



# Corrections and Community Supervision

Under Custody Report:

Profile of Under Custody Population  
As of January 1, 2021

**Profile of Under Custody Population  
As of January 1, 2021**

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## Profile of Under Custody Population As of January 1, 2021

### Executive Summary

Characteristics	Category	Incarcerated Individuals	Incarcerated Releasees	Total Under Custody
Population January 1, 2021		34,143	262	34,405
Sex	Male	96.2%	91.2%	96.2%
	Female	3.8%	8.8%	3.8%
Age	Average Age	40.5	40.2	40.5
Race/Ethnic Status	White	22.5%	42.4%	22.7%
	African-American	50.0%	37.0%	49.9%
	Hispanic	24.4%	16.4%	24.3%
Region	New York City	41.1%	28.6%	41.0%
	Suburban New York	11.0%	14.1%	11.0%
	Upstate	47.9%	57.3%	48.0%
World Region of Birth	Foreign Born	10.5%	7.3%	10.5%
Marital Status	Never Married	64.6%	69.1%	64.6%
Living Children	One or more living children	63.1%	62.2%	63.1%
Religious Affiliation	Catholic	18.1%	25.2%	18.1%
	Protestant	22.0%	22.9%	22.0%
	Muslim	14.0%	9.9%	13.9%
	Rastafarian	15.8%	9.5%	15.7%
	None Listed	13.3%	19.8%	13.3%
Military Service Veteran Status	Veteran	4.1%	5.0%	4.1%
Education	Verified High School Credential	62.9%	63.0%	62.9%
OMH Service Level	OMH Level 1 - 4	24.3%	33.6%	24.4%
Minimum Sentence	Median Minimum (in months)	102.0	36.0	102.0
	Average Minimum (in months)	155.7	45.7	154.8
Maximum Sentence	Median Maximum (in months)	120.0	48.0	120.0
	Average Maximum (in months)	164.6	59.2	163.8
Crime	Violent Felony	73.5%	41.2%	73.2%
	Drug Offenses	11.7%	24.8%	11.8%
	Property/Other	7.6%	18.7%	7.7%
Felony Sentencing Status	First Felony	56.2%	55.7%	56.2%
	Second Felony	39.3%	44.3%	39.3%
	Persistent Felony	4.5%	0.0%	4.5%
Prior Adult Criminal Record	No Prior Arrest	16.3%	18.3%	16.3%
	Prior Prison Term	37.0%	29.0%	37.0%
Time Served in Department Custody	Median time served (in months)	40.6	*	*
	Average time served (in months)	76.7	*	*
Time to Earliest Release Date	Median time (in months)	25.6	*	*
	Average time (in months)	65.2	*	*
Determinate Sentence	Drug Offenses - Determinate	*	*	99.1%
	Violent Felony - Determinate	*	*	69.8%
Facility Security Level	Maximum Security	49.0%	8.8%	48.7%
	Medium Security	44.3%	48.5%	44.4%
	Minimum Security	1.1%	0.4%	1.1%
	Parole Program Facility	0.5%	40.8%	0.8%

\* Not reported

# Profile of Under Custody Population As of January 1, 2021

## INTRODUCTION

### Purpose of the Report

This report presents information on individuals held under Department of Corrections and Community Supervision (DOCCS) custody as of January 1, 2021. It profiles their demographic and criminal history characteristics.

### Population Overview

Starting with the 2012 report in this series, all incarcerated individuals are reported, including those participating in the Alt 90 or Alt 45 programs<sup>1</sup>. In addition, “incarcerated releasees” (individuals under parole supervision who are participating in a program at a DOCCS facility) are included, but reported separately. Most “incarcerated releasees” are housed in parole program facilities, while some are housed in correctional facilities. Similarly, most incarcerated individuals 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 subgroups within the under custody population. Descriptions of these different subgroups are presented on the next page.

Type of Facility	Incarcerated Individuals	Incarcerated Releasees	Total Custody Population
Correctional Facilities	33,970	155	34,125
Parole Program Facilities	173	107	280
Total Under Custody	34,143	262	34,405

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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.

## Population Categories

**Incarcerated individuals in correctional facilities** are individuals 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=33,970).

**Incarcerated releasees in correctional facilities** are parolees who are under community supervision and have been incarcerated in order to participate in a treatment program. Incarcerated releasees in correctional facilities (N=155) 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.

**Incarcerated individuals in parole program facilities** are returned parole violators who are participating in an alternative drug treatment program (N=173). These individuals 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 individuals 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), they 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.

**Incarcerated releasees in parole program facilities** are parolees who are under community supervision and participating in an assigned treatment program at a parole program facility (N=107). Once these incarcerated releasees complete the treatment program, they will be returned to the community to complete their term of community supervision. If these incarcerated releasees do not successfully complete their assigned treatment program, they will be removed from the program and the parole violation process will proceed accordingly.

## Sections of the Report

The first section of this report describes the demographic characteristics of incarcerated individuals and incarcerated releasees. The second section describes the criminal history and custodial status of incarcerated individuals and incarcerated releasees. The third section presents trend information over the last ten years.

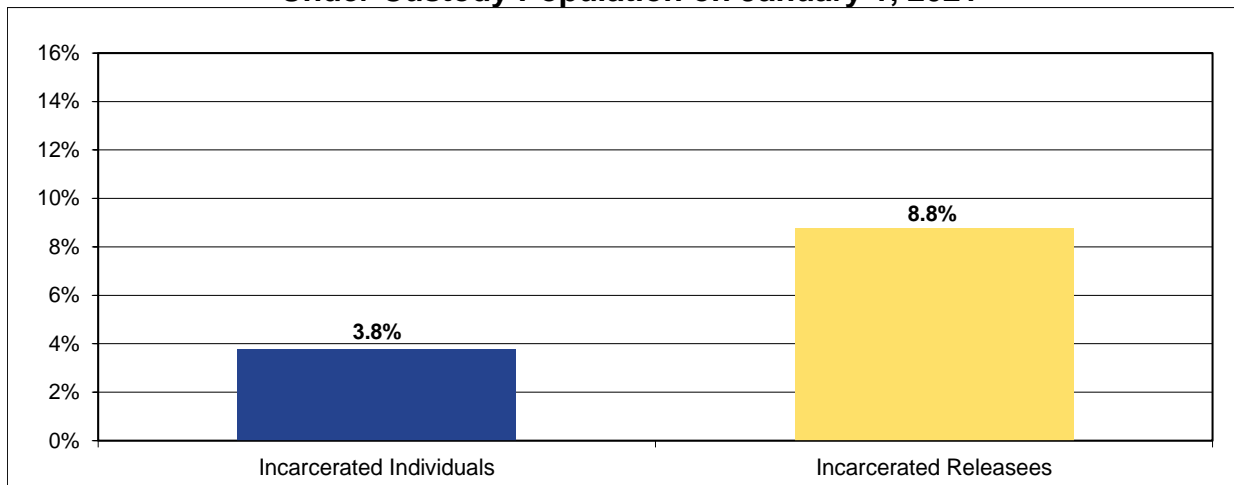
## Section One

### DEMOGRAPHIC CHARACTERISTICS

#### Sex

Of the 34,405 individuals under custody on January 1, 2021, 33,090 (96%) were male and 1,315 (4%) were female. There was a drop of 9,871 (-22%) total individuals under custody since January 1, 2020<sup>2</sup>. The number of male incarcerated individuals decreased by 9,197 (-22%) while female incarcerated individuals decreased by 674 (-34%). This represents a decrease of 22% in incarcerated individuals and a decrease of 66% in incarcerated releases. Females made up a larger proportion of incarcerated releases (9%) than incarcerated individuals (4%).

**Figure 1. Proportion of Females Under Custody by Incarceration Status; Under Custody Population on January 1, 2021**



**Table 1. Distribution by Sex and Incarceration Status; Under Custody Population on January 1, 2021**

Sex and Incarceration Status	2020	2021	Numeric Change	Percent Change	Percent of Total 2020	Percent of Total 2021
<b>Incarcerated Individuals</b>						
Male	41,586	32,851	-8,735	-21.0%	95.6%	96.2%
Female	1,929	1,292	-637	-33.0%	4.4%	3.8%
Total	43,515	34,143	-9,372	-21.5%	100%	100%
<b>Incarcerated Releases</b>						
Male	701	239	-462	-65.9%	92.1%	91.2%
Female	60	23	-37	-61.7%	7.9%	8.8%
Total	761	262	-499	-65.6%	100%	100%
<b>Total Under Custody</b>						
Male	42,287	33,090	-9,197	-21.7%	95.5%	96.2%
Female	1,989	1,315	-674	-33.9%	4.5%	3.8%
Total Under Custody	44,276	34,405	-9,871	-22.3%	100%	100%

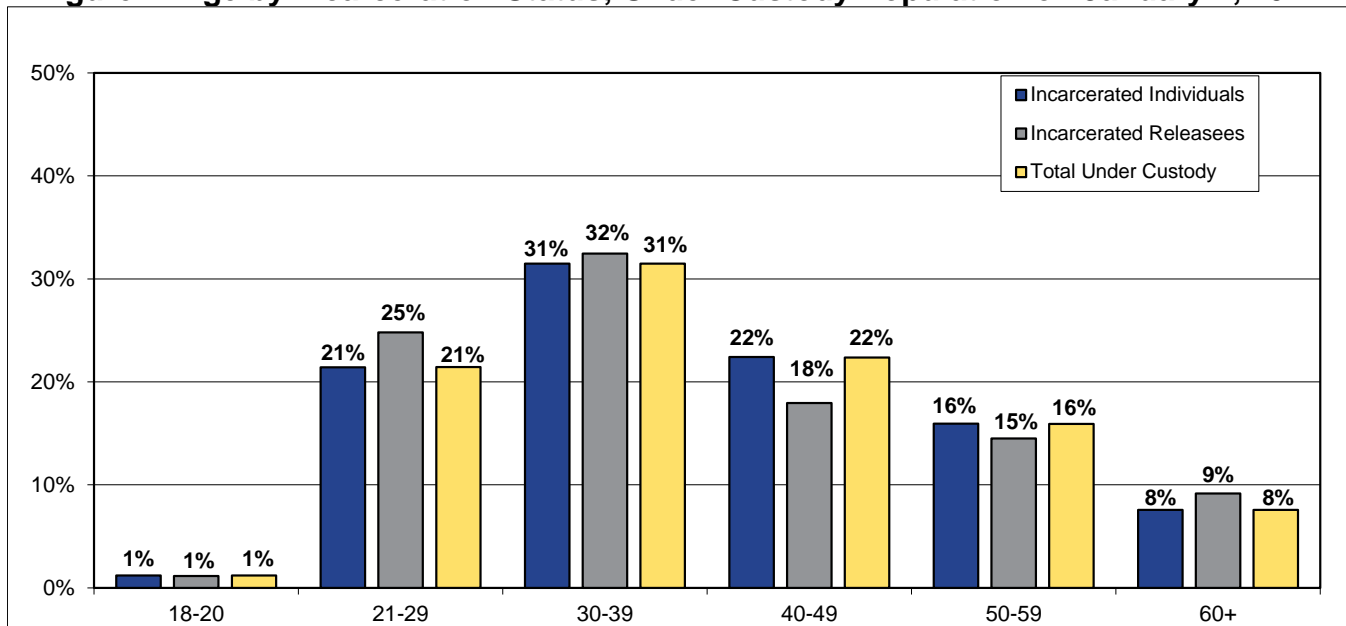
2. This significant decrease during 2020 was primarily due to the COVID-19 pandemic, which resulted in a significant decrease in admissions when intake to DOCCS was suspended for several months.

## Age

The average age of individuals under custody on January 1, 2021 was 40 years old.

There were 418 individuals under 21 years old. Compared to January 1, 2020, the number of individuals under age 21 decreased by 498 (-54%). Overall, the number of individuals age 50 and older decreased by 1,430 (-15%) between January 1, 2020 and January 1, 2021, while the total population declined by 9,871 (-22%). The number of individuals age 60 or older decreased between 2020 and 2021 (from 2,769 to 2,608) while the proportion increased (from 6.3% to 7.6%).

**Figure 2. Age by Incarceration Status; Under Custody Population on January 1, 2021**



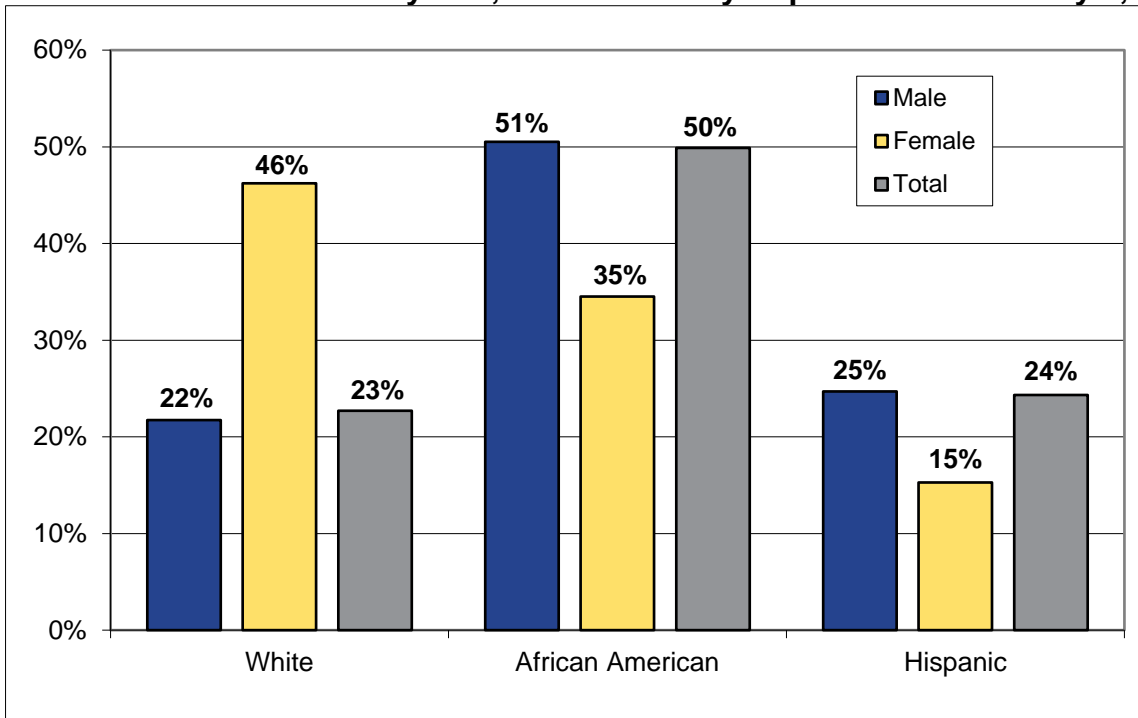
**Table 2. Age; Under Custody Population on January 1, 2021**

Age by Sex	18-20	21-29	30-39	40-49	50-59	60+	Total	Average
Male	406	7,062	10,354	7,421	5,304	2,543	33,090	40.5
Female	12	312	476	276	174	65	1,315	38.9
<b>Total</b>	<b>418</b>	<b>7,374</b>	<b>10,830</b>	<b>7,697</b>	<b>5,478</b>	<b>2,608</b>	<b>34,405</b>	<b>40.5</b>
Male	1.2%	21.3%	31.3%	22.4%	16.0%	7.7%	100.0%	
Female	0.9%	23.7%	36.2%	21.0%	13.2%	4.9%	100.0%	
<b>Total</b>	<b>1.2%</b>	<b>21.4%</b>	<b>31.5%</b>	<b>22.4%</b>	<b>15.9%</b>	<b>7.6%</b>	<b>100.0%</b>	
<b>Age by Incarceration Status</b>								
Incarcerated Individuals	415	7,309	10,745	7,650	5,440	2,584	34,143	40.5
Incarcerated Releasees	3	65	85	47	38	24	262	40.2
<b>Total Under Custody</b>	<b>418</b>	<b>7,374</b>	<b>10,830</b>	<b>7,697</b>	<b>5,478</b>	<b>2,608</b>	<b>34,405</b>	<b>40.5</b>
Incarcerated Individuals	1.2%	21.4%	31.5%	22.4%	15.9%	7.6%	100.0%	
Incarcerated Releasees	1.1%	24.8%	32.4%	17.9%	14.5%	9.2%	100.0%	
<b>Total Under Custody</b>	<b>1.2%</b>	<b>21.4%</b>	<b>31.5%</b>	<b>22.4%</b>	<b>15.9%</b>	<b>7.6%</b>	<b>100.0%</b>	

## Race/Ethnic Status

Half (50%) of the total incarcerated individuals under custody on January 1, 2021 were African-American, while just under a quarter were Hispanic and just under a quarter identified as White. A larger proportion of the female population was White (46%) compared to males (22%). A larger proportion of the incarcerated releasee population was White (42%) compared to the incarcerated individual population (23%).

