



# Corrections and Community Supervision

Under Custody Report:

Profile of Under Custody Population  
As of January 1, 2017

**Profile of Under Custody Population  
As of January 1, 2017**

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**Profile of Under Custody Population  
As of January 1, 2017**

**Executive Summary**

Characteristics	Category	Inmates Under Custody	Incarcerated Parolees Under Custody	Total Under Custody
Population January 1, 2017		50,717	749	51,466
Gender	Male	95.5%	88.8%	95.4%
	Female	4.5%	11.2%	4.6%
Age	Average Age	38.6	34.5	38.5
Race/Ethnic Status	White	24.4%	44.3%	24.7%
	African-American	48.1%	38.1%	47.9%
	Hispanic	24.2%	12.6%	24.1%
Region	New York City	43.2%	19.6%	42.8%
	Suburban New York	10.5%	10.4%	10.5%
	Upstate	46.4%	70.0%	46.7%
World Region of Birth	Foreign Born	9.6%	2.9%	9.5%
Marital Status	Never Married	66.1%	76.0%	66.2%
Living Children	One or more living children	60.8%	59.7%	60.8%
Religious Affiliation	Catholic	21.4%	23.4%	21.5%
	Protestant	24.5%	18.6%	24.4%
	Islam	11.6%	10.0%	11.6%
Military Service Veteran Status	Veteran	4.5%	3.3%	4.4%
Minimum Sentence	Median Minimum (in months)	72.0	24.0	72.0
	Average Minimum (in months)	125.7	32.0	124.4
Maximum Sentence	Median Maximum (in months)	84.0	42.0	84.0
	Average Maximum (in months)	141.4	50.6	140.0
Crime	Violent Felony	64.7%	16.2%	64.0%
	Drug Offenses	12.9%	35.6%	13.2%
	Property/Other	12.8%	35.5%	13.1%
Felony Sentencing Status	First Felony	55.5%	53.1%	55.4%
	Second Felony	40.4%	46.7%	40.5%
	Persistent Felony	4.1%	0.1%	4.1%
Prior Adult Criminal Record	No Prior Arrest	15.7%	12.0%	15.7%
	Prior Prison Term	35.0%	27.0%	34.9%
Time Served in Department Custody	Median time served (in months)	25.7	1.5	*
	Average time served (in months)	61.6	2.1	*
Time to Earliest Release Date	Median time (in months)	17.9	*	*
	Average time (in months)	53.3	*	*
Determinate Sentence	Drug Offenses - Determinate	*	*	98.0%
	Violent Felony - Determinate	*	*	70.0%
Education	Verified High School Credential	59.6%	58.5%	59.6%
OMH Service Level	OMH Level 1 - 4	20.9%	25.5%	20.9%

\* Not reported

# Profile of Under Custody Population As of January 1, 2017

## INTRODUCTION

### Purpose of the Report

This report presents information on inmates and incarcerated parolees held under Department of Corrections and Community Supervision (DOCCS) custody as of January 1, 2017. It profiles their demographic and criminal history characteristics.

### Additional Offenders Reported Due to the Merger of Corrections and Parole

On April 1, 2011, the former Division of Parole and the former Department of Correctional Services merged to form the Department of Corrections and Community Supervision (DOCCS). In past years the Department's Under Custody reports only included inmates in correctional facilities. Starting with the 2012 report in this series, all inmates are reported including those participating in the Alt 90 or Alt 45 programs<sup>1</sup>. In addition, "incarcerated parolees" (offenders under community supervision who are participating in a parole program at a DOCCS facility) are included, but reported separately. Most "incarcerated parolees" are housed in parole program facilities, while some are housed in correctional facilities. Similarly, most inmates are housed in correctional facilities, while others are housed in parole program facilities. (See next page for a description).

The table below shows the distribution of the various offender subgroups within the under custody population. Descriptions of these different offender subgroups are presented on the next page.

Type of Facility	Inmates	Incarcerated Parolees	Total
Correctional Facilities	50,339	292	50,631
Parole Program Facilities	378	457	835
Total	50,717	749	51,466

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1. Alt-90 cases have been assigned to an alternative 90-day drug treatment program at Willard Drug Treatment Campus (DTC), while Alt-45 cases have been assigned to an alternative 45-day drug treatment program at Edgecombe Residential Treatment Facility. See next page for a more complete description.

## Inmate Categories

**Inmates in correctional facilities** are inmates who have been sentenced to prison (or returned to prison as a result of a parole violation), are not under community supervision, and are incarcerated in a traditional “prison” facility (N=50,339).

**Incarcerated parolees in correctional facilities** are parolees who are under community supervision and have been incarcerated in order to participate in a treatment program at a parole program facility (e.g. Willard Drug Treatment Campus, Edgecombe Residential Treatment Facility). Incarcerated parolees in correctional facilities (N=292) are in one of the following situations: 1) in a reception facility on the way to beginning a treatment program in a parole program facility, 2) in a correctional facility awaiting an outcome hearing by an Administrative Law Judge (ALJ) as a result of being removed from a treatment program at a parole program facility, or 3) are participating in an alternative treatment program due to medical or mental health needs that cannot be met at the designated parole program facility.

**Inmates in parole program facilities** are returned parole violators who are participating in an alternative drug treatment program. These inmates were revoked and given a time assessment by an ALJ that represents a period of time that they must spend in prison. However, in lieu of serving the full amount of time in prison, these offenders were offered the opportunity to participate in a drug treatment program and they have volunteered to do so. If they successfully complete the program (either 90 days at Willard Drug Treatment Campus or 45 days at Edgecombe Residential Treatment Facility), these offenders will be released from incarceration at the completion of the program. If they do not successfully complete the drug treatment program, they must complete the remainder of their time assessment in a correctional facility (N=378).

**Incarcerated parolees in parole program facilities** are parolees who are under community supervision and participating in an assigned treatment program at a parole program facility. Once these incarcerated parolees complete the treatment program, they will be returned to the community to complete their term of community supervision. If these incarcerated parolees do not successfully complete their assigned treatment program, they will be removed from the program and the parole violation process will proceed accordingly. Parolees who fail the Willard Drug Treatment program and parolees who were sent to Edgecombe via special condition are removed from the programs and a violation warrant is issued. Parolees who were sent to Edgecombe with the issuance of a warrant are removed from the program and a final hearing is scheduled (N=457).

## Sections of the Report

The first section of this report describes the demographic characteristics of inmates and incarcerated parolees, including gender, age, race/ethnicity, region of commitment, birthplace, marital status, number of living children, religious affiliation, and veteran status. The second section describes the criminal history of inmates and incarcerated parolees, including information on minimum sentence, commitment crime, second felony sentencing status, prior adult criminal record, length of time served at current facility, length of time in Department custody, time to earliest release, and determinant sentencing status.

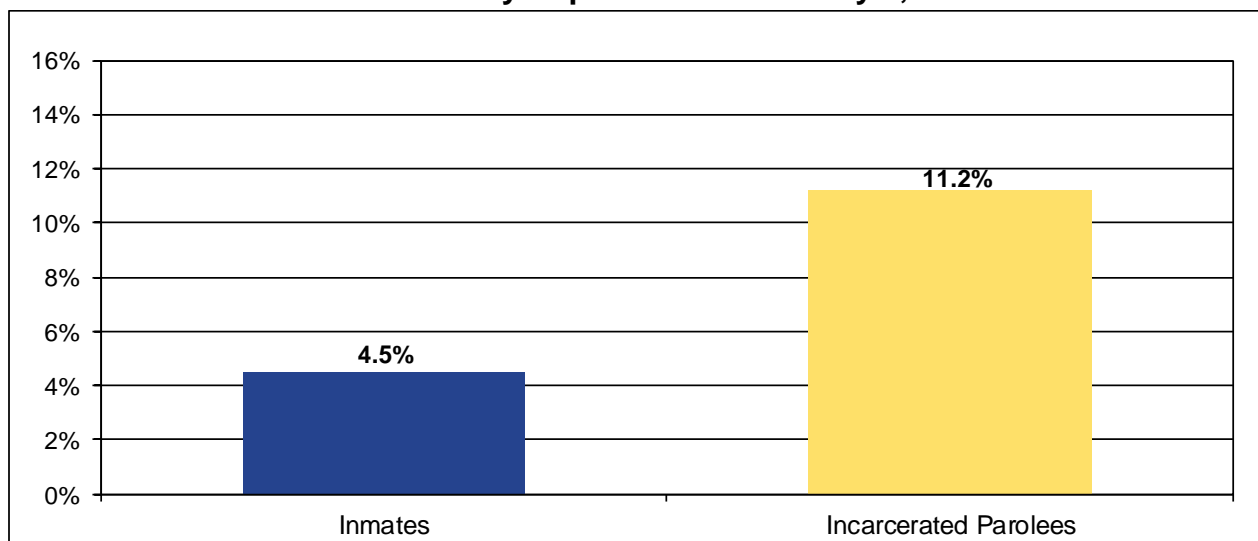
## Section One

### DEMOGRAPHIC CHARACTERISTICS

#### Gender Distribution

Of the 51,466 offenders under custody on January 1, 2017, 49,112 (95%) were male and 2,354 (5%) were female. There was a drop of 878 (-2%) total offenders under custody since January 1, 2016. The number of male offenders decreased by 789 (-2%) while female offenders decreased by 89 (-4%). Females made up a larger proportion of incarcerated parolees (11%) than inmates (5%).

**Figure 1. Proportion of Females Under Custody by Offender Status;  
Under Custody Population on January 1, 2017**



**Table 1. Gender Distribution and Offender Status;  
Under Custody Population on January 1, 2016 and January 1, 2017**

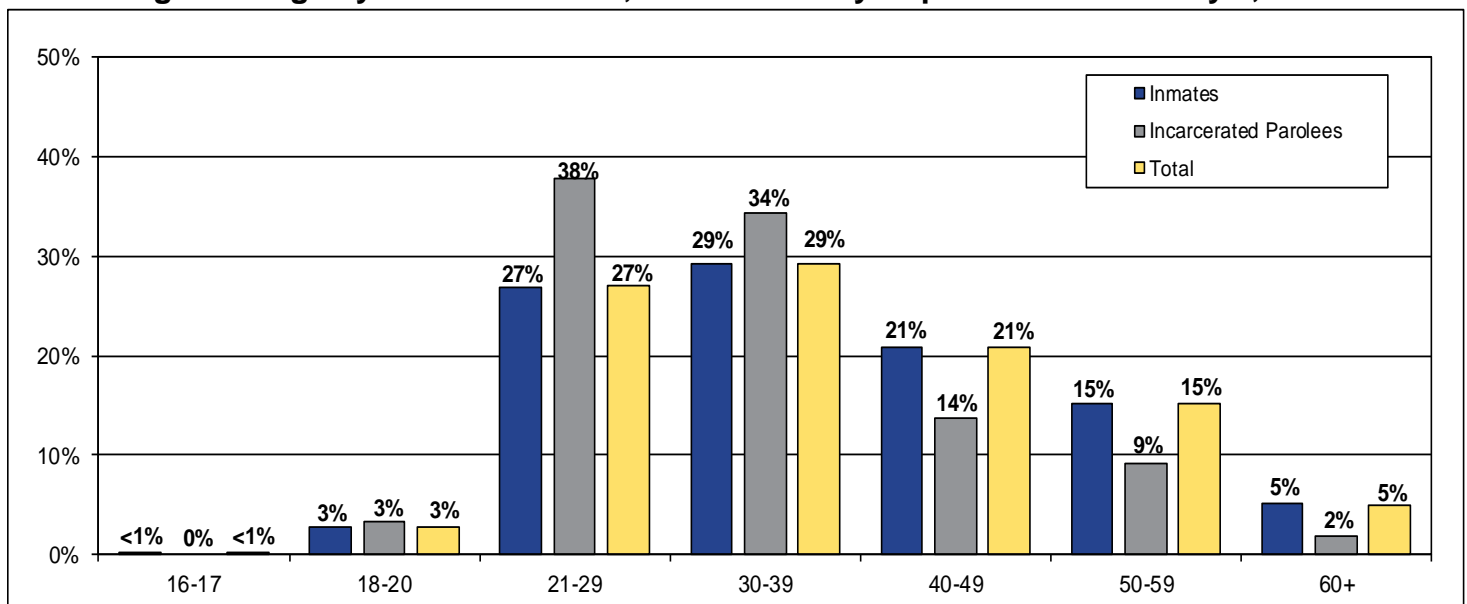
Gender and Offender Status	2016	2017	Numeric Change	Percent Change	Percent of Total 2016	Percent of Total 2017
<b>Inmates</b>						
Male	49,390	48,447	-943	-1.9%	95.5%	95.5%
Female	2,354	2,270	-84	-3.6%	4.5%	4.5%
Total Inmates	51,744	50,717	-1,027	-2.0%	100%	100%
<b>Incarcerated Parolees</b>						
Male	511	665	154	30.1%	85.2%	88.8%
Female	89	84	-5	-5.6%	14.8%	11.2%
Total Parolees	600	749	149	24.8%	100%	100%
<b>Grand Total</b>						
Male	49,901	49,112	-789	-1.6%	95.3%	95.4%
Female	2,443	2,354	-89	-3.6%	4.7%	4.6%
Total Under Custody	52,344	51,466	-878	-1.7%	100%	100%

## Age Distribution

The average age of offenders under custody on January 1, 2017 was 39 years old. On average, inmates were older (39) than incarcerated parolees (35). About 41% of incarcerated parolees were under age 30, while only 30% of the inmates fell into this younger age group.

