

ISSUE BRIEF

# People incarcerated in New York: population profile and recent trends



Correctional  
Association of  
New York

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## Overview

This issue brief provides data on the people incarcerated in New York State's prisons. Currently, in 2019, there are approximately 48,000 individuals confined in 54 facilities. To understand these numbers in context, this brief describes:

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

Throughout, this brief compares New York with other states.

### KEY TAKEAWAYS

- In the last decade, the **number of people incarcerated in New York's prisons has fallen by nearly 20%**, declining at a faster rate than many other state prison populations.
- Despite these declines, today's state prison population is over 400% larger than in 1973, before the current era of mass incarceration and **people are staying in prison for much longer periods**: on average, the number of months until earliest possible release date increased by 390% percent between 2007 and 2017.
- Today's prison population is **majority male (97%, Black (49.5%) or Hispanic (24.1%)\***, and a minority of people in prison come from New York City (48.5%).

\*Throughout, we use the race and ethnicity categories reported by the New York Department of Corrections and Community Supervision

## About CANY

For 175 years, the Correctional Association of New York (CANY) has been the only independent organization in New York with authority under state law to monitor prisons and report findings to the legislature and the broader public. We provide independent oversight of New York's prisons by conducting in-person monitoring visits, during which we speak extensively with incarcerated people and corrections staff, and by confidentially communicating with incarcerated people about their experiences through the mail, one-on-one interviews, and collect phone calls. Our access creates a platform for people inside prison to participate in and shape the public debate.

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

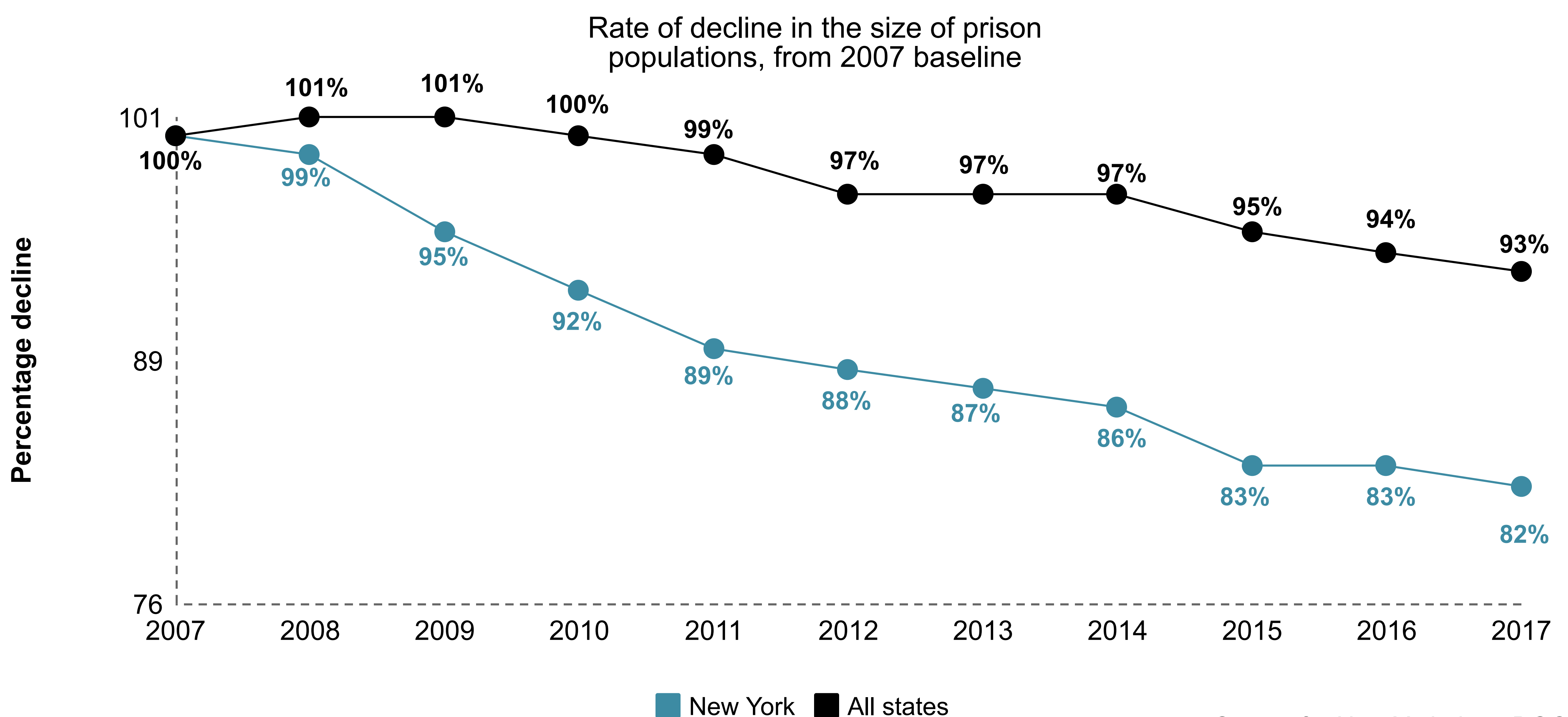
The number of people incarcerated in New York State's prisons has fallen by 17.2% in the last ten years\* and is down 29% from a peak of 71,500 in 1999. Despite these declines, the number of people in prison in 2019 – just under 48,000 individuals – is over 400% larger than in 1973, before drug law reform and the current era of mass incarceration.



Source: New York State Department of Corrections and Community Supervision

Over the last decade, many states across the country have reduced the number of people in prison, leading to an average decline of 7.2% across all states.

- For many years, New York led the charge, reducing its prison population by 17.2% between 2007 and 2017. New York's swifter rate of decline comprised **13.4% of the overall decrease in nationwide state prison populations** in previous ten years.
- However, **New York's rate of decline has tapered off in the last year**, dipping below the nationwide average rate of decline in state prison populations: 0.7% nationally compared to 0.6% in New York State.

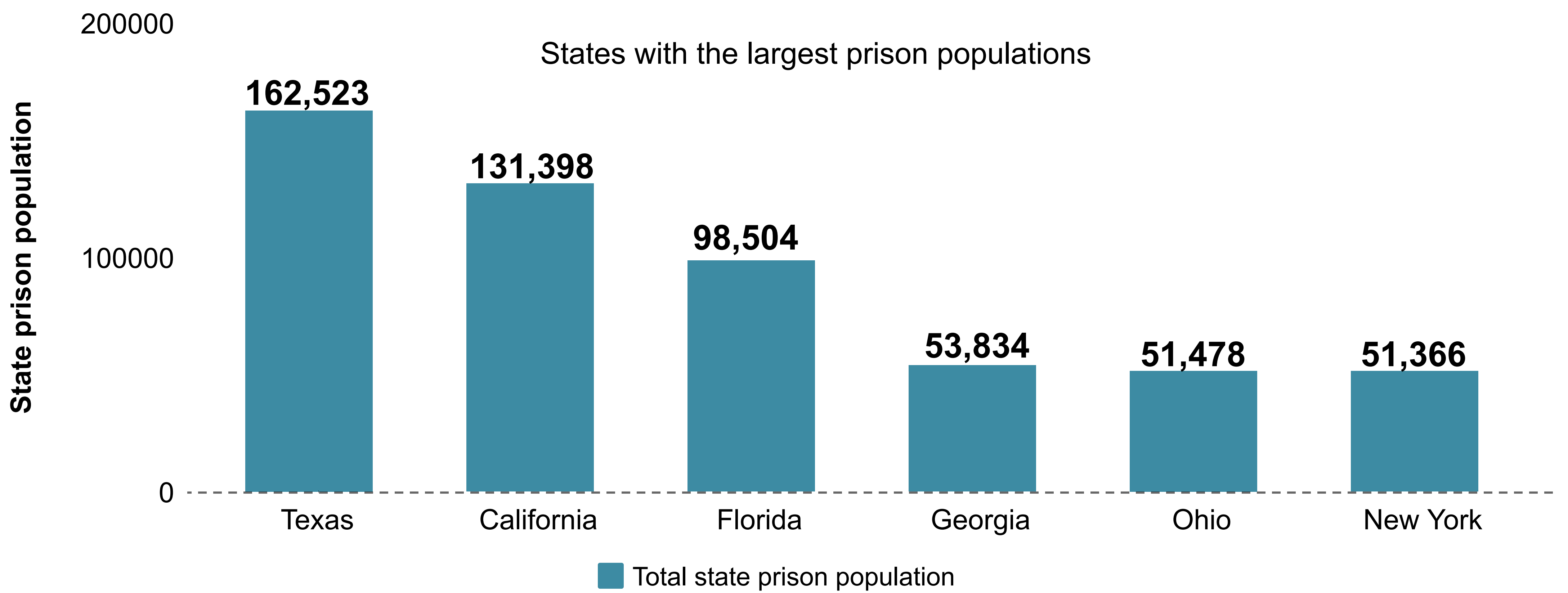


Source for New York data: DOCCS  
Source for national data: Bureau of Justice Statistics