**Figure 3. Race/Ethnic Status by Sex; Under Custody Population on January 1, 2021**



**Table 3. Race/Ethnic Status; Under Custody Population on January 1, 2021**

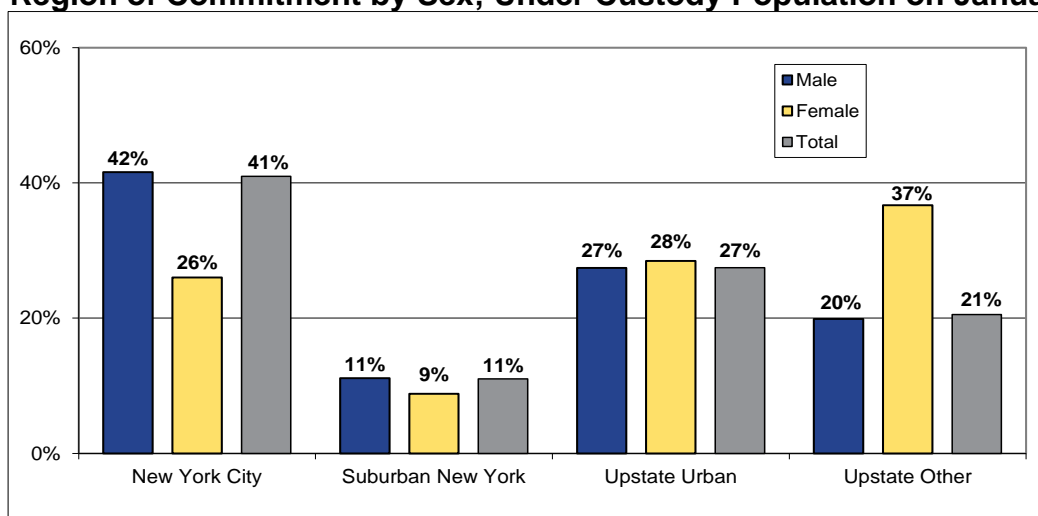
Race/Ethnic Status by Sex	White	African American	Hispanic	Native American	Asian	Other	Unknown	Total
Male	7,196	16,714	8,166	288	205	427	94	33,090
Female	608	454	201	20	9	21	2	1,315
Total	7,804	17,168	8,367	308	214	448	96	34,405
Male	21.7%	50.5%	24.7%	0.9%	0.6%	1.3%	0.3%	100.0%
Female	46.2%	34.5%	15.3%	1.5%	0.7%	1.6%	0.2%	100.0%
Total	22.7%	49.9%	24.3%	0.9%	0.6%	1.3%	0.3%	100.0%
Race/Ethnic by Incarceration Status								
Incarcerated Individuals	7,693	17,071	8,324	304	211	445	95	34,143
Incarcerated Releasees	111	97	43	4	3	3	1	262
Total Under Custody	7,804	17,168	8,367	308	214	448	96	34,405
Incarcerated Individuals	22.5%	50.0%	24.4%	0.9%	0.6%	1.3%	0.3%	100.0%
Incarcerated Releasees	42.4%	37.0%	16.4%	1.5%	1.1%	1.1%	0.4%	100.0%
Total Under Custody	22.7%	49.9%	24.3%	0.9%	0.6%	1.3%	0.3%	100.0%



## Region of Commitment

Forty-one percent (41%) of individuals under custody on January 1, 2021 were committed from New York City and 11% were committed from Suburban New York (Nassau, Rockland, Suffolk, and Westchester counties). Individuals 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 27% of the under custody population. The remaining 21% were sentenced from the other Upstate counties. Incarcerated releasees were less likely than incarcerated individuals to have been committed from New York City (29% vs. 41%) and more likely to have been committed from Upstate Other counties (33% vs. 20%). When compared with males under custody, females under custody were less likely to be committed from New York City (26% vs. 42%) and were more likely to come from Upstate Other Counties (37% vs. 20%).

**Figure 4. Region of Commitment by Sex; Under Custody Population on January 1, 2021**



**Table 4A. Region of Commitment; Under Custody Population on January 1, 2021**

Region by Sex	New York City	Suburban New York	Upstate Urban	Upstate Other	Total*
Male	13,759	3,680	9,074	6,577	33,090
Female	342	116	374	482	1,314
Total	14,101	3,796	9,448	7,059	34,404
Male	41.6%	11.1%	27.4%	19.9%	100.0%
Female	26.0%	8.8%	28.5%	36.7%	100.0%
Total	41.0%	11.0%	27.5%	20.5%	100.0%
Region by Incarceration Status					
Incarcerated Individuals	14,026	3,759	9,384	6,973	34,142
Incarcerated Releasees	75	37	64	86	262
Total Under Custody	14,101	3,796	9,448	7,059	34,404
Incarcerated Individuals	41.1%	11.0%	27.5%	20.4%	100.0%
Incarcerated Releasees	28.6%	14.1%	24.4%	32.8%	100.0%
Total Under Custody	41.0%	11.0%	27.5%	20.5%	100.0%

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

**Table 4B. Region of Commitment by Sex; Under Custody Population on January 1, 2021 (Page 1 of 2)**

County & Region by Sex	Male	Female	Total	Male	Female	Total*
Bronx	3,614	71	3,685	10.9%	5.4%	10.7%
Kings	4,789	127	4,916	14.5%	9.7%	14.3%
New York	2,585	62	2,647	7.8%	4.7%	7.7%
Queens	510	20	530	1.5%	1.5%	1.5%
Richmond	2,261	62	2,323	6.8%	4.7%	6.8%
NYC Total	13,759	342	14,101	41.6%	26.0%	41.0%
Nassau	1,100	32	1,132	3.3%	2.4%	3.3%
Rockland	269	11	280	0.8%	0.8%	0.8%
Suffolk	1,428	44	1,472	4.3%	3.3%	4.3%
Westchester	883	29	912	2.7%	2.2%	2.7%
Suburban NYC Total	3,680	116	3,796	11.1%	8.8%	11.0%
Albany	1,198	44	1,242	3.6%	3.3%	3.6%
Broome	516	32	548	1.6%	2.4%	1.6%
Erie	1,701	71	1,772	5.1%	5.4%	5.2%
Monroe	2,161	85	2,246	6.5%	6.5%	6.5%
Niagara	443	19	462	1.3%	1.4%	1.3%
Oneida	729	29	758	2.2%	2.2%	2.2%
Onondaga	1,376	54	1,430	4.2%	4.1%	4.2%
Rensselaer	285	10	295	0.9%	0.8%	0.9%
Schenectady	665	30	695	2.0%	2.3%	2.0%
Upstate Urban Total	9,074	374	9,448	27.4%	28.5%	27.5%
Allegany	42	6	48	0.1%	0.5%	0.1%
Cattaraugus	103	11	114	0.3%	0.8%	0.3%
Cayuga	186	17	203	0.6%	1.3%	0.6%
Chautauqua	135	5	140	0.4%	0.4%	0.4%
Chemung	218	12	230	0.7%	0.9%	0.7%
Chenango	85	9	94	0.3%	0.7%	0.3%
Clinton	266	38	304	0.8%	2.9%	0.9%
Columbia	100	9	109	0.3%	0.7%	0.3%
Cortland	87	3	90	0.3%	0.2%	0.3%
Delaware	67	4	71	0.2%	0.3%	0.2%
Dutchess	552	22	574	1.7%	1.7%	1.7%
Essex	66	5	71	0.2%	0.4%	0.2%
Franklin	102	17	119	0.3%	1.3%	0.3%
Fulton	105	7	112	0.3%	0.5%	0.3%

**Table 4B. Region of Commitment by Sex; Under Custody Population on January 1, 2021 (Page 2 of 2)**

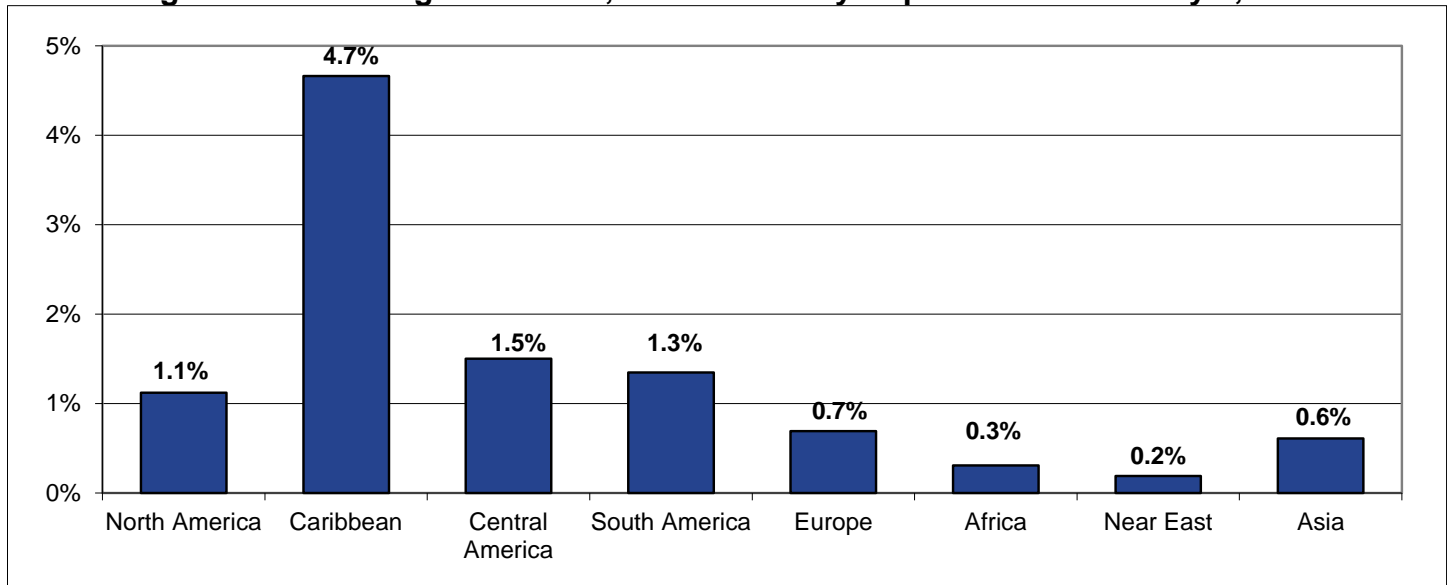
County & Region by Sex	Male	Female	Total	Male	Female	Total*
Genesee	161	6	167	0.5%	0.5%	0.5%
Greene	92	1	93	0.3%	0.1%	0.3%
Hamilton	5	0	5	0.0%	0.0%	0.0%
Herkimer	87	5	92	0.3%	0.4%	0.3%
Jefferson	156	19	175	0.5%	1.4%	0.5%
Lewis	48	8	56	0.1%	0.6%	0.2%
Livingston	98	11	109	0.3%	0.8%	0.3%
Madison	107	6	113	0.3%	0.5%	0.3%
Montgomery	111	6	117	0.3%	0.5%	0.3%
Ontario	279	27	306	0.8%	2.1%	0.9%
Orange	706	30	736	2.1%	2.3%	2.1%
Orleans	80	6	86	0.2%	0.5%	0.2%
Oswego	214	13	227	0.6%	1.0%	0.7%
Otsego	94	4	98	0.3%	0.3%	0.3%
Putnam	55	1	56	0.2%	0.1%	0.2%
St Lawrence	228	27	255	0.7%	2.1%	0.7%
Saratoga	247	25	272	0.7%	1.9%	0.8%
Schoharie	29	1	30	0.1%	0.1%	0.1%
Schuyler	39	5	44	0.1%	0.4%	0.1%
Seneca	39	4	43	0.1%	0.3%	0.1%
Steuben	234	22	256	0.7%	1.7%	0.7%
Sullivan	262	13	275	0.8%	1.0%	0.8%
Tioga	63	4	67	0.2%	0.3%	0.2%
Tomkins	94	5	99	0.3%	0.4%	0.3%
Ulster	356	6	362	1.1%	0.5%	1.1%
Warren	192	21	213	0.6%	1.6%	0.6%
Washington	149	24	173	0.5%	1.8%	0.5%
Wayne	121	5	126	0.4%	0.4%	0.4%
Wyoming	75	6	81	0.2%	0.5%	0.2%
Yates	42	6	48	0.1%	0.5%	0.1%
Upstate Other Total	6,577	482	7,059	19.9%	36.7%	20.5%
Total Under Custody	33,090	1,314	34,404	100.0%	100.0%	100.0%

\* One individual 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 individuals under custody were born in the United States or a United States Territory. An additional 10% (or 3,605) reported birth in a foreign country. Of the individuals who reported birth in a foreign country, 44% (or 1,604) were from one of the island nations in the Caribbean. Among incarcerated individuals, 11% (or 3,586) were foreign-born while only 7% (or 19) of incarcerated releasees were foreign-born.

