

**Rhode Island Department of Corrections
Population Report
FY 1976 to FY 2021
Planning & Research Unit**



Table of Contents

Introduction	3
RI's Inmate Population at a Glance (FY1976-FY2021)	4
What Factors Led to Changes in the Prison Population?	5
1960s	7
1970s	8
1980s	9
1990s	11
2000s	13
2010s	14
2020s	16
Total Population by Decade	17
Population by Inmate Status	19
Population by Inmate Sex	21
Can Other Trends be Identified When Analyzing Fluctuation in the Total Population?	23
Community Confinement Population	24
Probation and Parole Population (1997 to present)	25
RI Offenders by Supervision Type	25
RI Probationers by Crime Type	26
COVID Releases	27
Where is the Population Headed?	27
References	29

Introduction

The Rhode Island Department of Corrections (RIDOC) Planning & Research Unit has maintained offender data since 1976. This report was created to summarize all the existing data describing the RIDOC's population from 1976 to the present. Prior to 1992, data was not available in electronic form. As a result, information in this report is constrained by what those data elements that were manually collected prior to 1992.

The RI Prison System:

The State of Rhode Island operates a unified correctional system, meaning that all offenders (i.e., those awaiting trial, sentenced, and under community supervision) are under the jurisdiction of RIDOC. In this report, "Total Population" refers to total custodial population, those who are held awaiting trial or sentenced in one of RIDOC's facilities. It does not include offenders who are serving RI sentences out-of-state in accordance with the Interstate Compact, at the Eleanor Slater Hospital Forensic Unit, or who are on home confinement or under the supervision of Adult Probation or Parole.

As of December 31, 2020, the RIDOC's Adult Correctional Institutions (ACI) comprised of 6 inmate facilities (5 male, 1 female), all located within 1 square mile in Cranston, RI. Women's Facility I (The Gloria McDonald Building) presently houses all female offenders. Women's Facility II (The Bernadette Building) has not consistently housed offenders since June 2016. However, in late FY2020, RIDOC utilized Women's Facility II to house sentenced offenders in order to promote social distancing during the COVID-19 pandemic. The facility is available for future operation if necessary.

Data Caveats:

As noted above, there are limitations to what data are included in this report based on what information was manually collected. In some cases, data were not available at standard intervals. Please pay special attention to the text, as it will identify the specific time period covered.

Another limitation of the data is that most often, only the most serious offense for an offender is recorded. While it is possible to analyze current data for additional charges/sentences, this has not always been the case.

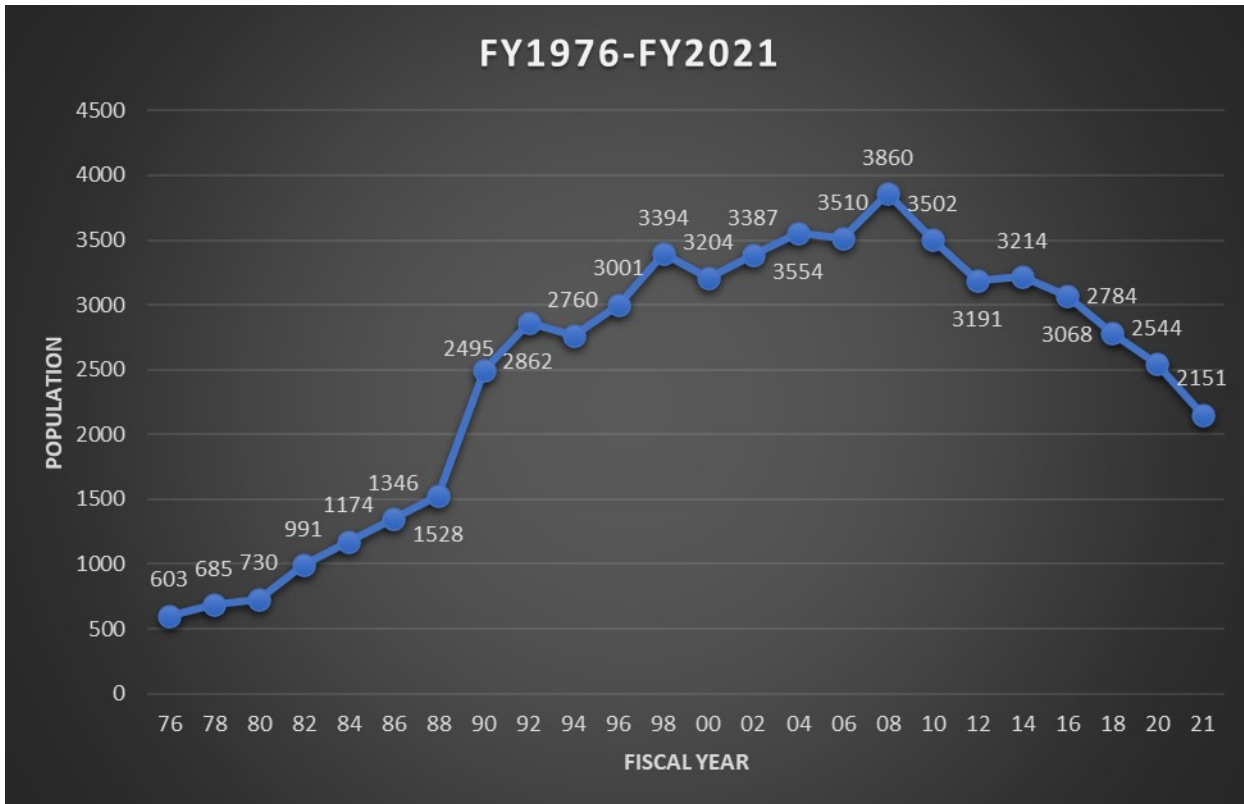


More Information:

For more information on this report, please contact the Planning and Research Unit at the RIDOC:

Planning@doc.ri.gov
(401) 462-3920

RI's Inmate Population at a Glance (FY1976-FY2021)



The state's prison population began to increase during the 1980s. From 1980 to 1989, the total prison population grew by an average of 17% annually, for a total increase of 172% (from 730 to 1987 offenders). During the 1990s, the prison population continued to grow by an average of 3.6% each year. In the 2000s, the prison population grew at a rate of 1.5% per year, however, from 2010 to 2021, the prison population decreased by an average of 3.2% per year.

The total prison population (i.e., all awaiting trial and sentenced offenders, both male and female) experienced nearly a 6-fold increase from FY1976 to FY2008. This represents a 540% growth in the population over those 32 years, or an average of 16.9% annually. Since FY2008, the prison population has decreased by 44.27%, an average of 3.4% annually. This was largely as a result of the passing of good time legislation in 2008, the State's decision to repeal mandatory minimum sentences in 2009, and the inclusion of the Second Chance Act and Justice Reinvestment Initiatives.

Was the increase in the RI inmate population due to an increase in the State's population?

No. The number of offenders incarcerated in RI rose dramatically from 1980 to 2008 resulting in a 404% increase. However, US Census (2010) research found that RI's population only grew about 11% from 1980 to 2010. Specifically, in 1980, RI's incarceration rate was 77 offenders per 100,000 state residents. According to the Bureau of Justice Statistics (2001), in 2000, the rate rose to 197 offenders per 100,000 residents, while in 2009, the Bureau of Justice Statistics (2009) states the rate increased to 211 per 100,000, representing growth by 174% between 1980 and 2009. In 2020, the Bureau of Justice Statistics [BJS] (2020) reported that as of December 31, 2019, the rate decreased to 156 offenders per 100,000. This represents a 26% decline over the course of those 10 calendar years.

Was there significantly more growth in one segment of the prison population?

No. There was significant growth in both the number of awaiting trial and sentenced inmates. The awaiting trial population increased from 135 in FY1976 to its highest at 813 in FY2004 for a 502% increase. The sentenced population realized a 575.6% increase from FY1976 (468) to FY2008 (3162). *(For more details, see pages 19-20)*. Similarly, there has been exponential growth in the male and female offender populations. *(For more details, see pages 21-22)*.

How does Rhode Island compare nationally?

As was the trend nationally, Rhode Island experienced marked growth in its total prison population, with the sharpest recent increase occurring between 2005 and 2008. However, the Bureau of Justice Statistics [BJS] (2009) states that RI experienced the largest percent decrease in the prison population in the US (down 9.2%) by the end of 2009. Rhode Island's incarceration rate fell from 240 in 2008 (BJS, 2009) to 156 per 100,000 residents in 2019 (BJS, 2020). At the end of 2019, the United States' prison population was 1,430,800, an 11% decrease from 2009 when the US prison population peaked (BJS, 2020). The United States' incarceration rate decreased from 504 in 2008 (BJS, 2009) to 419 per 100,000 residents in 2019 (BJS, 2020). This is the lowest imprisonment rate since 1997.

What factors lead to changes in the prison population?

Prison populations are indirectly affected by many factors, with four factors having the most immediate impact: (1) the number of new offenders admitted, (2) the length of sentence imposed, (3) the amount of time offenders can earn off their sentences (i.e., time off for good behavior or program participation), and (4) the percentage of offenders leaving prison prior to the expiration of their sentences (e.g., via parole).

Nationally, the "War on Drugs" initiatives starting under President Richard Nixon's Administration during the 1970's and "Get Tough on Crime" implemented under President Ronald Reagan's Administration during the 1980's were the two primary factors which led to a rapid increase in prison populations across the country during the latter part of the 20th century. In response to the aforementioned initiatives, many states chose to pass mandatory minimum sentence legislation in the 1980's which aimed to increase prison sentences for drug offenders while decreasing the possibility of early release. As a result, prison populations began to contain more minor drug offenders and offenders were required to serve longer sentences. This produced a "stacking effect," where this segment of the prison population remained incarcerated and new offenders continued to pile in. During this time, the number of incarcerated persons throughout the nation grew to over 2.3 million by 2008.

In response to the growing population and forecasted projections developed in 2007, the Rhode Island Legislature passed initiatives in May 2008 to modify statutory good time by standardizing calculated earned time for all inmates who demonstrate good behavior. All offenders, with the exclusion of those serving 30 days or less, sex offenders, or those serving life sentences, are eligible to receive 10 days a month off their sentences if they remain discipline free. In addition, program earned time was established to allow inmates who participate in particular programs to receive up to 5 days a month and allow offenders who successfully complete programs the ability to earn up to another 30 days off their sentences for each program completed.

