

U.S. Prison Decline: Insufficient to Undo Mass Incarceration

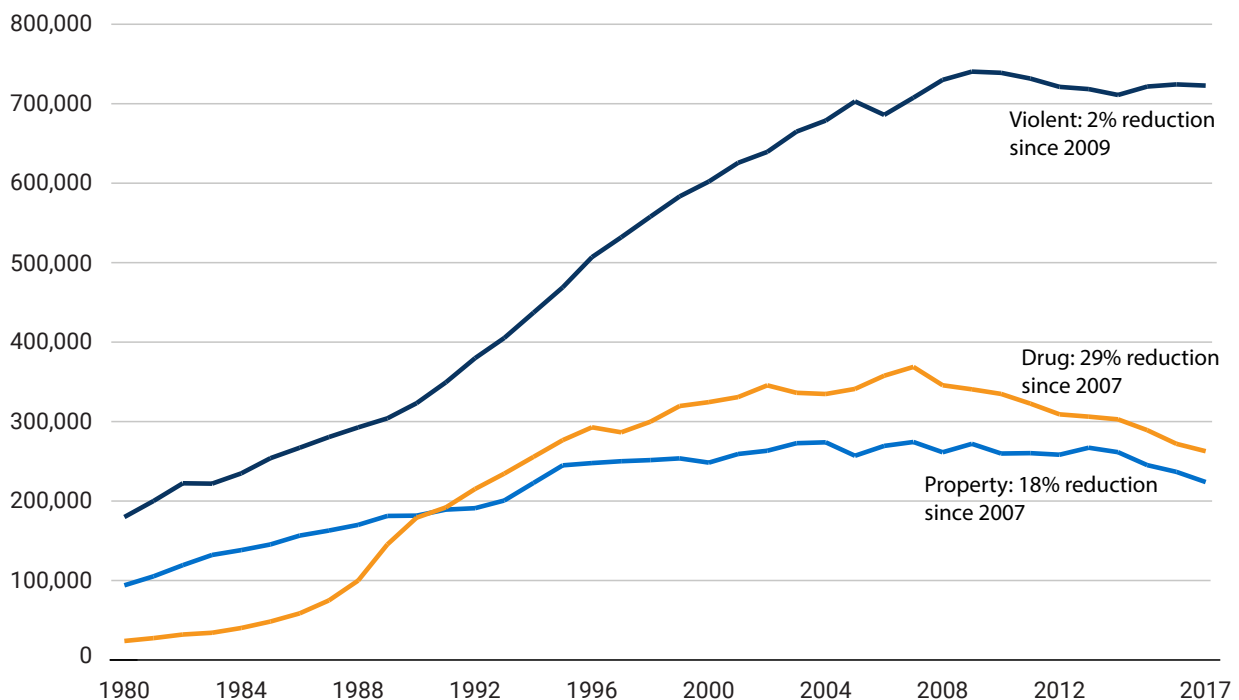
By yearend 2018, the U.S. prison population reached 1.4 million people, declining by 9% since reaching its peak level in 2009. This follows a nearly 700% growth in the prison population between 1972 and 2009. This research brief reveals significant variation across states in decarceration and highlights the overall modest pace of reforms relative to the massive imprisonment buildup.

This analysis is based on the most recent data from the Bureau of Justice Statistics on people serving sentences greater than one year. Since the coronavirus pandemic in 2020, a number of states and the federal system have made additional, albeit modest, reductions in their prison populations. This analysis underscores the need to address excessively high levels of imprisonment amidst a public health crisis.

SIGNIFICANT VARIATION ACROSS STATES

All but six states have reduced their prison populations since reaching their peak levels. For twenty-five states, the reduction in imprisonment levels was less than 10%. The federal prison population was downsized by 17% relative to its peak level in 2011.¹ Seven states lead the nation, having decarcerated by over 30% since reaching their peak imprisonment levels: New Jersey, Alaska, Connecticut, New York, Alabama, Rhode Island, and Vermont.² These prison population reductions are the result of a mix of changes in [policy and practice](#) designed to reduce prison admissions and lengths of stay. But six states had their highest ever prison populations in 2018: Wyoming, Nebraska, Iowa, Wisconsin, Kansas, and Oregon.