**Figure 5. World Region of Birth; Under Custody Population on January 1, 2021**



**Table 5. World Region of Birth; Under Custody Population on January 1, 2021**

World Region by Sex	North America	Caribbean	Central America	South America	Europe	Africa	Near East	Asia	South Pacific	Subtotal Outside US	United States*	Unknown	Total
Male	380	1,560	509	446	223	106	64	203	17	3,508	29,435	147	33,090
Female	5	44	8	17	15	0	1	6	1	97	1,216	2	1,315
<b>Total</b>	<b>385</b>	<b>1,604</b>	<b>517</b>	<b>463</b>	<b>238</b>	<b>106</b>	<b>65</b>	<b>209</b>	<b>18</b>	<b>3,605</b>	<b>30,651</b>	<b>149</b>	<b>34,405</b>
Male	1.1%	4.7%	1.5%	1.3%	0.7%	0.3%	0.2%	0.6%	0.1%	10.6%	89.0%	0.4%	100.0%
Female	0.4%	3.3%	0.6%	1.3%	1.1%	0.0%	0.1%	0.5%	0.1%	7.4%	92.5%	0.2%	100.0%
<b>Total</b>	<b>1.1%</b>	<b>4.7%</b>	<b>1.5%</b>	<b>1.3%</b>	<b>0.7%</b>	<b>0.3%</b>	<b>0.2%</b>	<b>0.6%</b>	<b>0.1%</b>	<b>10.5%</b>	<b>89.1%</b>	<b>0.4%</b>	<b>100.0%</b>
<b>World Region of Birth by Incarceration Status</b>													
Incarcerated Individuals	384	1,595	515	461	237	106	64	207	17	3,586	30,410	147	34,143
Incarcerated Releasees	1	9	2	2	1	0	1	2	1	19	241	2	262
<b>Total Under Custody</b>	<b>385</b>	<b>1,604</b>	<b>517</b>	<b>463</b>	<b>238</b>	<b>106</b>	<b>65</b>	<b>209</b>	<b>18</b>	<b>3,605</b>	<b>30,651</b>	<b>149</b>	<b>34,405</b>
Incarcerated Individuals	1.1%	4.7%	1.5%	1.4%	0.7%	0.3%	0.2%	0.6%	0.0%	10.5%	89.1%	0.4%	100.0%
Incarcerated Releasees	0.4%	3.4%	0.8%	0.8%	0.4%	0.0%	0.4%	0.8%	0.4%	7.3%	92.0%	0.8%	100.0%
<b>Total Under Custody</b>	<b>1.1%</b>	<b>4.7%</b>	<b>1.5%</b>	<b>1.3%</b>	<b>0.7%</b>	<b>0.3%</b>	<b>0.2%</b>	<b>0.6%</b>	<b>0.1%</b>	<b>10.5%</b>	<b>89.1%</b>	<b>0.4%</b>	<b>100.0%</b>

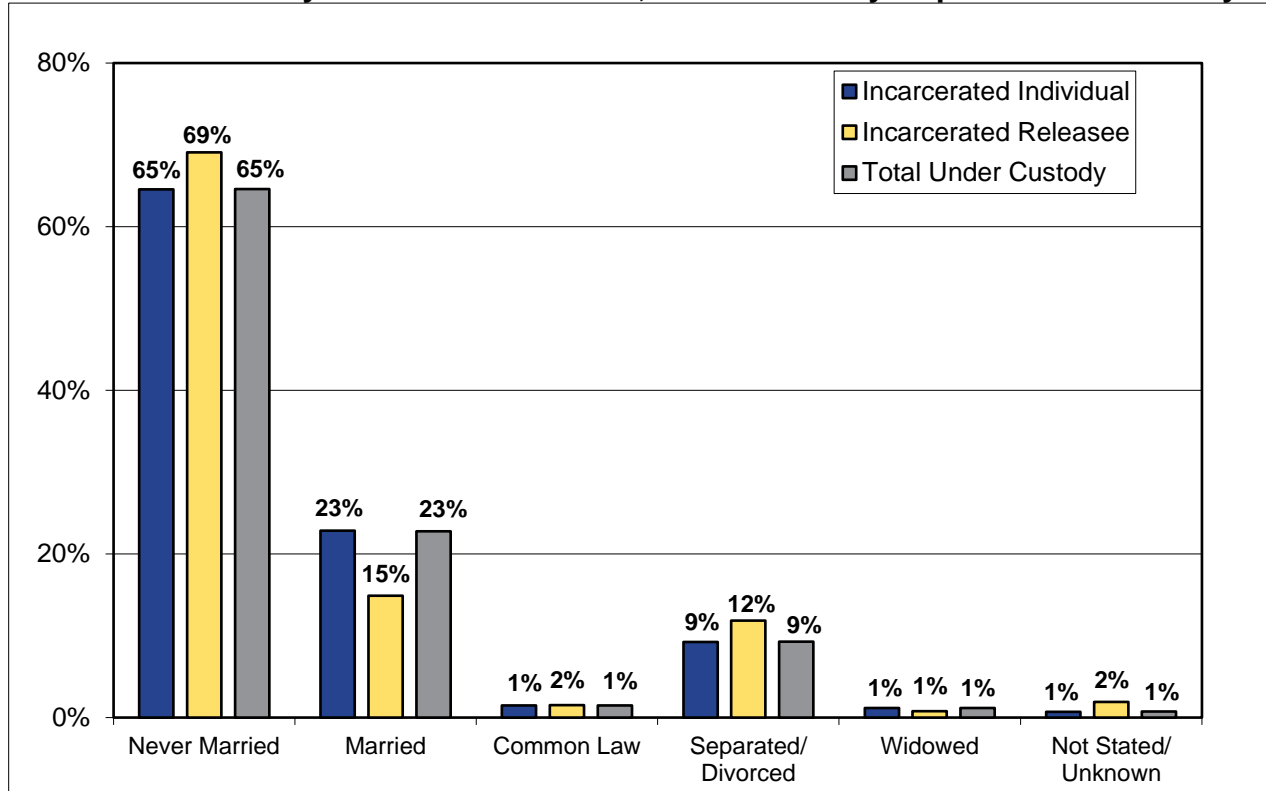
\* Near East includes Bahrain, Cyprus, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Oman and Muscat, Qatar, Saudi Arabia, South Yemen, Syria, Turkey, United Arab Emirates and Yemen.

\*\* Includes individuals committed from United States Territories.

## Marital Status

Just under two-thirds (65%) of the incarcerated individuals reported never being married. The proportion was higher (69%) for incarcerated releasees.

**Figure 6. Marital Status by Incarceration Status; Under Custody Population on January 1, 2021**



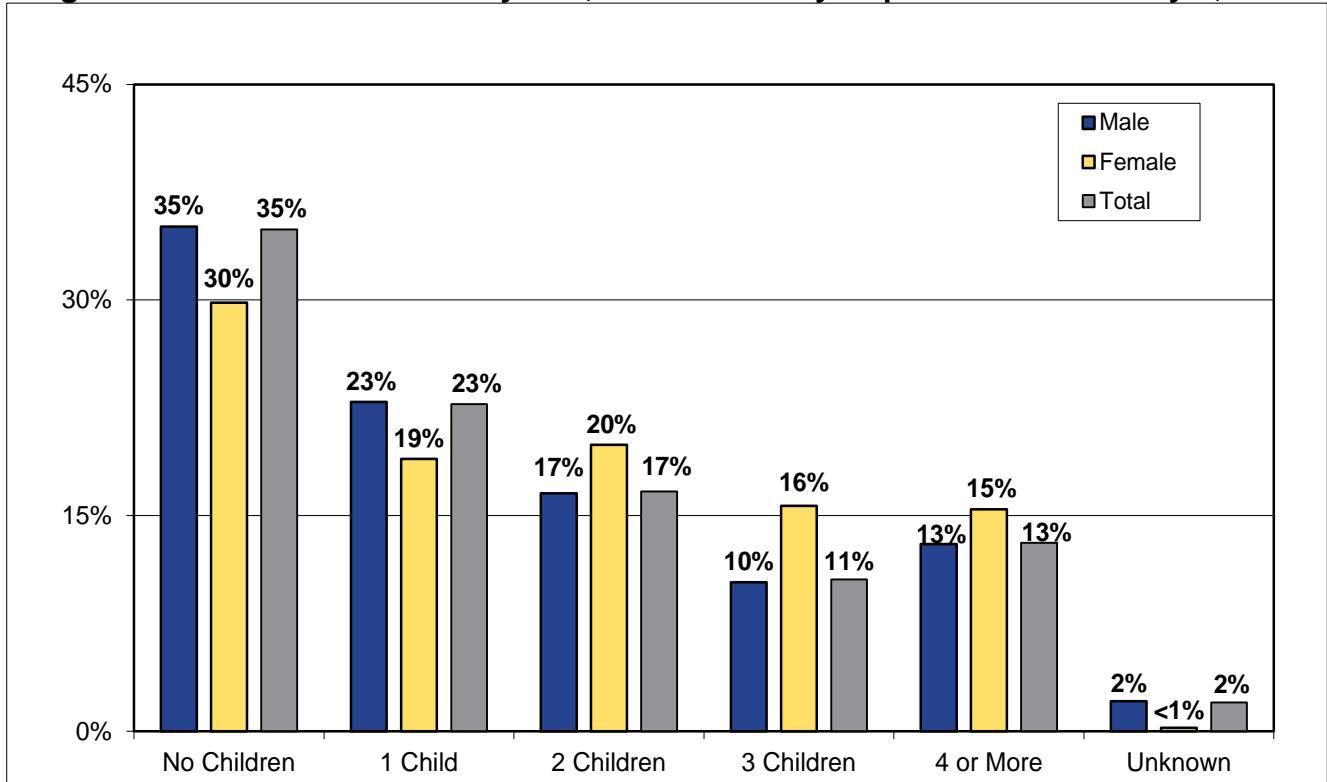
**Table 6. Marital Status; Under Custody Population on January 1, 2021**

Marital Status by Sex	Never Married	Married	Common Law	Separated/Divorced	Widowed	Not Stated/Unknown	Total
Male	21,369	7,597	501	3,010	364	249	33,090
Female	857	237	2	178	40	1	1,315
<b>Total</b>	<b>22,226</b>	<b>7,834</b>	<b>503</b>	<b>3,188</b>	<b>404</b>	<b>250</b>	<b>34,405</b>
Male	64.6%	23.0%	1.5%	9.1%	1.1%	0.8%	100.0%
Female	65.2%	18.0%	0.2%	13.5%	3.0%	0.1%	100.0%
<b>Total</b>	<b>64.6%</b>	<b>22.8%</b>	<b>1.5%</b>	<b>9.3%</b>	<b>1.2%</b>	<b>0.7%</b>	<b>100.0%</b>
<b>Marital Status by Incarceration Status</b>							
Incarcerated Individuals	22,045	7,795	499	3,157	402	245	34,143
Incarcerated Releasees	181	39	4	31	2	5	262
<b>Total Under Custody</b>	<b>22,226</b>	<b>7,834</b>	<b>503</b>	<b>3,188</b>	<b>404</b>	<b>250</b>	<b>34,405</b>
Incarcerated Individuals	64.6%	22.8%	1.5%	9.2%	1.2%	0.7%	100.0%
Incarcerated Releasees	69.1%	14.9%	1.5%	11.8%	0.8%	1.9%	100.0%
<b>Total Under Custody</b>	<b>64.6%</b>	<b>22.8%</b>	<b>1.5%</b>	<b>9.3%</b>	<b>1.2%</b>	<b>0.7%</b>	<b>100.0%</b>

## Number of Living Children

Among individuals under custody reporting parental status, the majority (63%) 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 (70% vs. 63%).

**Figure 7. Number of Children by Sex; Under Custody Population on January 1, 2021**



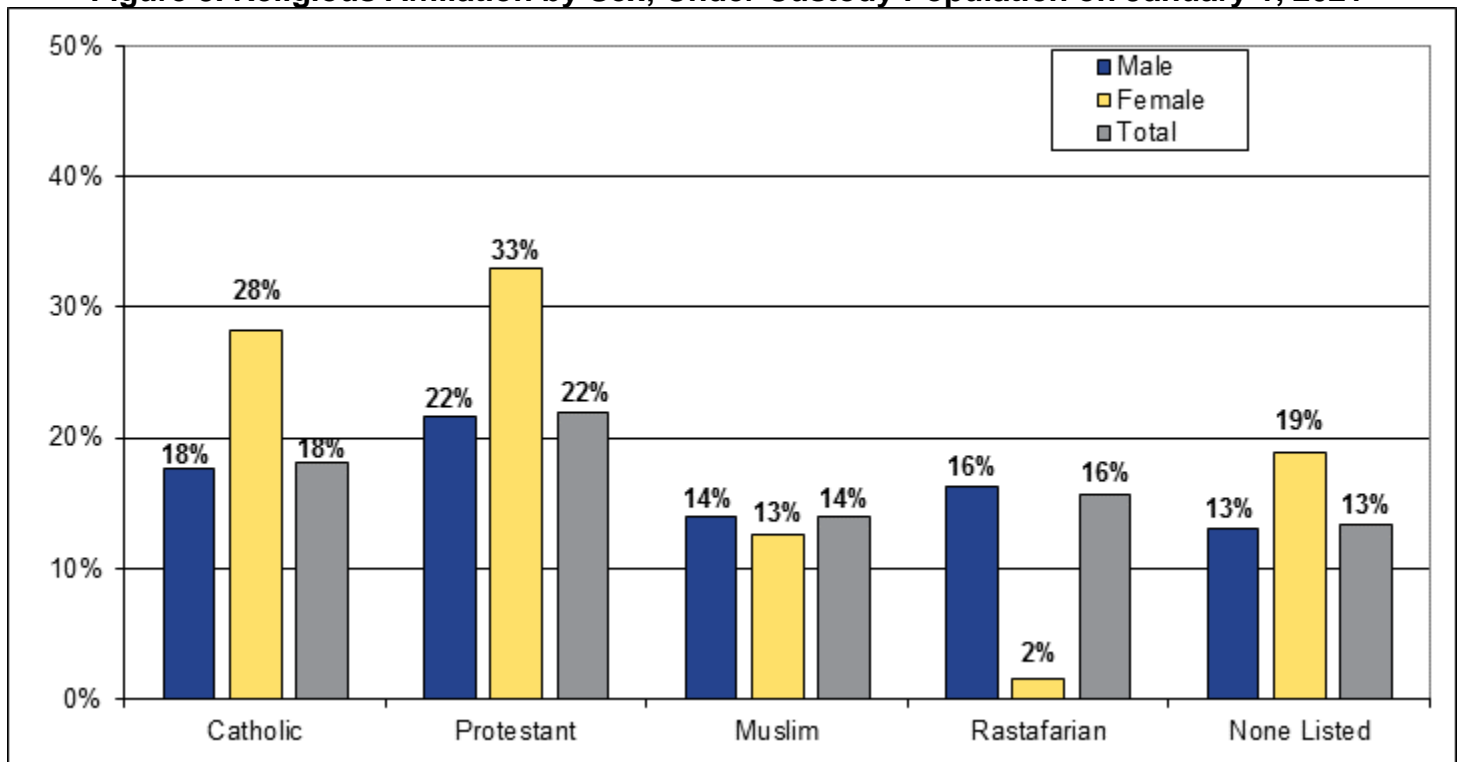
**Table 7. Number of Children; Under Custody Population on January 1, 2021**

Number of Children by Sex	No Children	1 Child	2 Children	3 Children	4 or More	Unknown	Total
Male	11,617	7,579	5,473	3,428	4,306	687	33,090
Female	392	249	262	206	203	3	1,315
Total	12,009	7,828	5,735	3,634	4,509	690	34,405
Male	35.1%	22.9%	16.5%	10.4%	13.0%	2.1%	100.0%
Female	29.8%	18.9%	19.9%	15.7%	15.4%	0.2%	100.0%
Total	34.9%	22.8%	16.7%	10.6%	13.1%	2.0%	100.0%
Number of Children by Incarceration Status							
Incarcerated Individuals	11,916	7,779	5,684	3,608	4,472	684	34,143
Incarcerated Releasees	93	49	51	26	37	6	262
Total Under Custody	12,009	7,828	5,735	3,634	4,509	690	34,405
Incarcerated Individuals	34.9%	22.8%	16.6%	10.6%	13.1%	2.0%	100.0%
Incarcerated Releasees	35.5%	18.7%	19.5%	9.9%	14.1%	2.3%	100.0%
Total Under Custody	34.9%	22.8%	16.7%	10.6%	13.1%	2.0%	100.0%

## Religious Affiliation

Eighty-seven percent (87%) of individuals under custody reported religious affiliation. Eighteen percent (18%) were Catholic, 22% were Protestant, 16% Rastafarian, 14% were Muslim, 17% reported another faith (Nation of Islam, Jewish, Native American, Greek Orthodox, and Other), and 13% did not report affiliation with a religious faith (None Listed). Females were more likely to report being Catholic or Protestant.