\*This Issue Brief uses the most recently publicly reported data (largely from 2007 - 2017).

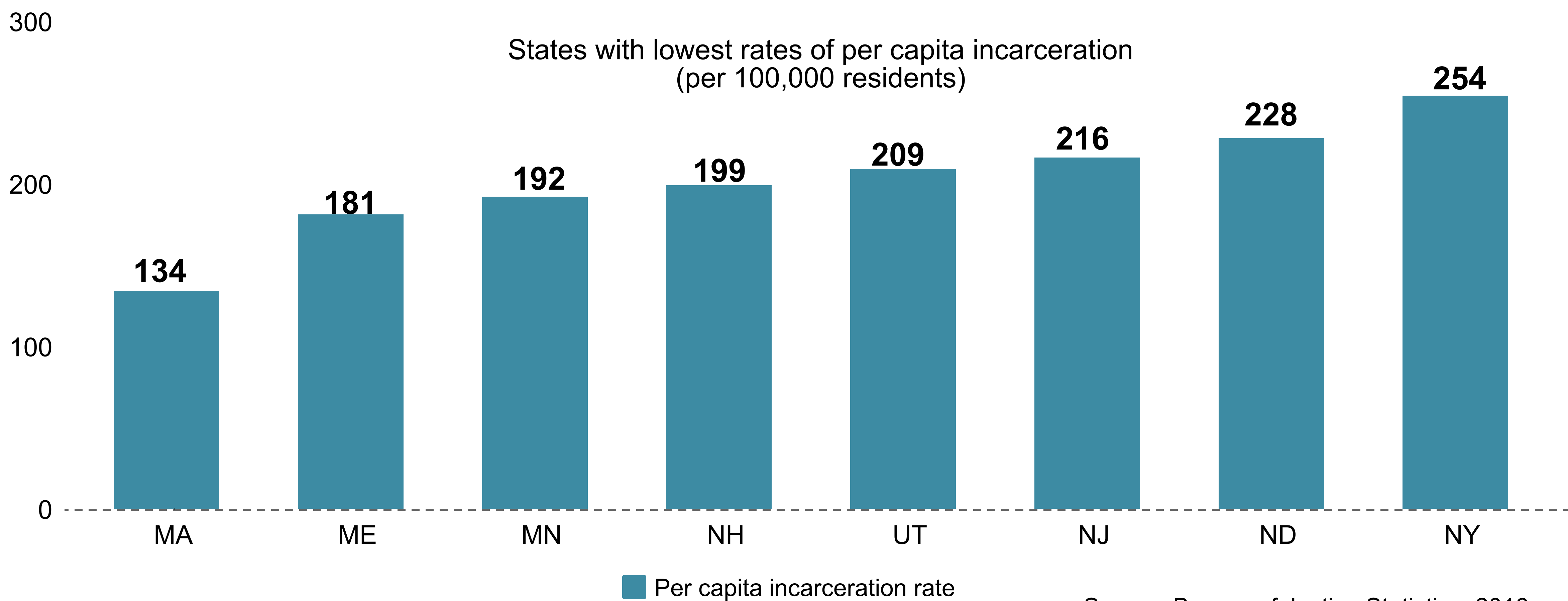


**New York is among the states with the highest number of people in prison.** New York has the sixth largest prison population of any state and is the fourth most populous state in the country.



Source: Bureau of Justice Statistics, 2016

However, **New York has the 8th lowest incarceration rate of all states.** New York incarcerates approximately 250 out of every 100,000 residents, fewer than 41 other states.