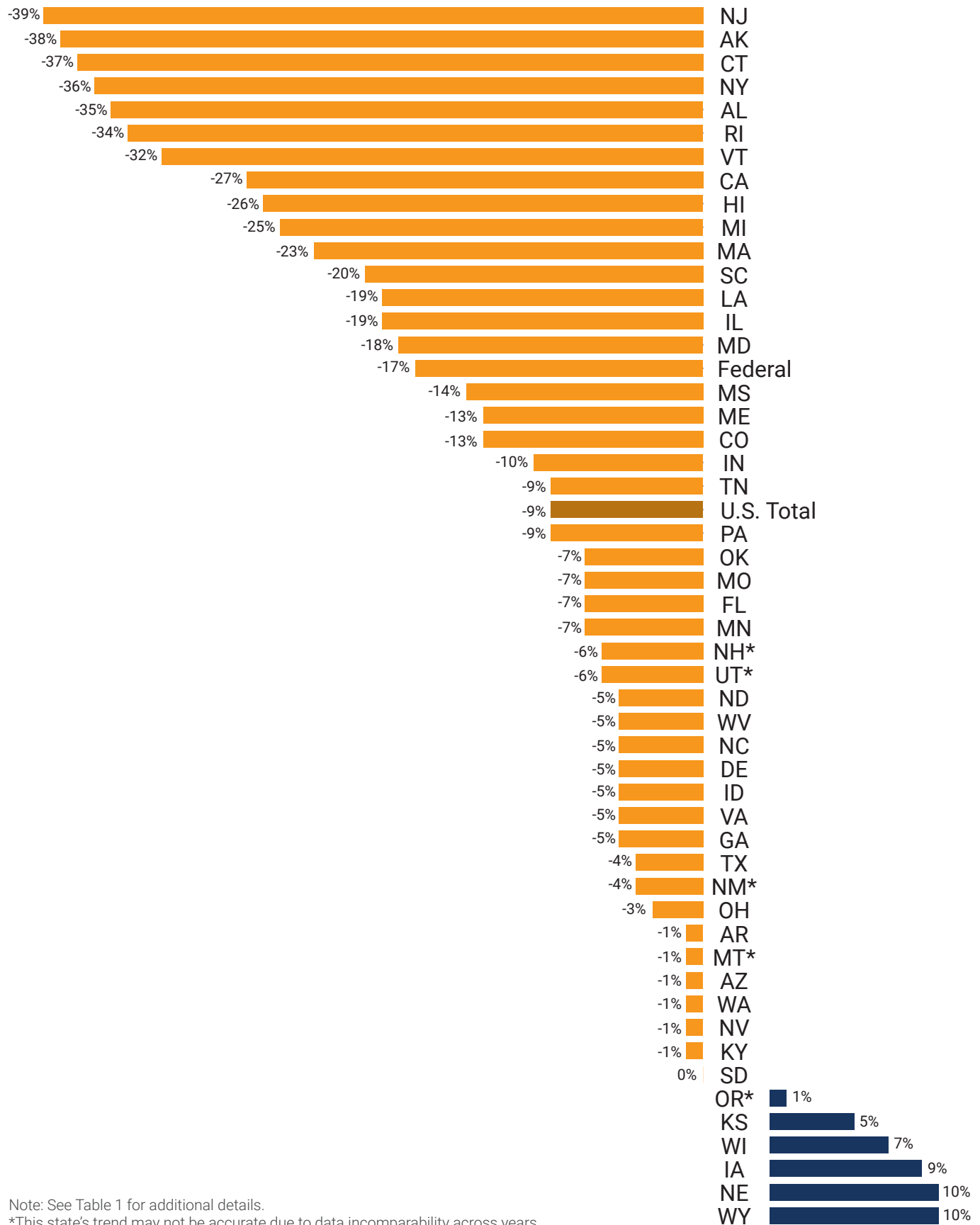
Figure 1: U.S. Prison Population by Conviction Offense, 1980-2017



Note: Reductions are from year when the prison population for that offense category reached its peak. Based on sentenced prison population in state and federal systems. Chart omits public order and other/unspecified offenses, for which an additional 231,000 people were imprisoned in 2017, down 1% since 2014.

Source: Bureau of Justice Statistics *Prisoners Series* (1994-2018)

Figure 2. U.S. Prison Population Trends Through 2018: Decreases Since Peak Year, Increases Since 2013



Note: See Table 1 for additional details.