**Figure 8. Religious Affiliation by Sex; Under Custody Population on January 1, 2021**



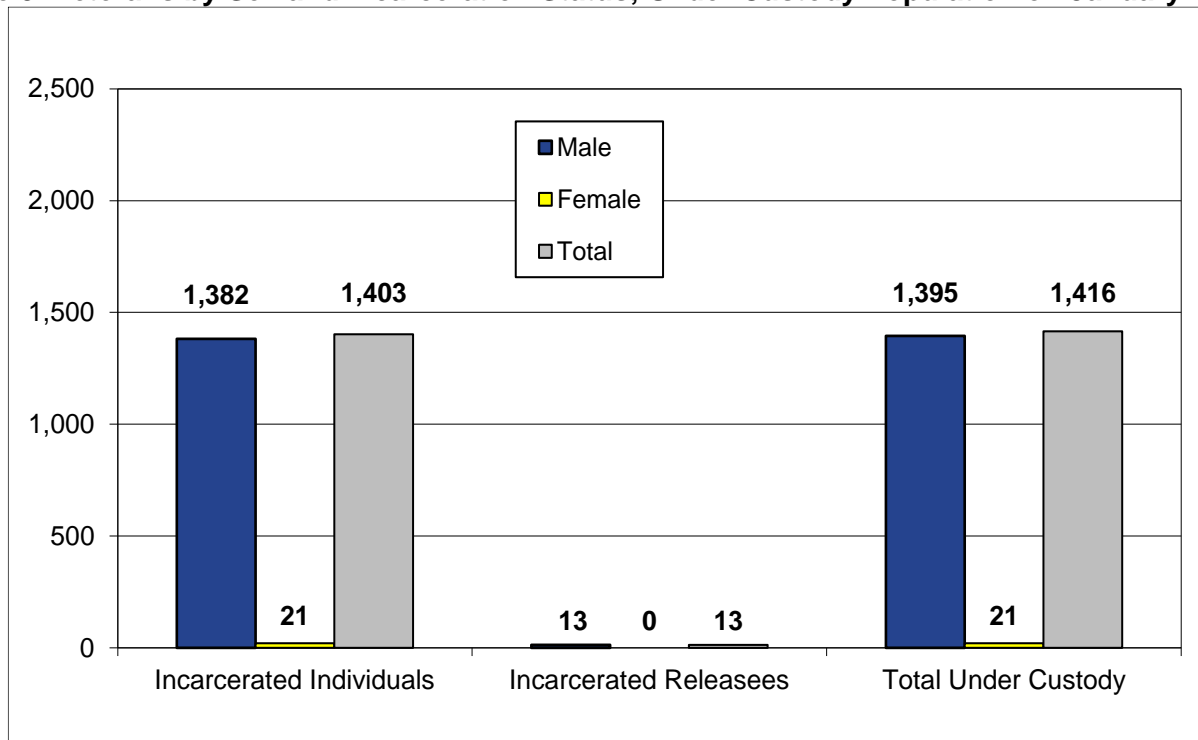
**Table 8. Religious Affiliation; Under Custody Population on January 1, 2021**

Religious Affiliation by Sex	Catholic	Protestant	Muslim	Nation of Islam	Rastafarian	Jewish	Native American	Greek Orthodox	Other	None Listed	Total
Male	5,861	7,133	4,630	1,312	5,383	2,018	259	27	2,136	4,331	33,090
Female	372	433	166	10	21	27	13	1	24	248	1,315
Total	6,233	7,566	4,796	1,322	5,404	2,045	272	28	2,160	4,579	34,405
Male	17.7%	21.6%	14.0%	4.0%	16.3%	6.1%	0.8%	0.1%	6.5%	13.1%	100.0%
Female	28.3%	32.9%	12.6%	0.8%	1.6%	2.1%	1.0%	0.1%	1.8%	18.9%	100.0%
Total	18.1%	22.0%	13.9%	3.8%	15.7%	5.9%	0.8%	0.1%	6.3%	13.3%	100.0%
Religious Affiliation by Incarceration Status											
Incarcerated Individuals	6,167	7,506	4,770	1,318	5,379	2,031	271	28	2,146	4,527	34,143
Incarcerated Releasees	66	60	26	4	25	14	1	0	14	52	262
Total Under Custody	6,233	7,566	4,796	1,322	5,404	2,045	272	28	2,160	4,579	34,405
Incarcerated Individuals	18.1%	22.0%	14.0%	3.9%	15.8%	5.9%	0.8%	0.1%	6.3%	13.3%	100.0%
Incarcerated Releasees	25.2%	22.9%	9.9%	1.5%	9.5%	5.3%	0.4%	0.0%	5.3%	19.8%	100.0%
Total Under Custody	18.1%	22.0%	13.9%	3.8%	15.7%	5.9%	0.8%	0.1%	6.3%	13.3%	100.0%

## Veteran Status

Of the 34,405 individuals under custody on January 1, 2021, 4% (1,416) were reported as verified veterans. Only 21 veterans were female. Veteran status is verified through a data match with the Veteran's Administration (VA) or verified possession of a DD214 form.

**Figure 9. Veterans by Sex and Incarceration Status; Under Custody Population on January 1, 2021**



**Table 9. Veteran Status; Under Custody Population on January 1, 2021**

Veteran Status by Incarceration Status	Male			Female			Total		
	Non Veteran	Veteran	Total	Non Veteran	Veteran	Total	Non Veteran	Veteran	Total
Incarcerated Individuals	31,469	1,382	32,851	1,271	21	1,292	32,740	1,403	34,143
Incarcerated Releasees	226	13	239	23	0	23	249	13	262
Total Under Custody	31,695	1,395	33,090	1,294	21	1,315	32,989	1,416	34,405
Incarcerated Individuals	95.8%	4.2%	100.0%	98.4%	1.6%	100.0%	95.9%	4.1%	100.0%
Incarcerated Releasees	94.6%	5.4%	100.0%	100.0%	0.0%	100.0%	95.0%	5.0%	100.0%
Total Under Custody	95.8%	4.2%	100.0%	98.4%	1.6%	100.0%	95.9%	4.1%	100.0%

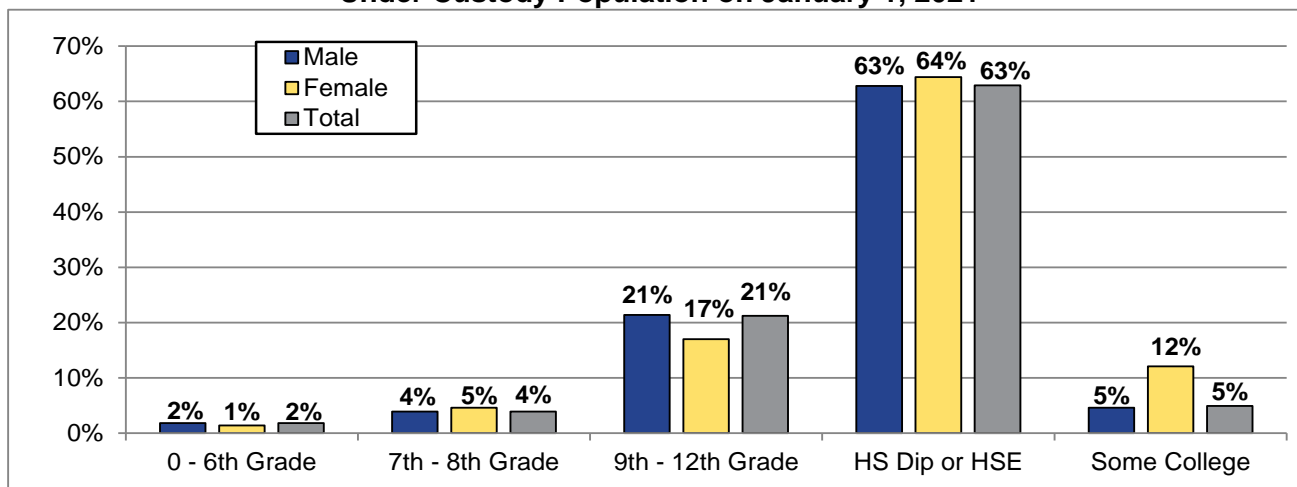


## Education Level

The Department's education program objective is to encourage every individual under custody to earn a high school equivalency diploma while incarcerated. Testing and educational programming are used to track the academic level of individuals under custody in reading and mathematics. In order to take the high school equivalency examination, the Department requires individuals under custody to take tests demonstrating at least a ninth grade level in reading and mathematics. Data reflects results of the most recent tests and any credentials earned while at DOCCS.

Two percent (2%) of individuals under custody had a tested reading score at the 0 – 6<sup>th</sup> Grade level, 4% at 7<sup>th</sup> – 8<sup>th</sup> Grade level, 21% at the 9<sup>th</sup> – 12<sup>th</sup> Grade level (but no verified high school or equivalency diploma), 63% had a verified high school or equivalency diploma and 5% had some college or a college degree. Female individuals under custody had slightly higher levels of education.

**Figure 10. Reading Score Grade Level and HS Diploma Status by Sex; Under Custody Population on January 1, 2021**



**Table 10. Reading Score Grade Level & HS Diploma Status; UC Population on January 1, 2021**

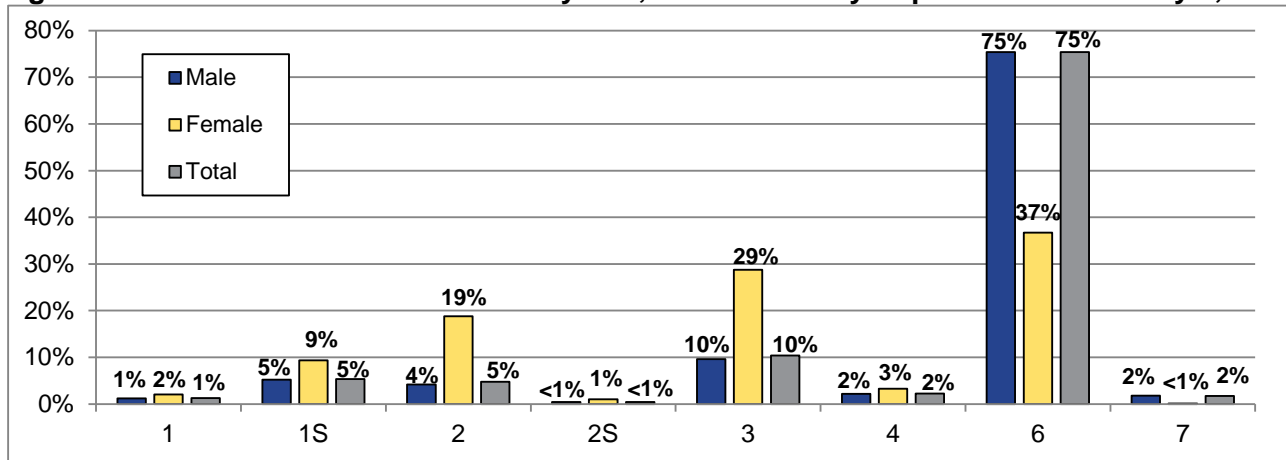
Grade Level based on Tested Reading Score	0 - 6th Grade	7th - 8th Grade	9th - 12th Grade	HS Diploma or HSE	College	Data Unavailable	Total
Male	601	1,278	7,070	20,777	1,525	1,839	33,090
Female	19	61	223	847	159	6	1,315
Total	620	1,339	7,293	21,624	1,684	1,845	34,405
Male	1.8%	3.9%	21.4%	62.8%	4.6%	5.6%	100.0%
Female	1.4%	4.6%	17.0%	64.4%	12.1%	0.5%	100.0%
Total	1.8%	3.9%	21.2%	62.9%	4.9%	5.4%	100.0%
<b>Reading Score Grade Level by Incarceration Status</b>							
Incarcerated Individuals	615	1,333	7,230	21,459	1,675	1,831	34,143
Incarcerated Releasees	5	6	63	165	9	14	262
Total Under Custody	620	1,339	7,293	21,624	1,684	1,845	34,405
Incarcerated Individuals	1.8%	3.9%	21.2%	62.9%	4.1%	5.4%	100.0%
Incarcerated Releasees	1.9%	2.3%	24.0%	63.0%	3.4%	5.4%	100.0%
Total Under Custody	1.8%	3.9%	10.8%	62.9%	4.9%	5.4%	100.0%

## Mental Health Service Level

The NYS Office of Mental Health (OMH) provides mental health diagnostic and treatment services to individuals in DOCCS' custody. OMH staff classify individuals according to the mental health service level needed. Individuals 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. Individuals with a Level 6 have been assessed by OMH staff with no mental health services required and level 7 individuals under custody have not yet been assessed. The "S" label in Table 11 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 individual is housed.

Twenty-four percent (24%) of individuals under custody had an OMH service level of 1 – 4, indicating they were on the OMH caseload, while 75% had a service level classification of 6 (no mental health services required). Women were much more likely than men to have an OMH service level classification of 1 – 4 (63% and 23%, respectively).

**Figure 11. Mental Health Service Level by Sex; Under Custody Population on January 1, 2021**



**Table 11. OMH Service Level and SMI Status; Under Custody Population on January 1, 2021**

OMH Service Level by Sex	1	1S	2	2S	3	4	6	7	Total*
Male	403	1,717	1,389	132	3,191	722	24,934	599	33,087
Female	27	123	247	13	378	43	483	1	1,315
Total	430	1,840	1,636	145	3,569	765	25,417	600	34,402
Male	1.2%	5.2%	4.2%	0.4%	9.6%	2.2%	75.4%	1.8%	100.0%
Female	2.1%	9.4%	18.8%	1.0%	28.7%	3.3%	36.7%	0.1%	100.0%
Total	1.2%	5.3%	4.8%	0.4%	10.4%	2.2%	75.4%	1.7%	100.0%
OMH Service Level and SMI Status by Incarceration Status									
Incarcerated Individuals	426	1,832	1,610	142	3,525	762	25,244	599	34,140
Incarcerated Releasees	4	8	26	3	44	3	173	1	262
Total Under Custody	430	1,840	1,636	145	3,569	765	25,417	600	34,402
Incarcerated Individuals	1.2%	4.6%	4.7%	0.4%	10.3%	2.2%	73.9%	1.8%	100.0%
Incarcerated Releasees	1.5%	3.1%	9.9%	1.1%	16.8%	1.1%	66.0%	0.4%	100.0%
Total Under Custody	1.2%	5.3%	4.8%	0.4%	10.4%	2.2%	75.0%	1.7%	100.0%

\*3 missing cases

## Section Two

### CRIMINAL HISTORY

#### Minimum Sentence

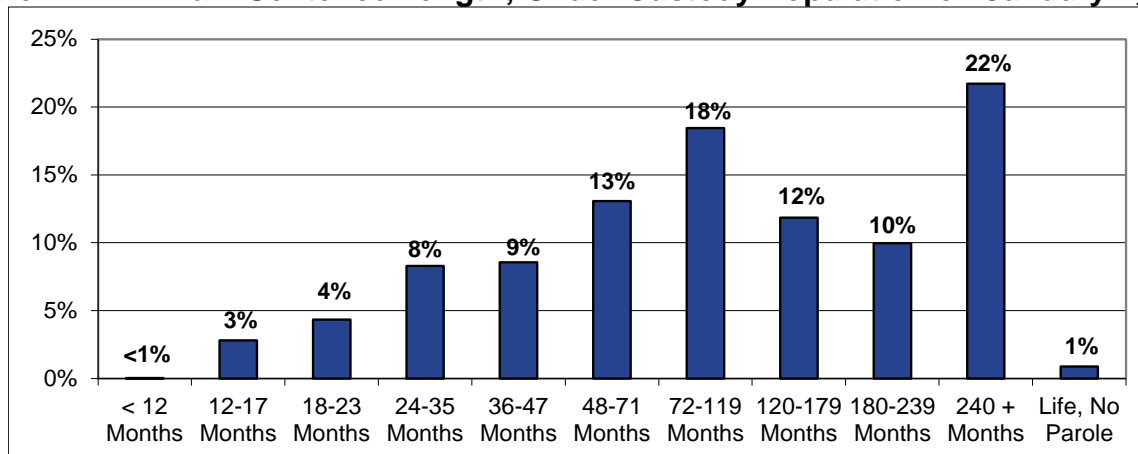
Minimum sentence represents the aggregate minimum sentence associated with the crime of commitment. Minimum sentence is independent of time remaining to serve, so individuals previously released and returned to custody for a parole violation are categorized based on original minimum sentence, not the time to be served due to the parole violation.

