

## THE EXPANDING FEDERAL PRISON POPULATION

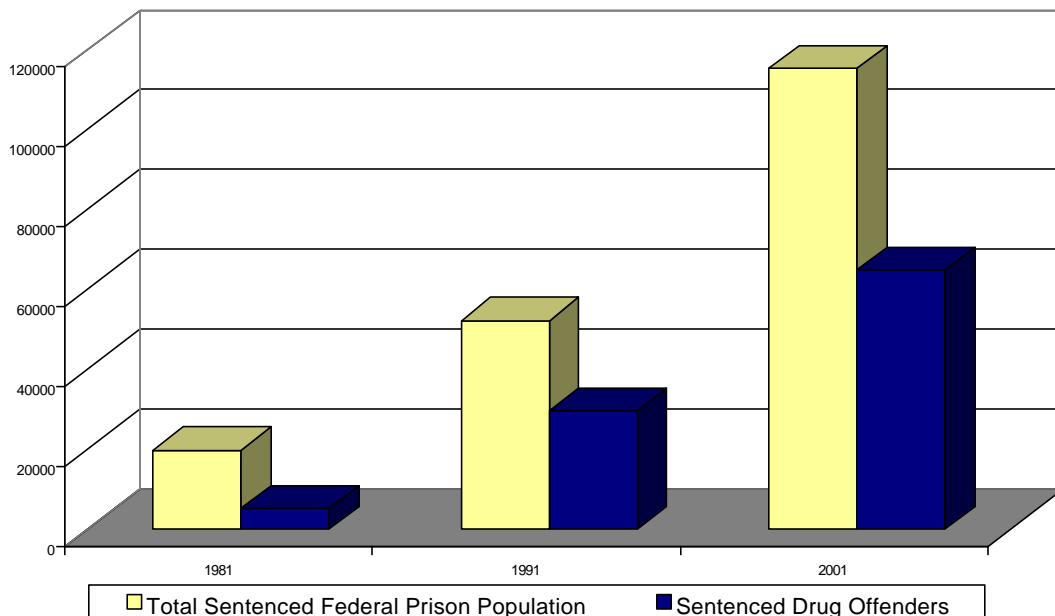
### The Federal Bureau of Prisons

- The total population under the jurisdiction of the Federal Bureau of Prisons in 2000 was 145,000, making it the third largest prison system in the U.S. (behind Texas and California). The sentenced portion of this population was 112,000.
- Two-thirds (68%) of federal prisoners are racial and ethnic minorities – 39% black, 29% Latino.

### Federal Prison Growth

- The sentenced portion of the federal prison population has grown enormously in the past 20 years – from 19,765 in 1981 to 115,000 in 2001. During that same period the percentage of drug offenders in federal prison has increased from 25% to almost 60%.

20-Year Population Growth<sup>1</sup>



While many states are experiencing a slowing of the rate of growth of their prison population and some even a small decline, the federal prison population continues its rapid expansion. From 1999 to 2000 the number of sentenced federal prisoners increased by 9.4%, compared to the state

<sup>1</sup> Kathleen Maguire and Ann L. Pastore, eds. *Sourcebook of Criminal Justice Statistics 2000*. U.S. Department of Justice, Bureau of Justice Statistics. Washington, DC: USGPO, 2001. (Adapted from Table 6.51, pg. 526).

prison population increase of 0.5%<sup>2</sup>. During 2000, the federal prison population grew by 10,769 sentenced prisoners, or more than 200 new prisoners per week. If current policies remain in place this rapid rate of growth is projected to continue over the coming years leading to an estimated population of more than 200,000 by 2007.<sup>3</sup> To alleviate the pressure of this swiftly growing population, the Bureau of Prisons has increasingly turned to the option of private prisons. At year-end 2000, there were approximately 9,000 inmates housed in private facilities.

Several factors have contributed substantially to the growth of the federal prison population in the past twenty years. These include:

- *Increased federalization of crime* – The federal government has expanded its control into areas that have historically fallen under state jurisdiction. This is most striking in regard to the “war on drugs,” where federal prosecutions for drug offenses have increased by 147% from 11,854 in 1984 to 29,306 in 1999.<sup>4</sup>
- *Mandatory sentencing policy* – Federal sentencing policy has shifted dramatically as a result of policy decisions of the mid-1980s. Mandatory minimum sentencing policies adopted by Congress beginning in 1984 have contributed substantially to the number of drug offenders in federal prison, both by removing discretion from sentencing judges and increasing the length of sentence for many offenders. In 1999, 62% of federal offenders convicted of a drug offense received a mandatory minimum prison term; more than half of this total were sentenced to at least five years in prison.<sup>5</sup>
- *Federal sentencing guidelines* –The federal sentencing guidelines that went into effect in 1987 have removed much judicial discretion as well, resulting in additional prison sentences that might have otherwise resulted in diversion to community-based sanctions. An examination of sentencing changes in the first years of the guidelines’ implementation found that the proportion of offenders sentenced to prison rose from 52% in pre-guideline cases in 1986 to 74% in guideline cases by 1990.<sup>6</sup>

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<sup>2</sup> Allen Beck and Paige Harrison, *Prisoners in 2000*, Bureau of Justice Statistics (BJS), Department of Justice, August 2001.

<sup>3</sup> *Statement of the Director, Federal Bureau of Prisons*, Before the Senate Subcommittee on Criminal Justice of the Judiciary Committee, April 6, 2000.

<sup>4</sup> John Scalia, *Federal Drug Offenders, 1999, with Trends 1984-99*, Bureau of Justice Statistics, August 2001.

<sup>5</sup> *Ibid.*

<sup>6</sup> Douglas C. McDonald and Kenneth E. Carlson, *Federal Sentencing in Transition, 1986-90*, Bureau of Justice Statistics, June 1992.