Offenders under 21 years old numbered 1,489 (3%). Since last year's report, the number of offenders in the under 21 age group decreased by 190 (-11%). Of the 1,489 offenders under age 21, 68 were 16 or 17 years old, 21 fewer than on January 1, 2017. Overall, the number of offenders age 50 and older increased by 192 (2%) between January 1, 2016 and January 1, 2017, while the total population declined by 878 (-2%).

**Figure 2. Age by Offender Status; Under Custody Population on January 1, 2017**



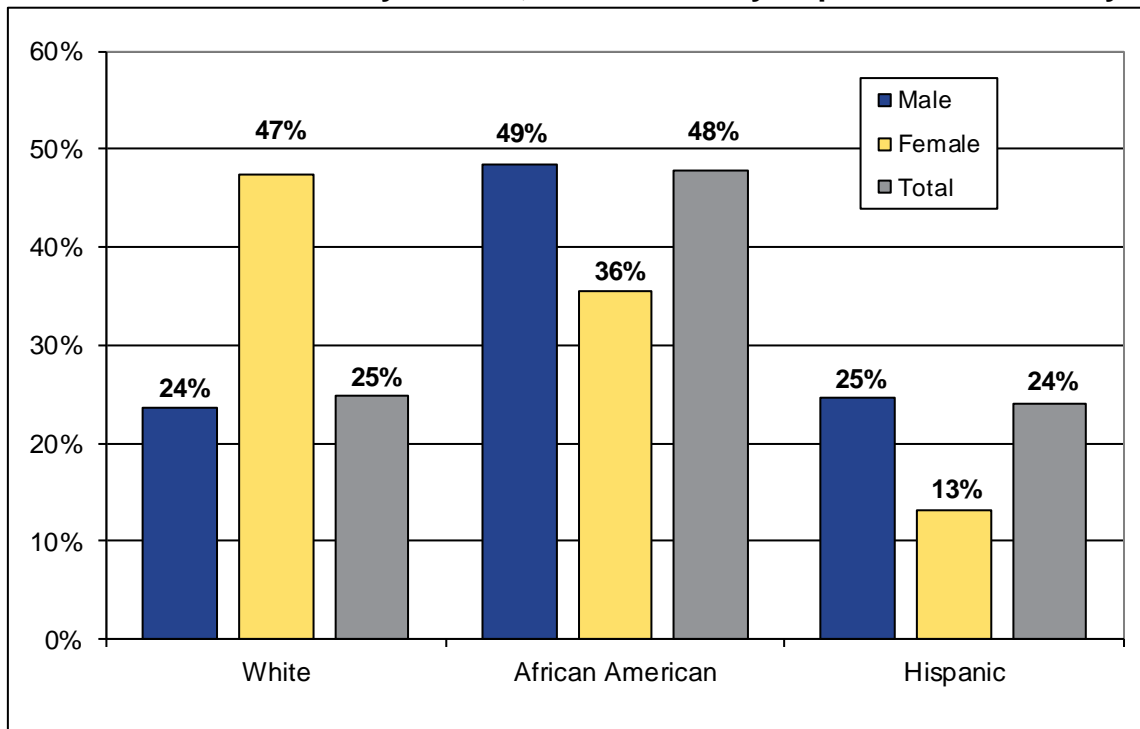
**Table 2. Age by Gender or Offender Status; Under Custody Population on January 1, 2017**

Age by Gender	16-17	18-20	21-29	30-39	40-49	50-59	60+	Total	Average
Male	66	1,373	13,268	14,292	10,179	7,445	2,489	49,112	38.6
Female	2	48	651	757	498	314	84	2,354	37.7
Total	68	1,421	13,919	15,049	10,677	7,759	2,573	51,466	38.5
Male	0.1%	2.8%	27.0%	29.1%	20.7%	15.2%	5.1%	100.0%	
Female	0.1%	2.0%	27.7%	32.2%	21.2%	13.3%	3.6%	100.0%	
Total	0.1%	2.8%	27.0%	29.2%	20.7%	15.1%	5.0%	100.0%	
Age by Offender Status									
Inmates	68	1,397	13,636	14,791	10,574	7,691	2,560	50,717	38.6
Incarcerated Parolees	0	24	283	258	103	68	13	749	34.5
Total Under Custody	68	1,421	13,919	15,049	10,677	7,759	2,573	51,466	38.5
Inmates	0.1%	2.8%	26.9%	29.2%	20.8%	15.2%	5.0%	100.0%	
Incarcerated Parolees	0.0%	3.2%	37.8%	34.4%	13.8%	9.1%	1.7%	100.0%	
Total Under Custody	0.1%	2.8%	27.0%	29.2%	20.7%	15.1%	5.0%	100.0%	

## Race/Ethnic Distribution

Almost half (48%) of the total offenders under custody on January 1, 2017 were African-American, while just under a quarter were Hispanic and another quarter identified as White. A larger proportion of the female under custody population was White (47%) compared to the male under custody population (24%). A larger proportion of the incarcerated parolee population was White (44%) compared to the inmate population (24%).

**Figure 3. Race/Ethnic Status by Gender; Under Custody Population on January 1, 2017**



**Table 3. Race/Ethnic Status by Gender or Offender Status; Under Custody Population on January 1, 2017**

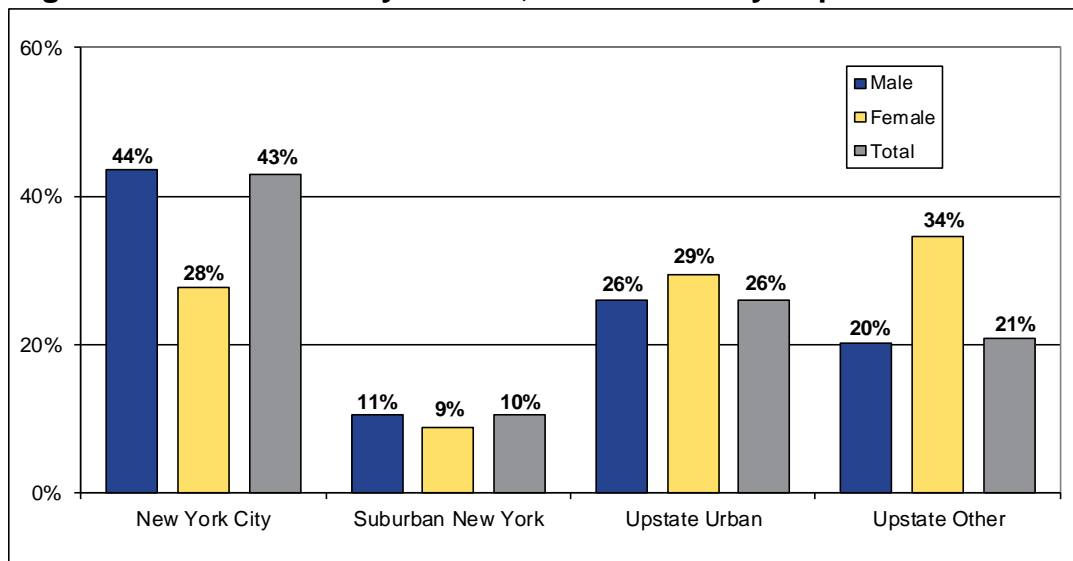
Race/Ethnic Status by Gender	White	African American	Hispanic	Native American	Asian	Other	Unknown	Total
Male	11,610	23,822	12,072	424	257	653	274	49,112
Female	1,118	838	310	28	11	21	28	2,354
Total	12,728	24,660	12,382	452	268	674	302	51,466
Male	23.6%	48.5%	24.6%	0.9%	0.5%	1.3%	0.6%	100.0%
Female	47.5%	35.6%	13.2%	1.2%	0.5%	0.9%	1.2%	100.0%
Total	24.7%	47.9%	24.1%	0.9%	0.5%	1.3%	0.6%	100.0%
<b>Offender Status</b>								
Inmates	12,396	24,375	12,288	446	264	663	285	50,717
Incarcerated Parolees	332	285	94	6	4	11	17	749
Total Under Custody	12,728	24,660	12,382	452	268	674	302	51,466
Inmates	24.4%	48.1%	24.2%	0.9%	0.5%	1.3%	0.6%	100.0%
Incarcerated Parolees	44.3%	38.1%	12.6%	0.8%	0.5%	1.5%	2.3%	100.0%
Total Under Custody	24.7%	47.9%	24.1%	0.9%	0.5%	1.3%	0.6%	100.0%



## Region of Commitment

Nearly half (43%) of the offenders under custody on January 1, 2017 were committed from New York City and 10% were committed from suburban New York (Nassau, Rockland, Suffolk, and Westchester counties). Offenders from Upstate counties with a population center of 50,000 inhabitants or more (Albany, Broome, Erie, Monroe, Oneida, Onondaga, Niagara, Rensselaer, and Schenectady counties) comprised 26% of the under custody population. The remaining 21% were sentenced from the other Upstate counties. Incarcerated parolees were less likely than inmates to have been committed from New York City (20% vs. 43%) and more likely to have been committed from Upstate Other counties (41% vs. 20%). When compared with males under custody, females under custody were less likely to come from New York City (28% vs. 44%) and were more likely to come from Upstate Other (34% vs. 20%).

**Figure 4. Region of Commitment by Gender; Under Custody Population on January 1, 2017**



**Table 4. Region of Commitment by Gender or Offender Status; Under Custody Population on January 1, 2017**

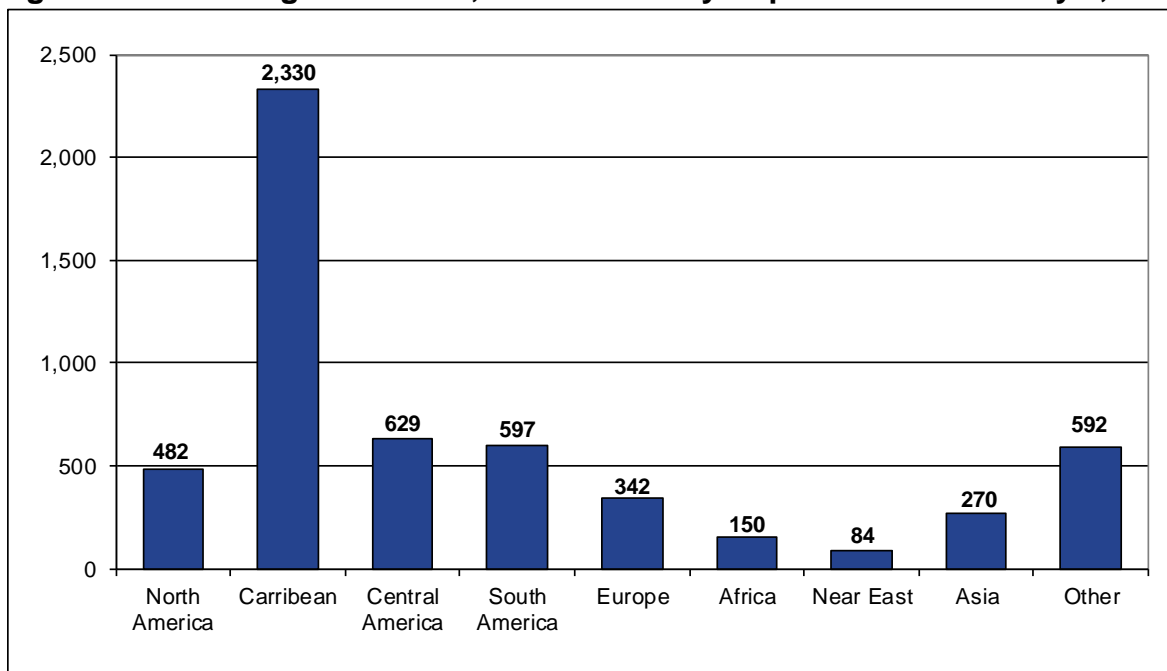
Region by Gender	New York City	Suburban New York	Upstate Urban	Upstate Other	Total*
Male	21,395	5,175	12,687	9,855	49,112
Female	649	204	689	811	2,353
Total	22,044	5,379	13,376	10,666	51,465
Male	43.6%	10.5%	25.8%	20.1%	100.0%
Female	27.6%	8.7%	29.3%	34.5%	100.0%
Total	42.8%	10.5%	26.0%	20.7%	100.0%
<b>Offender Status</b>					
Inmates	21,897	5,301	13,161	10,357	50,716
Incarcerated Parolees	147	78	215	309	749
Total Under Custody	22,044	5,379	13,376	10,666	51,465
Inmates	43.2%	10.5%	26.0%	20.4%	100.0%
Incarcerated Parolees	19.6%	10.4%	28.7%	41.3%	100.0%
Total Under Custody	42.8%	10.5%	26.0%	20.7%	100.0%

\* One inmate is from out of state, so the total for this table differs from the other tables in this report.

## World Region of Birth

Eighty-nine percent (89%) of offenders under custody were born in the United States or a United States Territory. An additional 10% or 4,912 reported birth in a foreign country. Of the offenders who reported birth in a foreign country, 47% or 2,330 were from one of the island nations in the Caribbean basin.<sup>2</sup> Among inmates, 10% or 4,890 were foreign-born while among incarcerated parolees, only 3% or 22 were foreign-born.

