

# People in Jail and Prison in 2020

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## Summary

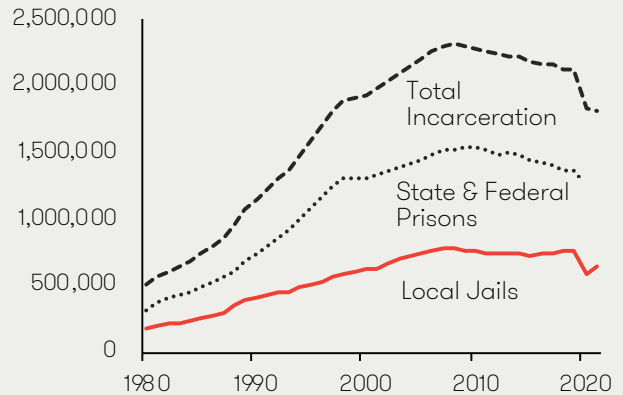
The United States saw an unprecedented drop in total incarceration between 2019 and 2020. Triggered by the onset of the COVID-19 pandemic and pressure from advocates to reduce incarceration, local jails drove the initial decline, although prisons also made reductions. From summer to fall 2020, prison populations declined further, but jails began to refill, showing the fragility of decarceration. Jails in rural counties saw the biggest initial drops, but still incarcerate people at double the rate of urban and suburban areas. Despite the historic drop in the number of people incarcerated, the decrease was neither substantial nor sustained enough to be considered an adequate response to the COVID-19 pandemic, and incarceration in the United States remains a global aberration.

Vera Institute of Justice (Vera) researchers collected data on the number of people in local jails and state and federal prisons at both midyear and fall 2020 to provide timely information on how incarceration is changing in the United States during the COVID-19 pandemic.<sup>1</sup> Vera researchers estimated the national jail population using a sample of 1,558 jail jurisdictions and the national prison population based on a sample of 49 states and the Federal Bureau of Prisons. Vera also collected data on people incarcerated and detained by the U.S. Marshals Service (USMS) and Immigration and Customs Enforcement (ICE). Both ICE and USMS house people in jails and prisons.

Generally, jails and prisons do not make race and gender data available. However, preliminary results from other studies suggest that race inequity in incarceration may be worsening during the pandemic.<sup>2</sup>

Figure 1

The number of people incarcerated in jails and prisons from 1980 to late 2020



The number of people incarcerated in state and federal prisons and local jails in the United States dropped from around 2.1 million in 2019 to 1.8 million by mid-2020—a 14 percent decrease. This decline held through the fall. This represents a 21 percent decline from a peak of 2.3 million people in prison and jail in 2008. State and federal prisons held an estimated 1,311,100 people at midyear 2020—down 124,400, or 9 percent, from 2019. Prisons declined by an additional 61,800 people in late 2020, bringing the total prison population to 1,249,300 people, a 13 percent decline from 2019 to late 2020 (the end of September or beginning of October). (See Methodology on page 10 for details of the statistical analyses.)

Table 1

Summary of incarcerated populations and changes by region

### Population

|                     | Midyear          |                  | Between 2019 & 2020 |            | Late 2020        | Since midyear 2020 |           |
|---------------------|------------------|------------------|---------------------|------------|------------------|--------------------|-----------|
|                     | 2019             | 2020             | Change              | % change   |                  | Change             | % change  |
| <b>Total</b>        | <b>2,115,000</b> | <b>1,818,700</b> | <b>-296,300</b>     | <b>-14</b> | <b>1,814,800</b> | <b>-3,900</b>      | <b>0</b>  |
| <b>U.S. Prisons</b> | <b>1,435,500</b> | <b>1,311,100</b> | <b>-124,400</b>     | <b>-9</b>  | <b>1,249,300</b> | <b>-61,800</b>     | <b>-5</b> |
| <b>U.S. Jails</b>   | <b>758,419</b>   | <b>575,500</b>   | <b>-182,919</b>     | <b>-24</b> | <b>633,200</b>   | <b>57,700</b>      | <b>10</b> |
| Urban               | 166,979          | 127,800          | -39,179             | -23        | 141,200          | 13,400             | 10        |
| Suburban            | 146,976          | 117,000          | -29,976             | -20        | 125,800          | 8,800              | 8         |
| Small/Midsize metro | 260,169          | 206,800          | -53,369             | -21        | 231,700          | 24,900             | 12        |
| Rural               | 184,295          | 123,900          | -60,395             | -33        | 134,500          | 10,600             | 9         |

Local jails had steeper population declines than prisons in the first part of 2020. From June 2019 to June 2020, the jail population decreased by 182,900 people, or 24 percent.<sup>3</sup> However, from June to September, jail populations increased substantially, growing 10 percent in just three months. By late 2020, there were 633,200 people in local jails, up from an estimated 575,500 people at midyear. (See Figure 1, above.) In total, the national jail population declined 17 percent from midyear 2019 to late 2020, with jail incarceration trending upward in recent months.

The national jail population counts hide stark divergence across the urban-to-rural continuum. In the past year, the largest and most sustained jail population

declines were in rural areas, where the jail population dropped by 60,400 (33 percent) between midyear 2019 and midyear 2020, and subsequently grew by 10,600 (9 percent) between midyear 2020 and late 2020. Urban areas and small and midsize metro areas had smaller incarceration declines followed by slightly higher subsequent growth from June to September 2020. Even with dramatic declines, rural areas still have the highest incarceration rates by far. Three out of five people incarcerated in local jails are in smaller cities and rural communities. (See Table 1 above for a summary of jail incarceration population counts and percent changes by geographic type, and Table 2, below for summary incarceration rate information.)

Table 2

**Summary of incarceration rates and changes by region**

**Rates per 100,000 Residents**

|                     | Midyear    |            | Between 2019 & 2020 |            | Late       | Since midyear 2020 |           |
|---------------------|------------|------------|---------------------|------------|------------|--------------------|-----------|
|                     | 2019       | 2020       | Change              | % change   | 2020       | Change             | % change  |
| <b>Total</b>        | <b>644</b> | <b>551</b> | <b>-93</b>          | <b>-14</b> | <b>549</b> | <b>-2</b>          | <b>0</b>  |
| <b>U.S. Prisons</b> | <b>437</b> | <b>397</b> | <b>-40</b>          | <b>-9</b>  | <b>378</b> | <b>-19</b>         | <b>-5</b> |
| <b>U.S. Jails</b>   | <b>237</b> | <b>179</b> | <b>-58</b>          | <b>-24</b> | <b>197</b> | <b>18</b>          | <b>10</b> |
| Urban               | 168        | 128        | -40                 | -24        | 141        | 13                 | 10        |
| Suburban            | 181        | 143        | -38                 | -21        | 154        | 11                 | 7         |
| Small/Midsize metro | 276        | 218        | -58                 | -21        | 244        | 26                 | 12        |
| Rural               | 410        | 274        | -136                | -33        | 297        | 23                 | 8         |

Table 1 and 2 note: Total incarceration numbers are adjusted downward slightly to avoid double counting people held in local jails under contract for state prisons. See methodology on page 10.

Figure 1 source note: The 2019 and 2020 jail and prison population estimates are based on data collected by Vera, while 1983 through 2018 estimates are from the Bureau of Justice Statistics (BJS) Census of Jails, Annual Survey of Jails, and National Prisoner Statistics. See generally BJS, “Data Collection: Census of Jails Program,” <https://perma.cc/P992-8N2G>; BJS, “Data Collection: Annual Survey of Jails (ASJ) Program,” <https://perma.cc/N5UQ-DSQQ>; and BJS, “Data Collection: National Prisoner Statistics (NPS) Program,” <https://perma.cc/4JJU-KLFC>. The 1980 jail estimates are from the U.S. Census, see Margaret Cahalan, *Historical Corrections Statistics in the United States, 1850-1984* (Washington, DC: BJS, 1986), <https://perma.cc/WDP7-35AA>.

## Introduction

The COVID-19 pandemic transformed daily life in the United States and brought the dehumanizing and life-shortening nature of incarceration further into the light. Jails and prisons have been, and continue to be, devastated by a virus that spreads in close quarters. Many of the largest outbreaks of COVID-19 have been tied to prisons and large jails: 3,336 cases at a crowded state prison in California’s Central Valley, and 3,216 cases at the county jail in Houston, Texas.<sup>4</sup> Smaller facilities have had bad outbreaks too: 229 cases at a jail meant to hold 365 people in Cascade County, Montana—the first outbreak in the region.<sup>5</sup> In March 2020, scientists and experts sounded the alarm about the risk of COVID-19

outbreaks in jails and prisons.<sup>6</sup> Advocates called for releases from jails and prisons as a public health and racial justice measure.<sup>7</sup> But no level of government took adequate mitigation measures, if they made any effort at all. Many correctional officers, apparently fearing for their health, left their jobs to return to the safety of their homes; for example, after large outbreaks, around one-third of the jobs are vacant at Arkansas’s two largest prisons.<sup>8</sup> Incarcerated people, by definition, do not have this freedom to protect themselves, although some took matters into their own hands. As one man who escaped a federal prison told reporters, “I signed up for a jail sentence, not a death sentence.”<sup>9</sup>

New data collected by Vera and detailed in this report reveals that as the year wore on, the United States saw an unprecedented drop in total incarceration. The

historic changes in prison and jail populations triggered by the COVID-19 pandemic came during a national wave of Black Lives Matter demonstrations and accompanying demands to change the criminal legal system in the United States.<sup>10</sup> As a result, there was far more pressure on officials to release people from prison and jail in 2020 than in prior years. Local jails drove the initial decline, although prisons also made modest reductions. From summer to fall 2020, prison populations declined further, but jails began to refill, showing the fragility of population reductions. Jails in rural counties saw the biggest initial drops, but still incarcerate people at double the rate of urban and suburban areas. Despite the historic drop in the number of people incarcerated, the United States still incarcerates a large share of its population. The decrease was neither substantial nor sustained enough to be considered an adequate response to the COVID-19 pandemic.

States and localities only in very rare cases publish data on incarceration by race, ethnicity, or gender. As a result, this report focuses on overall incarceration numbers, with demographic analysis provided when possible. The Bureau of Justice Statistics (BJS) publishes annual reports that provide national estimates of the number of people in jail and prison using data collected through the Annual Survey of Jails, Census of Jails, and National Prisoner Statistics data series. These reports provide statistics on jail populations, including more detailed breakdowns by race and gender. The most recent BJS report for jails, which provides 2018 data, was released in March 2020; the report for 2019 prison data was released in October 2020.<sup>11</sup>

The BJS report on the 2018 jail population found that the national Black jail incarceration rate was 3.2 times the white jail incarceration rate, down from 4.9 times in 2008.<sup>12</sup> The same report also found that Latinx incarceration had declined significantly over the last decade.<sup>13</sup> (National incarceration statistics for Latinx people are limited by inaccurate or inconsistent race and ethnicity data gathering at the local level.<sup>14</sup>) Previous Vera analysis has shown that although the gap between Black and white incarceration rates has narrowed, both Black and white jail incarceration rates have continued to rise in rural America.<sup>15</sup> As discussed below, analysis of changes in jail releases during the COVID-19 pandemic show pernicious differences by race and gender during a pandemic that has disproportionately claimed Black lives.

In order to provide the public with timely information on how jail and prison populations are changing due to the COVID-19 pandemic, Vera collected midyear 2020 and late 2020 (on or around September 30) jail and prison population data directly from a sample of local jails, state oversight agencies, state prison systems,

and the Federal Bureau of Prisons (BOP). Vera also collected data on immigrants detained by Immigration and Customs Enforcement (ICE) who were held in local jails, private prisons, and dedicated immigration detention facilities.<sup>16</sup>

Vera's national prison statistics are estimates based on data from 49 states and the BOP, which together held 97 percent of the people incarcerated in prison in 2019 (jurisdictional data from Virginia was not available). Jail statistics are derived from a sample of about 1,600 jails. These include all county jails in 13 states and a sample of jails in other states. Vera researchers used these counts to estimate the national total. The jails in Vera's sample held almost three out of every four people incarcerated in jails in 2013, the last time the BJS reported information for all jails in the United States.

All jail population counts in this report are estimates of the number of people in the custody of the local jail, not the number of people in the local jail's jurisdiction. (See "Methodology" on page 10 for a definition of these terms and a detailed description of Vera's methods.) Prison population counts in this report are estimates of the number of people under the jurisdiction of state and federal prison systems and thus include people held in private prisons or local jails on a contract basis as well as people held in work-release and medical facilities who are not free to leave and are still serving a prison sentence. Generally, Vera obtained data from local jails' and state departments' official websites or from third parties that have been collecting data directly from jails. In some instances where this data was not available online, Vera requested the information from local jails or state corrections agencies by telephone or through public information requests.

## Incarcerated population

The total number of people incarcerated in state and federal prisons and local jails in the United States dropped from around 2.1 million in 2019 to 1.8 million by late 2020. This is down 21 percent from a peak of 2.3 million in 2008. Looking only at state and federal prisons, there was a 13 percent total decline between year-end 2019 and late 2020, from approximately 1.44 million people to 1.25 million people. The majority of the prison decline occurred during the first phase of the coronavirus pandemic, with the prison population dropping to 1,311,100 people at midyear 2020, a 9 percent decrease from the end of 2019.<sup>17</sup>

In contrast, during the first phase of the coronavirus pandemic, local jails saw steep population declines. The total jail population dropped 24 percent, from an

estimated 758,400 people in local jails in midyear 2019 to 575,500 in midyear 2020. However, from June 2020 to September 2020, local jail populations increased by 57,700 to 633,200 people—an increase of 10 percent in just three months. Overall, the total number of people incarcerated in prisons and jails was constant between June and September, as these jail increases counterbalanced prison declines.

