010	0.00079	0.212	-5.2%
65	0.0205	-0.0003	0.00082	0.697	-1.6%
70	0.0218	0.0004	0.00085	0.650	1.8%
75	0.0233	0.0007	0.00089	0.429	3.0%
80	0.0247	0.0009	0.00092	0.328	3.6%
85	0.0260	0.0014	0.00095	0.126	5.6%
90	0.0274	0.0019	0.00097	0.046	7.1%
95	0.0286	0.0023	0.00100	0.021	8.0%
100	0.0298	0.0028	0.00102	0.006	9.4%
120	0.0351	0.0047	0.00111	0.000	13.5%
180	0.0498	0.0104	0.00136	0.000	20.9%
240	0.0644	0.0150	0.00157	0.000	23.3%
300	0.0782	0.0196	0.00177	0.000	25.1%
360	0.0911	0.0250	0.00194	0.000	27.4%
420	0.1039	0.0296	0.00210	0.000	28.5%
480	0.1163	0.0343	0.00224	0.000	29.5%
540	0.1280	0.0395	0.00237	0.000	30.9%



Report Highlights

Evaluation of Strategies to Reduce Louisiana’s Incarceration Rate and Costs for Nonviolent Offenders

DARYL G. PURPERA,
CPA, CFE

Audit Control # 40150069 Performance Audit Services • August 2016

Why We Conducted This Audit

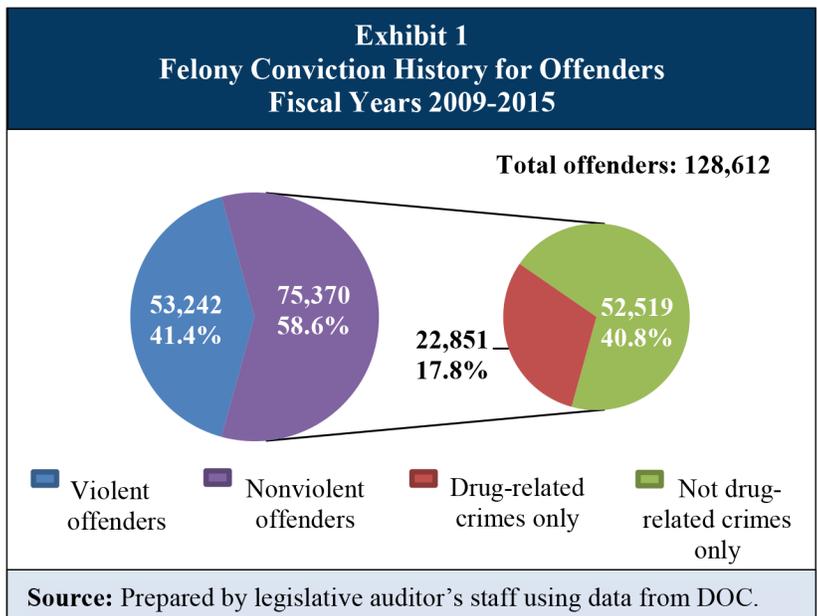
The purpose of this audit was to evaluate strategies to reduce Louisiana’s incarceration rate and costs for nonviolent offenders. According to the U.S. Department of Justice, as of December 2014, Louisiana had the highest incarceration rate in the United States with an estimated 816 of every 100,000 residents incarcerated. Louisiana also incarcerates a higher number of nonviolent offenders than the national average. Implementing strategies to reduce Louisiana’s incarceration rate, especially for nonviolent offenders, could reduce costs and still keep the public safe.

What We Found

According to Department of Corrections (DOC) data, of the 128,612 individuals incarcerated or on supervision during fiscal years 2009 to 2015, 75,370 (58.6%) had nonviolent offenses *only*, meaning they had no violent convictions in their past, and 22,851 (17.8%) had drug offenses *only*, as shown in Exhibit 1.

We identified strategies to reduce incarceration rates for these nonviolent offenders at each key decision point in the criminal justice system. These decision points and strategies include the following:

- **Pre-incarceration:** Providing alternatives to incarceration that include services to help prevent or divert low-risk or nonviolent offenders from incarceration.
- Expanding pretrial diversion and specialty courts could reduce the incarceration rate by diverting nonviolent offenders from prison. However, while Louisiana’s drug courts have demonstrated cost savings, better data collection is needed for pretrial diversion and other specialty courts to evaluate whether these programs are effective. According to our survey, at least 37 (88.1%) of the 42 district attorney offices operate a pretrial intervention program, and at least 28 (66.7%) of the 42 judicial districts have a specialty court.



Continued on next page

Evaluation of Strategies to Reduce Louisiana's Incarceration Rate and Costs for Nonviolent Offenders

What We Found (Cont.)

- **Sentencing:** Ensuring that sentences are fair and proportionate to the crime committed.
 - Sentencing reforms, such as reducing the use of mandatory minimum sentences and the habitual offender law for nonviolent offenders, and sentencing certain nonviolent offenders to probation instead of prison could reduce the incarceration rate. Of the approximately 164 mandatory minimum sentences in state law, 91 (55%) are for nonviolent crimes. In addition, of the 15,235 habitual offender cases for offenders in our scope, 11,801 (77.5%) were for nonviolent offenses.
- **During Incarceration:** Providing effective rehabilitation programs to offenders while they are incarcerated to help reduce recidivism and facilitate their successful re-entry into society.
 - Expanding rehabilitation programs in local facilities that are effective at decreasing recidivism would help reduce the incarceration rate. Although local jails house more nonviolent offenders, they have fewer rehabilitation programs and higher recidivism rates than state facilities. According to DOC, of the 105 local facilities that house state offenders, 46% offer no treatment programs.
 - Further expanding re-entry services at the local level to help offenders transition back into society would help reduce Louisiana's incarceration rate. Re-entry programs can reduce recidivism by 32% and save approximately \$14 million per year.
- **Release:** Providing effective and appropriate levels of supervision to offenders after they are released.
 - Because reform efforts have resulted in more offenders on parole, the caseloads of probation and parole officers have increased by 12.9%. Additional strategies to reduce the amount of supervision required for low-risk, nonviolent offenders could reduce the incarceration rate by focusing probation and parole resources on offenders most likely to re-offend.

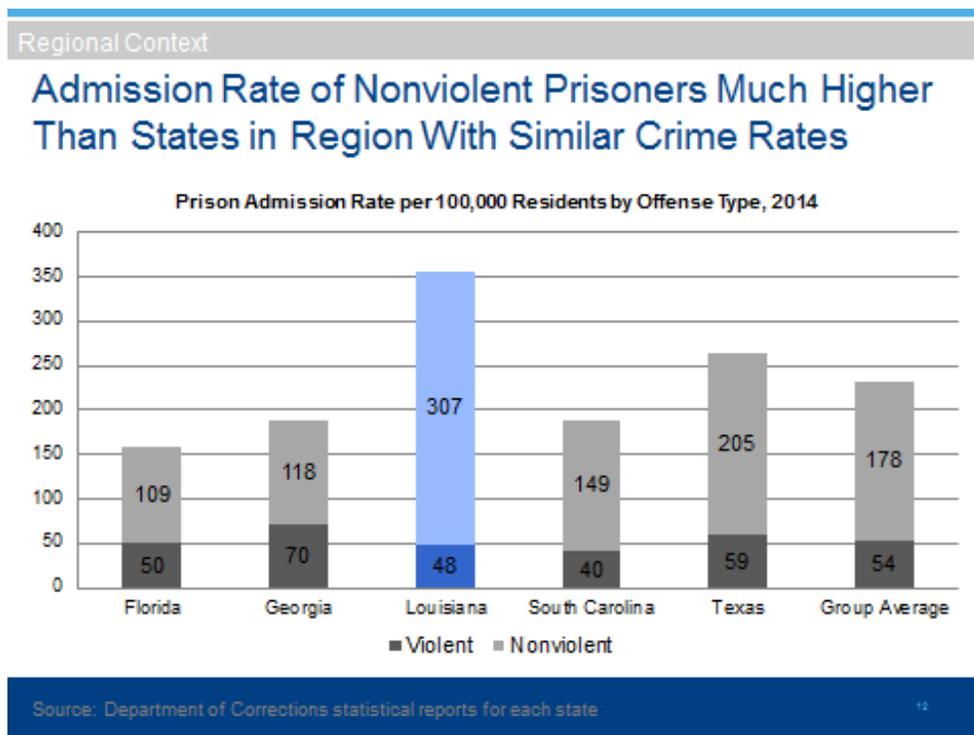
Louisiana Locks Up More Nonviolent Offenders Than Neighboring States Without Achieving Lower Crime Rates

thepelicanpost.org/2016/08/25/louisiana-locks-up-more-nonviolent-offenders-than-neighboring-states-without-achieving-lower-crim

State incarcerates violent offenders at a rate similar to other states in the South, while incarcerating nonviolent offenders at a much higher rate

Louisiana's legislative leaders and Governor John Bel Edwards are taking a top-to-bottom look at our criminal justice system, aiming for a better public safety return on taxpayer dollars. They have appointed the Justice Reinvestment Task Force to conduct that analysis, starting with an in-depth look at data trends.

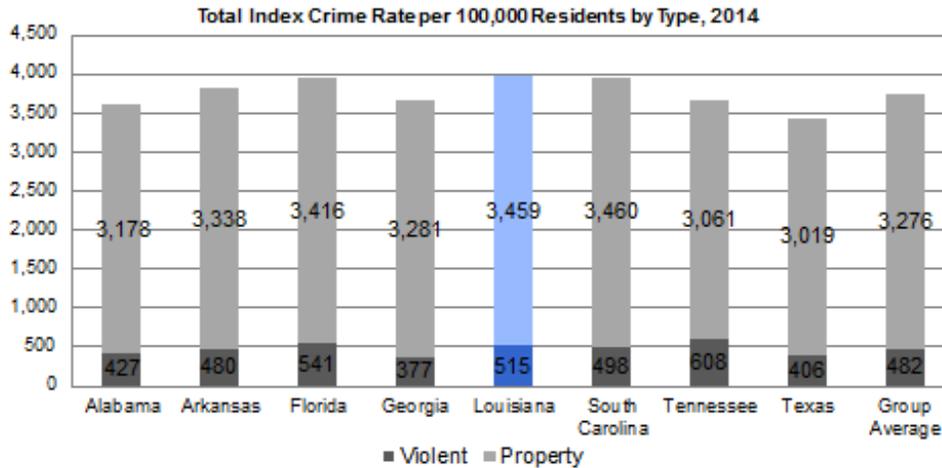
On August 11, Task Force staff made the first of several presentations on factors that are driving Louisiana's incarceration rate. While the presentation provided a wealth of information, the most striking finding of the Task Force was that while Louisiana incarcerates violent offenders at a rate that is comparable to other southern states, we incarcerate nonviolent offenders at a much higher rate.



As the above graph illustrates, while crime rates in Louisiana, South Carolina, and Florida are nearly identical, Louisiana sends people to prison for nonviolent offenses at twice the rate of South Carolina and three times the rate of Florida.

This raises an obvious question: Are we reducing crime by locking up more nonviolent offenders? The graph below indicates that incarcerating more nonviolent offenders has not led to lower crime rates than other states in our region.

Louisiana Has Similar, Though Slightly Higher, Crime Rate to Many States in the Region



Source: Federal Bureau of Investigation, Uniform Crime Reports

Why don't we enjoy lower crime rates than our neighboring states? A key point for consideration is that while prison is an important tool for protecting the public from people engaged in violent crimes, it may not be the best tool for lower-level nonviolent offenses. When the criminal justice system takes people committing minor drug and property crimes and mixes them in prison with violent career criminals, we are disrupting the positive things in their lives like employment and family connections. Further, putting these nonviolent offenders in a prison setting requires them to learn a new set of (antisocial) survival skills. They often come out worse than they went in.

This is not a blanket argument against imprisonment – just the recognition that prison is not the best intervention for all crimes. For low-level nonviolent crimes, it can do more harm than good and leave taxpayers footing the bill.

Fortunately, Louisiana can also look to our neighbors to learn more about alternatives. South Carolina, Georgia, Mississippi, and Texas have all recently passed measures to strengthen prison alternatives like probation and drug courts and changed laws about who goes to prison and for how long. They have seen remarkable results. Their crime rates are down and so are their imprisonment rates.

Mississippi, for example expanded eligibility for probation, electronic monitoring, and drug courts. They beefed up probation with graduated sanctions and incentives, and made probation sentences presumptive for certain low-level drug and property crimes. The Legislature passed these measures with a broad base of support that included business leaders, Christian conservatives, and the American Legislative Exchange Council. They have since seen probation success rates increase, their prison population dropped 18 percent between 2013 and 2015, and crime has continued to fall.

Louisiana has taken a step in the right direction by creating the Task Force to develop policy recommendations. Clearly we can improve upon the status quo, and this type of data-driven analysis is necessary to ensure that any proposed reforms are cost-effective and will improve public safety. Achieving a more rational and just criminal justice system may not be easy, but our neighbors have shown us that it can be done.

EVALUATION OF STRATEGIES TO REDUCE
LOUISIANA'S INCARCERATION RATE AND COSTS
FOR NONVIOLENT OFFENDERS



PERFORMANCE AUDIT SERVICES
ISSUED AUGUST 31, 2016

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**FOR QUESTIONS RELATED TO THIS PERFORMANCE AUDIT, CONTACT
MICHAEL BOUTTE, PERFORMANCE AUDIT MANAGER,
AT 225-339-3800.**

Under the provisions of state law, this report is a public document. A copy of this report has been submitted to the Governor, to the Attorney General, and to other public officials as required by state law. A copy of this report is available for public inspection at the Baton Rouge office of the Louisiana Legislative Auditor.

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LOUISIANA LEGISLATIVE AUDITOR
DARYL G. PURPERA, CPA, CFE

August 31, 2016

The Honorable John A. Alario, Jr.,
President of the Senate
The Honorable Taylor F. Barras,
Speaker of the House of Representatives

Dear Senator Alario and Representative Barras:

This report provides the results of our audit to evaluate potential strategies to reduce Louisiana's incarceration rate and costs for nonviolent offenders. I hope this report will benefit you in your legislative decision-making process. We would like to express our appreciation to the management and staff of the Department of Corrections and other stakeholders interviewed for their assistance during this audit.

Sincerely,

A handwritten signature in blue ink that reads "Daryl G. Purpera". The signature is fluid and cursive.

Daryl G. Purpera, CPA, CFE
Legislative Auditor

DGP/aa

INCARCERATION RATE 2016

Louisiana Legislative Auditor

Daryl G. Purpera, CPA, CFE



Evaluation of Strategies to Reduce Louisiana's Incarceration Rate and Costs for Nonviolent Offenders

August 2016

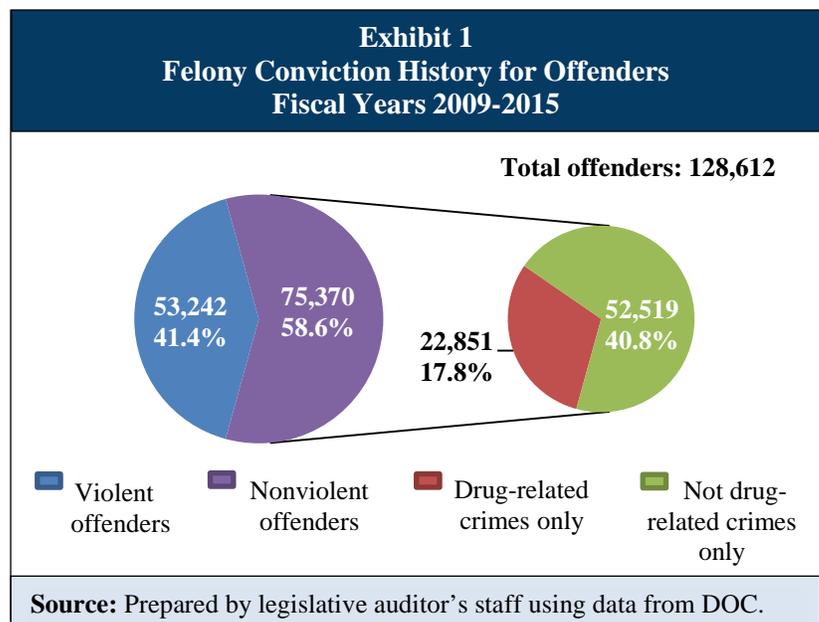
Audit Control # 40150009

Introduction

According to the U.S. Department of Justice (USDOJ), as of December 2014, Louisiana had the highest incarceration rate in the United States with an estimated 816 of every 100,000 residents incarcerated. Recognizing that reforms were needed to reduce Louisiana's incarceration rate, the Legislature recently created the Louisiana Justice Reinvestment Task Force.¹ This task force, with assistance from The Pew Charitable Trusts, will review the criminal justice system and use a data-driven approach to develop recommendations by March 2017 related to the following three goals:

- (1) Reduce correctional populations and associated correctional spending by focusing prison space on serious and violent criminals.
- (2) Hold offenders accountable more efficiently by implementing research-based supervision and sentencing practices.
- (3) Reinvest savings into strategies to decrease recidivism, including improved re-entry outcomes.

To provide information to the Legislature and to assist the task force in developing recommendations, the purpose of this report was to evaluate potential strategies to reduce incarceration rates and costs for nonviolent offenders in Louisiana. We focused specifically on the nonviolent offender population as, in addition to having the highest incarceration rate, Louisiana incarcerates a higher number of nonviolent offenders than the national average. According to Department of Corrections (DOC) data, of the 128,612 individuals

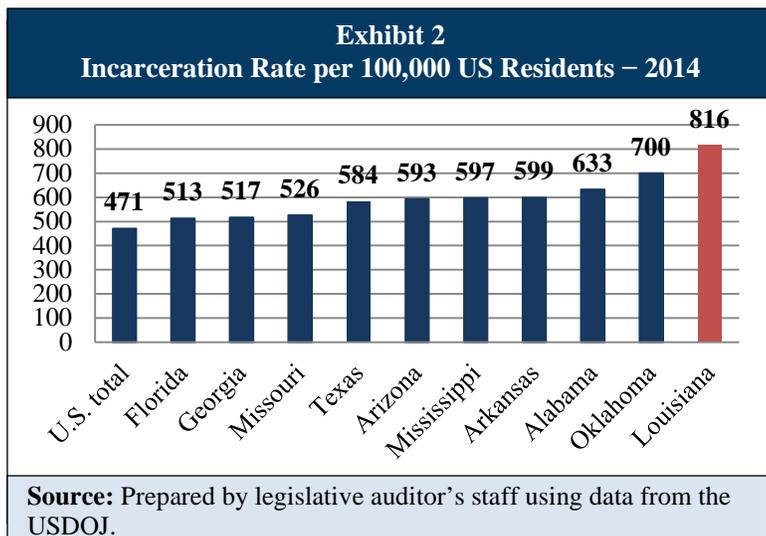


¹ HCR 82 of the 2015 Regular Session initially and continued by HCR 69 of the 2016 Regular Session.

incarcerated or under DOC supervision during fiscal years 2009 to 2015, 75,370 (58.6%) had nonviolent offenses *only*, meaning they had no violent convictions in their past, and 22,851 (17.8%) had drug offenses *only*. Exhibit 1 on the previous page shows the percent of nonviolent offenders in DOC custody from 2009 to 2015. We also found that 17,610 (73.7%) of 23,904 DOC offenders represented by public defenders² from 2010 to 2015 had nonviolent charges and nonviolent convictions *only*. Appendix C lists the 10 most prevalent types of nonviolent offenses.

To address high incarceration rates, Louisiana and 17 other states participated in the Justice Reinvestment Initiative (JRI) facilitated by the USDOJ in 2010. The purpose of this initiative was to identify specific drivers contributing to each state’s incarceration rate. In Louisiana, this initiative identified three drivers including the large percentage of nonviolent offenders in prison, technical violations of parole resulting in offenders returning to prison, and the declining use of parole. To address these drivers, the Legislature passed several reforms in 2011 and 2012 that allowed administrative sanctions for technical violations of probation and parole and increased eligibility for traditional and good time parole. For a timeline and description of recent reforms, see Appendix D. As a result of these efforts, Louisiana has made some progress in reducing its incarceration rate. According to the USDOJ, Louisiana ranks fourth in the nation for decreasing the number of prisoners in 2014 but still has the highest incarceration rate in the country. Exhibit 2 shows Louisiana’s rate compared to other states and the US.

In fiscal year 2015, Louisiana spent approximately **\$680.4 million** on incarceration, an increase of \$25.2 million (3.9%) from the previous fiscal year.



While incarceration is necessary for offenders who pose a threat to public safety, implementing strategies to reduce Louisiana’s incarceration rate, especially for nonviolent offenders, could reduce costs and still keep the public safe. According to the Center on Budget and Policy Priorities, states that have implemented criminal justice reforms have seen their crime rates remain low while saving millions of dollars in prison construction and operating costs, freeing up revenue that can be used for schools and other priorities.

Our evaluation of potential strategies to reduce incarceration rates and costs for nonviolent offenders and our recommendations to DOC and the Legislature are outlined on the pages that follow. Appendix A contains DOC’s and the Louisiana District Attorneys Association’s responses to the report. Appendix B contains our scope and methodology.

² We obtained data from the Public Defender Board and matched cases with the DOC population to determine what the original charge was in each case. The 23,904 cases represent the cases that had a corresponding DOC record and not the entire population of public defender cases.

Objective: Evaluate potential strategies to reduce Louisiana’s incarceration rate and costs for nonviolent offenders.

To evaluate potential strategies to reduce Louisiana’s incarceration rate and reduce costs for nonviolent offenders, we researched best practices, surveyed each judicial district in the state, and interviewed an array of criminal justice stakeholders including judges, district attorneys, sheriffs, public defenders, DOC staff, the Louisiana Supreme Court, and the Louisiana Sentencing Commission. We also researched other states, specifically focusing on southern states with similar drivers of incarceration rates that have successfully implemented bi-partisan reform. In addition, we analyzed DOC’s data on offenders incarcerated or on supervision from 2009 to 2015. Based on this review and analysis, we identified several strategies that have been used effectively in other states to reduce incarceration rates. These strategies focus particularly on nonviolent offenders and are organized based on key decision points within the criminal justice system. These decision points and associated strategies are summarized in Exhibit 3. Details regarding each strategy are summarized on the pages that follow.

Exhibit 3 Decision Points and Associated Strategies	
Decision Point	Strategy
<p>Pre-incarceration: Providing alternatives to incarceration that include services to help prevent or divert low risk or nonviolent offenders from being incarcerated.</p>	<p>Expanding pretrial diversion and specialty courts could reduce the incarceration rate by diverting nonviolent offenders from prison. However, while Louisiana’s drug courts have demonstrated cost savings, better data collection is needed for pretrial diversion and other specialty courts to evaluate whether these programs are effective. (pp. 4-7)</p>
<p>Sentencing: Ensuring that sentences are fair and proportionate to the crime committed.</p>	<p>Sentencing reforms, such as reducing the use of mandatory minimum sentences and the habitual offender law for nonviolent offenders, and sentencing certain nonviolent offenders to probation instead of prison could reduce the incarceration rate. (pp. 7-10)</p>
<p>During Incarceration: Providing effective rehabilitation programs to offenders while they are incarcerated to help reduce recidivism and facilitate their successful re-entry into society.</p>	<p>Expanding rehabilitation programs in local facilities that are effective at decreasing recidivism would help reduce the incarceration rate. Although local jails house more nonviolent offenders, they have fewer rehabilitation programs and higher recidivism rates than state facilities. (pp. 10-13)</p> <p>Further expanding re-entry services at the local level to help offenders transition back into society would help reduce the incarceration rate. Re-entry programs can reduce recidivism by 32% and save approximately \$14 million per year. (pp. 13-16)</p>
<p>Release: Providing effective and appropriate levels of supervision to offenders after they are released.</p>	<p>Because reform efforts have resulted in more offenders on parole, the caseloads of probation and parole officers have increased by 12.9%. Reducing the amount of supervision required for low-risk, nonviolent offenders could lower the incarceration rate by focusing probation and parole resources on offenders most likely to re-offend. (pp. 17-20)</p>
<p>Source: Prepared by legislative auditor’s staff from information on pages 4-20 of this report</p>	

Expanding pretrial diversion and specialty courts could reduce the incarceration rate by diverting nonviolent offenders from prison. However, while Louisiana's drug courts have demonstrated cost savings, better data collection is needed for pretrial diversion and other specialty courts to evaluate whether these programs are effective.

Louisiana offers both pretrial diversion programs, administered by district attorney offices, and specialty (or problem-solving) courts. Pretrial diversion is an alternative means of processing a criminal case that may result in the dismissal of the charge(s) if the defendant completes the program, thus “diverting” an offender from incarceration. Specialty courts are programs that address a range of social issues, such as mental health and substance abuse, in order to solve specific problems rather than issue punishments. According to the USDOJ and the National Conference of State Legislatures,³ pretrial intervention and specialty courts are effective at reducing incarceration rates because offenders are provided with specialized services that address issues driving criminal behavior such as substance abuse and mental illness instead of being sent to prison. By targeting the underlying root causes of criminal activity, the goal of these programs is to ultimately reduce offenders' recidivism. Since no centralized data exists on all of these programs (except for drug courts), we surveyed all 42 judicial districts to determine the prevalence, cost, and success of these programs in Louisiana and found the following:

At least 37 (88.1%) of the 42 district attorney offices operate a pretrial intervention program; however, the lack of centralized data on eligibility criteria, program costs, and performance outcomes makes it difficult to determine whether these programs are effective. Pretrial intervention programs have no centralized oversight or standardized collection of information about costs and outcomes, and each district attorney's office operates its programs differently. In Louisiana, the district attorney is responsible for deciding, often on a case-by-case basis, what crimes and offenders are eligible for pretrial intervention,⁴ how much an offender must pay to participate in the program, and what services are offered or required.

According to our survey, the most common services offered were supervision, anger management, and counseling – either by external service providers or internal staff. Most district attorney offices also had a range of fees, from \$50 to \$2,500 depending on the type of offense, and some waived fees if participants could not pay. In addition, some district attorney offices collected outcome information, such as the number of participants completing the program, while others did not collect any information. However, while some district attorney offices reported tracking re-arrests, no standardized reporting of recidivism exists, which would be a good indicator of the effectiveness of these programs. Therefore, requiring standardized reporting and the collection of certain cost and outcome information, such as recidivism rates, would help Louisiana expand programs that are working so the state could invest resources in

³ Bureaus of Justice Assistance, “Pretrial Diversion Programs: Research Summary,” October 2010. National Conference of State Legislatures, “Principles of Effective State Sentencing and Corrections Policy,” August 2011.

⁴ Usually nonviolent crimes are eligible.

those that are most effective. Appendix E shows the results of our survey of pretrial intervention programs for each judicial district.

At least 28 (66.7%) of the 42 judicial districts have a specialty court. However, while the Supreme Court collects standardized information on drug court costs and outcomes, requiring that other specialty courts collect similar information would help demonstrate their effectiveness. In a survey conducted by the National Center for State Courts,⁵ respondents stated that specialty courts were one of states’ most effective non-incarceration programs for nonviolent and other suitable felony offenders. Most specialty courts are composed of multi-disciplinary teams, from within and outside the criminal justice system, that include the lead judge, prosecuting attorney, defense attorney, treatment providers, case managers, probation officers, and professionals such as psychologists or counselors. In Louisiana, 13 district courts operate specialty courts other than drug courts such as DWI/Sobriety courts, Re-entry courts, Veteran’s courts, and Mental Health/Behavioral Health courts. However, while all 13 courts reported tracking some type of outcome measure, no standardized reporting of outcomes for these courts exists.

In addition, 26 (61.9%) of the 42 judicial districts reported having one or more drug courts, which are the most common type of specialty court across the nation. Drug courts involve a tailored, phased treatment system. The Louisiana Supreme Court provides funding, administrative support, and oversight for drug courts. It collects data on participants, the number of hours of treatment performed, and tracks the various programs for compliance with the program’s standards. According to the Supreme Court, in 2014, Louisiana drug courts served 4,926 participants and had a graduation rate of 43% with a total cost of \$17,140,308, or an average of \$3,480 per participant. Since the drug court’s inception, the Supreme Court reported a total of 8,949 graduates. Graduates in 2012 had a 10.2% recidivism rate as 89.8% remained free of additional convictions three years after graduation. Exhibit 4 on the following page provides examples of specialty courts in Louisiana and the number of judicial districts with each type. Appendix F shows the types of specialty courts in each judicial district along with budget and participation numbers.

⁵ National Center for State Courts, “Getting Smarter About Sentencing: NCSC’s Sentencing Reform Survey,” Williamsburg, Va., 2006.

Exhibit 4 Types of Specialty Courts Fiscal Year 2014		
Court Type	Number of Judicial Districts	Description
Drug Court	26	Addresses substance abuse through a tailored, phased treatment program, including judicial oversight and community supervision. Louisiana has both adult and juvenile drug courts.
DWI/Sobriety Court	6	Accountability court dedicated to changing the behavior of DWI offenders through intensive treatment and supervision. These courts are post-conviction.
Family Preservation Court/Domestic Violence Court	6	Addresses needs of offenders charged with child abuse, domestic violence, or failure to pay child support. Participants receive counseling, which may include in-patient or out-patient counseling.
Re-entry Court	5	Supervision and treatment program for less serious nonviolent offenders, including drug testing and counseling, educational opportunities, and employment assistance. Offenders serve time at Louisiana State Penitentiary and are paired with a mentor who may be serving a life sentence.
Veteran’s Court	5	Addresses war-related illnesses, such as Post Traumatic Stress Disorder, that may contribute to substance abuse, domestic violence, and arrests. Veterans work out their sentence through treatment, counseling, and community service.
Mental Health Court (Adult/Juvenile)	5	Addresses the needs of offenders with mental illness, who have a wide range of charges, through treatment plans and monitoring requirements. Participants may also receive substance abuse treatment.
Source: Prepared by legislative auditor’s staff using self-reported survey data.		

The Louisiana Supreme Court estimates that each offender sent to drug court instead of prison saves \$29,390 for offenders in state facilities and \$7,913 for offenders in local facilities over a two-year period. Applying these estimates to actual DOC data, we found that 8,822 offenders had drug possession *only* charges in their criminal histories. Housing these offenders in a local facility for two years would cost approximately \$157.2 million, while sending these offenders through drug court would cost approximately \$87.3 million, a savings of approximately \$69.8 million.⁶ In order to place more offenders in specialty courts, however, community resources, such as substance abuse treatment, must be available.

Other states have recently expanded specialty courts. For example, in 2014, Mississippi reinvested \$10.8 million of averted prison spending into specialty courts as part of a large reform package that is expected to save the state \$266 million through 2024 by reducing the incarceration rate. In Louisiana, there has been legislative interest in expanding specialty courts. For example, in the 2016 Regular Session, Act 221 created re-entry courts in three judicial districts, and Senate Concurrent Resolution 117 commended the Louisiana Supreme Court on the effectiveness of drug courts and requested a report on plans and proposals to expand other specialty courts by February 1, 2017.

⁶ This estimate assumes that all 8,822 offenders would be deemed eligible for drug court.

Matter for Legislative Consideration 1: The Legislature may wish to consider designating an entity to collect consistent and standardized cost and performance outcomes for pretrial diversion programs in order to determine the effectiveness of these programs.

Matter for Legislative Consideration 2: The Legislature may wish to consider requiring other specialty courts to collect consistent and standardized cost and performance outcomes similar to drug courts so that it can better determine whether these programs are effective.

Sentencing reforms, including reducing the use of mandatory minimum sentences and the habitual offender law for nonviolent offenders, and sentencing certain nonviolent offenders to probation instead of prison could reduce the incarceration rate.

Louisiana’s laws directly affect the state’s incarceration rate as they affect who goes to jail and for how long. In Louisiana, sentences, or the penalties assigned to crimes, are written into the same laws that establish the crimes. This means that each crime in Louisiana carries a unique sentence in law that prescribes a term of incarceration, a fine, or both. In addition, sentencing enhancements, like the habitual offender law, are included in statute and can be used to add increased penalties for offenders who have been previously convicted of a crime. Appendix G shows all Louisiana statutes that offenders were convicted under from fiscal year 2009 to 2015. It also includes whether the crime carries a mandatory minimum and whether offenders were sentenced under the habitual offender law for that crime.