Additionally, in April 2008, Congress passed the Second Chance Act which the Bureau of Justice Assistance describes as a federal investment in strategies to reduce recidivism and increase public safety. Up to \$165 million in federal grants were available to state, local and tribal government agencies, as well as nonprofit organizations to fund initiatives towards addressing challenges inmates face that may lead to recidivism. These challenges fall under the categories of mental health, substance abuse, housing and homelessness, education and employment, and children and families. (The Council of State Governments, 2018) The Second Chance Act was not the only government initiative implemented to address the significant increase in the inmate population.

In 2010, Congress appropriated funding to the Bureau of Justice Assistance to create the Justice Reinvestment Initiative (JRI). JRI is a data driven approach to improve public safety, reduce corrections spending and related criminal justice spending, and reinvest savings in strategies that can decrease recidivism and increase public safety. (The Council of State Governments, Justice Reinvestment, 2021) (For more information regarding JRI and its role in Rhode Island, please see page 28)





Below is a timeline demarcating major policy changes on a national level and the impact on Rhode Island's prison system.

Late 1960s

Recreational drug use among young, white, middle class Americans rises.

“Hippies were members of a counterculture in the 1960s and 1970s that rejected the mores of mainstream American life. They promoted the recreational use of hallucinogenic drugs, particularly marijuana and LSD (lysergic acid diethylamide), in so-called head trips justifying the practice as a way of expanding consciousness.” (Encyclopedia Britannica, n.d.)

“Troops in the Vietnam War used drugs more heavily than any previous generation of enlisted U.S. troops. According to a 1971 report by the Department of Defense, 51 percent of the armed forces had smoked marijuana, 31 percent had used psychedelics, such as LSD, mescaline and psilocybin mushrooms, and an additional 28 percent had taken hard drugs, such as cocaine and heroin.” (History, 2018)



- 1971 According to Frontline (n.d.) President Richard Nixon names drug abuse as “public enemy number one in the US.” Anti-drug money was allotted to drug control agencies rather than treatment.
- 1972 (RI) RIDOC is created by statute and has formal jurisdiction over the Adult Correctional Institutions and Adult Probation and Parole.
- 1973 (N) President Nixon resigns. President Gerald Ford’s administration recommends “priority in Federal efforts in both supply and demand reduction be directed toward those drugs which inherently pose a greater risk to the individual and to society. The list of “high priority” drugs is expanded from solely natural based (e.g., opiates and cocaine) to include synthetic drugs (e.g., barbiturates, amphetamines and tranquilizers).”
- 1974 The Ford administration recommends that “priority in Federal efforts in both supply and demand reduction be directed toward those drugs which inherently pose a greater risk to the individual and to society.” Drugs named as high priority include heroin, amphetamines and mixed barbiturates (Frontline, n.d.).
- 1974, 1975 (RI) Inmates file class action lawsuits against the RIDOC (C.A. No. 74-0172, C.A. No. 75-0032). The lawsuits outline what incarceration is like in the Maximum and Medium facilities to include unsanitary living conditions and overcrowding. These cases, which set the stage for federal capacities reporting, are subsequently certified as a class by Chief Judge Raymond Pettine in what is known as *Palmigiano v. Garrahy*.
- Mid-1970s (N) The War on Drugs took a slight hiatus. Eleven states decriminalized marijuana possession. (www.history.com/topics/crime/the-war-on-drugs)
- 1977 James (Jimmy) Carter becomes President in 1977 after running on a political campaign to decriminalize marijuana. During his first year in office, the Senate Judiciary Committee voted to decriminalize up to 1 ounce of marijuana. (www.history.com/topics/crime/the-war-on-drugs)
- 1977 (RI) Chief Judge Pettine renders his decision in *Palmigiano v. Garrahy*. He orders a Master to assist the Court in monitoring the RIDOC’s implementation of the Court’s orders to address inmate living conditions within certain timeframes. The court retains jurisdiction of the case.
- Late 1970s Cocaine use is on the rise and is glamorized by the media.





1980s (RI)

The RI prison population starts to see steady increases from year to year. As such, the RIDOC embarks on a long-term building / construction campaign to increase the number of beds to meet the needs of the increasing prisoner population.⁸

1981 (RI)

High Security Center opens, with a capacity of 96 cells.

1982 (RI)

Intake Service Center opens, with a capacity of 168 cells.

1984 (RI)

The Gloria McDonald building opens as a women's prison.

Governor J. Joseph Garrahy appoints a Task Force on Prison Overcrowding.



1984

First Lady Nancy Reagan's "Just Say No" campaign becomes the centerpiece of the Reagan administration's anti-drug policy. The movement focuses on white, middle class children and is funded by corporate and private donations (Frontline, n.d.). The movement fails to address underlying criminogenic risk factors (i.e., poverty).

1985

Crack cocaine begins to pervade the northeast. Crack is cheap, powerfully addictive, and has a devastating effect in inner city neighborhoods.



1986

President Ronald Reagan signs the Anti-Drug Abuse Act of 1986. This bill provides \$1.7 billion to fight the drug crisis. \$97 million is allocated to build new prisons, \$200 million for drug education and \$241 million for treatment. The Anti-Drug Abuse Act also created mandatory minimum sentences for drug offenders. This created a 100:1 sentencing disparity ratio between crack cocaine and powder cocaine. In other words, a sentence for 5 *kilograms* of powder cocaine is punishable by at least 10 years in prison while 5 *grams* of crack leads to a mandatory 5-year sentence (Frontline, n.d.).



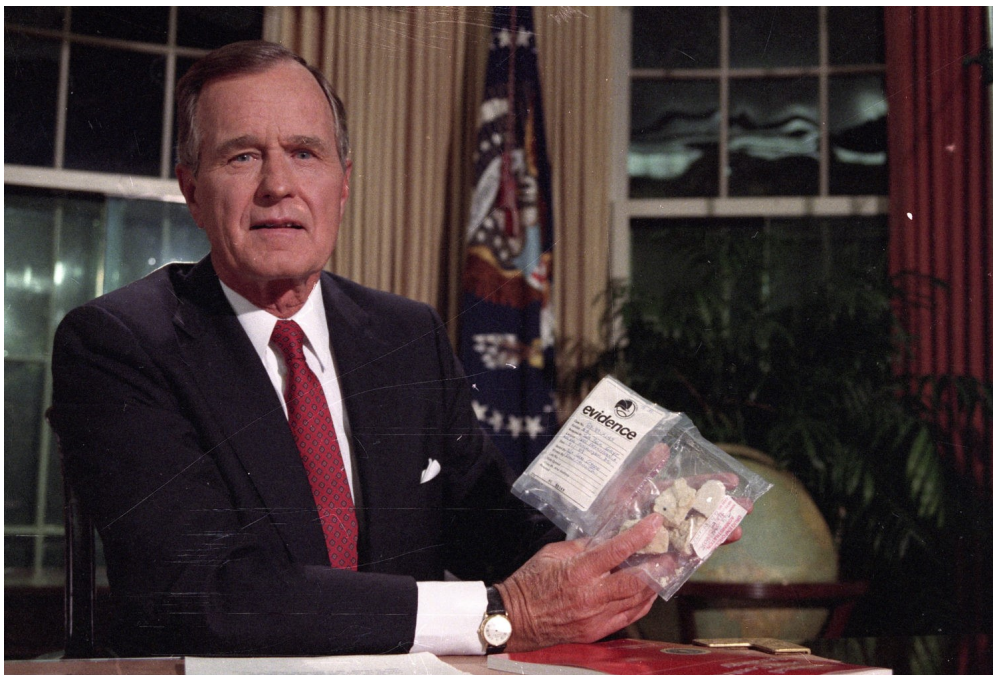
1986 (RI)

The War on Drugs intensifies in RI with the introduction of crack. There is an increase in penalties for minor drug violations. RI Parole Guidelines are modified to increase the amount of time served until parole eligibility for drug offenders (E. Boyar, personal communication, May 17, 2005).



1988 (RI) The General Assembly passes legislation making possession of as little as 1 oz of heroin or cocaine subject to a mandatory minimum sentence of 10 years. Voters amend the State constitution to permit denial of bail in cases of drug offenses carrying a sentence of 10 years or more (Constitution of the State of Rhode Island, n.d.) As a result, the RI prison population begins a sharp climb, growing 85% from 1986 to 1990.

In 1989, President George H.W. Bush creates the Office of National Drug Control Policy and names a “Drug Czar” to lead it. Federal spending on law enforcement increases; treatment receives less than 1/3 of the total budget.



1990 (RI) The Price Medium Security facility opens as a special needs unit.

1992 (RI) The Intake Service Center (North side) opens, with a capacity for 900 offenders.

The Moran Medium Security facility opens, with a capacity for 870 male inmates.

1993 (RI) The Price Medium Security, special needs facility, closes due to budget cuts.

1994 The Violent Crime and Law Enforcement Act of 1994 (Federal Crime Bill) was enacted and included funding for prisons, law enforcement and prevention programs.

1995 US Sentencing Commission recommends modifying mandatory sentencing guidelines to reduce the disparity between crack and powder cocaine. For the first time in history, Congress overrides this recommendation. President William (Bill) Clinton agrees with Congress and signs the rejection into law (Frontline, n.d.).

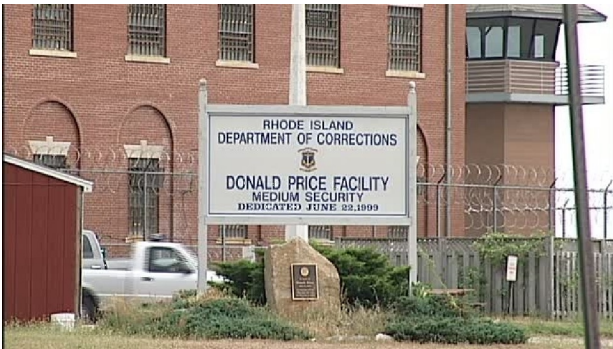
1995 (RI) The original *Palmigiano* class action is dismissed according to the terms of a 1994 Settlement Agreement.



In 1996, the federal government creates the Violent Offender Incarceration/ Truth-in-Sentencing Initiative. (VOI/TIS) Monies are doled out to increase time served for violent offenders and increase construction of prisons for violent offenders.



In 1997, the Donald Price Medium Facility reopens.



In 1998, Human Rights Watch (2000) reports that 30% of all new sentenced admissions to state prisons and 58% of those to Federal prisons are for drug charges.