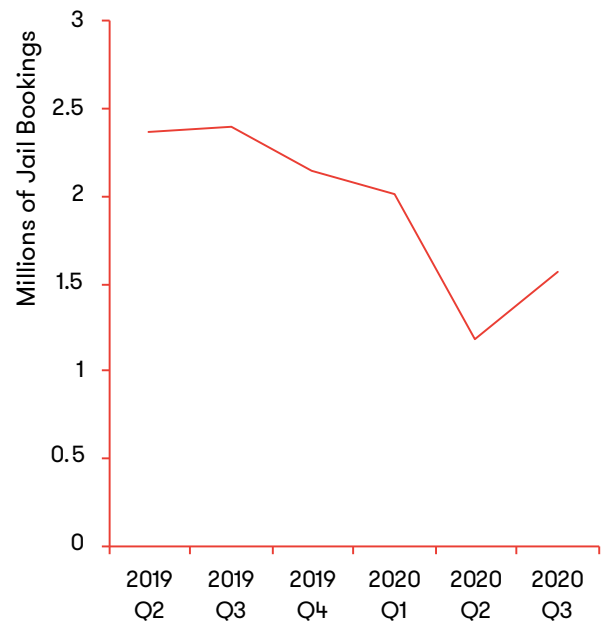
## Jail bookings reveal the massive scale of local incarceration

Because most people who are sent to jail only stay a few days, another way to look at changes in jail incarceration is through the numbers of people booked into and released from jail. The annual number of jail bookings is much larger than a one-day jail population, and therefore provides a better sense of the number of people impacted by local incarceration.<sup>18</sup> In the most recent national estimates, people were booked into jail 10.7 million times over the course of 2018, roughly five times the number of people incarcerated in jails and prisons on an average day.<sup>19</sup> In 2020, jail bookings declined more rapidly than jail populations through June, but they also grew more rapidly from June to September. According to data from private analytics firm Appriss Insights, there were around 1.19 million jail bookings from April to June 2020, a 50 percent reduction from the same time period in 2019. In contrast, people were booked into jail 1.57 million times from July to September 2020, 32 percent more than in April to June 2020.<sup>20</sup> (See Figure 2 “Jail Bookings”.)

The same data shows that in the first part of the pandemic, while bookings into jail decreased dramatically, jail releases increased slightly. This means people were held in jail for fewer days on average. Comparing releases from March 15 to May 15, 2020, with the same period in 2019, more people were released pretrial on their own recognizance or by posting money bail, and there was an overall increase in court releases.<sup>21</sup> Many state prison systems refused transfers from local jails, and the number of people transferred from jail to state prison dropped 20 percent.<sup>22</sup>

But while jail releases increased for nearly every demographic, they decreased for Black men during this period.<sup>23</sup> In this way, pandemic emergency release efforts reproduced the well-documented anti-Black racism of ostensibly race-neutral laws and policies, disproportionately incarcerating Black men in local jails.<sup>24</sup>

**Figure 2**  
**Jail bookings in 2019 and 2020**



Source: Daniel Downs and Christian Henrichson, *The Impact of COVID-19 on Jail Populations: A Closer Look at Bookings and Releases*, (Louisville, KY: Appriss Insights, 2020), <https://perma.cc/USG5-G44P>.

## Jail populations in rural areas decreased more than in cities

In 2020, the largest jail population declines were in rural areas, declining by 60,400 people between midyear 2019 and 2020—a 33 percent reduction. However, from mid- to late 2020, the number of people in rural jails grew by 10,600 people, a 9 percent increase. This brought the total rural jail population decline to 27 percent between midyear 2019 and late 2020. The large decline through the first part of the year shows that dramatic decarceration is possible in rural areas, and further decarceration is necessary. Urban areas and small and midsized metro areas had lower incarceration declines followed by slightly higher subsequent growth from June to September 2020. The total mid-2019 to late 2020 decline in urban America was only 15 percent, while the suburbs saw a 14 percent decline.<sup>25</sup> (See Table 1, above.)

Jail populations in many large cities have been decreasing for several years now. Cities where jail populations had already decreased significantly from 2010 to 2019 saw further declines through June 2020. However, most big city jail populations increased from June to September:

- Chicago (52 percent decrease from 2010 to 2020, followed by a 16 percent increase from June to September 2020),
- Philadelphia (56 percent decrease followed by a 7 percent increase),
- New York City (70 percent decrease followed by an 8 percent increase), and
- Oakland (58 percent decrease followed by an 8 percent increase).

(See Appendix Table 2 for comparison of midyear 2010 and 2020 jail populations, and for growth between June and September 2020 for a range of cities.)

## Decreases in prison population were offset by increases in jail numbers in late 2020

In some places, simultaneous increases in jail populations and decreases in state prison populations were caused by state prisons refusing to accept people who had been sentenced to serve state prison time, suspending transfers from local jails due to COVID-19. These policies are institutional sleight of hand, akin to a shell game, in that they do not reduce incarceration but merely change its geography and jurisdiction. For example, the Los Angeles County jail population decreased by 30 percent between midyear 2019 and 2020, but then grew by 19 percent to 14,254 by the end of September 2020. At that point 2,400 people—almost one in five people held in the jail—were awaiting transfer to California state prisons.<sup>26</sup> In West Virginia, jail populations in the state declined only 3 percent through June and then rose 15 percent by the end of September. During the same time frame, West Virginia state prison populations declined by 29 percent by the end of June 2020, followed by a further 11 percent through the end of September 2020. Overall, incarceration grew by 2 percent during those three months in West Virginia. (See Table 3.)

## Responses to COVID-19 have been inadequate

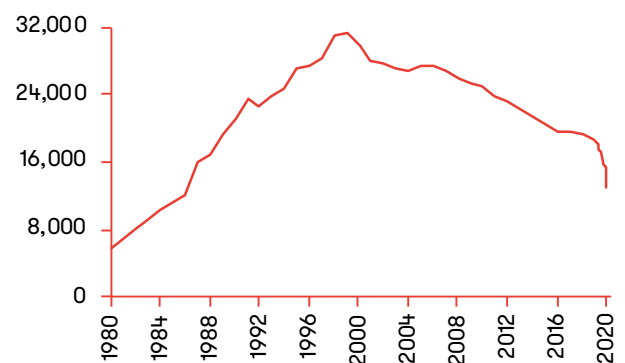
Amidst the COVID-19 pandemic, many officials have been slow to heed recommendations and demands to release people from jails and prisons.<sup>27</sup> This disregard has contributed to the high burden of illness in the United States and to at least 2,020 coronavirus deaths in state and federal prisons in 2020.<sup>28</sup> (The lack of institutional oversight and detailed record keeping means there are no current estimates of jail deaths due to COVID-19 in most

states, and data on cases and deaths in immigrant detention is unreliable.)

A consensus report published in October 2020 by the National Academies of Sciences, Engineering, and Medicine recommended further large-scale decarceration, arguing that many of the jail population reductions so far appeared to be a result of stay-at-home guidance rather than proactive diversion and release policies.<sup>29</sup> The report further reviewed the state of social science research and argued that releasing people serving long sentences in prison with convictions for violent offenses was advisable and would not lead to large increases in crime.<sup>30</sup>

Most of the expanded releases from prisons were accomplished with various executive powers, such as the clemency granted to more than 1,800 people by the governor of Kentucky.<sup>31</sup> Litigation has produced only narrow victories.<sup>32</sup> Federal courts have done little to nothing to address the situation, although a California state court issued an order to reduce the population held at San Quentin State Prison by 50 percent.<sup>33</sup> The order is currently under review by the California Supreme Court, and it is unclear how it might apply to other California prisons that have by now had worse outbreaks. On the legislative front, New Jersey passed a law in October 2020 creating new rules for release from prison during a public health emergency that apply to all but those convicted of murder and select sex offenses, as well as rules that allow early termination of parole supervision.<sup>34</sup> This allowed for a substantial number of early releases: between November 1, 2020, and December 1, 2020, the number of people incarcerated under New Jersey state sentences dropped 16 percent, from 15,425 to 12,979.<sup>35</sup> A further 1,500 early releases are planned in the coming months, according to the New Jersey Department of Corrections (see Figure 3 for historical perspective, and Appendix Tables 1, 3, and 4).

Figure 3



Source: For 1980-2018, National Prisoner Statistics published by BJS. For 2019-2020, reported to Vera Institute of Justice by New Jersey Department of Corrections.

Table 3

## State-level comparison of prisons and local jail trends

|                              | Late 2019<br>/ Early<br>2020 | Midyear<br>2020 | Late 2020      | Percent change             |                                 |                         |
|------------------------------|------------------------------|-----------------|----------------|----------------------------|---------------------------------|-------------------------|
|                              |                              |                 |                | 2019 to<br>midyear<br>2020 | Midyear<br>2020 to<br>late 2020 | 2019 to<br>late<br>2020 |
| <b>California</b>            | <b>195,289</b>               | <b>166,472</b>  | <b>159,609</b> | <b>-15</b>                 | <b>-4</b>                       | <b>-18</b>              |
| County Jails                 | 69,782                       | 51,506          | 59,666         | -26                        | 16                              | -14                     |
| State Prisons                | 125,507                      | 114,966         | 99,943         | -8                         | -13                             | -20                     |
| <b>Colorado</b>              | <b>32,282</b>                | <b>24,320</b>   | <b>25,587</b>  | <b>-25</b>                 | <b>5</b>                        | <b>-21</b>              |
| County Jails                 | 12,568                       | 6,879           | 8,914          | -45                        | 30                              | -29                     |
| State Prisons                | 19,714                       | 17,441          | 16,673         | -12                        | -4                              | -15                     |
| <b>Florida</b>               | <b>148,644</b>               | <b>135,545</b>  | <b>131,699</b> | <b>-9</b>                  | <b>-3</b>                       | <b>-11</b>              |
| County Jails                 | 52,635                       | 46,163          | 48,337         | -12                        | 5                               | -8                      |
| State Prisons                | 96,009                       | 89,382          | 83,362         | -7                         | -7                              | -13                     |
| <b>Georgia</b>               | <b>92,375</b>                | <b>79,596</b>   | <b>80,985</b>  | <b>-14</b>                 | <b>2</b>                        | <b>-12</b>              |
| County Jails                 | 36,819                       | 28,705          | 31,949         | -22                        | 11                              | -13                     |
| State Prisons                | 55,556                       | 50,891          | 49,036         | -8                         | -4                              | -12                     |
| <b>Kentucky</b>              | <b>36,368</b>                | <b>28,628</b>   | <b>29,230</b>  | <b>-21</b>                 | <b>2</b>                        | <b>-20</b>              |
| County Jails-Local           | 12,932                       | 8,329           | 10,150         | -36                        | 22                              | -22                     |
| County Jails-State Prisoners | 10,774                       | 8,751           | 8,508          | -19                        | -3                              | -21                     |
| State Prisons                | 12,662                       | 11,548          | 10,572         | -9                         | -8                              | -17                     |
| <b>Massachusetts</b>         | <b>17,501</b>                | <b>12,889</b>   | <b>13,405</b>  | <b>-26</b>                 | <b>4</b>                        | <b>-23</b>              |
| County Jails                 | 9,296                        | 5,577           | 6,238          | -40                        | 12                              | -33                     |
| State Prisons                | 8,205                        | 7,312           | 7,167          | -11                        | -2                              | -13                     |
| <b>New Mexico</b>            | <b>13,037</b>                | <b>10,678</b>   | <b>10,894</b>  | <b>-18</b>                 | <b>2</b>                        | <b>-16</b>              |
| County Jails                 | 6,314                        | 4,350           | 4,735          | -31                        | 9                               | -25                     |
| State Prisons                | 6,723                        | 6,328           | 6,159          | -6                         | -3                              | -8                      |
| <b>New York</b>              | <b>61,156</b>                | <b>49,648</b>   | <b>48,792</b>  | <b>-19</b>                 | <b>-2</b>                       | <b>-20</b>              |
| County Jails                 | 16,890                       | 11,258          | 12,264         | -33                        | 9                               | -27                     |
| State Prisons                | 44,284                       | 38,390          | 36,528         | -13                        | -5                              | -18                     |
| <b>Ohio</b>                  | <b>70,323</b>                | <b>60,046</b>   | -              | <b>-15</b>                 | -                               | -                       |
| County Jails                 | 20,561                       | 13,695          | -              | -33                        | -                               | -                       |
| State Prisons                | 49,762                       | 46,351          | -              | -7                         | -                               | -                       |
| <b>Tennessee</b>             | <b>51,127</b>                | <b>42,123</b>   | <b>43,942</b>  | <b>-18</b>                 | <b>4</b>                        | <b>-14</b>              |
| County Jails Local           | 24,588                       | 17,557          | 20,107         | -29                        | 15                              | -18                     |
| County Jails-State Prisoners | 4,801                        | 4,670           | 4,547          | -3                         | -3                              | -5                      |
| State Prisons                | 21,738                       | 19,896          | 19,288         | -8                         | -3                              | -11                     |
| <b>Texas</b>                 | <b>207,374</b>               | <b>188,086</b>  | <b>186,307</b> | <b>-9</b>                  | <b>-1</b>                       | <b>-10</b>              |
| County Jails                 | 65,825                       | 61,496          | 65,179         | -7                         | 6                               | -1                      |
| State Prisons On-Hand        | 141,549                      | 126,590         | 121,128        | -11                        | -4                              | -14                     |
| <b>West Virginia</b>         | <b>11,894</b>                | <b>9,751</b>    | <b>9,980</b>   | <b>-18</b>                 | <b>2</b>                        | <b>-16</b>              |
| Regional Jails               | 5,094                        | 4,933           | 5,670          | -3                         | 15                              | 11                      |
| State Prisons                | 6,800                        | 4,818           | 4,310          | -29                        | -11                             | -37                     |

Note: The states included in this table were selected because they were the only states for which complete information on the changes in county jail populations during 2020 was available at the time of writing.