Previous reform efforts have not typically focused on sentencing because of its complexity and the difficulty in building consensus among different entities. While some reforms, such as legislation removing some mandatory minimum sentences, have tried to address the impact of sentencing, new mandatory minimum sentences are often placed into law that counteract previous reform efforts. As discussed below, new sentencing reforms, particularly for nonviolent offenses, could reduce the incarceration rate and ensure that sentences are proportional to the crime committed.

More than half of the mandatory minimum laws in Louisiana are for nonviolent crimes. Mandatory minimum sentences contribute to a high incarceration rate as offenders must be sentenced to incarceration instead of supervision. Louisiana has 599 statutes in Titles 14 and 40. Of these, there are at least 164 mandatory minimum sentences – 91 (55.5%) for nonviolent crimes and 73 (44.5%) for violent crimes.⁷ Sentences are considered mandatory minimums if the statute includes some or all of the phrase “without benefit of probation, parole, or suspension of sentence.” However, some offenders sentenced under mandatory minimum sentences are able to earn good time credits that contribute to early release

⁷ In Titles 14 and 40, there are more nonviolent crimes in total than violent crimes which could contribute to the higher number of nonviolent mandatory minimum sentences.

to good time parole if eligible.⁸ Article 890.1 of the Louisiana Code of Criminal Procedure allows judges and district attorneys to waive the use of mandatory minimum sentences as long as they both agree; however, judges and public defenders we interviewed stated that these waivers are rare because it can be difficult for judges and district attorneys to reach an agreement.

Mandatory minimum sentences dictate the lowest sentence of incarceration a judge can order for certain crimes. Statutes that carry mandatory minimum sentences remove judicial discretion in sentencing. This can lead to a high incarceration rate, particularly for nonviolent offenders who may not have been sentenced to incarceration or who may have been sentenced to a lower amount of time had the mandatory minimum sentence not been in place. Additionally, according to the National Conference of State Legislatures, mandatory minimums actually shift sentencing discretion from judges to prosecutors because prosecutors can choose whether to charge an offender with an offense that carries a mandatory minimum sentence or to offer a plea bargain to a lesser crime or one that does not carry a mandatory minimum.

In 2001, Louisiana passed Act 403, which removed several mandatory minimum sentences for nonviolent crimes; however, some of these sentences, like the mandatory sentence for Simple Burglary of a Pharmacy, have been placed back into law. Additionally, mandatory minimum sentences are often increased in law. For example, Act 368 of the 2014 Regular Session increased the mandatory minimum sentence for the crime of manufacture of, distribution of, or possession with intent to distribute Schedule I narcotics from five to 10 years. In 2014, the Louisiana Sentencing Commission recommended in its report to the Governor and the Legislature, a modification of mandatory minimum sentencing that would allow the court to sentence a defendant charged with crimes requiring a mandatory minimum sentence to a lesser penalty if substantial and compelling reasons exist to do so, but no legislation allowing for the implementation of this recommendation was introduced. Other states have implemented similar provisions. For example, in 2014, Mississippi gave judges the option to bypass mandatory minimum sentences for drug trafficking offenses when the sentence is not in the interest of public safety.

The habitual offender law allows for enhanced sentences for offenders with two or more convictions, even for nonviolent crimes. This means that nonviolent offenders could serve long sentences for a series of minor crimes. We found that 77.5% of cases sentenced under the habitual offender law were for nonviolent offenses.⁹

A **third-time offender** sentenced under the habitual offender law for manufacture or distribution of marijuana would be sentenced to 20 to 60 years, as opposed to five to 30 years if not convicted as a habitual offender.

Under the habitual offender law, offenders who commit a second or subsequent felony within 10 years of completing a sentence for a previous felony conviction may be prosecuted as a habitual offender. This law increases the minimum sentence length an offender can receive. The use of the habitual offender law, in part, contributes to the high incarceration rate because sentences enhanced by the law may be much longer than sentences not enhanced by the law. According to DOC data, 15,235 of the 344,366 (4.4%) cases

⁸ Any person convicted of a sex crime, second-conviction violent crime, or as a habitual offender for a sex or violent crime is automatically ineligible for good time. Offenders sentenced to life imprisonment may earn good time that can be applied at such time as the offender’s sentence is commuted to a specific number of years.

⁹ Previous convictions may have been for violent crimes.

for offenders in our scope were habitual offender cases.¹⁰ Out of these cases, however, only 22.5% (3,434 of 15,235) included violent crime convictions. This means that 77.5% (11,801 of 15,235) of habitual offender cases were for nonviolent offenses.

Some states have incorporated reforms targeting sentencing enhancements and habitual offender laws, including Kentucky and North Carolina. In 2011, Kentucky passed a reform package bill that included a provision to eliminate sentencing enhancements for second and subsequent drug possession offenses and prohibit the use of the persistent felony offender statute when a defendant is charged with felony drug possession. In 2011, North Carolina modified the habitual offender law by introducing graduated sentencing enhancements to make sentences more proportional to the severity of the underlying conviction. As a result of these and other reforms, North Carolina has experienced an eight percent drop in its prison population, and the percentage of individuals entering prison has dropped by 21 percent. In addition, in fiscal year 2014, the state saved \$48 million and closed 10 prisons.

Additional sentencing reforms could reduce Louisiana's incarceration rate by directing nonviolent offenders to probation or community programming instead of prison. As stated previously, 58.6% of offenders in Louisiana were incarcerated for only nonviolent offenses. Other states, including Alabama, Arkansas, Mississippi, and South Carolina that also have a high percentage of nonviolent offenders, have recently implemented reforms to allow for the use of probation or community programs instead of incarceration for the sentencing of certain nonviolent offenses. In Alabama, this reform was incorporated by adding a new class into the penalty classification system that targets low-level, nonviolent offenses. For example, low-level property offenses, like Theft of Property in the Third Degree, and drug offenses, like possession of a controlled substance,¹¹ are now both considered a Class D felony; the penalty requires judges to sentence offenders to a community program where available or probation for a period of two years. In Mississippi, legislation expanded judicial discretion to order drug court or non-adjudicated probation for all drug offenders except traffickers.

Introducing the ability to sentence offenders in Louisiana directly to probation or community programming for low-level, nonviolent offenses would result in a cost savings to the state as offenders would be diverted from incarceration to probation, which is less expensive. For example, using DOC data we identified 4,065 offenders convicted of Schedule IV drug possession from fiscal years 2009 to 2015. According to the data, this crime carries a median sentence of three years. If sentenced to probation for two years instead of incarceration for the median sentence, the cost savings for these offenders would be between approximately \$101 and \$232 million depending on whether they were housed in a state or local facility. Exhibit 5 on the following page illustrates the potential cost savings for the 4,065 offenders.

¹⁰ These 15,235 (4.4%) cases, which include cases prior to fiscal year 2009, represent 10% of all offenders, as many offenders have multiple cases in their history.

¹¹ Unlawful Possession in Alabama covers the possession of controlled substances in all drug schedules I-V except for marijuana.

Exhibit 5	
Probation Cost Savings for 4,065 Offenders Convicted of Possession of Schedule IV Drug	
Fiscal Years 2009-2015	
In State Facility	
Incarceration for three-year median sentence ¹²	\$239,592,695.51
Probation for two years	7,661,264.85
Cost savings	\$231,931,430.66
In Local Facility	
Incarceration for three-year median sentence	\$108,638,517.26
Probation for two years	7,661,264.85
Cost savings	\$100,977,252.41
Prepared by legislative auditor’s staff using budget information and unaudited data from the Corrections and Justice Unified Network (CAJUN) database.	

Matter for Legislative Consideration 3: The Legislature may wish to evaluate the effects mandatory minimum sentences have on Louisiana’s incarceration rate and consider reducing the number of mandatory minimum sentences for some nonviolent offenses.

Matter for Legislative Consideration 4: The Legislature may wish to evaluate the effects the habitual offender law has on Louisiana’s incarceration rate and consider narrowing its use to exclude some nonviolent offenders.

Matter for Legislative Consideration 5: The Legislature may wish to evaluate how sentences for nonviolent offenders affect Louisiana’s incarceration rate and consider including provisions that require sentencing of certain nonviolent offenders to probation or community programming in lieu of incarceration.

Expanding rehabilitation programs in local facilities that are effective at decreasing recidivism would help reduce the incarceration rate. Although local jails house more nonviolent offenders, they have fewer rehabilitation programs and higher recidivism rates than state facilities.

Using DOC data, we found that of the 55,605 offenders incarcerated on average each year during fiscal years 2009 to 2015,¹³ more than half (29,936 or 53.8%) were incarcerated in a local jail. In addition, from fiscal year 2009 to 2015, the average total sentence for offenders in local facilities was

<p>Louisiana houses more offenders in local facilities than any other state. According to the Bureau of Justice Statistics, Louisiana housed 50.8% of state offenders in local facilities. Kentucky was the next highest at 41.4%.</p>
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¹² This example assumes these offenders served their full sentence.

¹³ Fiscal year 2015 is only through May 15, 2015.

approximately five years, which means offenders in local jails are released more frequently than offenders in state facilities where the average sentence is approximately 11 years.¹⁴ DOC estimates that 14,500 (80.6%) of the 18,000 discharges every year are from local jails.

Currently, DOC offers a variety of certified treatment and rehabilitation programs (CTRP) that eligible offenders can participate in to receive good time credit. These programs include basic education courses such as GED or high school equivalency classes, faith-based programs such as Bible and values courses, treatment programs for issues such as substance abuse, and job skills such as welding or automotive technology. According to the 2014 Government Efficiencies Management Support (GEMS) report,¹⁵ expanding CTRP programming could save approximately \$6.5 million per year. However, DOC does not require that all local facilities offer these programs. As a result, some local facilities may offer no programs, while others place heavy emphasis on rehabilitation programs, such as the Lafayette Parish Sheriff’s Office, which is also a certified substance abuse treatment provider. According to DOC, of the 105 local facilities that house state offenders, 46 (43.8%) offer no treatment programs. The lack of effective rehabilitation programs at local facilities may be one reason why local jails have higher recidivism rates than state facilities, as shown in Exhibit 6.

Exhibit 6 1, 3, and 5-Year Recidivism Rates for State Offenders Released from State Institutions and Local Jails		
Year	Local	State
	Recidivism Rate	Recidivism Rate
1 st Year	17.6%	15.5%
3 rd Year	37.1%	34.4%
5 th Year	44.9%	41.3%

Source: Prepared by legislative auditor’s staff using information from DOC’s 2015 Briefing Book. These rates are for offenders released in 2009 and the most current recidivism rates for the 5th year of release.

According to DOC, the primary reason local facilities do not offer these programs is lack of funding. In fiscal year 2015, local jails received approximately \$171.5 million, or 25% of DOC’s total budget. DOC pays local facilities \$24.39 per offender per day. According to the Louisiana Legislative Fiscal Office’s (LFO) survey of southern states,¹⁶ as of July 2014, the average per diem among states that used local jails was \$26.67 and ranged from a low of \$12.00 in Virginia to \$49.53 in Tennessee. This survey also reported that DOC spent only 1.2% on rehabilitation programs at both state and local facilities, which was the lowest among other southern states.¹⁷ To address these funding issues, DOC has used a mix of state and local funding to expand good time approved rehabilitation programs at local jails. DOC also has 20 transition specialists who serve 25 local facilities, teaching good time approved courses.¹⁸ Because of this, enrollment in CTRP courses in local facilities has increased by 944%, from

¹⁴ The average excludes life and death sentences.

¹⁵ The Division of Administration contracted with Alvarez and Marsal to research and recommend cost-savings strategies in state agencies. These recommendations were outlined in the GEMS report issued May 2014.

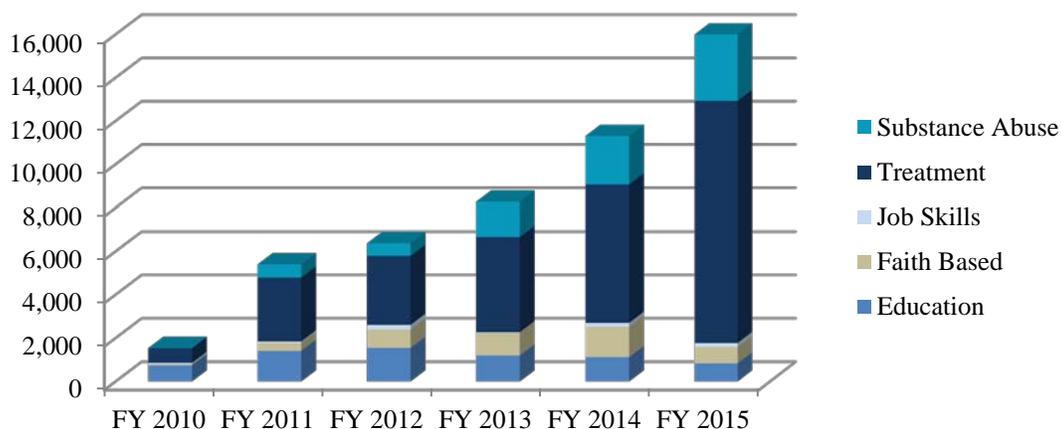
¹⁶ LFO, “Survey of Adult Correctional Systems: A Report Submitted to the Fiscal Affairs and Government Operations Committee,” 2014. LFO compiles this report every year based on a survey of other southern states.

¹⁷ Louisiana was the lowest among the southern states offering rehabilitative programs.

¹⁸ These transition specialists are funded by implementing recommendations from GEMS. These recommendations resulted in savings by expanding access to certified treatment rehabilitation programs, allowing more offenders to earn credits and be released earlier.

1,555 in fiscal year 2010 to 16,234 in fiscal year 2015. Exhibit 7 summarizes the number of participants by category of CTRP programs from fiscal years 2010 to 2015.

Exhibit 7
Participation in Rehabilitation Programs
Fiscal Years (FY) 2010 to 2015



Source: Prepared by legislative auditor’s staff using statistics from DOC.

DOC is also considering a graduated per diem structure where the per diem rate for local jail facilities would vary based on the availability of treatment and re-entry programs provided. Facilities offering no programming would receive a lower per diem rate than those facilities providing programming. The goal of this structure would be to increase re-entry services at the local level; however, this structure has not yet been established.

Although it may not be possible for local facilities to offer a wide array of treatment programs, it is important that the ones they do offer are effective. However, DOC does not measure recidivism by individual program which would help it determine effectiveness. Although DOC calculates recidivism for educational programming as a whole and for substance abuse treatment at its Blue Walters program,¹⁹ DOC does not currently measure recidivism for each individual rehabilitation program. Without this information, DOC cannot determine whether the programs it offers are working. In the absence of recidivism data, DOC could use evidence based programs to ensure that the programs it offers are effective. Programs are considered evidence based if they have been rigorously evaluated and these evaluations show that the program produces the expected positive results (such as reduced recidivism) that can be attributed to the program itself rather than to other extraneous factors. Some states require the use of evidence-based practices. For example, legislation in Kentucky mandates that 75% of expenditures for supervision and intervention programs be spent on evidence-based programs by 2016. Using Washington State Institute for Public Policy’s inventory of evidence-based programs for adult corrections,²⁰ we found that DOC currently offers two evidence-based

¹⁹ Blue Walters is a 90-day substance abuse treatment program at Richwood Correctional Facility in Monroe, Louisiana.

²⁰ Steve Aos, Marna Miller, and Elizabeth Drake. “Evidence-Based Adult Corrections Programs: What Works and What Does Not,” Washington State Institute for Public Policy, 2006.

cognitive behavioral programs (Moral Reconciliation Therapy and Thinking for a Change) at local facilities that have been proven to reduce recidivism by 8.2%. A total of 44 local facilities offered these treatment programs, but only 192 offenders participated in them in fiscal year 2015.

Even when local facilities offer rehabilitation programs, offenders often transfer frequently, which can disrupt participation. While some transfers are due to court appearances, substance abuse treatment, or medical issues, those housed in local facilities may be transferred to other facilities so that empty beds can be filled. Such transfers do not take an offender's rehabilitation needs into account, and offenders may be sent to a facility with little or no resources to meet their needs. For example, one offender was transferred 22 times in four years and often spent less than one month in a local facility before being transferred. Currently, local facilities have to notify DOC when offenders are transferred, but DOC does not have any criteria for when offenders should or should not be transferred between local facilities.

Recommendation 1: DOC should evaluate recidivism and/or other outcomes for each of its rehabilitation programs so that it can target its resources toward programs that are proven to work.

Summary of Management's Response: DOC agrees with this recommendation; however, the department noted an inherent difficulty in determining the effectiveness of individual programs in reducing recidivism as offenders often participate in multiple programs prior to release.

Recommendation 2: DOC should require that transfers between local facilities take into account an offender's participation in treatment programs.

Summary of Management's Response: DOC agrees with this recommendation and stated it currently takes participation in rehabilitation into consideration if information about the participation is entered into CAJUN, the department's data system, by transition specialists at the local level.

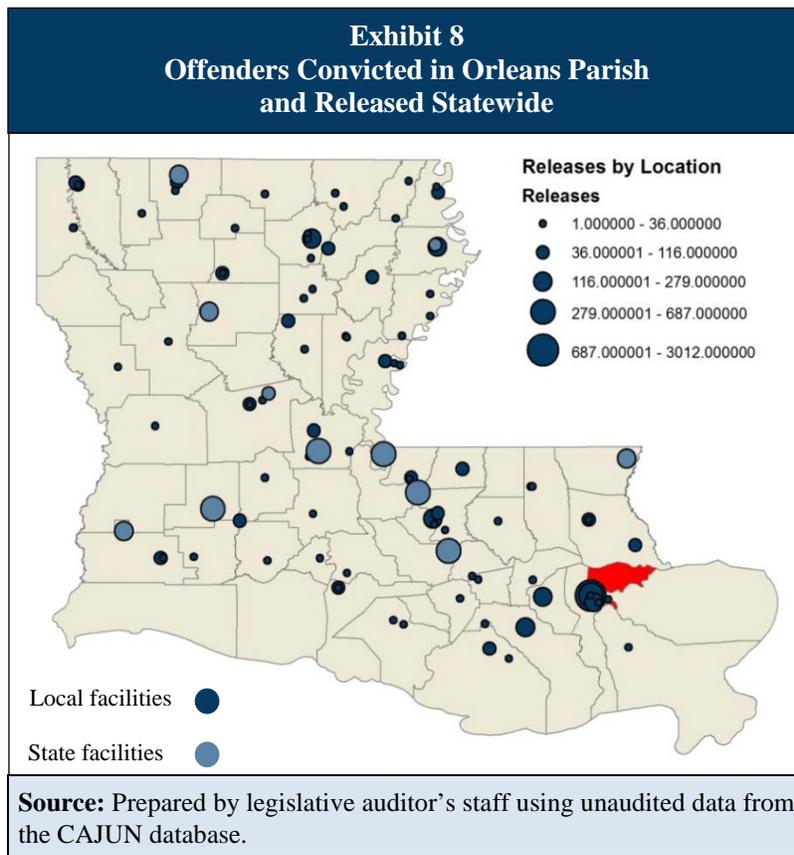
Matter for Legislative Consideration 6: The Legislature may wish to consider requiring that local facilities offer specific evidence-based programs.

Further expanding re-entry services at the local level to help offenders transition back into society would help reduce Louisiana's incarceration rate through decreased recidivism. Re-entry programs can reduce recidivism by 32% and save approximately \$14 million per year.

Re-entry programs assist offenders in transitioning back into society after incarceration and can lead to reduced recidivism. Once released, offenders are often placed back into the same social setting that may have contributed to their commission of a crime. To help with this transition, offenders can take a 100-hour re-entry program prior to release, which includes courses such as anger management, employment skills, job placement assistance, money

management, and problem solving. The re-entry program also assists offenders in procuring needed documents such as state identification cards and social security cards. According to the GEMS report, DOC re-entry programs are reducing recidivism by as much as 32%. However, as with rehabilitation programs, all state facilities offer re-entry programming but not all local facilities do. According to DOC data, only 40 (38.1%) of the 105 local facilities offer the 100-hour program.

Expanding re-entry to all local facilities is important since offenders are often released from facilities far from their homes. Offenders released from facilities with no re-entry program may not be linked with services, housing, or employment in their communities and may be more likely to recidivate. As offenders return to society, they can be faced with many environmental challenges like unemployment, poverty, substance abuse, and mental health issues. Linkage with resources in the offender’s community that address these issues is important in reducing recidivism and assisting offenders to become productive citizens. For example, an offender sentenced in Orleans Parish who intends to return there after release may be released from a facility in North Louisiana that does not offer re-entry programs. Once the offender returns to New Orleans, he may not be linked to local services to help him find employment or housing in the region. Exhibit 8 shows from where in the state all offenders convicted in Orleans Parish²¹ were released between fiscal years 2009 and 2015. Approximately 62.8% of releases were from local facilities, while 34.4% were from state facilities.²²



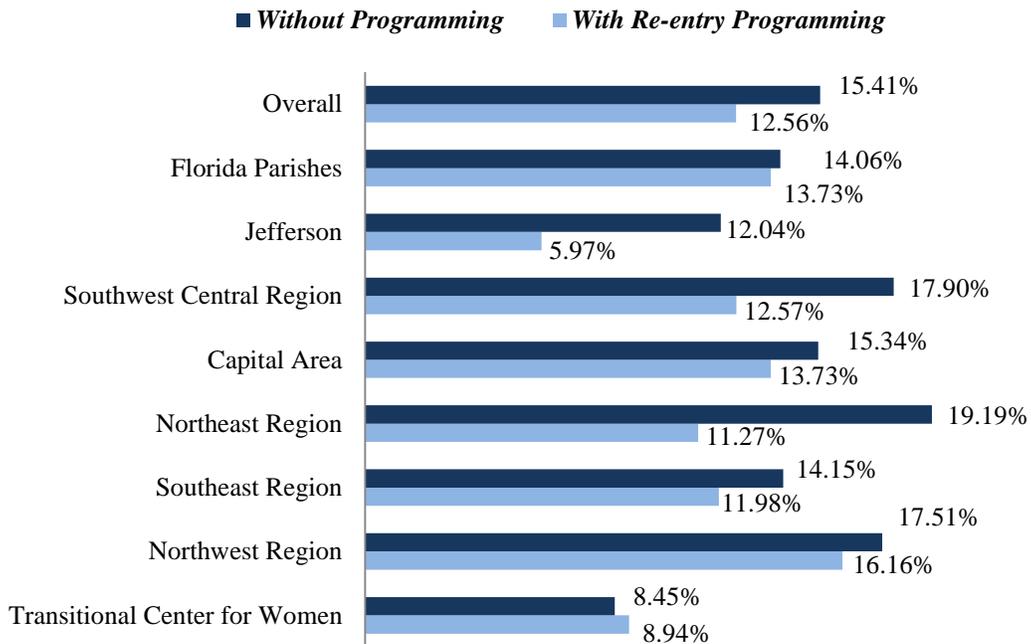
²¹ Orleans Parish has the largest number of convictions statewide.

²² The remaining 2.8% were released from other facilities including out-of-state facilities.

In an effort to expand re-entry resources at the local level and allow offenders to receive re-entry programming near their communities, DOC has opened nine regional re-entry centers where local offenders go to complete the 100-hour program. Each regional re-entry center can serve 600 offenders per year. However, while DOC has seen large growth in the number of offenders participating in the re-entry program since 2009, not all offenders are able to participate as an average of 14,500 offenders are released from local facilities each year. The GEMS report estimated that opening additional re-entry centers could save approximately \$14 million per year. According to the report, increasing investment in effective re-entry programs that reduce recidivism and result in cost savings not only provides an opportunity to reduce crime and improve public safety but also significantly reduces the prison population and the cost of re-incarceration.

DOC’s analysis of recidivism for offenders in re-entry programs found an overall reduction in recidivism for those who participated in the program versus those who did not. Overall, 12.5% of offenders with re-entry programming in fiscal year 2014 returned within one year versus 15.4% of offenders with no programming. Exhibit 9 shows recidivism by each re-entry center.

**Exhibit 9
One-Year Recidivism with Re-entry Programs Compared to No Programs
Fiscal Year 2014**



Source: Prepared by legislative auditor’s staff using data from DOC.

DOC's use of a risk and needs assessment will help it prioritize offenders for the re-entry program and develop individualized re-entry plans for those offenders most likely to re-offend. According to the National Conference of State Legislatures,²³ risk and needs assessments help identify appropriate programs, treatments, and services, which enables states to target corrections resources more effectively. North Carolina, South Carolina, and Georgia all use risk and needs assessments to develop and individualize supervision plans and re-entry conditions. In April 2015, DOC received a Justice Reinvestment Initiative grant to develop a risk and needs assessment tool based on evidence-based principles of “risk, need, and responsivity.” The risk assessment was created by Louisiana State University and is called the Targeted Intervention Gaining Enhanced Reentry (TIGER) instrument. DOC plans to use the risk assessment at various decision points to help determine appropriate interventions. According to DOC, the tool will provide objective, evidence-based recommendations and guide case planning. In addition to re-entry planning, this tool could ultimately be used by courts to inform sentencing decisions, by local jails to determine which rehabilitation programs offenders should take, and by probation and parole to provide information on appropriate supervision levels.

Recommendation 3: DOC should work with the Legislature to obtain the funding needed to expand re-entry programs at the local level.

Summary of Management's Response: DOC agrees with this recommendation and stated that despite reduction in staff it has continued in its efforts to expand re-entry programming at the local level through the expansion of re-entry centers, opening of day reporting centers, expansion of adult basic education programs, opening of a transitional work program for women, expansion of residential substance abuse treatment beds, and the use of federal Pell Grants to provide education classes at the local level.

Recommendation 4: Once the TIGER risk and needs assessment is finalized, DOC should use it to identify those offenders most likely to benefit from re-entry programs and ensure that those offenders are able to participate.

Summary of Management's Response: DOC agrees with this recommendation and stated the purpose of the TIGER tool is to target programming based on the individual needs of each offender. Additionally, the department is considering a policy change that would require that offenders complete an entire case plan prior to receiving early release credits to ensure offenders successfully participate in all TIGER recommended individualized programming.

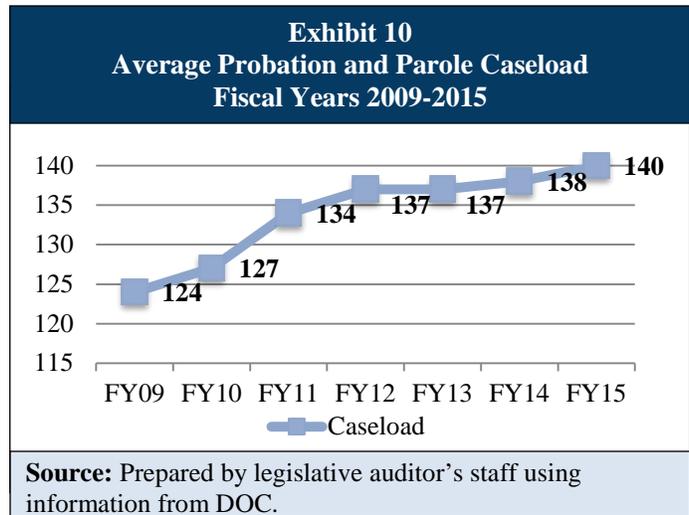
²³ National Conference of State Legislatures, “Principles of Effective State Sentencing and Corrections Policy,” August 2011.

Because reform efforts have resulted in more offenders on parole, the caseloads of probation and parole officers have increased by 12.9%. Expanding strategies to reduce the amount of supervision required for low-risk, nonviolent offenders could reduce the incarceration rate by focusing probation and parole resources on offenders most likely to re-offend.

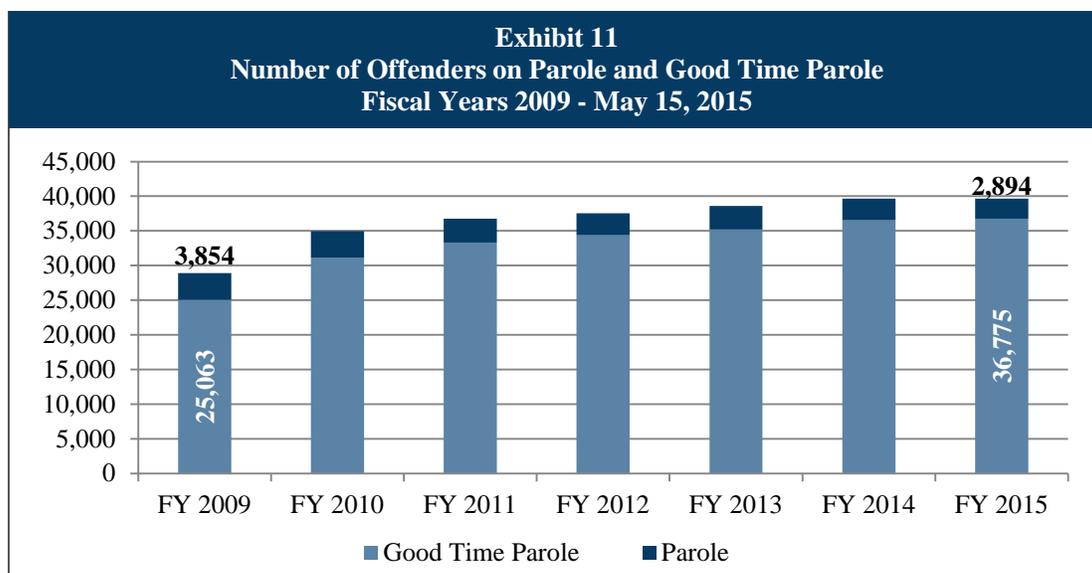
In fiscal year 2015, DOC had 511 officers to supervise 71,917 offenders on probation and parole. Since 2009, average caseloads have increased by 12.9%, as shown in Exhibit 10. These increases are due to reforms that have increased the number of offenders released on parole and decreased parole revocations as discussed in the following paragraphs.

Since 2009, Louisiana has increased the number of offenders released on good time parole by 46.7%, from 25,063 in 2009 to 36,775 in 2015.

Offenders can be released early from prison on either traditional or good time parole. Traditional parole is a release prior to full sentence served for eligible offenses, which must be approved by the Louisiana Pardon and Parole Board’s Committee on Parole. Good time parole is a set rate of time that an eligible offender can earn for good behavior and self-improvement activities to reduce prison time. See Appendix H for an explanation of the differences between good time parole and traditional parole eligibility and how time is accrued for good time parole. In 2011 and 2012, Louisiana reformed good time and parole eligibility requirements and reduced the amount of time offenders have to be incarcerated prior to release, which increased the number of offenders eligible for early release and allowed eligible offenders to be released earlier. Exhibit 11 summarizes the number of offenders released on traditional and good time parole from fiscal year 2009 to 2015. As a result of the increase in releases to parole, more offenders are now being supervised in the community by DOC’s Probation and Parole.



A good time-eligible offender with a three-year sentence housed in a state facility with no disciplinary issues would automatically be released in 1.2 years or in 9.5 months if that offender took the maximum number of certified treatment rehabilitation program courses.



Source: Prepared by legislative auditor’s staff using unaudited data from the CAJUN database.

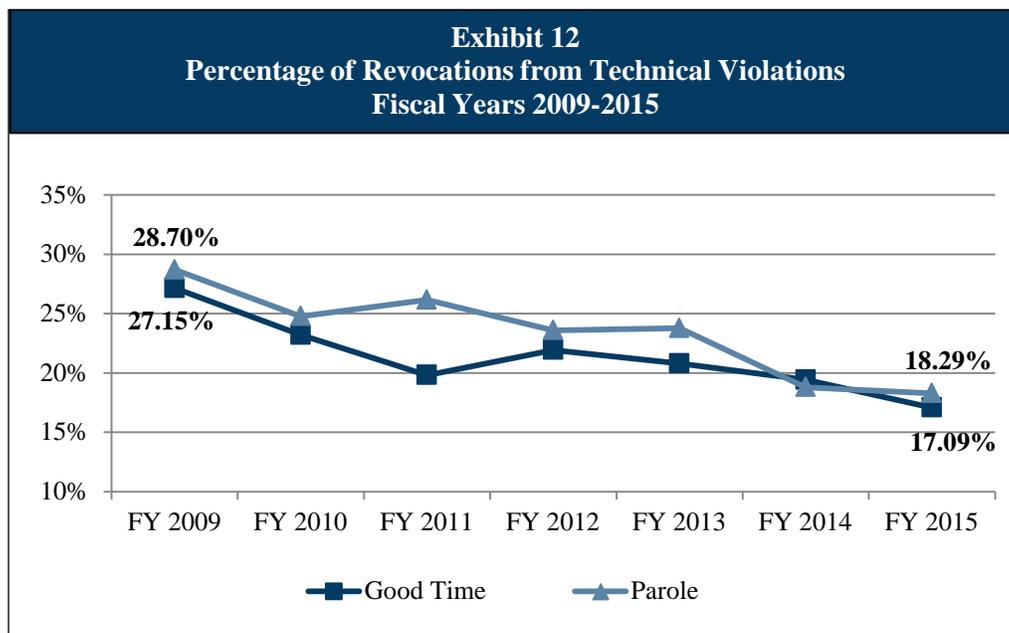
Additionally, fewer offenders have returned to prison because of technical violations. Since 2009, the number of parole revocations due to technical violations has decreased by 37.2% from 27.3% (1,211 of 4,435 revocations) in fiscal year 2009 to 17.1% (648 of 3,781) in fiscal year 2015.²⁴ Offenders released on parole are subject to certain conditions they must abide by for the duration of supervision and are monitored by DOC. Conditions include meeting court-required obligations such as paying child support, refraining from owning or possessing firearms, permitting visits from the parole officer, and paying fees. Offenders can have their parole status revoked because of a violation of any of these conditions – called a technical violation – or the commission of a new crime. In Louisiana, the Justice Reinvestment Initiative²⁵ found that 23.6% of 2009 prison admissions were because of technical violations of parole.