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

Overall, the median minimum sentence for individuals under custody was 8.5 years (102 months)<sup>3</sup>. However, the average minimum sentence length was just under thirteen years, reflecting the influence of lengthy minimum terms of many offenders. Almost half (44%) were serving minimum sentences of 10 years or more.

As of January 1, 2021, there were 305 individuals 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 12. Minimum Sentence Length; Under Custody Population on January 1, 2021**



**Table 12A. Minimum Sentence; Under Custody Population on January 1, 2021**

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	15	968	1,492	2,850	2,942	4,496	6,351	4,078	3,432	7,476	305	34,405
Under Custody	0.0%	2.8%	4.3%	8.3%	8.6%	13.1%	18.5%	11.9%	10.0%	21.7%	0.9%	100.0%

3. 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 12B. Minimum Sentence; Under Custody Population on January 1, 2021**

Minimum Sentence by Sex - Incarcerated Individuals	Male	Female	Total	Male	Female	Total
< 12 Months	9	5	14	0.0%	0.4%	0.0%
12-17 Months	849	91	940	2.6%	7.0%	2.8%
18-23 Months	1,336	103	1,439	4.1%	8.0%	4.2%
24-35 Months	2,640	163	2,803	8.0%	12.6%	8.2%
36-47 Months	2,761	135	2,896	8.4%	10.4%	8.5%
48-71 Months	4,254	202	4,456	12.9%	15.6%	13.1%
72-119 Months	6,130	194	6,324	18.7%	15.0%	18.5%
120-179 Months	3,939	122	4,061	12.0%	9.4%	11.9%
180-239 Months	3,317	112	3,429	10.1%	8.7%	10.0%
240 + Months	7,322	154	7,476	22.3%	11.9%	21.9%
Life, No Parole	294	11	305	0.9%	0.9%	0.9%
Total Inmates	32,851	1,292	34,143	100.0%	100.0%	100.0%
Minimum Sentence by Sex - Incarcerated Releasees	Male	Female	Total	Male	Female	Total
< 12 Months	1	0	1	0.4%	0.0%	0.4%
12-17 Months	23	5	28	9.6%	21.7%	10.7%
18-23 Months	47	6	53	19.7%	26.1%	20.2%
24-35 Months	41	6	47	17.2%	26.1%	17.9%
36-47 Months	43	3	46	18.0%	13.0%	17.6%
48-71 Months	39	1	40	16.3%	4.3%	15.3%
72-119 Months	25	2	27	10.5%	8.7%	10.3%
120-179 Months	17	0	17	7.1%	0.0%	6.5%
180-239 Months	3	0	3	1.3%	0.0%	1.1%
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 Releasees	239	23	262	100.0%	100.0%	100.0%
Total Under Custody	33,090	1,315	34,405	96.2%	3.8%	100.0%
Average and Median Minimum Sentence	Male Average	Female Average	Total Average	Male Median	Female Median	Total Median
Total Incarcerated Individuals	157.7	104.2	155.7	103.0	60.0	102.0
Total Incarcerated Releasees	47.2	30.4	45.7	36.0	24.0	36.0
Total Under Custody	156.9	102.9	154.8	102.0	57.0	102.0

As can be seen in Table 12B above, the median minimum sentence for incarcerated individuals was 102 months. There was a large difference between male incarcerated individuals, whose median minimum sentence was 103 months, and female incarcerated individuals, whose median minimum was 60 months.

For incarcerated releasees, the median minimum sentence was 36 months. Male incarcerated releasees had a median minimum sentence of 36 months, while female incarcerated releasees had a median minimum of 24 months. In general, incarcerated releasees have shorter minimum and maximum sentences than incarcerated individuals committed to state prison. Overall, 7% of incarcerated individuals had a minimum sentence of less than 2 years compared with 31% of incarcerated releasees.

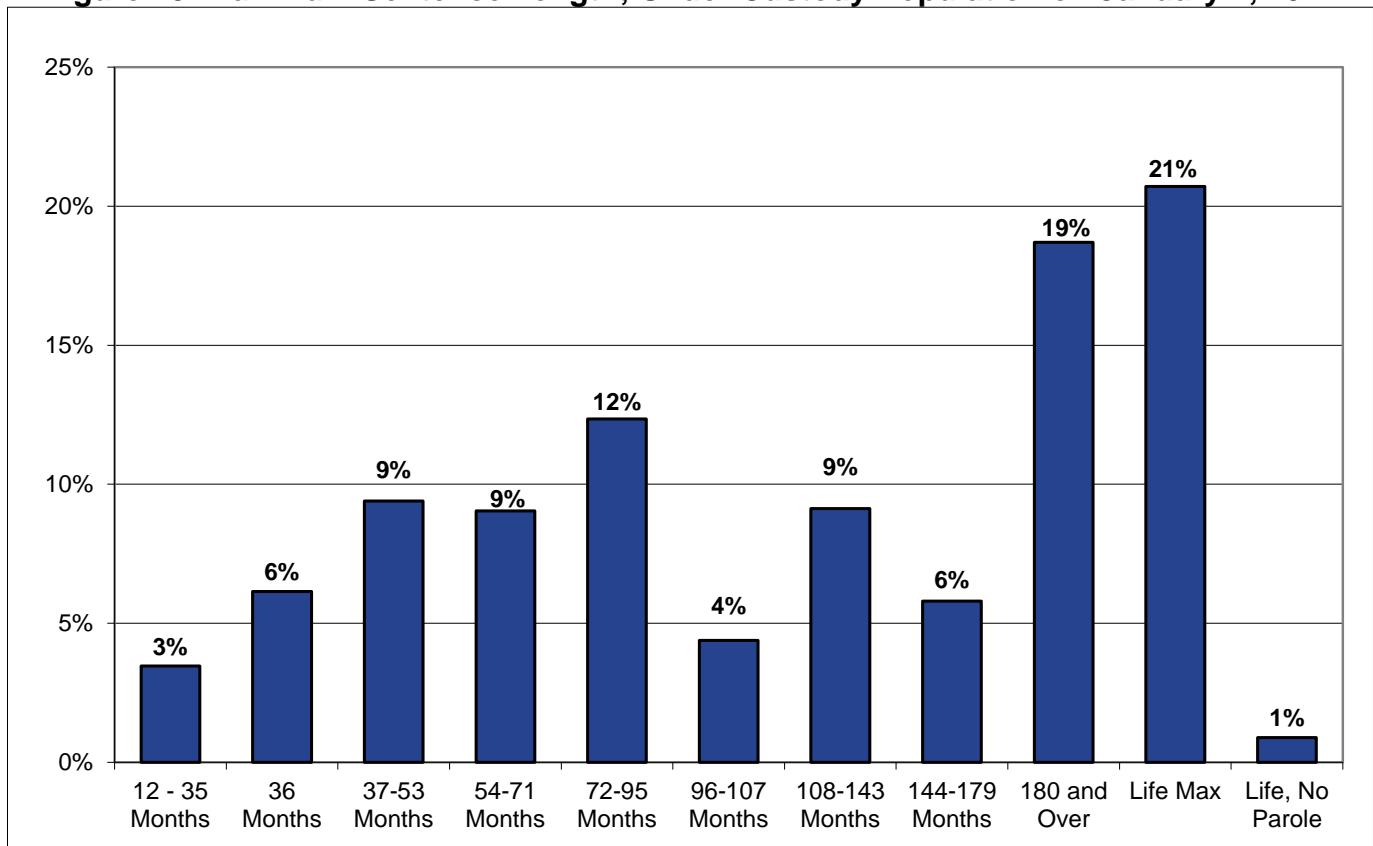
## Maximum Sentence

As of January 1, 2021, the median maximum sentence of incarcerated individuals was ten years (120 months). However, the average maximum sentence length was over 13 years, reflecting the influence of lengthy maximum terms of many offenders. Over 40% had maximum sentences of 15 years or more with 22% of the population having a maximum sentence of life.

The average maximum sentence for female incarcerated individuals (126 months) was 40 months shorter than for males (166 months). The median maximum sentence for females (84 months) was 36 months shorter than for males (120 months). The average maximum sentence for incarcerated individuals (165 months) was 106 months longer than for incarcerated releasees (59 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 13. Maximum Sentence Length; Under Custody Population on January 1, 2021**



**Table 13A. Maximum Sentence; Under Custody Population on January 1, 2021**

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	1,192	2,112	3,232	3,109	4,250	1,509	3,140	1,994	6,436	7,126	305	34,405
Under Custody	3.5%	6.1%	9.4%	9.0%	12.4%	4.4%	9.1%	5.8%	18.7%	20.7%	0.9%	100.0%

**Table 13B. Maximum Sentence; Under Custody Population on January 1, 2021**

Maximum Sentence by Sex - Incarcerated Individuals	Male	Female	Total	Male	Female	Total
12 to 35 Months	1,063	78	1,141	3.2%	6.0%	3.3%
36 Months	1,898	159	2,057	5.8%	12.3%	6.0%
37-53 Months	3,028	153	3,181	9.2%	11.8%	9.3%
54-71 Months	2,926	148	3,074	8.9%	11.5%	9.0%
72-95 Months	4,054	161	4,215	12.3%	12.5%	12.3%
96-107 Months	1,451	55	1,506	4.4%	4.3%	4.4%
108-143 Months	3,026	102	3,128	9.2%	7.9%	9.2%
144-179 Months	1,907	71	1,978	5.8%	5.5%	5.8%
180 and Over	6,247	185	6,432	19.0%	14.3%	18.8%
Life Max	6,957	169	7,126	21.2%	13.1%	20.9%
Life, No Parole	294	11	305	0.9%	0.9%	0.9%
<b>Total Incarcerated Individuals</b>	<b>32,851</b>	<b>1,292</b>	<b>34,143</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>
Maximum Sentence by Sex - Incarcerated Releasees	Male	Female	Total	Male	Female	Total
12 to 35 Months	46	5	51	19.2%	21.7%	19.5%
36 Months	46	9	55	19.2%	39.1%	21.0%
37-53 Months	46	5	51	19.2%	21.7%	19.5%
54-71 Months	34	1	35	14.2%	4.3%	13.4%
72-95 Months	33	2	35	13.8%	8.7%	13.4%
96-107 Months	3	0	3	1.3%	0.0%	1.1%
108-143 Months	11	1	12	4.6%	4.3%	4.6%
144-179 Months	16	0	16	6.7%	0.0%	6.1%
180 and Over	4	0	4	1.7%	0.0%	1.5%
Life Max	0	0	0	0.0%	0.0%	0.0%
Life, No Parole	0	0	0	0.0%	0.0%	0.0%
<b>Total Incarcerated Releasees</b>	<b>239</b>	<b>23</b>	<b>262</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>
<b>Total Under Custody</b>	<b>33,090</b>	<b>1,315</b>	<b>34,405</b>	<b>96.2%</b>	<b>3.8%</b>	<b>100.0%</b>
Average and Median Maximum Sentence	Male Average	Female Average	Total Average	Male Median	Female Median	Total Median
Total Incarcerated Individuals	166.1	126.4	164.6	120.0	84.0	120.0
Total Incarcerated Releasees	60.6	43.7	59.2	48.0	36.0	48.0
<b>Total Under Custody</b>	<b>165.3</b>	<b>125.0</b>	<b>163.8</b>	<b>120.0</b>	<b>84.0</b>	<b>120.0</b>

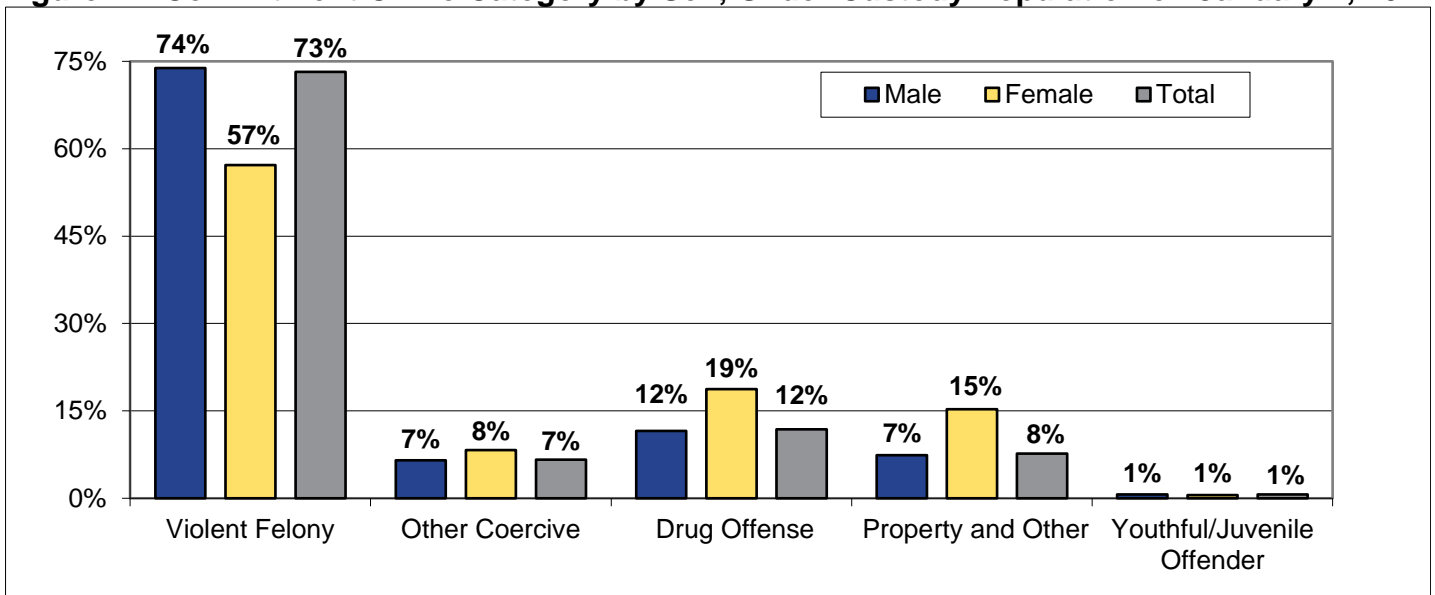
For incarcerated releasees, the median maximum sentence was 48 months. The difference between males and females was much smaller than the average, with a median maximum sentence of 48 months for males compared with 36 months for females.