## Federal agencies detain large numbers of people in local jails

Another factor leading to reduced jail populations is the decreased use of jails by ICE for the detention of immigrants and asylum seekers. Agencies like ICE and the U.S. Marshals Service (USMS) are responsible for incarcerating large numbers of people in local jails via contracts that allow them to rent jail cells in many jurisdictions.<sup>36</sup> While people detained by ICE are facing civil charges, and are not being prosecuted in a criminal court, most are held in private prisons and other facilities operated by for-profit companies, with a substantial and growing number of people held in a network of contracted jail beds.<sup>37</sup> Fiscal year 2020 ICE detention statistics indicate that, on average, an estimated 9,600 people were held in local jail facilities each day, down from an estimated 22,900 in fiscal year 2017.<sup>38</sup> ICE temporarily stopped some enforcement activities in March 2020, but within a matter of months began to arrest and book people into custody once more.<sup>39</sup> In large part, the decline in the number of people held in local jails for ICE appears to be due both to fewer encounters at the border and to policies that immediately expel people encountered by Customs and Border Protection, regardless of immigration status.<sup>40</sup> Overall, across dedicated immigration detention facilities and contract cells in jails, ICE detention decreased more than 70 percent from August 2019 to mid-December 2020, to about 16,200 people.<sup>41</sup> Data on cases and deaths in immigrant detention is unreliable, but shows at least 8,087 cases and 8 deaths related to COVID-19.<sup>42</sup> Vera researchers estimate that the actual number of positive cases as of mid-May may have been up to 15 times higher than the figures reported by ICE.<sup>43</sup>

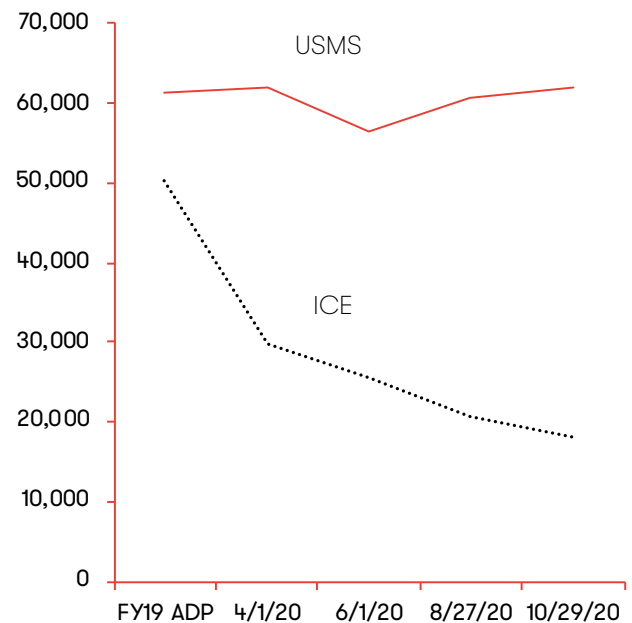
In December 2020, Congress approved a budget funding an average daily population of 34,000 people to be held in ICE detention for fiscal year 2021, indicating federal support for increased immigrant detention, a substantial share of which will likely continue to take place in jails.<sup>44</sup>

More than half of all people detained pretrial by the USMS while facing federal criminal charges are held in local jails—and many in rural jails.<sup>45</sup> In contrast to the large declines in ICE detention, the total number of people detained by USMS (in jails and other detention settings) remained virtually unchanged from 2019 to late 2020. The number of USMS detainees declined by only 10 percent from 2019 to June 2020 (from 61,489 to 56,400 people). It subsequently rose 9 percent to an estimated 61,300 in late September 2020. This is 27 percent higher than a recent low of 48,200 people in May 2017.<sup>46</sup> According to data obtained via records

request, at least 17 USMS pretrial detainees had died from COVID-19 by early October and at least 5,450 people had been infected.<sup>47</sup> The USMS continued to transfer people who had active COVID-19 infections between jails, state prisons, and private detention centers as the pandemic worsened.<sup>48</sup> Forced international transfers by ICE have also been a factor in the spread of COVID-19, and thousands of people—including people with confirmed cases of COVID-19—have been deported by the U.S. government to Mexico and Central America in recent months, including unaccompanied children.<sup>49</sup>

Figure 4

### Federal detention from 2019 to late 2020



Source: USMS data reported directly to Vera by the USMS press office; ICE data compiled by Vera from annual reports and ICE website.

## Incarceration rates

The data collected by Vera shows that the incarceration rate in the United States, including state and federal prisons and local jails, was 549 people behind bars per 100,000 residents in late 2020, a minimal change from the midyear 2020 rate of 551 per 100,000. This reflects divergence in jail and prison populations, as prison declines counterbalanced jail increases, and is insignificant in comparison to the dramatic decline in the first half of 2020, when the incarceration rate dropped from 644 people per 100,000 to 551. This is down from a peak of 760 per 100,000 in 2008. (See Table 2 on page 2.)

In late 2020, state and federal prisons had an incarceration rate of 378 people behind bars per 100,000 residents, a 5 percent decline from 397 at midyear 2020. The rate decline in the first phase of the COVID-19 pandemic was larger, down 9 percent. This brought the total change in prison incarceration from 2019 to late 2020 to a 14 percent decline.

During the first phase of the coronavirus pandemic, the local jail incarceration rate declined more steeply than the rate in prisons. The rate decreased by 25 percent from an estimated 237 people in local jails per 100,000 residents in midyear 2019, to 179 in midyear 2020—a rate of incarceration last seen in 1992. However, from

June 2020 to September 2020, local jail incarceration rates increased by 9 percent to 197 people in jail per 100,000 residents. After the increase, the jail incarceration rate was still 17 percent below the 2019 rate.

Total incarceration information—accounting for both state prisons and local jails—is available for 18 states. (See Table 4, below.)<sup>50</sup> These states fit a general pattern of steeper declines in the first part of the pandemic—between 2019 and midyear 2020—followed by modest changes seen from midyear through late 2020. Only Alaska had a higher incarceration rate in late 2020 than it did the previous year

Table 4

**Total state prison and local jail rates and changes for select states**

|               | 2019 | Midyear 2020 | Late 2020 | Percent change       |                           |                   |
|---------------|------|--------------|-----------|----------------------|---------------------------|-------------------|
|               |      |              |           | 2019 to midyear 2020 | midyear 2020 to late 2020 | 2019 to late 2020 |
| Alaska        | 612  | 590          | 628       | -4                   | 7                         | 3                 |
| California    | 494  | 421          | 404       | -15                  | -4                        | -18               |
| Colorado      | 561  | 422          | 444       | -25                  | 5                         | -21               |
| Connecticut   | 345  | 279          | 263       | -19                  | -6                        | -24               |
| Delaware      | 585  | 494          | 491       | -15                  | -1                        | -16               |
| Florida       | 692  | 631          | 613       | -9                   | -3                        | -11               |
| Georgia       | 870  | 750          | 763       | -14                  | 2                         | -12               |
| Hawaii        | 366  | 314          | 292       | -14                  | -7                        | -20               |
| Kentucky      | 784  | 641          | 654       | -18                  | 2                         | -17               |
| Massachusetts | 254  | 187          | 194       | -26                  | 4                         | -23               |
| New Mexico    | 622  | 509          | 520       | -18                  | 2                         | -16               |
| New York      | 314  | 255          | 251       | -19                  | -2                        | -20               |
| Ohio          | 602  | 514          | -         | -15                  | -                         | -                 |
| Rhode Island  | 259  | 219          | 217       | -15                  | -1                        | -16               |
| Tennessee     | 749  | 617          | 643       | -18                  | 4                         | -14               |
| Texas         | 712  | 649          | 643       | -9                   | -1                        | -10               |
| Vermont       | 258  | 227          | 226       | -12                  | 0                         | -12               |
| West Virginia | 664  | 544          | 557       | -18                  | 2                         | -16               |

### Jail incarceration rates saw the biggest decreases in rural areas

Looking specifically at geographic regions, jail incarceration rates dropped across the board between 2019 and 2020. Although the steepest declines were in rural counties, jail incarceration rates in these counties

remained the highest of any region. From 2019 to midyear 2020, rural jail incarceration rates decreased 33 percent. Decreases in incarceration rates in small and mid-sized metropolitan areas were less pronounced, down 21 percent over the same time period. Large metropolitan areas with a million or more residents also reduced jail incarceration rates between midyear 2019



and 2020, with urban county jail incarceration rates decreasing by 24 percent. Suburban areas decreased by 21 percent. (See Table 2, on page 2.)

There were increases in jail incarceration across the urban to rural spectrum from June to September 2020, with small and mid-sized metropolitan areas increasing the most. In October 2020, rural jail incarceration rates were still twice as high as urban jail incarceration rates.

The pattern of high incarceration rates in rural areas

is seen in many states. (See Table 5, below.) Relatively high rates of jail incarceration were apparent in rural areas in both lower incarceration rate states like New York and in higher incarceration rate states like Kentucky. Growth between June and September 2020 was also especially pronounced in many rural areas. This is particularly troubling given the limited health care resources in rural counties as all jails, large and small, remain at risk of COVID-19 outbreaks.<sup>51</sup>

Table 5

**Late 2020 jail incarceration rates and percent changes since mid-2020, select states**

|               | Urban      |          | Suburban |          | Small / Mid-sized metro |          | Rural |          | Total |          |
|---------------|------------|----------|----------|----------|-------------------------|----------|-------|----------|-------|----------|
|               | Rate       | % change | Rate     | % change | Rate                    | % change | Rate  | % change | Rate  | % change |
|               | California | 134      | 16       | 156      | 18                      | 190      | 14    | 238      | 22    | 151      |
| Colorado      | 184        | 37       | 123      | 21       | 172                     | 22       | 181   | 22       | 155   | 30       |
| Florida       | 187        | 5        | 173      | 5        | 285                     | 5        | 453   | 4        | 225   | 5        |
| Georgia       | 244        | 4        | 232      | 12       | 357                     | 8        | 437   | 18       | 301   | 11       |
| Kentucky      | 153        | -3       | 334      | 11       | 434                     | 17       | 546   | 10       | 416   | 9        |
| Massachusetts | 126        | 18       | 76       | 7        | 99                      | 16       | 142   | 4        | 89    | 12       |
| New Mexico    | -          | -        | -        | -        | 211                     | 10       | 284   | 8        | 235   | 9        |
| New York      | 54         | 8        | 52       | 5        | 98                      | 13       | 108   | 13       | 63    | 9        |
| Tennessee     | 338        | 5        | 293      | 12       | 360                     | 13       | 447   | 13       | 361   | 11       |
| Texas         | 183        | 8        | 156      | 4        | 310                     | 14       | 363   | -8       | 225   | 6        |

## International Comparison

Compared to other countries, the United States' high rate of incarceration and limited response to COVID-19 outbreaks in jails and prisons remains notable. In early March 2020, Iran released 85,000 people from its jails and prisons in response to COVID-19 outbreaks.<sup>52</sup> Iran's incarceration rate dropped 45 percent as a result, down to an estimated 124 incarcerated people per 100,000 residents.<sup>53</sup> Through June 2020, other countries also reduced their levels of incarceration to help stop the spread of COVID-19. In many places there was a subsequent growth in incarceration from June to September, just as there was in U.S. jails. For example, the number of people incarcerated in France declined 17 percent from January 1 to July 1, 2020, to a rate of 88 incarcerated people per 100,000 residents, then rose 4 percent from July 1 to October 1, 2020.<sup>54</sup> Germany's rate dropped 10 percent from before the pandemic through June 2020, but was lower to begin with—only 77 per 100,000 at midyear 2020.<sup>55</sup>

In contrast, other countries have failed to act with similar urgency. Incarceration in Mexico has increased steadily during the pandemic, in large part driven by increases in pretrial detention.<sup>56</sup>

## Conclusion

In recent years, prisons have often been closed and jail construction plans canceled when incarcerated populations dropped by as much as they have in 2020. But during the early phase of the pandemic, previously shuttered facilities like the decrepit panopticon roundhouse at Illinois Stateville Prison or Camp J at Louisiana's Angola State Prison were reopened to hold people who had tested positive for COVID-19.<sup>57</sup> Without federal aid, states and local governments have lost revenue during the pandemic and face large budget shortfalls. Estimates for the total shortfall for states through fiscal year 2022 range from \$480 billion to \$620 billion.<sup>58</sup> However, state and local spending on operating prisons and building new jails has held steady despite the reduction in the number of people incarcerated.<sup>59</sup> It is too

early to tell whether the same officials who have been slow to heed the concerns of incarcerated people and those who care for them—refusing to take available medical compassionate release and clemency options to scale—will make further releases amidst a worse winter COVID-19 wave. However, the data presented in this

report is far from promising. Although there are hundreds of thousands fewer people incarcerated in the United States compared to the start of 2020—a larger decline than seen in prior years—many jails have already begun to refill and prison declines have diminished.

## Methodology

**Jail data:** Vera researchers obtained jail population data for midyear 2020 and late 2020 for U.S. jail jurisdictions from various sources. Some came from statewide sources of jail data and others came directly from local agencies, either through direct data requests or from an automated system that collected data from jail websites. National 2019 data comparisons were taken from prior Vera reports.

Overall, 1,558 jurisdictions from 1,524 counties in 44 states and the District of Columbia were sampled for midyear 2020, accounting for 402,000 people incarcerated. (Six states do not operate local jails.) In late 2020, Vera sampled 1,502 jurisdictions from 1,473 counties in 44 states and the District of Columbia, accounting for 435,800 incarcerated people. The discrepancy between the midyear and late 2020 samples is primarily due to numbers reported by the state of Ohio on jail populations that are only available for June 30, 2020.

The 1,558 jurisdictions in the midyear 2020 sample accounted for 73 percent of people incarcerated in 2013, the last year that the BJS released data on all jails in the United States. The 1,502 jurisdictions in the late 2020 sample accounted for 72 percent of people incarcerated in 2013. A public use datafile with jurisdiction-level data for 2020 is available on Vera's website.<sup>60</sup>

Vera obtained information from the nine states where agencies collect and publicly share timely data (monthly or weekly) on jails at the local-jurisdiction level: California, Florida, Georgia, Kentucky, Massachusetts, New York, Tennessee, Texas, and West Virginia. These state-level reports cover 800 jurisdictions.

Vera researchers obtained data on an additional 758 jail jurisdictions. Vera collected data from a large number of jails in an automated way from jail websites. New York University Public Safety Lab's Jail Data Initiative supplied data for around 350 jail jurisdictions from 35 states that would not otherwise have been in the sample.

Vera also collected data directly from state and local government agencies through phone calls and public

records requests. This was done with assistance from the ACLU (American Civil Liberties Union) of Colorado, the ACLU of Massachusetts, the ACLU of Ohio, Darby Aono, the Indiana Public Defender Council, Clay Mosher, and the New Mexico Association of Counties. Vera staff who assisted with data collection include Collin Blinder, Christian Henrichson, Oliver Hinds, Sarah Minion, Jack Norton, Michelle Parris, Eital Schattner-Elmaleh, Maurice Smith, and James Wallace-Lee.

In Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont, prisons and jails form one unified system operated by the state. Information about those states is not included in jail statistics, but is included in the state prison statistics.

The jail estimates presented in this paper are of the jail *custodial* population, rather than the *jurisdictional* population. Custodial jail populations and jurisdictional jail populations measure different sets of people. Because jails rent their space to state and federal authorities, people under the *custody* of a jail system may be under the *jurisdiction* of a state prison system or a federal agency, such as ICE. The custody population counts everyone who is in a local jail, although some of these people are serving a prison sentence or may be facing a civil immigration charge.

To validate the mid- and late-year 2020 jail population data, Vera researchers compared estimates gathered from individual jurisdictions to the counts reported in other months of the year, as well as other available sources, to determine their plausibility. In addition, researchers spot-checked counts that differed substantially from those numbers available from BJS for 2013 through 2018.

National jail population estimates were computed using a method similar to the sample-weighting technique that BJS uses to estimate the national jail population from the Annual Survey of Jails responses. Vera divided all U.S. jail jurisdictions into strata based on the average daily population in 2013, as reported on the 2013 Census of Jails (or 2013 Survey of Jails, when a jurisdiction failed to respond to the 2013 Census of Jails).