To address revocations, reforms were passed in Louisiana to allow probation and parole officers to use alternatives to re-incarceration, such as allowing DOC to sanction offenders administratively without returning to court for approval or reducing the amount of time offenders have to return to prison. For example, Act 402 of the 2007 Regular Legislative Session allowed offenders who violated parole conditions to spend up to 90 days in jail in lieu of revocation. According to an evaluation conducted by The Pew Charitable Trusts in 2014, this legislation resulted in the decreased use of approximately 2,034 jail and prison beds a year and saved taxpayers an average of \$17.76 million in annual corrections costs. Other reforms, such as the use of graduated sanctions and day reporting centers have also contributed to the decrease in revocations. Exhibit 12 illustrates how the number of revocations has decreased since 2009. While the decrease in revocations has contributed to lowering the state’s incarceration rate, it

²⁴ Our analysis of technical revocations does not include probation revocations because the CAJUN database does not accurately collect technical revocations for probation.

²⁵ Urban Institute and Bureau of Justice Assistance, “Justice Reinvestment Initiative State Assessment Report,” January 2014.

also means more offenders are under the supervision of DOC’s Probation and Parole, which increases its caseload.



Source: Prepared by legislative auditor’s staff using unaudited CAJUN data.

Expanding strategies to reduce supervision levels of low-risk offenders can decrease re-incarceration of offenders by reducing caseloads, allowing DOC to focus limited resources on high-risk offenders who are more likely to re-offend. However, DOC should determine if current efforts to reduce the supervision levels of low-risk offenders are effective. According to The Pew Charitable Trusts,²⁶ moderate- to high-risk offenders benefit the most from supervision while low-risk offenders often do worse under these conditions. In addition, low-risk offenders on probation and parole who are compliant with all conditions reduce the intensity of supervision of high-risk offenders who are more likely to benefit from supervision and programs. To address this issue, some states are implementing different options for supervising low-risk offenders including administrative supervision, risk-based supervision levels, early termination of supervision, and compliance credits. These options can reduce caseloads of probation and parole officers, reduce supervision costs, and reduce recidivism.

As of April 2016, Louisiana has 6,619 offenders on administrative supervision and 633 offenders on suspended probation or parole status. These offenders are not required to be seen in the field or to report to their district office as long as all conditions of supervision are met. However, DOC does not currently measure whether offenders on reduced supervision are able to complete supervision without committing a new crime or having their status revoked. This information would provide evidence that reduced supervision levels are effective and successful. Additionally, according to Pew, the use of a validated risk and needs assessment tool that measures the probability of an offender re-offending is a best practice of community corrections.

²⁶ Pew Center on the States’ Public Safety Performance Project, “Policy Framework to Strengthen Community Corrections,” December 2008.

As mentioned earlier, Louisiana has developed a risk and needs assessment tool (TIGER) that will help it implement risk-based supervision. According to DOC, TIGER is 133% better at predicting the likelihood of recidivism than is its current risk assessment tool (LARNA). DOC is in the process of finalizing the TIGER risk and needs assessment tool and will be moving to implement the tool soon.

Once TIGER is implemented and DOC demonstrates that reduced supervision levels are appropriate and successful, DOC could also pursue additional reforms that allow for early termination of parole or compliance credits for parole for low-risk offenders. For example, other states, like Arkansas and Mississippi, have implemented early termination of parole and/or compliance credits for parole in order to reduce the number of low-risk offenders who comply with parole conditions. Exhibit 13 summarizes the other options not currently used in Louisiana and examples from states that have used them.

Exhibit 13 Options for Supervising Low-risk Offenders		
Type	Description	State Examples
Early Termination	Courts have the discretion to grant early termination of a sentence if all requirements have been met, such as restitution paid in full.	Arkansas granted authority to its corrections department to discharge offenders at half of their community supervision term if they have complied with court-ordered requirements.
Compliance Credits	Provides offenders on supervision with a monthly credit if they comply with supervision requirements.	Mississippi allows offenders in supervision to earn time off their sentence by complying with court-ordered conditions.

Source: National Conference of State Legislatures, “Principles of Effective State Sentencing and Corrections Policy” and the Pew Charitable Trusts Public Safety Performance Project Issue Briefs.

Recommendation 5: DOC should evaluate whether its current efforts regarding reduced supervision levels for low-risk offenders are effective. If these efforts demonstrate success, DOC should consider expanding the use of reduced supervision levels, including the feasibility of early termination of supervision.

Summary of Management’s Response: DOC agrees in part with this recommendation. The department stated that it agrees with the concept of reduced levels of supervision but is concerned about the potential negative impact to public safety that could result from the expansion of reduced supervision to medium-risk offenders. Additionally, the department stated that early termination of parole and good time supervision would require legislative changes.

LLA Additional Comments: Our recommendation is for DOC to consider expanding strategies for low-risk offenders only.

APPENDIX A: MANAGEMENT'S RESPONSE

Department of Public Safety & Corrections
State of Louisiana

JOHN BEL EDWARDS
GOVERNOR



JAMES M. LE BLANC
SECRETARY

August 2, 2016

Daryl G. Purpera, CPA, CFE, Legislative Auditor
Louisiana Legislative Auditor's Office
P.O. Box 94397
Baton Rouge, LA 70804-9397

Dear Mr. Purpera:

Thank you for allowing the Department of Public Safety and Corrections – Corrections Services to review and respond to the informational audit report evaluating strategies to reduce Louisiana's incarceration rate and costs for non-violent offenders. Enclosed you will find the completed checklist for audit recommendations. I'd also like to add the following comments:

Recommendation 1: Agree

Existing programs currently provided by the Department such as "Living in Balance" and the 100 hour pre-release curriculum have already been nationally validated. While the Department agrees with the recommendation to further evaluate, we would also like to note the inherent difficulty in determining the effectiveness of each individual program on reducing recidivism rates with certainty as offenders usually take multiple programs prior to releasing.

Recommendation 2: Agree

The Department agrees with this recommendation and currently takes this into consideration provided that the offender's treatment program participation information has been entered into CAJUN by the transition specialist at the local level.

Recommendation 3: Agree

The Department also agrees with this recommendation and would like to comment that we continue our attempts at expanding and further building upon reentry programs at the local level. Over the past three years and despite losing approximately 2,000 positions, the Department has invested in the expansion of reentry centers statewide to a total of nine (8 male centers and 1 female) in order to provide offenders with access to reentry programming that helps them better transition back into the community, which in turn reduces recidivism. The programs are designed to provide workforce readiness; life skills training; two forms of identification; a résumé, residence and employment planning; and connection with needed post-release community resources. The Department also opened a

total of eight day reporting centers (4 recently closed due to budget cuts), and deployed twenty transition specialists to twenty-eight local jails to offer rehabilitative programs such as Thinking for Change; Understanding and Reducing Angry Feelings; Louisiana Risk Management Model (Phases 1 and 2); Partners in Parenting; and the Standardized Pre-release Curriculum 2010. In addition, DOC has expanded adult basic education programs into thirteen local jails; opened a 500 bed transitional work program for females; expanded residential substance abuse treatment beds; and utilized federal Pell Grant funds to provide offenders housed at the local level with education classes.

Recommendation 4: Agree

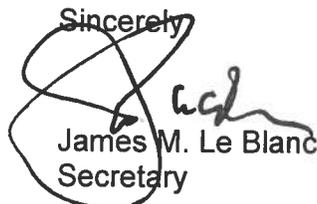
The Department agrees and notes that part of the overall purpose of TIGER is to ensure that the Department focuses programming on those offenders that need it and does not over program those that do not. Furthermore, the Department is also considering a policy change that would require an offender to complete his or her entire case plan prior to receiving CRT credits as a way of ensuring that offenders are receiving and completing their TIGER recommended individualized programming.

Recommendation 5: Agree in Part, Disagree in Part

The Department agrees in part and disagrees in part. Probation and Parole is an integral part of reducing our prison population and improving public safety, as 54% of the Department's intake is through Probation and Parole revocations. Public safety is our top priority, and while we agree in concept with reduced level of supervision, we are concerned about the potential negative impact to public safety that the expansion of reduced supervision levels could have. Probation and Parole currently moves low risk offenders to "administrative probation/parole" status which is a reduced self-reporting type of supervision. Expanding self-reporting and suspended status supervision levels and making medium level cases eligible for self-reporting poses public safety concerns. Furthermore, it is important to note that early termination of parole and good time supervision requires a statutory change via legislation. However, current law does allow for eligibility for early termination of probation after one year and the completion of all ordered special conditions.

I appreciate the efforts of you and your staff in conducting this informational audit and appreciate having the opportunity to discuss it further at an exit conference.

Sincerely,



James M. Le Blanc
Secretary

Enclosure



LOUISIANA DISTRICT ATTORNEYS ASSOCIATION

EXECUTIVE DIRECTOR
E. PETE ADAMS

July 20, 2016

Mr. Daryl G. Purpera, CPA, CFE
Louisiana Legislative Auditor
P.O. Box 94397
Baton Rouge, LA 70804-9397

Dear Mr. Purpera:

The following comments comprise the response of the LDAA to the report of the Legislative Auditor on "Strategies to Reduce Louisiana's Incarceration Rate."

Generally, we find the report to be thoughtful and the recommendations to be reasonable and worthy of serious consideration. However, we believe that the following points should be considered when considering the report, its findings, and its recommendations.

- **The Introduction:** The Report states that, for the period of 2009-2015, 58.6% of DOC offenders were incarcerated for non-violent offenses "only," meaning that, for these offenders, there were no "convictions" for violent crimes. LDAA Comments - Offenders are sentenced in consideration of their entire record. A long record of violent arrests may influence the decision to incarcerate an offender and the length of the offender's sentence. Additionally, more than 90% of convictions are the result of guilty pleas to reduced charges, many of which may include violent crimes.
- **Pre-Trial Diversion:** The Report states that requiring standardized reporting and collections of cost and recidivism rates for diversion programs would help Louisiana "expand programs that are working and the state could invest resources" in those that are working. LDAA Comments -The state contributes no funding or resources to pre-trial diversion programs. We do not anticipate any such funding or resources in the future. District Attorneys will discuss designating an entity to collect data on these programs. We do not believe that this is a matter for Legislative action.
- **Habitual Offender Laws:** The Report states that 77.5% of cases that were prosecuted under the Habitual Offender law were for non-violent offenses, and that habitual offender reforms caused significant reductions in the prison populations in some other states. LDAA Comments - See our comments above concerning the relevance of an offender's entire record in sentencing; please note that many states without these reforms experienced significant reductions in prison population over the past few years. Until very recently, crime rates have declined significantly across the nation. Some argue that, as has been the experience in California, the recent upsurge may be related to early release of offenders.

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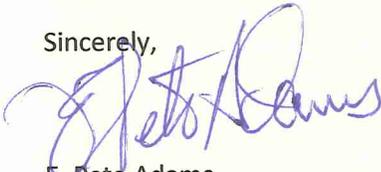
Mr. Daryl Purpera

July 20, 2016

- **Sentencing Non-Violent Offenders (1):** The Report states that the Legislature should consider reducing the number of mandatory minimums for some non-violent offenses. LDAA Comments - The LDAA participated and supported the effort to repeal most of Louisiana's mandatory minimum sentences for non-violent offenses in 2001. We generally support this policy, but reserve the right to oppose for some specific crimes.
- **Sentencing Non-Violent Offenders (2):** The Report states that the Legislature should consider providing that certain non-violent offenders be sentenced to probation or community programming, instead of incarceration. LDAA Comments - The report itself recognizes that probation supervision caseloads have risen dramatically. The budget of DOC has been and will likely continue to be reduced. No Legislative provision can mandate a "reinvestment" of savings toward these services. As we experienced in Juvenile Justice Reform, promises to increase services such as "community programming" or probation supervision are quickly forgotten in lean budget years. This recommendation seems reasonable on paper but, in reality, could pose a significant risk to public safety.

Conclusion: We commend the Legislative Auditor for this effort to evaluate these strategies and to develop recommendations toward solving these problems. As always, the LDAA will strive to be a constructive partner in addressing these important issues.

Sincerely,



E. Pete Adams
Executive Director

EPA:dkw

APPENDIX B: SCOPE AND METHODOLOGY

We conducted this evaluation under the provisions of Title 24 of the Louisiana Revised Statutes of 1950, as amended. This report generally covers fiscal years 2009 to 2015 (July 1, 2008, through May 15, 2015); however, some of our analyses, such as our offender history analysis, included data records prior to these fiscal years. The objective of this informational report was to evaluate potential strategies to reduce Louisiana's incarceration rate and costs for nonviolent offenders. To answer our informational objective, we performed the following steps:

- Researched and reviewed relevant state legal statutes, including the Louisiana Criminal Code and the Uniform Controlled Dangerous Substances Act. We created an index of crimes and penalties and identified statutes with mandatory minimum sentences. Our analysis uses statutes current as of the 2015 legislative session. We joined this index to Department of Corrections' (DOC) data; therefore, it is our best approximation of what crimes offenders were convicted of. However, as statutes change over time, older convictions may not be exact matches. We tried to factor in past statutory changes when possible, such as the Title 40 reorganization in 2006. We attempted to harmonize the DOC data and our legal index.
- Researched and reviewed published research, state reports, and best practices related to the criminal justice system, including drivers of incarceration nationally and in Louisiana, bail reform, pretrial intervention, and sentencing practices. Our research included the following:
 - Vera Institute for Justice
 - The Urban Institute
 - Pew Center on the States
 - American Bar Association
 - Pelican Institute
 - Brennan Center for Justice
- Interviewed a variety of criminal justice stakeholders involved with the Louisiana Justice Reinvestment Task Force, including judges, sheriffs, district attorneys, public defenders, DOC officials and staff, Louisiana Sentencing Commission members, the Louisiana Commission on Law Enforcement, research groups (such as the Pelican Institute), nonprofit community organizations, and advocacy groups. Based on these stakeholder interviews, we also:

- Visited districts identified as providing additional services to offenders, such as the Lafayette Sheriff's Office and Pointe Coupee Parish Sheriff's Office.
- Met with the Criminal Justice Coordinating Committee and the Picard Center in Lafayette to understand the role of data in their work.
- Visited Elayn Hunt Correctional Center to gain an understanding of the DOC intake and screening process.
- Met with the Baton Rouge District Attorney's Office to understand its pretrial intervention process.
- Met with Louisiana Supreme Court staff to discuss drug courts and other specialty courts in the state.
- Developed and conducted statewide surveys of judicial districts and district attorneys regarding pretrial intervention programs and specialty courts. Thirty-nine of 42 district attorneys responded to our survey regarding pretrial intervention, and we received a response from all 42 judicial districts regarding specialty courts. For those that did not respond to our survey, we attempted multiple contacts for a response. However, note that not all responses were complete.
- Obtained and analyzed DOC data from the Corrections and Justice Unified Network (CAJUN) database for all offenders either incarcerated during the period of July 1, 2008, through May 15, 2015, or on supervision (i.e. probation or parole) during that time period who were previously incarcerated. We conducted limited reliability testing on the data for consistency and reasonableness. We used DOC data to:
 - Create a criminal history record for each offender to determine the makeup of offenders' convictions for their entire criminal history. For example, we determined how many offenders had at least one violent conviction in their history.
 - Calculate the number of convictions per offense/statute, the sentence length per offense, and the total sentence length per case. Because both offenses and cases can be served concurrently or consecutively, we could not calculate the overall sentence per offender using DOC data. We also calculated the statewide median sentence per offense.
 - Determine how many offenders were housed in local and state facilities over the course of each fiscal year from 2009 to 2015.

We also determined the makeup of offenses for the offenders housed in local and state facilities and on community supervision.

- Determine revocation rates for offenders on probation, parole, and good time parole, and what percentage of revocations was due to technical violations.
- Determine how many offenders participated in a certified rehabilitation treatment program while incarcerated.
- Obtained and analyzed Public Defender Board data for all closed cases between fiscal years 2010 and 2015. We conducted limited reliability testing on the data involving consistency and reasonableness. We joined the Public Defender data to DOC data in order to compare initial charges at filing to those at conviction. Our join resulted in 23,904 cases (out of 953,481) that had a match in DOC data on offender name, docket, and district and also had valid statute entries. We also determined how many of these matches resulted in plea bargains, trials, or other outcomes using the Public Defender's case result code.

APPENDIX C: TOP 10 NONVIOLENT OFFENSES

Top 10 Nonviolent Offenses Fiscal Years 2009 - May 15, 2015			
Statute	Statute Title	Number of Offenders Convicted	Percent of Offenses
R.S. 40: 967 C2	Prohibited Acts - Schedule II Drug; penalties, Possession, Other Schedule II	23,947	13.60%
R.S. 14:62	Simple burglary	15,095	8.57%
R.S. 40: 967 B4b	Prohibited Acts - Schedule II Drug; penalties, Manufacture; Distribution: cocaine, oxycodone, or methadone	10,207	5.79%
R.S. 14:67	Theft (including Amended Amounts)	9,515	5.40%
R.S. 14:98	Operating a vehicle while intoxicated	8,248	4.68%
R.S. 40:966 B3	Penalty for drugs listed in Schedule I; Manufacture; Distribution, Schedule I (marijuana, tetrahydrocannabinols (or chemical derivatives), synthetic cannabinoids)	7,662	4.35%
R.S. 40:966 E2a	Penalty for drugs listed in Schedule I; Possession of marijuana or synthetic cannabinoids, Second Conviction	5,056	2.87%
R.S. 14:95.1	Possession of firearm or carry concealed weapon by person convicted of certain felonies	4,799	2.72%
R.S. 14:62.2	Simple burglary of an inhabited dwelling	4,699	2.67%
R.S. 40: 969 C2	Prohibited Acts - Schedule IV Drug; penalties, Possession	4,183	2.37%
Source: Prepared by legislative auditor's staff using unaudited data from the CAJUN database.			

APPENDIX D: CRIMINAL JUSTICE REFORMS

Criminal Justice Reforms 2011-2015			
Act	Year	Reform Impact Area	Description
Act 104	2011	Release and Supervision	Authorizes probation and parole officers to impose administrative sanctions for technical violations of parole and probation.
Act 153	2011	Release and Supervision	Mandates evidence-based practice training for Parole Board and Pardon Board members and requires the Department of Public Safety and Corrections (DPS&C) to conduct a risk and needs assessment on every parole-eligible offender for the parole board to use in making parole decisions.
Act 168	2011	Release and Supervision	Requires electronic monitoring and home incarceration service providers to report outcomes of home incarceration.
Act 186	2011	Release and Supervision	Simplified and consolidated the good time and earned credit statutes for nonviolent, non-sex offenders.
Act 285	2011	Release and Supervision	Made first-time nonviolent, non-sex offenders convicted of a felony eligible for parole after serving 25 percent of their sentence, down from 33 percent under the previous law.
Act 110	2012	Release and Supervision	Creates transparency in the earning of good time, setting the rate of time earned at one-and-a-half days for every day served.
Act 123	2012	Release and Supervision	Eliminated state risk review panels.
Act 158	2012	Release and Supervision	Prevents notification of administrative sanctions from being introduced as evidence.
Act 159	2012	Release and Supervision	Allows the parole board to consider second-time nonviolent, non-sex offenders after they have served 33 percent of their sentences.
Act 160	2012	Trial and Sentencing	Provides that mandatory minimums can be waived for certain nonviolent, non-sex crimes if the prosecutor, defense counsel, and judge agree.
Act 399	2012	Trial and Sentencing	Expands Louisiana's re-entry courts as a means to rehabilitate nonviolent, non-sex offenders.
Act 401	2012	Release and Supervision	Provides for parole eligibility for certain offenders sentenced to life imprisonment if certain conditions are met.
Act 714	2012	General	Merged the functions of the Boards of Pardon and Parole to save money and improve efficiency.
Act 152	2013	Release and Supervision	Provides relative to simple escape from a work release program.
Act 183	2013	Release and Supervision	Increases the total number of credits that may be earned by an offender for participation in certified treatment and rehabilitation programs.

Criminal Justice Reforms 2011-2015			
Act	Year	Reform Impact Area	Description
Act 347	2013	Trial and Sentencing	Provides for the use in the 22 nd Judicial District Court (JDC) of a validated risk/needs assessment tool at the pretrial stage.
Act 388	2013	Trial and Sentencing	Provides relative to the sentencing for third or subsequent Operating While Intoxicated conviction. Allows waiver of mandatory minimum sentence if accepted into drug division probation program.
Act 389	2013	Trial and Sentencing	Provides relative to sentencing and treatment of certain offenders convicted of certain violations of the Uniform Controlled Dangerous Substances Law.
Act 191	2014	Release and Supervision	Provides for intensive parole supervision for certain offenders sentenced as habitual offenders.
Act 2	2014	General	Repeals the statutory authorization for DPS&C to conduct certain pilot programs.
Act 327	2014	Trial and Sentencing	Authorizes the 1 st and 26 th JDCs to establish a re-entry division of court.
Act 337	2014	Trial and Sentencing	Amends eligibility requirements for participation in drug courts and provides relative to annual evaluations of drug courts.
Act 6	2014	Release and Supervision	Reduces the length of time certain applicants are required to wait before filing a subsequent application with the Board of Pardons.
Act 634	2014	Trial and Sentencing	Authorizes the waiver of minimum mandatory sentences pursuant to existing law for certain crimes of violence.
Act 7	2014	Trial and Sentencing	Authorizes the 15 th JDC to establish a re-entry division of court.
Act 199	2015	Trial and Sentencing	Extends the length of probation for defendants participating in drug court or sobriety court.
Act 295	2015	Trial and Sentencing	Amends certain criminal penalties for possession of marijuana.
Act 299	2015	Release and Supervision	Provides with respect to technical parole violations.
Act 79	2015	Trial and Sentencing	Authorizes the 25 th JDC to establish a re-entry division of court. Provides relative to re-entry courts.
HCR 82	2015	General	Creates the Louisiana Justice Reinvestment Task Force to develop certain sentencing and corrections policy recommendations.
Source: Created by legislative auditor’s staff using information from the Louisiana Legislature’s website.			

APPENDIX E: 2014 PRETRIAL INTERVENTION PROGRAMS BUDGETS AND PARTICIPANTS

**2014 Pretrial Intervention Program Budgets and Number Served,
by Judicial District (JDC)**

JDC	Parishes Served	Pretrial Intervention Budget	Number of Individuals Served
1 st	Caddo	\$187,631	1,188
2 nd	Claiborne, Jackson, Bienville	\$104,400	100
3 rd	Union, Lincoln	Did not respond to survey	Did not respond to survey
4 th	Morehouse, Ouachita	\$424,303	9,800
5 th	Franklin, Richland, West Carroll	Does not have pretrial intervention programs	Does not have pretrial intervention programs
6 th	Madison, East Carroll, Tensas	Did not provide	49
7 th	Catahoula, Concordia	\$150,000	1,650
8 th	Winn	\$58,000	350
9 th	Rapides	Did not provide	100
10 th	Natchitoches	Did not provide	103
11 th	Sabine	Did not respond to survey	Did not respond to survey
12 th	Avoyelles	Did not provide	300
13 th	Evangeline	\$100,000	846
14 th	Calcasieu	\$369,000	1,270
15 th	Acadia, Lafayette, Vermilion	Did not provide	638
16 th	Iberia, St. Martin, St. Mary	\$955,000	4,318
17 th	Lafourche	\$300,000	1,110
18 th	Iberville, West Baton Rouge, Pointe Coupee	\$0	132
19 th	East Baton Rouge	\$1,500,000	3,911
20 th	East Feliciana, West Feliciana	\$237,440	1,662
21 st	Livingston, Tangipahoa, St. Helena	Did not provide	350
22 nd	St. Tammany, Washington	Did not provide	795
23 rd	Assumption, Ascension, St. James	\$0	0
24 th	Jefferson	Did not provide	Did not provide

2014 Pretrial Intervention Program Budgets and Number Served, by Judicial District (JDC)			
JDC	Parishes Served	Pretrial Intervention Budget	Number of Individuals Served
25 th	Plaquemines	\$12,000	200
26 th	Bossier, Webster	Did not provide	Did not provide
27 th	St. Landry	Did not provide	Did not provide
28 th	LaSalle	\$15,000	198
29 th	St. Charles	\$517,000	2,025
30 th	Vernon	\$115,000	577
31 st	Jefferson Davis	\$50,000	250
32 nd	Terrebonne	\$1,000,000	2,326
33 rd	Allen	\$125,000	667
34 th	St. Bernard	\$0	0
35 th	Grant	Did not provide	233
36 th	Beauregard	\$45,000	101
37 th	Caldwell	Did not provide	6
38 th	Cameron	Did not provide	Did not provide
39 th	Red River	\$128,575	247
40 th	St. John the Baptist	Did not respond to survey	Did not respond to survey
Orleans	Orleans	Did not provide	355
42 nd	DeSoto	Does not have pretrial intervention programs	Does not have pretrial intervention programs

Source: Prepared by legislative auditor's staff using JDC's self-reported data.

APPENDIX F: 2014 SPECIALTY COURTS BUDGETS AND PARTICIPANTS

2014 Specialty Courts Budgets and Participants, by Judicial District (JDC)				
JDC	Parishes	Types of Courts Operated	Stated Budget	Stated Number of Participants for 2014
1 st	Caddo	Drug Court Veteran's Court	Drug Court: \$225,000 Veteran's Court: Unknown	Drug Court - 120 Veteran's Court - 6
2 nd	Claiborne	No Problem-Solving or Specialty Court		
	Jackson			
	Bienville			
3 rd	Union	Drug Court	\$265,000	Not reported
	Lincoln			
4 th	Morehouse	Drug Court DWI Court	Drug Court: \$450,000 DWI Court: Unknown	Specialty Courts - 108
	Ouachita			
5 th	Franklin	Drug Court	\$280,000	Not reported
	Richland			
	West Carroll			
6 th	Madison	No Problem-Solving or Specialty Court		
	East Carroll			
	Tensas			
7 th	Catahoula	No Problem-Solving or Specialty Court		
	Concordia			
8 th	Winn	No Problem-Solving or Specialty Court		
9 th	Rapides	Drug Court Adult Mental Health Court Domestic Violence Court Veteran's Court	Not reported	Unknown
10 th	Natchitoches	Drug Court	\$190,000	Not reported
11 th	Sabine	No Problem-Solving or Specialty Court		
12 th	Avoyelles	Drug Court	\$155,000	Not reported
13 th	Evangeline	No Problem-Solving or Specialty Court		
14 th	Calcasieu	Drug Court Adult Mental Health Court Family Court DWI Court Teen Court Veteran's Court	Drug Court - \$170,000 Adult Mental Health Court - \$180,000 DWI Court - \$75,000	Drug Court - 40 Adult Mental Health Court - 30 DWI Court - 20

2014 Specialty Courts Budgets and Participants, by Judicial District (JDC)				
JDC	Parishes	Types of Courts Operated	Stated Budget	Stated Number of Participants for 2014
15 th	Acadia	Drug Court Family Court DWI Court Re-entry Court Compliance Court for Probation	Drug Court - \$526,754 Family Court - \$186,326 DWI Court - \$85,032	Drug Court - 1,027 Not reported for others
	Lafayette			
	Vermilion			
16 th	Iberia	Drug Court	\$2,030,000	Not reported
	St. Martin			
	St. Mary			
17 th	Lafourche	Drug Court	\$506,000	Not reported
18 th	Iberville	Domestic Violence Court	\$15,000	Domestic Violence Court - 30
	West Baton Rouge			
	Pointe Coupee			
19 th	East Baton Rouge	Drug Court Re-entry Court	Drug Court - \$420,000 Re-entry - No Budget	Drug Court - 85 Re-entry - 3
20 th	East Feliciana	No Problem-Solving or Specialty Court		
	West Feliciana			
21 st	Livingston	Drug Court	\$635,000	Not reported
	Tangipahoa			
	St. Helena			
22 nd	St. Tammany	Drug Court Family Court Adult Mental Health Court DWI Court Re-entry Court	Drug Court - \$1,357,910 Family Court - \$66,448 Adult Mental Health - \$125,312 Re-entry Court - \$120,025 DWI Court - \$270,486	Drug Court - 471 Family Court - 14 Adult Mental Health Court - 49 Re-entry Court - 40+ DWI Court - 141
	Washington			
23 rd	Assumption	No Problem-Solving or Specialty Court		
	Ascension			
	St. James			
24 th	Jefferson	Drug Court DWI Court Re-entry Court Veteran's Court Compliance Court	Drug Court - \$1,100,000 DWI Court - \$225,000 Veteran's Court - \$93,000	Drug Court - 150 DWI Court - 43 Veteran's Court - 1 Compliance Court - 800
25 th	Plaquemines	Drug Court	\$130,000	Not reported
26 th	Bossier	Drug Court	\$295,000	Not reported
	Webster			
27 th	St. Landry	Drug Court	\$280,853	Not reported
28 th	LaSalle	No Problem-Solving or Specialty Court		
29 th	St. Charles	Drug Court	\$225,000	Not reported
30 th	Vernon	Drug Court Truancy Court	\$90,000	Drug Court - 14 Truancy Court - 100

2014 Specialty Courts Budgets and Participants, by Judicial District (JDC)				
JDC	Parishes	Types of Courts Operated	Stated Budget	Stated Number of Participants for 2014
31 st	Jefferson Davis	Truancy Court	Not reported	Truancy Court - 20
32 nd	Terrebonne	Drug Court DWI Court Compliance Court	Drug Court - \$600,000 DWI Court - \$200,000 Compliance Court - Not reported (Part of District Attorney's Office)	Drug Court - 51 new, 80 average DWI Court - 13 new, 27 average Compliance Court - 250
33 rd	Allen	No Problem-Solving or Specialty Court		
34 th	St. Bernard	Drug Court	\$110,000	Not reported
35 th	Grant	No Problem-Solving or Specialty Court		
36 th	Beauregard	Drug Court	\$115,000	Not reported
37 th	Caldwell	Drug Court	\$105,000	Not reported
38 th	Cameron	No Problem-Solving or Specialty Court		
39 th	Red River	No Problem-Solving or Specialty Court		
40 th	St. John the Baptist	Drug Court	\$275,000	Not reported
41 st	Orleans Criminal	Drug Court Mental Health Court Domestic Violence Court Re-entry Court Veteran's Court	Drug Court and Mental Health Court - \$2,200,000 Domestic Violence Court - \$341,891 Re-entry Court - Not reported Veteran's Court - Not reported	Drug Court - 380 Mental Health Court - 45 Domestic Violence Court - 256 Re-entry Court - 135 Veteran's Court - Not reported
42 nd	DeSoto	No Problem-Solving or Specialty Court		

Source: Prepared by legislative auditor's staff using JDCs' self-reported data.