**Figure 5. World Region of Birth; Under Custody Population on January 1, 2017**



**Table 5. World Region of Birth; Under Custody Population on January 1, 2017**

World Region by Gender	North America	Caribbean	Central America	South America	Europe	Africa	Near East	Asia	South Pacific	Subtotal Outside US	United States*	Unknown	Total
Male	470	2,258	619	578	319	142	83	263	27	4,759	43,806	547	49,112
Female	12	72	10	19	23	8	1	7	1	153	2,184	17	2,354
<b>Total</b>	<b>482</b>	<b>2,330</b>	<b>629</b>	<b>597</b>	<b>342</b>	<b>150</b>	<b>84</b>	<b>270</b>	<b>28</b>	<b>4,912</b>	<b>45,990</b>	<b>564</b>	<b>51,466</b>
Male	1.0%	4.6%	1.3%	1.2%	0.6%	0.3%	0.2%	0.5%	0.1%	9.7%	89.2%	1.1%	100.0%
Female	0.5%	3.1%	0.4%	0.8%	1.0%	0.3%	0.0%	0.3%	0.0%	6.5%	92.8%	0.7%	100.0%
<b>Total</b>	<b>0.9%</b>	<b>4.5%</b>	<b>1.2%</b>	<b>1.2%</b>	<b>0.7%</b>	<b>0.3%</b>	<b>0.2%</b>	<b>0.5%</b>	<b>0.1%</b>	<b>9.5%</b>	<b>89.4%</b>	<b>1.1%</b>	<b>100.0%</b>
<b>Offender Status</b>													
Inmates	480	2,319	627	595	339	149	84	269	28	4,890	45,280	547	50,717
Incarcerated Parolees	2	11	2	2	3	1	0	1	0	22	710	17	749
<b>Total Under Custody</b>	<b>482</b>	<b>2,330</b>	<b>629</b>	<b>597</b>	<b>342</b>	<b>150</b>	<b>84</b>	<b>270</b>	<b>28</b>	<b>4,912</b>	<b>45,990</b>	<b>564</b>	<b>51,466</b>
Inmates	0.9%	4.6%	1.2%	1.2%	0.7%	0.3%	0.2%	0.5%	0.1%	9.6%	89.3%	1.1%	100.0%
Incarcerated Parolees	0.3%	1.5%	0.3%	0.3%	0.4%	0.1%	0.0%	0.1%	0.0%	2.9%	94.8%	2.3%	100.0%
<b>Total Under Custody</b>	<b>0.9%</b>	<b>4.5%</b>	<b>1.2%</b>	<b>1.2%</b>	<b>0.7%</b>	<b>0.3%</b>	<b>0.2%</b>	<b>0.5%</b>	<b>0.1%</b>	<b>9.5%</b>	<b>89.4%</b>	<b>1.1%</b>	<b>100.0%</b>

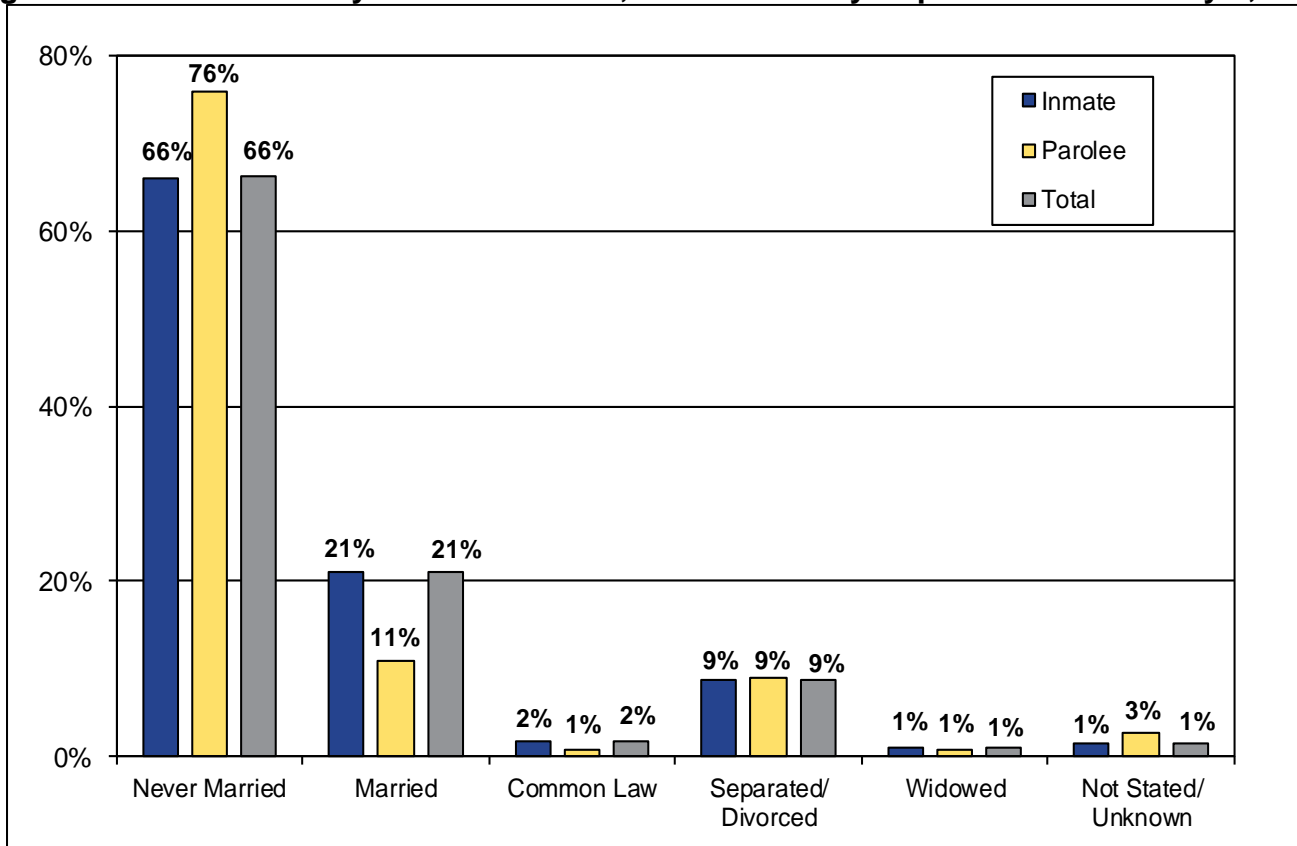
\* Includes offenders committed from United States Territories.

2. For additional information on foreign born inmates see "The Foreign Born Under Custody Population and the Institutional Removal Program" (2013), New York State Department of Corrections and Community Supervision, Albany, New York 12226. This report is on the DOCCS' website at: [http://www.doccs.ny.gov/Research/Reports/2014/ForeignBorn\\_IRP\\_Report\\_2013.pdf](http://www.doccs.ny.gov/Research/Reports/2014/ForeignBorn_IRP_Report_2013.pdf)

## Marital Status

Two-thirds (66%) of the under custody population reported never being married. The proportion was higher (76%) for incarcerated parolees.

**Figure 6. Marital Status by Offender Status; Under Custody Population on January 1, 2017**



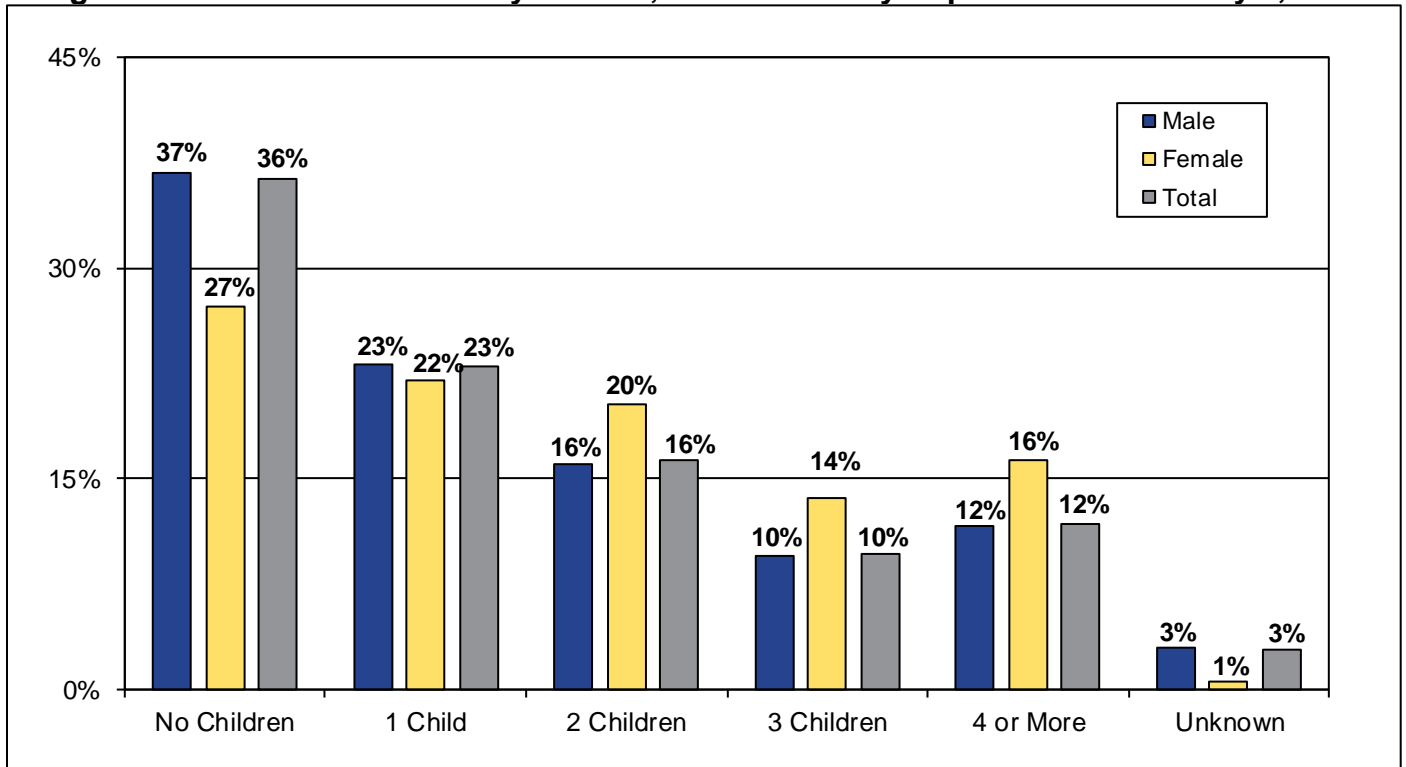
**Table 6. Marital Status; Under Custody Population on January 1, 2017**

Marital Status by Gender	Never Married	Married	Common Law	Separated/Divorced	Widowed	Not Stated/Unknown	Total
Male	32,567	10,370	896	4,144	456	679	49,112
Female	1,523	448	9	295	66	13	2,354
Total	34,090	10,818	905	4,439	522	692	51,466
Male	66.3%	21.1%	1.8%	8.4%	0.9%	1.4%	100.0%
Female	64.7%	19.0%	0.4%	12.5%	2.8%	0.6%	100.0%
Total	66.2%	21.0%	1.8%	8.6%	1.0%	1.3%	100.0%
<b>Offender Status</b>							
Inmates	33,521	10,736	900	4,372	516	672	50,717
Incarcerated Parolees	569	82	5	67	6	20	749
Total Under Custody	34,090	10,818	905	4,439	522	692	51,466
Inmates	66.1%	21.2%	1.8%	8.6%	1.0%	1.3%	100.0%
Incarcerated Parolees	76.0%	10.9%	0.7%	8.9%	0.8%	2.7%	100.0%
Total Under Custody	66.2%	21.0%	1.8%	8.6%	1.0%	1.3%	100.0%

## Number of Living Children

The majority of offenders under custody (61%) reported that they had at least one living child at the time of admission to the Department. Women were more likely than men to report having a living child (72% vs. 60%).