The BJS sampling method computes sample weights within seven strata; however, because the sampling strategy here was not random, Vera instead computed the population estimate over a range of strata (25 to 75) and subsequently averaged the results. The researchers determined this range via a sensitivity analysis on the number of strata, which substantially increased the stability of the national jail population estimate.

BJS will release its own jail and prison population estimates, along with estimates of several other jail-related incarceration measures, in the future. BJS, through the Annual Survey of Jails and the Census of Jails data collection programs, releases these figures in its Jail Inmates Series reports, as well as in the Correctional Populations in the United States series. Prison statistics collected through the National Prisoner Statistics data collection program are released in the Prisoners Series reports.

**Prison data:** Vera derived U.S. prison population estimates from a sample of 49 states and the BOP. Virginia did not provide information needed in time for publication. Virginia held an estimated 2.5 percent of the number of people incarcerated with state prison sentences at the end of 2019. Vera researchers calculated U.S. prison population estimates with the assumption that, during 2020, the population in Virginia changed in a way that was equivalent to the changes observed in other jurisdictions. From 2018 to 2019, states in the sample declined 2.3 percent, whereas Virginia declined by 1.6 percent; the researchers determined that this indicated enough similarity for estimation.<sup>61</sup>

National prison estimates presented in this report are of the jurisdictional population, rather than the custodial population. Jurisdictional prison populations and custodial prison populations measure different sets of people. People under the jurisdiction of a prison system are those whom the correctional authority has the legal responsibility to confine, no matter where they are held. The jurisdiction population is, therefore, the most accurate representation of the scope of incarceration because it includes people held on behalf of the correctional authority in private prisons or facilities other than prisons (jails, hospitals, halfway houses, etc.). The number of people in the custody of a prison system is the number of people actually confined in a facility directly operated by the jurisdiction's correctional authority. This does not include people held on a contract basis in county jail facilities—a substantial part of the prison population in states like Utah and Louisiana. In some states, the number of people in the custody of a prison system includes people held for other jurisdictions (mainly other state prison systems). To

avoid problems of over- or under-inclusiveness that come with using custody counts, this report presents jurisdictional counts. (See “Prison jurisdiction source notes” on page 12 for more information.)

**National combined estimates:** Vera researchers derived the total incarcerated population estimate by adding the number of people incarcerated under prison jurisdictions to the number of people in the custody of local jails, with a small reduction to address double counting. Without this reduction, people serving prison sentences in local jails would be counted twice. According to research by BJS, from 2008 to 2018 the average reduction needed to account for people under state prison jurisdiction held in local jails was 3.6 percent, or 82,900 people.<sup>62</sup> Vera researchers applied the same 3.6 percent adjustment to the total incarceration estimate, reducing the count by 67,873 people at midyear 2020.

A note on seasonality, as this report compares counts within a particular year: Prison populations do not show as much seasonal variation as jail populations and tend to be more stable. Jail populations tend to be lowest toward the end of the year, with populations usually dropping to an annual low in late December—likely due to changes in arrest and bail practices near the holidays and New Year. BJS has long used the end of December to measure prison population counts, and the end of June to measure jail populations, based on historical evidence that a June measure is more representative of an average daily population. According to an analysis of seasonality published by BJS, drawing on data from the National Crime Victimization survey, violent victimization rates are highest in the fall and lowest in the winter, with a difference of 4.4 percent between the two.<sup>63</sup> Property crime victimization rates are highest in the summer and lowest in the spring, with a difference of 8.0 percent.<sup>64</sup> Most relevant for this study, property crime victimization declines 3.1 percent from summer to fall on average, and violent crime increases 1.83 percent from summer to fall, on average.<sup>65</sup>

**Calculating incarceration rates:** The U.S. resident population counts that Vera used to compute incarceration rates were based on Census Bureau July 1 estimates for 2000 through 2019.<sup>66</sup> Vera estimated midyear 2020 populations using the rate of change between 2019 estimates and the June 30, 2020, national census estimate, available at the census population clock.<sup>67</sup> Vera researchers calculated the incarceration rates discussed in the text by dividing each jurisdiction's incarcerated-population estimate by the total resident population for the appropriate geographic unit (United States or geographical region) and multiplying the result

by 100,000. In a departure from prior reports, in order to present the jail specific incarceration rates, resident population counts from states that operate a unified jail system were not included in national jail rates or in rates by urbanicity.

## Jail jurisdiction source notes

Nine states have agencies that produce reports that detail a set of local jail population statistics for every county in the state, as listed below. Some of these reports include all jails in the state, others are more limited and do not include city jails, work-release jails, or certain county-operated prisons. In an additional three states, complete information about local jails from each county is collected by individual organizations rather than a state agency: Colorado (ACLU of Colorado), Louisiana (Vera Institute of Justice), and New Mexico (New Mexico Association of Counties). The Ohio Department of Rehabilitation and Correction collects midyear jail population data through jail inspections but does not publish this information and does not systematically collect jail population data at any other point in the year. The ACLU of Ohio acquired this information for June 30, 2020, via a public records request and shared it with Vera researchers.

**California:** For weekly county jail jurisdiction populations for June 2020 and September 2020, see California's Board of State and Community Corrections, Supplemental Jail Profile Survey data, <https://public.tableau.com/profile/kstevens#!/vizhome/SupplementalJPSDashboard/Instructions>. California still maintains regular Jail Profile Survey data as well, [http://www.bscc.ca.gov/m\\_dataresearch/](http://www.bscc.ca.gov/m_dataresearch/).

**Florida:** For average daily county jail populations for June 2020 and September 2020, see *Florida County Detention Facilities Average Inmate Population* reports, prepared by the Florida Department of Corrections Bureau of Research and Data Analysis, <http://www.dc.state.fl.us/pub/jails/>.

**Georgia:** For county jail populations on the first Thursday of the month in July 2020 and October 2020, see Georgia Department of Community Affairs, Office of Research, *County Jail Inmate Population Report*, <https://www.dca.ga.gov/node/3811/documents/2086>.

**Kentucky:** For county jail populations, see Kentucky Department of Corrections, Research and Statistics, *Weekly Jail* reports, <http://corrections.ky.gov/About/researchandstats/Pages/WeeklyJail.aspx>.

**Massachusetts:** For weekly county house of correction and jail population reports, see Massachusetts Department of Correction, *Weekly Inmate Count 2020*, County/Interstate Correctional Facilities, <https://www.mass.gov/lists/weekly-inmate-count-2020>.

**New York:** For average daily county jail populations, see New York Division of Criminal Justice Services, *Jail Population in New York State, Average Daily Census by Month*, [https://www.criminaljustice.ny.gov/crimnet/ojsa/jail\\_population.pdf](https://www.criminaljustice.ny.gov/crimnet/ojsa/jail_population.pdf).

**Tennessee:** For end-of-month, one-day snapshots of jail populations, see Tennessee Department of Correction, Decision Support: Research & Planning, *Tennessee Jail Summary Report*, <https://www.tn.gov/correction/statistics-and-information/jail-summary-reports.html>.

**Texas:** For first-of-month, one-day snapshot jail populations, see Texas Commission on Jail Standards, *County Jail Population, Abbreviated Population Report*, <https://www.tcjs.state.tx.us/population-reports/>.

**West Virginia:** West Virginia has a regional jail system in which all counties participate. For regional jail population data, see *COVID-19 Testing, W.Va. Division of Corrections and Rehabilitation*, <https://dhhr.wv.gov/COVID-19/Pages/Correctional-Facilities-report-archive.aspx>.

## Prison jurisdiction source notes

**Alabama:** For jurisdictional populations on June 30, 2020, see Alabama Department of Corrections, Monthly Statistical Report for June 2020, <http://www.doc.state.al.us/docs/MonthlyRpts/June%202020.pdf>. For jurisdictional populations on September 30, 2020, see Alabama Department of Corrections, Monthly Statistical Report for September 2020, <http://www.doc.state.al.us/docs/MonthlyRpts/September%202020.pdf>.

**Alaska:** The jurisdictional populations for June 30, 2020, and September 30, 2020, were reported directly by the Alaska Department of Corrections in response to a Vera public information request.

**Arizona:** For jurisdictional population for June 2020, see Arizona Department of Corrections Rehabilitation & Reentry, Institutional Capacity Committed Population, June 30, 2020, page 3, under "Grand Total" column and row, [https://corrections.az.gov/sites/default/files/DAILY\\_COUNT/Jun2020/06302020\\_count\\_she et.pdf](https://corrections.az.gov/sites/default/files/DAILY_COUNT/Jun2020/06302020_count_she et.pdf). For jurisdictional population for September 2020,

see Arizona Department of Corrections Rehabilitation & Reentry, Institutional Capacity Committed Population, September 30, 2020, page 3, under "Grand Total" column and row, [https://corrections.az.gov/sites/default/files/DAILY\\_COUNT/Sep2020/09302020\\_count\\_sheet.pdf](https://corrections.az.gov/sites/default/files/DAILY_COUNT/Sep2020/09302020_count_sheet.pdf).

**Arkansas:** For jurisdictional populations on June 30, 2020, see Arkansas Division of Correction Board Report July 2020, [https://adc.arkansas.gov/images/uploads/Division\\_of\\_Correction\\_Directors\\_Board\\_Report\\_July2020\\_-\\_FINAL.pdf](https://adc.arkansas.gov/images/uploads/Division_of_Correction_Directors_Board_Report_July2020_-_FINAL.pdf). The jurisdictional populations for September 30, 2020, were reported directly by the Arkansas Division of Corrections in response to a Vera public information request.

**California:** The jurisdictional population numbers include total population in custody/community rehabilitative pre-release programs (CRPP) supervision, as well as the population temporarily released to court and hospital. For jurisdictional population on June 30, 2020, see California Department of Corrections and Rehabilitation, Weekly Report of Population, As of Midnight July 1, 2020, <https://www.cdcr.ca.gov/research/wp-content/uploads/sites/174/2020/07/Tpop1d200701.pdf>. For jurisdictional population on September 30, 2020, see California Department of Corrections and Rehabilitation, Weekly Report of Population, As of Midnight September 30, 2020, <https://www.cdcr.ca.gov/research/wp-content/uploads/sites/174/2020/10/Tpop1d200930.pdf>.

**Colorado:** For jurisdictional population on June 30, 2020, see Colorado Department of Corrections, Monthly Population and Capacity Report as of June 30, 2020, <https://drive.google.com/file/d/11JP6fAIEpMNUW5YAVc93fbI41hr4BHcj/view>. For jurisdictional population on September 30, 2020, see Colorado Department of Corrections, Monthly Population and Capacity Report as of September 30, 2020, [https://drive.google.com/file/d/1Bj2naXtMSa\\_94YXD6wmtDuo2B6lZgpjX/view](https://drive.google.com/file/d/1Bj2naXtMSa_94YXD6wmtDuo2B6lZgpjX/view).

**Connecticut:** For the jurisdictional populations on June 30, 2020 and September 30, 2020, see Connecticut Correctional Facility Population Counts, [https://cjis-dashboard.ct.gov/CJPPD\\_Reports/rdPage.aspx?rdReport=Extracted\\_Data](https://cjis-dashboard.ct.gov/CJPPD_Reports/rdPage.aspx?rdReport=Extracted_Data).

**Delaware:** The jurisdictional populations for June 30, 2020, and September 30, 2020, were reported directly by the Delaware Department of Correction in response to a Vera public information request.

**Federal Bureau of Prisons (BOP):** The jurisdictional populations for the BOP include people held in BOP facilities, private facilities, and other types of facilities. For June 25, 2020, see Federal Bureau of Prisons, Population Statistics, [https://web.archive.org/web/20200705033519/https://www.bop.gov/about/statistics/population\\_statistics.jsp](https://web.archive.org/web/20200705033519/https://www.bop.gov/about/statistics/population_statistics.jsp). For September 24, 2020, see Federal Bureau of Prisons, Population Statistics, [https://web.archive.org/web/20201006112220/https://www.bop.gov/mobile/about/population\\_statistics.jsp](https://web.archive.org/web/20201006112220/https://www.bop.gov/mobile/about/population_statistics.jsp).

**Florida:** The jurisdictional populations for June 30, 2020, and October 24, 2020, were reported directly by the Florida Department of Corrections in response to a Vera public information request. (September 30, 2020, data was not available).

**Georgia:** For the jurisdictional populations on July 1, 2020, see Georgia Department of Corrections, Inmate Statistical Profile: All Active Inmates, June 2020, page 4 table "Current age, broken out in ten-year age groups," [http://www.dcor.state.ga.us/sites/all/themes/gdc/pdf/Profile\\_all\\_inmates\\_2020\\_06.pdf](http://www.dcor.state.ga.us/sites/all/themes/gdc/pdf/Profile_all_inmates_2020_06.pdf). For the jurisdictional population on October 1, 2020, see Georgia Department of Corrections, Inmate Statistical Profile: All Active Inmates, September 2020, page 4 "Current age, broken out in ten-year age groups," [http://www.dcor.state.ga.us/sites/all/themes/gdc/pdf/Profile\\_all\\_inmates\\_2020\\_09.pdf](http://www.dcor.state.ga.us/sites/all/themes/gdc/pdf/Profile_all_inmates_2020_09.pdf).

**Hawaii:** For the jurisdictional population on June 30, 2020, see Hawaii Department of Public Safety, End of Month Population Report, June 30, 2020, "Assigned Count Ending," <https://dps.hawaii.gov/wp-content/uploads/2020/07/Pop-Reports-EOM-2020-06-30.pdf>. For the jurisdictional population on September 30, 2020, see Hawaii Department of Public Safety, End of Month Population Report, September 30, 2020, "Assigned Count Ending," <https://dps.hawaii.gov/wp-content/uploads/2020/10/Pop-Reports-EOM-2020-09-30.pdf>.

**Idaho:** The jurisdictional populations for June 30, 2020, and September 30, 2020, were reported directly by the Idaho Department of Correction in response to a Vera public information request.

**Illinois:** The jurisdictional populations for June 30, 2020, and October 1, 2020, were reported directly by the Illinois Department of Correction in response to a Vera public information request.

**Indiana:** For jurisdictional populations on July 1, 2020, see Indiana Department of Correction, July 2020

Offender Population Report, page 6, <https://www.in.gov/idoc/files/Indiana-Department-of-Correction-July-2020-Total-Population-Summary.pdf>. For jurisdictional populations on October 1, 2020, see Indiana Department of Correction, October 2020 Offender Population Report, <https://www.in.gov/idoc/files/Indiana-Department-of-Correction-October-2020-Total-Population-Summary.pdf>. The jurisdictional numbers for both years were calculated by adding the DOC Adult Population and Jail DOC contract population.

