

People in Jail and Prison in Spring 2021

Jacob Kang-Brown, Chase Montagnet, and Jasmine Heiss

June 2021

Summary

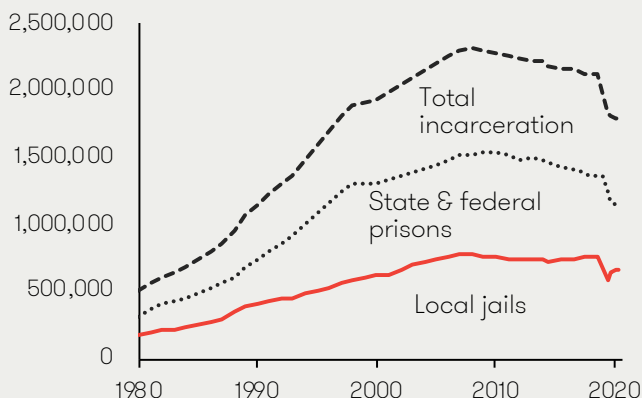
When the COVID-19 pandemic was first detected in the United States, it was clear that the virus would cause widespread suffering and death among incarcerated people. Advocates were quick to call for prison and jail releases. However, a little more than a year later, decarceration appears to have stalled. After an unprecedented 14 percent drop in incarceration in the first half of 2020—from 2.1 million people to 1.8 million—incarceration declined only slightly from fall 2020 to spring 2021. Generally, states that started 2020 with higher incarceration rates made fewer efforts to reduce incarceration through spring 2021. This pattern speaks to the political, economic, and social entrenchment of mass incarceration.

At the federal level, the number of people in civil custody for U.S. Immigration and Customs Enforcement (ICE) is less than one-third of the 2019 population, while the number of people detained for the U.S. Marshals Service (USMS) facing federal criminal charges reached an all-time high.

Jail populations in rural counties dropped by 27 percent from 2019 through March 2021, the most of any region. The historic drop in the number of people incarcerated was neither substantial nor sustained enough to be an adequate response to the pandemic, and incarceration in the United States remains a global aberration.

Figure 1

The number of people incarcerated in jails and prisons from 1980 to spring 2021



Recent evidence from the Bureau of Justice Statistics also shows that racial inequity worsened as jail populations declined through June 2020.¹

Vera Institute of Justice (Vera) researchers collected data on the number of people incarcerated throughout 2020 and into early 2021 to provide timely information about how incarceration is changing in the United States during the COVID-19 pandemic.² Vera researchers estimated the incarcerated population using a sample of approximately 1,600 jail jurisdictions, 50 states, and the Federal Bureau of Prisons, the USMS, and ICE.

Figure 2

Summary of incarcerated populations and changes by region

	Midyear		Spring	2019 to spring 2021		Midyear 2020 to spring 2021	
	2019	2020	2021	Change	% Change	Change	% Change
Total	2,115,000	1,816,300	1,774,900	-340,100	-16	-41,400	-2
U.S. Prisons	1,435,500	1,309,500	1,193,900	-241,600	-17	-115,600	-9
U.S. Jails	758,400	573,400	647,200	-111,200	-15	73,800	13
Urban	166,979	127,100	147,200	-19,779	-12	20,100	16
Suburban	146,976	116,800	132,600	-14,376	-10	15,800	14
Small/Midsize metro	260,169	208,400	232,800	-27,369	-11	24,400	12
Rural	184,295	121,200	134,500	-49,795	-27	13,300	11

Figure 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 and Source Notes” at www.vera.org/publications/people-in-jail-and-prison-in-spring-2021.

Figure 1 source note: The 2019, 2020, and 2021 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,” <https://perma.cc/P992-8N2G>; BJS, “Data Collection: Annual Survey of Jails (ASJ),” <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 Werner Cahalan, *Historical Corrections Statistics in the United States, 1850-1984* (Washington, DC: BJS, 1986), <https://perma.cc/WDP7-35AA>.

Introduction

It has been more than a year since the first calls to release people from jails, prisons, and detention centers during the COVID-19 pandemic. At the end of March 2021, there were nearly 1.8 million people still incarcerated in the United States, down only 2 percent since June 2020—there was a 9 percent decrease in the prison population, but that was offset by a 13 percent increase in the jail population. In the face of continued demands for change, most politicians and policymakers failed or refused to do more. Instead they have tolerated widespread COVID-19 outbreaks in jails and prisons across the United States.