APPENDIX G: FELONY CONVICTION OFFENSES WITH SENTENCE INFORMATION

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 40:967(C)(2)	Prohibited Acts - Schedule II Drug; penalties, Possession, Other Schedule II	23,947	13.62%	Unmodified statute	22,114	3.0	No	0.0	5.0
				Habitual Offender	1,093	5.0			
				Other*	740				
R.S. 14:62	Simple burglary	15,095	8.59%	Unmodified statute	13,728	5.0	No	0.0	12.0
				Habitual Offender	347	8.0			
				Other*	1,020				
R.S. 40:967(B)(4)(b)	Prohibited Acts - Schedule II Drug; penalties, Manufacture; Distribution: cocaine, oxycodone, or methadone	10,207	5.81%	Unmodified statute	8,849	5.0	Yes	2.0	30.0
				Habitual Offender	276	15.0			
				Other*	1,082				
R.S. 14:67	Theft (including Amended Amounts)	9,515	5.41%	Unmodified statute	5,383	3.0	No	0.0	20.0
				Theft – (Amended Amounts)	3,728	3.0	No	0.0	20.0
				Habitual Offender	154	5.0			
				Habitual Offender (Amended Amounts)	38	10.0			
				Other*	212				

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 14:98	Operating a vehicle while intoxicated	8,248	4.69%	Unmodified statute	8,236	3.0	Maybe	0.0	30.0
				Habitual Offender	8	6.0			
				Other*	4				
R.S. 40:966(B)(3)	Penalty for drugs listed in Schedule I; Manufacture; Distribution, Schedule I (marijuana, tetrahydrocannabinols (or chemical derivatives), synthetic canaboids)	7,662	4.36%	Unmodified statute	6,722	5.0	No	5.0	30.0
				Habitual Offender	79	15.0			
				Other*	861				
R.S. 40:966(E)(2)(a)	Penalty for drugs listed in Schedule I; Possession of marijuana or synthetic cannabinoids, Second Conviction	5,056	2.88%	Unmodified statute	5,056	3.0	No	0.0	5.0
R.S. 14:95.1	Possession of firearm or carry concealed weapon by person convicted of certain felonies	4,799	2.73%	Unmodified statute	2,433	10.0	Yes	10.0	20.0
				Habitual Offender	155	12.0			
				Other*	2,211				
R.S. 14:62.2	Simple burglary of an inhabited dwelling	4,699	2.67%	Unmodified statute	4,256	5.0	Yes	1.0	12.0
				Habitual Offender	180	10.0			
				Other*	263				
R.S. 40:969(C)(2)	Prohibited Acts - Schedule IV Drug; penalties, Possession	4,183	2.38%	Unmodified statute	4,065	3.0	No	0.0	5.0
				Habitual Offender	56	4.0			
				Other*	62				

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 14:69	Illegal possession of stolen things (including Amended Amounts)	3,536	2.01%	Unmodified statute	2,629	3.0	No	0.0	10.0
				Amended Amounts	801	3.0			
				Habitual Offender	68	5.0			
				Habitual Offender (Amended Amounts)	20	5.0			
				Other*	18				
R.S. 14:34.1(C)(2)	Second-degree battery	2,750	1.56%	Unmodified statute	2,669	3.0	Maybe	1.5	8.0
				Habitual Offender	78	5.0			
				Other*	3				
R.S. 14:72	Forgery	2,764	1.57%	Unmodified statute	2,654	3.6	No	0.0	10.0
				Habitual Offender	28	5.0			
				Other*	82				
R.S. 14:64	Armed robbery	2,561	1.46%	Unmodified statute	1,670	15.0	Yes	10.0	99.0
				Habitual Offender	96	66.0			
				Other*	795				
R.S. 40:966(C)(1)	Penalty for narcotic drugs listed in Schedule I; Possession	2,414	1.37%	Unmodified statute	2,025	5.0	No	4.0	10.0
				Habitual Offender	257	7.0			
				Other*	132				

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 14:62.3	Unauthorized entry of an inhabited dwelling	2,346	1.33%	Unmodified statute	2,072	3.0	No	0.0	6.0
				Habitual Offender	71	5.0			
				Other*	203				
R.S. 14:65	Simple robbery	2,296	1.31%	Unmodified statute	1,940	5.0	No	0.0	7.0
				Habitual Offender	82	7.0			
				Other*	274				
R.S. 14:402	Contraband defined; certain activities regarding contraband in penal institutions prohibited; penalty	2,291	1.30%	Unmodified statute	2,135	1.0	No	0.0	5.0
				Habitual Offender	50	3.3			
				Other*	106				
R.S. 14:68.4	Unauthorized use of a motor vehicle	2,243	1.28%	Unmodified statute	2,143	3.0	No	0.0	10.0
				Habitual Offender	71	6.0			
				Other*	29				
R.S. 14:34(B)(2)	Aggravated battery	2,097	1.19%	Unmodified statute	1,947	4.0	Maybe	1.0	10.0
				Habitual Offender	103	7.0			
				Other*	47				
R.S. 15:542.1.4	Registration of sex offenders and child predators	1,967	1.12%	Unmodified statute	1,652	2.0	Maybe	2.0	20.0
				Habitual Offender	30	5.0			
				Other*	285				

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 14:67.10	Theft of goods (including Amended Amounts)	1,800	1.02%	Unmodified statute	974	2.0	No	0.0	10.0
				Changed Amounts	633	2.0			
				Habitual Offender	136	2.5			
				Habitual Offender	34	4.0			
				Other*	23				
R.S. 14:81(H)(2)	Indecent behavior with juveniles	1,678	0.95%	Unmodified statute	1,611	5.0	Maybe	2.0	25.0
				Habitual Offender	14	11.3			
				Other*	53				
R.S. 14:108.1	Flight from an officer; aggravated flight from an officer	1,631	0.93%	Unmodified statute	1,521	2.0	No	0.0	0.5
				Habitual Offender	102	2.5			
				Other*	8				
R.S. 40:966(E)(1)	Penalty for drugs listed in Schedule I; Possession of marijuana or synthetic cannabinoids, First Conviction	1,616	0.92%	Unmodified statute	1,497	2.0	No	0.0	0.5
				Habitual Offender	62	5.0			
				Other*	57				
R.S. 14:56	Simple criminal damage to property	1,524	0.87%	Unmodified statute	1,487	2.0	No	0.0	10.0
				Habitual Offender	34	4.0			
				Other*	3				

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 40:983(C)	Creation or operation of a clandestine laboratory for the unlawful manufacture of a controlled dangerous substance; definition; penalties	1,491	0.85%	Unmodified statute	1,311	5.0	No	5.0	15.0
				Habitual Offender	20	13.5			
				Other*	160				
R.S. 40:967(B)(5)	Prohibited Acts - Schedule II Drug; penalties, Manufacture; Distribution: Other Schedule II	1,339	0.76%	Unmodified statute	1,212	5.0	No	0.0	10.0
				Habitual Offender	15	15.0			
				Other*	112				
R.S. 14:31(B)(2)	Manslaughter	1,292	0.74%	Unmodified statute	1,009	20.0	Maybe	10.0	40.0
				Habitual Offender	57	40.0			
				Other*	226				
R.S. 14:30.1	Second-degree murder	1,253	0.71%	Unmodified statute	566	Life	Yes	Life	Life
				Habitual Offender	1	Life			
				Other*	686				
R.S. 40:967(B)(1)	Prohibited Acts - Schedule II Drug; penalties Manufacture; Distribution: amphetamine, methamphetamine, or narcotic drug, except cocaine	1,219	0.69%	Unmodified statute	1,060	5.0	No	2.0	30.0
				Habitual Offender	11	35.0			
				Other*	148				
R.S. 14:71	Issuing worthless checks (including Amended Amounts)	1,080	0.61%	Unmodified statute	1,021	2.5	No	0.0	10.0
				Amended Amounts	46	2.0			
				Habitual Offender	11	5.0			
				Other*	2				

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 14:80	Felony carnal knowledge of a juvenile	1,059	0.60%	Unmodified statute	1,041	5.0	Maybe	0.0	10.0
				Habitual Offender	8	8.0			
				Other*	10				
R.S. 40:968(C)	Prohibited Acts - Schedule III Drug; penalties, Possession	1,027	0.58%	Unmodified statute	1,001	3.0	No	0.0	5.0
				Habitual Offender	16	4.8			
				Other*	10				
R.S. 14:110	Simple escape; aggravated escape	1,006	0.57%	Unmodified statute	821	2.0	No	0.5	10.0
				Habitual Offender	36	3.2			
				Other*	149				
R.S. 40:1238.1	Sale, distribution, or possession of legend drug without prescription or order prohibited; exceptions; penalties	989	0.56%	Unmodified statute	951	3.0	No	0.0	5.0
				Habitual Offender	23	3.0			
				Other*	15				
R.S. 40:966(C)(3)	Penalty for non-narcotic drugs listed in Schedule I; Possession	987	0.56%	Unmodified statute	924	4.0	No	0.0	10.0
				Habitual Offender	17	6.3			
				Other*	46				
R.S. 14:94(C)	Illegal use of weapons or dangerous instrumentalities	986	0.56%	Unmodified statute	926	2.0	Maybe	5.0	7.0
				Habitual Offender	13	4.0			
				Other*	47				
R.S. 40:969(B)(2)	Prohibited Acts - Schedule IV Drug; penalties, Manufacture; Distribution	954	0.54%	Unmodified statute	853	5.0	No	0.0	10.0
				Habitual Offender	18	10.0			
				Other*	83				

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 14:35.3(C)	Domestic abuse battery	951	0.54%	Unmodified statute	926	2.0	Yes	2 days	0.5
				Habitual Offender	25	3.0			
R.S. 40:966(B)(4)(a)	Penalty for heroin drugs listed in Schedule I; Manufacture; Distribution	949	0.54%	Unmodified statute	813	10.0	Yes	10.0	50.0
				Habitual Offender	32	25.0			
				Other*	104				
R.S. 14:106(G)(1-3)	Obscenity	839	0.48%	Unmodified statute	798	2.0	No	0.5	5.0
				Habitual Offender	35	4.0			
				Other*	6				
R.S. 14:34.7(C)(2)	Aggravated second-degree battery	758	0.43%	Unmodified statute	717	5.0	Maybe	1.0	15.0
				Habitual Offender	13	19.0			
				Other*	28				
R.S. 14:72.2	Monetary instrument abuse	742	0.42%	Unmodified statute	700	3.0	No	0.5	10.0
				Habitual Offender	18	5.0			
				Other*	24				
R.S. 14:108.2	Resisting a police officer with force or violence	737	0.42%	Unmodified statute	705	2.0	No	1.0	3.0
				Habitual Offender	29	3.0			
				Other*	3				
R.S. 14:71.1	Bank fraud	722	0.41%	Unmodified statute	682	4.0	No	0.0	10.0
				Habitual Offender	15	5.0			
				Other*	25				

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 14:67.3	Unauthorized use of “access card” as theft; definitions	710	0.40%	Unmodified statute	689	3.0	No	0.0	20.0
				Habitual Offender	9	5.0			
				Other*	12				
RS 14:93	Cruelty to juveniles	707	0.40%	Unmodified statute	685	4.0	No	0.0	10.0
				Habitual Offender	9	8.0			
				Other*	13				
R.S. 14:43.1(C)(1)	Sexual battery	692	0.39%	Unmodified statute	612	8.0	Maybe	0.0	10.0
				Habitual Offender	29	15.0			
				Other*	51				
R.S. 14:60	Aggravated burglary	674	0.38%	Unmodified statute	591	8.0	No	1.0	30.0
				Habitual Offender	30	24.5			
				Other*	53				
R.S. 14:95(E)(1)	Illegal carrying of weapons	665	0.38%	Unmodified statute	496	5.0	Yes	5.0	10.0
				Habitual Offender	10	8.3			
				Other*	159				
R.S. 14:69.1	Illegal possession of stolen firearms	658	0.37%	Unmodified statute	631	3.0	No	1.0	10.0
				Habitual Offender	16	5.0			
				Other*	11				
R.S. 14:64.1	First-degree robbery	653	0.37%	Unmodified statute	546	7.0	Yes	3.0	40.0
				Habitual Offender	20	40.0			
				Other*	87				

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 14:42.1	Forcible rape	636	0.36%	Unmodified statute	549	20.0	Yes	2.0	40.0
				Habitual Offender	28	40.0			
				Other*	59				
R.S. 14:95(D)	Illegal carrying of weapons	615	0.35%	Unmodified statute	484	5.0	Maybe	0.0	10.0
				Habitual Offender	10	8.5			
				Other*	121				
R.S. 14:130.1	Obstruction of justice	598	0.34%	Unmodified statute	550	5.0	No	0.0	40.0
				Habitual Offender	17	10.0			
				Other*	31				
R.S. 14:37.4	Aggravated assault with a firearm	595	0.34%	Unmodified statute	570	4.0	No	0.0	10.0
				Habitual Offender	12	7.5			
				Other*	13				
R.S. 40:971(B)(2)	Prohibited acts; all drug schedules	563	0.32%	Unmodified statute	431	3.0	No	0.0	5.0
				Habitual Offender	3	5.0			
				Other*	129				
R.S. 40:966(B)(2)	Penalty for distribution or possession with intent to distribute non-narcotic drugs listed in Schedule I; Manufacture; Distribution	558	0.32%	Unmodified statute	450	5.0	Yes	5.0	30.0
				Habitual Offender	9	30.0			
				Other*	99				
R.S. 14:64.3	Armed robbery; attempted armed robbery; use of firearm	517	0.29%	Unmodified statute	377	10.0	Yes	5.0	0.0
				Habitual Offender	13	60.0			
				Other*	127				

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 14:81.1(E)(1)(b)	Pornography involving juveniles	508	0.29%	Unmodified statute	464	5.0	Maybe	0.0	40.0
				Habitual Offender	5	20.0			
				Other*	39				
R.S. 14:81.2(B)(1-2)	Molestation of a juvenile or a person with a physical or mental disability	486	0.28%	Unmodified statute	461	10.0	Maybe	5.0	10.0
				Habitual Offender	10	22.5			
				Other*	15				
R.S. 40:971.1(C)	Prohibited acts; false representation	476	0.27%	Unmodified statute	379	5.0	No	0.0	5.0
				Habitual Offender	54	5.0			
				Other*	43				
R.S. 14:62.4	Unauthorized entry of a place of business	465	0.26%	Unmodified statute	395	3.0	No	0.0	6.0
				Habitual Offender	32	5.0			
				Other*	38				
R.S. 14:68	Unauthorized use of a movable	452	0.26%	Unmodified statute	441	3.0	No	0.0	5.0
				Habitual Offender	6	4.6			
				Other*	5				
R.S. 14:65.1	Purse snatching	446	0.25%	Unmodified statute	371	5.0	No	2.0	20.0
				Habitual Offender	28	10.0			
				Other*	47				
R.S. 14:67.26	Theft of a motor vehicle	442	0.25%	Unmodified statute	425	4.0	No	0.0	10.0
				Habitual Offender	12	5.0			
				Other*	5				

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R.S. 40:981.3(D)	Violation of Uniform Controlled Dangerous Substances Law; drug-free zone	412	0.23%	Unmodified statute	397	6.0	Maybe	0.0	0.0
				Habitual Offender	11	15.0			
				Other*	4				
R.S. 14:52	Simple arson	411	0.23%	Unmodified statute	375	5.0	No	0.0	15.0
				Habitual Offender	3	10.0			
				Other*	33				
R.S. 40:971	Prohibited acts; all drug schedules	400	0.23%	Unmodified statute	344	3.0	No	0.0	5.0
				Habitual Offender	5	3.0			
				Other*	51				
R.S. 14:55	Aggravated criminal damage to property	400	0.23%	Unmodified statute	380	4.0	No	1.0	15.0
				Habitual Offender	6	15.0			
				Other*	14				
R.S. 14:30	First-degree murder	392	0.22%	Unmodified statute	158	Life	Yes	Life	Life
				Other*	234				
R.S. 14:89.1(B)	Aggravated crime against nature	381	0.22%	Unmodified statute	343	15.0	Maybe	3.0	15.0
				Habitual Offender	19	35.0			
				Other*	19				
R.S. 14:32.1(B)(1)	Vehicular homicide	364	0.21%	Unmodified statute	360	10.0	Yes	3.0	30.0
				Habitual Offender	2	38.8			
				Other*	2				

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R.S. 40:967(B)(3)(a)	Prohibited Acts - Schedule II Drug; penalties, Manufacture; Distribution: amphetamine or methamphetamine	359	0.20%	Unmodified statute	192	10.0	Yes	10.0	30.0
				Habitual Offender	2	31.5			
				Other*	165				
R.S. 14:42	Aggravated rape	359	0.20%	Unmodified statute	262	Life	Yes	Life	Life
				Other*	97				
R.S. 14:34.2(B)(1)	Battery of a police officer	341	0.19%	Unmodified statute	321	1.0	Yes	15 days	0.5
				Habitual Offender	15	5.0			
				Other*	5				
R.S. 14:32(C)(2)	Negligent homicide	314	0.18%	Unmodified statute	305	5.0	Maybe	2.0	5.0
				Habitual Offender	7	10.0			
				Other*	2				
R.S. 40:968(B)	Prohibited Acts - Schedule III Drug; penalties, Manufacture; Distribution	308	0.18%	Unmodified statute	274	5.0	No	0.0	10.0
				Habitual Offender	9	15.0			
				Other*	25				
R.S. 14:34.5(B)(1)	Battery of a correctional facility employee	289	0.16%	Unmodified statute	274	1.0	Yes	15 days	0.5
				Habitual Offender	7	25.0			
				Other*	8				
R.S. 14:67.15(C)(1)	Theft of a firearm	280	0.16%	Unmodified statute	257	3.0	Yes	2.0	10.0
				Habitual Offender	3	15.0			
				Other*	20				

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R.S. 14:44.1	Second-degree kidnapping	261	0.15%	Unmodified statute	223	12.0	Yes	2.0	40.0
				Habitual Offender	12	44.8			
				Other*	26				
R.S. 14:67:16	Identity theft	252	0.14%	Unmodified statute	237	3.0	No	0.0	10.0
				Habitual Offender	5	6.7			
				Other*	10				
R.S. 14:64.4	Second-degree robbery	249	0.14%	Unmodified statute	214	7.8	No	3.0	40.0
				Habitual Offender	3	Life			
				Other*	32				
R.S. 14:39.2	First-degree vehicular negligent injuring	230	0.13%	Unmodified statute	222	5.0	No	0.0	5.0
				Habitual Offender	8	6.1			
R.S. 14:70.4	Access device fraud	224	0.13%	Unmodified statute	204	3.0	No	0.0	10.0
				Habitual Offender	14	5.0			
				Other*	6				
R.S. 14:62.8(B)(3)	Home invasion	223	0.13%	Unmodified statute	182	6.0	Maybe	10.0	25.0
				Habitual Offender	16	15.0			
				Other*	25				
R.S. 14:108	Resisting an officer	210	0.12%	Unmodified statute	205	1.0	No	0.0	0.5
				Habitual Offender	5	8.0			

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R.S. 14:35.3(L)	Domestic abuse battery	209	0.12%	Unmodified statute	205	3.0	No	0.0	3.0
				Habitual Offender	4	3.0			
R.S. 14:110.1	Jumping bail	203	0.12%	Unmodified statute	181	2.0	No	0.0	2.0
				Habitual Offender	21	4.0			
				Other*	1				
R.S. 40:966(C)(2)	Penalty for drugs listed in Schedule I; Possession phencyclidine	195	0.11%	Unmodified statute	183	4.0	No	5.0	20.0
				Habitual Offender	1	20.0			
				Other*	11				
R.S. 14:45	Simple kidnapping	190	0.11%	Unmodified statute	166	3.8	No	0.0	5.0
				Habitual Offender	9	7.0			
				Other*	15				
R.S. 40:1021	Drug paraphernalia	185	0.11%	Unmodified statute	185	1.0	No	0.0	5.00
R.S. 14:81.3(B)(1)(c)	Computer-aided solicitation of a minor	182	0.10%	Unmodified statute	150	2.0	Maybe	2.0	10.0
				Habitual Offender	2	7.5			
				Other*	30				
R.S. 14:62.1	Simple burglary of a pharmacy	169	0.10%	Unmodified statute	135	5.0	Yes	1.0	10.0
				Habitual Offender	3	8.0			
				Other*	31				

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R.S. 14:93.2.3	Second-degree cruelty to juveniles	154	0.09%	Unmodified statute	144	7.0	No	0.0	40.0
				Habitual Offender	6	22.5			
				Other*	4				
R.S. 14:100.13	Operating a vehicle without lawful presence in the United States	150	0.09%	Unmodified statute	150	0.5	No	0.0	1.0
R.S. 14:64.2	Carjacking	144	0.08%	Unmodified statute	113	5.0	Yes	2.0	20.0
				Habitual Offender	9	20.0			
				Other*	22				
R.S. 14:122	Public intimidation and retaliation	140	0.08%	Unmodified statute	131	2.0	No	0.0	5.0
				Habitual Offender	6	7.5			
				Other*	3				
R.S. 14:100	Hit-and-run driving	138	0.08%	Unmodified statute	134	5.0	No	0.0	10.0
				Habitual Offender	3	10.0			
				Other*	1				
R.S. 14:62.6	Simple burglary of a religious building	137	0.08%	Unmodified statute	128	5.0	Yes	2.0	12.0
				Habitual Offender	3	10.0			
				Other*	6				
R.S. 14:40.2(B)(2)(a)	Stalking	127	0.07%	Unmodified statute	122	1.5	Maybe	1.0	5.0
				Habitual Offender	4	2.8			
				Other*	1				

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R.S. 14:35	Simple battery	125	0.07%	Unmodified statute	124	0.5	No	0.0	0.5
				Other*	1				
R.S. 14:37.2	Aggravated assault upon peace officer with a firearm	123	0.07%	Unmodified statute	115	5.0	No	1.0	10.0
				Habitual Offender	6	8.5			
				Other*	2				
R.S. 14:92(C)	Contributing to the delinquency of juveniles	122	0.07%	Unmodified statute	118	2.0	No	0.0	0.5
				Habitual Offender	1	6.0			
				Other*	3				
R.S. 14:43.3(C)(1)	Oral sexual battery	119	0.07%	Unmodified statute	106	10.0	Maybe	0.0	10.0
				Habitual Offender	2	16.6			
				Other*	11				
R.S. 14:51	Aggravated arson	114	0.06%	Unmodified statute	76	6.0	Yes	2.0	20.0
				Habitual Offender	8	17.5			
				Other*	30				
R.S. 14:82	Prostitution; definition; penalties; enhancement	112	0.06%	Unmodified statute	110	2.0	No	0.0	50.0
				Habitual Offender	2	4.0			
R.S. 14:43	Simple rape	110	0.06%	Unmodified statute	92	10.0	Maybe	0.0	25.0
				Habitual Offender	1	Life			
				Other*	17				

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R.S. 14:37.1	Assault by drive-by shooting	107	0.06%	Unmodified statute	99	2.0	Yes	1.0	5.0
				Habitual Offender	1	Life			
				Other*	7				
R.S. 14:62.5(B)	Looting	107	0.06%	Unmodified statute	92	3.0	No	0.0	15.0
				Habitual Offender	5	10.0			
				Other*	10				
R.S. 14:129.1	Intimidating, impeding, or injuring witnesses; injuring officers; penalties	105	0.06%	Unmodified statute	103	3.5	No	0.0	40.0
				Habitual Offender	2	Over 100 years			
R.S. 15:1354	LA Racketeering Act	104	0.06%	Unmodified statute	102	8.5	Maybe	5.0	50.0
				Other*	2				
R.S. 14:93.4	Exploitation of persons with infirmities	97	0.06%	Unmodified statute	92	5.0	No	0.0	10.0
				Habitual Offender	3	20.0			
				Other*	2				
R.S. 40:1023	Drug paraphernalia	95	0.05%	Unmodified statute	92	1.0	No	0.0	5.0
				Habitual Offender	3	2.5			
R.S. 40:1041	Transactions involving proceeds from drug offenses	95	0.05%	Unmodified statute	93	5.0	No	0.0	10.0
				Other*	2				
R.S. 14:96	Aggravated obstruction of a highway of commerce	91	0.05%	Unmodified statute	83	5.0	No	0.0	15.0
				Habitual Offender	6	28.5			
				Other*	2				

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R.S. 14:46.1	False imprisonment; offender armed with dangerous weapon	91	0.05%	Unmodified statute	86	5.0	No	0.0	10.0
				Other*	5				
R.S. 40:967(B)(4)(a)	Prohibited Acts - Schedule II Drug; penalties, Manufacture; Distribution: cocaine, oxycodone, or methadone	90	0.05%	Unmodified statute	76	6.0	Yes	10.0	30.0
				Habitual Offender	3	5.0			
				Other*	11				
R.S. 14:25	Accessories after the fact	87	0.05%	Unmodified statute	83	2.5	No	0.0	5.0
				Habitual Offender	1	4.0			
				Other*	3				
R.S. 14:402.1	Taking of contraband to state-owned hospitals unlawful; penalty	87	0.05%	Unmodified statute	81	1.0	No	0.0	3.0
				Habitual Offender	2	4.0			
				Other*	4				
R.S. 14:93.3(E)(1)(b)	Cruelty to persons with infirmities	87	0.05%	Unmodified statute	82	5.0	Maybe	1.0	10.0
				Habitual Offender	2	11.5			
				Other*	3				
R.S. 14:34.6	Disarming a peace officer	81	0.05%	Unmodified statute	17	4.0	No	0.0	5.0
				Habitual Offender	2	14.5			
				Other*	62				
R.S. 14:37(C)	Aggravated assault	69	0.04%	Unmodified statute	67	1.0	Maybe	0.3	0.5
				Other*	2				

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R.S. 14:67.21	Theft of the assets of a person who is aged or person with a disability	68	0.04%	Unmodified statute	66	4.0	No	0.0	10.0
				Habitual Offender	1	5.0			
				Other*	1				
R.S. 14:133	Filing or maintaining false public records	64	0.04%	Unmodified statute	60	2.0	No	0.0	5.0
				Habitual Offender	1	2.5			
				Other*	3				
R.S. 14:92(D)	Contributing to the delinquency of juveniles	63	0.04%	Unmodified statute	63	2.0	No	0.0	2.0
R.S. 14:37.6	Aggravated assault with a motor vehicle upon a peace officer	62	0.04%	Unmodified statute	59	3.0	No	1.0	10.0
				Habitual Offender	3	6.7			
R.S. 14:220.1	Leased movables; obtaining by false representation; failure to return or surrender; penalties; restitution	61	0.03%	Unmodified statute	60	2.0	No	0.0	2.0
				Habitual Offender	1	3.0			
R.S. 14:89	Crimes against nature	61	0.03%	Unmodified statute	55	3.0	No	0.0	50.0
				Habitual Offender	4	3.8			
				Other*	2				
R.S. 14:95.7	Possession of or dealing in firearms with obliterated numbers or marks	59	0.03%	Unmodified statute	59	3.0	No	1.0	10.0
R.S. 14:37.7(C)	Domestic abuse aggravated assault	56	0.03%	Unmodified statute	55	3.0	No	1.0	5.0
				Other*	1				

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R.S. 40:970(C)	Prohibited Acts - Schedule V Drug; penalties, Possession	56	0.03%	Unmodified statute	54	4.0	No	0.0	5.0
				Other*	2				
R.S. 14:66	Extortion	56	0.03%	Unmodified statute	51	5.0	No	1.0	15.0
				Habitual Offender	1	12.0			
				Other*	4				
R.S. 14:40.1	Terrorizing	55	0.03%	Unmodified statute	52	4.0	No	0.0	15.0
				Other*	3				
R.S. 14:67.9	Theft of oil and gas equipment; penalties (including Amended Amounts)	53	0.03%	Unmodified statute	49	5.0	No	0.0	30.0
				Other*	4				
R.S. 14:132	Injuring public records	51	0.03%	Unmodified statute	49	2.0	No	0.0	5.0
				Habitual Offender	2	5.3			
R.S. 14:126.1	False swearing for the purpose of violating public health or safety	50	0.03%	Unmodified statute	43	2.0	No	1.0	5.0
				Habitual Offender	7	3.0			
R.S. 22:1924	Insurance fraud	49	0.03%	Unmodified statute	46	3.0	No	0.0	5.0
				Other*	3				
R.S. 40:967(F)(1)(a)	Prohibited Acts - Schedule II Drug; penalties, Other penalties for possession cocaine (base, mixture, or substance) 28g - < 200g	47	0.03%	Unmodified statute	40	9.0	Yes	5.0	30.0
				Habitual Offender	3	20.0			
				Other*	4				

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R.S. 14:95.2	Carrying a firearm or dangerous weapon by a student or nonstudent on school property, at school-sponsored functions, or in a firearm-free zone	46	0.03%	Unmodified statute	46	3.0	No	0.0	5.0	
R.S. 14:102.1	Cruelty to animals; simple	43	0.02%	Unmodified statute	40	2.2	No	0.0	10.0	
				Habitual Offender	1	5.0				
				Other*	2					
R.S. 14:44	Aggravated kidnapping	43	0.02%	Unmodified statute	32	Life	Yes	Life	Life	
				Other*	11					
R.S. 14:79(B)(2)	Violation of protective orders	42	0.02%	Unmodified statute	41	0.5	Yes/Maybe	2 days	0.5	
				Habitual Offender	1	4.0				
R.S. 14:202.1	Residential contractor fraud; penalties	41	0.02%	Unmodified statute	41	5.0	No	0.0	10.0	
R.S. 14:283(B)(2)	Video voyeurism	41	0.02%	Unmodified statute	40	2.0	Maybe	0.5	3.0	
				Other*	1					
R.S. 14:54.1	Communicating false information of planned arson	41	0.02%	Unmodified statute	41	3.0	No	0.0	20.0	
R.S. 14:95.3	Unlawful use or possession of body armor	38	0.02%	Unmodified statute	37	2.0	No	0.0	2.0	
				Habitual Offender	1	1.0				
R.S. 14:56.1	Criminal damage to coin-operated devices	38	0.02%	Unmodified statute	37	2.0	No	0.0	2.0	
				Habitual Offender	1	1.5				

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R.S. 40:1792	Possession of unidentifiable firearm; particular penalties; identification of source of firearm	37	0.02%	Unmodified statute	31	5.0	Maybe	5.0	0.0
				Other*	6				
R.S. 14:67.24	Theft of utility property	36	0.02%	Unmodified statute	36	5.0	No	2.0	10.0
R.S. 14:134	Malfeasance in office	36	0.02%	Unmodified statute	36	3.0	No	0.0	5.0
C.C.P. 884	Sentences of fine with imprisonment for default	35	0.02%	Unmodified statute	35	1.0	No	0.0	1.0
R.S. 14:102.1(B)	Cruelty to animals; aggravated	35	0.02%	Unmodified statute	33	3.0			
				Other*	2				
R.S. 14:39.1	Vehicular negligent injuring	34	0.02%	Unmodified statute	34	2.0	No	0.0	0.5
R.S. 14:202	Contractors; misapplication of payments prohibited; penalty	34	0.02%	Unmodified statute	34	4.5	No	0.2	0.5
R.S. 40:1785	Possession or dealing in unregistered or illegally-transferred weapons	34	0.02%	Unmodified statute	34	2.8	No	1.0	10.0
R.S. 14:112.1	False personation of a peace officer or firefighter	33	0.02%	Unmodified statute	30	2.0	No	0.0	2.0
				Habitual Offender	3	Life			
R.S. 14:40.3	Cyberstalking	33	0.02%	Unmodified statute	33	1.0	No	0.0	5.0
R.S. 14:28	Inciting a felony	32	0.02%	Unmodified statute	32	2.0	No	0.0	2.0
R.S. 14:43.5	Intentional exposure to AIDS virus	31	0.02%	Unmodified statute	30	4.5	No	0.0	11.0
				Other*	1				

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R.S. 40:1788	Identification with number or other mark; obliteration or alteration of number or mark	31	0.02%	Unmodified statute	31	5.0	No	1.0	10.0
R.S. 40:1238.3	Obtaining legend drugs by misrepresentation or fraud; penalties	30	0.02%	Unmodified statute	25	3.0	No	0.0	5.0
				Habitual Offender	1	5.0			
				Other*	4				
R.S. 15:1403	Criminal street gangs and patterns of criminal street gang activity; prohibitions and criminal penalties	29	0.02%	Unmodified statute	28	5.0	No	1.0	0.0
				Habitual Offender	1	80.0			
R.S. 14:118	Public bribery	28	0.02%	Unmodified statute	22	3.5	No	0.0	5.0
				Habitual Offender	1	5.0			
				Other*	5				
R.S. 14:53	Arson with intent to defraud	26	0.01%	Unmodified statute	22	4.5	No	0.0	5.0
				Habitual Offender	1	10.0			
				Other*	3				
R.S. 14:91.5(C)(1)	Unlawful use of a social networking website	26	0.01%	Unmodified statute	25	1.0	Maybe	0.0	10.0
				Other*	1				
R.S. 14:123	Perjury	26	0.01%	Unmodified statute	26	5.0	No	5.0	40.0
R.S. 14:38	Simple assault	25	0.01%	Unmodified statute	25	1.0	No	0.0	0.2
R.S. 14:63	Criminal trespass	25	0.01%	Unmodified statute	25	0.5	No	0.0	0.5
R.S. 40:1025	Drug paraphernalia	24	0.01%	Unmodified statute	24	2.0	No	0.0	5.0