**Iowa:** The jurisdictional populations for June 30, 2020 and September 30, 2020, were reported directly by the Iowa Department of Corrections in response to a Vera public information request.

**Kansas:** The jurisdictional populations for June 30, 2020, and September 30, 2020, were reported directly by the Kansas Department of Corrections in response to a Vera public information request.

**Kentucky:** For jurisdictional numbers on June 30, 2020, see Kentucky Department of Corrections, Statewide Population Report June 30, 2020, <https://corrections.ky.gov/About/researchandstats/Documents/Daily%20Population/2020/06/06-30-20.pdf>. For September 30, 2020, jurisdictional numbers, see Kentucky Department of Corrections, Statewide Population Report September 30, 2020, <https://corrections.ky.gov/About/researchandstats/Documents/Daily%20Population/2020/09/09-30-20.pdf>.

**Louisiana:** For jurisdictional numbers on June 30, 2020, see Department of Public Safety and Corrections, Population Trends - Raw Data, under "Total Custody Population," column, August 2020, <https://s32082.pcdn.co/wp-content/uploads/2020/08/0a-Population-Trends.pdf>. The jurisdictional populations for September 30, 2020, were reported directly by the Louisiana Department of Public Safety and Corrections in response to a Vera public information request.

**Maine:** For the average daily jurisdictional populations in June 2020 and September 2020, see September 2020, MDOC Adult Data Report, page 3, table 1.1 "Incarcerated Population," [https://www1.maine.gov/corrections/sites/maine.gov/corrections/files/inline-files/Sep%202020%20Monthly%20Adult%20Data\\_o.pdf](https://www1.maine.gov/corrections/sites/maine.gov/corrections/files/inline-files/Sep%202020%20Monthly%20Adult%20Data_o.pdf).

**Maryland:** Maryland Department of Public Safety and Correctional Services did not respond to a direct request for information in time for publication. For July 1, 2020, and August 31, 2020, data, see numbers reported in "The

Marshall Project: COVID Cases in Prisons," published by the Associated Press, <https://data.world/associatedpress/marshall-project-covid-cases-in-prisons>.

**Massachusetts:** For the jurisdictional population on June 29, 2020, see Massachusetts Department of Correction Weekly Count Sheet, June 29, 2020, row "Total Jurisdictional Population," <https://www.mass.gov/doc/weekly-inmate-count-6292020/download>. For the jurisdictional population on September 28, 2020, see Massachusetts Department of Correction Weekly Count Sheet, September 28, 2020, row "Total Jurisdictional Population," <https://www.mass.gov/doc/weekly-inmate-count-9282020/download>.

**Michigan:** The jurisdictional populations for June 30, 2020, and September 30, 2020, were reported directly by the Michigan Department of Corrections in response to a Vera public information request.

**Minnesota:** The jurisdictional populations for July 1, 2020, and October 1, 2020, were reported directly by the Minnesota Department of Corrections in response to a Vera public information request.

**Mississippi:** The jurisdictional populations on July 1, 2020, and October 1, 2020, include the custody population, other custody count, and off-grounds medical population. For July 1, 2020, see Mississippi Department of Corrections, Fact Sheet as of July 1, 2020, page 1 & table "Active Offender Population," <https://www.mdoc.ms.gov/Admin-Finance/MonthlyFacts/2020-7%20Fact%20Sheet.pdf>. For October 1, 2020, see Mississippi Department of Corrections, Fact Sheet as of October 1, 2020, page 1, table, "Active Offender Population," <https://www.mdoc.ms.gov/Admin-Finance/MonthlyFacts/2020-10%20Fact%20Sheet.pdf>.

**Missouri:** The jurisdictional populations for June 30, 2020 and September 30, 2020, were reported directly by the Missouri Department of Corrections in response to a Vera public information request.

**Montana:** The jurisdictional populations for June 30, 2020, and September 30, 2020, were made available by the Montana Department of Corrections in response to a Vera public information request.

**Nebraska:** The jurisdictional populations for June 30, 2020, and September 30, 2020, were reported directly by the Nebraska Department of Correctional Services in response to a Vera public information request.

**Nevada:** Nevada Department Corrections did not respond to a direct request for information in time for publication. For June 14, 2020, and August 31, 2020, data, see numbers reported in “The Marshall Project: COVID Cases in Prisons,” published by the Associated Press, <https://data.world/associatedpress/marshall-project-covid-cases-in-prisons>

**New Hampshire:** For the jurisdictional populations on July 1, 2020, and October 1, 2020, see New Hampshire Department of Corrections Monthly Facility Population Summary Report AI-, page 2, row “Total NH Sentenced,” <https://www.nh.gov/nhdcc/documents/population-summary.pdf>.

**New Jersey:** The jurisdictional populations for June 1, 2020, and October 1, 2020, were reported directly by the New Jersey Department of Corrections in response to a Vera public information request.

**New Mexico:** The jurisdictional populations for June 30, 2020, and September 30, 2020, were reported directly by the New Mexico Corrections Department in response to a Vera public information request.

**New York:** For the jurisdictional populations on July 1, 2020, see New York State Department of Corrections and Community Supervision Fact Sheet July 1, 2020, <https://doccs.ny.gov/system/files/documents/2020/07/doccs-fact-sheet-july-2020.pdf>. For the jurisdictional populations on October 1, 2020, see New York State Department of Corrections and Community Supervision Fact Sheet October 1, 2020, <https://doccs.ny.gov/system/files/documents/2020/10/doccs-fact-sheet-october-2020.pdf>

**North Carolina:** The jurisdictional populations for June 30, 2020, and September 30, 2020, were reported directly by the North Carolina Department of Public Safety in response to a Vera public information request.

**North Dakota:** North Dakota Department of Corrections did not respond to a direct request for information in time for publication. For June 14, 2020 and September 1, 2020, data, see numbers reported in “The Marshall Project: COVID Cases in Prisons,” published by the Associated Press, <https://data.world/associatedpress/marshall-project-covid-cases-in-prisons>.

**Ohio:** For the jurisdictional population on June 30, 2020, see Ohio Department of Rehabilitation & Correction, Population Count Sheets 2020-06-30, page 2, <https://drc.ohio.gov/Portals/o/June%2030.pdf>. For the

jurisdictional population on September 29, 2020, see Ohio Department of Rehabilitation & Correction, Population Count Sheets 2020-09-29, page 2, <https://drc.ohio.gov/Portals/o/1042.pdf>. The jurisdictional numbers for both years were calculated by adding the Total Population number, the Absent Without Leave (AWL), and the Out to Court (OTC) number.

**Oklahoma:** For jurisdictional population on June 29, 2020, see OK Department of Corrections Incarcerated Inmates and Community Supervision Offenders Daily Count Sheet, row “Grand Total” and “County Jail Transfers Pending,” [https://doc.ok.gov/sites/g/files/gmc771/f/weekly-counts/2020/doc\\_oms\\_count\\_6-29.pdf](https://doc.ok.gov/sites/g/files/gmc771/f/weekly-counts/2020/doc_oms_count_6-29.pdf). For jurisdictional population on September 28, 2020, see OK Department of Corrections Incarcerated Inmates and Community Supervision Offenders Daily Count Sheet, row “Grand Total,” and “County Jail Transfers Pending,” [https://doc.ok.gov/sites/g/files/gmc771/f/weekly-counts/2020/oms\\_count\\_9-28-20.pdf](https://doc.ok.gov/sites/g/files/gmc771/f/weekly-counts/2020/oms_count_9-28-20.pdf).

**Oregon:** The Oregon Department of Corrections did not respond to a direct request for information in time for publication. For June 16, 2020, and August 31, 2020, data, see numbers reported in “The Marshall Project: COVID Cases in Prisons,” published by the Associated Press, <https://data.world/associatedpress/marshall-project-covid-cases-in-prisons>.

**Pennsylvania:** For the jurisdictional population on June 30, 2020, see Pennsylvania Department of Corrections, Monthly Population Report as of June 30, 2020, page 1, <https://www.cor.pa.gov/About%20Us/Statistics/Documents/Monthly%20Population%20Reports/Mtppop2006.pdf>. For the jurisdictional population on September 30, 2020, see Pennsylvania Department of Corrections, Monthly Population Report as of September 30, 2020, page 1, <https://www.cor.pa.gov/About%20Us/Statistics/Documents/Monthly%20Population%20Reports/Mtppop2009.pdf>.

**Rhode Island:** The jurisdictional populations for June 30, 2020, and September 30, 2020, were reported directly by the Rhode Island Department of Corrections in response to a Vera public information request.

**South Carolina:** The jurisdictional populations for June 30, 2020, are reported in South Carolina Department of Corrections, Profile of Inmates in Institutional Count (Including Inmates on Authorized Absence) as of June 30, 2020, [http://www.doc.sc.gov/research/InmatePopulationStats/ASOF-FY20\\_Institutional\\_Count](http://www.doc.sc.gov/research/InmatePopulationStats/ASOF-FY20_Institutional_Count)

\_Profile.pdf. The South Carolina Department of Corrections did not respond to a Vera public information request for September 30, 2020, data in time for publication. Instead, for August 20, 2020, data see numbers reported in “The Marshall Project: COVID Cases in Prisons,” published by the Associated Press, <https://data.world/associatedpress/marshall-project-covid-cases-in-prisons>.

**South Dakota:** Jurisdictional populations are reported as Adult Population Statistics, “State Total” for June 30, 2020, <https://doc.sd.gov/documents/AdultDashboardFiscalYear2020.pdf>, and Adult Population Statistics, “State Total” for September 30, 2020, <https://doc.sd.gov/documents/AdultPopulationSeptember2020.pdf>.

**Tennessee:** For June 2020 and September 2020 jurisdictional populations, see the “TDOC facilities” and “TDOC back up” numbers in Tennessee Felon Population Update September 2020, page 4, table “Incarcerated Felon Populations, Fiscal Years 2012/13 - 2020/21, as of September 30, 2020,” <https://www.tn.gov/content/dam/tn/correction/documents/FelonSeptember2020.pdf>.

**Texas:** As in Vera’s last report, People in Prison in 2019, Texas was not able to report its jurisdiction numbers for June 30, 2020, or September 30, 2020, by time of publication. Instead, Texas was able to report an “on-hand” population number, which is substantially lower because it does not count certain people held in local jails. In order to account for these differences, Vera researchers estimated jurisdiction numbers for Texas, combining the “on-hand” populations reported by Texas Department of Criminal Justice for June 30, 2020, and September 30, 2020, with statistics from the Texas Commission on Jail Standards for July 1, 2020, and October 1, 2020. Using this method to estimate jurisdiction numbers between the years 2015 and 2018—adding together the on-hand population with the number of people held in local jails on parole violations, convicted of felonies awaiting transfer, and people with a state jail status—produced numbers that are very similar to reported total jurisdiction numbers. They differ by an average of 391 people between 2015 and 2018, or 0.2 percentage points.

**Utah:** The Utah Department of Corrections did not respond to a direct request for information in time for publication. For June 16, 2020, and August 31, 2020, data, see numbers reported in “The Marshall Project: COVID Cases in Prisons,” published by the Associated Press,

<https://data.world/associatedpress/marshall-project-covid-cases-in-prisons>.

**Vermont:** The jurisdictional populations for June 30, 2020, and September 30, 2020, were reported directly by the Vermont Department of Corrections in response to a Vera public information request.

**Virginia:** The jurisdictional populations from the Virginia Department of Corrections were not available at the time of writing.

**Washington:** For the average daily jurisdictional population for June 2020, see Washington State Department of Corrections, Average Daily Population of Incarcerated Individuals Fiscal Year 2020, Grand Total, <https://www.doc.wa.gov/docs/publications/reports/400-RE002-2006.pdf>. For the average daily jurisdictional population for September 2020, see Washington State Department of Corrections, Average Daily Population of Incarcerated Individuals Fiscal Year 2021, Grand Total, <https://www.doc.wa.gov/docs/publications/reports/400-RE002.pdf>.

**West Virginia:** The jurisdictional populations for June 30, 2020, and September 30, 2020, were reported directly by the West Virginia Division of Corrections and Rehabilitation in response to a Vera public information request.

**Wisconsin:** The jurisdictional populations on July 3, 2020, and October 2, 2020, include the total population in adult institutions and people held in county jails on probation and parole violations. See State of Wisconsin Department of Corrections, Offenders Under Control on 07-03-2020, pages 1-2, and tables “Adult Institutions” and “Probation and Parole in Custody,” <https://doc.wi.gov/DataResearch/WeeklyPopulationReports/07032020.pdf>; and State of Wisconsin Department of Corrections, Offenders Under Control on 10-02-2020, pages 1-2, and tables “Adult Institutions” and “Probation and Parole in Custody,” <https://doc.wi.gov/DataResearch/WeeklyPopulationReports/10022020.pdf>.

**Wyoming:** The Wyoming Department of Corrections did not respond to a direct request for information in time for publication. For June 16, 2020, and August 31, 2020, data, see numbers reported in “The Marshall Project: COVID Cases in Prisons,” published by the Associated Press, <https://data.world/associatedpress/marshall-project-covid-cases-in-prisons>.