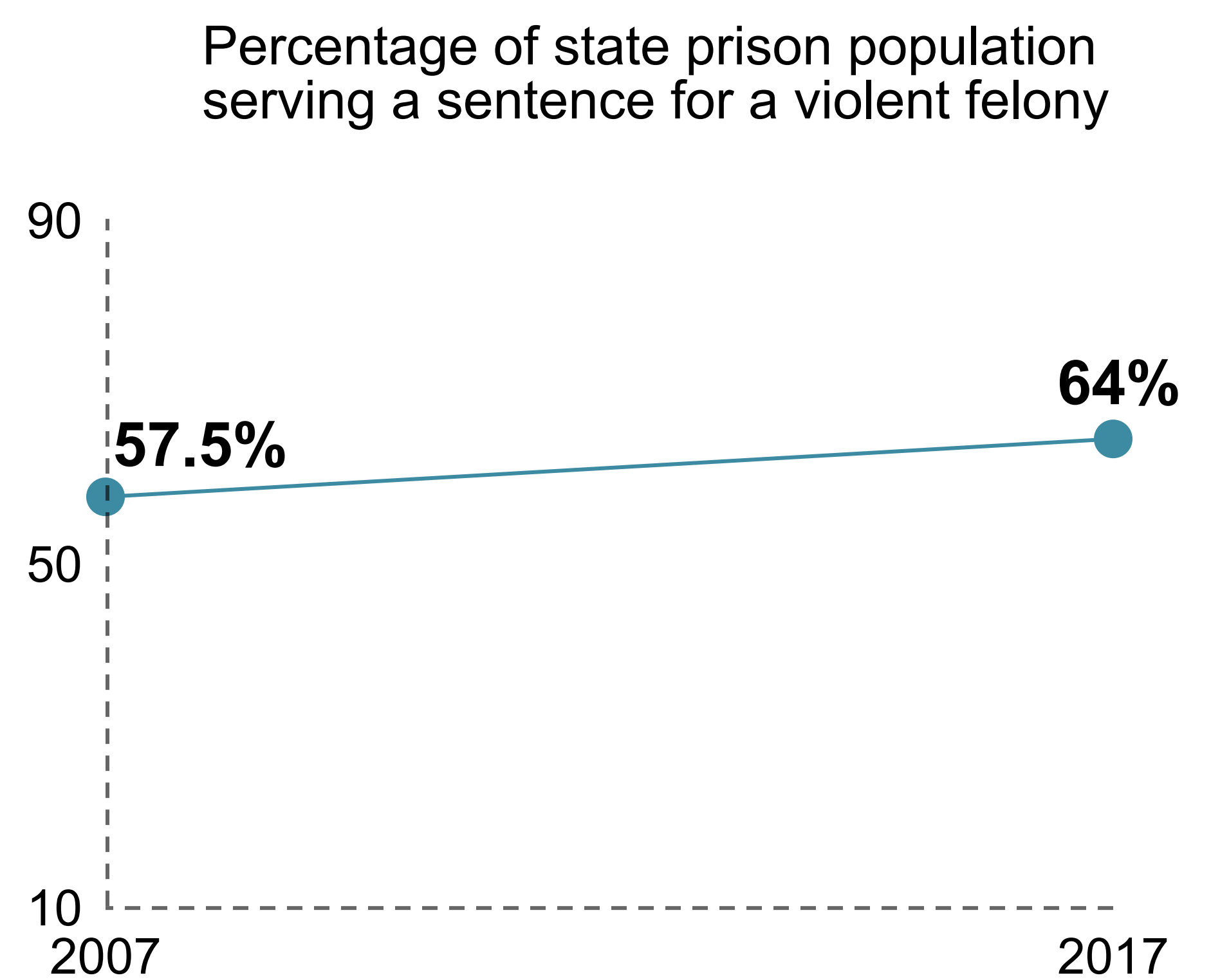
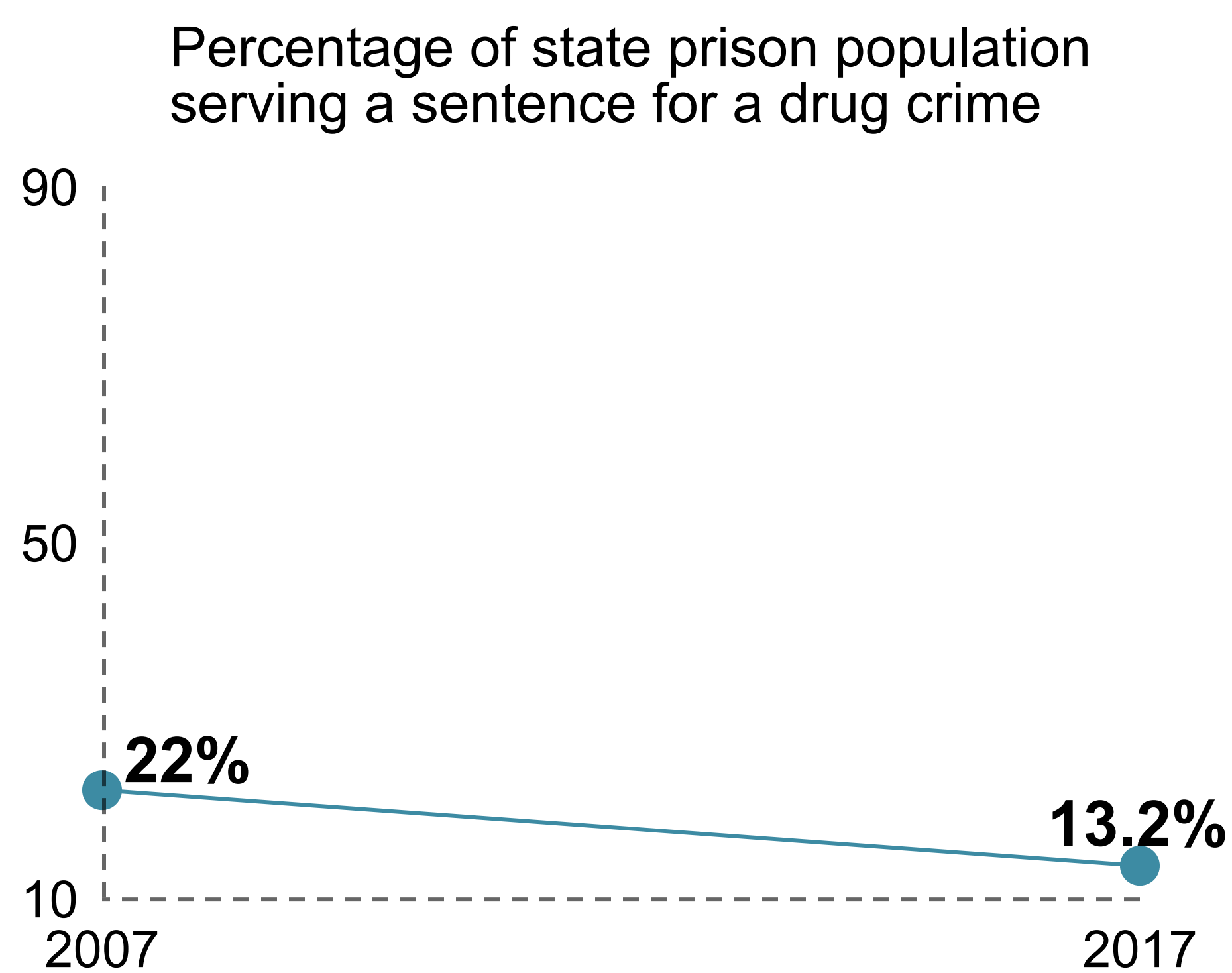
Source: Bureau of Justice Statistics, 2016