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R.S. 14:26	Criminal conspiracy	24	0.01%	Unmodified statute	21	4.0	Maybe	0.0	0.0
				Habitual Offender	1	5.0			
				Other*	2				
R.S. 14:285	Telephone communications; improper language; harassment	24	0.01%	Unmodified statute	24	1.0	No	0.0	2.0
R.S. 14:111	Assisting escape	24	0.01%	Unmodified statute	23	2.0	No	0.0	5.0
				Other*	1				
R.S. 14:93.5	Sexual battery of persons with infirmities	23	0.01%	Unmodified statute	23	6.0	No	0.0	10.0
R.S. 14:220	Rented or leased motor vehicles; obtaining false representation; failure to return; defenses	21	0.01%	Unmodified statute	21	2.0	No	0.0	5.0
R.S. 14:102.5	Dogfighting; training and possession of dogs for fighting	21	0.01%	Unmodified statute	21	5.0	No	1.0	10.0
R.S. 14:84	Pandering	21	0.01%	Unmodified statute	21	3.0	No	0.0	50.0
R.S. 40:970(B)	Prohibited Acts - Schedule V Drug; penalties, Manufacture; Distribution	21	0.01%	Unmodified statute	18	5.0	No	0.0	5.0
				Other*	3				
R.S. 14:94(E)	Illegal use of weapons or dangerous instrumentalities	20	0.01%	Unmodified statute	17	5.0	Yes	5.0	10.0
				Other*	3				
RS 14:230	Money laundering; transactions involving proceeds of criminal activity	20	0.01%	Unmodified statute	20	6.5	No	0.0	99.0

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
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R.S. 14:54.3	Manufacture and possession of a bomb	20	0.01%	Unmodified statute	18	4.0	No	0.0	20.0
				Other*	2				
R.S. 14:70.7	Unlawful production, manufacturing, distribution or possession of fraudulent documents for identification purposes	20	0.01%	Unmodified statute	19	1.0	No	0.0	3.0
				Habitual Offender	1	10.0			
R.S. 22:1925	Automobile insurance policies	19	0.01%	Unmodified statute	19	3.0	No	0.0	5.0
R.S. 14:75	Failure to pay child support obligation	18	0.01%	Unmodified statute	18	2.0	No	0.0	2.0
R.S. 14:404	Self-mutilation by a prisoner	18	0.01%	Unmodified statute	18	1.0	No	0.0	2.0
R.S. 14:94(F)(1)	Illegal use of weapons or dangerous instrumentalities	18	0.01%	Unmodified statute	12	10.0	Maybe	10.0	Life
				Habitual Offender	1	10.0			
				Other*	5				
R.S. 14:46	False imprisonment	17	0.01%	Unmodified statute	16	1.5	No	0.0	0.5
				Other*	1				
R.S. 14:43.2(C)(1)	Second-degree sexual battery	17	0.01%	Unmodified statute	15	12.0	Maybe	0.0	15.0
				Habitual Offender	2	Over 100 years			
R.S. 40:962.1	Ephedrine products	16	0.01%	Unmodified statute	14	2.0	No	0.0	0.5
				Other*	2				
R.S. 14:103	Disturbing the peace	16	0.01%	Unmodified statute	16	0.5	No	0.0	0.5
R.S. 14:91.2	Unlawful presence of a sex offender	16	0.01%	Unmodified statute	16	1.0	No	0.0	1.0

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R.S. 14:61	Unauthorized entry of critical infrastructure	15	0.01%	Unmodified statute	13	3.0	No	0.0	6.0
				Other*	2				
R.S. 14:39	Negligent injuring	15	0.01%	Unmodified statute	15	1.5	No	0.0	0.5
R.S. 14:28.1	Solicitation of murder	15	0.01%	Unmodified statute	13	10.0	No	5.0	20.0
				Other*	2				
R.S. 32:415	Operating vehicle while license is suspended; offenses in other states; record of offenses given other states	15	0.01%	Unmodified statute	15	0.5	Maybe	7 days	0.5
R.S. 40:981(C)	Distribution to persons under age 18	14	0.01%	Unmodified statute	14	3.0	Maybe	0.0	0.0
R.S. 14:67.28	Theft of copper or other metals; determination of value of copper or other metals taken	14	0.01%	Unmodified statute	11	5.0	No	0.0	10.0
				Habitual Offender	2	5.5			
				Other*	1				
R.S. 14:56.4	Criminal damage to property by defacing with graffiti	14	0.01%	Unmodified statute	14	2.0	No	0.0	10.0
R.S. 15:561.7	Failure to comply with provisions of supervised release	14	0.01%	Unmodified statute	13	2.0	Yes	2.0	20.0
				Other*	1				
R.S. 14:52.1	Simple arson of a religious building	13	0.01%	Unmodified statute	13	3.0	Yes	2.0	15.0

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R.S. 40:962.1.1	Possession of twelve grams or more of ephedrine, pseudoephedrine, or phenylpropanolamine or their salts, optical isomers, and salts of optical isomers	13	0.01%	Unmodified statute	13	2.0	No	0.0	2.0
R.S. 14:207	Motor vehicles, alteration or removal of identifying numbers prohibited, sale, etc.	13	0.01%	Unmodified statute	13	2.0	No	0.0	5.0
R.S. 14:68.2	Unauthorized use of supplemental nutrition assistance program benefits or supplemental nutrition assistance program benefit access devices	12	0.01%	Unmodified statute	12	4.0	No	0.5	10.0
R.S. 40:967(F)(1)(b)	Prohibited Acts - Schedule II Drug; penalties, other penalties for possession cocaine (base, mixture, or substance) 200g - < 400g	12	0.01%	Unmodified statute	12	10.0	Yes	10.0	30.0
R.S. 14:67.22	Fraudulent acquisition of a credit card	12	0.01%	Unmodified statute	12	4.0	No	0.0	10.0
R.S. 40:1041(E)	Transactions involving proceeds from drug offenses	11	0.01%	Unmodified statute	10	5.0	No	0.0	10.0
				Habitual Offender	1	Life	No		
R.S. 14:223.6	Rental or sale of improperly labeled articles prohibited	11	0.01%	Unmodified statute	11	2.5	No	0.0	5.0

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R.S. 14:46.2(B)(3)	Human trafficking	10	0.01%	Unmodified statute	9	5.0	Yes	5.0	25.0
				Other*	1				
R.S. 14:70.1	Medicaid fraud	10	0.01%	Unmodified statute	10	1.5	No	0.0	5.0
R.S. 22:44	False or fraudulent material information	10	0.01%	Unmodified statute	10	5.0	No	0.0	5.0
R.S. 14:70	False accounting	10	0.01%	Unmodified statute	8	3.0	No	0.0	0.5
				Habitual Offender	2	10.0	No	0.0	0.5
R.S. 40:979(B)	Attempt and conspiracy	10	0.01%	Unmodified statute	10	2.5	Yes	8.0	50.0
R.S. 14:59	Criminal mischief	10	0.01%	Unmodified statute	10	0.5	No	0.0	0.5
R.S. 14:54.6	Communicating false information of a planned bombing on school property, at a school-sponsored function, or in a firearm-free zone	9	0.01%	Unmodified statute	9	5.0	No	0.0	20.0
R.S. 30:2076.2(3)	Criminal penalties for violation of the Louisiana Pollutant Discharge Elimination System	9	0.01%	Unmodified statute	9	1.0	No	0.0	2.0
R.S. 40:967(F)(1)(C)	Prohibited Acts - Schedule II Drug; penalties other penalties for possession cocaine (base, mixture, or substance) = 400g	9	0.01%	Unmodified statute	7	8.0	Yes	15.0	30.0
				Other*	2				
R.S. 40:1781	Definitions (Weapons Registration)	9	0.01%	Unmodified statute	9	3.0	No	1.0	10.0

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R.S. 14:91.13	Illegal use of controlled dangerous substance in the presence of persons under seventeen	9	0.01%	Unmodified statute	8	1.7	No	0.0	0.5
				Habitual Offender	1	8.0			
R.S. 14:62.5(C)	Looting	9	0.01%	Unmodified statute	8	3.5	Yes	3.0	15.0
				Other*	1				
R.S. 14:80.1	Misdemeanor carnal knowledge of a juvenile	9	0.01%	Unmodified statute	9	0.5	No	0.0	0.5
R.S. 14:102.8	Injuring or killing of police animal	8	0.00%	Unmodified statute	4	3.0	No	1.0	7.0
				Other*	4				
R.S. 14:68.3	Unauthorized removal of motor vehicle; penalties	8	0.00%	Unmodified statute	8	3.0	No	0.0	0.5
R.S. 14:329.2	Inciting a riot	8	0.00%	Unmodified statute	8	4.0	No	0.0	21.0
R.S. 14:107.2	Hate crimes	8	0.00%	Unmodified statute	6	1.5	No	0.0	5.0
				Habitual Offender	2	3.8			
R.S. 14:82.1(D)(3)(a)	Prostitution; persons under eighteen; additional offenses	8	0.00%	Unmodified statute	8	0.5	Maybe	5.0	0.0
R.S. 46:114.2	Attempting or aiding to obtain assistance fraudulently; penalties	8	0.00%	Unmodified statute	1	3.0	No	0.0	20.0
	Fraud in obtaining assistance; withholding information concerning property, income or beneficiary, or personal circumstances		0.00%	Unmodified statute	7	2.0	No	0.0	20.0

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R.S. 14:110.2(B)(2)	Tampering with electronic monitoring	8	0.00%	Unmodified statute	7	1.0	Maybe	3 days	1.0
				Habitual Offender	1	1.0			
R.S. 14:83.2	Promoting prostitution	7	0.00%	Unmodified statute	6	2.0	No	0.0	50.0
				Habitual Offender	1	1.0			
R.S. 14:223.7	Counterfeiting or possessing counterfeit labels prohibited	7	0.00%	Unmodified statute	6	2.3	No	0.0	5.0
				Other*	1				
R.S. 14:57	Damage to property with intent to defraud	7	0.00%	Unmodified statute	7	3.0	No	0.0	4.0
R.S. 14:129(B)(2)(b)	Jury tampering	7	0.00%	Unmodified statute	4	5.0	Maybe	0.0	0.0
				Habitual Offender	2	9.5			
				Other*	1				
R.S. 14:67.11	Credit card fraud by persons authorized to provide goods and services	7	0.00%	Unmodified statute	6	3.0	No	0.0	15.0
				Other*	1				
R.S. 14:329.1	Riot	7	0.00%	Unmodified statute	7	3.0	No	0.0	21.0
R.S. 14:211	Sale of forest products; failure to remit payment to owner	6	0.00%	Unmodified statute	6	4.5	No	0.0	10.0
R.S. 14:44.2	Aggravated kidnapping of a child	6	0.00%	Unmodified statute	5	25.0	Yes	Life	Life
				Other*	1				
R.S. 14:56.5	Criminal damage to historic buildings or landmarks by defacing with graffiti	6	0.00%	Unmodified statute	6	1.1	No	0.0	2.0

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R.S. 14:32.6	First-degree feticide	6	0.00%	Unmodified statute	2	15.0	No	0.0	15.0
				Other*	4				
R.S. 14:229	Illegal use of counterfeit trademark; penalties	6	0.00%	Unmodified statute	5	2.0	No	0.0	5.0
				Habitual Offender	1	2.5			
R.S. 40:989(C)	Dangerous chemical substances; butyl nitrite, nitrous oxide, and amyl nitrite; use and transference; penalties	6	0.00%	Unmodified statute	5	5.0	No	0.0	0.5
				Other*	1				
R.S. 32:58	Careless operations	6	0.00%	Unmodified statute	6	0.5	No	0.0	0.0
R.S. 14:63.3	Entry or remaining in places or on land after being forbidden	6	0.00%	Unmodified statute	6	0.5	No	0.0	0.5
R.S. 14:73.5	Computer fraud	6	0.00%	Unmodified statute	6	4.0	No	0.0	5.0
R.S. 14:223.8	Possessing of tools and equipment used for manufacturing unauthorized sound recording prohibited	5	0.00%	Unmodified statute	5	2.0	No	0.0	5.0
R.S. 14:130	Jury misconduct	5	0.00%	Unmodified statute	4	2.3	No	0.0	0.5
				Other*	1				
R.S. 14:99	Reckless operation of a vehicle	5	0.00%	Unmodified statute	5	0.3	No	0.0	0.5
R.S. 14:50.2	Perpetration or attempted perpetration of certain crimes of violence against victim 65+	5	0.00%	Unmodified statute	5	3.0	No	0.0	0.0
R.S. 14:130.1(B)(1)	Obstruction of justice; Life or Death	5	0.00%	Unmodified statute	5	10.0	No	0.0	40.0

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R.S. 32:1310	Proper equipment required on vehicles; display of plate	5	0.00%	Unmodified statute	5	0.1	No	0.0	0.5
R.S. 14:130.1(B)(3)	Obstruction of justice, other	5	0.00%	Unmodified statute	5	5.0	No	0.0	5.0
R.S. 14:93.2.1(B)(2)	Child desertion	5	0.00%	Unmodified statute	5	0.5	Maybe	30 days	0.5
R.S. 14:112	False personation	5	0.00%	Unmodified statute	5	1.0	No	0.0	0.2
R.S. 32:732	Transfer and possession of stolen vehicles	5	0.00%	Unmodified statute	4	2.0	No	1.0	5.0
				Habitual Offender	1	5.0			
R.S. 14:106(G)(4)	Obscenity	5	0.00%	Unmodified statute	4	3.0	Yes	2.0	5.0
				Habitual Offender	1	9.0			
R.S. 14:131	Compounding a felony	5	0.00%	Unmodified statute	4	2.0	No	0.0	2.0
				Other*	1				
R.S. 32:61	Maximum speed limit	4	0.00%	Unmodified statute	4	0.1	No	0.0	0.0
R.S. 14:67.6	Theft of utility service; inference of commission of theft; penalties	4	0.00%	Unmodified statute	4	2.5	No	0.0	2.0
R.S. 47:9071	False or altered lottery tickets	4	0.00%	Unmodified statute	4	5.0	Yes	5.0	20.0
R.S. 14:95.6	Firearm-free zone; notice; signs; crime; penalties	4	0.00%	Unmodified statute	4	2.5	No	0.0	0.5
R.S. 14:67.25	Organized retail theft	4	0.00%	Unmodified statute	4	3.0	No	0.0	10.0
R.S. 14:67.4	Anti-skimming Act	4	0.00%	Unmodified statute	3	1.8	No	0.0	10.0
				Habitual Offender	1	4.0			

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R.S. 14:204	Fire-raising on land of another by criminal negligence; penalty	4	0.00%	Unmodified statute	4	2.5	No	0.0	0.1
R.S. 18:1461.2	Election offenses affecting registration and election fraud or forgery; penalties	4	0.00%	Unmodified statute	4	1.0	No	0.0	5.0
R.S. 14:67.18	Cheating and swindling	4	0.00%	Unmodified statute	4	3.0	No	0.0	10.0
R.S. 14:133.2	Misrepresentation during booking	4	0.00%	Unmodified statute	4	0.5	No	0.0	0.5
R.S. 14:100.1	Obstructing public passages	4	0.00%	Unmodified statute	4	0.5	No	0.0	0.5
R.S. 14:40.6	Unlawful disruption of the operation of a school	4	0.00%	Unmodified statute	4	1.3	No	1.0	5.0
R.S. 40:982	Second or subsequent Offense	4	0.00%	Unmodified statute	4	7.5	Maybe	0.0	0.0
R.S. 14:32.7	Second-degree feticide	4	0.00%	Unmodified statute	2	7.5	No	0.0	10.0
				Other*	2				
R.S. 14:32.8	Third-degree feticide	4	0.00%	Unmodified statute	4	5.0	No	0.0	5.0
R.S. 51:723	Registration of dealers, salesmen, and investment advisers and investment adviser representatives; surety bonds; records	4	0.00%	Unmodified statute	1	8.0	No	0.0	5.0
	Registration of securities; when and how required; delivery of prospectus			1	8.0	No	0.0	5.0	
	Unlawful practices			2	6.5	No	0.0	5.0	
R.S. 14:81.4	Prohibited sexual conduct between educator and student	3	0.00%	Unmodified statute	3	5.0	No	0.0	5.0

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R.S. 14:51.1	Injury by arson	3	0.00%	Unmodified statute	3	10.0	Yes	2.0	20.0
R.S. 14:74	Criminal neglect of family	3	0.00%	Unmodified statute	3	4.0	No	0.0	0.5
R.S. 14:134.1	Malfeasance in office; sexual conduct prohibited with persons in the custody and supervision of the Dept. of Public Safety and Corrections	3	0.00%	Unmodified statute	3	4.0	No	0.0	10.0
R.S. 32:79	Driving on roadway laned for traffic	3	0.00%	Unmodified statute	3	3.0	No	0.0	0.0
R.S. 14:92.1	Encouraging or contributing to child delinquency, dependency or neglect; penalty; suspension of sentence; definitions	3	0.00%	Unmodified statute	3	0.5	No	0.0	0.5
R.S. 23:1172.1	Willful misrepresentation by employer; aid or abet; criminal penalties; civil immunity	3	0.00%	Unmodified statute	3	2.0	No	1.0	10.0
R.S. 32:300	Possession of alcoholic beverages in motor vehicles	3	0.00%	Unmodified statute	3	0.5	No	0.0	0.0
R.S. 14:54.2	Manufacture and possession of delayed action incendiary devices; penalty	3	0.00%	Unmodified statute	3	8.0	No	0.0	20.0
R.S. 14:70.8	Illegal transmission of monetary funds	3	0.00%	Unmodified statute	3	5.0	No	0.0	10.0
R.S. 21:21	Fraud in obtaining accommodations; worthless checks and other fraudulent acts	3	0.00%	Unmodified statute	3	1.0	No	0.0	2.0

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R.S. 14:138	Public payroll fraud	3	0.00%	Unmodified statute	3	5.0	No	0.0	2.0
R.S. 14:40	Intimidation by officers	3	0.00%	Unmodified statute	3	2.0	No	0.0	0.5
R.S. 40:981.2(C)	Soliciting minors to produce, manufacture, distribute or dispense controlled dangerous substances, cocaine, oxycodone, heroin, methamphetamine, or methadone	3	0.00%	Unmodified statute	3	5.0	Yes	10.0	30.0
R.S. 14:62.7	Unauthorized entry of a dwelling during an emergency or disaster	3	0.00%	Unmodified statute	3	1.0	No	0.0	1.0
R.S. 14:86	Enticing persons into prostitution	3	0.00%	Unmodified statute	3	2.0	No	2.0	50.0
R.S. 32:402	All drivers must secure license; exception; emergency vehicle exception; military personnel exceptions; emergency command post vehicle exception; violations	3	0.00%	Unmodified statute	3	0.5	Maybe	7 days	0.5
R.S. 14:34.3	Battery of a school teacher	3	0.00%	Unmodified statute	3	3.0	Yes	3 days	1.0
R.S. 14:62.9	Simple burglary of a law enforcement or emergency vehicle	3	0.00%	Unmodified statute	3	5.0	No	0.0	20.0
R.S. 27:99	Prohibited act and gaming offenses	3	0.00%	Unmodified statute	3	1.0		0.0	0.0
R.S. 14:110.3	Tampering with surveillance accounting	3	0.00%	Unmodified statute	2	1.0	No	0.0	2.0
				Habitual Offender	1	1.0			

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R.S. 14:125	False swearing	2	0.00%	Unmodified statute	2	1.0	No	0.0	1.0
R.S. 47:337.82	Criminal penalty for failing to account for local tax monies	2	0.00%	Unmodified statute	2	3.5	No	0.0	5.0
R.S. 14:43.1(C)(3)	Sexual battery	2	0.00%	Unmodified statute	2	9.0	Yes	25.0	99.0
R.S. 23:1208(C)(1)	Misrepresentations concerning benefit payments; penalty	2	0.00%	Unmodified statute	2	5.5	No	0.0	10.0
R.S. 14:93.12	Purchase and public possession of alcoholic beverages; penalties	2	0.00%	Unmodified statute	2	1.3	No	0.0	0.5
R.S. 14:35.1	Battery of a child welfare or APS worker	2	0.00%	Unmodified statute	2	2.0	Yes	3 days	0.5
R.S. 14:97	Simple obstruction of a highway of commerce	2	0.00%	Unmodified statute	2	6.0	No	0.0	0.5
RS 32:232	Traffic-control signals	2	0.00%	Unmodified statute	2	0.3	No	0.0	0.0
R.S. 14:27(D)(1)(a)	Attempt; penalties; attempt on peace officer; enhanced penalties	2	0.00%	Unmodified statute	1	1.0	Maybe	10.0	50.0
				Other*	1				
R.S. 14:79(C)(1)	Violation of protective orders	2	0.00%	Unmodified statute	2	4.0	Yes	14 days	0.5
R.S. 14:95.5	Possession of firearm on premises of alcoholic beverage outlet	2	0.00%	Unmodified statute	2	15.0	No	0.0	0.5
R.S. 14:46.3(D)(2)	Trafficking of children for sexual purposes	2	0.00%	Unmodified statute	1	8.0	Maybe	5.0	10.0
				Other*	1				
R.S. 14:38.2	Assault of a school teacher	2	0.00%	Unmodified statute	2	1.5	No	30 days	0.5
R.S. 14:120	Corrupt influencing	2	0.00%	Unmodified statute	2	5.0	No	0.0	10.0

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 40:966(B)(1)	Penalty for narcotic drugs listed in Schedule I; Manufacture; Distribution	2	0.00%	Unmodified statute	2	4.0	Yes	10.0	50.0
R.S. 14:286	Sale of minor children	2	0.00%	Unmodified statute	2	1.6	No	0.0	10.0
R.S. 14:128.1(B)(1)	Terrorism	2	0.00%	Unmodified statute	2	1.5	Maybe	4.0	Life
R.S. 14:67.20	Theft of a business record	2	0.00%	Unmodified statute	2	6.0	No	0.0	2.0
R.S. 14:73.8(C)	Unauthorized use of a wireless router system; pornography involving juveniles; penalty	2	0.00%	Unmodified statute	2	2.5	Yes	2.0	10.0
R.S. 14:70.2	Refund or access device application fraud	2	0.00%	Unmodified statute	2	3.0	No	0.0	10.0
R.S. 47:2607	Penalties: Marijuana and Controlled Dangerous Substances Tax Act	2	0.00%	Unmodified statute	2	1.0	No	0.0	5.0
R.S. 14:223	Sound reproductions without consent prohibited	2	0.00%	Unmodified statute	2	3.5	No	0.0	5.0
R.S. 14:68.1	Unauthorized removal of a shopping cart, basket or dairy case	2	0.00%	Unmodified statute	2	2.5	No	0.0	0.5
R.S. 14:37.7(D)	Domestic abuse aggravated assault	2	0.00%	Unmodified statute	2	5.0	Yes	2.0	5.0
R.S. 40:1752	Handling of machine guns, unlawful	2	0.00%	Unmodified statute	2	7.0	No	1.0	10.0
R.S. 14:47	Defamation	1	0.00%	Unmodified statute	1	2.0	No	0.0	0.5
R.S. 51:651.1	Possession, sale or use of certain fireworks prohibited	1	0.00%	Unmodified statute	1	0.5	No	0.0	2.0
R.S. 14:329.7	Punishment: Participation in a riot, inciting a riot, or failing to disperse	1	0.00%	Unmodified statute	1	2.0	No	0.0	21.0

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 14:134.2	Malfeasance in office; tampering with evidence	1	0.00%	Unmodified statute	1	2.0	No	0.0	3.0
R.S. 14:126.2	False statements concerning denial of constitutional rights	1	0.00%	Unmodified statute	1	5.0	No	1.0	5.0
R.S. 14:134.3	Abuse of office	1	0.00%	Unmodified statute	1	3.0	No	1.0	5.0
R.S. 15:560.4	Electronic monitoring of sexually violent predators or child sexual predators	1	0.00%	Unmodified statute	1	2.0	Yes	2.0	20.0
R.S. 14:104	Keeping a disorderly place	1	0.00%	Unmodified statute	1	2.0	No	0.0	50.0
R.S. 14:35.2	Simple battery of persons with infirmities	1	0.00%	Unmodified statute	1	0.5	No	30 days	0.5
R.S. 40:981.1	Distribution to a student	1	0.00%	Unmodified statute	1	1.0	Maybe	0.0	0.0
R.S. 14:95.2.1	Illegal carrying of a firearm at a parade with any firearm used in the commission of a crime of violence	1	0.00%	Unmodified statute	1	5.0	No	1.0	5.0
R.S. 14:225(B)(2-3)	Institutional vandalism; greater than \$500	1	0.00%	Unmodified statute	1	1.0	No	0.0	10.0
R.S. 14:130.1(B)(2)	Obstruction of justice; Hard labor	1	0.00%	Unmodified statute	1	8.0	No	0.0	20.0
R.S. 14:67.19	Theft of anhydrous ammonia	1	0.00%	Unmodified statute	1	2.0	No	0.0	2.0
R.S. 14:63.4	Aiding and abetting others to enter or remain on premises where forbidden	1	0.00%	Unmodified statute	1	2.3	No	0.0	0.5
R.S. 14:513	Possession of loan shark records	1	0.00%	Unmodified statute	1	4.0	No	0.0	1.0
R.S. 14:95.1.1	Attempt or conspiracy	1	0.00%	Unmodified statute	1	1.0	Yes	1.0	2.5

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 14:38.1	Mingling harmful substances	1	0.00%	Unmodified statute	1	2.0	No	0.0	2.0
R.S. 14:222	Possession, manufacture, sale or transfer of devices for avoidance of payment for telecommunications services or related offenses	1	0.00%	Unmodified statute	1	2.0	No	0.0	1.0
R.S. 14:91.1	Unlawful presence of a sexually violent predator	1	0.00%	Unmodified statute	1	7.0	No	0.0	0.5
R.S. 14:91	Unlawful sale of weapons to minors	1	0.00%	Unmodified statute	1	0.5	No	0.0	0.5
R.S. 14:334	Ignition interlock device offenses	1	0.00%	Unmodified statute	1	0.5	No	0.0	0.5
R.S. 56:33	License; license books; returns; transfer of license prohibited	1	0.00%	Unmodified statute	1	10.0	No	0.0	0.3
R.S. 14:108.1(C)	Flight from an officer; aggravated flight from an officer	1	0.00%	Unmodified statute	1	2.0	No	0.0	10.0
R.S. 14:97.1	Solicitation on an interstate highway	1	0.00%	Unmodified statute	1	0.5	No	0.0	0.5
R.S. 14:67.8	Theft of oilfield geological survey, seismograph, and production maps; penalties	1	0.00%	Unmodified statute	1	1.0	No	1.0	10.0
R.S. 14:73.3	Offenses against computer equipment or supplies	1	0.00%	Unmodified statute	1	1.5	No	0.0	5.0
R.S. 14:122.1	Intimidation and interference in the operation of schools	1	0.00%	Unmodified statute	1	3.0	No	0.0	1.0
R.S. 14:218	Seafood sales and purchases; commercial license required for seller	1	0.00%	Unmodified statute	1	0.5	No	0.0	2.0

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 14:91.11	Sale, exhibition, or distribution of material harmful to minors	1	0.00%	Unmodified statute	1	1.0	No	0.0	1.0
R.S. 14:106.1	Habitual Offender	1	0.00%	Unmodified statute	1	1.5	No	0.5	3.0
R.S. 14:83.1	Inciting prostitution	1	0.00%	Unmodified statute	1	1.0	No	0.0	50.0
R.S. 8:654	Mutilating, disinterring human remains; penalty	1	0.00%	Unmodified statute	1	3.0	No	0.0	3.0
R.S. 14:313	Masks or hoods, wearing in public places prohibited; penalty	1	0.00%	Unmodified statute	1	2.0	No	0.5	3.0
R.S. 14:122.2	Threatening a public official; penalties; definitions	1	0.00%	Unmodified statute	1	0.5	No	0.0	0.5
R.S. 14:107	Vagrancy	1	0.00%	Unmodified statute	1	2.0	No	0.0	0.5
R.S. 40:1791	Penalty: Weapons Registration	1	0.00%	Unmodified statute	1	3.0	No	1.0	10.0
R.S. 14:76	Bigamy	1	0.00%	Unmodified statute	1	0.5	No	0.0	5.0
R.S. 14:105	Letting a disorderly place	1	0.00%	Unmodified statute	1	2.0	No	0.0	50.0
R.S. 22:1562	Prohibited Acts (Qualifications and Licensing)	1	0.00%	Unmodified statute	1	3.0	No	0.0	3.0
R.S. 14:101	Desecration of graves	1	0.00%	Unmodified statute	1	2.0	No	0.0	0.5
R.S. 30:2025	Enforcement: Environmental Quality	1	0.00%	Unmodified statute	1	1.0	No	0.0	10.0
R.S. 14:72.4	Disposal of property with fraudulent or malicious intent	1	0.00%	Unmodified statute	1	1.0	No	0.0	1.0
R.S. 14:67.7	Theft of petroleum products; penalties	1	0.00%	Unmodified statute	1	2.0	No	1.0	10.0

Number of Felony Convictions by Offense during Fiscal Years 2009 - May 2015									
Statute	Statute Title	Total Number of Offenders	Percentage of Total Offenders	Sentence Modifier	Number of Offenders	Median Sentence (Years)	Mandatory Minimum Sentence (Years)	Minimum Sentence in Law (Years)	Maximum Sentence in Law (Years)
R.S. 30:2418	Waste Tires	1	0.00%	Unmodified statute	1	2.0	No	0.0	10.0
R.S. 14:403.2	Abuse and neglect of adults	1	0.00%	Unmodified statute	1	3.0	No	0.0	0.5
R.S. 14:140	Public contract fraud	1	0.00%	Unmodified statute	1	2.0	No	0.0	2.0
R.S. 8:652	Unlawful disposal of remains	1	0.00%	Unmodified statute	1	3.0	No	0.0	3.0
R.S. 14:89.2(B)(3)(b)	Crime against nature by solicitation	1	0.00%	Unmodified statute	1	5.0	Maybe	25.0	50.0
R.S. 14:327	Obstructing a fireman	1	0.00%	Unmodified statute	1	2.0	No	0.5	35.0
R.S. 30:2183	Hazardous Waste Control Law	1	0.00%	Unmodified statute	1	5.0	No	0.0	15.0
R.S. 14:54.5	Fake explosive devices	1	0.00%	Unmodified statute	1	3.0	No	0.0	5.0
*Other includes accessory, attempt, and conspiracy, all which may reduce the overall sentence given. Source: Prepared by legislative auditor’s staff using data from the CAJUN database.									

APPENDIX H: DIFFERENCE BETWEEN TRADITIONAL PAROLE AND GOOD TIME PAROLE

Comparison of Good Time and Traditional Parole

	Good Time Parole		Traditional Parole
Eligibility	Any person convicted of a sex crime, second-conviction violent crime, or as a habitual offender for a sex or violent crime is automatically ineligible. Offenders sentenced to life imprisonment may earn good time that can be applied at such time as the offender's sentence is commuted to a specific number of years.		For the reduced percentages associated with 1 st and 2 nd nonviolent convictions the individual must also not be convicted of a sex crime or as a habitual offender.
Release Determinations	Good time parole is accrued and subtracted from the sentence length. No parole hearings are required for release.		An offender is deemed eligible for parole at a certain percentage of the sentence served. Release determinations made through parole hearings.
Type of Conviction	Good Time Accrual in State Prison	Good Time Accrual in Parish Prison	Traditional Parole
1 st Conviction - Nonviolent	1.5 day for 1 day served	30 days for 30 days served	25% sentence served
2 nd Conviction - Nonviolent	1.5 day for 1 day served	30 days for 30 days served	33.3% sentence served
1 st Conviction - Violent	3 days for 17 days served	3 days for 17 days served	33.3% sentence served
2 nd Conviction - Violent	Not eligible	Not eligible	50% sentenced served
3 rd Conviction	Not eligible	Not eligible	Not eligible

Source: Prepared by legislative auditor's staff using information from Louisiana Revised Statute (R.S.) 15.571.3.