Appendix Table 1

**Change in prison incarceration from highest year to late 2020**

|                           | Highest prison population |                  | Late 2020        | From high year to late 2020 |            |
|---------------------------|---------------------------|------------------|------------------|-----------------------------|------------|
|                           | Year                      | Count            |                  | Change                      | % change   |
| <b>U.S. Prisons Total</b> | <b>2009</b>               | <b>1,615,487</b> | <b>1,250,200</b> | <b>-365,287</b>             | <b>-23</b> |
| <b>Federal</b>            | <b>2012</b>               | <b>217,815</b>   | <b>155,530</b>   | <b>-62,285</b>              | <b>-29</b> |
| <b>States</b>             | <b>2009</b>               | <b>1,407,369</b> | <b>1,094,670</b> | <b>-312,699</b>             | <b>-22</b> |
| <i>Northeast</i>          |                           |                  |                  |                             |            |
| Connecticut (a)           | 2007                      | 20,924           | 9,391            | -11,533                     | -55        |
| Maine                     | 2018                      | 2,425            | 1,784            | -641                        | -26        |
| Massachusetts             | 1997                      | 11,947           | 7,167            | -4,780                      | -40        |
| New Hampshire             | 2013                      | 3,018            | 2,369            | -649                        | -22        |
| New Jersey                | 1999                      | 31,493           | 15,689           | -15,804                     | -50        |
| New York                  | 1999                      | 72,899           | 36,528           | -36,371                     | -50        |
| Pennsylvania              | 2011                      | 51,578           | 40,487           | -11,091                     | -22        |
| Rhode Island (a)          | 2008                      | 4,045            | 2,304            | -1,741                      | -43        |
| Vermont (a)               | 2009                      | 2,220            | 1,413            | -807                        | -36        |
| <i>Midwest</i>            |                           |                  |                  |                             |            |
| Illinois                  | 2012                      | 49,348           | 30,859           | -18,489                     | -37        |
| Indiana                   | 2013                      | 29,913           | 25,182           | -4,731                      | -16        |
| Iowa                      | 2010                      | 9,455            | 7,782            | -1,673                      | -18        |
| Kansas                    | 2018                      | 10,218           | 8,682            | -1,536                      | -15        |
| Michigan                  | 2006                      | 51,577           | 34,330           | -17,247                     | -33        |
| Minnesota                 | 2015                      | 10,798           | 7,793            | -3,005                      | -28        |
| Missouri                  | 2017                      | 32,601           | 23,602           | -8,999                      | -28        |
| Nebraska                  | 2019                      | 5,682            | 5,266            | -416                        | -7         |
| North Dakota              | 2015                      | 1,795            | 1,185            | -610                        | -34        |
| Ohio                      | 2015                      | 52,233           | 45,009           | -7,224                      | -14        |
| South Dakota              | 2017                      | 3,970            | 3,323            | -647                        | -16        |
| Wisconsin                 | 2018                      | 24,064           | 21,659           | -2,405                      | -10        |

(a) Prisons and jails form one unified system.

Appendix Table 1, cont.

**Change in prison incarceration from highest year to late 2020**

|                | Highest prison population |         | Late 2020 | From high year to late 2020 |          |
|----------------|---------------------------|---------|-----------|-----------------------------|----------|
|                | Year                      | Count   |           | Change                      | % change |
| <b>South</b>   |                           |         |           |                             |          |
| Alabama        | 2012                      | 32,431  | 25,504    | -6,927                      | -21      |
| Arkansas       | 2017                      | 18,070  | 16,215    | -1,855                      | -10      |
| Delaware (a)   | 2007                      | 7,257   | 4,784     | -2,473                      | -34      |
| Florida        | 2010                      | 104,306 | 83,362    | -20,944                     | -20      |
| Georgia        | 2009                      | 56,986  | 49,036    | -7,950                      | -14      |
| Kentucky       | 2017                      | 23,543  | 19,080    | -4,463                      | -19      |
| Louisiana      | 2012                      | 40,172  | 27,848    | -12,324                     | -31      |
| Maryland       | 2002                      | 24,162  | 17,455    | -6,707                      | -28      |
| Mississippi    | 2008                      | 22,754  | 17,798    | -4,956                      | -22      |
| North Carolina | 2010                      | 40,382  | 30,584    | -9,798                      | -24      |
| Oklahoma       | 2016                      | 29,916  | 23,333    | -6,583                      | -22      |
| South Carolina | 2008                      | 24,326  | 16,447    | -7,879                      | -32      |
| Tennessee      | 2017                      | 28,980  | 23,247    | -5,733                      | -20      |
| Texas (b)      | 2010                      | 173,649 | 139,978   | -33,671                     | -19      |
| Virginia       | 2015                      | 38,403  | -         | -                           | -        |
| West Virginia  | 2016                      | 7,162   | 4,310     | -2,852                      | -40      |
| <b>West</b>    |                           |         |           |                             |          |
| Alaska (a)     | 2014                      | 5,794   | 4,595     | -1,199                      | -21      |
| Arizona        | 2015                      | 42,719  | 38,894    | -3,825                      | -9       |
| California     | 2006                      | 175,512 | 99,943    | -75,569                     | -43      |
| Colorado       | 2008                      | 23,274  | 16,673    | -6,601                      | -28      |
| Hawaii (a)     | 2005                      | 6,146   | 4,140     | -2,006                      | -33      |
| Idaho          | 2019                      | 9,437   | 8,342     | -1,095                      | -12      |
| Montana        | 2016                      | 3,814   | 3,812     | -2                          | 0        |
| Nevada         | 2016                      | 13,757  | 11,529    | -2,228                      | -16      |
| New Mexico     | 2017                      | 7,276   | 6,195     | -1,081                      | -15      |
| Oregon         | 2013                      | 15,517  | 13,507    | -2,010                      | -13      |
| Utah           | 2013                      | 7,077   | 5,824     | -1,253                      | -18      |
| Washington     | 2017                      | 19,656  | 16,183    | -3,473                      | -18      |
| Wyoming        | 2018                      | 2,543   | 1,959     | -584                        | -23      |

(a) Prisons and jails form one unified system.

(b) The population counts are based on the number of people in DOC custody and the estimated number of people held in local jails.

Appendix Table 2

**Jail incarceration counts in select large jurisdictions, 2010 to 2020**

|                            | Midyear<br>2010 | Midyear<br>2020 | Between 2010<br>and 2020 |             | Late<br>2020 | Since midyear<br>2020 |             |
|----------------------------|-----------------|-----------------|--------------------------|-------------|--------------|-----------------------|-------------|
|                            |                 |                 | Change                   | %<br>change |              | Change                | %<br>change |
| Los Angeles County, Calif. | 18,036          | 11,948          | -6,088                   | -34         | 14,254       | 2,306                 | 19          |
| Harris County, Texas       | 10,242          | 8,201           | -2,041                   | -20         | 8,571        | 370                   | 5           |
| Dallas County, Texas       | 6,865           | 5,090           | -1,775                   | -26         | 5,655        | 565                   | 11          |
| Cook County, Ill.          | 9,586           | 4,589           | -4,997                   | -52         | 5,339        | 750                   | 16          |
| Maricopa County, Ariz.     | 8,055           | 4,468           | -3,587                   | -45         | 5,107        | 639                   | 14          |
| Tarrant County, Texas      | 3,248           | 3,988           | 740                      | 23          | 4,250        | 262                   | 7           |
| New York City, N.Y.        | 13,049          | 3,876           | -9,173                   | -70         | 4,195        | 319                   | 8           |
| Philadelphia, Penn.        | 8,804           | 3,874           | -4,930                   | -56         | 4,159        | 285                   | 7           |
| San Diego, Calif.          | 4,762           | 3,655           | -1,107                   | -23         | 4,147        | 492                   | 13          |
| Bexar County, Texas        | 4,169           | 3,370           | -799                     | -19         | 3,850        | 480                   | 14          |
| Shelby County, Tenn.       | 5,766           | 3,627           | -2,139                   | -37         | 3,818        | 191                   | 5           |
| Orange County, Calif.      | 5,134           | 3,057           | -2,077                   | -40         | 3,657        | 600                   | 20          |
| Riverside County, Calif.   | 3,410           | 3,178           | -232                     | -7          | 3,613        | 435                   | 14          |
| Miami-Dade County, Fla.    | 5,770           | 3,378           | -2,392                   | -41         | 3,585        | 207                   | 6           |
| Jacksonville County, Fla.  | 3,835           | 3,290           | -545                     | -14         | 3,290        | 0                     | 0           |
| Sacramento County, Calif.  | 4,199           | 2,504           | -1,695                   | -40         | 3,109        | 605                   | 24          |
| Fulton County, Ga.         | 2,488           | 2,493           | 5                        | 0           | 2,598        | 105                   | 4           |
| Orange County, Fla.        | 3,604           | 2,140           | -1,464                   | -41         | 2,497        | 357                   | 17          |
| Pinellas County, Fla.      | 3,225           | 2,196           | -1,029                   | -32         | 2,360        | 164                   | 7           |
| Hillsborough County, Fla.  | 3,340           | 2,470           | -870                     | -26         | 2,357        | -113                  | -5          |
| Santa Clara County, Calif. | 3,587           | 2,093           | -1,494                   | -42         | 2,053        | -40                   | -2          |
| Alameda County, Calif.     | 4,305           | 1,805           | -2,500                   | -58         | 1,953        | 148                   | 8           |
| Allegheny County, Penn.    | 3,233           | 1,736           | -1,497                   | -46         | 1,748        | 12                    | 1           |
| Milwaukee County, Wis.     | 2,710           | 1,492           | -1,218                   | -45         | 1,565        | 73                    | 5           |
| Orleans Parish, La.        | 3,522           | 850             | -2,672                   | -76         | 890          | 40                    | 5           |

Note: Jurisdictions included in this table were selected because they are core counties of metropolitan areas of more than a million residents, and thus considered urban.

Appendix Table 3

**Prison population from 2019 to 2020**

|                           | Year end<br>2019 | Midyear<br>2020  | Late 2020        | Percent change                         |                                 |                                  |
|---------------------------|------------------|------------------|------------------|--|---------------------------------|----------------------------------|
|                           |                  |                  |                  | Year end<br>2019 to<br>midyear<br>2020 | Midyear<br>2020 to<br>late 2020 | Year end<br>2019 to<br>late 2020 |
| <b>U.S. Prisons Total</b> | <b>1,435,500</b> | <b>1,311,100</b> | <b>1,249,300</b> | <b>-9</b>                              | <b>-5</b>                       | <b>-13</b>                       |
| <b>Federal</b>            | <b>175,116</b>   | <b>161,640</b>   | <b>155,530</b>   | <b>-8</b>                              | <b>-4</b>                       | <b>-11</b>                       |
| <b>States</b>             | <b>1,260,400</b> | <b>1,149,500</b> | <b>1,093,800</b> | <b>-9</b>                              | <b>-5</b>                       | <b>-13</b>                       |

**Northeast**

|                  |        |        |        |     |    |     |
|------------------|--------|--------|--------|-----|----|-----|
| Connecticut (a)  | 12,293 | 9,963  | 9,391  | -19 | -6 | -24 |
| Maine            | 2,205  | 1,834  | 1,784  | -17 | -3 | -19 |
| Massachusetts    | 8,205  | 7,332  | 7,167  | -11 | -2 | -13 |
| New Hampshire    | 2,622  | 2,426  | 2,369  | -7  | -2 | -10 |
| New Jersey       | 18,613 | 17,132 | 15,689 | -8  | -8 | -16 |
| New York         | 44,284 | 38,390 | 36,528 | -13 | -5 | -18 |
| Pennsylvania     | 45,875 | 42,101 | 40,487 | -8  | -4 | -12 |
| Rhode Island (a) | 2,740  | 2,320  | 2,304  | -15 | -1 | -16 |
| Vermont (a)      | 1,608  | 1,417  | 1,413  | -12 | 0  | -12 |

**Midwest**

|              |        |        |        |     |    |     |
|--------------|--------|--------|--------|-----|----|-----|
| Illinois     | 38,259 | 32,167 | 30,859 | -16 | -4 | -19 |
| Indiana      | 27,268 | 25,884 | 25,182 | -5  | -3 | -8  |
| Iowa         | 9,282  | 7,931  | 7,782  | -15 | -2 | -16 |
| Kansas       | 10,177 | 9,189  | 8,682  | -10 | -6 | -15 |
| Michigan     | 38,053 | 35,425 | 34,330 | -7  | -3 | -10 |
| Minnesota    | 9,982  | 8,330  | 7,793  | -17 | -6 | -22 |
| Missouri     | 26,044 | 24,027 | 23,602 | -8  | -2 | -9  |
| Nebraska     | 5,651  | 5,402  | 5,266  | -4  | -3 | -7  |
| North Dakota | 1,794  | 1,247  | 1,185  | -30 | -5 | -34 |
| Ohio         | 49,762 | 46,351 | 45,009 | -7  | -3 | -10 |
| South Dakota | 3,804  | 3,478  | 3,323  | -9  | -4 | -13 |
| Wisconsin    | 23,956 | 21,801 | 21,659 | -9  | -1 | -10 |

(a) Prisons and jails form one unified system.

Appendix Table 3

Prison population from 2019 to 2020, *Continued*

|                | Year end<br>2019 | Midyear<br>2020 | Late 2020 | Percent change                         |                                 |                                  |
|----------------|------------------|-----------------|-----------|--|---------------------------------|----------------------------------|
|                |                  |                 |           | Year end<br>2019 to<br>midyear<br>2020 | Midyear<br>2020 to<br>late 2020 | Year end<br>2019 to<br>late 2020 |
| <b>South</b>   |                  |                 |           |  |                                 |                                  |
| Alabama        | 28,266           | 26,890          | 25,504    | -5                                     | -5                              | -10                              |
| Arkansas       | 17,759           | 16,552          | 16,215    | -7                                     | -2                              | -9                               |
| Delaware (a)   | 5,692            | 4,812           | 4,784     | -15                                    | -1                              | -16                              |
| Florida        | 96,009           | 89,382          | 83,362    | -7                                     | -7                              | -13                              |
| Georgia        | 55,556           | 50,891          | 49,036    | -8                                     | -4                              | -12                              |
| Kentucky       | 23,436           | 20,299          | 19,080    | -13                                    | -6                              | -19                              |
| Louisiana      | 31,609           | 28,213          | 27,848    | -11                                    | -1                              | -12                              |
| Maryland       | 18,686           | 19,109          | 17,455    | 2                                      | -9                              | -7                               |
| Mississippi    | 19,469           | 18,026          | 17,775    | -7                                     | -1                              | -9                               |
| North Carolina | 34,510           | 31,506          | 30,584    | -9                                     | -3                              | -11                              |
| Oklahoma       | 25,712           | 24,039          | 23,333    | -7                                     | -3                              | -9                               |
| South Carolina | 18,608           | 17,318          | 16,447    | -7                                     | -5                              | -12                              |
| Tennessee      | 26,539           | 24,566          | 23,247    | -7                                     | -5                              | -12                              |
| Texas (b)      | 158,820          | 145,579         | 139,978   | -8                                     | -4                              | -12                              |
| Virginia (c)   | 36,091           | -               | -         | -                                      | -                               | -                                |
| West Virginia  | 6,800            | 4,818           | 4,310     | -29                                    | -11                             | -37                              |
| <b>West</b>    |                  |                 |           |  |                                 |                                  |
| Alaska (a)     | 4,475            | 4,313           | 4,595     | -4                                     | 7                               | 3                                |
| Arizona        | 42,441           | 40,151          | 38,894    | -5                                     | -3                              | -8                               |
| California     | 125,507          | 114,966         | 99,943    | -8                                     | -13                             | -20                              |
| Colorado       | 19,714           | 17,441          | 16,673    | -12                                    | -4                              | -15                              |
| Hawaii (a)     | 5,179            | 4,449           | 4,140     | -14                                    | -7                              | -20                              |
| Idaho          | 9,437            | 8,775           | 8,342     | -7                                     | -5                              | -12                              |
| Montana        | 3,811            | 3,937           | 3,812     | 3                                      | -3                              | 0                                |
| Nevada         | 12,942           | 11,231          | 11,529    | -13                                    | 3                               | -11                              |
| New Mexico     | 6,723            | 6,303           | 6,195     | -6                                     | -2                              | -8                               |
| Oregon         | 15,755           | 14,055          | 13,507    | -11                                    | -4                              | -14                              |
| Utah           | 6,731            | 5,993           | 5,824     | -11                                    | -3                              | -13                              |
| Washington     | 19,160           | 16,703          | 16,183    | -13                                    | -3                              | -16                              |
| Wyoming        | 2,479            | 2,001           | 1,959     | -19                                    | -2                              | -21                              |

(a) Prisons and jails form one unified system.