## TRENDS: How New York's prison population has changed over the last decade

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

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

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

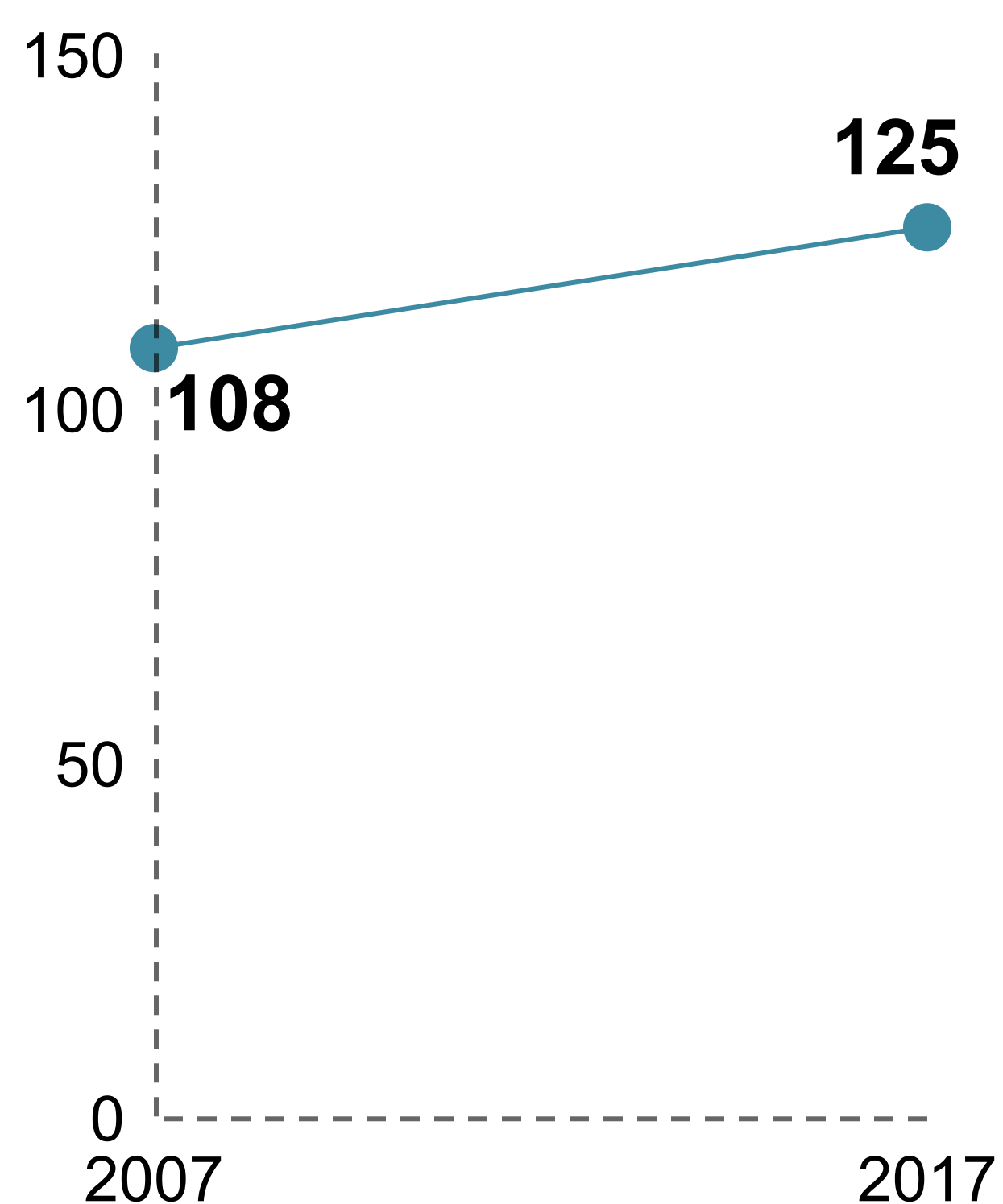


Source: DOCCS

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

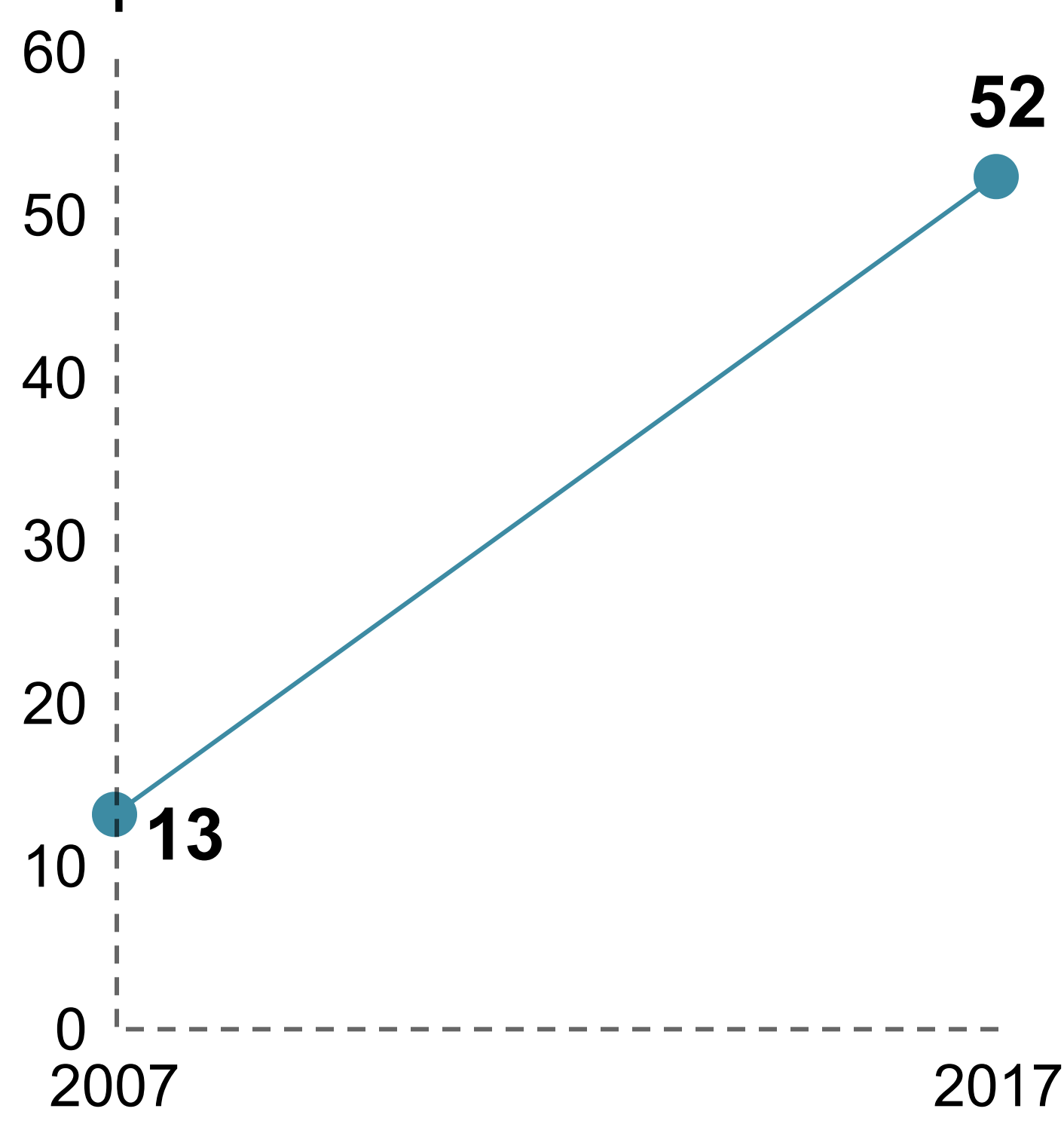
On average, violent felony charges carry longer sentences than drug charges. As the percentage of the prison population facing violent felony charges has increased, those in prison tend to be incarcerated for longer periods of time. **On average, the number of months until earliest possible release date increased by 390% percent between 2007 and 2017.** Almost 18% of the New York State prison population is serving a life sentence and 44% is serving an indeterminate sentence.