Potential Amount of Time Served for Good time and Traditional Parole Releases for First-time Nonviolent Offenders Based on Louisiana Statutes Effective as of the 2012 Legislative Session

Sentence Length	State Facilities		Local Facilities		All Facilities
	Good Time Release	Good Time Release with Maximum Program Credits	Good Time Release	Good Time Release with Maximum Program Credits	Traditional Parole Release
3 years	1.2 years	9.5 months	1.5 years	1 year	9 months
5 years	2 years	1.6 years	2.5 years	2 years	1.25 years
10 years	4 years	3.6 years	5 years	4.6 years	2.5 years

Source: Prepared by legislative auditor's staff using information from R.S. 15.571.3.



Supreme Court
STATE OF LOUISIANA

CHIEF JUSTICE

Bernette Joshua Johnson

December 27, 2016

400 ROYAL STREET
NEW ORLEANS, LOUISIANA, 70130
TELEPHONE 504-310-2350
FAX 504-310-2359
EMAIL bjohnson@lasc.org

Commissioner Jay Dardenne
Division of Administration
1201 N. Third Street, Suite 7-210
Baton Rouge, LA 70802

Re: Request to Declare an Emergency

Dear Commissioner Dardenne:

In Act 571 of the 2016 Regular Session, the Louisiana Legislature amended the Louisiana Public Defender Act with the following pertinent language:

R.S. 15:166

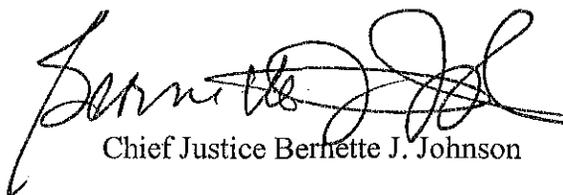
“C. No provision of Louisiana law authorizing the return or rollback of funds from governmental programs to the division of administration shall apply to the board account during an emergency shortfall in funding as certified by the board with the approval of the chief justice of the Louisiana Supreme Court.”

The Louisiana Public Defender Board (LPDB) convened a meeting on December 15, 2016. At that meeting, the LPDB budget was discussed at length. It was determined the agency is facing a \$507,635 shortfall by the end of Fiscal Year 2017. It was further determined a number of district offices in Louisiana are now in fiscal crisis. Finally, it was determined the executive branch has executed a sweep of funds in various executive agencies. Though the LPDB has not yet been the subject of such a sweep, it is anticipated one shall be executed thus depleting LPDB funding by five percent. Having considered all of these factors, the Board, invoked the provisions of R.S. 15:166 C and certified the existence of an emergency shortfall in funding for criminal defense for the poor in Louisiana. The Board, through the State Public Defender, forwarded a copy of the resolution containing the certification of an emergency shortfall and requested approval by the Chief Justice of the Supreme Court of Louisiana, as provided in the aforementioned statute.

Having fully reviewed Board's certification of the existence of an emergency shortfall in funding and the budget document reflecting the Board's financial status, I hereby approve the

certification of an emergency shortfall in funding for the Louisiana Public Defender Board. I further endorse the Board's request that "[n]o provision of Louisiana Law authorizing the return or rollback of funds" from the LPDB to the division of administration shall be applied to the Board's 2017 Fiscal Year budget due to the existence of an emergency shortfall in that agency.

Yours very truly,

A handwritten signature in black ink, appearing to read "Bernette J. Johnson". The signature is fluid and cursive, with a long horizontal line extending to the right from the end of the signature.

Chief Justice Bernette J. Johnson

BJJ/ebg

cc: C. Frank Holthaus
James T. Dixon, Jr.

Serving the Public
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THE DISTRICT ASSISTANCE FUND

Of its total budget, LPDB has dedicated nearly 50%, or \$16,435,314 as supplemental funding support for the individual districts across the state in a program called the District Assistance Fund (DAF). Specifically, the DAF helps to fund the forty-two local Public Defender Offices which serve each of the forty-two Judicial District Courts, the four Juvenile Courts, more than fifty City Courts and numerous specialty courts such as Mental Health Courts, Drug Courts and Child Support Courts.

The DAF is divided among each of the public defender offices based on each district's need for funding assistance in order to provide the necessary legal services to those citizens in need of legal services who cannot afford them. While each district receives funding from local sources such as a portion of local court fees and fines, for example, and also has a required reserve spend-down, these local funds fall short of covering all the costs of operating a local Public Defender Office in nearly every district. The DAF is used to cover these shortfalls after accounting for the fiscal impact of the local funding and reserve spend-downs.

Historically, the DAF monies have been disbursed semi-annually (July and January) based on a mathematical formula applied consistently across the state to determine the total funding (both state and local) that each district needs ideally. Because the system is known to be quite under-funded, these ideal total needs will not likely be met. However, the statewide ideal grand total is calculated and the appropriate portion of that grand total each district needs is also calculated. Regardless of the actual amount allocated for the DAF, each district will receive its appropriate portion of the funds which distributes the statewide under-funding equally and fairly.

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RECENT NEWS

Next Meetings
The next LPDB meetings and meetings of its committees are listed below and open to the public.

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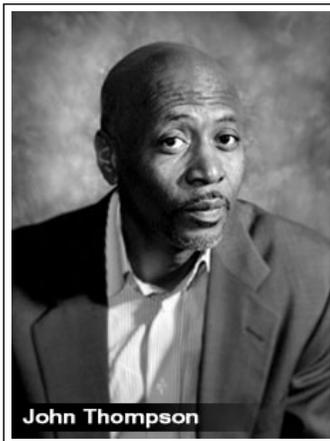
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DEFENDING THE INNOCENT

A strong public defender system is the best safeguard against innocent people being sent to prison for crimes they did not commit. In Louisiana, since aggressive efforts began in 1991, at least 25 men have been proved innocent after spending significant periods of time (between 4 and 30 years) in prison. Wrongful conviction is not isolated to one area of the state. Innocent people have been sent to prison from all corners of the state, from New Orleans to Houma to Lake Charles. While many factors caused these wrongful convictions, one common theme in almost every case is that the defendant did not receive a strong defense at trial and during his initial appeal. Innocent people, wrongfully convicted, spend decades in prisons while perpetrator remain free. Well-trained and adequately resourced public defenders would have prevented these convictions.

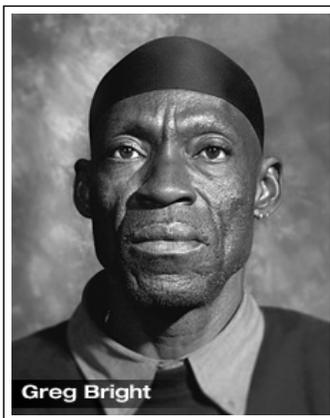


Wrongful convictions cost everyone. It is an unspeakable horror for an innocent person and their family, it deprives the victim of justice and closure, it falsely terminates the search for the real offender, it costs much more to correct the mistake than it does to administer justice fairly and accurately the first time around, and it erodes public confidence in the criminal justice system. If properly resourced, the public defender agency will help restore that trust by preventing wrongful convictions and promoting community safety. A strong public defender system improves the performance of the entire criminal justice system by being a worthy adversary at every stage of legal proceedings.

A strong public defender system protects indigent defendants against wrongful conviction, and raises the protection of innocent defendants across the board. Often poor defendants families do not want to rely on an overstretched public defender so they pool together their savings for a cut price "paid lawyer." However, these lawyers are often just as under-resourced as public defenders when it comes to serious charges. Without means to conduct investigation or hire experts, and insufficient time to prepare, the lack of meaningful funding for public defense leads to wrongful convictions even for those who do not have a public defender.

John "JT" Thompson was 22 years old in 1984 when he was wrongfully convicted of robbery and murder in Orleans Parish. He was represented by a public defender.

John's appeal raised numerous 'Ineffective Assistance of Counsel' issues relating to his defense at the trial level. After serving 18 years in prison, in May 2003, an Orleans Parish jury took only 35 minutes to acquit JT of all charges. In the 18 years he spent in prison between his arrest and conviction, 14 were spent on death row. He survived 8 execution dates, repeatedly coming within days of execution. In September 2009, a jury awarded JT \$14 million for his wrongful conviction. The civil penalty came after a finding that a systematic training failure in the District Attorney's Office contributed to his prosecutors' withholding of crucial evidence that could have kept JT out of prison.



The biggest way an under-resourced attorney fails innocent defendants is by not being able to perform independent investigation. This means the State's case is not challenged, any alibi is not properly prepared and leads on the true perpetrator are not followed up. For example, Ryan Matthews and Travis Hayes were convicted of a murder that occurred when they were each seventeen (Ryan was sentenced to death and Travis to life without parole). They were both eventually cleared and freed, but if the defense had adequately investigated the case before trial then the juries that voted to convict would have heard full alibis, details of prior criminal conduct by the State's witnesses, convincing physical evidence that Travis's car could not have been the one used in the crime and, possibly even, the identity of the true perpetrator (Ryan's attorneys were passed on rumors about the real killer before trial but did not follow up, years later DNA testing of crime scene evidence proved the rumors true).

Under-resourced lawyers cannot effectively establish their clients' innocence. Travis Hayes' attorney recalled his client's case, "I would have been able to do more if I'd had more resources, but the family struggled to pay the initial retainer, let alone the remaining fee. I had nothing to spend on investigation and no help on the case. I didn't want to get off the case because I believed in the kid, but for the money I got from them, I just couldn't provide an effective defense in a first degree murder

case."

Under-resourced public defender programs also cause wrongful convictions because innocent defendants are represented by attorneys who:

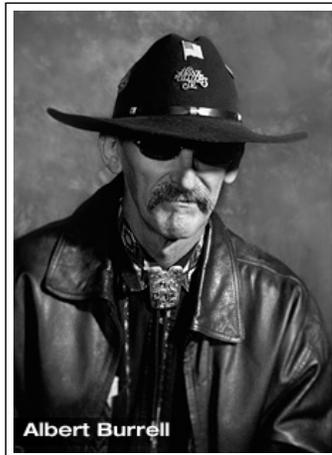
- Are not familiar enough with the facts of the case to present a coherent defense;
- Are inadequately prepared to challenge questionable forensic evidence;
- Are insufficiently trained to prevent the prosecution presenting inadmissible evidence and arguments.

This inevitably leads to injustice.

The need for strong indigent defense extends beyond trials. All defendants are entitled to an automatic appeal after conviction, but when the defendant is poor this appeal may be never filed or delayed by years. Even when the appeal is filed, key arguments are often

omitted or lifted verbatim from other briefs. Preparing an appeal that ensures a trial is properly reviewed is time consuming and specialized work, but such review is a vital curative safeguard against wrongful conviction and imprisonment.

Greg Bright served more than 27 years in Angola prison for a crime that he did not commit. He went to trial when he was 18 years old. His public defender conducted no investigation, failed to dispute the problematic testimony of the lone witness, and overall presented virtually no defense for the innocent Mr. Bright.



It is a simple fact that rich people are almost never sent to prison for crimes they did not commit. This is because they can afford a top-notch defense a defense that protects the defendant from wrongful accusation. When the public defender system lacks the resources, manpower and talent to provide high quality defense services, society run an incredible risk of convicting and sentencing an innocent person to prison - not because he is guilty, but because he is poor.

Albert Burrell and his co-defendant Michael Graham (a man he had never met until they were arrested for allegedly collaborating on the same crime) were not represented effectively by their court-appointed defenders. One of their attorneys has since been disbarred. Mr. Burrell and Mr. Graham were wrongfully convicted in Union Parish and spent more than 13 years on death row at Angola prison. They were released in 2000.

The Louisiana Public Defender Board provides funding for a portion of the Innocence Project New Orleans work in Louisiana. However, the majority of their funding is obtained through charitable foundations or private support.

Photographs of Mr. John Thompson, Mr. Greg Bright, and Mr. Albert Burrell used with their permission and consent of the artist, Jenny Bagert.

From:
Sent: Friday, January 27, 2017 7:27 PM
To:
Subject: FW: Thoughts on our meeting
Attachments: image001.png; defenderData.drop down.menu.wait list.pdf

From: Paul Marx [mailto:gpaul@15jdido.net]
Sent: Monday, December 19, 2016 5:31 PM
To: 'James Dixon'; fholthaus@dphf-law.com; Zita Andrus Esq.; Donald North; W. Ross Foote; Moses Williams Esq.; Katherine E. Gilmer; Flozell Daniels Jr.; Thomas Davenport; Michael C. Ginart Jr.; Chris Bowman; alldistricts; 'David Price (david@brcco.org)'; 'Kerry Cuccia'; Richard Bourke; 'Emily Maw'; Aaron Clark-Rizzio
'lap_director@bellsouth.net'
Cc: Patrick J. Fanning; ExecutiveStaff
Subject: RE: Thoughts on our meeting

Thanks Jay,

I agree with Pat: the point is to reach reasonable solutions. I also agree that the numbers from my district are unbelievable. Unacceptable.

The number of wait listed clients is "a lot of backlog" indeed. The peak number of 5,400 was something provided by the database we use and the categories we applied. The sub-categories included 1800 open, active files, another lump of about 1800 awaiting bills, and the balance in FW or other sub categories. These cases are routinely counted in our database across the state. Not until the big numbers came up were we approached to consider pushing out some subcategories, to make the wait list number smaller.

I will say that Jay asked my office to push down the number, but we think pushing the number down only when it suits a particular story would be as bad as changing it to push it up. I have no doubt that whatever version anyone wants to take, my clients, 1,800 to 5,400 of them, have borne an excessive burden of ROS. A matter of degree perhaps. But no less unfair to clients. I welcome the powers that be to decide what the number should be for budgeting purposes, but as per the attached statistical run by staff, I'm still way out of line by number of victims.

I welcome fully vetting all the dollars and all the data. But we would all expect some rule or regulation and not an ad hoc approach that singles one district out just because the numbers are bigger. We intake thousands of cases, and six

months without over half our lawyers, that's about 6,000 clients. All subcategories included. But I'll settle for "open" if everybody pares down to that. 1,800, now down under 1,500 because lawyers are overloaded.

G Paul Marx

District Defender

15th Judicial District

PO Box 3622

Lafayette, La. 70502

337 456 1643

Twitter_logosmal @gpmarx_g

-----Original Message-----

From: James Dixon [mailto:JDixon@lpdb.la.gov]

Sent: Monday, December 19, 2016 4:59 PM

To: fholthaus@dphf-law.com<mailto:fholthaus@dphf-law.com>; Zita Andrus Esq.; Donald North; W. Ross Foote; Moses Williams Esq.; Katherine E. Gilmer; Flozell Daniels Jr.; Thomas Davenport; Michael C. Ginart Jr.; Chris Bowman; alldistricts 'David Price (david@brcco.org<mailto:david@brcco.org>); 'Kerry Cuccia'; 'Richard Bourke (RBourke@thejusticecenter.org<mailto:RBourke@thejusticecenter.org>); 'Emily Maw'; Aaron Clark-Rizzio; 'lap_director@bellsouth.net'

Cc: Patrick J. Fanning; ExecutiveStaff

Subject: FW: Thoughts on our meeting

Everyone,

I had to testify in the St. Tammany Parish today and forwarded the email below at my first opportunity.

Sincerely,

Jay Dixon

James T. Dixon, Jr.

State Public Defender

301 Main Street, Suite 700

Baton Rouge, LA 70825

(225) 219-9305

-----Original Message-----

From: Pat Fanning [mailto:pfanninglaw@aol.com]

Sent: Saturday, December 17, 2016 11:52 AM

To: James Dixon <JDixon@lpdb.la.gov<mailto:JDixon@lpdb.la.gov>>

Subject: Thoughts on our meeting

Jay,

While I thought that the meeting was productive it appeared to me that it looks like there will be factions on the Board, as one would expect. The five reps, including myself, who came from the five Circuits were named basically by the district defenders. Obviously, there was discussion with the District Defenders before the nominations were made and the new board members heard complaints about money, accountability, etc.

The guys in the districts think of themselves as the foot soldiers and complain that the administration takes as much money as it wants and the districts get whatever is left to do the actual work of providing services to the clients in the courtrooms. They complain that they are held accountable for how they spend every dollar but the 501 c 3s do not have to do the same and some end up with surpluses while some districts go into ROS.

I think the issue that came up about the capital expert funds was a good example. It appeared that Tommy was at one end of the spectrum and Jean at the other. I was trying to get us more to the middle by saying let's just try to figure a

way that we can get some info so we can do our job of making sure the money is spent properly while giving proper respect to attorney client privilege. I'm sure no one thinks anyone is misappropriating any funds. It's more like we are looking for ways to get the job done for less money, if that is at all possible.

The same is true of the 65 per cent issue. No one wants to see any district run out of money with no funds available but, at the same time, many districts want to see that they get their proper share of the money. I'm sure that some districts operate more efficiently and with less frills than others so I can see why some districts are not anxious to give their share to some of the other districts who run out of funds. By the way, I am very skeptical of Paul Marx's claim that he has 4000 cases waiting for lawyers. Remember the old thing about some people use statistics like a drunk uses a lamppost, for support instead of for illumination. I'm sure he needs help, but that seems like a lot of backlog.

I hope that whoever sees this will take it in the spirit in which it is intended. Let's all remember that we all share a common goal of providing the best services possible with the money that is available. So let's chill out and show respect to one another and keep our eye on the ball.

Anyway, I just wanted to pass my thoughts on to you. I would like to send this to the other board members, the district defenders and any interested staff but I am sitting in an airport waiting for my next flight and my computer skills are not that great. If it is not too much trouble maybe you can pass this along.

I wish everyone a great holiday season and I look forward to seeing everyone soon so we can all work together toward our common goal.

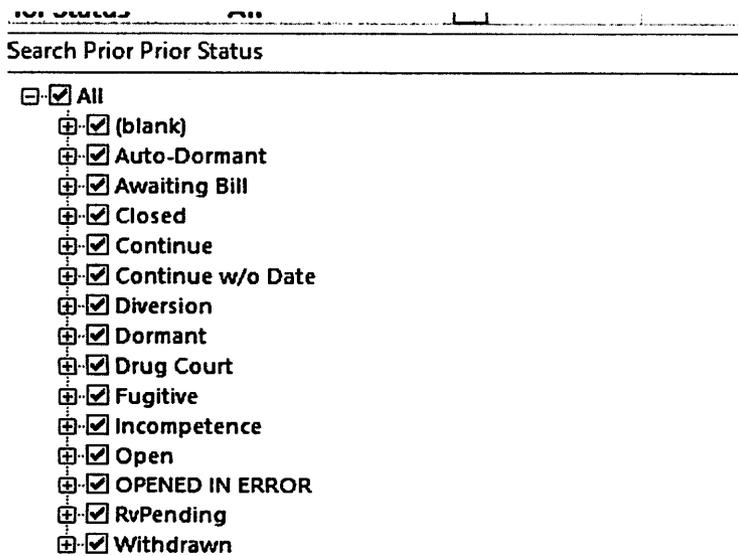
Pat Fanning

Sent from my iPad

**Cases by District as of May 30 with the
status of "Wait List-ROS" listed by the status
entered PRIOR to being changed/set to
"Wait List-ROS"**

District	Wait List ROS Cases
LA - District 05	12
LA - District 08	44
LA - District 15	5297
LA - District 16	250
LA - District 19	196
LA - District 22	16
LA - District 23	156
LA - District 24	1
LA - District 25	10
LA - District 26	3
LA - District 28	76
LA - District 30	40
LA - District 32	7
LA - District 34	93
LA - District 41	116
LA - District 42	1
Grand Total	6318

The following screenshot is the complete pulldown menu for data entry in the case status field for cases PRIOR to being classified as "Waitlist-ROS"



District w Prior Status (before WaitList-ROS Status Change)	Total Wait List ROS Cases
LA - District 05	12
Open	12
LA - District 08	44
Auto-Dormant	1
Continue w/o Date	1
Open	42
LA - District 15	5297
Auto-Dormant	100
Awaiting Bill	1274
Closed	63
Continue	17
Continue w/o Date	37
Diversion	41
Dormant	1
Drug Court	2
Fugitive	1891
Incompetence	7
Open	1851
OPENED IN ERROR	1
Probation	1
RvPending	1
Withdrawn	10
LA - District 16	250
Auto-Dormant	5
Awaiting Bill	109
Closed	2
Continue	3
Drug Court	1
Fugitive	15
Incompetence	1
Open	112
Withdrawn	2
LA - District 19	196
Auto-Dormant	139
Closed	1
Open	56
LA - District 22	16
Awaiting Bill	6
Open	2
Withdrawn	8

District w Prior Status (before WaitList-ROS Status Change)	Total Wait List ROS Cases
LA - District 23	156
Auto-Dormant	14
Closed	9
Continue	1
Fugitive	15
Open	115
Probation	1
RvPending	1
LA - District 24	1
Open	1
LA - District 25	10
Awaiting Bill	4
Open	6
LA - District 26	3
Awaiting Bill	1
Open	2
LA - District 28	76
Auto-Dormant	2
Closed	1
Open	73
LA - District 30	40
Continue	2
Open	38
LA - District 32	7
Open	7
LA - District 34	93
Closed	6
Open	87
LA - District 41	116
Fugitive	1
Open	110
Withdrawn	5
LA - District 42	1
Closed	1
Grand Total	6318



Innocence Project New Orleans

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During Harry Connick's tenure, Orleans Parish District Attorney's Office regularly suppressed crucial evidence in cases, costing taxpayers millions of dollars, sending innocent men to prison and exacerbating the crime problem in New Orleans.

This report examines the ongoing problem of evidence suppression by prosecutors in Orleans Parish. Innocence Project New Orleans garnered statistics based upon all 36 death sentences in Orleans Parish between 1973 and 2002, the tenure of Harry Connick. Additionally, the report examines non death penalty cases by reviewing 25 non-capital cases in which allegations of evidence suppression were brought to court. Determinations of evidence suppression in this report are not based on a subjective review of the case files, but rather on published court opinions and court documents.

According to available records, favorable evidence was withheld from 9 of the 36 (25%) men sentenced to death in Orleans Parish from 1973-2002. Four of those men were eventually exonerated, having been released only after serving a collective 43 years on death row. In other words, one in every four men sent to death row by the New Orleans District Attorney's office from 1973-2002 was convicted after evidence that could have cast doubt on their guilt was withheld from them at trial. Four men, about 11%, were completely innocent.

An additional 25 non-capital cases were examined in which allegations of evidence suppression were made.¹ In 19 of these cases, courts found favorable evidence was indeed withheld, and in all others the court deemed that the allegations warranted an evidentiary hearing. Of these non-capital cases, four men were later found innocent of their crimes and released from life sentences after having served 70 collective years in Angola. Ten more had their convictions reversed. As a result, the State bore the expense of holding new trials for each of these men - a significant cost to taxpayers that would have been avoided had the District Attorney's office not withheld evidence during the initial trial.

The imprisonment of the innocent is just one of many detrimental consequences of evidence suppression. There are several reasons why this practice must be confronted in

¹ This is a gross underestimation of the number of cases in which evidence may have been suppressed in non-capital cases. Unlike those sentenced to death, non-capital prisoners have no right to a lawyer at exactly the point in the appeals process at which they could investigate and prove that favorable evidence was suppressed, or false evidence presented, at their trial. Therefore the number 25 is only the amount of prisoners sentenced to non-capital offenses in Orleans Parish during the Connick years who managed to find an attorney to get their case back into court. The vast majority of non-capitally sentenced prisoners will never have that opportunity so the real number is unknowable. However, IPNO is currently doing further investigation to discover additional cases.



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this year's election. It is not merely a legal concern; it is an issue of crime control, fiscal responsibility, worsening an overburdened court system and prolonging the pain of victims.

WITHOLDING EVIDENCE EXACERBATES OUR CRIME PROBLEM

The New Orleans crime rate is alarmingly high, and withholding evidence in criminal cases in order to win does not address this issue. Instead, it directly undermines the safety of our communities. When favorable evidence is suppressed, and the wrong person is convicted, the perpetrator who actually committed the crime is not tried. In itself, this is a grave injustice to victims of crime, but it also prolongs the threat of future crimes by the actual perpetrators.

Consider the case of Dan Bright. Dan was arrested and convicted of first degree murder in 1996. What the prosecution withheld and the jury never heard, was that the FBI learned the identity of the real killer through an informant who identified someone else. Though Dan's attorneys suspected this other man, they were never aware that the FBI had corroborated their suspicions. Additionally, the DA's office suppressed the fact that their only eyewitness was in violation of his parole at the time of his statement to police. Dan spent 8 years behind bars, much of that time on death row, before being exonerated. The man identified by the FBI was never prosecuted.

John Thompson spent 18 years in the Louisiana State Penitentiary; 14 of those were on death row. After coming close to execution several times, he was eventually released when it was discovered that the DA's office withheld and subsequently hid evidence that helped prove his innocence. The evidence included lab results showing the perpetrator had a different blood type, and eyewitness descriptions of the murderer which differed considerably from Mr. Thompson's physical appearance at the time of the crime. After 18 years, John was afforded a second trial and was acquitted after less than 30 minutes of jury deliberation. Following his release, John started a non-profit, Resurrection After Exoneration, to help other exonerated men like him adjust to life after prison by providing vocational training, counseling and other life skills.

Meanwhile, Kevin Freeman, now believed to be the man who murdered hotel executive Ray Liuzza, walked free after implicating John Thompson as the killer at John's 1984 capital murder trial. Eleven years after the murder, Freeman was shot and killed by a security guard in New Orleans as he was burglarizing parked cars.



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EVIDENCE SUPPRESSION WASTES MILLIONS OF DOLLARS OF TAXPAYER MONEY

Orleans taxpayers can ill-afford a District Attorney who employs prosecutors that place their own desire to win cases, regardless of the defendant’s guilt, above the interests of the public. The burden of the misconduct of the DA’s office falls heavily on the taxpayers whose money must be allocated to pay for such mistakes. These costs include incarceration of innocent men, policing costs for crime committed by the real perpetrators, compensation upon their release, and lengthy court proceedings that are an inevitable result of unconstitutional convictions. On an annual basis, this is costing millions of dollars and clogging an already overburdened court system.

The cost to taxpayers for the wrongful incarceration of innocent men from 1973-2002 is currently at least \$17 million. This is excluding the cost of the long, drawn-out court proceedings which have cost tax payers hundreds of thousands of additional dollars over the last three decades and continues to cost them today.²

Incarceration costs in Louisiana prisons average \$52.46 per day per prisoner.³ The 8 innocent men incarcerated during Harry Connick’s tenure spent a collective 113 years in prison, amassing an incarceration cost of over \$2.1 million. The Innocence Compensation Act of 2005 will potentially afford up to \$190,000 more per person, allotting \$15,000 for each year spent in prison (to a maximum of 10 years) and an additional \$40,000 for vocational training, education, and counseling/medical care. The civil suit won by John Thompson awarded him \$14 million, which has now accrued interest while the DA’s office continues to appeal the decision against them.

COST TO TAXPAYERS: CONVICTION OF INNOCENT MEN				
Name	Years in Prison	Incarceration Cost	Potential Compensation	Total
Earl Truvia	27.5	\$516,993	\$190,000	\$706,993
Greg Bright	27.5	\$516,993	\$190,000	\$706,993
Dwight LaBran	4	\$76,591	\$100,000	\$266,591
Isaac Knapper	12	\$229,774	\$190,000	\$419,774
Dan Bright	8	\$153,183	\$190,000	\$343,183
John Thompson	18	\$344,662	\$14,190,000	\$14,534,662
Curtis Kyles	14	\$268,070	\$190,000	\$458,070
Shareef Cousin	3	\$57,443	\$85,000	\$247,443
Total	113	\$2,163,712	\$15,325,000	\$17,488,712

² The same proceedings often cost the State millions when capital cases are tried

³ According the Louisiana Department of Corrections average for the last five years



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While the above table stresses the cost to taxpayers of exonerations, the price of withholding evidence is by no means limited to cases of innocence. Any time exculpatory evidence is withheld, a person's constitutional right to a fair trial has been violated. At least 20 other cases of evidence suppression in Orleans Parish exist, and while the result isn't always a full acquittal, in many cases it leads to new trials, or lesser sentences. Even more wasteful are cases in which guilty defendants are granted new trials when it is discovered that the District Attorney's office withheld evidence that the jury should have heard before reaching its verdict. The cost of withholding evidence in those cases is particularly senseless. Usually, the evidence against the defendant is so compelling that the second jury often reaches the same verdict, only at a much higher cost. Below is a small sampling of cases which remained in courts long after the original convictions because the prosecutor at trial withheld evidence to which the defense was constitutionally entitled:

- *Sullivan Walter*: Convicted of aggravated burglary, forcible rape, and crimes against nature. Physical evidence and eyewitness identification of the victim linked Mr. Walter to the crime. Because the DA withheld significant evidence from Mr. Walter, his case dragged on for 11 years, before his conviction was finalized.
- *Alfred Oliver*: Arrested for kidnapping and armed robbery, but granted a new trial after DA files surfaced showing extensive inconsistencies in the stories of those who accused him suggesting they fabricated the entire event.
- *William Perkins*: Convicted of first degree murder but granted a new trial after suppressed evidence from DA files emerged suggesting the probability that he fired his gun in self defense.

WRONGFUL CONVICTIONS ARE AN AFFRONT TO HUMAN LIVES

Perhaps the greatest cost of evidence suppression is the burden of having robbed years, and even entire lifetimes from people. For the 8 men in this study who were eventually exonerated, an average of 12 years elapsed before evidence of their innocence were found in the DA's files, and 14 years before they were released from prison.

Gregory Bright (unrelated to Daniel Bright, discussed above) and Earl Truvia were 20 and 17 years old when, in 1975, the DA prosecuted them for second degree murder. The two endured 25 years of wrongful imprisonment before withheld evidence finally surfaced. Even then, they spent an additional 2 ½ years in prison with their cases in court before they were released. The State suppressed evidence of the real perpetrator and evidence that its' only witness was a paranoid schizophrenic with a heroin addiction who spoke to police only in exchange for money and whose account of the murder conflicted



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with the time of death issued by the coroner. Greg and Earl were well into their 40's when they were finally exonerated and released from prison in 2003.

Isaac Knapper, at the time an amateur boxer, was arrested in 1979 at age 16 for the murder of a tourist in the French Quarter. Prosecutors in Harry Connick's office convicted Mr. Knapper on the general appearance ascribed by an eyewitness. After 12 years in prison serving a life sentence, a police report was found in the DA's files which documented an armed robbery that occurred five blocks from where Mr. Knapper was said to have murdered the tourist. The three perpetrators in that robbery matched the description given by the eyewitness, and possessed the gun which fired the fatal bullet. Isaac Knapper was released in 1991 just shy of his 30th birthday.

YEARS OF LIFE LOST IN PRISON: EXONERATED MEN		
Name	Conviction→Discovery of Evidence	Conviction → Release
Earl Truvia	25 Years	27 Years
Greg Bright	25 Years	27 Years
Dwight LaBran	3 Years	4 Years
Isaac Knapper	12 Years	12 Years
Dan Bright	8 Years	8 Years
John Thompson	14 Years	18 Years
Curtis Kyles	4 Years	14 Years
Shareef Cousin	2 Years	3 Years
Average	12 Years	14 Years
Total	93 Years	113 Years

There is an additional “hidden” cost. In all of these cases, the families of the victims are robbed of real justice. The victims’ ability to obtain closure and to move-on with their lives is undermined by years of unnecessary appeals and petitions. In the case of those eight who were eventually exonerated, the victims waited years, often decades, to find that the State could hold no one accountable for the crimes perpetrated on their loved ones.

PROPOSED POLICY REFORM

Harry Connick's administration employed many accomplished prosecutors who adhered to the highest ethical standards. However, during Connick's tenure (1973-2002), a culture developed in which some prosecutors valued winning over pursuing justice. Despite routine violations of their constitutional obligations to safeguard the rights of criminal defendants, only once, in the case of Shareef Cousin, was any action taken against these prosecutors for withholding exculpatory evidence. The Louisiana Supreme Court reacted to evidence suppression in a capital case by sentencing the lead prosecutor



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to a three month suspension. However, the suspension was immediately deferred and subsequently never served.