## Commitment Crime

Seventy-three percent (73%) of the individuals under custody on January 1, 2021 were convicted of a Violent Felony Offense (VFO). Additionally, 12% were convicted of drug crimes and another 8% were convicted of a Property or Other crime. Fifty-seven percent (57%) of females were serving a sentence for a VFO compared to 74% of males. In contrast, 15% of females were sentenced for a Property and Other crime compared to 7% of males.

On January 1, 2021, there were 4,074 individuals serving drug crimes (12%), compared with 24,085 (34%) January 1, 1997. This is a reduction of 20,011 (-83%) and compares with a reduction of 35,804 (-51%) in the total population. This disproportionately large decrease in the individuals with drug crimes is due to the drug law reforms enacted in 2009.

**Figure 14. Commitment Crime Category by Sex; Under Custody Population on January 1, 2021**



**Table 14A. Crime Category; Under Custody Population on January 1, 2021**

Commitment Crime Type by Sex	Violent Felony	Other Coercive	Drug Offenses	Property and Other	YO/JO	Total
Male	24,441	2,161	3,828	2,440	220	33,090
Female	752	109	246	201	7	1,315
Total	25,193	2,270	4,074	2,641	227	34,405
Male	73.9%	6.5%	11.6%	7.4%	0.7%	100.0%
Female	57.2%	8.3%	18.7%	15.3%	0.5%	100.0%
Total	73.2%	6.6%	11.8%	7.7%	0.7%	100.0%
<b>Crime Category by Incarceration Status</b>						
Incarcerated Individuals	25,085	2,235	4,009	2,592	222	34,143
Incarcerated Releasees	108	35	65	49	5	262
Total Under Custody	25,193	2,270	4,074	2,641	227	34,405
Incarcerated Individuals	73.5%	6.5%	11.7%	7.6%	0.7%	100.0%
Incarcerated Releasees	41.2%	13.4%	24.8%	18.7%	1.9%	100.0%
Total Under Custody	73.2%	6.6%	11.8%	7.7%	0.7%	100.0%

**Table 14B. Crime Category by Incarceration Status by Sex;  
Under Custody Population on January 1, 2021**

Commitment Crime Type	Incarcerated Individuals			Incarcerated Releasees			Grand Total
	Male	Female	Total	Male	Female	Total	
<b>Violent Felony</b>							
Arson 1st,2nd	138	22	160	0	0	0	160
Assault 1st	1,640	77	1,717	0	0	0	1,717
Assault 2nd	854	54	908	0	0	0	908
Burglary 1st	846	15	861	0	0	0	861
Burglary 2nd	1,907	51	1,958	6	0	6	1,964
Kidnapping 1st,2nd	262	15	277	1	0	1	278
Manslt 1st,Aggrav 2nd	1,846	134	1,980	0	0	0	1,980
Murder / Attempted Murder	6,322	196	6,518	0	0	0	6,518
Rape 1st	1,283	9	1,292	17	1	18	1,310
Robbery 1st	2,381	71	2,452	0	0	0	2,452
Robbery 2nd	1,305	40	1,345	0	0	0	1,345
Sexual Abuse 1st,Aggrav.2nd	957	11	968	46	0	46	1,014
Sodomy 1st	771	12	783	15	0	15	798
Weapons Offenses	3,067	32	3,099	1	0	1	3,100
Other VFO Sex Offenses	607	9	616	21	0	21	637
Other Violent	148	3	151	0	0	0	151
Subtotal	24,334	751	25,085	107	1	108	25,193
	97.0%	3.0%	100.0%	99.1%	0.9%	100.0%	
<b>Other Coercive</b>							
Att Assault 2nd	196	10	206	1	0	1	207
Conspiracy 2,3,4	177	8	185	2	0	2	187
Robbery 3rd	417	18	435	4	0	4	439
Manslaughter 2nd	140	19	159	0	0	0	159
Other Homicide	123	23	146	0	0	0	146
Other Sex Offenses	542	7	549	24	0	24	573
Other Weapons	338	4	342	3	0	3	345
Other Coercive	193	20	213	1	0	1	214
Subtotal	2,126	109	2,235	35	0	35	2,270
	95.1%	4.9%	100.0%	100.0%	0.0%	100.0%	
<b>Drug Offenses</b>							
Drug Possession	2,161	135	2,296	32	6	38	2,334
Drug Sale	1,615	98	1,713	20	7	27	1,740
Subtotal	3,776	233	4,009	52	13	65	4,074
	94.2%	5.8%	100.0%	80.0%	20.0%	100.0%	
<b>Property and Other</b>							
Burglary 3rd	763	33	796	13	1	14	810
Contempt 1st	170	8	178	5	0	5	183
Drive Intoxicated	236	30	266	4	1	5	271
Forgery	143	21	164	1	1	2	166
Grand Larceny	365	48	413	5	2	7	420
Stolen Property	124	12	136	4	0	4	140
All Other Felonies	599	40	639	8	4	12	651
Subtotal	2,400	192	2,592	40	9	49	2,641
	92.6%	7.4%	100.0%	81.6%	18.4%	100.0%	
<b>JO/YO</b>							
Juvenile Offenders	41	2	43	0	0	0	43
Youthful Offenders	174	5	179	5	0	5	184
Subtotal	215	7	222	5	0	5	227
	96.8%	3.2%	100.0%	100.0%	0.0%	100.0%	
<b>Grand Total</b>	<b>32,851</b>	<b>1,292</b>	<b>34,143</b>	<b>239</b>	<b>23</b>	<b>262</b>	<b>34,405</b>
	96.2%	3.8%	100.0%	91.2%	8.8%	100.0%	

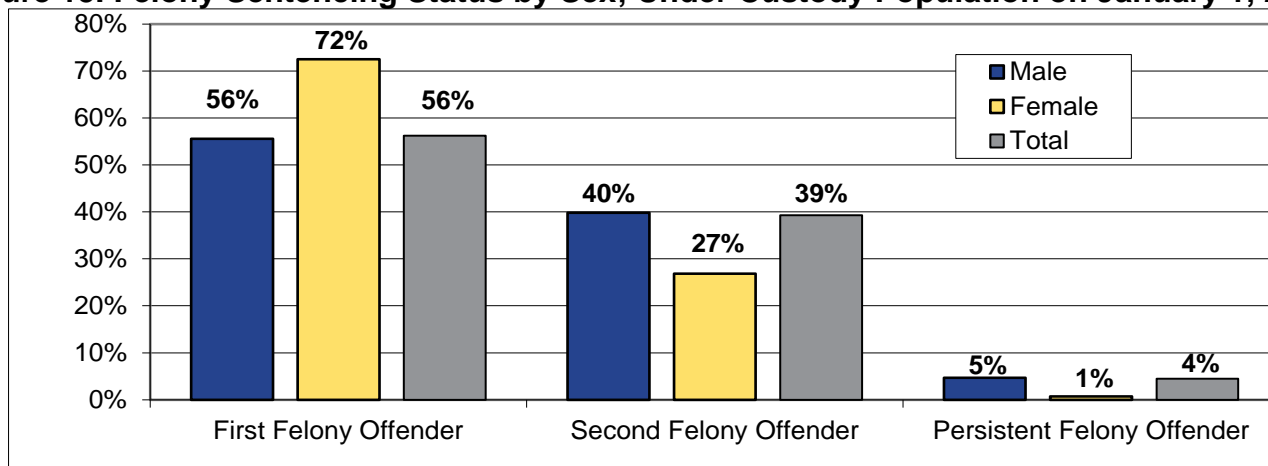


## Felony Sentencing Status

Fifty-six percent (56%) of individuals under custody on January 1, 2021, were sentenced as first felony offenders. Crimes are presented by felony sentencing status in Table 15B. In general, VFO 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 (40% vs. 27%) 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 15. Felony Sentencing Status by Sex; Under Custody Population on January 1, 2021**



**Table 15A. Felony Sentencing Status; Under Custody Population on January 1, 2021**

Felony Sentencing Status by Sex	First Felony Offender	Second Felony Offender	Persistent Felony Offender	Total
Male	18,383	13,170	1,537	33,090
Female	953	353	9	1,315
Total	19,336	13,523	1,546	34,405
Male	55.6%	39.8%	4.6%	100.0%
Female	72.5%	26.8%	0.7%	100.0%
Total	56.2%	39.3%	4.5%	100.0%
<b>Felony Sentencing Status by Incarceration Status</b>				
Incarcerated Individuals	19,190	13,407	1,546	34,143
Incarcerated Releasees	146	116	0	262
Total Under Custody	19,336	13,523	1,546	34,405
Incarcerated Individuals	56.2%	39.3%	4.5%	100.0%
Incarcerated Releasees	55.7%	44.3%	0.0%	100.0%
Total Under Custody	56.2%	39.3%	4.5%	100.0%

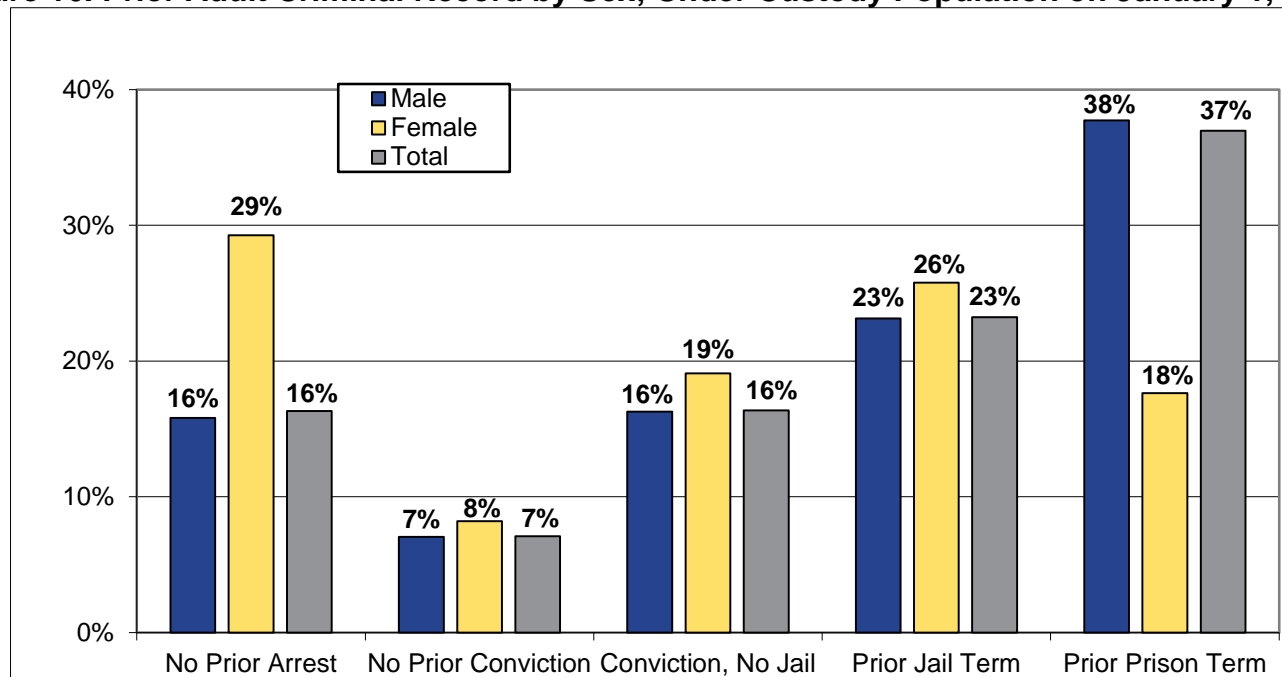
**Table 15B. Felony Sentencing Status; Under Custody Population on January 1, 2021**

Commitment Crime Type	Incarcerated Individuals				Incarcerated Releasees				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>									
Arson 1st,2nd	107	52	1	160	0	0	0	0	160
Assault 1st	1036	611	70	1,717	0	0	0	0	1,717
Assault 2nd	370	469	69	908	0	0	0	0	908
Burglary 1st	375	407	79	861	0	0	0	0	861
Burglary 2nd	518	1,079	361	1,958	0	6	0	6	1,964
Kidnapping 1st,2nd	203	62	12	277	1	0	0	1	278
Manslt 1st,Aggrav.2nd	1,471	487	22	1,980	0	0	0	0	1,980
Murder / Attempted Murder	6092	383	43	6,518	0	0	0	0	6,518
Rape 1st	789	413	90	1,292	12	6	0	18	1,310
Robbery 1st	998	1,122	332	2,452	0	0	0	0	2,452
Robbery 2nd	498	670	177	1,345	0	0	0	0	1,345
Sexual Abuse 1st,Aggrav.2nd	762	163	43	968	38	8	0	46	1,014
Sodomy 1st	539	202	42	783	13	2	0	15	798
Weapons Offenses	1,454	1,549	96	3,099	1	0	0	1	3,100
Other VFO Sex Offenses	470	130	16	616	12	9	0	21	637
Other Violent	88	58	5	151	0	0	0	0	151
Subtotal	15,770	7,857	1,458	25,085	77	31	0	108	25,193
	62.9%	31.3%	5.8%	100.0%	71.3%	28.7%	0.0%	100.0%	
<b>Other Coercive</b>									
Attempted Assault 2nd	40	166	0	206	0	1	0	1	207
Conspiracy 2,3,4	95	85	5	185	2	0	0	2	187
Manslaughter 2nd	117	36	6	159	0	0	0	0	159
Robbery 3rd	112	310	13	435	3	1	0	4	439
Other Homicide	130	15	1	146	0	0	0	0	146
Other Sex Offenses	378	167	4	549	10	14	0	24	573
Other Weapons	68	271	3	342	0	3	0	3	345
Other Coercive	96	112	5	213	0	1	0	1	214
Subtotal	1,036	1,162	37	2,235	15	20	0	35	2,270
	46.4%	52.0%	1.7%	100.0%	42.9%	57.1%	0.0%	100.0%	
<b>Drug Offenses</b>									
Drug Possession	681	1,614	1	2,296	21	17	0	38	2,334
Drug Sale	540	1,172	1	1,713	8	19	0	27	1,740
Subtotal	1,221	2,786	2	4,009	29	36	0	65	4,074
	30.5%	69.5%	0.0%	100.0%	44.6%	55.4%	0.0%	100.0%	
<b>Property and Other</b>									
Burglary 3rd	180	601	15	796	4	10	0	14	810
Contempt 1st	64	110	4	178	0	5	0	5	183
Drive Intoxicated	258	3	5	266	5	0	0	5	271
Forgery	32	128	4	164	1	1	0	2	166
Grand Larceny	115	290	8	413	3	4	0	7	420
Stolen Property	34	100	2	136	2	2	0	4	140
All Other Felonies	258	370	11	639	5	7	0	12	651
Subtotal	941	1,602	49	2,592	20	29	0	49	2,641
	36.3%	61.8%	1.9%	100.0%	40.8%	59.2%	0.0%	100.0%	
<b>JO/YO</b>									
Juvenile Offenders	43	0	0	43	0	0	0	0	43
Youthful Offenders	179	0	0	179	5	0	0	5	184
Subtotal	222	0	0	222	5	0	0	5	227
	100.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	100.0%	
<b>Grand Total</b>	<b>19,190</b>	<b>13,407</b>	<b>1,546</b>	<b>34,143</b>	<b>146</b>	<b>116</b>	<b>0</b>	<b>262</b>	<b>34,405</b>
	56.2%	39.3%	4.5%	100.0%	55.7%	44.3%	0.0%	100.0%	

## Prior Adult Criminal Record

For this report, individuals under custody 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-seven percent (37%) of individuals under custody had served a prior prison term. For 23% of the custody population, prior jail was the most serious contact with the criminal justice system, while 16% had no prior arrest. Women had less extensive prior adult records than men.