(b) The population counts are based on the number of people in DOC custody and the estimated number of people held in local jails.

(c) Virginia's prison population was not available, but it is estimated in the totals based on the 2019 value and national trends.

Appendix Table 4

**Prison incarceration rate from 2019 to 2020**

|                           | Year<br>end<br>2019 | Midyear<br>2020 | Late<br>2020 | Percent change                            |                                    |  |
|---------------------------|---------------------|-----------------|--------------|---|------------------------------------|--|
|                           |                     |                 |              | Year<br>end<br>2019 to<br>midyear<br>2020 | Midyear<br>2020 to<br>late<br>2020 | Year<br>end<br>2019 to<br>late<br>2020 |
| <b>U.S. Prisons Total</b> | <b>437</b>          | <b>397</b>      | <b>378</b>   | <b>-9</b>                                 | <b>-5</b>                          | <b>-14</b>                             |
| <b>Federal</b>            | <b>53</b>           | <b>49</b>       | <b>47</b>    | <b>-8</b>                                 | <b>-4</b>                          | <b>-11</b>                             |
| <b>States</b>             | <b>385</b>          | <b>351</b>      | <b>334</b>   | <b>-9</b>                                 | <b>-5</b>                          | <b>-13</b>                             |
| <i>Northeast</i>          |                     |                 |              |   |                                    |  |
| Connecticut (a)           | 345                 | 279             | 263          | -19                                       | -6                                 | -24                                    |
| Maine                     | 164                 | 136             | 133          | -17                                       | -3                                 | -19                                    |
| Massachusetts             | 119                 | 106             | 104          | -11                                       | -2                                 | -13                                    |
| New Hampshire             | 193                 | 178             | 174          | -8  | -2                                 | -10                                    |
| New Jersey                | 210                 | 193             | 177          | -8  | -8                                 | -16                                    |
| New York                  | 228                 | 197             | 188          | -13                                       | -5                                 | -18                                    |
| Pennsylvania              | 358                 | 329             | 316          | -8  | -4                                 | -12                                    |
| Rhode Island (a)          | 259                 | 219             | 217          | -15                                       | -1                                 | -16                                    |
| Vermont (a)               | 258                 | 227             | 226          | -12                                       | 0                                  | -12                                    |
| <i>Midwest</i>            |                     |                 |              |   |                                    |  |
| Illinois                  | 302                 | 254             | 244          | -16                                       | -4                                 | -19                                    |
| Indiana                   | 405                 | 384             | 374          | -5  | -3                                 | -8                                     |
| Iowa                      | 294                 | 251             | 247          | -15                                       | -2                                 | -16                                    |
| Kansas                    | 349                 | 315             | 298          | -10                                       | -6                                 | -15                                    |
| Michigan                  | 381                 | 355             | 344          | -7  | -3                                 | -10                                    |
| Minnesota                 | 177                 | 148             | 138          | -17                                       | -6                                 | -22                                    |
| Missouri                  | 424                 | 391             | 385          | -8  | -2                                 | -9                                     |
| Nebraska                  | 292                 | 279             | 272          | -4  | -3                                 | -7                                     |
| North Dakota              | 235                 | 164             | 155          | -30                                       | -5                                 | -34                                    |
| Ohio                      | 426                 | 397             | 385          | -7  | -3                                 | -10                                    |
| South Dakota              | 430                 | 393             | 376          | -9  | -4                                 | -13                                    |
| Wisconsin                 | 411                 | 374             | 372          | -9  | -1                                 | -10                                    |

(a) Prisons and jails form one unified system.

## Appendix Table 4

Prison incarceration rate from 2019 to 2020, *Continued*

|                | Year<br>end<br>2019 | Midyear<br>2020 | Late<br>2020 | Percent change                            |                                    |  |
|----------------|---------------------|-----------------|--------------|---|------------------------------------|--|
|                |                     |                 |              | Year<br>end<br>2019 to<br>midyear<br>2020 | Midyear<br>2020 to<br>late<br>2020 | Year<br>end<br>2019 to<br>late<br>2020 |
| <b>South</b>   |                     |                 |              |   |                                    |  |
| Alabama        | 576                 | 548             | 520          | -5  | -5                                 | -10                                    |
| Arkansas       | 588                 | 548             | 537          | -7  | -2                                 | -9                                     |
| Delaware (a)   | 585                 | 494             | 491          | -15                                       | -1                                 | -16                                    |
| Florida        | 447                 | 416             | 388          | -7  | -7                                 | -13                                    |
| Georgia        | 523                 | 479             | 462          | -8  | -4                                 | -12                                    |
| Kentucky       | 525                 | 454             | 427          | -13                                       | -6                                 | -19                                    |
| Louisiana      | 680                 | 607             | 599          | -11                                       | -1                                 | -12                                    |
| Maryland       | 309                 | 316             | 289          | 2   | -9                                 | -7                                     |
| Mississippi    | 654                 | 606             | 597          | -7  | -1                                 | -9                                     |
| North Carolina | 329                 | 300             | 292          | -9  | -3                                 | -11                                    |
| Oklahoma       | 650                 | 608             | 590          | -7  | -3                                 | -9                                     |
| South Carolina | 361                 | 336             | 319          | -7  | -5                                 | -12                                    |
| Tennessee      | 389                 | 360             | 340          | -7  | -5                                 | -12                                    |
| Texas (b)      | 548                 | 502             | 483          | -8  | -4                                 | -12                                    |
| Virginia (c)   | 423                 | -               | -            | -   | -                                  | -                                      |
| West Virginia  | 379                 | 269             | 240          | -29                                       | -11                                | -37                                    |
| <b>West</b>    |                     |                 |              |   |                                    |  |
| Alaska (a)     | 612                 | 590             | 628          | -4  | 7                                  | 3                                      |
| Arizona        | 583                 | 552             | 534          | -5  | -3                                 | -8                                     |
| California     | 318                 | 291             | 253          | -8  | -13                                | -20                                    |
| Colorado       | 342                 | 303             | 290          | -12                                       | -4                                 | -15                                    |
| Hawaii (a)     | 366                 | 314             | 292          | -14                                       | -7                                 | -20                                    |
| Idaho          | 528                 | 491             | 467          | -7  | -5                                 | -12                                    |
| Montana        | 357                 | 368             | 357          | 3   | -3                                 | 0                                      |
| Nevada         | 420                 | 365             | 374          | -13                                       | 3                                  | -11                                    |
| New Mexico     | 321                 | 301             | 295          | -6  | -2                                 | -8                                     |
| Oregon         | 374                 | 333             | 320          | -11                                       | -4                                 | -14                                    |
| Utah           | 210                 | 187             | 182          | -11                                       | -3                                 | -13                                    |
| Washington     | 252                 | 219             | 213          | -13                                       | -3                                 | -16                                    |
| Wyoming        | 428                 | 346             | 338          | -19                                       | -2                                 | -21                                    |

(a) Prisons and jails form one unified system.

(b) The population counts are based on the number of people in DOC custody and the estimated number of people held in local jails.

(c) Virginia's prison population was not available, but it is estimated in the totals based on the 2019 value and national trends.

## Endnotes

- 1 All 2019 and 2020 jail and prison population estimates in this report are based on data collected by Vera, while 1970 through 1978 and 1983 through 2018 estimates are from the Bureau of Justice Statistics (BJS) Census of Jails, Annual Survey of Jails, and National Prisoner Statistics. See generally BJS, “Data Collection: Census of Jails Program,” <https://perma.cc/P992-8N2G>; BJS, “Data Collection: Annual Survey of Jails (ASJ) Program,” <https://perma.cc/N5UQ-DSQQ>; and BJS, “Data Collection: National Prisoner Statistics (NPS) Program,” <https://perma.cc/4JJU-KLFC>. The 1960 and 1980 jail estimates are from the U.S. Census, see Margaret Cahalan, *Historical Corrections Statistics in the United States, 1850-1984* (Washington, DC: BJS, 1986), <https://perma.cc/WDP7-35AA>. Numbers in the body text may not sum due to rounding.
- 2 Daniel Downs and Christian Henrichson, *The Impact of COVID-19 on Jail Populations: A Closer Look At Bookings And Releases*, (Louisville, KY: Appriss Insights, 2020), <https://perma.cc/USG5-G44P>.
- 3 See Jacob Kang-Brown, Oliver Hinds, Eital Schattner-Elmaleh, and James Wallace-Lee, *People in Jail in 2019* (New York: Vera Institute of Justice, 2019), <https://perma.cc/Q7Z7-3S6H>.
- 4 See data for Avenal State Prison and Harris County Jail in “Coronavirus in the U.S.: Latest Map and Case Count,” The New York Times, database, updated December 7, 2020, <https://perma.cc/A5EE-HJF4>. For population and design capacity used to measure crowding at Avenal State Prison, see California Department of Corrections and Rehabilitation, *Monthly Report of Population, As of Midnight November 30, 2020* (Sacramento, CA: Division of Correctional Policy Research and Internal Oversight Office of Research, 2020), <https://perma.cc/9MTH-5P65>.
- 5 See Lucy Tompkins, Maura Turcotte and Libby Seline, “‘I Just Kind of Lost It’: As Coronavirus Cases Soar, One Montana Town Reels,” *New York Times*, October 16, 2020, updated Nov. 30, 2020, <https://perma.cc/G6GU-PAVB>.
- 6 Amanda Klosky, “An Epicenter of the Pandemic Will Be Jails and Prisons, if Inaction Continues,” *New York Times* opinion, March 16, 2020, <https://perma.cc/H8HD-9X4E>; and Vera Institute of Justice and Community Oriented Correctional Health Services, *Guidance For Preventive And Responsive Measures To Coronavirus For Jails, Prisons, Immigration Detention And Youth Facilities* (New York: Vera Institute of Justice, 2020), <https://perma.cc/3SW3-8WZM>.
- 7 See e.g. Movement for Black Lives, “FREE ‘EM ALL,” <https://perma.cc/D5K2-Q3BH>; and Peter Wagner and Emily Widra, “Five Ways The Criminal Justice System Could Slow The Pandemic,” *Prison Policy Initiative*, March 27, 2020, <https://perma.cc/DY3B-P6WU>.
- 8 Job vacancy data for the two largest prisons in the Arkansas Division of Corrections, Cummins Unit and the Ouichita River Unit, shows about twice as many unfilled positions as of September 30, 2020, compared to January 2020; from December 2019 to September 2020, the incarcerated population at the two prisons declined only 3.9 percent according to statistics from the Arkansas DOC. The job vacancy percentage across Arkansas DOC is roughly double compared to before the pandemic, but is particularly high at large facilities. See Wendy Kelley, *Secretary’s Board Report: January 2020* (Pine Bluff, AR, Arkansas Division of Corrections, 2020), 5, <https://perma.cc/5GQ8-JS55>; and Solomon Graves, *Secretary’s Board Report: October 2020* (Pine Bluff, AR, Arkansas Department of Corrections, 2020), 6, <https://perma.cc/5ULM-JNMR>.
- 9 Dan Kane, “Escapee from NC Federal Prison Turns Himself In After Three Weeks On The Run,” *The Charlotte Observer*, April 21, 2020, <https://www.charlotteobserver.com/news/local/article242170326.html>.
- 10 See e.g. Mariame Kaba, “Yes, We Mean Literally Abolish The Police,” *New York Times*, June 12, 2020 <https://perma.cc/RS52-Z932>. For the extent of Black Lives Matter protests, see estimates of geographic range and number of participants in Larry Buchanan, Quoc Trung Bui and Jugal K. Patel, “Black Lives Matter May Be the Largest Movement in U.S. History,” *New York Times*, July 3, 2020, <https://perma.cc/JVJ8-WAM3>.
- 11 Zhen Zeng, *Jail Inmates in 2018* (Washington, DC: Bureau of Justice Statistics, 2020), <https://perma.cc/TY3R-SEMF>; and E. Ann Carson, *Prisoners in 2019* (Washington, DC: Bureau of Justice Statistics, 2020), <https://perma.cc/N7PA-LJNU>.
- 12 Zeng, *Jail Inmates in 2018*, 2020, 4.
- 13 Ibid.
- 14 Ram Subramanian, Kristine Riley, and Chris Mai, *Divided Justice: Trends in Black and White Jail Incarceration, 1990-2013* (New York: Vera Institute of Justice, 2018), 14, 25-27, <https://perma.cc/FC53-HY3C>.