**Figure 7. Number of Children by Gender; Under Custody Population on January 1, 2017**



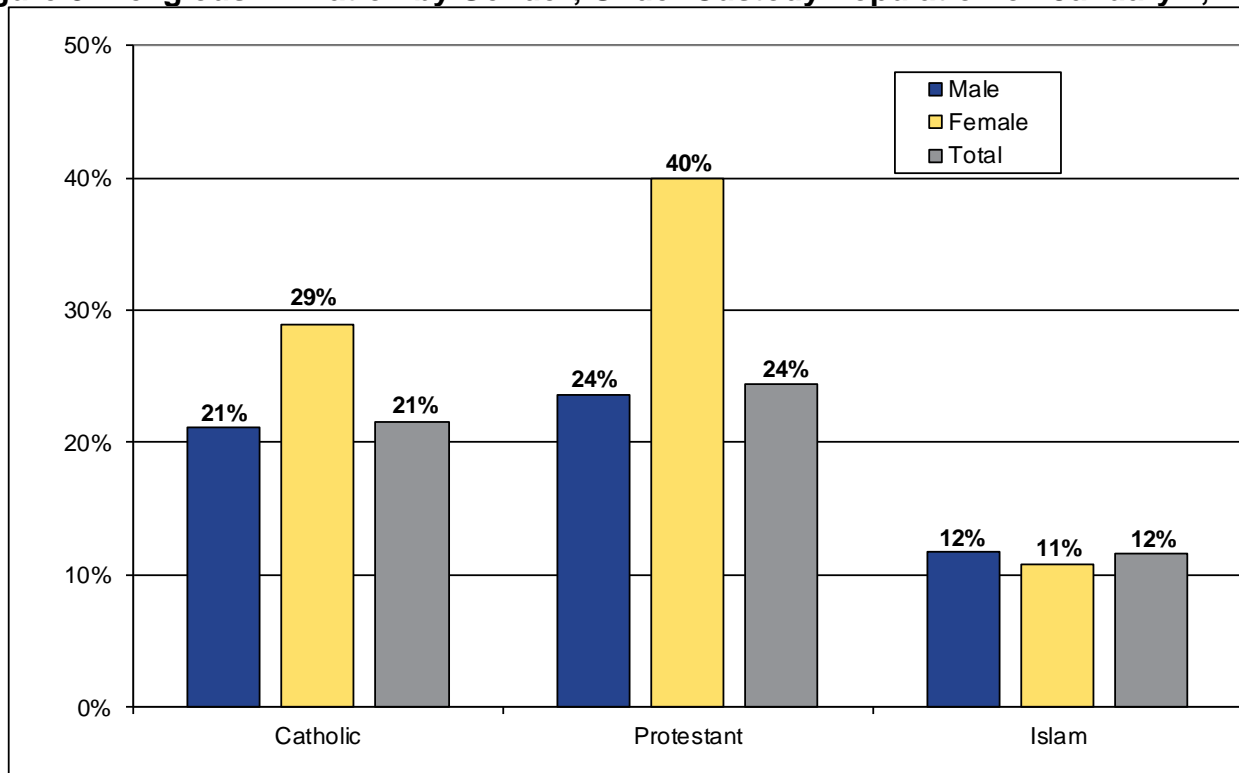
**Table 7. Number of Children; Under Custody Population on January 1, 2017**

Number of Children by Gender	No Children	1 Child	2 Children	3 Children	4 or More	Unknown	Total
Male	18,098	11,329	7,895	4,667	5,683	1,440	49,112
Female	643	518	478	319	384	12	2,354
Total	18,741	11,847	8,373	4,986	6,067	1,452	51,466
Male	36.9%	23.1%	16.1%	9.5%	11.6%	2.9%	100.0%
Female	27.3%	22.0%	20.3%	13.6%	16.3%	0.5%	100.0%
Total	36.4%	23.0%	16.3%	9.7%	11.8%	2.8%	100.0%
<b>Offender Status</b>							
Inmates	18,461	11,698	8,241	4,911	5,976	1,430	50,717
Incarcerated Parolees	280	149	132	75	91	22	749
Total Under Custody	18,741	11,847	8,373	4,986	6,067	1,452	51,466
Inmates	36.4%	23.1%	16.2%	9.7%	11.8%	2.8%	100.0%
Incarcerated Parolees	37.4%	19.9%	17.6%	10.0%	12.1%	2.9%	100.0%
Total Under Custody	36.4%	23.0%	16.3%	9.7%	11.8%	2.8%	100.0%

## Religious Affiliation

Eighty-five percent (85%) of offenders under custody reported affiliation with a recognized religion. Twenty-one percent (21%) were Catholic, 24% were Protestant, 12% were Islam, 28% reported another faith (Nation of Islam, Rastafarian, Jewish, Asian Religions, Native American, Greek Orthodox, and Other), and 15% did not report affiliation with a religious faith (None Listed).

**Figure 8. Religious Affiliation by Gender; Under Custody Population on January 1, 2017**



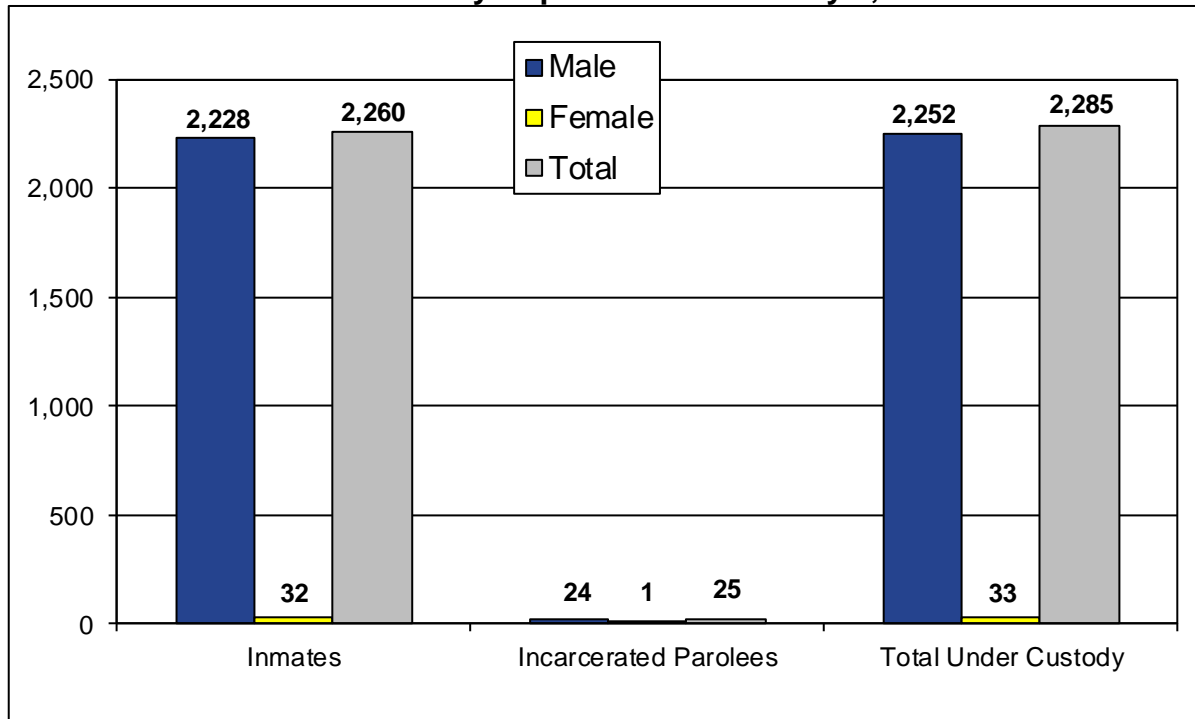
**Table 8. Religious Affiliation; Under Custody Population on January 1, 2017**

Religious Affiliation by Gender	Catholic	Protes-tant	Islam	Nation of Islam	Rasta-farian	Jewish	Asian Religions	Native American	Greek Orthodox	Other	None Listed	Total
Male	10,372	11,613	5,720	1,990	5,356	3,695	310	496	47	2,266	7,247	49,112
Female	681	941	252	11	17	45	10	12	3	29	353	2,354
Total	11,053	12,554	5,972	2,001	5,373	3,740	320	508	50	2,295	7,600	51,466
Male	21.1%	23.6%	11.6%	4.1%	10.9%	7.5%	0.6%	1.0%	0.1%	4.6%	14.8%	100.0%
Female	28.9%	40.0%	10.7%	0.5%	0.7%	1.9%	0.4%	0.5%	0.1%	1.2%	15.0%	100.0%
Total	21.5%	24.4%	11.6%	3.9%	10.4%	7.3%	0.6%	1.0%	0.1%	4.5%	14.8%	100.0%
Offender Status												
Inmates	10,878	12,415	5,897	1,997	5,293	3,674	320	502	47	2,281	7,413	50,717
Incarcerated Parolees	175	139	75	4	80	66	0	6	3	14	187	749
Total Under Custody	11,053	12,554	5,972	2,001	5,373	3,740	320	508	50	2,295	7,600	51,466
Inmates	21.4%	24.5%	11.6%	3.9%	10.4%	7.2%	0.6%	1.0%	0.1%	4.5%	14.6%	100.0%
Incarcerated Parolees	23.4%	18.6%	10.0%	0.5%	10.7%	8.8%	0.0%	0.8%	0.4%	1.9%	25.0%	100.0%
Total Under Custody	21.5%	24.4%	11.6%	3.9%	10.4%	7.3%	0.6%	1.0%	0.1%	4.5%	14.8%	100.0%

## Veteran Status

Of the 51,466 offenders under custody on January 1, 2017, 4% (2,285) were verified veterans. Of this total, 2,260 were inmates while only 25 were incarcerated parolees. Only 33 veterans were female. Veteran status is verified through a data match with the Veteran's Administration (VA) or verified possession of a DD 214 form.

**Figure 9. Veterans by Gender and Offender Status;  
Under Custody Population on January 1, 2017**



**Table 9. Veterans by Gender and Offender Status;  
Under Custody Population on January 1, 2017**

Veteran Status by Offender Status	Male			Female			Total		
	Non Veteran	Veteran	Total	Non Veteran	Veteran	Total	Non Veteran	Veteran	Total
Inmates	46,219	2,228	48,447	2,238	32	2,270	48,457	2,260	50,717
Incarcerated Parolees	641	24	665	83	1	84	724	25	749
Total Under Custody	46,860	2,252	49,112	2,321	33	2,354	49,181	2,285	51,466
Inmates	95.4%	4.6%	100.0%	98.6%	1.4%	100.0%	95.5%	4.5%	100.0%
Incarcerated Parolees	96.4%	3.6%	100.0%	98.8%	1.2%	100.0%	96.7%	3.3%	100.0%
Total Under Custody	95.4%	4.6%	100.0%	98.6%	1.4%	100.0%	95.6%	4.4%	100.0%

## Section Two

### CRIMINAL HISTORY

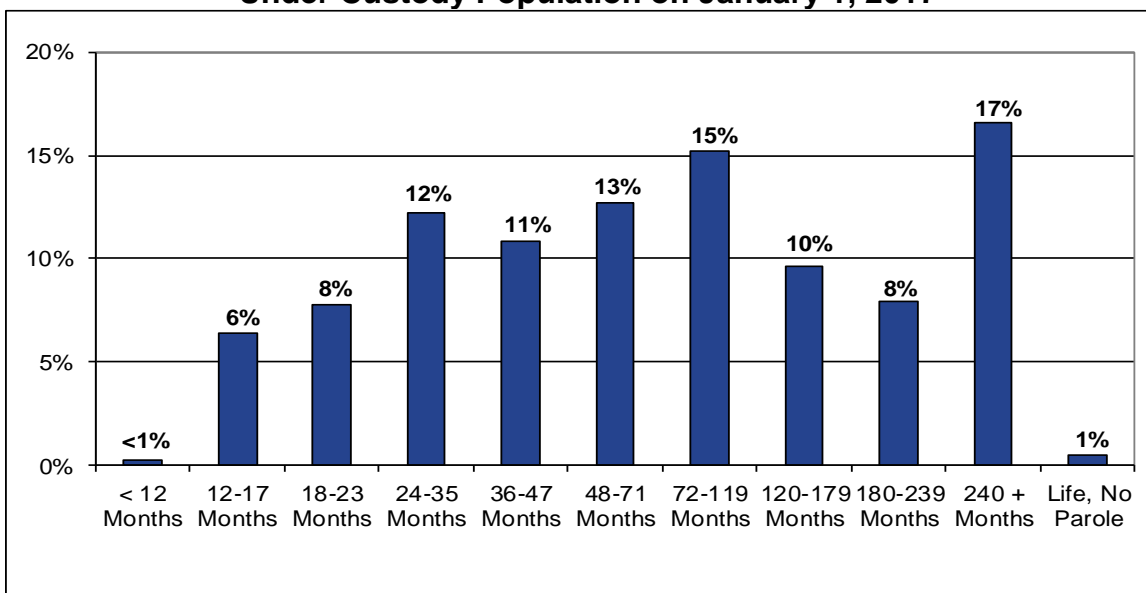
#### Minimum Sentence

Overall, the median minimum sentence for offenders under custody was 6 years (72 months)<sup>3</sup>. However, the average minimum sentence length was over ten years (126 months), reflecting the influence of lengthy minimum terms of many offenders. A little over one-third (35%) of offenders were serving minimum sentences of 10 years or more.

Current sentencing laws in New York require an inmate convicted of certain crimes to receive a determinate sentence. Determinate sentences require an offender to serve a minimum term of 6/7 of the determinate sentence imposed by the judge before being eligible for release. An inmate committed for a crime not designated as having a determinate sentence has a minimum sentence set by the court.

As of January 1, 2017, there were 282 inmates under custody who were serving sentences of “Life Without Parole”. In calculating the average minimum sentence length, “Life Without Parole” cases were given a value of 45 years or 540 months.

**Figure 10. Minimum Sentence Length of Offenders; Under Custody Population on January 1, 2017**



**Table 10A. Minimum Sentence; Under Custody Population on January 1, 2017**

Minimum Sentence	< 12 Months	12-17 Months	18-23 Months	24-35 Months	36-47 Months	48-71 Months	72-119 Months	120-179 Months	180-239 Months	240 + Months	Life, No Parole	Total
Total Under-Custody	111	3,285	4,009	6,306	5,539	6,455	7,843	4,961	4,093	8,582	282	51,466
	0.2%	6.4%	7.8%	12.3%	10.8%	12.5%	15.2%	9.6%	8.0%	16.7%	0.5%	100.0%

<sup>3</sup> The median is the middle point between the number of instances of greater value and the number of instances of lesser value. The median is less subject to the influence of extreme values than is the average and is preferred by some users for this reason.