#### Average minimum sentence



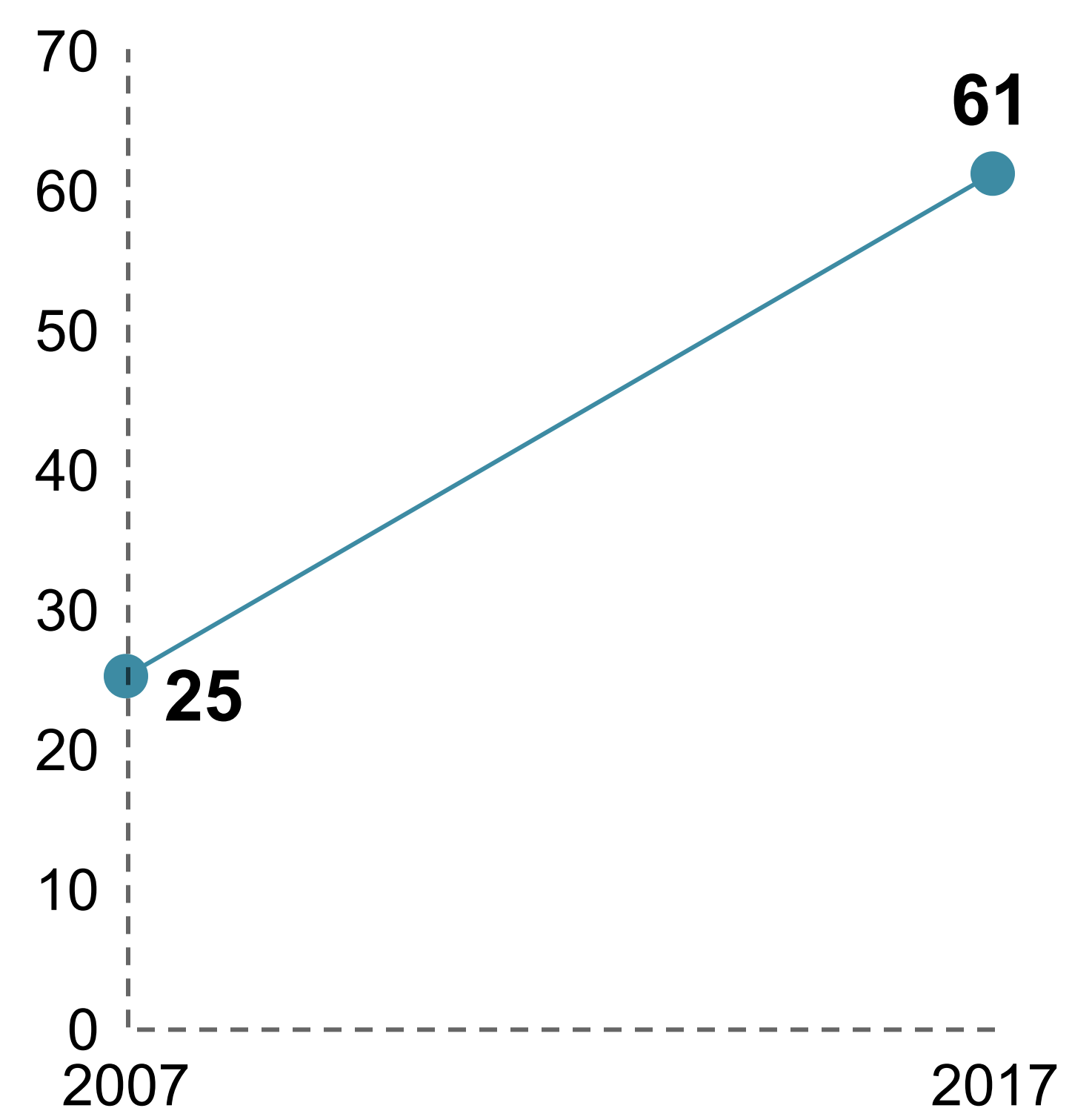
■ Months

#### Average months to earliest possible release date



■ Months

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



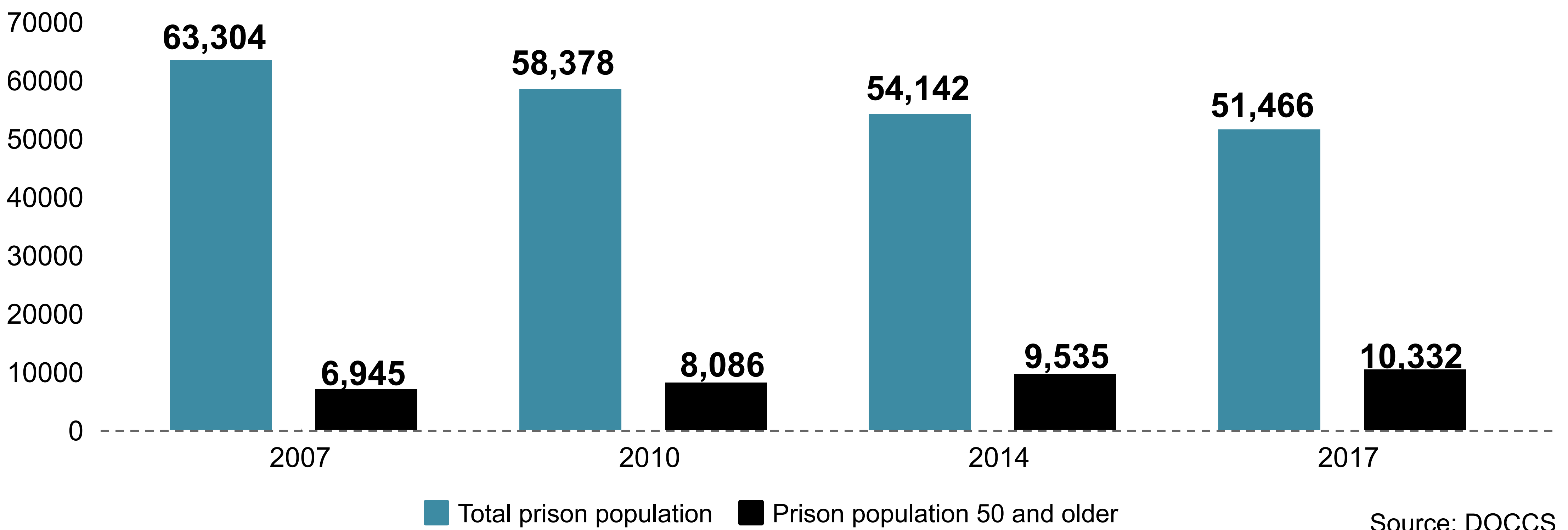
■ Months

Source: DOCCS

### #3: An Aging Prison Population

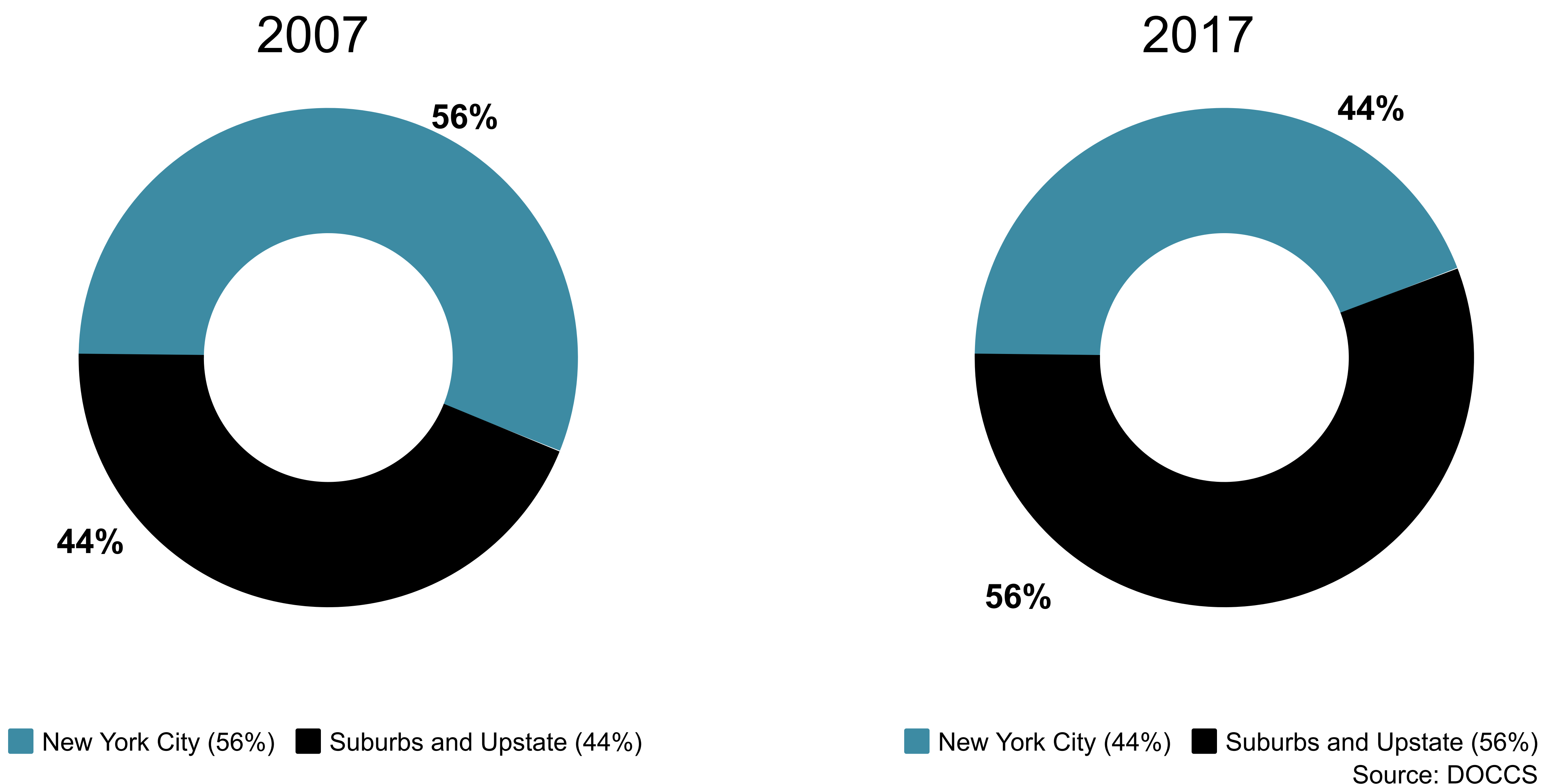
Longer periods spent in prison have produced a more significant aging prison population. While the overall number of people incarcerated in New York’s prisons dropped nearly 20% over the last decade, **the percentage of incarcerated people aged 50 or older nearly doubled — from 11% of the population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