*This state's trend may not be accurate due to data incomparability across years.

Source: Bureau of Justice Statistics *Prisoners Series* (1999-2018)

MODEST PACE OF REFORMS

Although 44 states and the federal system have reduced their prison populations since reaching peak levels, the pace of reform has been slow to reverse nearly four decades of aggressive annual imprisonment growth. At the pace of decarceration since 2009, averaging 1% annually, it will take 65 years— until 2085—to cut the U.S. prison population in half. Clearly, waiting over six decades to substantively alter a system that is out of step with [the world](#) and is [racially biased](#) is unacceptable.

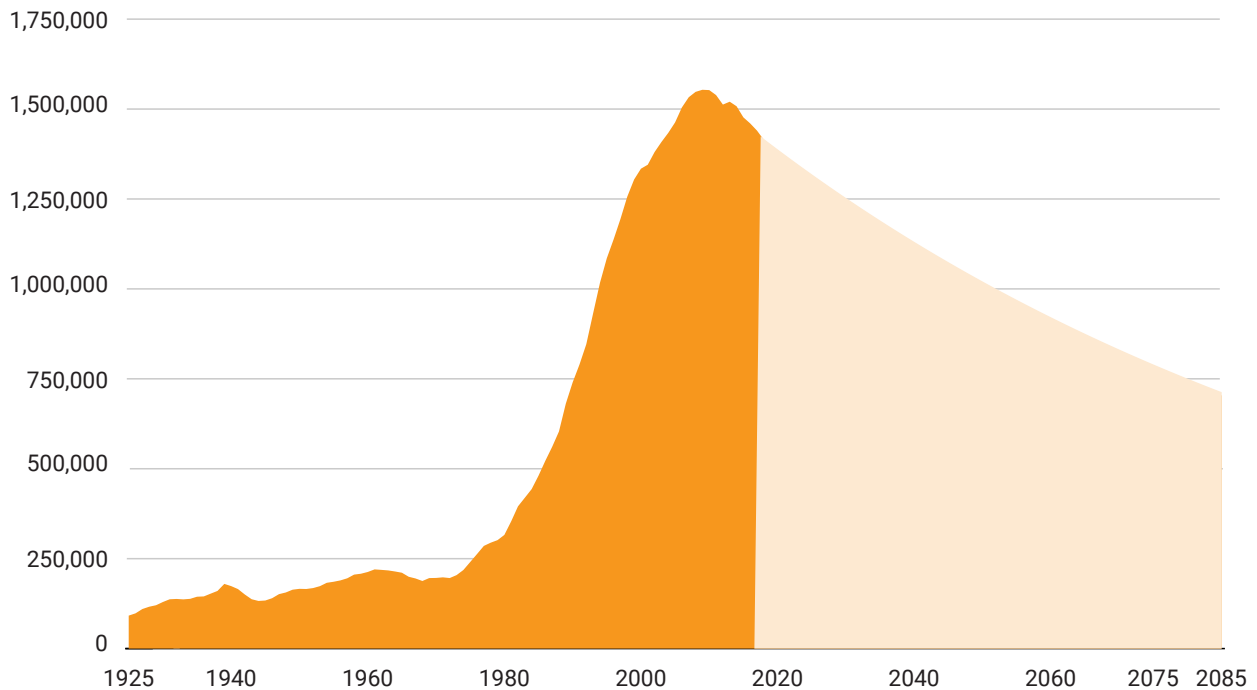
NEXT STEPS

The United States has made only modest progress in ending mass incarceration despite a dramatic decline in crime rates. Reported crime rates have plummeted to half of their 1990s levels—as they have in many other countries that did not increase imprisonment levels.³ Expediting the end of mass incarceration will require accelerating the end of the Drug War and scaling back sentences for all crimes, including violent offenses for which half of people in prison are serving time.⁴

Past reforms have helped to reduce the number of people imprisoned for a drug offense by 29% between peak year 2007 and 2017. The number of people imprisoned for a property offense has declined by 18% between peak year 2007 and 2017. But for the half of the prison population imprisoned for a violent crime—which ranges from certain burglaries, robbery, and assault to rape and murder—[reforms remain the exception](#). Overall, the number of people imprisoned for a violent offense has only declined by 2% between peak year 2009 and 2017, despite substantial declines in violence since the mid-1990s.