**Figure 16. Prior Adult Criminal Record by Sex; Under Custody Population on January 1, 2021**



**Table 16. Prior Adult Criminal Record; Under Custody Population on January 1, 2021**

Prior Adult Criminal Record by Sex	No Prior Arrest	No Prior Conviction	Conviction, No Jail	Prior Jail Term	Prior Prison Term	Total
Male	5,229	2,333	5,382	7,657	12,489	33,090
Female	385	108	251	339	232	1,315
Total	5,614	2,441	5,633	7,996	12,721	34,405
Male	15.8%	7.1%	16.3%	23.1%	37.7%	100.0%
Female	29.3%	8.2%	19.1%	25.8%	17.6%	100.0%
Total	16.3%	7.1%	16.4%	23.2%	37.0%	100.0%
Prior Adult Criminal Record by Incarceration Status						
Incarcerated Individuals	5,566	2,427	5,594	7,911	12,645	34,143
Incarcerated Releasees	48	14	39	85	76	262
Total Under Custody	5,614	2,441	5,633	7,996	12,721	34,405
Incarcerated Individuals	16.3%	7.1%	16.4%	23.2%	37.0%	100.0%
Incarcerated Releasees	18.3%	5.3%	14.9%	32.4%	29.0%	100.0%
Total Under Custody	16.3%	7.1%	16.4%	23.2%	37.0%	100.0%

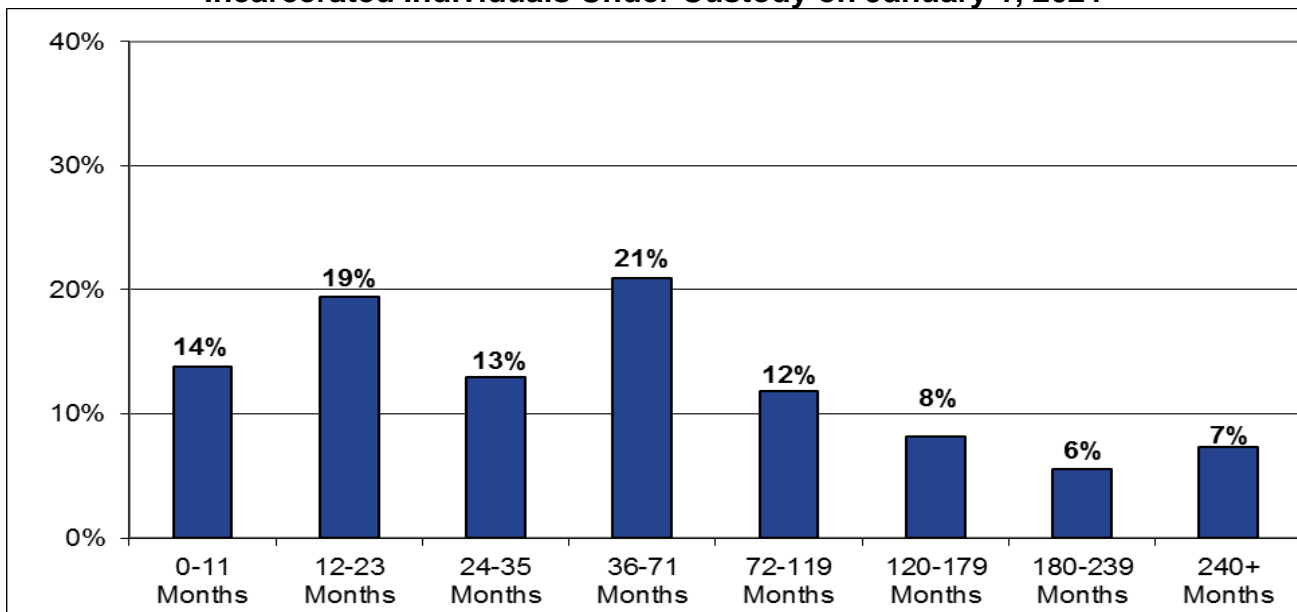
## Length of Time Served in Department Custody (Incarcerated Individuals Only)

This section is limited to incarcerated individuals only so it presents data regarding time spent under custody since their latest admission to prison for a new offense or for a parole violation.

Incarcerated individuals under custody on January 1, 2021 had spent an average of 77 months at DOCCS since their latest admission date. The median length of time served was 41 months. Women served less time in custody than men, with an average of 46 months and a median of 24 months.

There was a significant increase in time served among those under custody on January 1, 2021 compared with the January 1, 2020 population. Average time served increased from 63 months to 77 months. Part of this increase is because of the intake pause for several months due to the COVID-19 pandemic, which resulted in an overall decrease in new admissions to the Department. In particular, this impacted the number of returned parole violators under custody, who serve shorter periods of time than new commitments. The number of returned parole violators under custody decreased by 57%, compared to an overall population decrease of 22%.

**Figure 17. Length of Time Served in DOCCS Custody Since Last Admission Date  
Incarcerated Individuals Under Custody on January 1, 2021**



**Table 17. DOCCS Time Served in Months Since Last Admission date;  
Incarcerated Individuals Under Custody on January 1, 2021**

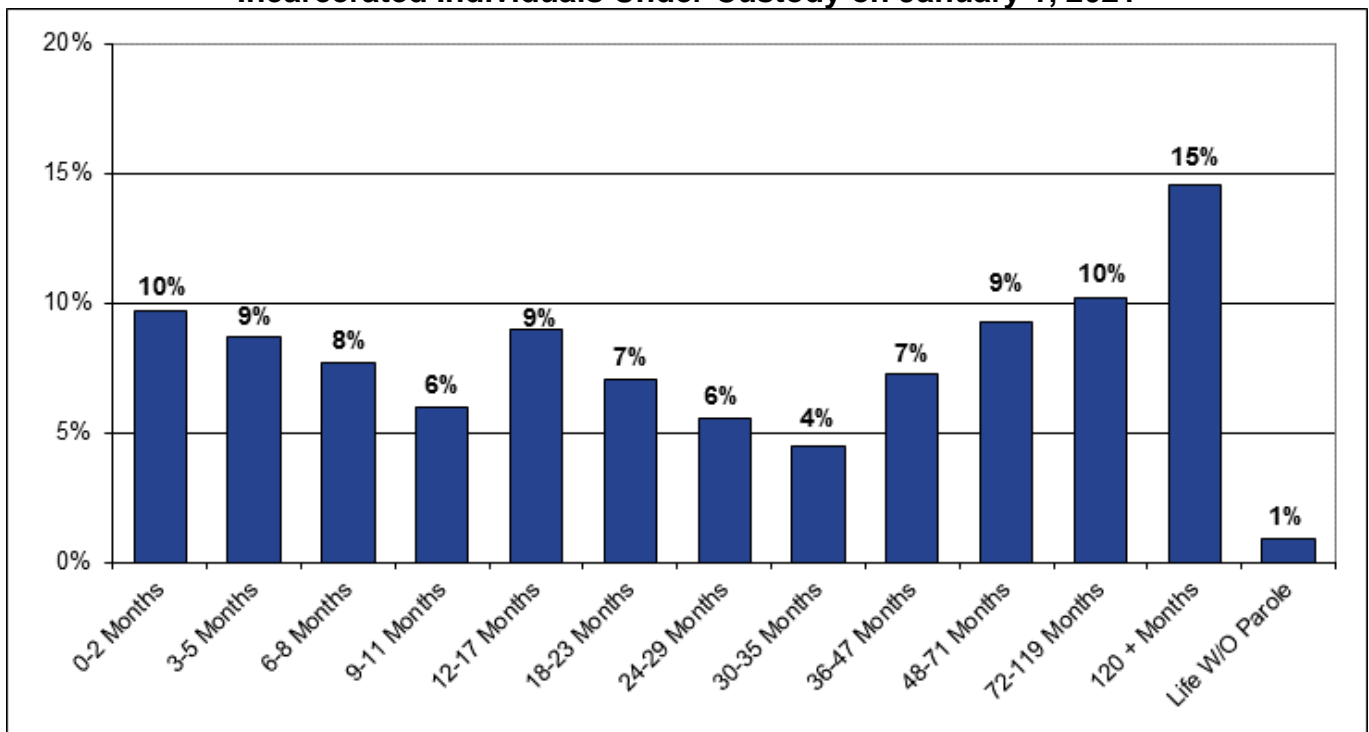
Time in DOCCS	0-11 Months	12-23 Months	24-35 Months	36-71 Months	72-119 Months	120-179 Months	180-239 Months	240+ Months	Total
Male	4,404	6,308	4,243	6,901	3,947	2,709	1,854	2,485	32,851
Female	316	328	175	239	105	66	37	26	1,292
Total	4,720	6,636	4,418	7,140	4,052	2,775	1,891	2,511	34,143
Male	13.4%	19.2%	12.9%	21.0%	12.0%	8.2%	5.6%	7.6%	100.0%
Female	24.5%	25.4%	13.5%	18.5%	8.1%	5.1%	2.9%	2.0%	100.0%
Total	13.8%	19.4%	12.9%	20.9%	11.9%	8.1%	5.5%	7.4%	100.0%
Average Served Since Latest Admission Date in Months				Male	78.0	Female	45.7	Total	76.7
Median Served Since Latest Admission Date in Months				Male	41.5	Female	24.1	Total	40.6

## Time to Earliest Release (Incarcerated Individuals Only)

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

Forty-eight percent (48%) of the incarcerated individual population had less than two years to their earliest release dates. The average time to earliest release for the incarcerated individual population on January 1, 2021 was 65 months. The median time to earliest release was 26 months. Median and average time to earliest release were much lower for females than for males.

**Figure 18. Length of Time to Earliest Release Date (Incarcerated Individuals Only); Incarcerated Individuals Under Custody on January 1, 2021**



**Table 18. Time to Earliest Release Date in Months; Incarcerated Individuals Under Custody on January 1, 2021**

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	3,117	2,822	2,494	1,929	2,921	2,299	1,815	1,466	2,377	3,038	3,374	4,794	294	32,740
Female	186	130	108	93	133	85	70	50	85	100	96	145	11	1,292
Total	3,303	2,952	2,602	2,022	3,054	2,384	1,885	1,516	2,462	3,138	3,470	4,939	305	34,032
Male	9.5%	8.6%	7.6%	5.9%	8.9%	7.0%	5.5%	4.5%	7.3%	9.3%	10.3%	14.6%	0.9%	100.0%
Female	14.4%	10.1%	8.4%	7.2%	10.3%	6.6%	5.4%	3.9%	6.6%	7.7%	7.4%	11.2%	0.9%	100.0%
Total	9.7%	8.7%	7.6%	5.9%	9.0%	7.0%	5.5%	4.5%	7.2%	9.2%	10.2%	14.5%	0.9%	100.0%
Incarcerated Individuals	Average Time to Earliest Release Date in Months						Male	66.0	Female		43.1	Total		65.2
	Median Time to Earliest Release Date in Months						Male	25.9	Female		17.2	Total		25.6

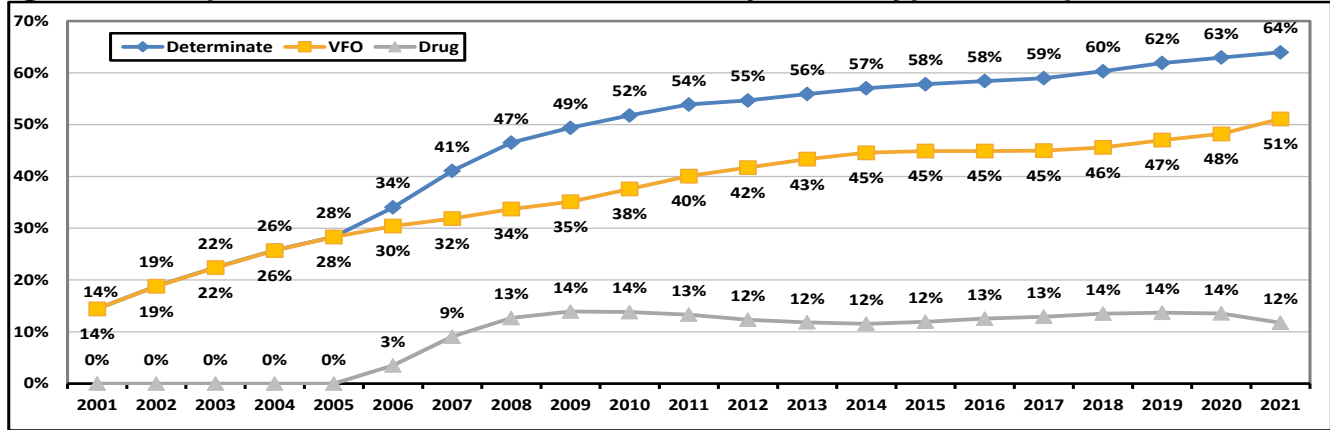
\* 111 missing cases

## Determinate Sentencing

The proportion of individuals under custody in DOCCS serving determinate sentences has grown dramatically. Sixty-four percent of the 34,405 individuals under custody on January 1, 2021 were serving determinate sentences, more than four times the 14% reported in 2001. Table 19B below starts with 2001 as the baseline data prior to the start of drug determinate sentencing. Selected years are included in the table due to space limitations.

As of January 1, 2021, 99% of the drug offenders were serving determinate sentences, while 70% of the violent felony offenders were serving determinate sentences.