**Table 10B. Minimum Sentence; Under Custody Population on January 1, 2017**

Minimum Sentence by Gender - Inmates	Male	Female	Total	Male	Female	Total
< 12 Months	87	10	97	0.2%	0.4%	0.2%
12-17 Months	2,800	346	3,146	5.8%	15.2%	6.2%
18-23 Months	3,595	261	3,856	7.4%	11.5%	7.6%
24-35 Months	5,669	412	6,081	11.7%	18.1%	12.0%
36-47 Months	5,161	265	5,426	10.7%	11.7%	10.7%
48-71 Months	6,110	287	6,397	12.6%	12.6%	12.6%
72-119 Months	7,555	255	7,810	15.6%	11.2%	15.4%
120-179 Months	4,826	124	4,950	10.0%	5.5%	9.8%
180-239 Months	3,966	124	4,090	8.2%	5.5%	8.1%
240 + Months	8,405	177	8,582	17.3%	7.8%	16.9%
Life, No Parole	273	9	282	0.6%	0.4%	0.6%
Total Inmates	48,447	2,270	50,717	100.0%	100.0%	100.0%
Minimum Sentence by Gender - Parolees	Male	Female	Total	Male	Female	Total
< 12 Months	11	3	14	1.7%	3.6%	1.9%
12-17 Months	104	35	139	15.6%	41.7%	18.6%
18-23 Months	135	18	153	20.3%	21.4%	20.4%
24-35 Months	204	21	225	30.7%	25.0%	30.0%
36-47 Months	107	6	113	16.1%	7.1%	15.1%
48-71 Months	57	1	58	8.6%	1.2%	7.7%
72-119 Months	33	0	33	5.0%	0.0%	4.4%
120-179 Months	11	0	11	1.7%	0.0%	1.5%
180-239 Months	3	0	3	0.5%	0.0%	0.4%
240 + Months	0	0	0	0.0%	0.0%	0.0%
Life, No Parole	0	0	0	0.0%	0.0%	0.0%
Total Incarcerated Parolees	665	84	749	100.0%	100.0%	100.0%
Total Under Custody	49,112	2,354	51,466	95.4%	4.6%	100.0%
Average and Median Minimum Sentence	Male Average	Female Average	Total Average	Male Median	Female Median	Total Median
Total Inmates	128.1	75.3	125.7	72.0	36.0	72.0
Total Incarcerated Parolees	33.5	20.6	32.0	25.0	18.0	24.0
Total Under Custody	126.8	73.4	124.4	72.0	36.0	72.0

As can be seen in Table 10B above, the median minimum sentence for inmates was 72 months. There is a large difference between male inmates, whose median minimum sentence was 72 months, and female inmates, whose median minimum was 36 months.

For incarcerated parolees, the median minimum sentence was 24 months. Male parolees had a median minimum sentence of 25 months, while female parolees had a median minimum of 18 months. In general, incarcerated parolees have shorter minimum and maximum sentences than inmates committed to state prison. Overall, 14% of inmates had a minimum sentence of less than 2 years compared with 41% of incarcerated parolees.



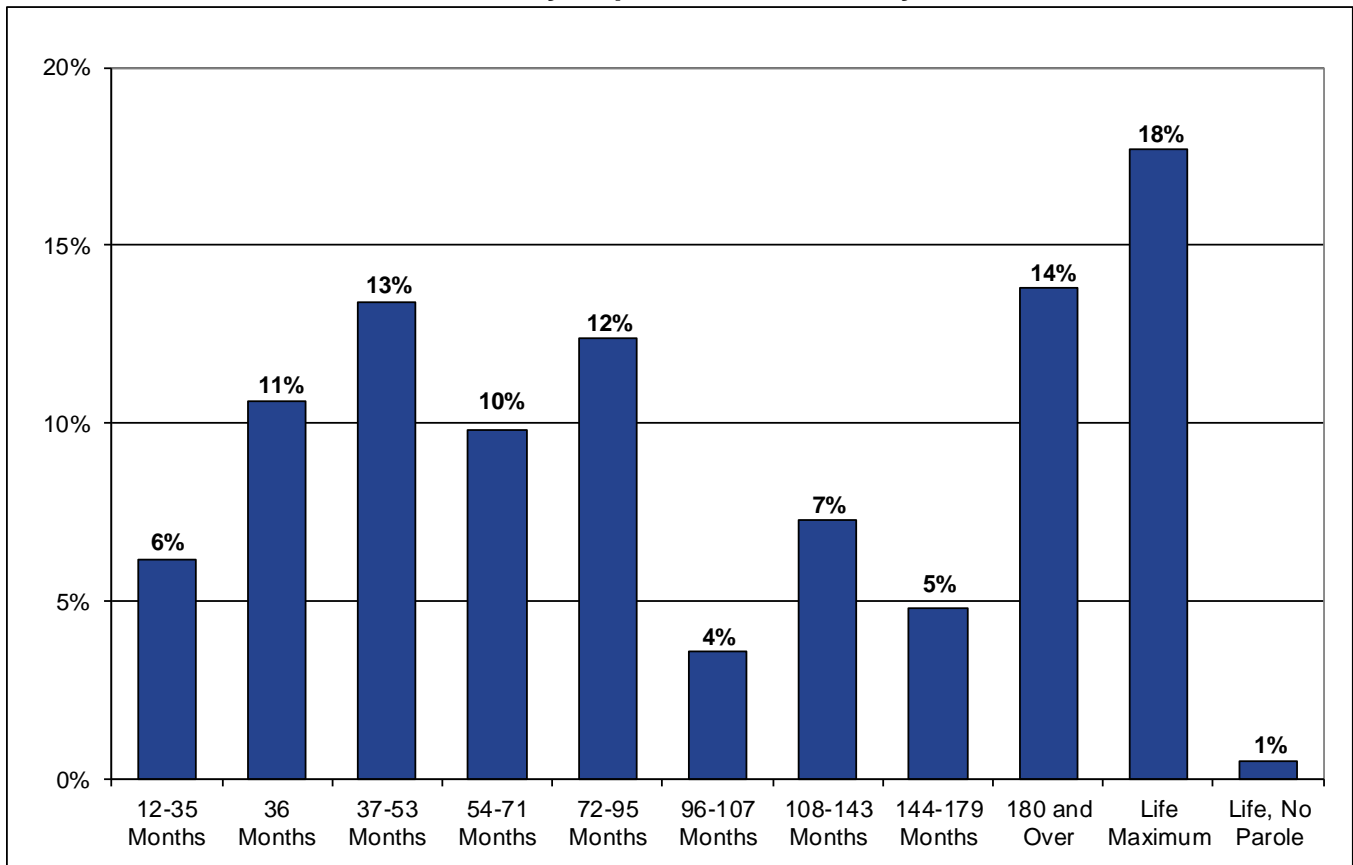
## Maximum Sentence

As of January 1, 2017, the median maximum sentence of offenders under custody was seven years (84 months). However, the average maximum sentence length was nearly 12 years (140 months), reflecting the influence of lengthy maximum terms of many offenders. About one-third had maximum sentences of 15 years or more including 18% of the population that had a maximum sentence of life.

Average maximum sentences for women (97 months) were 45 months shorter than for men (142 months). Median maximum sentences for women (60 months) were 24 months shorter than for men (84 months). Average maximum sentences for inmates (141 months) were 90 months shorter than for incarcerated parolees (51 months).

In calculating the average maximum sentence length, "Life Without Parole" cases were given a value of 45 years or 540 months, and Life maximum cases were given a value of 25 years or 300 months.

**Figure 11. Maximum Sentence Length of Offenders; Under Custody Population on January 1, 2017**



**Table 11A. Maximum Sentence; Under Custody Population on January 1, 2017**

Maximum Sentence	12 - 35 Months	36 Months	37-53 Months	54-71 Months	72-95 Months	96-107 Months	108-143 Months	144-179 Months	180 and Over	Life Max	Life, No Parole	Total Inmates
Total	3,120	5,479	6,851	4,989	6,348	1,941	3,767	2,469	7,223	8,997	282	51,466
Under Custody	6.1%	10.6%	13.3%	9.7%	12.3%	3.8%	7.3%	4.8%	14.0%	17.5%	0.5%	100.0%

**Table 11B. Maximum Sentence; Under Custody Population on January 1, 2017**

Maximum Sentence by Gender - Inmates	Male	Female	Total	Male	Female	Total
12 to 35	2,760	199	2,959	5.7%	8.8%	5.8%
36 Months	4,815	463	5,278	9.9%	20.4%	10.4%
37-53 Months	6,302	377	6,679	13.0%	16.6%	13.2%
54-71 Months	4,707	215	4,922	9.7%	9.5%	9.7%
72-95 Months	5,966	283	6,249	12.3%	12.5%	12.3%
96-107 Months	1,840	91	1,931	3.8%	4.0%	3.8%
108-143 Months	3,608	139	3,747	7.4%	6.1%	7.4%
144-179 Months	2,371	90	2,461	4.9%	4.0%	4.9%
180 and Over	7,018	195	7,213	14.5%	8.6%	14.2%
Life Max	8,787	209	8,996	18.1%	9.2%	17.7%
Life, No Parole	273	9	282	0.6%	0.4%	0.6%
Total Inmates	48,447	2,270	50,717	100.0%	100.0%	100.0%
Maximum Sentence by Gender - Parolees	Male	Female	Total	Male	Female	Total
12 to 35	143	18	161	21.5%	21.4%	21.5%
36 Months	165	36	201	24.8%	42.9%	26.8%
37-53 Months	152	20	172	22.9%	23.8%	23.0%
54-71 Months	62	5	67	9.3%	6.0%	8.9%
72-95 Months	94	5	99	14.1%	6.0%	13.2%
96-107 Months	10	0	10	1.5%	0.0%	1.3%
108-143 Months	20	0	20	3.0%	0.0%	2.7%
144-179 Months	8	0	8	1.2%	0.0%	1.1%
180 and Over	10	0	10	1.5%	0.0%	1.3%
Life Max	1	0	1	0.2%	0.0%	0.1%
Life, No Parole	0	0	0	0.0%	0.0%	0.0%
Total Incarcerated Parolees	665	84	749	100.0%	100.0%	100.0%
Total Under Custody	49,112	2,354	51,466	95.4%	4.6%	100.0%
Average and Median Maximum Sentence	Male Average	Female Average	Total Average	Male Median	Female Median	Total Median
Total Inmates	143.3	99.3	141.4	84.0	60.0	84.0
Total Incarcerated Parolees	52.0	39.7	50.6	42.0	36.0	42.0
Total Under Custody	142.1	97.2	140.0	84.0	60.0	84.0

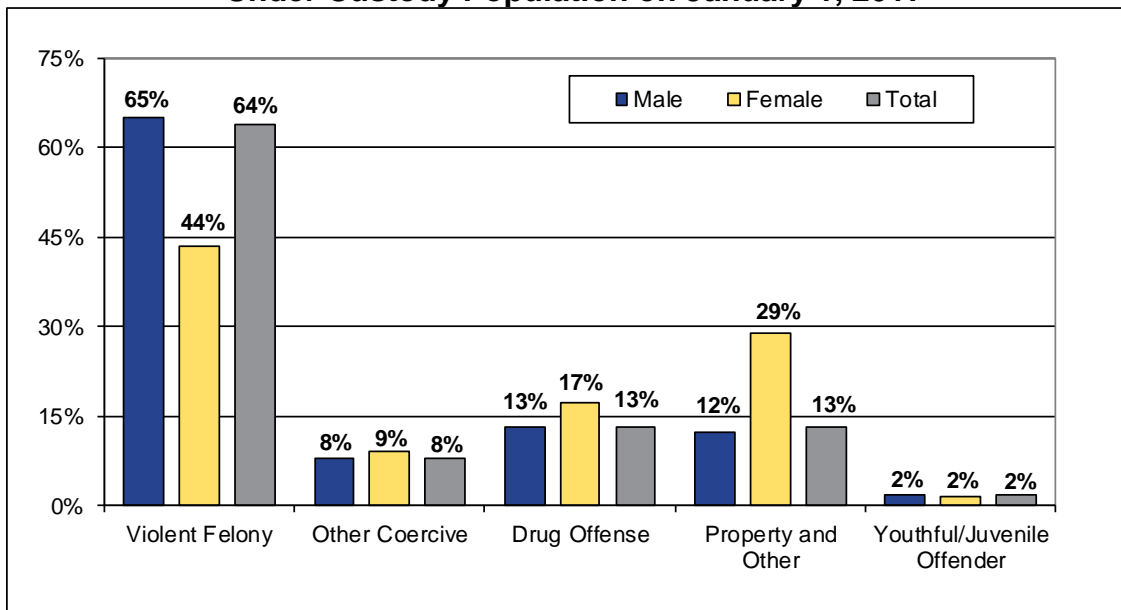
As can be seen in Table 11B above, the median maximum sentence for inmates was 84 months. There was a large difference between male inmates, whose median maximum sentence was 84 months, and female inmates, with a median maximum sentence of 60 months.

For incarcerated parolees, the median maximum sentence was 42 months. The difference between males and females was much smaller, with a median maximum sentence of 42 months for males compared with 36 months for female incarcerated parolees.

## Commitment Crime

Sixty-four percent (64%) of the offenders under custody on January 1, 2017 were convicted of a Violent Felony Offense (VFO). Additionally, 13% of offenders were convicted of a Property or Other crime and another 13% were convicted of drug crimes. Forty-four percent (44%) of females were serving a sentence for a VFO compared to 65% of males. In contrast, 29% of females were sentenced for a Property or Other crime compared to 12% percent of males. Table 12B (below) lists the commitment crimes that are included in each of the general categories included in Figure 12. On January 1, 1997, there were 24,085 drug offenders out of a total custody population of 70,209 (34%). This compares with 6,815 drug offenders (13%) under custody on January 1, 2017. Between 1997 and 2017, there was a 72% reduction (-17,270) in the number of drug offenders held under custody.