New data collected by Vera and detailed in this report reveals that, after the unprecedented drop in the total incarcerated population in the United States that occurred in the first half of 2020, the second half of 2020 looked different. Some places sustained their reduced incarcerated populations, and some even pushed for further reductions. Other states, however, began incarcerating *more* people as states reopened and returned to previous practices.

In early 2021, incarceration in the United States looks like a patchwork of big changes in the use of jail and prison, varying from state to state and city to city. Some states are reducing prison populations at the expense of refilling jails, as people sit behind bars waiting for court dates or transfers. Some states made less substantial changes in early 2020 but continued to reduce incarceration throughout the fall and winter—even as other states returned to “normal” in ways that have increased incarceration. Generally, however, states that started 2020 with higher incarceration rates made fewer efforts to reduce

incarceration—or maintain their reductions—through spring 2021.

Widening racial disparities

States and localities rarely publish data on incarceration by race, ethnicity, or gender. As a result, this report focuses on overall incarceration numbers. 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 2020 data, was released in March 2021. The report for 2019 prison data was released in October 2020, meaning it is too early to know whether racial disparities in prison changed during the pandemic.³

The BJS report on the 2020 jail population found that the national jail incarceration rate of Black people declined 22 percent between 2019 and 2020, while the jail incarceration rate of white people declined 28 percent.⁴ The same report also found that incarceration rate of Latinx people had declined 23 percent and the jail incarceration rate of Asian American people had declined 21 percent.⁵ These changes widened existing racial disparities in jail incarceration that see people of color targeted for incarceration at greater rates than white people.

The historic changes in prison and jail populations triggered by the COVID-19 pandemic came during a national wave of global

demonstrations led by Black Lives Matter and accompanying demands to reckon with racism and police violence and fundamentally change the criminal legal system in the United States.⁶ As a result, there was far more pressure on officials in some states and counties to release people from prison and jail in 2020 and 2021 than in prior years.

This report

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, fall 2020 (on or around September 30), end of 2020 (on or around December 31), and spring 2021 (on or around March 31) 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 people detained by ICE who were held in local jails, private prisons, and dedicated immigration detention facilities.⁷ This report focuses on the changes from June 2020 to March 2021, but additional data for September 2020 and December 2020 is available in a data file online.⁸

Vera's national prison statistics are estimates based on data from 50 states and the BOP, which together held 95 percent of the people incarcerated in prison in 2019 (jurisdictional data from Virginia and Wyoming was not available for spring 2021 and was estimated). 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 the remaining 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, which was 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 and Source Notes](#)" 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 the official websites of local jails and state corrections departments or from third parties that have been collecting data directly from jails. In instances in which 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 14 percent from around 2.1 million in 2019 to 1.8 million by June 2020, declining a further 2 percent by March 2021. This represents a 23 percent decline from a peak of 2.3 million people in 2008. The incarceration rate in the United States, including state and federal prisons and local jails, was 537 people behind bars per 100,000 residents in early 2021. This is down from a peak of 760 per 100,000 in 2008. (See Appendix Figure 1 for full rate information.)

Looking only at state and federal prisons, there was a 17 percent total decline between year-end 2019 and spring 2021, from approximately 1.44 million people to 1.19 million people. The majority of the prison decline occurred during the first phase of the coronavirus pandemic, with the prison population dropping to 1.3 million people at midyear 2020—a 9 percent decrease from the end of 2019—and continuing at a slower pace through spring 2021.⁹

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 573,400 in midyear 2020. However, from June 2020 to March 2021, local jail populations increased by 73,800 to 647,200 people—an increase of 13

percent in nine months.

Overall, the total number of people incarcerated in prisons and jails was relatively constant between June 2020 and March 2021, as jail increases counterbalanced prison declines.

Jail populations in rural areas decreased more than in cities, then quickly rebounded

In the first part of 2020, the largest jail population declines were in rural areas. The rural jail population declined by 63,100 people between midyear 2019 and 2020—a 34 percent reduction. However, from midyear 2020 to early 2021, the number of people in rural jails grew by 13,300 people, a 11 percent increase. This brought the total rural jail population decline to 27 percent between midyear 2019 and early 2021. The large decline through the first part of 2020 shows that dramatic decarceration is possible in rural areas. Conversely, the quick growth demonstrates the broad capacity and political will to incarcerate people in rural counties. In March 2021, rural jail incarceration rates were more than twice as high as urban jail incarceration rates.