- 15 Ibid., 18 and 21.
- 16 For a detailed look at this data, including information on COVID-19 cases, see Noelle Smart and Adam Garcia, “Tracking COVID-19 in Immigration Detention: A Dashboard of ICE Data,” database (New York: Vera Institute of Justice), <https://perma.cc/8H4B-R97L>.
- 17 Midyear refers to late June or early July, and late year refers to the end of September or beginning of October.
- 18 See Jacob Kang-Brown, Oliver Hinds, Jasmine Heiss, and Olive Lu, *The New Dynamics of Mass Incarceration*, (New York: Vera Institute of Justice, 2018), <https://perma.cc/C7LK-UHN3>.
- 19 See Zeng, *Jail Inmates in 2018, 2020*, 1-2.
- 20 The Appriss Insights analysis is based on a very large sample of jails, nearly all in the United States. Appriss provides software services to local jails, and the analysis was taken from a database of jail populations that supports victim notification software. According to the same report, the decrease in bookings during the first part of the pandemic was largely due to declines in bookings for court related issues, and bookings related to driving, drugs, and public order offenses, with the least decline in bookings for violent felony charges. See Downs and Henrichson, *The Impact of COVID-19 on Jail Populations, 2020*.
- 21 Downs and Henrichson, *The Impact of COVID-19 on Jail Populations, 2020*, 6-7.
- 22 Ibid., 7.
- 23 Ibid., 6.
- 24 Elizabeth Hinton, LeShae Henderson, and Cindy Reed, *An Unjust Burden: The Disparate Treatment of Black Americans in the Criminal Justice System* (New York: Vera Institute of Justice, 2018), <https://perma.cc/9VV3-L36G>.
- 25 These estimates are drawn from a large sample of local jails that, together, house approximately three-quarters of the country’s jail population. Nevertheless, this is not a census and does not contain data on every local jail. It is possible that the populations in those missing jails could have changed in different ways than estimated by Vera. For instance, some unsampled rural areas may have seen less steep decarceration, and unsampled urban areas might have released a larger share of their populations. Dramatic differences, if they exist, might alter the reported estimates presented here.
- Vera’s analysis of the urban-rural continuum changes the six categories defined by the National Center for Health Statistics (NCHS) Urban-Rural Classification Scheme for Counties to four. A county is labeled “urban” if it is one of the core counties of a metropolitan area with one million or more people and is labeled “suburban” if it is within the surrounding metropolitan area. Vera turns the remaining four categories into two by combining small and medium metropolitan areas (“small and midsize metro”) and micropolitan and noncore areas (“rural”).
- 26 See Custody Division COVID-19 Factsheet at “Coronavirus Updates,” Los Angeles County Sheriff’s Department, archived October 2, 2020, <https://web.archive.org/web/20201002164008/https://lasd.org/covid19updates/>.
- 27 See for example Eric Lofgren, Kristian Lum, Aaron Horowitz, et al., “The Epidemiological Implications of Incarceration Dynamics in Jails for Community, Corrections Officer, and Incarcerated Population Risks from COVID-19,” medRxiv (2020), <https://perma.cc/WQZ8-9U7Q>.
- 28 *The Marshall Project*, “A State-by-State Look at Coronavirus in Prisons,” database (New York: The Marshall Project), <https://perma.cc/555L-W3JB>.
- 29 National Academies of Sciences, Engineering, and Medicine, *Decarcerating Correctional Facilities During COVID-19: Advancing Health, Equity, and Safety*, edited by Emily A. Wang, Bruce Western, Emily P. Backes, and Julie Schuck, (Washington, DC: The National Academies Press, 2020), 53.
- 30 Ibid., 91.
- 31 Matt Mencarini, “Andy Beshear Picked 1,235 Inmates For Release To Stem COVID-19. Here’s How It Worked,” *Courier-Journal*, July 3, 2020, <https://perma.cc/MZ4B-6E5W>; See also Deni Kamper, “Beshear Administration Defends Decision to Release Inmates amid Criticism,” *WLYK*, December 3, 2020 <https://perma.cc/H4Y5-3KBQ>.
- 32 In April, the Pennsylvania State Supreme Court denied an emergency petition filed on behalf of incarcerated people and the Pennsylvania Prison Society, which sought mass release of people in local jails. In re: the Petition of the Pennsylvania Prison Society No. 70 MM 2020 (Penn., March 30, 2020) (Application For Extraordinary Relief Under The Court’s King’s Bench Jurisdiction), <https://perma.cc/6EL5-XDB3>. The Court instead directed every President Judge in the commonwealth to lead jail reduction and safety planning. In re: the Petition of the Pennsylvania Prison Society No. 70 MM 2020 (Penn., April 3, 2020) (order), <https://perma.cc/CWG5-VXPW>. In Shelby County, Tennessee, a federal class action lawsuit filed in May by

- the American Civil Liberties Union (ACLU) and Memphis-based Just City sought the release of people vulnerable to COVID-19. *Busby v. Bonner*, No. 2:20-cv-02359 (W.D. Tenn., May 20, 2020), <https://perma.cc/2PAE-3FUQ>. A federal judge denied release, although the litigation prompted the jail to increase safety measures. See Dina Amro, “Shelby County Sheriff Agrees To Upgrade COVID-19 Precautions In The Jail After Lawsuit,” *Commercial Appeal*, December 23, 2020, <https://perma.cc/S5H5-WP3K>.
- 33 ACLU, “Releases Come As Jail Faces Massive Outbreak,” press release (Santa Ana, CA: ACLU, December 11, 2020), <https://perma.cc/Z3ZP-UBED>.
- 34 N.J. S2519 (2020), signed Monday, October 19, 2020, <https://perma.cc/9L4D-7EKV>.
- 35 Authors’ correspondence with the New Jersey Department of Corrections.
- 36 See Oliver Hinds and Jack Norton, “No Chance Alamance: Immigrant Detention and Jail Expansion in the North Carolina Piedmont,” Vera Institute of Justice, July 28, 2020, <https://perma.cc/2FY6-4P8N>; and Jacob Kang-Brown and Jack Norton, “More than a Jail: Immigrant Detention and the Smell of Money,” Vera Institute of Justice, July 5, 2018, <https://perma.cc/H8DC-CGRP>.
- 37 For more information on the use of local jails as immigrant detention facilities, see Kang-Brown and Norton, “More Than a Jail,” 2018.
- 38 Local jail estimate in fiscal year 2017 from Emily Ryo and Ian Peacock, “Jailing Immigrant Detainees: A National Study of County Participation in Immigration Detention, 1983-2013,” *Law & Society Review*, January 2020, <https://doi.org/10.1111/lasr.12459>. Fiscal year 2020 estimate from authors’ review of ICE data.
- 39 See Maria Sacchetti and Arelis Hernández, “ICE to Stop Most Immigration Enforcement Inside U.S., Will Focus On Criminals During Coronavirus Outbreak,” *Washington Post*, March 18, 2020, <https://perma.cc/6DJD-Q62N>; and Miriam Jordan, “After a Pandemic Pause, ICE Resumes Deportation Arrests,” *New York Times*, September 14, 2020, <https://perma.cc/87B7-3MWH>.
- 40 For the decline in border encounters, see U.S. Customs and Border Protection, “Southwest Border Migration,” archived January 4, 2021, <https://perma.cc/5EXK-GDU3>. For expulsions, see U.S. Customs and Border Protection, “Nationwide Enforcement Encounters: Title 8 Enforcement Actions and Title 42 Expulsions,” <https://perma.cc/V7CB-MVYR>. The Trump Administration’s Migrant Protection Protocols (also known as Remain in Mexico) have forced tens of thousands of asylum seekers to wait in Mexico. See discussion in Adam Liptak and Zolan Kanno-Youngs, “Supreme Court Revives ‘Remain in Mexico’ Policy for Asylum Seekers,” *New York Times*, March 11, 2020, <https://perma.cc/G4TB-48VY>.
- 41 For August 2019 data see ICE, *ICE Detention Statistics, Fiscal Year 2019* (Washington, DC: ICE, 2019), <https://www.ice.gov/doclib/detention/FY19-detentionstats.xlsx>. For 2020 ICE detention data, see Vera Institute of Justice, “ICE-Reported COVID-19 Detention Dataset,” database (New York: Vera Institute of Justice), <https://perma.cc/5KST-2NAN>.
- 42 For immigration detention data on COVID-19, see Smart and Garcia, “Tracking COVID-19 in Immigration Detention.”
- 43 *Ibid.*
- 44 See Public Law 116-260, <https://perma.cc/4FC4-LMUF>.
- 45 See Jack Norton and Jacob Kang-Brown, “If You Build It: How the Federal Government Fuels Rural Jail Expansion,” Vera Institute of Justice, January 10, 2020, <https://perma.cc/WZ2A-VAJD>; and Seth Freed Wessler, “Inside the US Marshals’ Secretive, Deadly Detention Empire,” *Mother Jones*, Nov/Dec 2019, <https://perma.cc/5GS5-KGXF>.
- 46 Figures reported directly to Vera by USMS.
- 47 See table reported on Twitter by Seth Freed Wessler at 9:27 am on October 9, 2020, listing Covid-19 deaths by federal judicial district, <https://twitter.com/SethFW/status/1314603314655395847>.
- 48 See Keegan Hamilton and Keri Blakinger, “‘Con Air’ Is Spreading COVID-19 All Over the Federal Prison System,” *The Marshall Project*, August 13, 2020, <https://perma.cc/5F7F-WXD8>; and Kate Morrissey, “Detainees and Inmates Worry About New COVID-19 Cases at Otay Mesa Detention Center,” *San Diego Union-Tribune*, November 12, 2020, <https://perma.cc/W8EG-GYWZ>.
- 49 Emily Kassie and Barbara Marcolini, “‘It Was Like a Time Bomb’: How ICE Helped Spread the Coronavirus,” *New York Times*, July 10, 2020, <https://perma.cc/YFC8-3CUE>.
- 50 This includes the six states—Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont—with state-operated, unified prison and jail systems.
- 51 Jacob Kang-Brown and Jasmine Heiss, “COVID-19 Imperils People in Rural Jails,” Vera Institute of Justice, April 1, 2020, <https://perma.cc/BRK2-XPQC>.

- 52 See Parisa Hafezi, “Iran Temporarily Frees 85,000 From Jail Including Political Prisoners,” *Reuters*, March 17, 2020, <https://perma.cc/K268-JP4Z>.
- 53 In late 2019, the incarcerated population of Iran was approximately 189,500. Incarceration rate is calculated based on total country population. See *Report of the Special Rapporteur on the Situation of Human Rights in the Islamic Republic of Iran* (Geneva, Switzerland: United Nations Human Rights Council, January 28, 2020), 16, <https://perma.cc/DR4V-MK2U>.
- 54 Incarceration counts and rates for France and following countries rely on incarceration and population data identified in the World Prison Brief published by the Institute of Crime & Justice Policy Research, <https://www.prisonstudies.org/>. For France, see the number of people counted as “détenus” in the following reports: *Mesure de l’Incarcération Au 1er janvier 2020*, (Paris: Ministère de la justice, 2020), <https://perma.cc/EY5Z-QFWK>; *Mesure de l’Incarcération Au 1er juillet 2020*, (Paris: Ministère de la justice, 2020), <https://perma.cc/DZ45-CAGL>; and *Mesure de l’Incarcération Au 1er octobre 2020*, (Paris: Ministère de la justice, 2020), <https://perma.cc/8EY6-YDA5>.
- 55 For Germany, see the total incarcerated population count in monthly tables, column 6 row 12. *Bestand der Gefangenen und Verwahrten in den deutschen Justizvollzugsanstalten - Januar bis Juni 2020*, (Wiesbaden, Germany: Statistisches Bundesamt, 2020), <https://perma.cc/Q49Z-SZHT>.
- 56 For statistics on incarceration and pretrial detention (“Población Privada de la Libertad Procesada”) in Mexico during 2020, See Órgano Administrativo Desconcentrado Prevención y Readaptación Social, *Cuaderno Mensual de Información Estadística Penitenciaria Nacional, Enero 2020* (Ciudad de México: Secretaría de Seguridad y Protección Ciudadana, 2020), 3, [https://www.gob.mx/cms/uploads/attachment/file/564750/CE\\_2020\\_ENERO.pdf](https://www.gob.mx/cms/uploads/attachment/file/564750/CE_2020_ENERO.pdf); Órgano Administrativo Desconcentrado Prevención y Readaptación Social, *Cuaderno Mensual de Información Estadística Penitenciaria Nacional, Junio 2020* (Ciudad de México: Secretaría de Seguridad y Protección Ciudadana, 2020), 3, [https://www.gob.mx/cms/uploads/attachment/file/569193/CE\\_2020\\_JUNIO.PDF](https://www.gob.mx/cms/uploads/attachment/file/569193/CE_2020_JUNIO.PDF); and Órgano Administrativo Desconcentrado Prevención y Readaptación Social, *Cuaderno Mensual de Información Estadística Penitenciaria Nacional, Septiembre 2020* (Ciudad de México: Secretaría de Seguridad y Protección Ciudadana, 2020), 3, [https://www.gob.mx/cms/uploads/attachment/file/590396/CE\\_2020\\_SEPT.PDF](https://www.gob.mx/cms/uploads/attachment/file/590396/CE_2020_SEPT.PDF).
- 57 Anabel Mendoza, “Forgotten: Stateville Inmates Warn Of Rising COVID-19 Outbreak Behind Bars,” *Chicago Reporter*, June 26, 2020, <https://perma.cc/TC7B-YSTQ>; and Victoria Law, “Louisiana Prisoners Held In Notorious Isolation Unit Are Facing A ‘Slow-Moving Disaster,’” *The Appeal*, April 17, 2020, <https://perma.cc/42WX-6KN4>.
- 58 Michael Leachman and Elizabeth McNichol, “Pandemic’s Impact on State Revenues Less Than Earlier Expected But Still Severe,” Center on Budget and Policy Priorities, October 30, 2020, <https://perma.cc/Y2EB-KHW8>.
- 59 For example, Orange County, California approved a new jail construction project in May 2020 that will add 896 beds, nearly doubling the jail’s capacity. See Alma Fausto, “OC supervisors Award \$261 Million Contract For Musick Jail Expansion,” *Orange County Register*, May 5, 2020. <https://www.ocregister.com/2020/05/05/oc-supervisors-award-261-million-contract-for-musick-jail-expansion/>.
- 60 To download the file, visit [www.vera.org/people-in-jail-and-prison-in-2020](http://www.vera.org/people-in-jail-and-prison-in-2020).
- 61 See E. Ann Carson, *Prisoners in 2019* (Washington, D.C.: Bureau of Justice Statistics, 2020), 4-5, table 2: “Prisoners under jurisdiction of state or federal correctional authorities, by jurisdiction and sex, 2018 and 2019,” <https://perma.cc/N7PA-LJNU>.
- 62 See Laura M. Maruschak and Todd D. Minton, *Correctional Populations in The United States, 2017-2018*, (Washington, D.C.: Bureau of Justice Statistics, 2020), 2, table 1: “Number of persons supervised by adult correctional systems in the U.S., by correctional status, 2008-2018,” <https://perma.cc/NC37-ZGHN>.
- 63 See Janet Lauritsen and Nicole White, *Seasonal Patterns in Criminal Victimization Trends*, (Washington DC: Bureau of Justice Statistics, 2014), 7, <https://perma.cc/AWX7-4YS5>.
- 64 *Ibid.*, 3.
- 65 *Ibid.*, 20-21.
- 66 U.S. Census Bureau, “2019 National and State Population Estimates: Table 1. Annual Estimates of the Resident Population for the United States, Regions, States, and Puerto Rico: April 1, 2010 to July 1, 2019 (NST-EST2019-01),” <https://perma.cc/6V3P-FL88>; and U.S. Census Bureau, “National Intercensal Datasets: 2000-2010,” [perma.cc/93K9-2M5M](https://perma.cc/93K9-2M5M).
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## About citations

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