There must be serious debate in this year's election of accountability in the DA's office. Several reforms are possible:

- Require open file discovery by the prosecution, as many states already do. This allows defense counsel access to information in the prosecution files such as police reports and eye-witness testimonies without the barrier of having to file requests for exculpatory information. This has the added benefit of speeding up the trial process
- Institute comprehensive training programs and strict internal controls against prosecutors who withhold exculpatory evidence
- Refer serious cases to the attorney disciplinary board for sanctions, including permanent disbarment, to be considered

Whether it is by one of these proposals, or an avenue of their own invention, the candidates for District Attorney in this election year have an obligation to confront this issue head-on. The next DA must address the need for accountability and the eradication of evidence suppression - a practice which serves justice to no-one, worsens our city's crime problem and costs us millions of unnecessary dollars.



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Appendix of Cases Studied

CASES IN WHICH EVIDENCE WAS WITHHELD				
Name	Crime	Sentence	Evidence suppressed	Effect of evidence on outcome
Alfred Oliver	Armed robbery; kidnapping	50 Years; 30 Years	<i>Withheld:</i> Victims statements inconsistent	Conviction reversed, granted new trial
Anthony Scire	First degree murder	Death	<i>Withheld:</i> Witness impeachment evidence	Sentence commuted, released after time served due to erroneous instructions to jury
Arthur Monroe	Armed Robbery	20 Years	<i>Withheld:</i> Inconsistent eyewitness statements	Conviction reversed granted new trial
Charles Marshall	Armed Robbery; Attempted Second Degree Murder	99 Years; 50 Years	<i>Withheld:</i> Victim positively identified another man as perpetrator	No change of verdict
Clarence Smith	First Degree Murder	Death	<i>Withheld:</i> Witness impeachment evidence	No effect. Released due to erroneous instructions to jury. Convicted in federal court of same crime
Curtis Lee Kyles	First Degree Murder	Death	<i>Withheld:</i> Informant gave inconsistent statements, implicated himself	Re-tried three times. Fourth Circuit ordered charges to be dropped before proposed 5th trial



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Dan Bright	First Degree Murder	Death	<i>Withheld:</i> FBI and DA's office were in possession of name of actual killer. Key witness was in violation of parole when he gave his statement	Conviction reversed, charges dropped
Dwight LaBran	First Degree Murder	Life	<i>Withheld:</i> Eyewitness lied about name. Owned car where body was found, had outstanding warrants	Conviction reversed, charges dropped
Earl Truvia	Second Degree Murder	Life	<i>Withheld:</i> Sole eyewitness was a paranoid schizophrenic with a heroin addiction, gave testimony for money from police. Story didn't match time of death according to coroner	Conviction reversed, charges dropped
Eugene Lindsey	Second Degree Murder	Life	<i>Withheld:</i> Key witnesses pre trial statements corroborated defense case of intoxication.	Conviction reversed granted new trial
Floyd Falkins	Armed Robbery	30 Years	<i>Withheld:</i> Inconsistent eyewitness identifications	Conviction reversed, granted new trial
Greg Bright	Second Degree	Life	<i>Withheld:</i> Sole	Conviction



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	Murder		eyewitness was a paranoid schizophrenic with a heroin addiction, gave testimony for money from police. Story didn't match time of death according to coroner	reversed, charges dropped
Isaac Knapper	First Degree Murder	Life	<i>Withheld:</i> Robbery on same night 5 blocks away. Perpetrators matched eyewitness identifications, and possessed murder weapon	Conviction reversed, charges dropped
James Carney	Second Degree Murder	Life	<i>Withheld:</i> Key witness agreed with DA to have battery charges against her dropped if she testified against defendant	Conviction reversed, granted new trial
John Thompson	Armed Robbery; First Degree Murder (Separate)	Death	<i>Withheld:</i> Lab results showing blood type did not match defendant. Eyewitness identifications that did not match defendant	Conviction reversed, re-tried, acquitted



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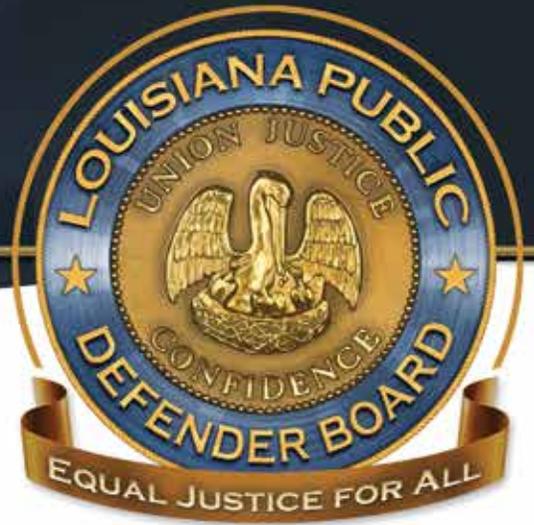
Juan Smith	First Degree Murder (separate capital and non-capital cases)	Death	<i>Withheld:</i> Evidence of other suspects, witness impeachment evidence, confessions, knowledge of false testimony	Pending
Larry Curtis	Second Degree Murder	Life	<i>Withheld:</i> Key witness failed to identify defendant in pre-trial photographic line-up	Conviction reversed granted new trial
Philip Anthony	First Degree Murder (3 Counts)	Death	<i>Withheld:</i> Eyewitness statements contradicting trial testimonies	Pending
Renoald Muse	Armed Robbery	99 Years; 99 Years	<i>Withheld:</i> Victim failed to identify defendant in pre-trial line-up	No effect, guilty as charged
Ronald Monroe	First degree murder	Death	<i>Withheld:</i> Confession by alternate suspect	Gubernatorial pardon, sentence commuted to life
Shareef Cousin	First Degree Murder	Death	<i>Withheld:</i> Eyewitness claimed she was without corrective lenses and could not identify perpetrator	Conviction reversed, charges dropped
Stephen Rosiere	Second Degree Murder	Life	<i>Withheld:</i> Witness	Conviction reversed



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			statements corroborating defendant's version of events	granted new trial
Sullivan Walter	Forcible Rape, Aggravated Burglary, Crime Against Nature	35 Years; 45 Years	<i>Withheld:</i> Lab results identifying perpetrator as possible non-secretor (defendant was not)	Conviction upheld
Thomas Deboue	2 counts first degree murder	Death	<i>Withheld:</i> Eyewitness statements inconsistent with defendant's physical description and capabilities	No effect. Sentence commuted due to mental retardation of defendant.
Norris Henderson	Second Degree Murder	Life	<i>Withheld:</i> Contradictory evidence about the dying confession of victim identifying defendant	Conviction reversed, granted new trial. Re-convicted. Released on probation
Wilbert Parker	Second Degree Murder	Life	<i>Withheld:</i> Victim had of aggravated assault (corroborated self defense)	Granted new trial
William Perkins	First Degree Murder	Life	<i>Withheld:</i> Eyewitness statement corroborating self-defense	Conviction reversed granted new trial



About LPDB

Created by the **Public Defender Act of 2007**

State Public Defender:
James T. Dixon, Jr.

Deputy Public Defender:
Richard M. Pittman

Location: Baton Rouge

15-member Board of Directors (plus one ex officio members)

16-person executive branch state agency

Staff divisions:

Administration
Compliance
Training
Capital Defense
Juvenile Defense
Budget
Information and Technology Management

Fiscal Year Budget (2016):
\$33,383,626

- 6% of the budget supports the agency - the remainder is distributed to the field for the representation of indigent clients.
- Contracts with District Defenders and supervises public defense services in all 42 judicial districts.
- Program Member of the National Legal Aid & Defender Association and the Community Oriented Defender Network.
- Works with Louisiana Office of Student Financial Assistance to provide law school loan reimbursement for eligible public defenders.

The State We're In:

Louisiana has the highest rate of incarceration of any state in the nation, significantly ahead of the state with the second highest rate (Mississippi). The United States has the highest incarceration rate of any nation on Earth, giving Louisiana the distinction of incarcerating more people per capita than any other jurisdiction on the planet.ⁱ

In 2007, Louisiana spent over 7% of its total state operating budget on prisons and Corrections costs.ⁱⁱ This does not include costs for prosecution, defense, courts, appeals or pre-trial incarceration. Tax dollars spent on prisons take away from other public projects: schools, roads, hospitals and coastal preservation.

Louisiana has approximately 38,000 prisoners in the state's 12 state correctional facilities.ⁱⁱⁱ Pre-trial prisoners, trustees and those serving short sentences are also housed in the state's 108 local jails.^{iv}

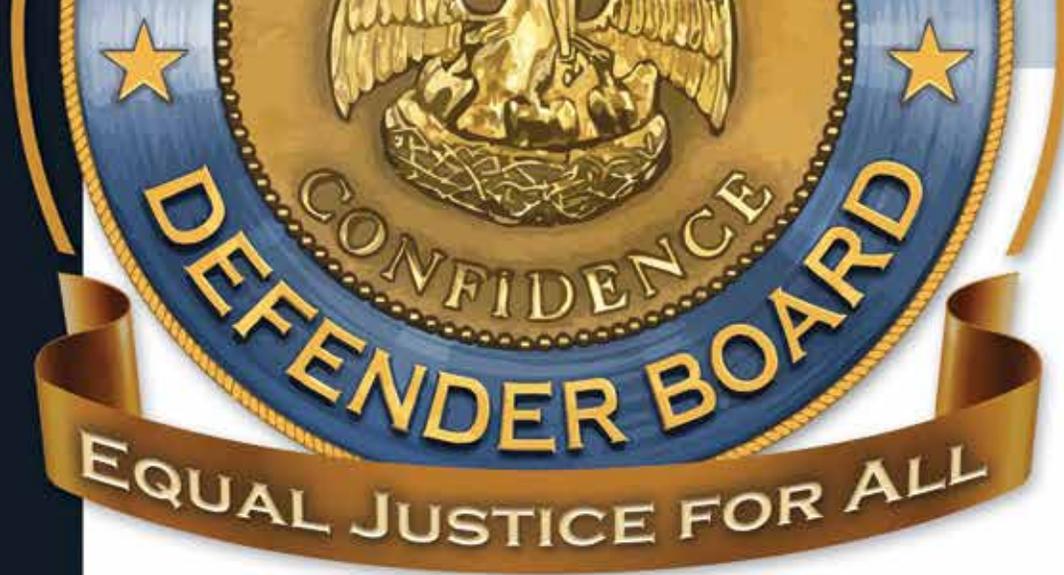
Louisiana is the only state in the nation that funds the majority of its constitutional obligation to provide for the right to counsel from unpredictable and unreliable revenue sources, such as assessments on traffic tickets. There is simply no correlation between the amount of mon-

ey that may be collected in any local parish and the number of people needing an attorney under the Sixth Amendment in our Bill of Rights.

Despite increases in state funding and significant improvements to the administration of the state public defender system, Louisiana remains out of step with every other state in the country due to its reliance on non-general fund revenues.^v

The Louisiana State Constitution guarantees that at each stage of the proceedings, every person is entitled to assistance of counsel of his choice, or appointed by the court if he is indigent and charged with an offense punishable by imprisonment. It is the responsibility of the legislature to provide for a uniform system for securing and compensating qualified counsel for indigents.^{vi}

Due to funding insufficiencies, caseload concerns and other practice issues, litigation remains a persistent threat throughout the state. Since the Louisiana Public Defender Board (LPDB) was formed in 2007, it has been involved in litigation in multiple parishes throughout the state and has been threatened with litigation from social justice advocacy groups in several more.



LPDB Mission

In pursuit of equal justice, the Louisiana Public Defender Board advocates for clients, supports practitioners and protects the public by continually improving the services guaranteed by the constitutional right to counsel.

Through its commitment to performance standards, ethical excellence, data-driven practices and client-centered advocacy, the Louisiana Public Defender Board oversees the delivery of high quality legal services affecting adults, children and families, and supports community well-being across Louisiana.

Juvenile Justice

Almost one out of every four Louisianans is a child.^{vii} Louisiana is ranked 47th in the nation in overall child well-being based on 16 indicators according to 2014 Kids Count Data. Louisiana is ranked 47th in the nation, with 28% of children living in homes with an income level below the poverty line.^{viii} The 2011-2012 preliminary "on-time" graduation rate for Louisiana's high school students is 72%, a slight increase from 64% in 2008.^{ix}

Juvenile law is a distinct and specialized practice, utilizing separate procedures, outlined in the Louisiana Children's Code. Louisiana has four statutorily created juvenile courts (in Caddo, Orleans, Jefferson and East Baton Rouge). In the remaining 38 districts, there is no specialized juvenile court, and juvenile delinquency and child welfare cases are heard before courts of general jurisdiction.

Children in the juvenile justice system have unique needs. A 2007 study by the Juvenile Justice Implementation Commission reported that of the current youth in secure care, 42% had a severe mental illness, 47%

had documented educational disabilities, and 54% were mentally retarded or had borderline mental functioning.

From 1998 until 2006, as part of litigation initiated by the U.S. Department of Justice, juvenile prisons in Louisiana were under federal supervision for more than 8 years because of documented violence against youth, inadequate access to services and other problems. Louisiana's juvenile justice system receives significant national support. Louisiana has been one of four MacArthur Foundation 'Models for Change' states, with six selected sites focusing on reducing racial disparity, encouraging access to services, and supporting alternatives to incarceration.

Louisiana is one of eight states in the country comprising the Juvenile Indigent Defense Action Network. Louisiana is also an Anne E. Casey 'Juvenile Detention Alternatives Initiative' state, with five local sites working to continue juvenile defense reforms in Louisiana. Efforts are underway to take the Juvenile Detention Alternative Initiative statewide.

Louisiana has made some significant juvenile justice

improvements: from 2007 through 2011 the rate (per hundred thousand) of youth under 21 years old detained, incarcerated, or placed in residential facilities dropped from 314 to 222.

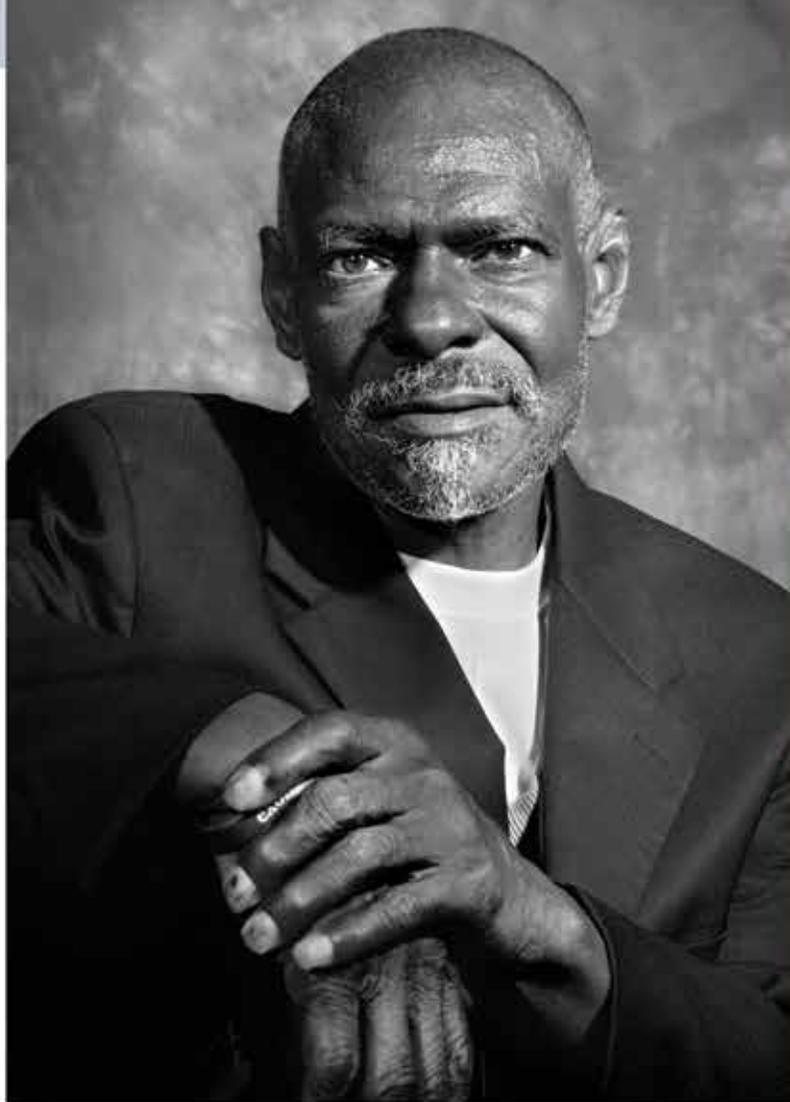
Innocence

Louisiana not only has the country's highest incarceration rate, but also an unconscionably high rate of wrongful conviction. Since 1991, 43 individuals have been wrongfully convicted -- serving a total of more than 715 years in prison for crimes that they did not commit. Ten of these men were released from death row.

Since its founding in 2000, the Innocence Project New Orleans has received over 4,000 applications from prisoners seeking representation for non-capital wrongful conviction. IPNO is only able to accept a small fraction of applications. Currently, IPNO is actively investigating or representing 30 clients.

Progress

Since its founding in 2007, the agency, as well as many of its board and staff members and the Juvenile Defender Advisory Council, has received numerous



awards in recognition of its work.

Despite ongoing funding shortfalls, the Louisiana Public Defender Board (LPDB) has made significant improvements to the public defender system:

- Implemented a comprehensive, statewide training program;
- Promulgated trial court performance standards and specialized standards for delinquency and CINC parent representation;
- Promulgated guidelines and performance standards for capital defense representation;
- Executed contracts with all 39 District Defenders; conducted site visits to all district offices and contract programs;
- Established a system for monthly caseload and financial reporting from all districts;
- Created advisory councils; restructured the capital certification process;
- Administered more than \$700,000 in direct grants;
- Procured pro bono technical assistance for numerous districts to make internal and systemic improvements to local justice systems.

In 1981, Clyde Charles was arrested near Houma for a crime he did not commit. He was convicted and sentenced to life in prison for aggravated rape. Nearly 19 years later, Mr. Charles was exonerated by DNA evidence. He passed away in Houma in January 2009 at the age of 53.

Footnotes

- i 1 in 100: Behind Bars in America 2008, Pew Charitable Trusts
- ii 1 in 100: Behind Bars in America 2008, Pew Charitable Trusts
- iii More information at: www.corrections.state.la.gov
- iv More information at: www.laaclu.org
- v More information at: www.nlada.org
- vi Louisiana State Constitution, 1974, Article 1, §13
- vii <http://www.aecf.org/m/resourcedoc/aecf-2014kidscountdata-book-2014.pdf>
- viii <http://datacenter.kidscount.org/data/Map/43-children-in-poverty-100-percent-poverty?loc=1&loct=2#2/any/false/36/any/322/Orange/>
- ix <http://datacenter.kidscount.org/data/tables/7245-high-school-students-not-graduating-on-time?loc=20&loct=2#detailed/2/20/false/1024,937,809,712,517/any/14290>
- x More information at: www.ip-no.org

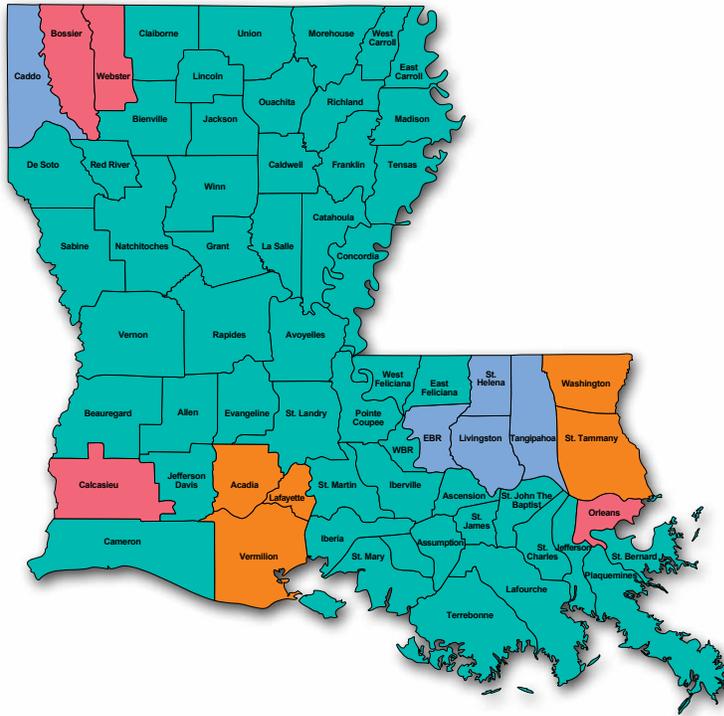
Full-Time Staff System

Part-Time Staff System

Hybrid System

Contract System

Public Defense System – Delivery Models By District



Definitions:

“Full-Time” systems expect staff to regularly work at least 40 hours/week and prohibit attorneys handling from any private cases for compensation.

“Part-Time” systems include staff systems or systems that employ staff by contract and allow private practice (with or without) policies for compensation, conflicts or caseload.

“Hybrid” systems are transitioning to full-time systems and use a combination of contract or part-time public defenders as well as some full-time attorneys with prohibited private practice.

“Contract” systems include systems where the District Defender and/or administrative personnel may be “staff” (working full-time, with no other practice or parish employees), but the majority of staff are employed via contract.

Louisiana has three full-time staff public defender offices.

Other districts operate as part-time staff offices, hybrid systems or through contract employment.

There are no assigned counsel systems.



LOUISIANA PUBLIC DEFENDER BOARD

301 MAIN STREET, SUITE 700

BATON ROUGE, LA 70825

A Review of Public Defense Funding in Louisiana

The Louisiana Public Defender Board was created by the Legislature in 2007 as a representation of the State of Louisiana's commitment to the pursuit of equal justice for all of Louisiana's citizens regardless of income.

LA Public Defender Board Composition per R.S. 15:146(B)(3):

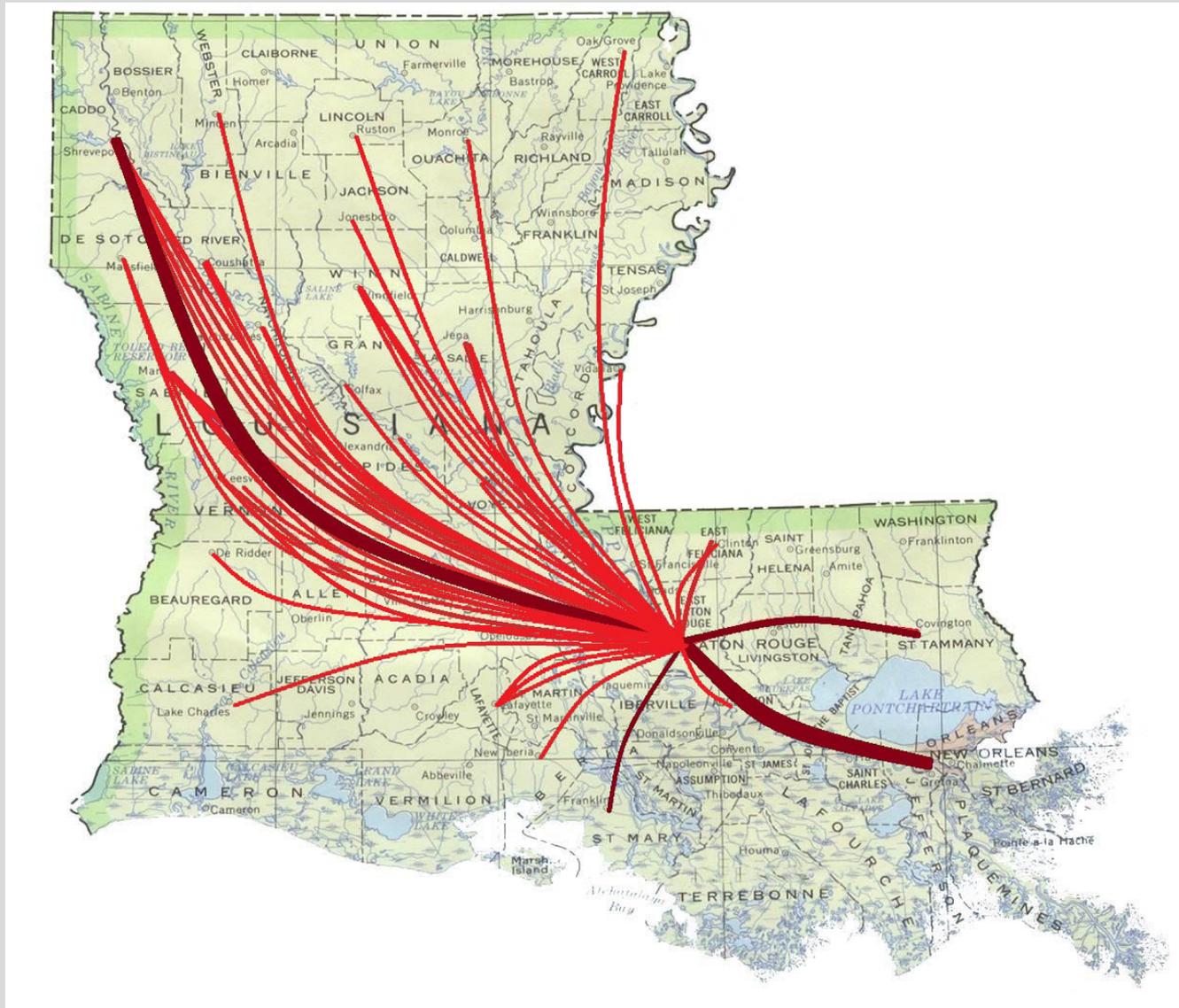
- 6 Board Members appointed by Governor (incl.Chair)
- 2 appointed by the Legislature
- 2 appointed by the LA Supreme Court
- 2 appointed by the LSBA
- 1 appointed by the LA Interfaith Conference
- 1 appointed by the Louis Martinet Society
- 1 appointed by the Children's Code Committee/LSLI

Accountability & Oversight

- Monthly financial and compensation reporting
- On-site fiscal auditor;
- Promulgated standards and guidelines
- Assessment tools to monitor compliance towards standards and guidelines
- Case management system
 - Autodormant data failsafe to ensure accuracy of open case counts
- Annual report of Office management and policies, caseloads and outcomes, and detailed financial report

LPDB'S Accountability & Oversight

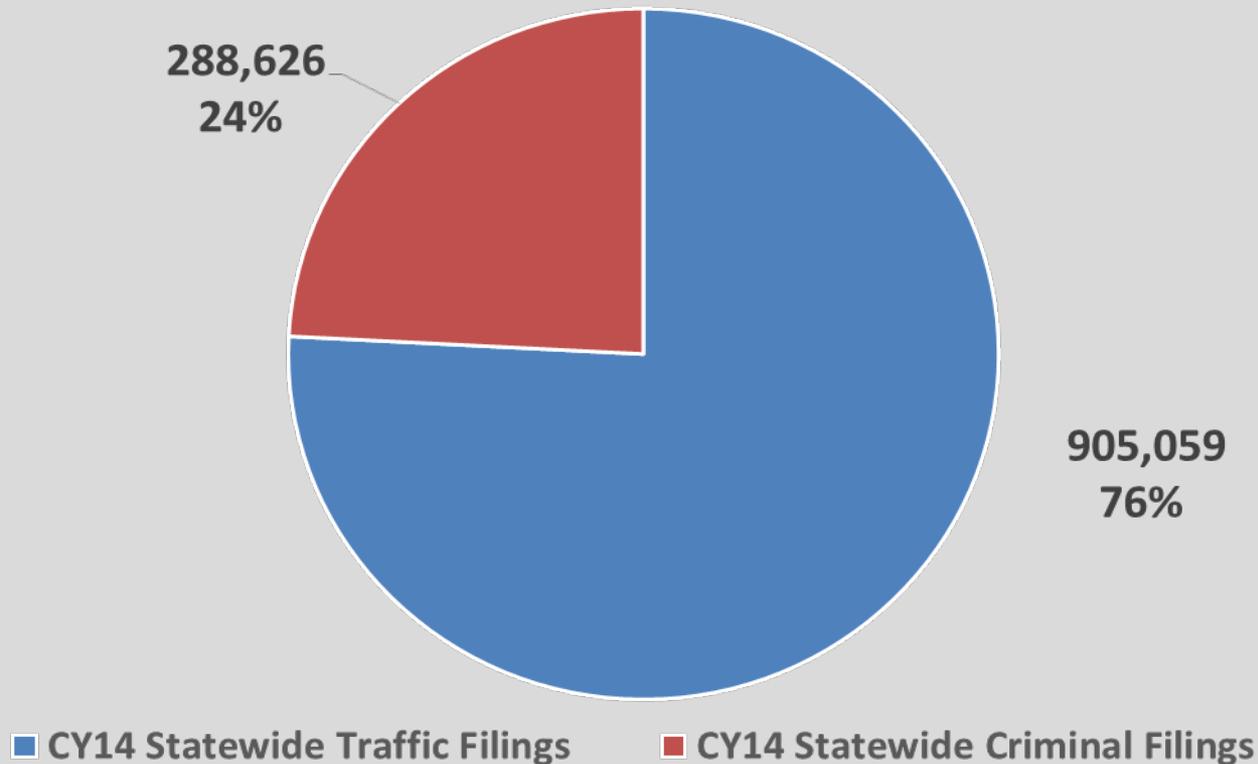
– On Site Assistance



Since its inception, Louisiana's public defender system has been persistently underfunded due to reliance on an inadequate, unstable, and unreliable funding stream based primarily on traffic tickets and local court costs.

Public Defense Funding

In 2014, 1.193 Million
fee-generating charges were filed statewide



(CY14 Louisiana Supreme Court Annual Report Filing of Statewide Criminal & Traffic Cases)

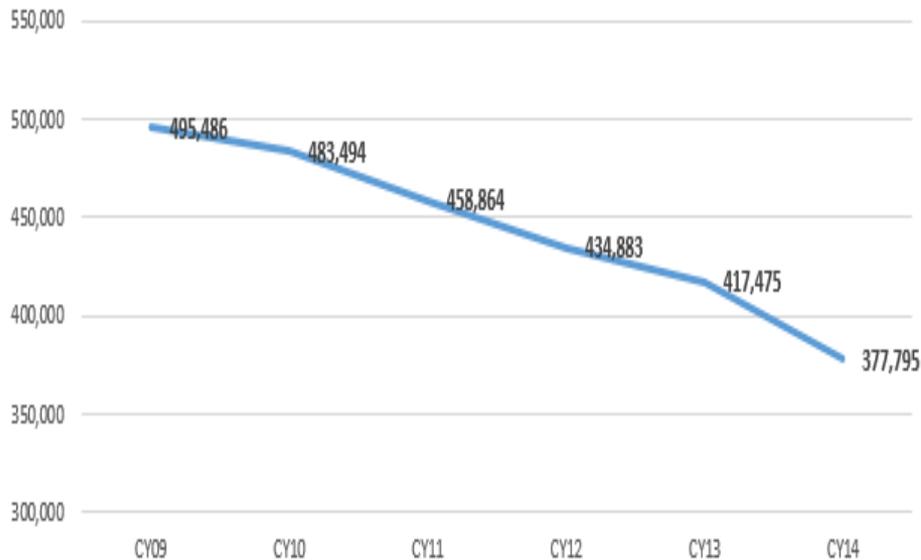
PDO reliance on these filings as a revenue source is precarious because other agencies control the stream of revenue.