Urban areas and small and mid-sized metro areas did not initially reduce jail incarceration as much as other areas and had more growth from June 2020 to March 2021. The total decline from mid-2019 to early 2021 in urban counties was only 12 percent, while the suburbs saw a 10 percent decline.¹⁰ (See Figure 2.)

In contrast to rural counties, jail populations in many large cities have been decreasing for several years. Cities in which 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 2020 to March 2021, including

- Chicago (52 percent decrease from 2010 to 2020, followed by a 24 percent increase from June 2020 to March 2021);

- Philadelphia (56 percent decrease followed by a 20 percent increase);
- New York City (70 percent decrease followed by a 40 percent increase); and
- Oakland (58 percent decrease followed by a 21 percent increase).

(See Appendix Figure 2 for comparison of midyear 2010 and 2020 jail populations and for growth between June and March 2021 for a range of cities.)

Decreases in prison populations were offset by increases in jail populations in late 2020

A number of factors caused these simultaneous increases in jail populations and decreases in state prison populations. In some jurisdictions, state prisons refused to accept people who had been sentenced to serve state prison time, suspending transfers from local jails due to COVID-19. Courts also paused jury trials or suspended other operations, while refusing to release many people who were detained before trial.¹¹ 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 27 percent to 15,223 by the end of March 2021. At that point 3,900 people—more than one in four people held in the jail—were awaiting transfer to California state prisons.¹² In West Virginia, jail populations in the state declined only 3 percent through June 2020 and then rose 21 percent by the end of March 2021. West Virginia state prison populations declined by 29 percent by the end of June 2020, followed by a further 19 percent through the end of March 2021. Overall, incarceration increased 1 percent in West Virginia between June 2020 and March 2021. (See Figure 3.)

Figure 3

State-level comparison of prisons and local jail trends

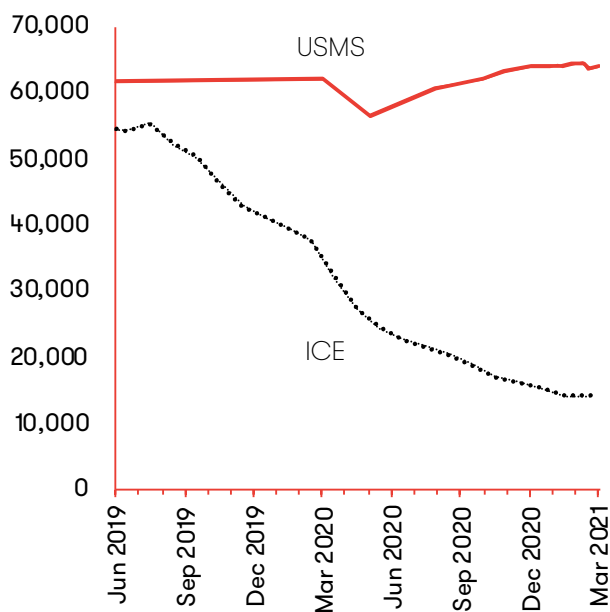
	Year-end 2019/early 2020	Midyear 2020	Spring 2021	Percent change		
				2019 to midyear 2020	Midyear 2020 to spring 2021	2019 to spring 2021
California	195,289	166,472	158,159	-15	-5	-19
County jails	69,782	51,506	61,660	-26	20	-12
State prisons	125,507	114,966	96,499	-8	-16	-23
Colorado	32,282	24,320	24,815	-25	2	-23
County jails	12,568	6,879	9,145	-45	33	-27
State prisons	19,714	17,441	15,670	-12	-10	-21
Florida	148,644	135,545	133,615	-9	-1	-10
County jails	52,635	46,163	52,447	-12	14	0
State prisons	96,009	89,382	81,168	-7	-9	-15
Georgia	92,375	79,596	79,759	-14	0	-14
County jails	36,819	28,705	33,444	-22	17	-9
State prisons	55,556	50,891	46,315	-8	-9	-17
Kentucky	36,368	28,628	29,393	-21	3	-19
County jails-local	12,932	8,329	10,711	-36	29	-17
County jails-state prisoners	10,774	8,751	8,850	-19	1	-18
State prisons	12,662	11,548	9,832	-9	-15	-22
Massachusetts	17,501	12,889	12,501	-26	-3	-29
County jails	9,296	5,577	5,837	-40	5	-37
State prisons	8,205	7,312	6,664	-11	-9	-19
New Mexico	13,037	10,678	10,465	-18	-2	-20
County jails	6,314	4,350	4,588	-31	5	-27
State prisons	6,723	6,328	5,877	-6	-7	-13
New York	61,156	49,648	46,971	-19	-5	-23
County jails	16,890	11,258	15,559	-33	38	-8
State prisons	44,284	38,390	31,412	-13	-18	-29
Ohio	70,323	60,046	-	-15	-	-
County jails	20,561	13,695	-	-33	-	-
State prisons	49,762	46,351	43,537	-7	-6	-13
Tennessee	51,127	42,123	41,284	-18	-2	-19
County jails local	24,588	17,557	18,290	-29	4	-26
County jails-state prisoners	4,801	4,670	3,307	-3	-29	-31
State prisons	21,738	19,896	19,687	-8	-1	-9
Texas	207,374	188,086	180,663	-9	-4	-13
County jails	65,825	61,496	63,172	-7	3	-4
State prisons on-hand	141,549	126,590	117,491	-11	-7	-17
West Virginia	11,894	9,751	9,897	-18	1	-17
Regional jails	5,094	4,933	5,992	-3	21	18
State prisons	6,800	4,818	3,905	-29	-19	-43