In 1998, RIDOC uses VOI/TIS funds for various construction/renovation projects. These projects include completing a 540-bed expansion of the Donald Price Medium Facility, a 45-bed expansion for Women’s Facility awaiting trial population and the renovation of a building to serve as the Reintegration Unit.

The creation of the Reintegration Unit is intended to increase bed capacity by 200 inmates. The population for these beds will be drawn directly from Maximum and Medium, thus freeing bedspace for violent offenders in higher custody classifications.



- 2002 The federal government responds to the growing number of offenders being released to the streets after long terms of incarceration with the Serious and Violent Offender Reentry Initiative (SVORI). Under the SVORI, RI is awarded \$1.9 million dollars to address reentry needs.
- 2004 (RI) Governor Carcieri issues Executive Order 04-02 which establishes a Governor’s Steering Committee on corrections reform and prisoner reentry. This committee was established to create a comprehensive plan and systematic approach to promoting reentry strategies for all offenders prior to release from incarceration with continued support from probation and parole, community-based agencies and all other State agencies after release. (State of Rhode Island, 2004)
- 2008 Congress passes the Second Chance Act, which “represents a federal investment in strategies to reduce recidivism and increase public safety, as well as to reduce corrections costs for state and local governments.” (Bureau of Justice Assistance Fact Sheet, 2018)
- 2008 (RI) The RI General Assembly enacted legislation to moderate the growth of the inmate census by equalizing the rate of earned time among all inmates (excluding sex offenders) and by providing incentives for inmates to participate in treatment and programs that can reduce their risk to re-offend upon release.
- 2009 (RI) Rhode Island repealed all mandatory minimum sentencing laws for drug offenses.



President Barak Obama signed into federal law the Fair Sentencing Act of 2010 that reduces the disparity between the amount of crack cocaine and powder cocaine needed to trigger certain federal criminal penalties and eliminated the five-year mandatory minimum sentence for simple possession of crack cocaine.

Women's Facility I moves in 2010 to the building originally built for the men's Reintegration Unit. It serves as a medium security facility for women with a capacity for 213 offenders.



In 2011, the Bernadette Building (Women's Facility II) (Women's Minimum/Work Release) is opened.

The Donald Price Medium Security Facility closes.

In 2012, RIDOC is awarded the Second Chance Act Statewide Recidivism Reduction Grant to address deficiencies in the use of assessment, case management and programming interventions.

Legislation was passed in 2012 that changed good time policies for those offenders convicted of severe crimes.



- 2013 (RI) Rhode Island passes a law making possession of small amounts of marijuana punishable with a maximum \$150 civil fine and no jail time (Brennan Center for Justice: Twenty Years, 2015).
- 2015 (RI) Governor Raimondo signed Executive Order 15-11, Establishing the Justice Reinvestment Group into effect on July 7. (For more information, please see page 28)
- 2016 (RI) Due to declining population, Women’s Facility II’s (Bernadette) population is consolidated into Women’s I (Gloria McDonald). Women’s Facility II (The Bernadette Building) presently does not house female offenders but is still available for operation if necessary.
- 2016 (RI) Governor Raimondo signs the Good Samaritan Act, which “reinstates and expands important legal protections for those who seek medical assistance for individuals experiencing a drug overdose.” (State of Rhode Island, 2016)
- 2016 President Obama signs the Comprehensive Addiction and Recovery Act (CARA) into law. The CARA “establishes a comprehensive, coordinated, balanced strategy through advanced grant programs that would expand prevention and education efforts while promoting treatment and recovery.” (Community Anti-Drug Coalitions of America., n.d.)
- 2016 (RI) The RIDOC begins to offer inmates medication assisted treatment (MAT) for heroin addiction. MAT is provided to 3 types of inmates – those who enter the system with a doctor’s prescription for MAT; those who are newly admitted to the system and are withdrawing; and those with a history of substance abuse who are within a few months of release from the ACI. (Erick Trickey, Politico Magazine, 2018)



2017 (RI)

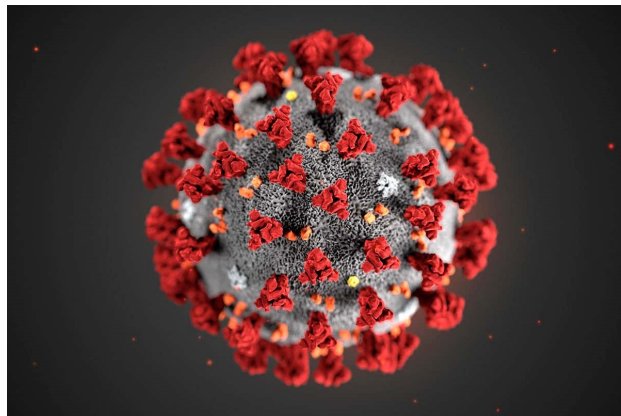
§21-28-4.01.1, Uniform Controlled Substances Act, imposes lesser sentences for those who plead nolo to minor heroin charges. Lesser sentences are imposed for convicted drug dealers who are also drug dependent than those who are not.



2018 President Donald Trump signs the First Step Act, which was enacted to “improve criminal justice outcomes, as well as reduce the size of the federal prison population while also creating mechanisms to maintain public safety.” Said Act requires the Attorney General to develop a risk and needs assessment system “to assess recidivism and criminogenic needs of all federal prisoners and to place prisoners in recidivism reducing programs and productive activities to address their needs and reduce risk.” (Federal Bureau of Prisons, n.d.)

2019 (RI) Governor Raimondo signs Executive Order 19-08 establishing the Juvenile & Criminal Justice Working Group. Please see page 28 of RIDOC’s FY19 Annual Population Report for more details.

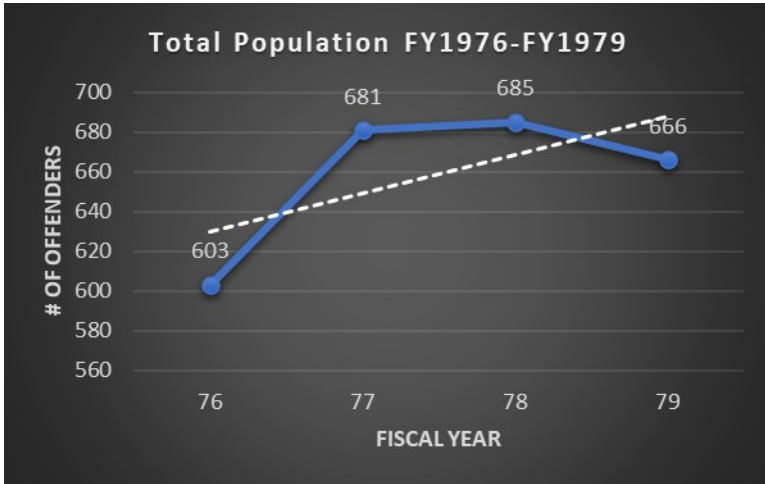
2020 (RI) COVID Timeline



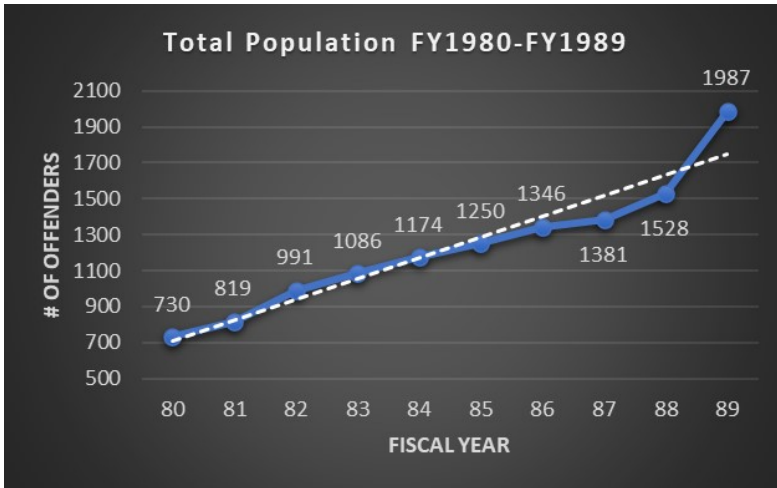
- March 1 First positive COVID-19 case reported in RI.
- March 9 Governor Raimondo declares a state of emergency.
- March 11 All visits to RIDOC offenders are cancelled.
- March 16 All new commitments are quarantined for 14 days and contracted program providers are restricted from entering RIDOC facilities.
- March 17 In-person Community Corrections check-ins are suspended and RI courts are closed to all non-emergency matters.
- March 28 Governor Raimondo enacts a “stay at home order”.
- April 7 52 non-violent offenders who are within 90 days of their good time release dates were released early.

2021 (RI) As of June 28, 70% of RIDOC staff are fully vaccinated, 1% are partially vaccinated, 58% of offenders are fully vaccinated, and 5% are partially vaccinated.

Total Population by Decade

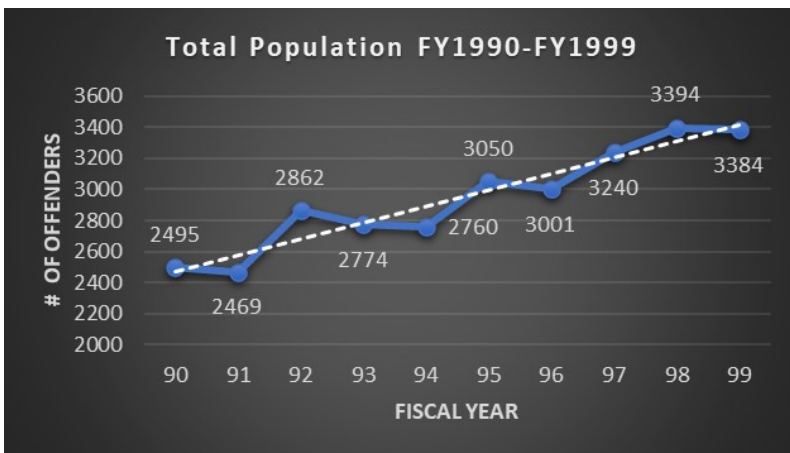


From FY1976 to FY1979, the average total population increased by 10%.