Aging prison population compared to overall prison population



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

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

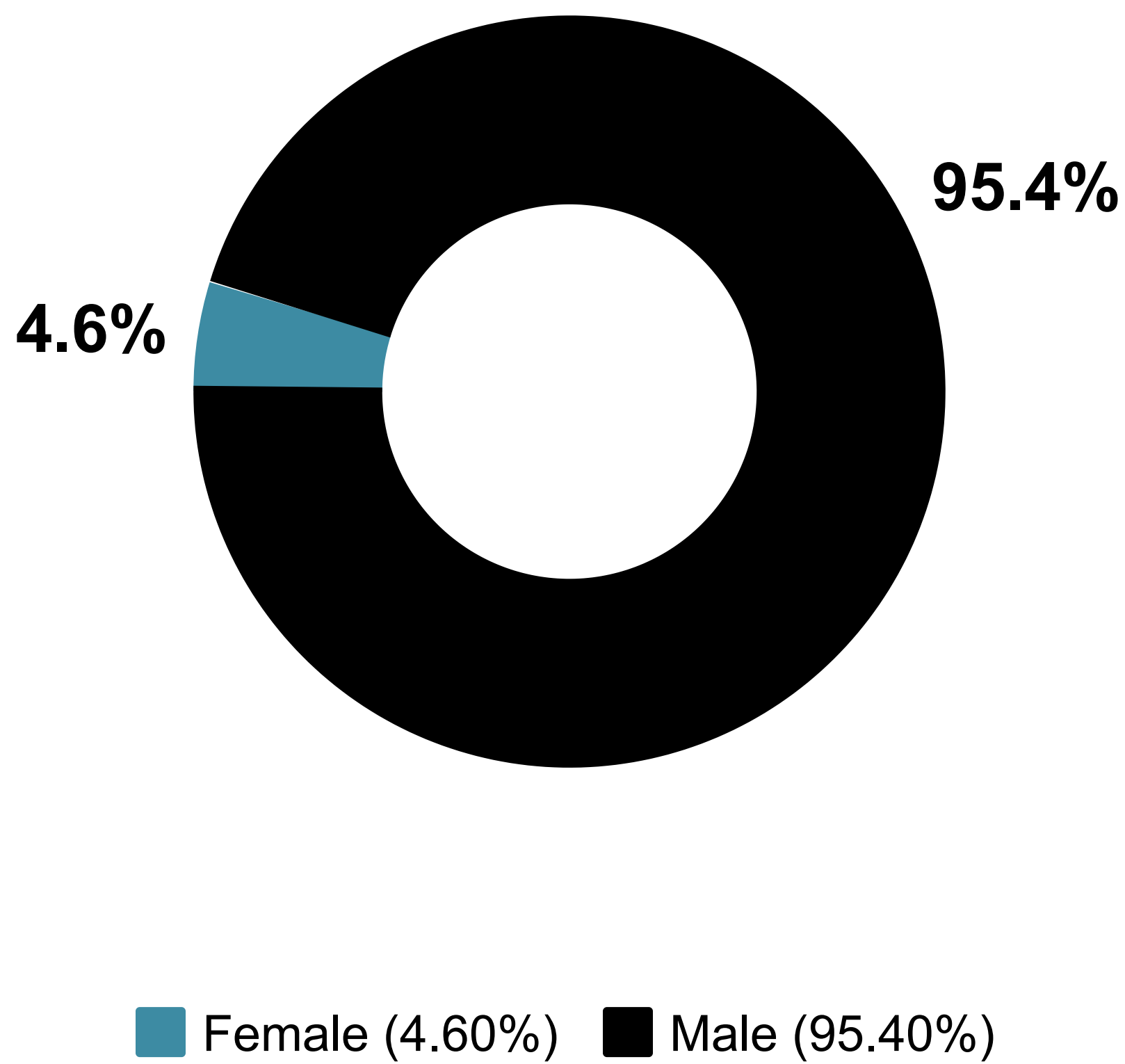




## CHARACTERISTICS: Key demographic data

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

### Sex distribution

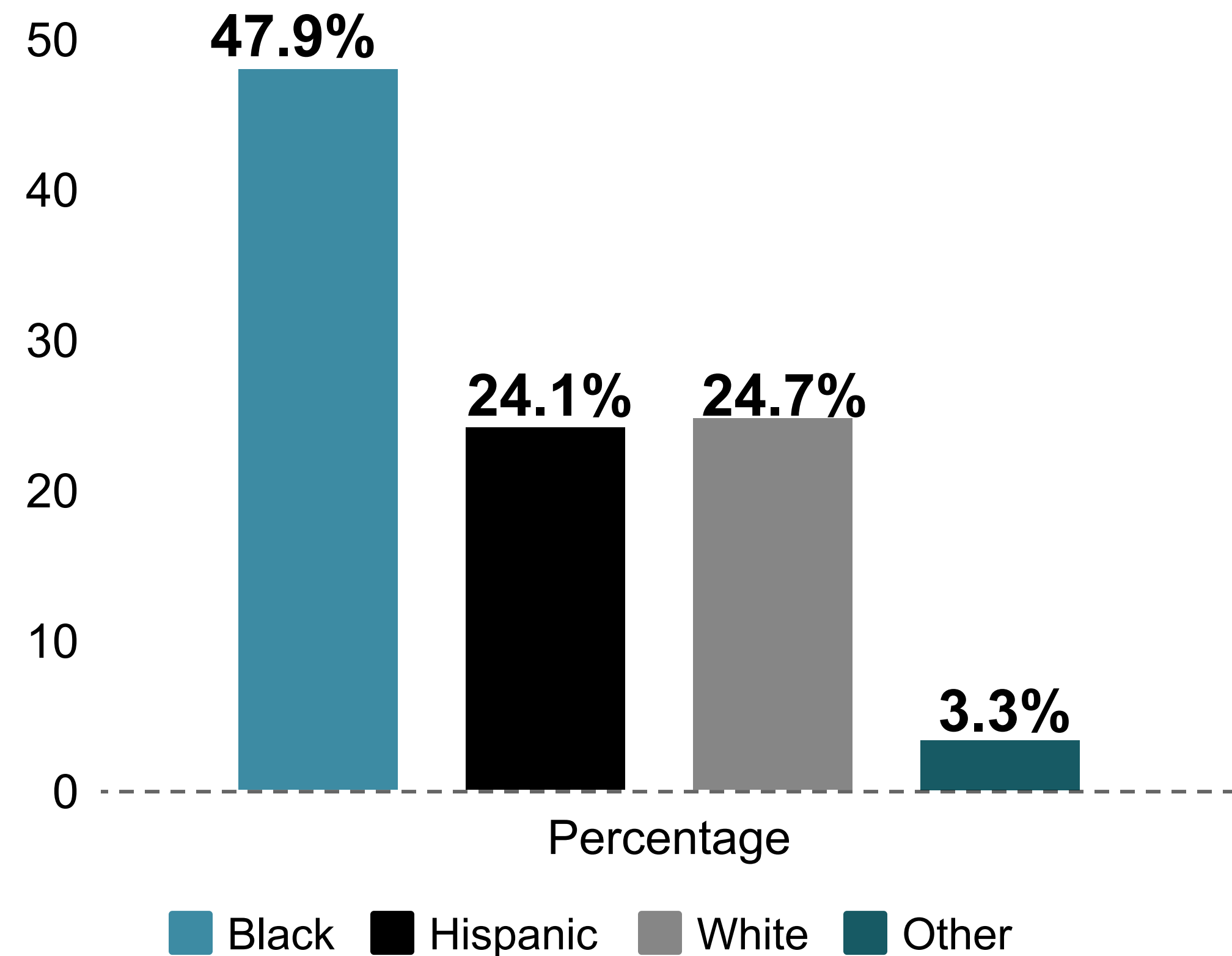


Source: DOCCS

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

### Race and ethnicity

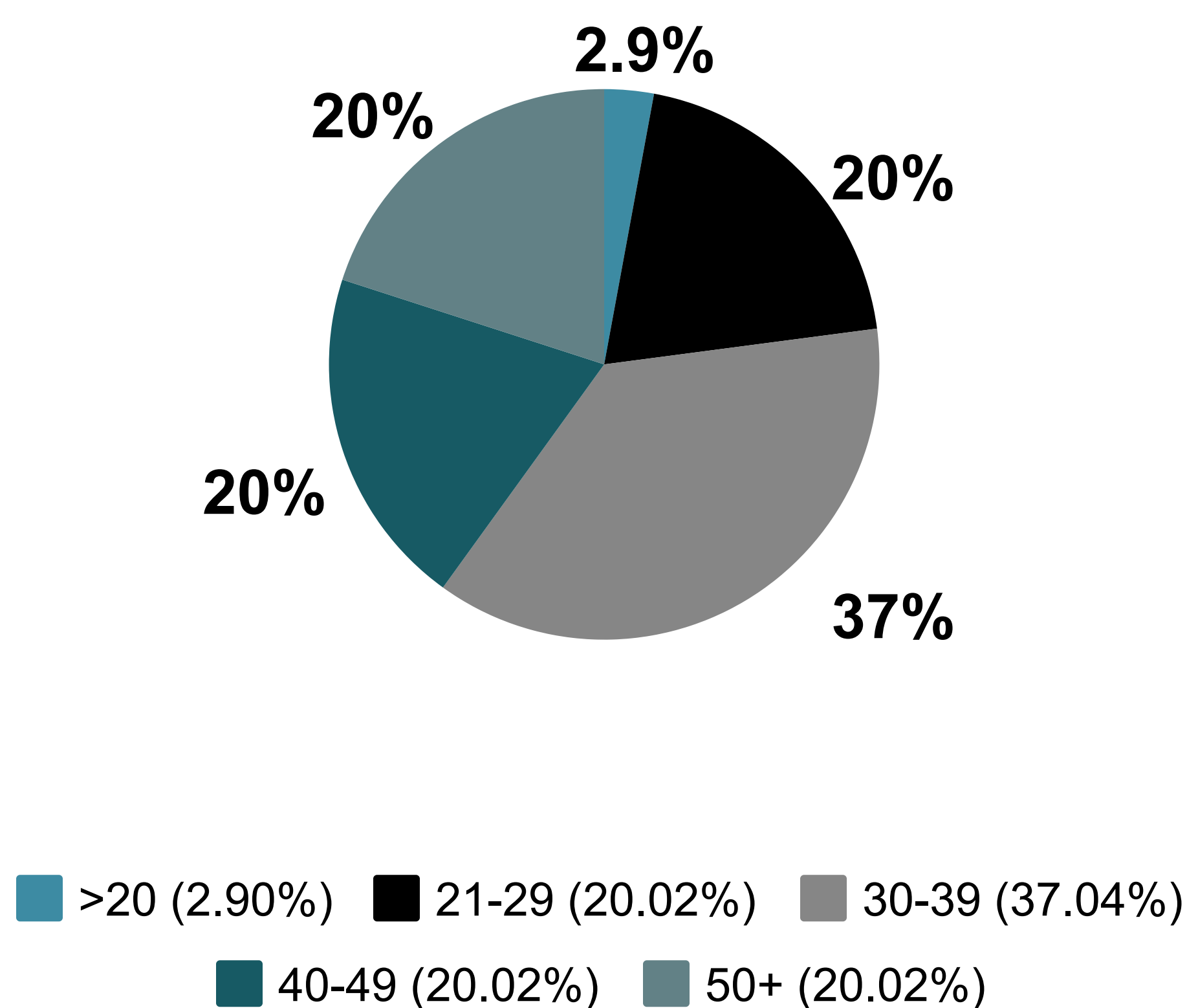
Note: we use the race and ethnicity categories reported by DOCCS