The reluctance to scale back excessive sentences for this population is at [odds with evidence](#) that long sentences incapacitate older people who pose little public safety threat, produce limited deterrent effect, and detract from more effective investments in public safety. Expediting the end of mass incarceration will require making a meaningful dent into the number of people imprisoned for violence as well as intensifying sentencing reforms for non-violent crimes.

Figure 3. Historical and Projected U.S. Federal and State Prison Population, Based on 2009-2018 Rate of Decline



Source of historical figures: Bureau of Justice Statistics (1982) "Prisoners 1925-81"; Bureau of Justice Statistics Corrections Statistical Analysis Tool; Carson, E. A. (2020). *Prisoners in 2018*. Bureau of Justice Statistics. Available at: <https://www.bjs.gov/content/pub/pdf/p18.pdf>

Table 1: U.S. Prison Population Trends Through 2018: Decreases Since Peak Year, Increases Since 2013

Jurisdiction	Peak to 2018	Peak Year
New Jersey	-38.5%	1999
Alaska ¹	-37.8%	2006
Connecticut	-37.4%	2007
New York	-36.1%	1999
Alabama ¹	-34.9%	2012
Rhode Island	-33.7%	2008
Vermont	-32.0%	2009
California	-26.7%	2006
Hawaii	-26.2%	2005
Michigan	-24.8%	2006
Massachusetts	-23.4%	2011
South Carolina	-20.3%	2009
Louisiana	-19.4%	2012
Illinois	-19.1%	2012
Maryland	-17.7%	2007
Federal	-16.9%	2011
Mississippi	-13.9%	2008
Maine	-13.4%	2007
Colorado	-13.0%	2008
Indiana	-10.2%	2013
Tennessee	-9.2%	2017
U.S. total	-9.0%	2009
Pennsylvania	-8.6%	2011
Oklahoma	-7.3%	2016
Missouri	-6.8%	2017
Florida	-6.5%	2010
Minnesota	-6.5%	2015
New Hampshire*	-6.3%	2007
Utah*	-6.1%	2013
North Dakota	-5.4%	2015
West Virginia	-5.4%	2016
North Carolina	-5.3%	2014
Delaware	-5.1%	2007
Idaho	-4.6%	2013
Virginia	-4.5%	2015
Georgia	-4.5%	2009
Texas	-3.7%	2010
New Mexico*	-3.5%	2017
Ohio	-3.4%	2015
Arkansas	-1.3%	2017
Montana*	-1.3%	2016
Arizona	-1.3%	2015
Washington	-0.7%	2017
Nevada	-0.6%	2017
Kentucky	-0.5%	2017
South Dakota	-0.4%	2017
Jurisdiction	2013 to 2018	Peak Year
Oregon*	0.5%	2018
Kansas	4.7%	2018
Wisconsin	7.1%	2018
Iowa	8.6%	2018
Nebraska	9.8%	2018
Wyoming	10.1%	2018

Source: Bureau of Justice Statistics *Prisoners Series* (1999-2018)

*This state's trend may not be accurate due to data incomparability across years.

NOTES

1. This figure is based on the number of people serving sentences longer than one year. The Bureau of Prisons [reports](#) that the total population under its jurisdiction decreased by 22% between peak year 2013 and April 30, 2020.
2. Alaska and Alabama are poised to reverse some of this progress. Prompted by its governor, in 2019 Alaska's state legislature repealed several aspects of a major criminal justice overhaul, Senate Bill 91. Alabama's prison population increased by 6% between [September 2018](#) and [January 2020](#), and recent changes in the state's parole policies and practices are poised to further undo the state's decarceration.
3. Federal Bureau of Investigations Uniform Crime Reporting Program. Doob, A., & Webster, C. (2006). Countering punitiveness: Understanding stability in Canada's imprisonment. *Law & Society Review*, 40(2), 325–367; Tseloni, A., Mailley, J., & Garrell, G. (2010). Exploring the international decline in crime rates. *European Journal of Criminology*, 7(5), 375–394
4. Carson, E. A. (2020). *Prisoners in 2018*. Bureau of Justice Statistics. Available at: <https://www.bjs.gov/content/pub/pdf/p18.pdf>