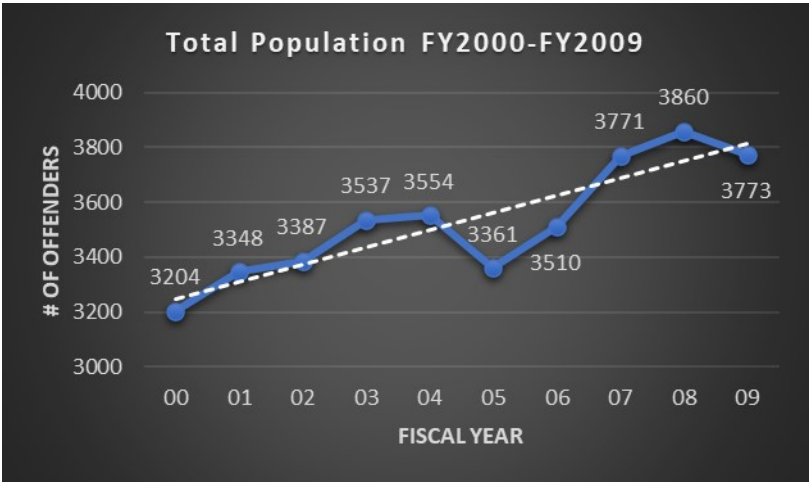


From FY1980 to FY1989, the average total population increased 172%.

In comparison to the latter part of the 70's, the average total population increased 48% from FY1986 to FY1989.

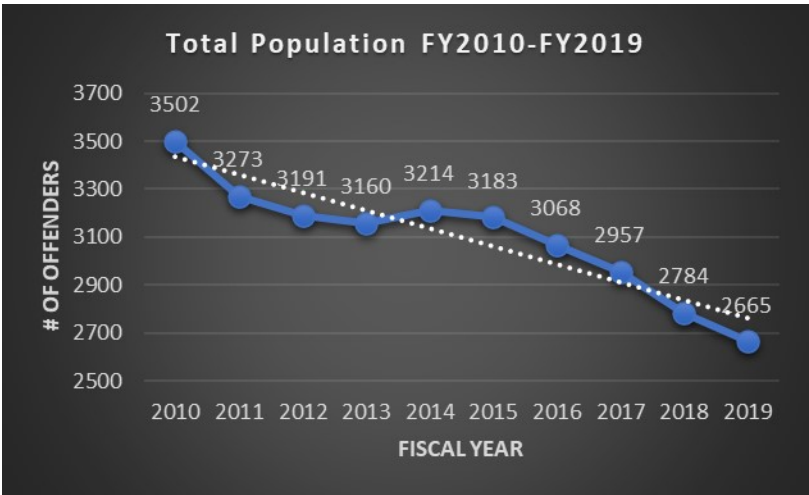


From FY1990 to FY1999, the average total population increased 36%.



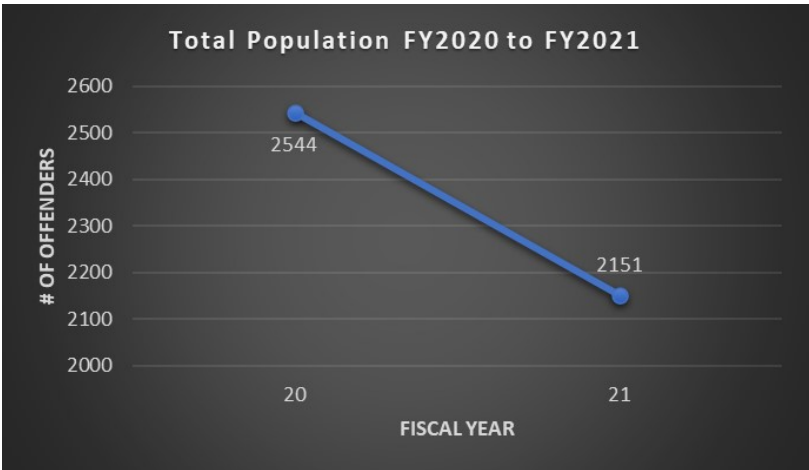
From FY2000 to FY2009, the average total population increased 18%.

The population reached an all-time high in 2008, increasing 20% from 2000.



From FY2010 to FY2019, the average total population decreased 24%.

The population steadily decreased with a slight increase in FY2014.