Source: DOCCS

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

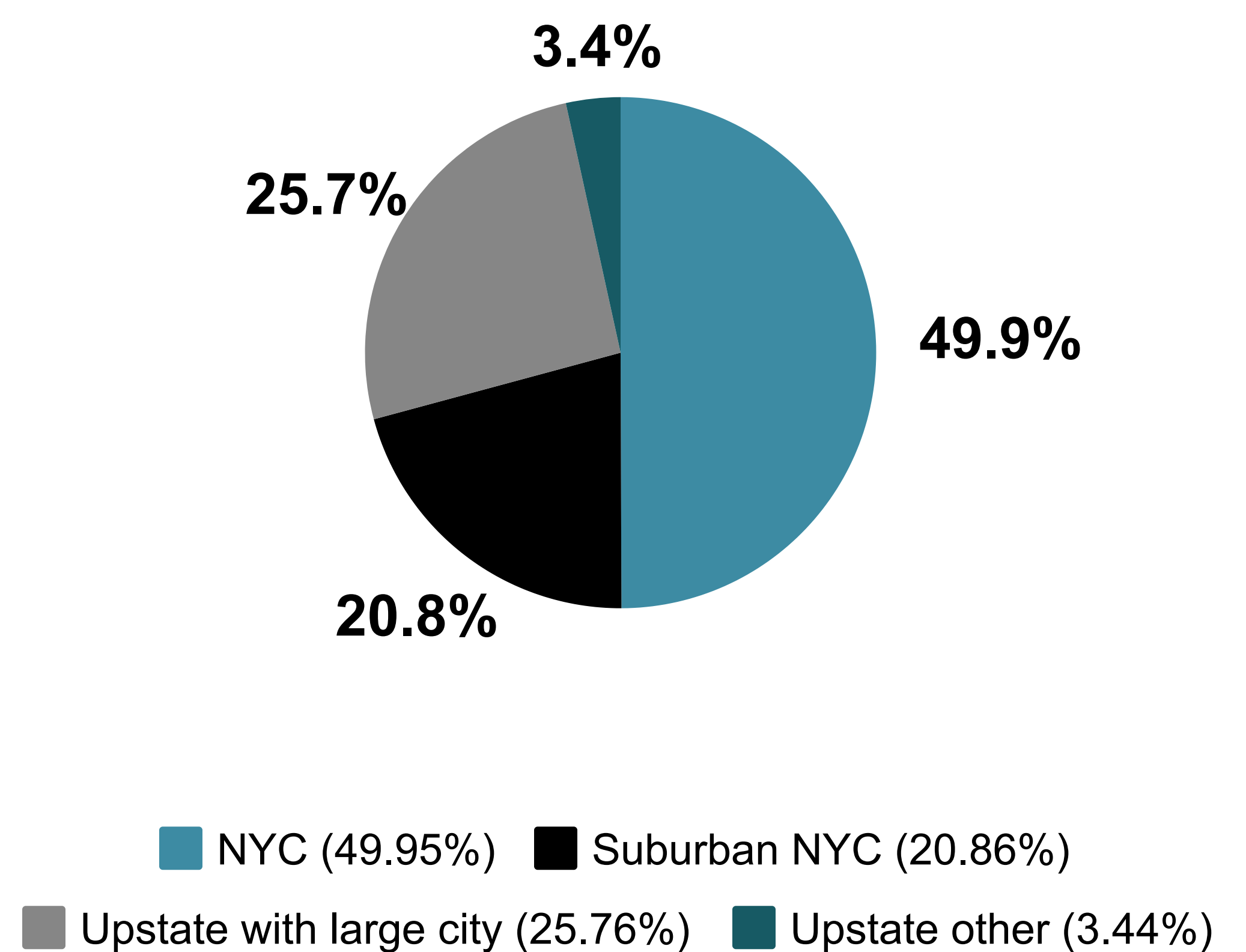
### Age



Source: DOCCS

The age distribution of New York's prison population is largely similar to other states' with one exception. While 2.9% of people in New York's prisons are 20-years-old or younger, only .8% of those incarcerated in all other state prisons are. This can be explained, in part, by the fact that until the Raise the Age law passed in 2017, New York was one of only two states that prosecuted all youth over 16 as adults.