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. Agencies like ICE and the USMS are responsible for incarcerating large numbers of people in local jails via contracts that allow them to rent jail cells in many jurisdictions.¹³ Although 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.¹⁴

Figure 4
The number of people incarcerated by federal agencies from year-end 2019 to spring 2021



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

By spring 2021, the number of people in civil custody for ICE had declined to around 15,000—less than a third of the 2019 population. However, 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. This indicates federal support for increased

immigrant detention, a substantial share of which will likely continue to take place in jails.¹⁵

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.¹⁶ In contrast to the large declines in ICE detention, the total number of people detained by USMS (in jails and other detention settings) continued to increase and reach new highs in early 2021. (See Figure 4.) The number of people detained for the USMS declined by only 10 percent from 2019 to June 2020 (from 61,489 to 56,400 people). It subsequently reached a record level of 64,400 in March 2021.

All prison systems have fewer people incarcerated now than before the pandemic

Arkansas (down 9.4 percent), Mississippi (down 9.1 percent), and Nebraska (down 6 percent) were the only states to reduce their prison populations by less than 10 percent from the end of 2019 through March 2021. The Nebraska Department of Correctional Services has been seeking to build a new prison, and the governor vetoed legislation to make many people eligible for parole sooner.¹⁷ (Although there is scant data for the jails in the state, the three largest jails—in Omaha, Lincoln, and Grand Island—have been refilled to approximately pre-pandemic levels.) Alabama's prison population declined 11 percent in that time period, but the governor is currently planning for three new prisons. The legislature previously failed to pass proposed sentencing reforms that could have reduced long-standing overcrowding.¹⁸

Regional variation

Total incarceration information—accounting for both state prisons and local jails—is available for 18 states. (See Figure 5.)¹⁹ These states fit a general pattern of steeper declines in the first part of the pandemic—between 2019 and midyear 2020—than in subsequent months.

Figure 5

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

	2019	Midyear 2020	Spring 2021	Percent change		
				2019 to midyear 2020	Midyear 2020 to spring 2021	2019 to spring 2021
Alaska	612	590	581	-4	-1	-5
California	494	421	400	-15	-5	-19
Colorado	561	422	431	-25	2	-23
Connecticut	345	279	251	-19	-10	-27
Delaware	585	494	471	-15	-5	-19
Florida	692	631	622	-9	-1	-10
Georgia	870	750	751	-14	0	-14
Hawaii	366	314	290	-14	-8	-21
Kentucky	784	641	658	-18	3	-16
Massachusetts	254	187	181	-26	-3	-29
New Mexico	622	509	499	-18	-2	-20
New York	314	255	241	-19	-5	-23
Ohio	602	514	-	-15	-	-
Rhode Island	259	219	215	-15	-2	-17
Tennessee	749	617	605	-18	-2	-19
Texas	712	649	623	-9	-4	-13
Vermont	258	227	198	-12	-13	-23
West Virginia	664	544	552	-18	1	-17

From midyear 2020 through spring 2021, only Vermont and Connecticut had double-digit percentage decreases. In contrast, some states had overall incarceration increases through that period, with Kentucky, Colorado, and West Virginia increasing 3, 2, and 1 percent, respectively. Comparing spring 2021 incarceration to 2019 reveals wider variation, and states that started the pandemic with higher incarceration rates generally did less to reduce incarceration. From 2019 to March 2021, Alaska decreased by 5 percent and Florida 10 percent. In contrast, Massachusetts was down 29 percent, Connecticut was down 27 percent, and Colorado, Vermont, and New York were down 23 percent.