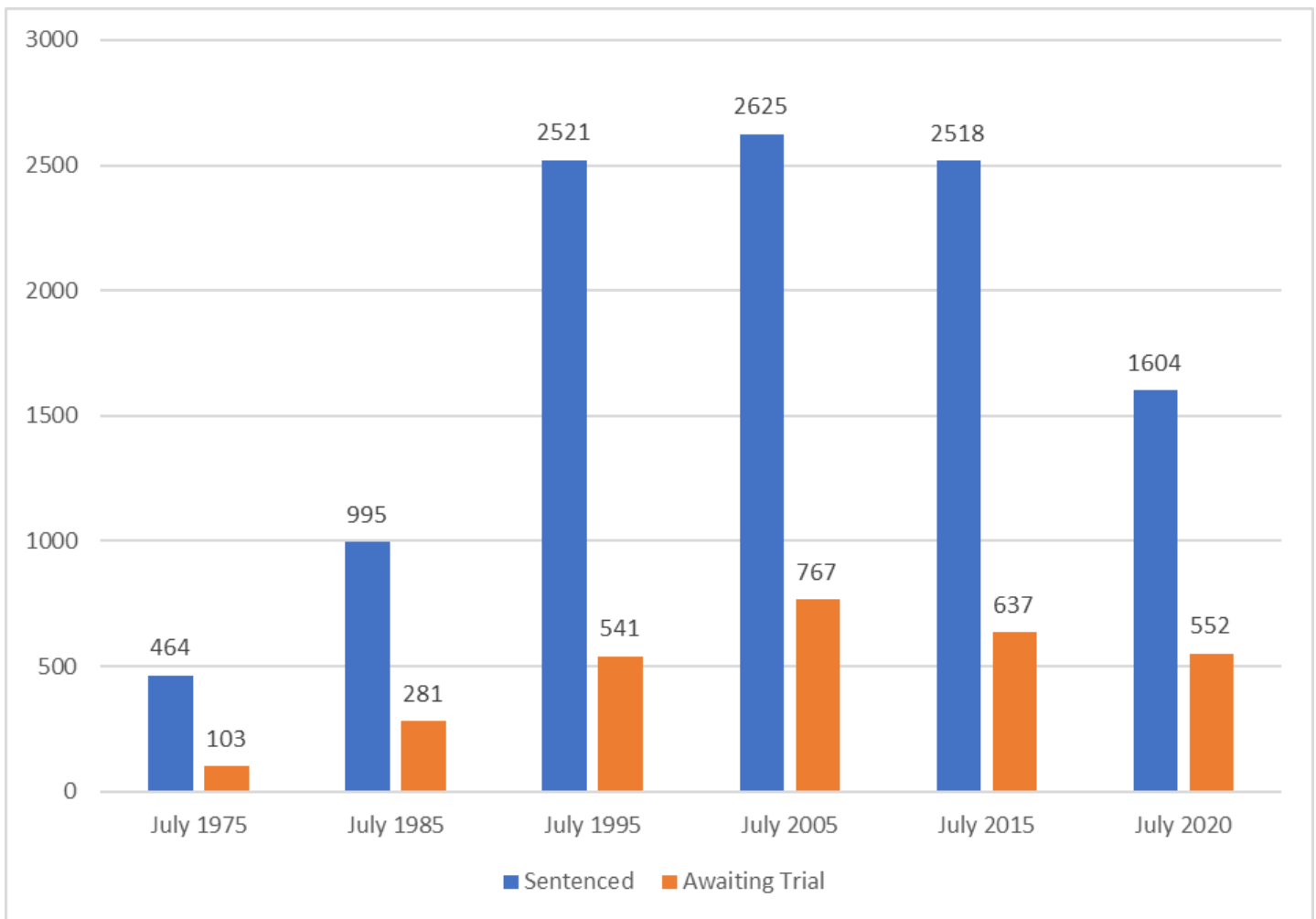


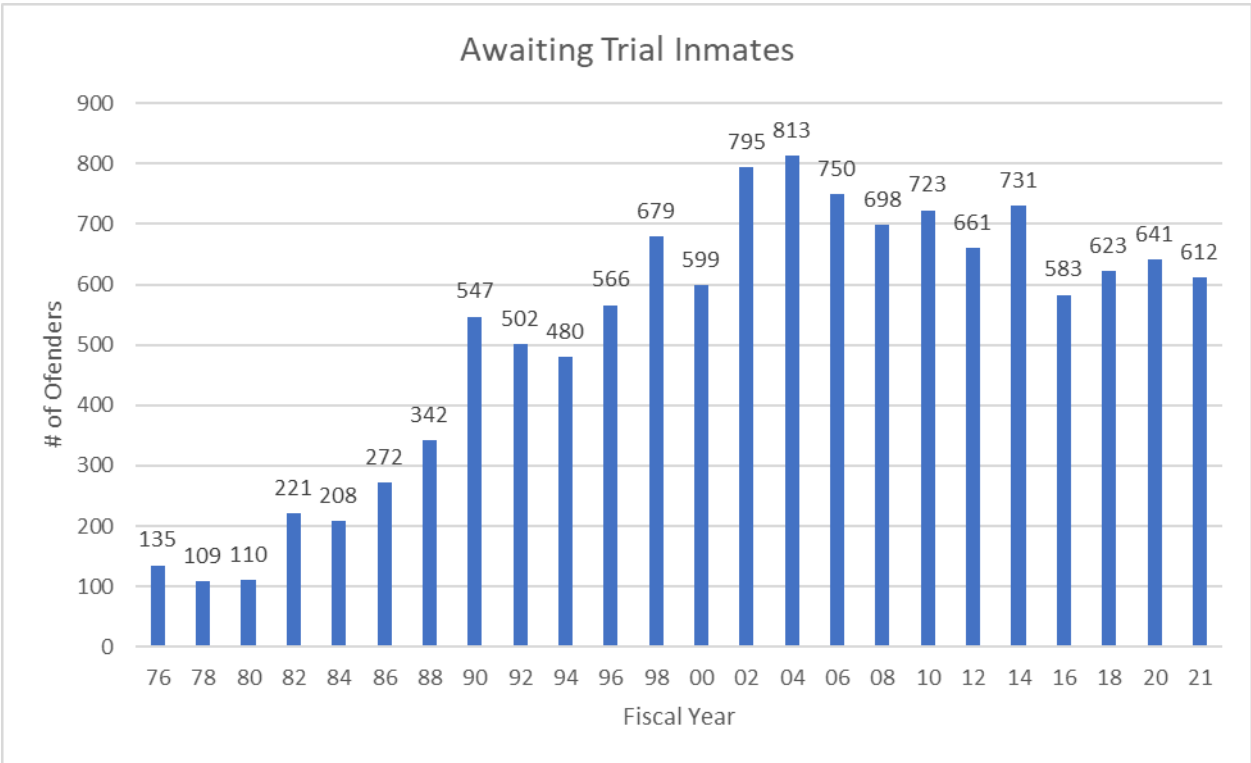
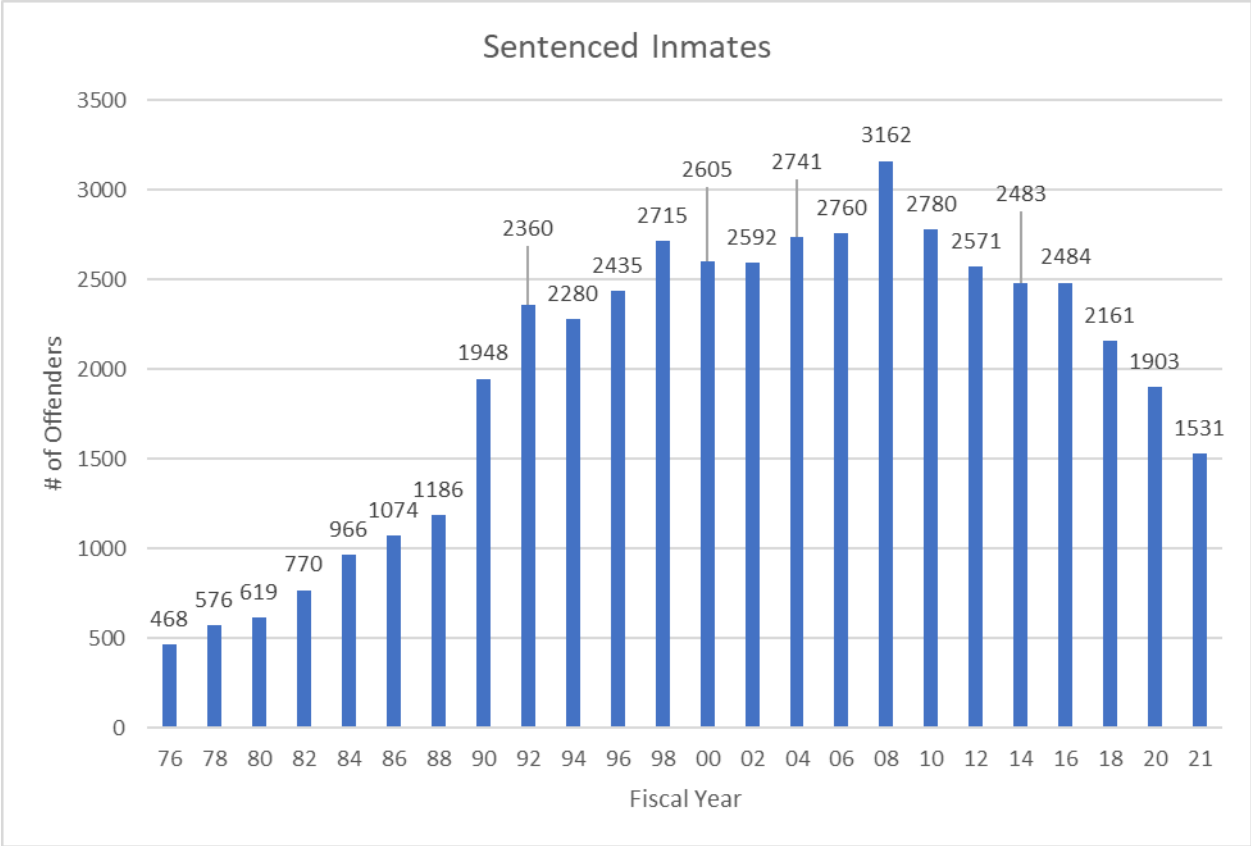
From FY2020 to FY2021, the average total population decreased 15%.

Population by Inmate Status

Was there more growth in either the awaiting trial or sentenced offender populations?

The sentenced population steadily increased from 464 in July 1975 to 2652 in July 2005. That is an average increase of 16% per year. Since then the sentenced population has declined 36.3% from 2518 in July 2015 to 1604 in July 2020. The awaiting trial population increased rapidly (645%) from July 1975 to July 2005. From July 2015 to July 2020 there has been a 13.5% decrease in the awaiting trial population. In 1975, the awaiting trial population represented 18% of the total prison population (n = 103), while in 2020, it made up 25.6% of the total population (n = 552).



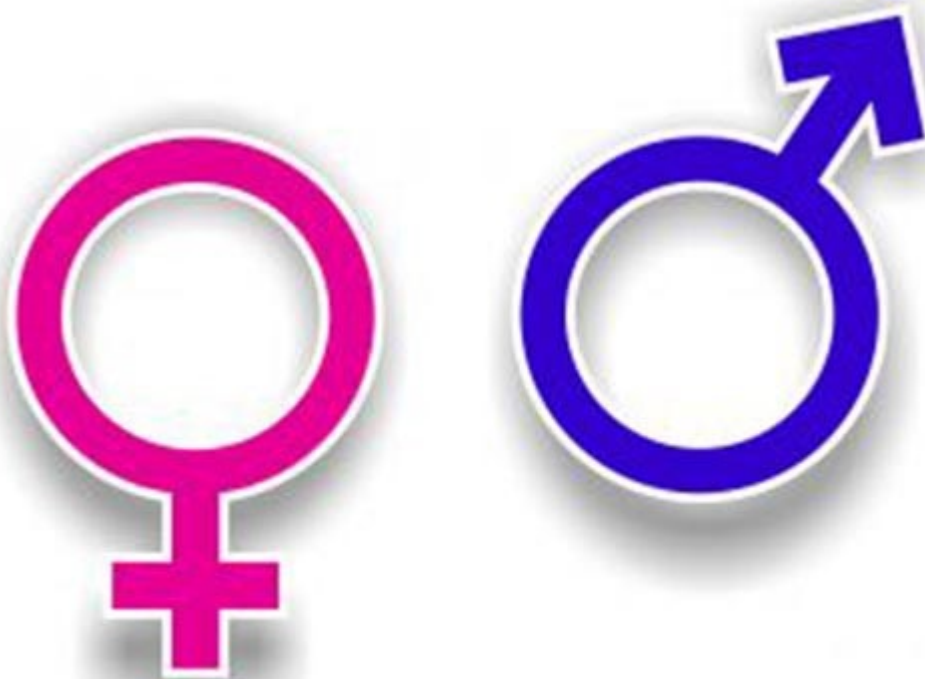


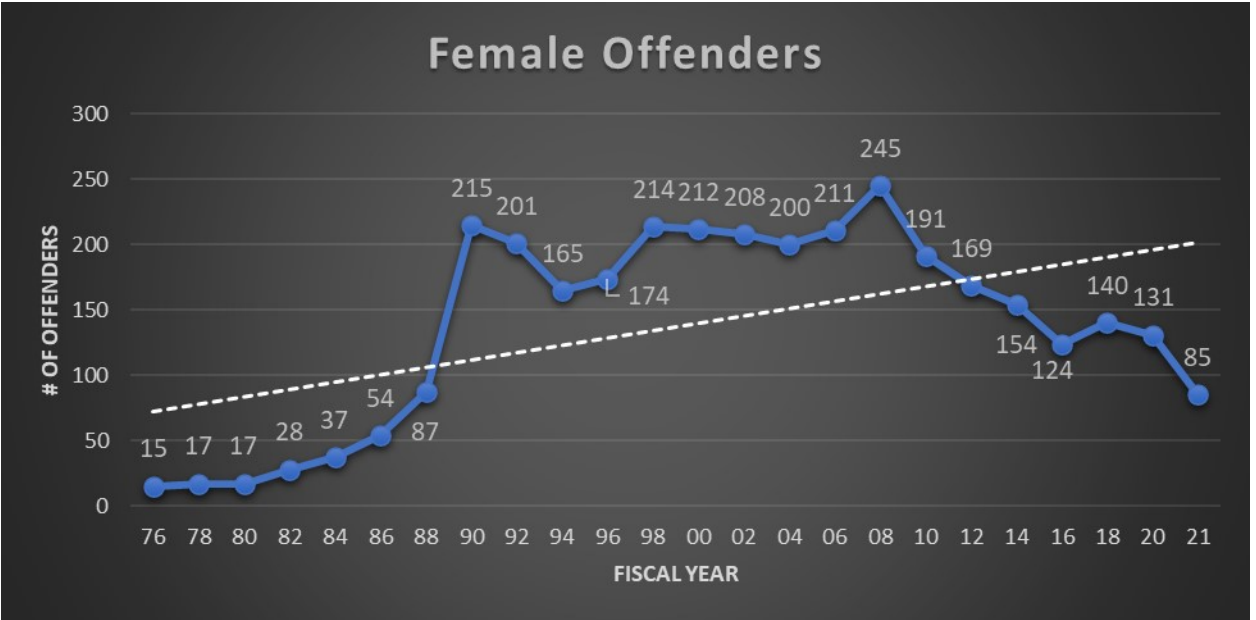
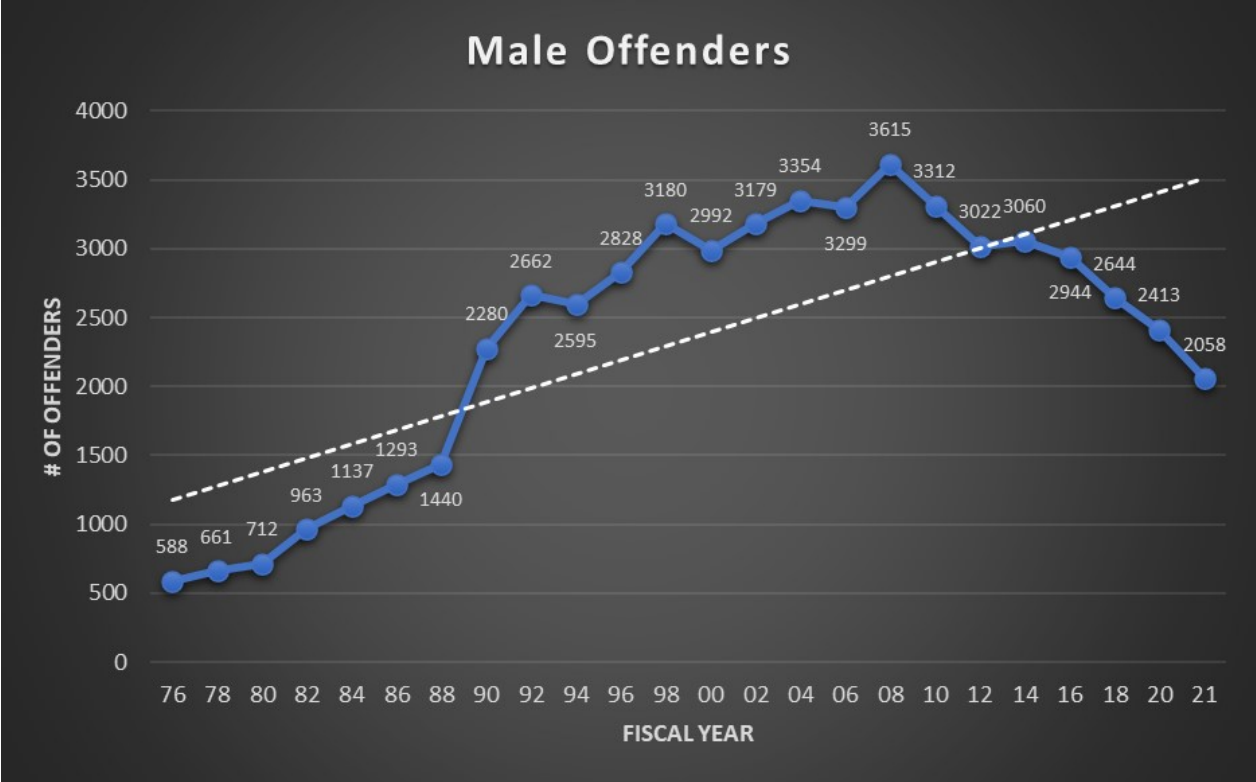
Population by Inmate Sex