**Figure 12. Commitment Crime Category by Gender; Under Custody Population on January 1, 2017**



**Table 12A. Crime Category; Under Custody Population on January 1, 2017**

Commitment Crime Type by Gender	Violent Felony	Other Coercive	Drug Offenses	Property and Other	YO/JO	Total
Male	31,892	3,904	6,411	6,057	848	49,112
Female	1,025	212	404	677	36	2,354
Total	32,917	4,116	6,815	6,734	884	51,466
Male	64.9%	7.9%	13.1%	12.3%	1.7%	100.0%
Female	43.5%	9.0%	17.2%	28.8%	1.5%	100.0%
Total	64.0%	8.0%	13.2%	13.1%	1.7%	100.0%
<b>Offender Status</b>						
Inmates	32,796	4,049	6,548	6,468	856	50,717
Incarcerated Parolees	121	67	267	266	28	749
Total Under Custody	32,917	4,116	6,815	6,734	884	51,466
Inmates	64.7%	8.0%	12.9%	12.8%	1.7%	100.0%
Incarcerated Parolees	16.2%	8.9%	35.6%	35.5%	3.7%	100.0%
Total Under Custody	64.0%	8.0%	13.2%	13.1%	1.7%	100.0%

**Table 12B. Crime Category by Offender Status by Gender; UC Population on January 1, 2017**

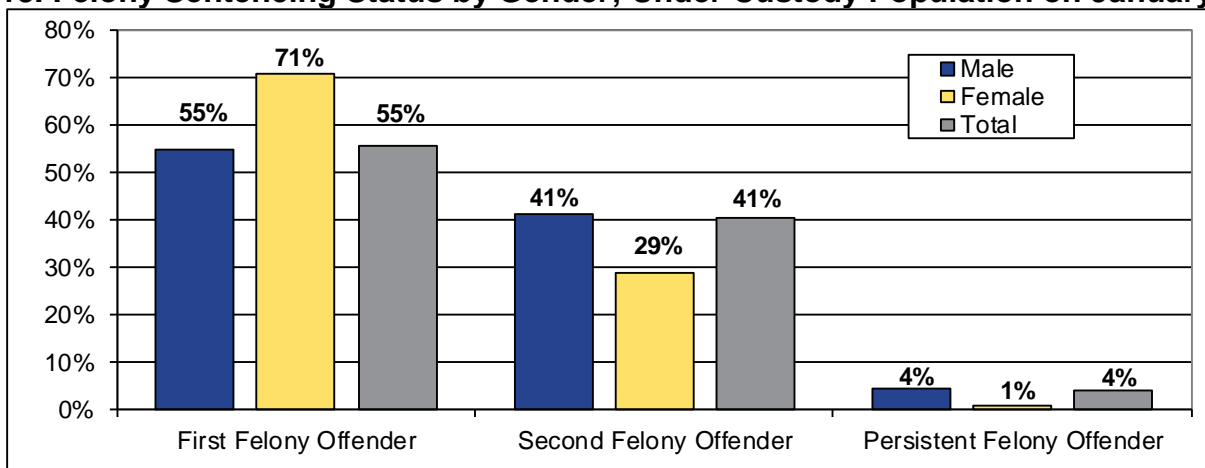
Commitment Crime Type	Inmates			Incarcerated Parolees			Grand Total
	Male	Female	Total	Male	Female	Total	
<b>Violent Felony</b>							
Murder	6,249	189	6,438	0	0	0	6,438
Attempted Murder	1,333	33	1,366	2	0	2	1,368
Manslt 1st,Ag 2nd	1,993	151	2,144	2	0	2	2,146
Rape 1st	1,580	7	1,587	13	0	13	1,600
Robbery 1st	3,620	73	3,693	6	0	6	3,699
Robbery 2nd	2,402	91	2,493	10	0	10	2,503
Assault 1st	1,843	112	1,955	2	0	2	1,957
Assault 2nd	1,215	79	1,294	8	0	8	1,302
Burglary 1st	1,045	28	1,073	3	0	3	1,076
Burglary 2nd	3,537	117	3,654	20	0	20	3,674
Arson 1st,2nd	192	30	222	0	0	0	222
Sodomy 1st	943	7	950	3	0	3	953
Sex Ab 1st,Ag,2	1,144	9	1,153	24	0	24	1,177
Weapons Offenses	3,640	64	3,704	13	0	13	3,717
Kidnapping 1st,2nd	316	18	334	0	0	0	334
Other VFO Sex Off	571	15	586	15	0	15	601
Other Violent	148	2	150	0	0	0	150
Subtotal	31,771	1,025	32,796	121	0	121	32,917
	96.9%	3.1%	100.0%	100.0%	0.0%	100.0%	
<b>Other Coercive</b>							
Manslaughter 2nd	188	23	211	0	0	0	211
Other Homicide	148	26	174	0	0	0	174
Robbery 3rd	1,004	38	1,042	20	1	21	1,063
Att Assault 2nd	350	33	383	9	1	10	393
Conspiracy 2,3,4	319	25	344	2	0	2	346
Other Weapons	686	19	705	9	0	9	714
Other Sex Offenses	767	17	784	18	0	18	802
Other Coercive	377	29	406	7	0	7	413
Subtotal	3,839	210	4,049	65	2	67	4,116
	94.8%	5.2%	100.0%	97.0%	3.0%	100.0%	
<b>Drug Offenses</b>							
Drug Sale	3,107	201	3,308	97	18	115	3,423
Drug Possession	3,070	170	3,240	137	15	152	3,392
Subtotal	6,177	371	6,548	234	33	267	6,815
	94.3%	5.7%	100.0%	87.6%	12.4%	100.0%	
<b>Property and Other</b>							
Burglary 3rd	1,876	92	1,968	86	12	98	2,066
Grand Larceny	1,089	220	1,309	50	15	65	1,374
Forgery	441	74	515	20	4	24	539
Stolen Property	317	35	352	12	1	13	365
Drive Intoxicated	655	85	740	18	6	24	764
Contempt 1st	352	10	362	4	0	4	366
All Other felonies	1,108	114	1,222	29	9	38	1,260
Subtotal	5,838	630	6,468	219	47	266	6,734
	90.3%	9.7%	100.0%	82.3%	17.7%	100.0%	
<b>YO/JO</b>							
Youthful Offender	712	31	743	25	2	27	770
Juvenile Offender	110	3	113	1	0	1	114
Subtotal	822	34	856	26	2	28	884
	96.0%	4.0%	100.0%	92.9%	7.1%	100.0%	
<b>Grand Total</b>	<b>48,447</b>	<b>2,270</b>	<b>50,717</b>	<b>665</b>	<b>84</b>	<b>749</b>	<b>51,466</b>
	95.5%	4.5%	100.0%	88.8%	11.2%	100.0%	

## Felony Sentencing Status

Fifty-five percent (55%) of the total offenders under custody on January 1, 2017, were sentenced as first felony offenders. Crimes are presented by felony sentencing status in Table 13B. In general VFOs and YO/JO's were more likely to be first felony offenders while Drug, Property, and Other Coercive offenders were more likely to be second felony offenders. Men were more likely than women (41% vs. 29%) to be sentenced as second felony offenders.

New York State Penal Law establishes more severe sentences for second felony offenders and persistent felony offenders than for first felony offenders. In general, a persistent felony offender is a person convicted of at least two prior felony offenses on separate occasions. This status allows them to be sentenced to a life maximum. It should be noted that some offenders included among the individuals sentenced as first felony offenders were also convicted of prior felony crimes and some even had previous sentences to state prison. The majority of such offenders were convicted of class A-1 violent felony crimes, which do not permit sentencing as a second felony offender since the penalties for A-1 violent felony crimes are already the most severe.

**Figure 13. Felony Sentencing Status by Gender; Under Custody Population on January 1, 2017**



**Table 13A. Second Felony Sentencing Status; Under Custody Population on January 1, 2017**

Felony Offender by Gender	First Felony Offender	Second Felony Offender	Persistent Felony Offender	Total
Male	26,858	20,171	2,083	49,112
Female	1,667	673	14	2,354
Total	28,525	20,844	2,097	51,466
Male	54.7%	41.1%	4.2%	100.0%
Female	70.8%	28.6%	0.6%	100.0%
Total	55.4%	40.5%	4.1%	100.0%
<b>Offender Status</b>				
Inmates	28,127	20,494	2,096	50,717
Incarcerated Parolees	398	350	1	749
Total Under Custody	28,525	20,844	2,097	51,466
Inmates	55.5%	40.4%	4.1%	100.0%
Incarcerated Parolees	53.1%	46.7%	0.1%	100.0%
Total Under Custody	55.4%	40.5%	4.1%	100.0%

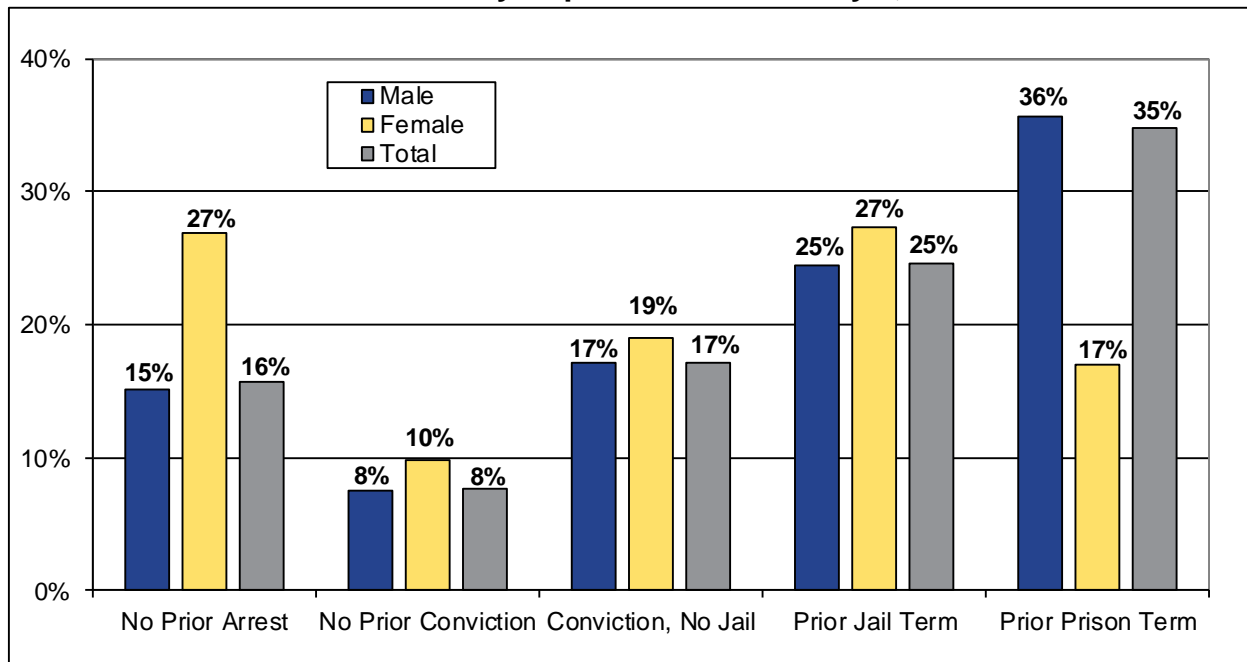
**Table 13B. Second Felony Sentencing Status; Under Custody Population on January 1, 2017**