CY2009-2014 Statewide District Court Filings

(Data Sources-- Filing Data: LASC Annual Reports CY09-14 / Remittance Data: LPDB District Monthly Financial Reports CY11-14)

PDO	District Court Filings												
	Traffic						Criminal						
	CY09	CY10	CY11	CY12	CY13	CY14	CY09	CY10	CY11	CY12	CY13	CY14	
88	495,486	483,494	458,864	434,883	417,475	377,795	176,533	167,330	158,743	154,721	159,612	153,054	
Percentage Change from 2009 to 2014		-24%				Percentage Change from 2009 to 2014		-13%					

District Court Traffic Filings CY09-CY14



District Court Criminal Filings CY09-CY14



CY2009-2014 Statewide City Court Filings

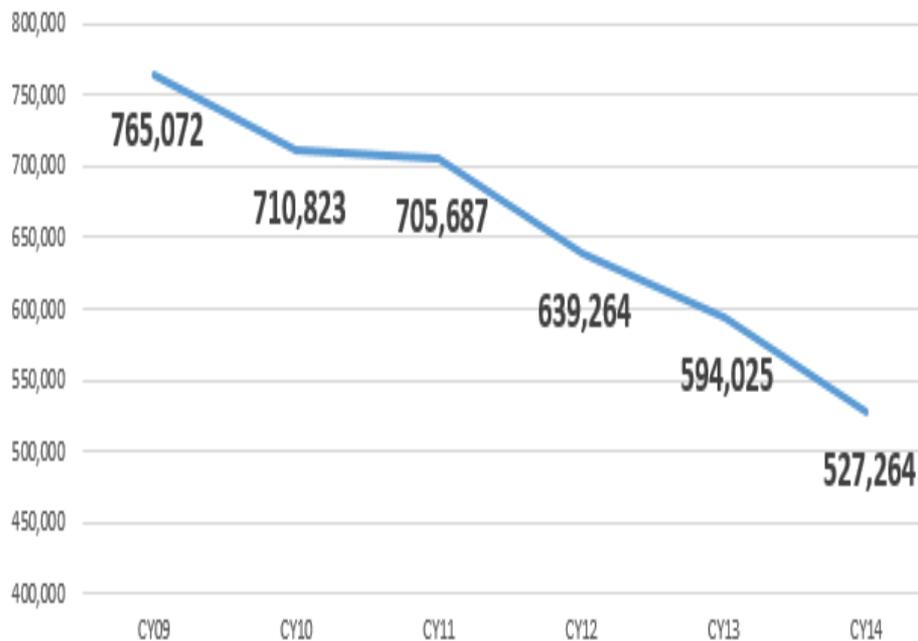
(Data Sources-- Filing Data: LASC Annual Reports CY09-14 / Remittance Data: LPDB District Monthly Financial Reports CY11-14)

PDO	City Court Filings											
	Traffic						Criminal					
	CY09	CY10	CY11	CY12	CY13	CY14	CY09	CY10	CY11	CY12	CY13	CY14
88	765,072	710,823	705,687	639,264	594,025	527,264	191,679	182,787	171,170	166,662	151,481	135,572

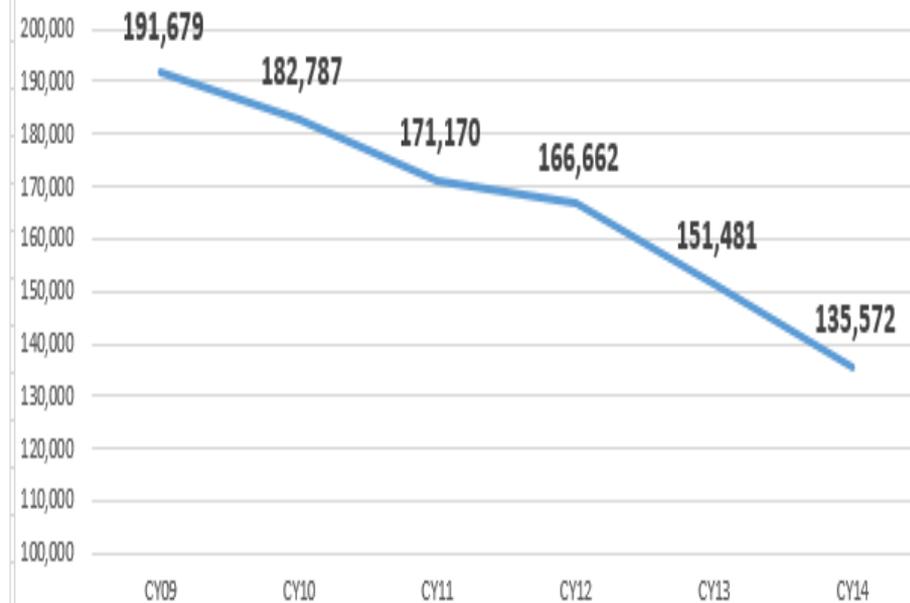
Percentage Change from 2009 to 2014	-31%
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Percentage Change from 2009 to 2014	-29%
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City Court Traffic Filings CY09-CY14



City Court Criminal Filings CY09-CY14

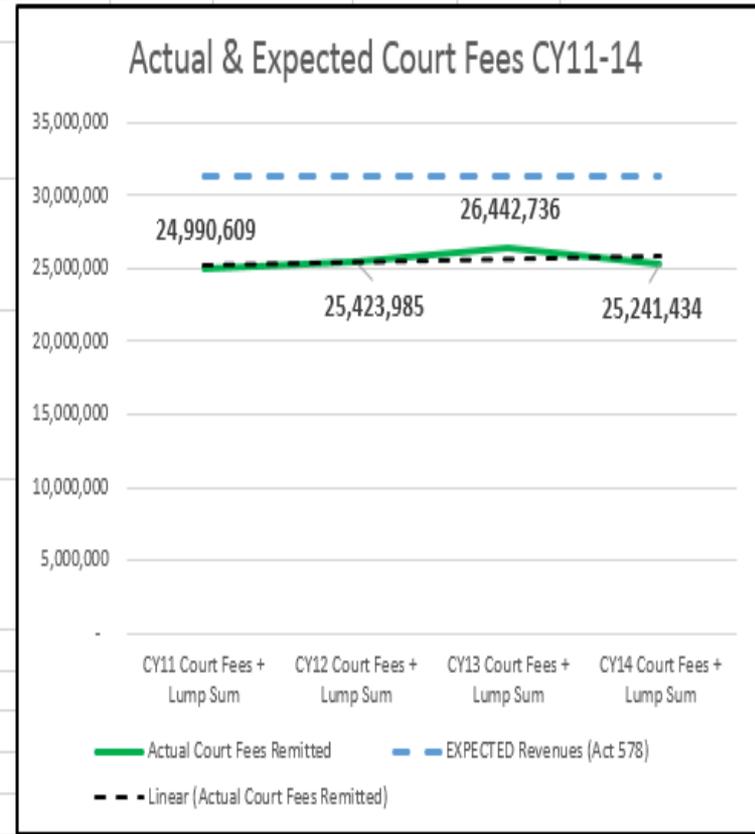


PDO	City and District Court Remittances to PDOs				
	CY11 Court Fees + Lump Sum	CY12 Court Fees + Lump Sum	CY13 Court Fees + Lump Sum	CY14 Court Fees + Lump Sum	Expected 25% Increase
88	24,990,609	25,423,985	26,442,736	25,241,434	31,238,261

NON-ITEMIZED LUMP SUM REMITTANCES ARE ASSUMED TO BE ALL COURT FEES -- IF THEY ARE NOT ALL COURT FEES, ACTUAL % ARE OWER THAN SHOWN BELOW.

CY11 Apparent Number of Cases resulting in \$35 fees	714,017	CY11 Apparent Rate of Remittance (% of Cases resulting in \$35 fees)	47.8%
CY12 Apparent Number of Cases resulting in (AVERAGED) \$40* fees	635,600	CY12 Apparent Rate of Remittance (% of Cases resulting in averaged \$40 fees*)	45.5%
CY13 Apparent Number of Cases resulting in \$45 fees	587,616	CY13 Apparent Rate of Remittance (% of Cases resulting in \$45 fees)	44.4%
CY14 Apparent Number of Cases resulting in \$45 fees	560,921	CY14 Apparent Rate of Remittance (% of Cases resulting in \$45 fees)	47.0%

*ESTIMATED/AVERAGED: FIRST 1/2 CY12 FEE WAS \$35; SECOND 1/2 CY12 FEE WAS \$45, AVERAGE \$40/CASE FOR CY12 WAS USED IN CALCULUS ABOVE.



Traffic Filings Account for the Lion's Share of ALL Local Revenues

- 360K fewer tickets + 80K fewer criminal filings
= 440K fewer filings in 2014 than 2009.
- 440K filings holds the potential for \$19.8M in
\$45 court fees for the PDOs
(if every case paid \$45)

LPDB calculates that 47% of CY14 traffic + criminal filings *did* generate fees for the PDOs.

Therefore the drop in filings from 2009 to 2014 may represent more than a **\$9.2M loss to Public Defenders Offices in 2014 alone.**

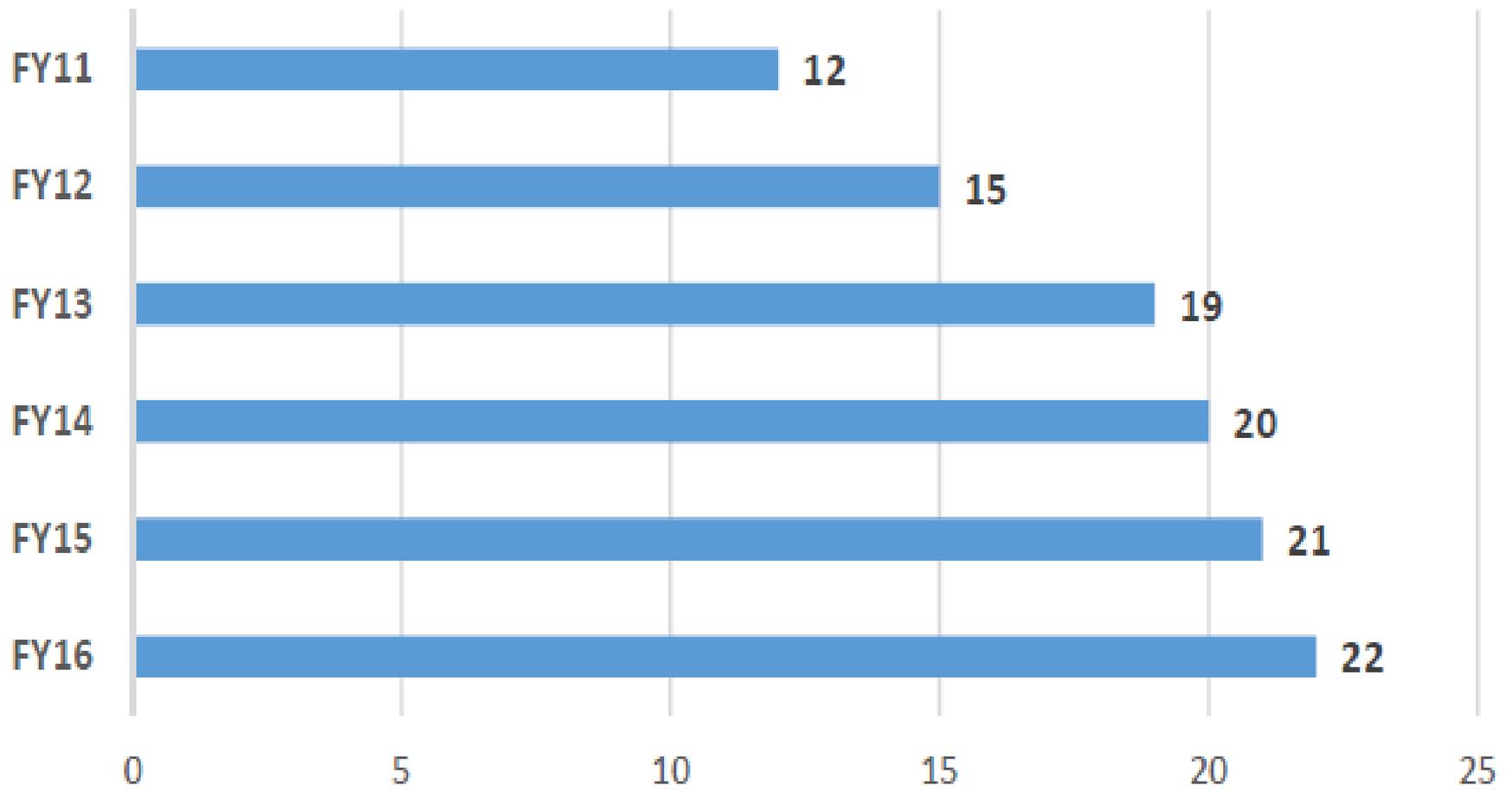
CY13: 44.4% of the total 1.322M traffic + criminal filings *did* generate fees for the PDOs.

Therefore the drop in filings from 2009 to 2013 may represent more than a **\$6.1M loss to Public Defenders Offices in 2013.**

Falling Traffic and Criminal Filings in
CY13 & CY14 resulted in an
estimated **\$15.3M loss to local
Public Defender Offices**

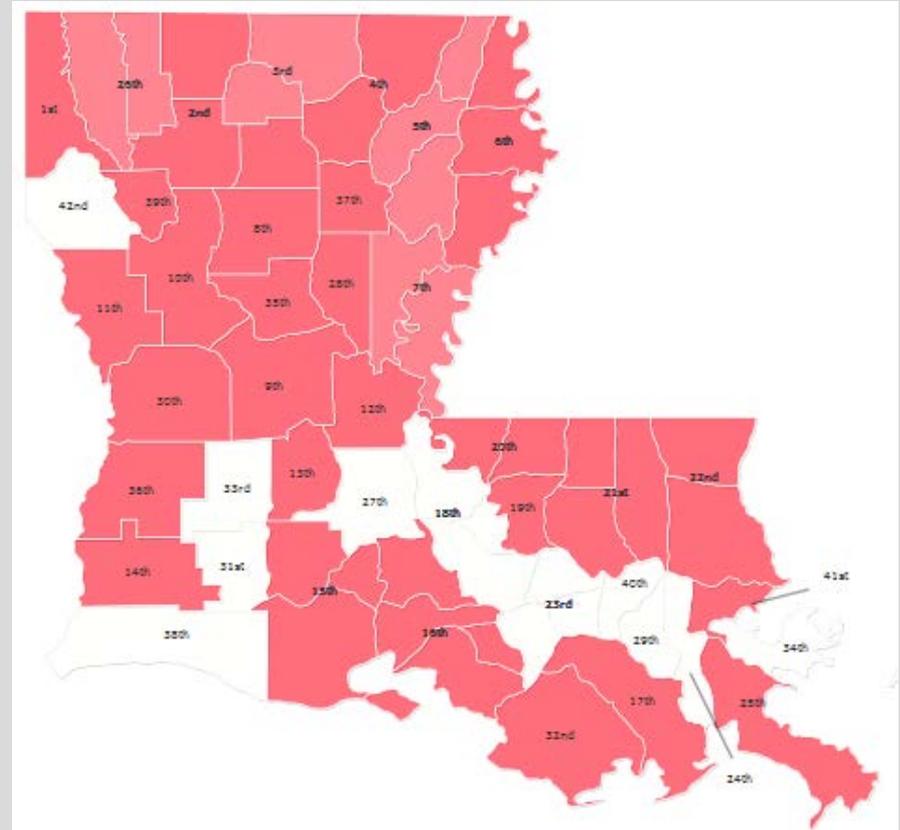
Restriction of Services is NO Surprise

(from 2010 Board Meeting: Projections of Insolvency) :
Number of District Facing Insolvency/In Need of Bailout FY11-16



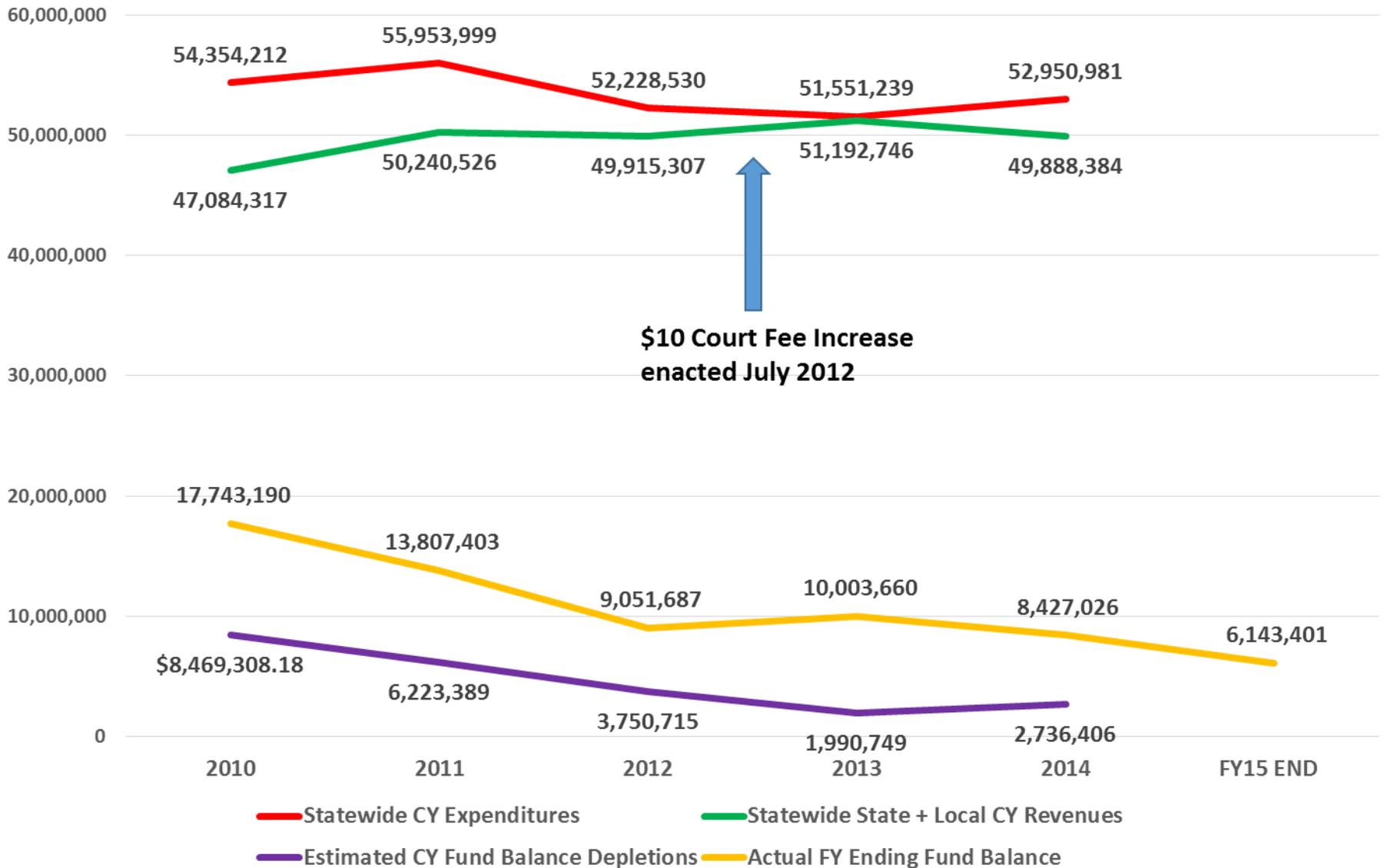
LPDB Response to Fiscal Crisis

- As of August 2015, policies and procedures implemented by LPDB have prevented financial disaster in 31 of the state's 42 Public Defender Offices (in red) at least once between 2010 and 2015.



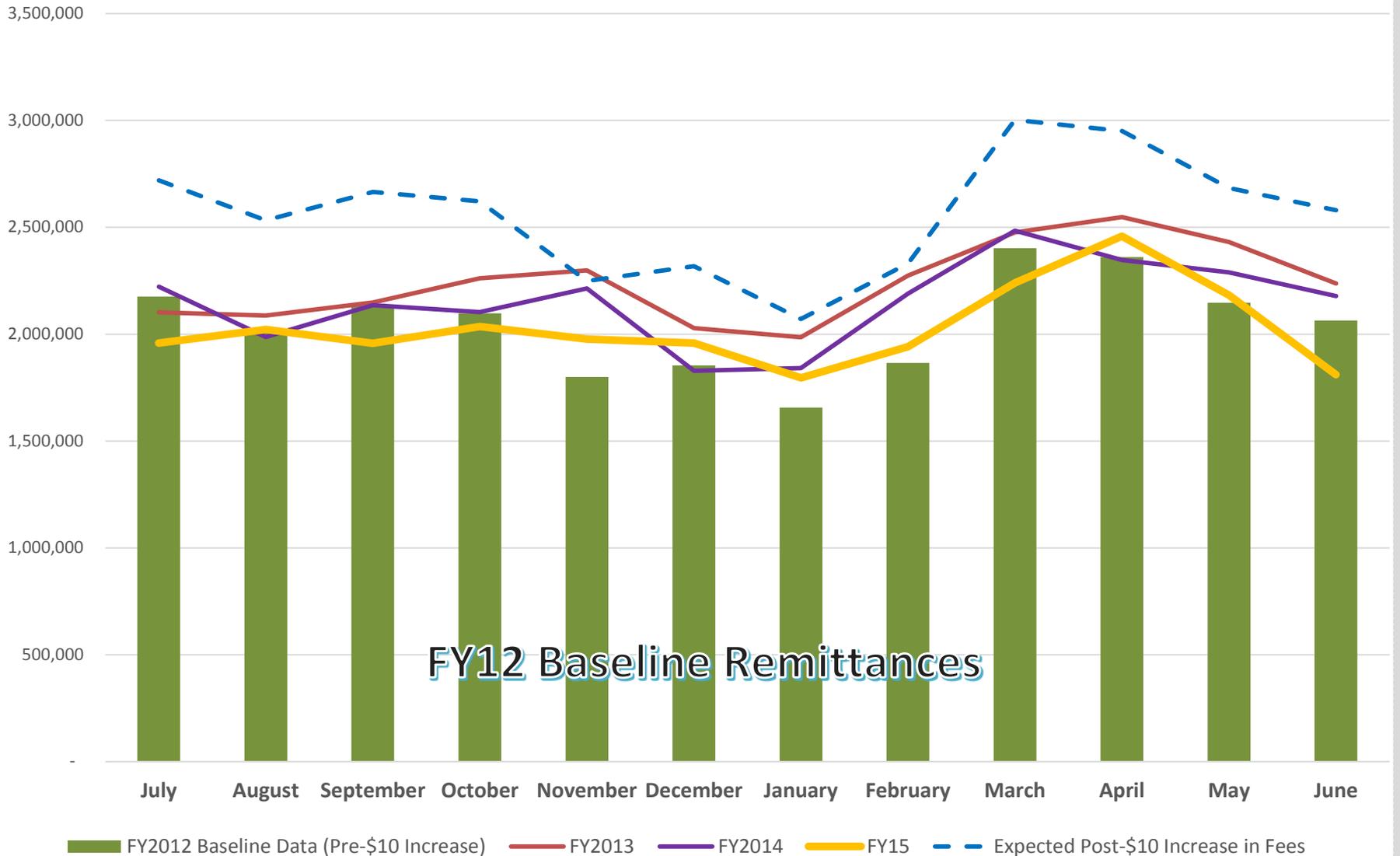
Districts have been dependent on fund balances and supplemental state funding to meet the gap between revenues and expenditures for years.

2010-2014 CALENDAR YEAR Expenditures & Revenues and FISCAL YEAR 2010-2015 Year-End Fund Balances & Estimated Depletions



LPDB Statewide Total Local Court Fee Revenues

Pre- and Post-\$10 Fee Increase



HCR 196

Caseloads & Guidelines

Fiscal Priorities

Composition & Structure of LPDB

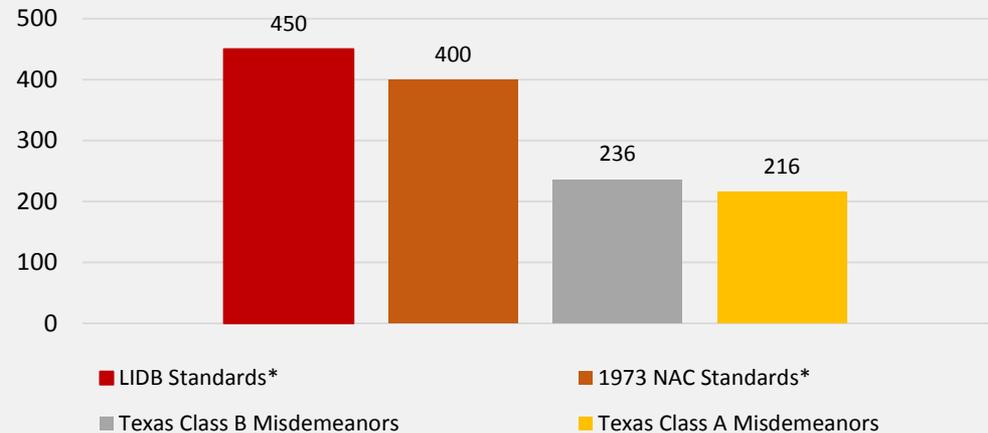
Caseload Standards and Ethical Representation

Public Defense attorneys must provides effective assistance of counsel to indigent clients which complies with the Louisiana Supreme Court's *Rules of Professional Conduct*

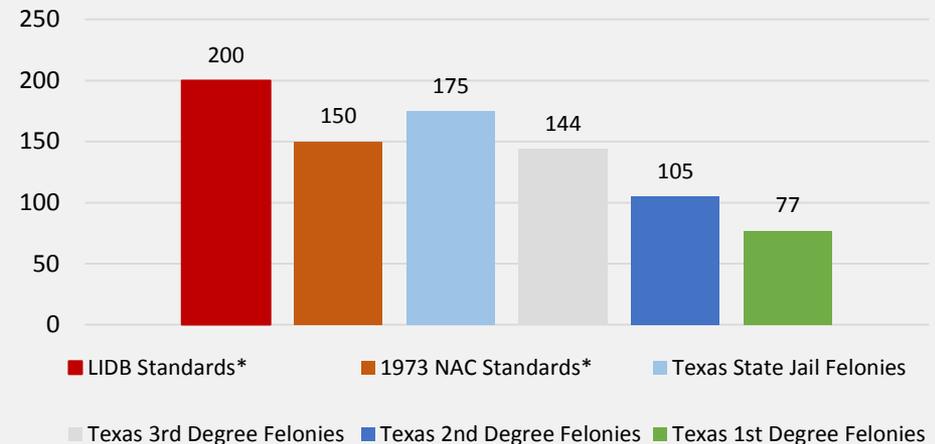
Caseload Standard Comparisons

- Louisiana caseload standard maximums are higher than every other known caseload standard in the United States
- LPDB's database automatically discounts cases which have been dormant for more than six months
- LPDB conforms to the definition of a case as established in L.R.S. §15:174(C)

Caseload Standards Comparison - MISDEMEANORS



Caseload Standards Comparison - FELONIES



LPDB is currently undertaking an empirical weighted caseload study with the assistance of preeminent members of American Bar Association and the nationally recognized accounting firm of Postlewaite & Netterville.

Results available in the Summer 2016.

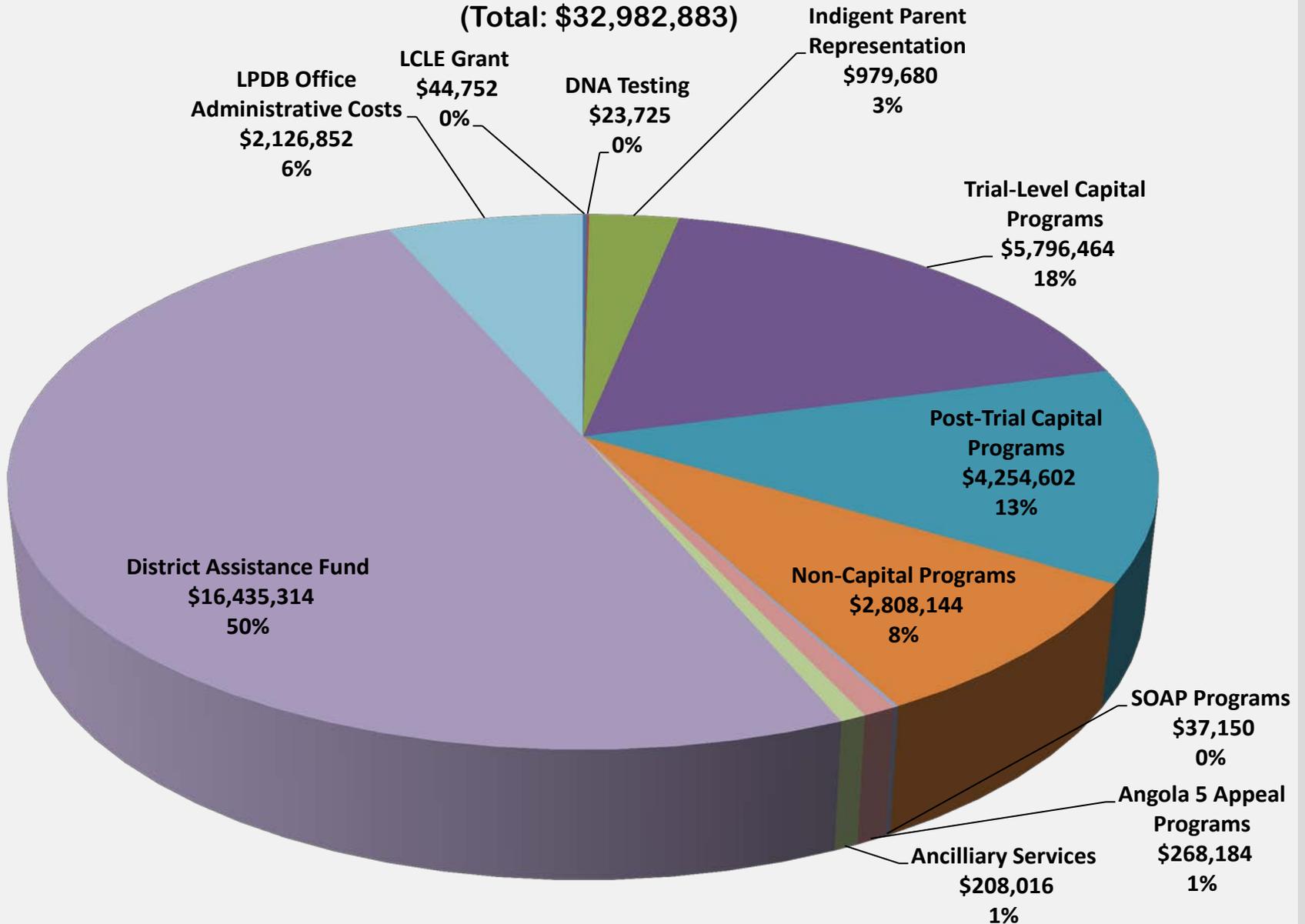
Standards & Guidelines

- Trial Court Performance Standards
- Trial Court Performance Standards, CINC
- Trial Court Performance Standards, Delinquency
- Capital Defense Guidelines
- Capital Performance Standards

FISCAL PRIORITIES

LPDB FY2014 Expenditures

(Total: \$32,982,883)



Fiscal Priorities

LPDB Administrative Costs:

\$2.1M of the \$33M (6.3% of state funding)

DoC Corrections Services Administrative costs at 16.74%

OJJ Youth Services Administrative costs at 11.37%

Popular Misconception

Public Defense Does NOT spend 1/3 of its funds on capital

FY14: Capital Trial and Post-Trial Level Programs total \$10M of the \$67M spent statewide = 15%

On average, each year in Louisiana there are:

- 98 new 1st Degree ARRESTS
- 32 new 1st Degree INDICTMENTS
- 66 indicted cases open from prior years
- 4-5 capital TRIALS per year

The Capital Program Offices handle about half of these at a cost of \$5.79M annually.

Preventing ROS in FY17

LPDB districts need an additional \$3.6M* in state or local funds during FY17 to allow districts currently in service restriction to return to status-quo operation and to avoid additional districts entering service restrictions.

The amount needed to prevent service restriction will increase each year as districts continue to exhaust fund balances still in existence.

*This \$3.6M assumes the \$10 Increase in Court Fee is extended in 2015 session.

Budget Needs:

Louisiana Campaign for Equal Justice compiled the 2013 Legislative Audits for each District Attorney's Office and compared to the spending by each Public Defender Office (PDO).

Budget Needs:

**Comparison of DA Office Expenditures and Public Defender Office Expenditure Statewide
(DA Data Source: 2013 (Most Recent) Published Bi-Annual Audits; Public Defender Data: LPDB District
Monthly Financial Reports 2013)**

District	District Attorney Office 2013 Total Annual Expenditures	Public Defender Office 2013 Total Annual Expenditures	For every \$1 the Public Defenders spent, the DAs spent:
DA & PD District Office Totals	\$139,678,649	\$ 51,551,239	
District Office Totals + \$13.8M LPDB Appeals, Juvenile and Capital program Spending	\$139,678,649	\$ 65,397,129	\$ 2.14

Budget Needs:

While many DA offices also face fiscal problems, their spending serves as a touchstone for Public Defense spending

- We provide services in more than 80% of criminal cases yet receive less than 50% of the prosecution's funding