Did the number of female and male offenders grow equally?

While the male inmate population increased 310.4% over the past 44 years, the female population grew by over 773.3%. (The male population went from 588 in FY1976 to 2058 in FY2021. The female population went from 15 in FY1976 to 85 in FY2021.) Despite this steep rise in female inmates, female offenders constitute only 5% of the total RIDOC population. Interestingly, this is just twice the proportion that females represented in 1976 (2.5%). The increase in both the male and female populations can be primarily attributed to the “War on Crime” movement during the Nixon administration and subsequently the “War on Drugs” movement during the Reagan administration of the mid to late 80’s through the early 90’s (Frontline, n.d.). Changes to the Parole Board guidelines (RIDOC, n.d.) and increased attention to female prostitution offenders also contributed to the population rise. (Personal communication with A.T. Wall, Director, on July 21, 2005)

The decrease in both populations starting in 2008 is largely due to legislation that increased the amount of behavioral good time credit and provided credits for program participation and completion. From FY2008 to FY2021, the male population decreased from 3615 to 2058 or 43.07%. The female population also decreased during this time span from 245 to 85 or 65.31%.





Can other trends be identified when analyzing fluctuation in the total population?

Offense Category Information

Given the legislative changes that took place during the 80's and the population increases that followed, it is reasonable to assume that one led to the other. However, since manually-collected data by the Planning & Research Unit in the 1970s and 1980s captured only the most serious crime for which an offender was incarcerated, this cannot be fully demonstrated with the data. Specifically, the data reflect only the most serious offense in instances when an offender committed a drug crime in conjunction with a more serious crime (e.g., robbery). The percentage of the prison population incarcerated for drug-related offenses has more than tripled from 7% in 1977 to 23% in FY2009, however, the percentage has decreased to 15% for all commitments in FY2021. This decrease in recent years may be due to a law that passed in 2013 which made the possession of small amounts of marijuana punishable with a maximum \$150 civil fine and no jail time (Brennan Center for Justice. Twenty Years, 2015).

As a result, drug crimes have declined significantly while all other offenses remained relatively steady. From FY2008 to FY2016, drug commitments have dropped by about 61%. RIDOC classifies drug offenses into two separate categories: drug possession and all other drug crimes. Drug possession commitments have seen sharper declines than all other drug offenses combined. Breaking this data down further into the specific type of drugs shows that charges for marijuana dropped 92% and charges related to cocaine or crack dropped by over half. However, it's important to highlight that heroin involved charges and crimes for other unspecified/ unknown drugs remained steady, albeit low (RIDOC, 2016).

It should also be noted that on September 28, 2021, Governor Daniel McKee signed legislation reclassifying simple possession of 10 grams or less of certain controlled substances as misdemeanor charges rather than felony charges. These changes are punishable by up to two years and/or fines of no more than \$500. These legislation changes are an attempt to break the addiction cycle and allow addicted individuals to get treatment rather than incarceration. It also allows for law enforcement to focus its attention on drug traffickers. (State of Rhode Island, 2021)



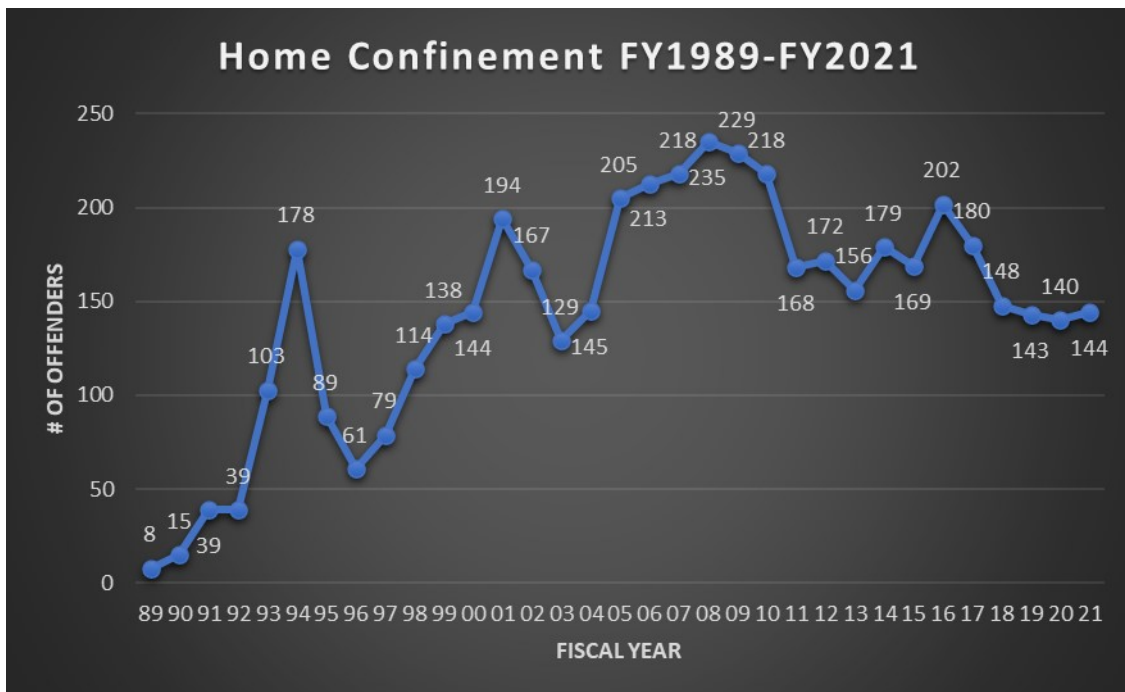
Racial Category Information

In 1974, 76% of the population was white and 23% was black. During the 80's, the percentage of white offenders decreased (66% in 1986), while the percentage of black offenders remained stable. It was not until 1986 that there was a significant Hispanic population (8.5%). At the close of FY2021, the percentage of Hispanic offenders continued to rise (27.5% of RIDOC's total population), while the percentage of white offenders decreased moderately (39% of RIDOC's total population) and the percentage of black offenders increased slightly (29% of RIDOC's total population).

Home Confinement Population

Home Confinement consists of offenders who are residing in the community under correctional supervision. This includes those who are held awaiting trial or sentenced on home confinement, those who have served time in the ACI, and those who serve their entire sentence in the community. Home Confinement is a community-based program which provides a pre-trial or sentencing option used by District, Superior and Family Courts for selected inmates who pose a manageable risk to the community and require structured supervision. All participants are electronically monitored to ensure compliance with approved daily schedules. (RIDOC Community Corrections, n.d.)

As expected, the home confinement program has grown significantly since its inception in 1989. In 1992, legislation was passed which expanded the home confinement program to include offenders who had been convicted of sale/delivery or possession of any schedule I or II controlled substance. As a result, this led to a dramatic increase in the home confinement population from 1992 to 1994. However, in 1994, R.I General Laws §42-56-20.2 was amended to expand the number of crimes that would subsequently make an offender ineligible for home confinement. Thus, the graph shown below highlights the resulting decrease in the home confinement population from 178 in 1994, to just 61 in 1996. Interestingly, the home confinement population increased at a fairly steady rate until it reached a peak of 235 in 2008, at which point it then declined by 39% to 144 in 2021.