**Figure 19. Proportion of Determinate Sentences by Crime Type; UC Population 2001-2021**



**Table 19A. Number of Determinate Sentences; Under Custody Population on January 1, 2021**

Offender Status	Violent Felony	Other Coercive	Drug Offenses	Property and Other Offenses	Youthful Offenders	Juvenile Offenders	Total
Incarcerated Individuals & Incarcerated Releasees							
Indeterminate	7,602	1,894	36	2,636	184	43	12,395
Determinate	17,591	376	4,038	5	0	0	22,010
<b>Total</b>	<b>25,193</b>	<b>2,270</b>	<b>4,074</b>	<b>2,641</b>	<b>184</b>	<b>43</b>	<b>34,405</b>
Indeterminate	30.2%	83.4%	0.9%	99.8%	100.0%	100.0%	36.0%
Determinate	69.8%	16.6%	99.1%	0.2%	0.0%	0.0%	64.0%
<b>Total</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

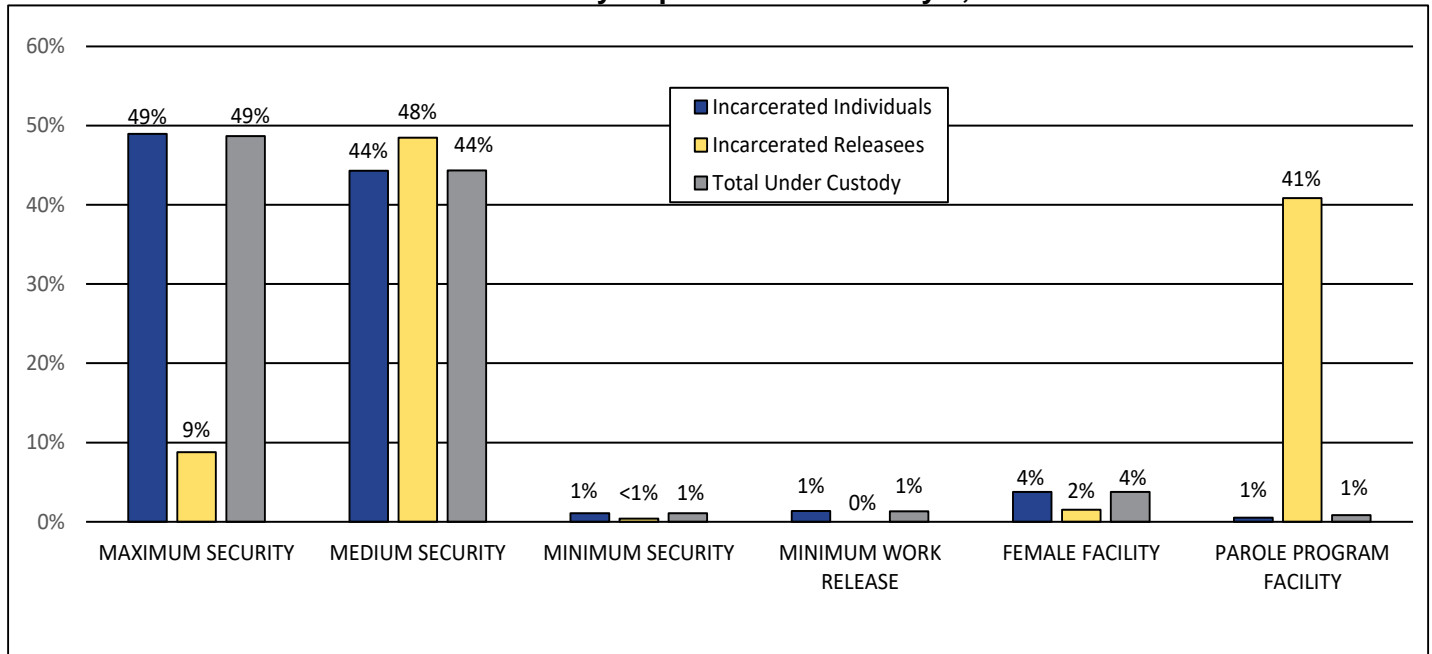
**Table 19B. Number and Proportion of Determinate Sentences; Under Custody Populations on January 1, 2001, 2005, 2010–2021**

January 1,	2001	2005	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
Total Determinate	10,297	18,406	30,689	30,845	30,609	30,681	30,879	30,704	30,584	30,352	30,322	29,377	27,877	22,010
Percent of UC	14%	28%	52%	54%	55%	56%	57%	58%	58%	59%	60%	62%	63%	64%
Violent Determinate	10,291	18,380	22,277	22,936	23,355	23,785	24,140	23,846	23,511	23,154	22,937	22,321	21,348	17,591
Percent of UC	14%	28%	38%	40%	42%	43%	45%	45%	45%	45%	46%	47%	48%	51%
Drug Determinate	1	0	8,182	7,614	6,902	6,484	6,257	6,343	6,566	6,653	6,787	6,491	5,996	4,038
Percent of UC	0%	0%	14%	13%	12%	12%	12%	12%	13%	13%	14%	14%	14%	12%
Total UC Population	71,354	64,905	59,279	57,229	55,979	54,865	54,142	53,103	52,344	51,466	50,271	47,459	44,276	34,405

## Facility Security Level

Of the 34,405 individuals under custody on January 1, 2021, close to half (49%) were in a Maximum Security level facility, followed by 44% in a Medium Security level facility. About 1% of individuals under custody were in a Work Release facility and another 1% were in parole program facilities.

**Figure 20. Facility Security Level by Incarceration Status; Under Custody Population on January 1, 2021**



**Table 20A. Facility Security Level; UC Population on January 1, 2021**

Security Level	Incarcerated Individuals		Incarcerated Releasees		Total Under Custody	
MAXIMUM SECURITY	16,137	47.3%	20	7.6%	16,157	47.0%
MEDIUM SECURITY	15,720	46.0%	130	49.6%	15,850	46.1%
MINIMUM SECURITY	372	1.1%	1	0.4%	373	1.1%
MINIMUM WORK RELEASE	457	1.3%	0	0.0%	457	1.3%
FEMALE FACILITY*	1,284	3.8%	4	1.5%	1,288	3.7%
PAROLE PROGRAM FACILITY	173	0.5%	107	40.8%	280	0.8%
GRAND TOTAL	34,143	100.0%	262	100.0%	34,405	100.0%

\*4 females were housed in parole program facilities

**Table 20B. Facility Security Level and Facility by Incarceration Status;  
Under Custody Population on January 1, 2021 (Page 1 of 2)**

Security Level	Housing Facility	Incarcerated Individuals	Incarcerated Releasees	Total
MAXIMUM SECURITY	ATTICA	1,641	0	1,641
	AUBURN	1,066	0	1,066
	CLINTON	2,086	0	2,086
	COLLINS	84	0	84
	COXSACKIE	711	1	712
	DOWNSTATE	809	1	810
	EASTERN	835	0	835
	ELMIRA	1,222	0	1,222
	FISHKILL	21	0	21
	FIVE POINTS	1,052	4	1,056
	GOUVERNEUR	57	0	57
	GREAT MEADOW	1,367	1	1,368
	GREEN HAVEN	1,556	12	1,568
	GREENE	83	0	83
	MARCY	165	1	166
	MIDSTATE	25	0	25
	MOHAWK	113	2	115
	ORLEANS	38	0	38
	SHAWANGUNK	394	1	395
	SING SING	1,246	0	1,246
SOUTHPORT	386	0	386	
SULLIVAN	436	0	436	
UPSTATE	661	0	661	
WENDE	669	0	669	
	<b>SUBTOTAL</b>	<b>16,723</b>	<b>23</b>	<b>16,746</b>
MEDIUM SECURITY	ADIRONDACK	93	0	93
	ALTONA	204	0	204
	BARE HILL	760	0	760
	CAPE VINCENT	438	0	438
	CAYUGA	620	0	620
	COLLINS	649	0	649
	FISHKILL	999	94	1,093
	FRANKLIN	948	1	949
	GOUVERNEUR	566	0	566
	GOWANDA	823	0	823
	GREENE	874	0	874
	GROVELAND	615	0	615
	HALE CREEK	298	0	298
HUDSON	50	0	50	



**Table 20B. Facility Security Level and Facility by Incarceration Status;  
Under Custody Population on January 1, 2021 (Page 2 of 2)**

Security Level	Housing Facility	Incarcerated Individuals	Incarcerated Releasees	Total
MEDIUM SECURITY (CONTINUED)	MARCY	744	1	745
	MIDSTATE	1,041	14	1,055
	MOHAWK	855	0	855
	OGDENSBURG	219	0	219
	ORLEANS	488	1	489
	OTISVILLE	460	0	460
	RIVERVIEW	446	0	446
	ULSTER	343	0	343
	WALLKILL	304	0	304
	WASHINGTON	532	0	532
	WATERTOWN	239	0	239
	WOODBOURNE	638	16	654
	WYOMING	888	0	888
		<b>SUBTOTAL</b>	<b>15,134</b>	<b>127</b>
MINIMUM SECURITY	EDGECOMBE	26	0	26
	HUDSON	25	0	25
	LAKEVIEW	249	0	249
	MORIAH	62	0	62
	QUEENSBORO	10	1	11
		<b>SUBTOTAL</b>	<b>372</b>	<b>1</b>
MINIMUM WORK RELEASE	COLLINS	92	0	92
	FISHKILL	46	0	46
	HUDSON	57	0	57
	QUEENSBORO	211	0	211
	ROCHESTER	51	0	51
		<b>SUBTOTAL</b>	<b>457</b>	<b>0</b>
FEMALE FACILITY	ALBION (MEDIUM)	539	2	541
	BEDFORD HILLS (MAXIMUM)	517	2	519
	EDGECOMBE (MINIMUM)	19	0	19
	LAKEVIEW (MINIMUM)	33	0	33
	TACONIC (MEDIUM)	176	0	176
		<b>SUBTOTAL</b>	<b>1,284</b>	<b>4</b>
CORRECTIONAL FACILITIES TOTAL		<b>33,970</b>	<b>155</b>	<b>34,125</b>
PAROLE PROGRAM FACILITY	ORLEANS PDP	31	0	31
	WILLARD	142	107	249
PAROLE PROGRAM FACILITIES TOTAL		<b>173</b>	<b>107</b>	<b>280</b>
GRAND TOTAL		<b>34,143</b>	<b>262</b>	<b>34,405</b>

## Section Three

### CHANGES OVER TEN YEARS

**Table 21. Historic Change in Age by Sex; Under Custody on January 1, 2011 and 2021**

January 1	Age by Sex	16-17	18-20	21-29	30-39	40-49	50-59	60+	Total	Average
2021*	Male	0	406	7,062	10,354	7,421	5,304	2,543	33,090	40.5
	Female	0	12	312	476	276	174	65	1,315	38.9
	Total	0	418	7,374	10,830	7,697	5,478	2,608	34,405	40.5
	Male	0.0%	1.2%	21.3%	31.3%	22.4%	16.0%	7.7%	100.0%	
	Female	0.0%	0.9%	23.7%	36.2%	21.0%	13.2%	4.9%	100.0%	
	Total	0.0%	1.2%	21.4%	31.5%	22.4%	15.9%	7.6%	100.0%	
2011	Male	187	2,526	15,165	15,261	13,708	6,279	1,843	54,969	37.2
	Female	3	76	628	585	648	243	77	2,260	37.6
	Total	190	2,602	15,793	15,846	14,356	6,522	1,920	57,229	37.2
	Male	0.3%	4.6%	27.6%	27.8%	24.9%	11.4%	3.4%	100.0%	
	Female	0.1%	3.4%	27.8%	25.9%	28.7%	10.8%	3.4%	100.0%	
	Total	0.3%	4.5%	27.6%	27.7%	25.1%	11.4%	3.4%	100.0%	
Change	Change (Male)	-187	-2,120	-8,103	-4,907	-6,287	-975	700	-21,879	3.3
	Percent Change	-100%	-84%	-53%	-32%	-46%	-16%	38%	-40%	9%
	Change (Female)	-3	-64	-316	-109	-372	-69	-12	-945	1.3
	Percent Change	-100%	-84%	-50%	-19%	-57%	-28%	-16%	-42%	3%
	Change (Total)	-190	-2,184	-8,419	-5,016	-6,659	-1,044	688	-22,824	3.3
	Percent Change	-100%	-84%	-53%	-32%	-46%	-16%	36%	-40%	9%

\*DOCCS no longer has individuals younger than age 18.

The total custody population dropped by 40% between 2011 and 2021. During this period, all age groups under 60 have decreased while the 60+ age group has increased. The average age of individuals under custody has increased by 3 years over this time, from 37 to 40.

**Table 22. Historic Change in Race and Ethnicity by Sex; Under Custody on January 1, 2011 and 2021**

January 1	Race/Ethnic Status by Sex	White	African American	Hispanic	Native American	Asian	Other	Unknown	Total
2021	Male	7,196	16,714	8,166	288	205	427	94	33,090
	Female	608	454	201	20	9	21	2	1,315
	Total	7,804	17,168	8,367	308	214	448	96	34,405
	Male	21.7%	50.5%	24.7%	0.9%	0.6%	1.3%	0.3%	100.0%
	Female	46.2%	34.5%	15.3%	1.5%	0.7%	1.6%	0.2%	100.0%
	Total	22.7%	49.9%	24.3%	0.9%	0.6%	1.3%	0.3%	100.0%
2011	Male	12,045	27,914	13,813	326	253	309	309	54,969
	Female	834	982	392	14	14	8	16	2,260
	Total	12,879	28,896	14,205	340	267	317	325	57,229
	Male	21.9%	50.8%	25.1%	0.6%	0.5%	0.6%	0.6%	100.0%
	Female	36.9%	43.5%	17.3%	0.6%	0.6%	0.4%	0.7%	100.0%
	Total	22.5%	50.5%	24.8%	0.6%	0.5%	0.6%	0.6%	100.0%
Change	Change (Male)	-4,849	-11,200	-5,647	-38	-48	118	-215	-21,879
	Percent Change	-40%	-40%	-41%	-12%	-19%	38%	-70%	-40%
	Change (Female)	-226	-528	-191	6	-5	13	-14	-945
	Percent Change	-27%	-54%	-49%	43%	-36%	163%	-88%	-42%
	Change (Total)	-5,075	-11,728	-5,838	-32	-53	131	-229	-22,824
	Percent Change	-39%	-41%	-41%	-9%	-20%	41%	-70%	-40%

Between 2011 and 2021, there were sizeable decreases among African-Americans, Hispanics and Whites in the under custody population. Proportionally, these decreases are consistent with the total population.

**Table 23. Historic Change in VFO; Under Custody on January 1, 2011 and 2021**

January 1	Commitment Crime Type by Sex	Violent Felony	Other Coercive	Drug Offenses	Property and Other	YO/JO	Total
2021	Male	24,441	2,161	3,828	2,440	220	33,090
	Female	752	109	246	201	7	1,315
	Total	25,193	2,270	4,074	2,641	227	34,405
	Male	73.9%	6.5%	11.6%	7.4%	0.7%	100.0%
	Female	57.2%	8.3%	18.7%	15.3%	0.5%	100.0%
	Total	73.2%	6.6%	11.8%	7.7%	0.7%	100.0%
2011	Male	34,619	4,359	8,566	6,306	1,119	54,969
	Female	1,028	208	443	549	32	2,260
	Total	35,647	4,567	9,009	6,855	1,151	57,229
	Male	63.0%	7.9%	15.6%	11.5%	2.0%	100.0%
	Female	45.5%	9.2%	19.6%	24.3%	1.4%	100.0%
	Total	62.3%	8.0%	15.7%	12.0%	2.0%	100.0%
Change	Change (Male)	-10,178	-2,198	-4,738	-3,866	-899	-21,879
	Percent Change	-29%	-50%	-55%	-61%	-80%	-40%
	Change (Female)	-276	-99	-197	-348	-25	-945
	Percent Change	-27%	-48%	-44%	-63%	-78%	-41.8%
	Change (Total)	-10,454	-2,297	-4,935	-4,214	-924	-22,824
	Percent Change	-29%	-50%	-55%	-61%	-80%	-40%

Due to changes in the crime rate and changes to drug law sentencing, the drop in the custody population was concentrated among certain crimes. During this period, there was a 55% decline in the custody population with drug sentences and a 80% decline in YO/JOs compared with an overall population decline of 40%. Numerically, the largest decrease was among VFOs (-10,454; -29%). As a result, there has been a shift in the crime composition of the individuals under custody so that the population is now comprised of 73% violent felonies and 12% drug felonies.

**Table 24. Historic Change in Average and Median Minimum Sentence; Under Custody On January 1, 2011 and 2021**

Avg. Minimum Sentence by Sex, January 1, 2021	Average in Months					
	Male	156.9	Female	102.9	Total	154.8
Avg. Minimum Sentence by Sex, January 1, 2011	Average in Months					
	Male	117.0	Female	74.8	Total	115.4
Change in Avg.	34%	39.9	38%	28.1	34%	39.4
Median Minimum Sentence by Sex, January 1, 2021	Median in Months					
	Male	102.0	Female	57.0	Total	102.0
Median Minimum Sentence by Sex, January 1, 2011	Median in Months					
	Male	62.0	Female	36.0	Total	62.0
Change in Median	65%	40.0	58%	21.0	65%	40.0

Average and median minimum sentences have increased over the time period, primarily due to the change in composition related to the drug law reforms. The effect is that a higher proportion of individuals under custody have violent felonies with longer sentences.

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