Commitment Crime Type	Inmates				Incarcerated Parolees				Grand Total
	First Felony Offender	Second Felony Offender	Persistent Felony Offender	Total	First Felony Offender	Second Felony Offender	Persistent Felony Offender	Total	
<b>Violent Felony</b>									
Murder	6,437	0	0	6,437	0	0	0	0	6,437
Attempted Murder	911	403	52	1,366	2	0	0	2	1,368
Manslt 1st,Ag 2nd	1,580	533	31	2,144	1	1	0	2	2,146
Rape 1st	961	506	120	1,587	6	7	0	13	1,600
Robbery 1st	1,625	1,606	460	3,691	3	3	0	6	3,697
Robbery 2nd	1,113	1,084	295	2,492	6	3	1	10	2,502
Assault 1st	1,185	679	90	1,954	2	0	0	2	1,956
Assault 2nd	575	625	94	1,294	5	3	0	8	1,302
Burglary 1st	506	474	93	1,073	0	3	0	3	1,076
Burglary 2nd	1,346	1,827	480	3,653	10	10	0	20	3,673
Arson 1st,2nd	154	68	0	222	0	0	0	0	222
Sodomy 1st	665	237	48	950	3	0	0	3	953
Sex Ab 1st,Ag.2	883	227	43	1,153	20	4	0	24	1,177
Weapons Offenses	1,956	1,621	124	3,701	11	2	0	13	3,714
Kidnapping 1st,2nd	234	86	14	334	0	0	0	0	334
Other VFO Sex Off	441	133	12	586	11	4	0	15	601
Other Violent	86	60	4	150	0	0	0	0	150
Subtotal	20,658	10,169	1,960	32,787	80	40	1	121	32,908
	63.0%	31.0%	6.0%	100.0%	66.1%	33.1%	0.8%	100.0%	
<b>Other Coercive</b>									
Manslaughter 2nd	157	46	8	211	0	0	0	0	211
Other Homicide	148	24	2	174	0	0	0	0	174
Robbery 3rd	273	743	25	1,041	16	5	0	21	1,062
Att Assault 2nd	105	277	1	383	3	7	0	10	393
Conspiracy 2,3,4	213	127	4	344	2	0	0	2	346
Other Weapons	167	530	8	705	2	7	0	9	714
Other Sex Offenses	535	243	6	784	12	6	0	18	802
Other Coercive	210	187	7	404	4	3	0	7	411
Subtotal	1,808	2,177	61	4,046	39	28	0	67	4,113
	44.7%	53.8%	1.5%	100.0%	58.2%	41.8%	0.0%	100.0%	
<b>Drug Offenses</b>									
Drug Sale	965	2,339	3	3,307	51	64	0	115	3,422
Drug Possession	1,019	2,214	4	3,237	58	91	0	149	3,386
Subtotal	1,984	4,553	7	6,544	109	155	0	264	6,808
	30.3%	69.6%	0.1%	100.0%	41.3%	58.7%	0.0%	100.0%	
<b>Property and Other</b>									
Burglary 3rd	557	1,388	21	1,966	50	47	0	97	2,063
Grand Larceny	514	777	16	1,307	22	43	0	65	1,372
Forgery	153	358	4	515	12	12	0	24	539
Stolen Property	91	256	5	352	8	5	0	13	365
Drive Intoxicated	726	5	6	737	24	0	0	24	761
Contempt 1st	141	217	3	361	0	4	0	4	365
All Other Felonies	613	594	13	1,220	22	16	0	38	1,258
Subtotal	2,795	3,595	68	6,458	138	127	0	265	6,723
	43.3%	55.7%	1.1%	100.0%	52.1%	47.9%	0.0%	100.0%	
<b>YO/JO</b>									
Youthful Offender	743	0	0	743	27	0	0	27	770
Juvenile Offender	113	0	0	113	1	0	0	1	114
Subtotal	856	0	0	856	28	0	0	28	884
	100.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	100.0%	
<b>Grand Total</b>	28,127	20,494	2,096	50,717	398	350	1	749	51,466
	55.5%	40.4%	4.1%	100.0%	53.1%	46.7%	0.1%	100.0%	

## Prior Adult Criminal Record

For this report, offenders are placed in a prior adult criminal record category based on their most extensive contact with the criminal justice system prior to their current incarceration. Thirty-five percent (35%) of offenders under custody had served a prior prison term. For 25% of the custody population, prior jail was the most serious prior contact with the criminal justice system, while 16% had no prior arrest. Women had less serious prior adult records than men (27% had no prior arrest and only 17% had a prior prison term).

**Figure 14. Prior Adult Criminal Record by Gender;  
Under Custody Population on January 1, 2017**



**Table 14. Prior Adult Criminal Record; Under Custody Population on January 1, 2017**

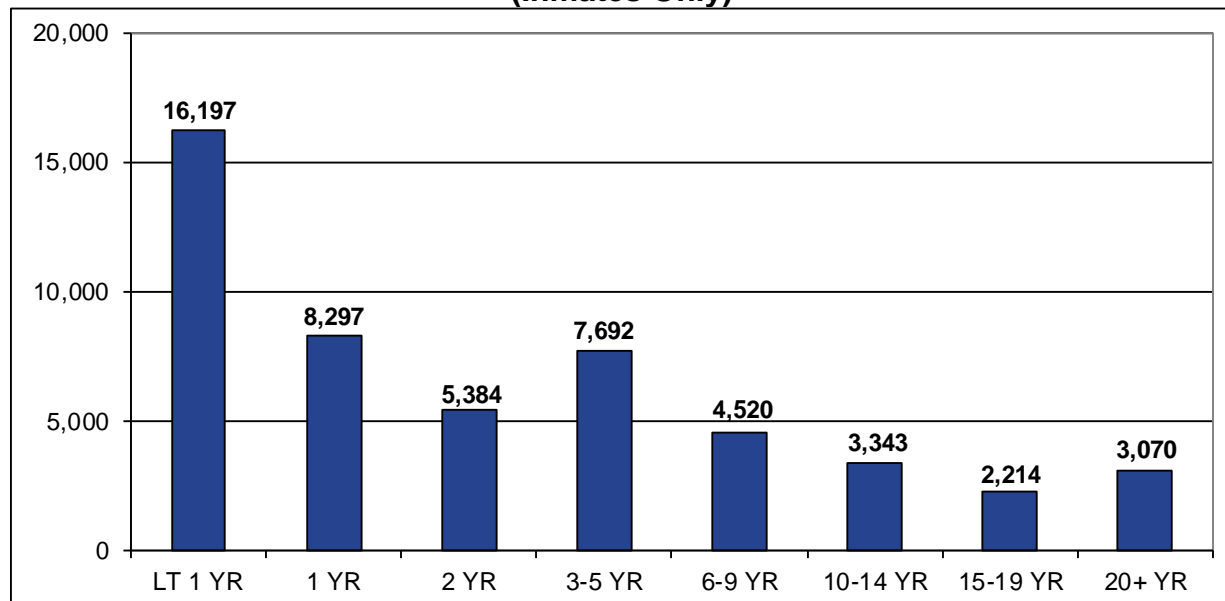
Prior Record by Gender	No Prior Arrest	No Prior Conviction	Conviction, No Jail	Prior Jail Term	Prior Prison Term	Total
Male	7,430	3,705	8,399	12,037	17,541	49,112
Female	634	229	448	644	399	2,354
Total	8,064	3,934	8,847	12,681	17,940	51,466
Male	15.1%	7.5%	17.1%	24.5%	35.7%	100.0%
Female	26.9%	9.7%	19.0%	27.4%	16.9%	100.0%
Total	15.7%	7.6%	17.2%	24.6%	34.9%	100.0%
Offender Status						
Inmates	7,974	3,888	8,693	12,424	17,738	50,717
Incarcerated Parolees	90	46	154	257	202	749
Total Under Custody	8,064	3,934	8,847	12,681	17,940	51,466
Inmates	15.7%	7.7%	17.1%	24.5%	35.0%	100.0%
Incarcerated Parolees	12.0%	6.1%	20.6%	34.3%	27.0%	100.0%
Total Under Custody	15.7%	7.6%	17.2%	24.6%	34.9%	100.0%

## Length of Time Served in Department Custody

About one quarter (26%) of the inmates under custody on January 1, 2017 had spent six years or more under custody since their latest admission to DOCCS. While one-third (33%) had spent less than one year under custody, 17% had spent 10 or more years incarcerated at DOCCS.

Inmates under custody on January 1, 2017 had spent an average of 62 months at DOCCS since their latest admission date. The median length of time served was 26 months. Due to the short period of incarceration for incarcerated parolees, all but one had served a year or less (average of 2 months).

**Figure 15. Length of Time Served in DOCCS Custody Since Last Admission Date (Inmates Only)**



**Table 15. DOCCS Time Served in Years; Under Custody Population on January 1, 2017**

Time in DOCCS	LT 1 YR	1 YR	2 YR	3-5 YR	6-9 YR	10-14 YR	15-19 YR	20+ YR	Total
Male	15,794	7,891	5,151	7,414	4,402	3,261	2,173	3,026	49,112
Female	1,140	417	234	278	118	82	41	44	2,354
Total	16,934	8,308	5,385	7,692	4,520	3,343	2,214	3,070	51,466
Male	32.2%	16.1%	10.5%	15.1%	9.0%	6.6%	4.4%	6.2%	100.0%
Female	48.4%	17.7%	9.9%	11.8%	5.0%	3.5%	1.7%	1.9%	100.0%
Total	32.9%	16.1%	10.5%	14.9%	8.8%	6.5%	4.3%	6.0%	100.0%
<b>Offender Status</b>									
Inmates	16,197	8,297	5,384	7,692	4,520	3,343	2,214	3,070	50,717
Incarcerated Parolees	737	11	1	0	0	0	0	0	749
Total Under Custody	16,934	8,308	5,385	7,692	4,520	3,343	2,214	3,070	51,466
Inmates	31.9%	16.4%	10.6%	15.2%	8.9%	6.6%	4.4%	6.1%	100.0%
Incarcerated Parolees	98.4%	1.5%	0.1%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%
Total Under Custody	32.9%	16.1%	10.5%	14.9%	8.8%	6.5%	4.3%	6.0%	100.0%
Time Served Since Latest Admission Date in Months	Inmate-Average				61.6		Parolee-Average		2.1
Time Served Since Latest Admission Date in Months	Inmate-Median				25.7		Parolee-Median		1.5

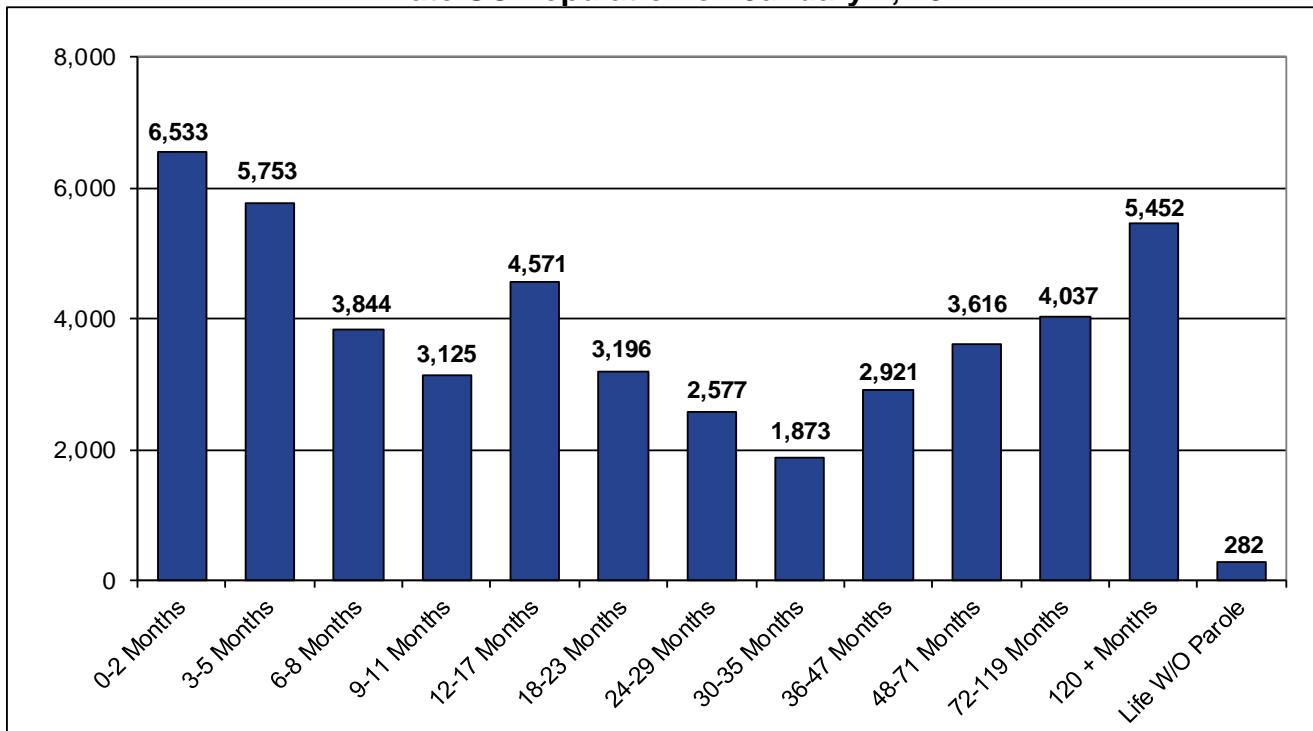


## Time to Earliest Release

Time to earliest release date is a measure of the length of time until the earliest possible date at which the inmate can legally be released. Incarcerated parolees are not included in this section.

Fifty-seven percent (57%) of the inmate population had less than two years to their earliest release date. The average time to earliest release for the inmate population on January 1, 2017 was 53 months. The median time to earliest release was 18 months. Median and average time to earliest release was much lower for female inmates than for male inmates.