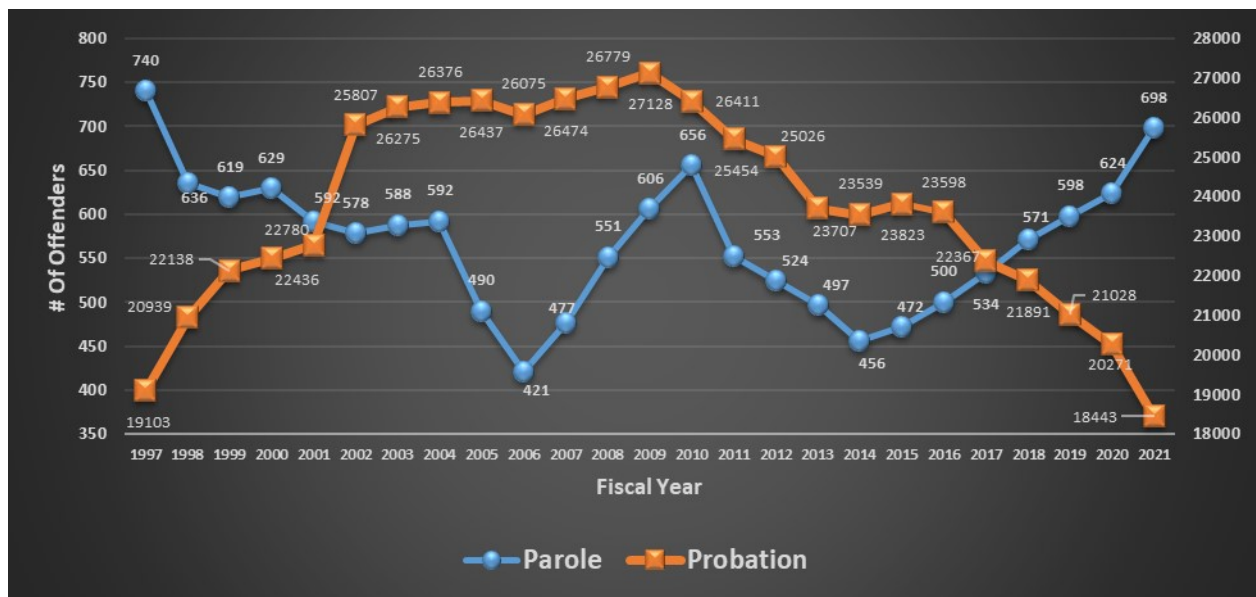


Probation and Parole Population (1997 to present)

Data for probation & parole are only available from FY1997 to present. After a fairly steady increase from FY1997 to FY2009 (42%), RI's probation population has declined by an average of 2.3% for the past 11 years. The parole population was at its peak (740) in FY1997. Since then, the population has fluctuated and has decreased by 16% from its maximum in FY1997 to 624 in FY2020.

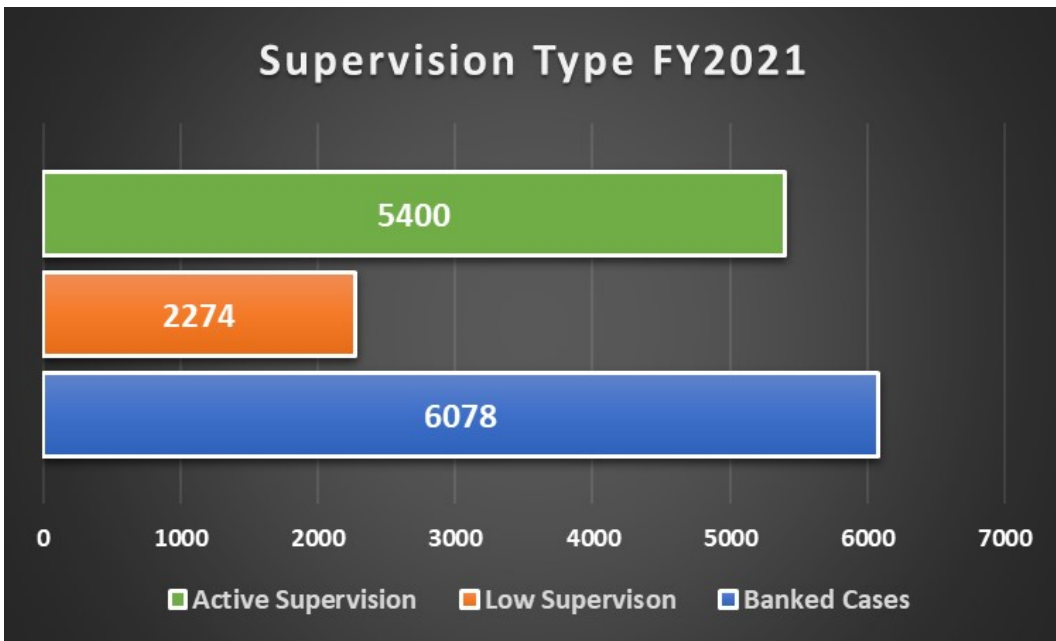
How does RI compare in terms of community supervision?

According to the Bureau of Justice Statistics (2018), as of December 2016, RI ranked 2nd in the nation in rate of probation supervision (2,793 per 100,000 residents). This 2016 rate is nearly 91% higher than the national average of 1,466 per 100,000. In terms of the Northeast, RI ranked 1st, while Connecticut ranked 2nd with 1,461 probationers per 100,000 adult residents.



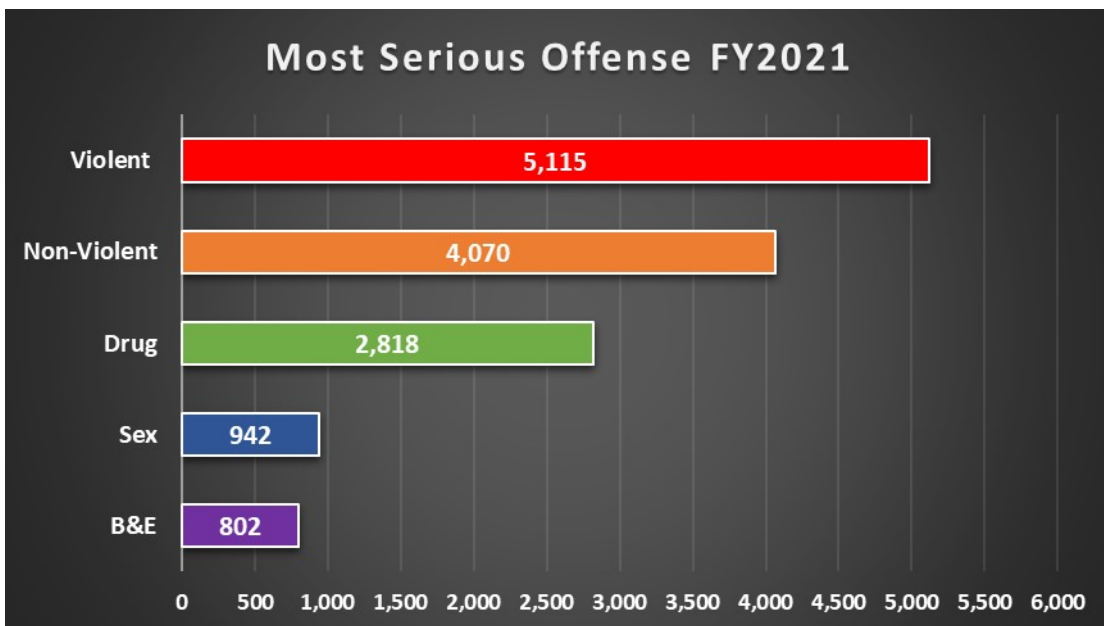
RI Offenders by Supervision Type

There were 18,864 offenders under probation or parole supervision in FY2021, 13,752 were Rhode Island offenders who reside in RI Communities. This subset of the offender population is broken up into three separate supervision types: Active, Low, or Banked. In FY2021, RIDOC had 5,400 offenders on active supervision, which includes offenders who have at least one open indictment and who are in regular contact with a Probation or Parole Officer. RIDOC had 2,274 offenders on low supervision, which includes offenders who have at least one open indictment but are not reporting to or in regular contact with a probation or parole officer. As a result, those placed on low supervision only require a minimum level of supervision. RIDOC had 6,078 banked caseloads, which are comprised of probation cases where the offender has been “trouble free” for a period of time or is low risk with no special conditions as well as offenders who have longstanding active warrants. As a result, the case remains open, but the offender is not actively supervised or required to report to a Probation Officer.



RI Probationers by Crime Type

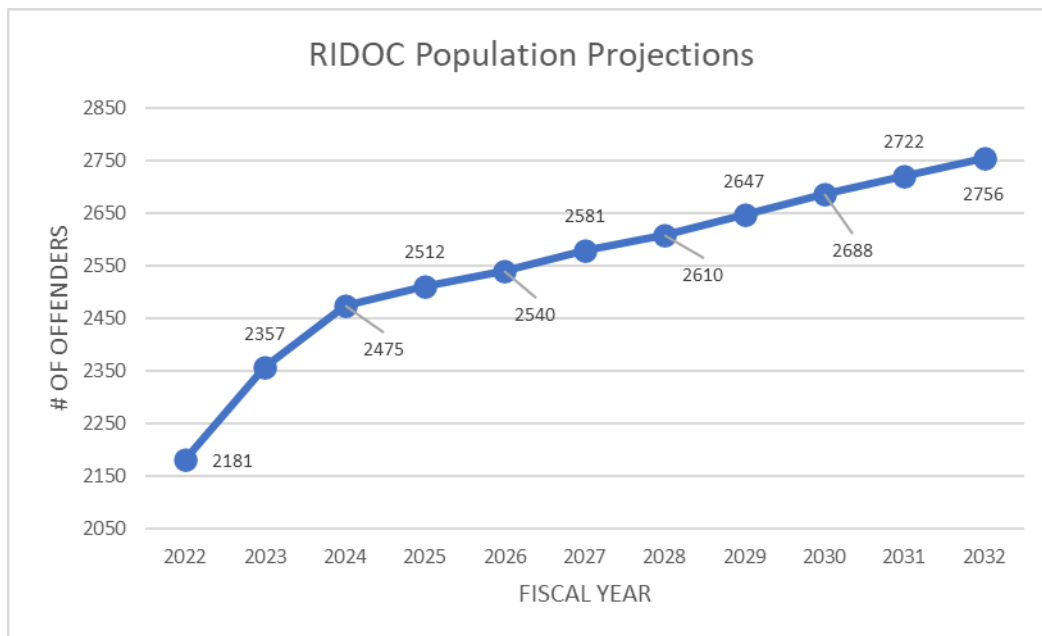
When this same subset of the Parole and Probation Population (R.I offenders who reside in R.I communities) is further analyzed by examining their most serious offense type, the number of offenders convicted of a violent offense yielded the highest percentage of any other offense type (5,115 offenders or about 37% of the resulting population). Similarly, 4,070 (about 30%) of offenders were convicted of a non-violent offense, followed by 2,818 (about 20%) having been convicted of drug offenses. It is important to highlight that those convicted of sex offenses (942 offenders or about 7%) and breaking and entering (822 offenders or about 6%) were found to be the two least frequently supervised of all serious offense types.



Where is the population headed?