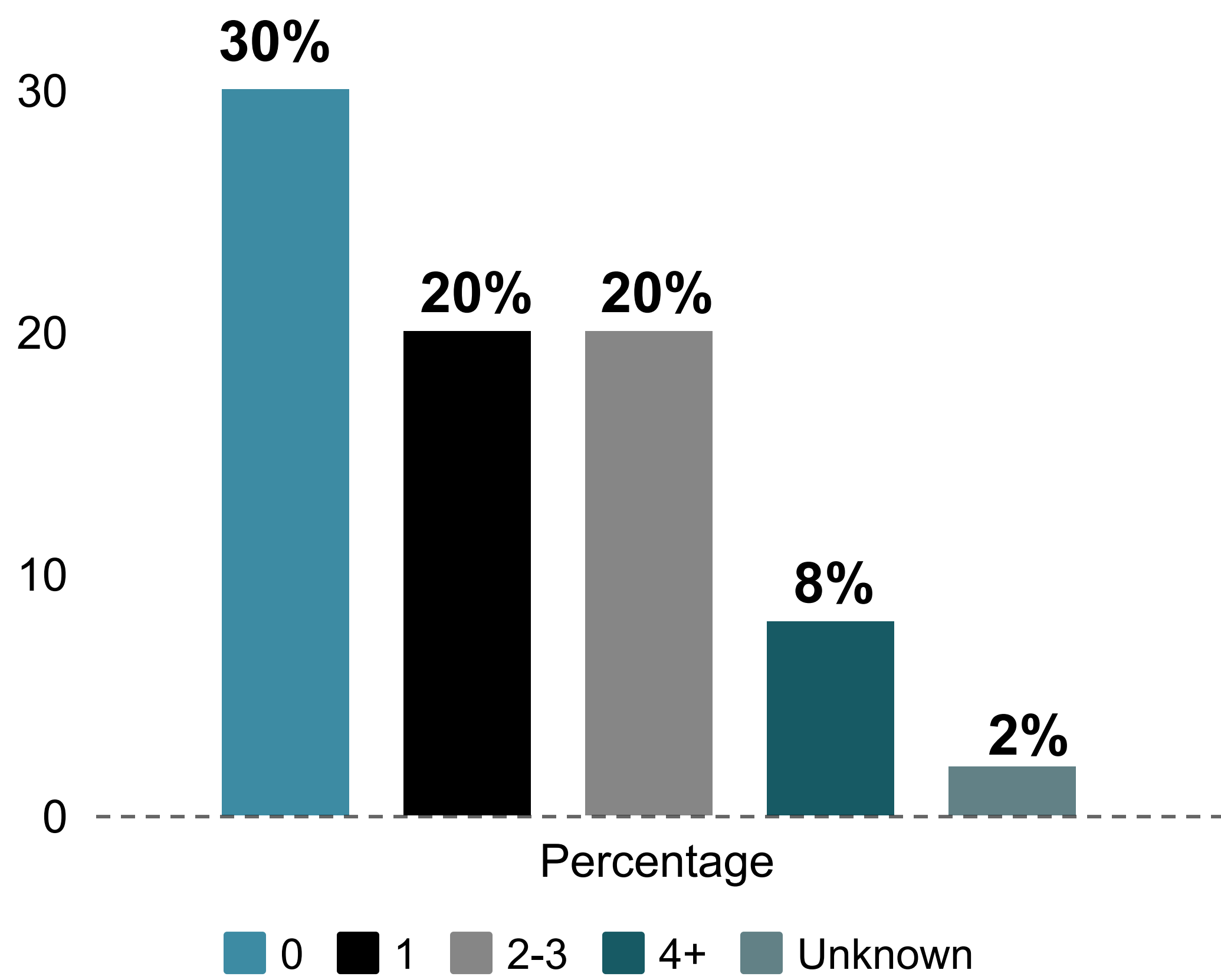
### Home county



Source: DOCCS

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

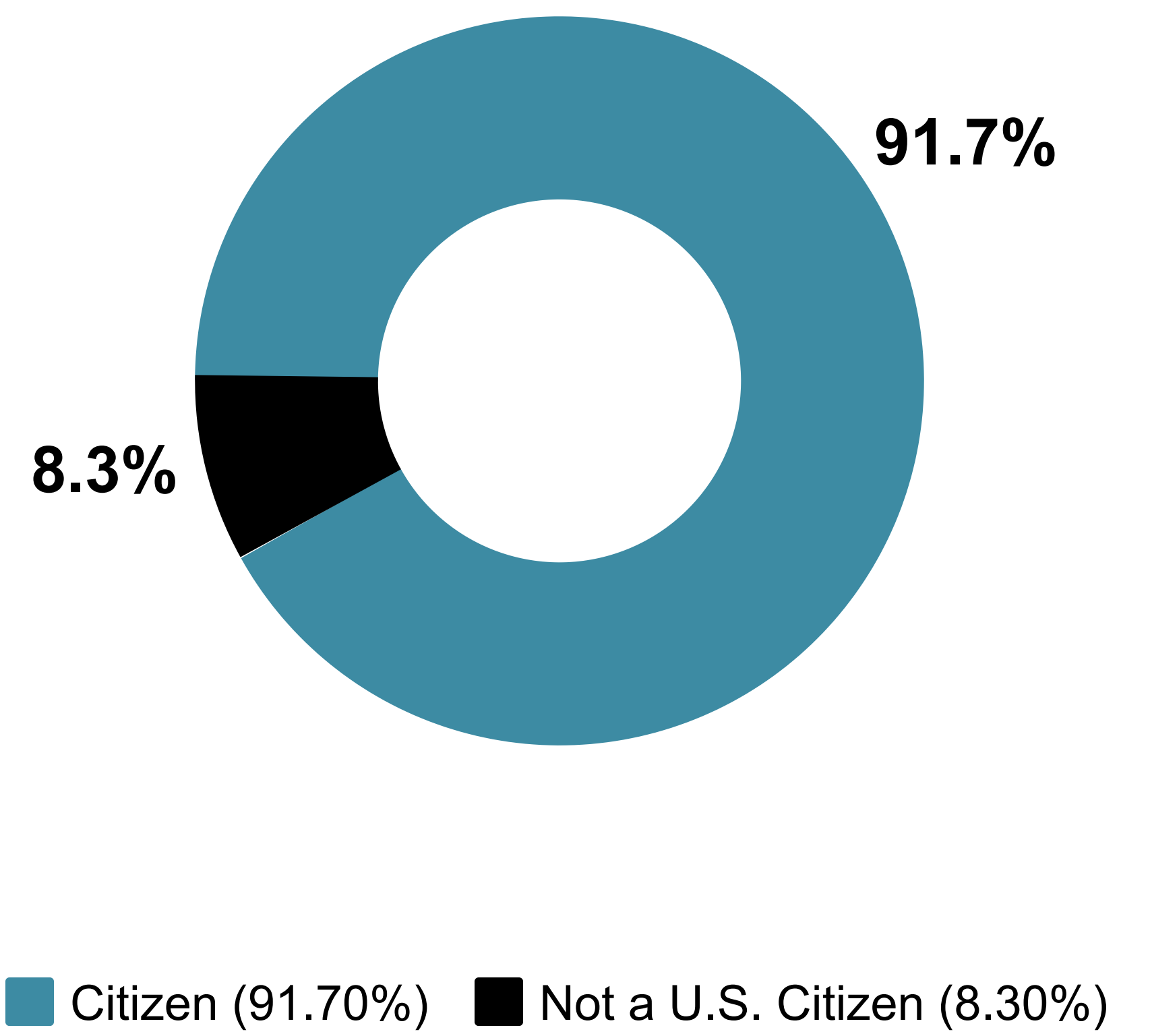
### Number of children



Source: DOCCS

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

### U.S. citizenship



Source: DOCCS

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



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