**Figure 16. Length of Time to Earliest Release Date (Inmates Only);  
Inmate UC Population on January 1, 2017**



**Table 16. Time to Earliest Release Date in Months; Inmate UC Population on January 1, 2017**

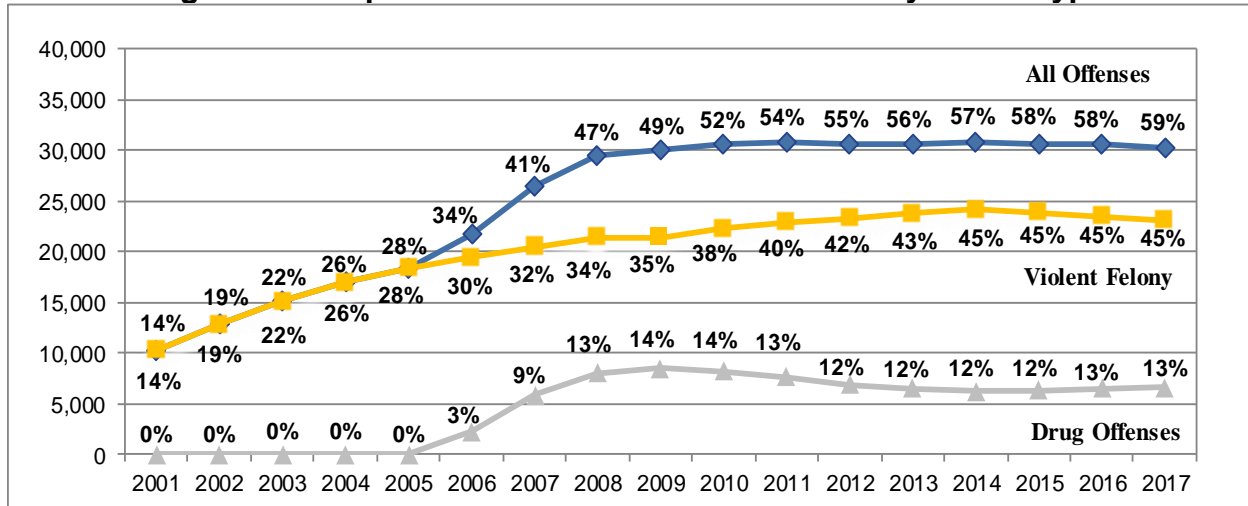
Time to Earliest Release Date	0-2 Months	3-5 Months	6-8 Months	9-11 Months	12-17 Months	18-23 Months	24-29 Months	30-35 Months	36-47 Months	48-71 Months	72-119 Months	120+ Months	Life W/O Parole	Total*	
Male	6,094	5,410	3,607	2,939	4,323	3,059	2,474	1,784	2,838	3,524	3,919	5,328	273	45,572	
Female	439	343	237	186	248	137	103	89	83	92	118	124	9	2,208	
Total	6,533	5,753	3,844	3,125	4,571	3,196	2,577	1,873	2,921	3,616	4,037	5,452	282	47,780	
Male	13.4%	11.9%	7.9%	6.4%	9.5%	6.7%	5.4%	3.9%	6.2%	7.7%	8.6%	11.7%	0.6%	100.0%	
Female	19.9%	15.5%	10.7%	8.4%	11.2%	6.2%	4.7%	4.0%	3.8%	4.2%	5.3%	5.6%	0.4%	100.0%	
Total	13.7%	12.0%	8.0%	6.5%	9.6%	6.7%	5.4%	3.9%	6.1%	7.6%	8.4%	11.4%	0.6%	100.0%	
Inmates	Average Time to Earliest Release Date in Months						Male	54.5	Female			28.5	Total		53.3
	Median Time to Earliest Release Date in Months						Male	18.4	Female			10.3	Total		17.9

## Determinate Sentencing

The proportion of offenders in DOCCS serving determinate sentences has grown dramatically. Fifty-nine percent (30,352) of the 51,466 offenders under custody on January 1, 2017 were serving determinate sentences, which is more than four times the proportion than was reported in 2001 (14%).

As of January 1, 2017, 98% (6,653) of the offenders under custody for drug offenses were serving determinate sentences, while 70% (23,154) of the offenders sentenced for Violent Felony Offenses were serving determinate sentences.

**Figure 17. Proportion of Determinate Sentences by Crime Type**



**Table 17A. Number of Determinate Sentences; Under Custody Population on January 1, 2017**

Offender Status	Violent Felony	Other Coercive	Drug Offenses	Property and Other Offenses	Youthful Offender	Juvenile Offender	Total
Inmates & Incarcerated Parolees							
Indeterminate	9,763	3,591	162	6,717	767	114	21,114
Determinate	23,154	525	6,653	17	3	0	30,352
<b>Total</b>	<b>32,917</b>	<b>4,116</b>	<b>6,815</b>	<b>6,734</b>	<b>770</b>	<b>114</b>	<b>51,466</b>
Indeterminate	30%	87%	2%	100%	100%	100%	41%
Determinate	70%	13%	98%	0%	0%	0%	59%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

**Table 17B. Historic Number of Total Determinate, Violent Felony Determinate, and Drug Felony Determinate Sentences; Under Custody Populations on January 1, 2001, 2006 – 2017**

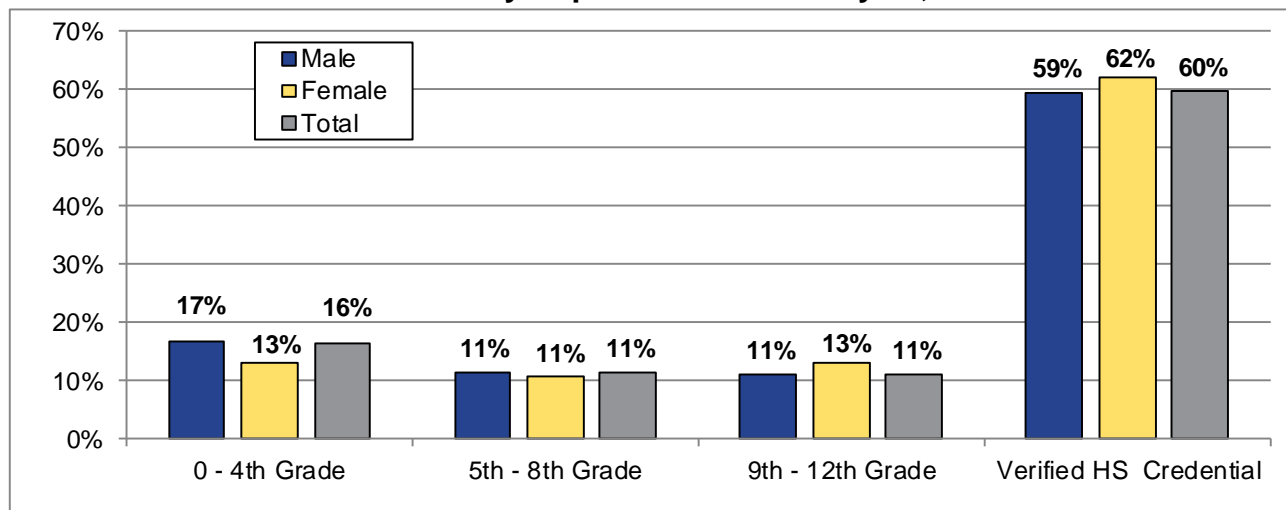
January 1,	2001	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Total Determinate	10,297	21,756	26,463	29,573	30,103	30,689	30,845	30,609	30,681	30,879	30,704	30,584	30,352
Percent of UC	14%	34%	41%	47%	49%	52%	54%	55%	56%	57%	58%	58%	59%
Violent Determinate	10,291	19,454	20,532	21,426	21,406	22,277	22,936	23,355	23,785	24,140	23,846	23,511	23,154
Percent of UC	14%	30%	32%	34%	35%	38%	40%	42%	43%	45%	45%	45%	45%
Drug Determinate	1	2,233	5,833	8,042	8,481	8,182	7,614	6,902	6,484	6,257	6,343	6,566	6,653
Percent of UC	0%	3%	9%	13%	14%	14%	13%	12%	12%	12%	12%	13%	13%

## Education Level

The Department's education program objective is to encourage every inmate to earn a high school equivalency diploma while incarcerated. Testing and educational programming are used by the Department to track the academic level of inmates in reading and mathematics. In order to take the high school equivalency examination, the Department requires inmates to take tests demonstrating at least a ninth grade level in reading and mathematics.

Sixteen percent (16%) of inmates had a tested reading score at the 0 – 4<sup>th</sup> Grade level, 11% at 5<sup>th</sup> – 8<sup>th</sup> Grade level, 11% at the 9<sup>th</sup> – 12<sup>th</sup> Grade level (but no verified high school or equivalency diploma), and 60% had a verified high school or equivalency diploma. There was very little difference in education levels by gender or offender status.

**Figure 18. Reading Score Grade Level and HS Diploma Status by Gender: Under Custody Population on January 14, 2017**



**Table 18. Reading Score Grade Level & HS Diploma Status; UC Population January 14, 2017**

Grade Level based on Tested Reading Score	0 - 4th Grade	5th - 8th Grade	9th - 12th Grade	Missing Test Data	Verified HS Credential	Total
Male	8,096	5,582	5,410	770	29,148	49,006
Female	307	247	305	28	1,455	2,342
Total*	8,403	5,829	5,715	798	30,603	51,348
Male	16.5%	11.4%	11.0%	1.6%	59.5%	100.0%
Female	13.1%	10.5%	13.0%	1.2%	62.1%	100.0%
Total	16.4%	11.4%	11.1%	1.6%	59.6%	100.0%
<b>Offender Status</b>						
Inmates	8,296	5,750	5,598	787	30,160	50,591
Incarcerated Parolees	107	79	117	11	443	757
Total Under Custody*	8,403	5,829	5,715	798	30,603	51,348
Inmates	16.4%	11.4%	11.1%	1.6%	59.6%	100.0%
Incarcerated Parolees	14.1%	10.4%	15.5%	1.5%	58.5%	100.0%
Total Under Custody	16.4%	11.4%	11.1%	1.6%	59.6%	100.0%

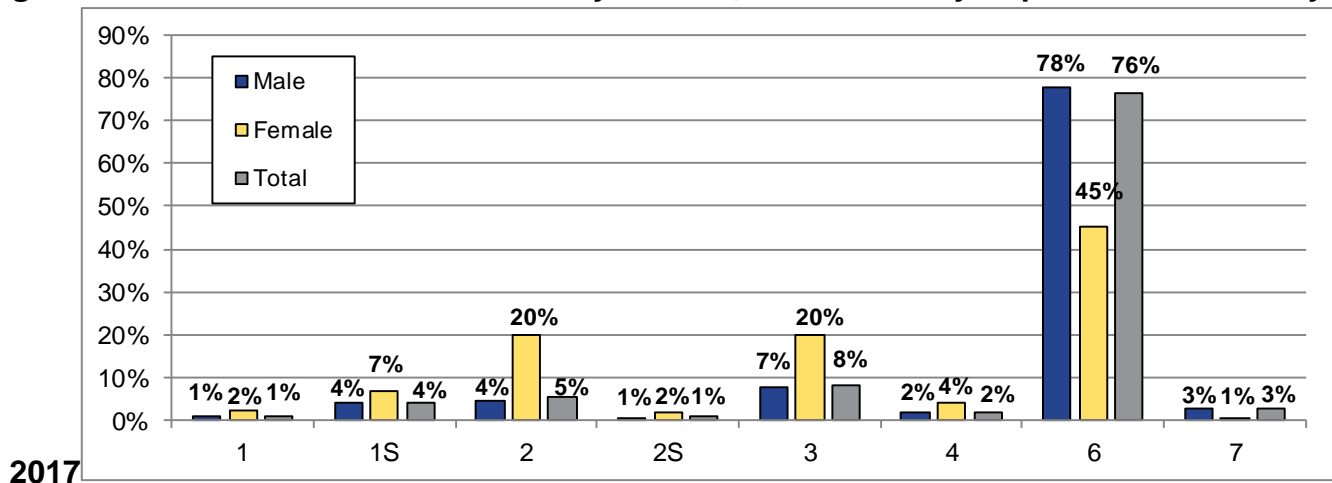
\*Data used from Education Data Files on January 14, 2017. Totals do not equal January 1, 2017 totals.

## Mental Health Service Level

The NYS Office of Mental Health (OMH) provides mental health diagnostic and treatment services to offenders in DOCCS' custody. OMH staff classify offenders according to the mental health service level needed. Offenders who may need mental health treatment services are classified from level 1 through level 4, with 1 indicating the most serious mental health diagnoses and 4 the least serious. Level 6 offenders have been assessed by OMH staff with no mental health service required and level 7 inmates have not yet been assessed. The "S" label in Table 19 indicates Serious Mental Illness (SMI) and the OMH level numbers indicate the level of OMH services that must be available at the facility where the offender is housed.

Twenty-one percent (21%) of offenders under custody on January 1, 2017 had an OMH service level of 1 – 4, while 76% had a service level classification of 6 (no mental health services required). Women were more likely than men to have an OMH service level classification of 1 – 4 (54% and 19%, respectively).

**Figure 19. Mental Health Service Level by Gender; Under Custody Population on January 1,**



**Table 19. OMH Service Level and SMI Status; Under Custody Population on January 1, 2017**

OMH Service Level by Gender	1	1S	2	2S	3	4	6	7	Total*
Male	478	2,032	2,202	281	3,661	846	38,275	1,334	49,109
Female	55	154	463	46	466	96	1,061	13	2,354
Total	533	2,186	2,665	327	4,127	942	39,336	1,347	51,463
Male	1.0%	4.1%	4.5%	0.6%	7.5%	1.7%	77.9%	2.7%	100.0%
Female	2.3%	6.5%	19.7%	2.0%	19.8%	4.1%	45.1%	0.6%	100.0%
Total	1.0%	4.2%	5.2%	0.6%	8.0%	1.8%	76.4%	2.6%	100.0%
<b>Offender Status</b>									
Inmates	530	2,170	2,606	324	4,032	927	38,784	1,341	50,714
Incarcerated Parolees	3	16	59	3	95	15	552	6	749
Total Under Custody	533	2,186	2,665	327	4,127	942	39,336	1,347	51,463
Inmates	1.0%	4.3%	5.1%	0.6%	8.0%	1.8%	76.5%	2.6%	100.0%
Incarcerated Parolees	0.4%	2.1%	7.9%	0.4%	12.7%	2.0%	73.7%	0.8%	100.0%
Total Under Custody	1.0%	4.2%	5.2%	0.6%	8.0%	1.8%	76.4%	2.6%	100.0%

\* Missing 3 case

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