According to the Bureau of Justice Statistics (2020), RI continues to have one of the lowest incarceration rates in the country, ranking 3rd lowest in 2019. Additionally, the institutional population in the State has had an average decline of about 2.9% per year since FY2008. Over the last 12 years, the RI prison population experienced a notable decrease from a peak of 3860 in FY2008 to 2544 in FY 2020

As of FY2021 projections, RIDOC was operating below federal capacity in all facilities. The 10-year forecast of RI's prison population, conducted by Wendy Ware of JFA Associates/The Institute, estimates that the total sentenced population will see an increase of 22% (or 366 offenders) between FY2021 and FY2031. This projected increase would allow RI to remain below both the operational (3,805) and federal (3,989) capacities throughout the 10-year forecast.





It is hopeful that the current national and state Prisoner Reentry initiatives will be successful in guiding released offenders to becoming productive, law-abiding citizens. The involvement of ALL state and local agencies in this initiative and the acknowledgement that released offenders are more than just the responsibility of the corrections agency is a major cultural change. A major initiative impacting RI's prison population recently completed one phase of its implementation.

The JRI grant funding period ended on May 31, 2021 with the following projects completed:

Televisions installed in Probation and Parole office waiting room. These televisions create a looped video of services available to probationers and/or parolees regarding substance abuse treatment, mental health services, anger management programs, and employment opportunities.

Software, training and licenses were purchased for the development and maintenance of a website to house JRI history and dashboards. Staff were trained in the software to maintain the dashboards. Dashboards can be viewed at [Justice Reinvestment Dashboards- Rhode Island -Public Safety Grant Administration Office \(ri.gov\)](https://www.ri.gov/justice-reinvestment-dashboards)

Court data was extracted from the Judiciary to report on JRI performance measures.

Trainings were conducted in Mental Health First Aid Train the Trainer, Crisis Intervention, LSI-R, Batterer's Intervention, and Trauma-Informed Train the Trainer for those who work with the criminal justice population.

Other JRI outcomes include:

Amending Court Rule 35 to allow individuals to file a motion to terminate his/her term of probation early if s/he meets certain criteria. As of May 31, 2021, a total of 858 motions have been granted and 99 individuals have been denied. (Rhode Island Superior Court, n.d.)

Pursuant to G.L. 1956 §8-2-39.3, the Rhode Island Superior Court Diversion Program is designed to offer an alternative to traditional conviction, sentencing, and incarceration by providing eligible defendants with a framework of supervision and services in lieu of incarceration and/or probation.

The Public Safety Grants Administration Office recognized the need for a more data driven approach to criminal justice reform. In 2018, they received federal funding to reinvigorate Rhode Island's Statistical Analysis Center. (Rhode Island Public Safety Grant Administration Office, n.d.)

The recent investment in Justice Reinvestment Initiatives and continued participation is going to be paramount to reducing the recidivism rate as correctional facilities throughout the country continue to implement evidence-based practices to increase the frequency of successful outcomes.

References

- Brennan Center for Justice: Twenty Years. (2015). Mandatory minimum sentences – Time to end counterproductive policy. Retrieved from <https://www.brennancenter.org/blog/mandatory-minimum-sentences-time-end-counterproductive-policy>
- Bureau of Justice Assistance. The Second Chance Act Fact Sheet (2018). Retrieved from [July-2018_SCA_factsheet.pdf \(csgjusticecenter.org\)](#)
- Bureau of Justice Assistance. Justice Reinvestment (JRI) (2012). Retrieved from [Justice Reinvestment Initiative \(JRI\) | Overview | Bureau of Justice Assistance \(ojp.gov\)](#)
- Bureau of Justice Statistics. (2001). Prisoners in 2000 bulletin. Retrieved from [Prisoners in 2000 \(ojp.gov\)](#)
- Bureau of Justice Statistics. (2009). Prisoners in 2008 Bulletin. Retrieved from <https://bjs.ojp.gov/content/pub/pdf/p08.pdf>
- Bureau of Justice Statistics. (2010). Prisoners in 2009 bulletin. Retrieved from [Prisoners in 2009 \(Revised\) \(ojp.gov\)](#)
- Bureau of Justice Statistics. (2018). Prisoners in 2016. Retrieved from <https://www.bjs.gov/content/pub/pdf/p16.pdf>.
- Bureau of Justice Statistics. (2018). Probation and parole in the United States, 2016. Retrieved from [Probation and Parole in the United States, 2016 \(ojp.gov\)](#)
- Bureau of Justice Statistics (2020). Prisoners in 2019 bulletin. Retrieved from [Prisoners in 2019 \(ojp.gov\)](#)
- Bureau of Justice Statistics. (2021). Correctional Populations in the United States 2019. Retrieved from [Correctional Populations in the United States, 2019 – Statistical Tables \(ojp.gov\)](#)
- Community Anti-Drug Coalitions of America. (n.d.) The Comprehensive Addiction and Recovery Act. Retrieved from [Comprehensive Addiction and Recovery Act \(CARA\) | CADCA](#)
- Constitution of the State of Rhode Island. (n.d.). Retrieved from <http://webserver.rilin.state.ri.us/RiConstitution/C01.html>
- The Council of State Governments. (2018). The Second Chance Act (Fact Sheet). Retrieved from [The Second Chance Act \(Fact Sheet\) - CSG Justice Center - CSG Justice Center](#)
- The Council of State Governments. Justice Reinvestment. (n.d.) Retrieved from [Justice Reinvestment - CSG Justice Center - CSG Justice Center](#)
- Encyclopedia Britannica, (n.d.). Hippie. Retrieved from [hippie | History, Lifestyle, Definition, Clothes, & Beliefs | Britannica](#)
- Federal Bureau of Prisons. (n.d.) An Overview of the First Step Act. Retrieved from [BOP: First Step Act Overview](#)

- Frontline, (n.d.). Thirty years of America's drug war: A chronology. Retrieved from [Thirty Years Of America's Drug War | Drug Wars | FRONTLINE | PBS](#)
- History. (2017). War on Drugs. Retrieved from www.history.com/topics/crime/the-war-on-drugs
- Human Rights Watch. (2000). World report. Retrieved from <http://www.hrw.org/wr2k/us.html>.
[Us 1 \(hrw.org\)](#)
- Janos, Adam. (2018). *G.I.s' Drug Use in Vietnam Soared – With Their Commanders' Help History*, Retrieved from [G.I.s' Drug Use in Vietnam Soared—With Their Commanders' Help - HISTORY](#)
- Justia. (n.d.) Palmigiano v. Garrahy, 443 F. Supp. 956 (D.R.I. 1977). Retrieved from [Palmigiano v. Garrahy, 443 F. Supp. 956 \(D.R.I. 1977\) :: Justia](#)
- National Criminal Justice Reference Center. (1994). Violent crime control and law enforcement act of 1994. Retrieved from <https://www.ncjrs.gov/txtfiles/billfs.txt>
- Rhode Island Department of Corrections. (2016). Fiscal year 2016 annual population report. Retrieved from [FY16 Population Report.pdf \(ri.gov\)](#)
- Rhode Island Department of Corrections. (2017). Probation & parole offenders by community of residence – 12/31/2017. Retrieved from [PP city-gender age data 12-31-2017.pdf \(ri.gov\)](#)
- Rhode Island Department of Corrections (2019). Annual Report. Retrieved from [FY19 Annual Population Report.pdf \(ri.gov\)](#)
- Rhode Island Department of Corrections. (2020). Annual Report. Retrieved from [FY20 Annual Population Report.pdf \(ri.gov\)](#)
- Rhode Island Department of Corrections, Community Confinement (n.d.). Retrieved from [Community Confinement- Department of Corrections \(ri.gov\)](#)
- Rhode Island General Laws §8-2-39.3, Superior Court Diversion. Retrieved from webserver.rilegislature.gov/Statutes/TITLE8/8-2/8-2-39.3.htm
- Rhode Island General Laws §21-28-4.01.1. Uniform Controlled Substances Act, Offenses and Penalties. Retrieved 12/1/2021 from webserver.rilegislature.gov/Statutes/TITLE21/21-28/21-28-4.01.1.htm
- Rhode Island General Laws §42-56-20.2, Community Confinement. Retrieved from webserver.rilegislature.gov/Statutes/TITLE42/42-56/42-56-20.2.htm
- Rhode Island Public Safety Grant Administration Office. (n.d.). Retrieved from [Justice Reinvestment Dashboards- Rhode Island -Public Safety Grant Administration Office \(ri.gov\)](#)
- Rhode Island State Government. (2021). Newsroom. Governor McKee Signs Legislation to Reclassify Certain Drug Possession Charges. Retrieved from <https://governor.ri.gov/press-releases/governor-mckee-signs-legislation-reclassify-certain-drug-possession-charges>
- Rhode Island State Government. (2016). Press Releases. Raimondo, Joined by Craven, McCaffrey, Signs Life-Saving Good Samaritan Act. Retrieved from [RI.gov: Rhode Island Government](#)
- Rhode Island State Government. (2017). Press Releases. Raimondo Signs Justice Reinvestment Legislation Retrieved from <https://www.ri.gov/press/view/31595>

- Rhode Island State Government. (2019). Recent Executive Orders. Executive Order 19-08. Establishing the Juvenile & Criminal Justice Working Group. Retrieved from [Executive Order 19-08 | Governor's Office, State of Rhode Island \(ri.gov\)](#)
- Rhode Island Superior Court Rules of Criminal Procedure. (n.d.) Retrieved from [SuperiorCourtRules-CriminalProcedure.pdf](#)
- Rhode Island Superior Court Rule 35 (n.d.). Retrieved from [SuperiorCourtRules-CriminalProcedure.pdf](#)
- State of Rhode Island Executive Order 04-02. (2004). Retrieved from http://www.doc.ri.gov/documents/reentry/04-02_PRISONER_REENTRY.pdf
- State of Rhode Island (2015) Executive Order 15-11. Retrieved from https://governor.ri.gov/sites/g/files/xkgbur236/files/documents/ordersExecOrder15-11_07072015.pdf
- Trickey, Erick. (2018). *How the Smallest State is Defeating America's Biggest Addiction Crisis*, Politico Magazine. Retrieved from [How the Smallest State is Defeating America's Biggest Addiction Crisis - POLITICO Magazine](#)
- United States Sentencing Commission. (2015). Impact of the Fair Sentencing Act of 2010. Retrieved from [Report to the Congress: Impact of the Fair Sentencing Act of 2010 \(ussc.gov\)](#).
- US Census Bureau. (2010). Rhode Island quick facts from the US Census Bureau. Retrieved from [U.S. Census Bureau QuickFacts: Rhode Island](#)