Prison incarceration rates remain the highest in the South

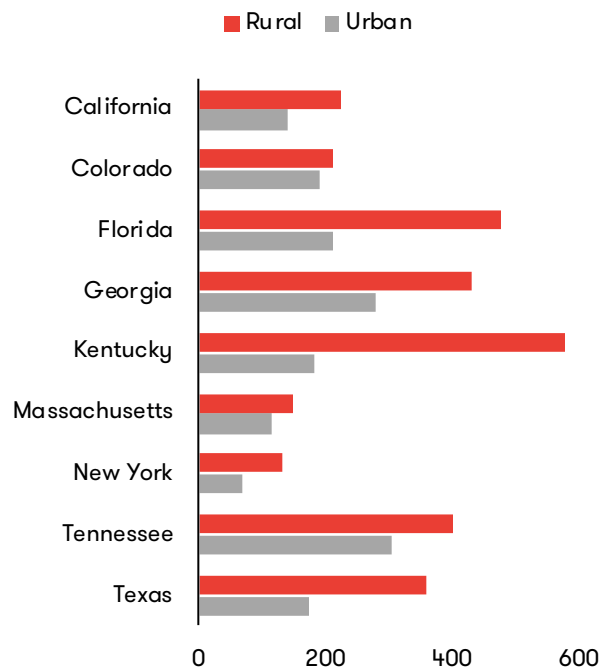
By early 2021, Southern states had prison incarceration rates of 408 people in prison per 100,000 residents, compared to 300 in the Midwest, 282 in the West, and 188 in the Northeast.

From the end of 2019 to March 2021, prison incarceration rates declined the most in the Northeast, (down 26 percent) and the least in the South and Midwest (down only 16 and 17 percent, respectively). The West was down 20 percent. (See Appendix Figures 3, 4, and 5 on pages 11 to 16).

The rural/urban divide in incarceration is visible across the country

High rates of rural jail incarceration are apparent in many states for which Vera researchers had comprehensive data. (See Figure 6.) 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 from June 2020 to March 2021 was also especially pronounced in many rural areas. (See Appendix Figure 6 on page 17). 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. The impact of the pandemic on rural communities underscores the need to reinvest in community-based services and resources that promote community well-being and safety.²⁰

Figure 6
Jail incarceration rate, spring 2021



Note: For simplicity, suburban counties and small to mid-sized metropolitan areas are not depicted. (See Appendix Figure 5.)

Conclusion

A year ago, many jurisdictions started responding to the urgent call to decarcerate jails and prisons—an imperative step to save lives and protect the health of incarcerated people, staff, and their communities. Today, that sense of urgency has been lost, even as the pandemic still rages and the country continues to lead the world in incarceration. Nonetheless, by late March 2021, the outlines of a “new normal” in incarceration had emerged that includes sustained overall reductions in the number of people in prisons and jails—albeit with jail incarceration continuing to trend upward. The relative stasis in incarceration since late 2020 is the result of a refilling of many jails and a small, further decrease in prison populations.

In many ways, however, jail and prison

population changes have reflected a deepening of preexisting political, economic, and social orientations toward punishment and detention. Racial inequalities in incarceration rates increased, and states and counties with high incarceration rates prior to the pandemic tended toward relative inaction during the pandemic.

At minimum, states should be looking to close prisons and reduce budgets to match the much lower prison populations. States ranging from California to Texas, New York, and New Jersey have all proposed prison closures, but this policy agenda also needs to be pursued elsewhere. At the federal level, neither the Biden administration nor Congress has taken action that reflects a commitment toward sustained decarceration. As jails have been refilling, especially in rural areas, statewide pretrial reform and state and local efforts to reduce criminalization are also urgently needed.

Appendix Table 1

Summary of incarceration rates and changes by region

Rates per 100,000 Residents							
	2019	Midyear 2020	Spring 2021	2019 to Spring '21		Midyear 2020 to spring 2021	
				Change	% Change	Change	% Change
Total	644	551	537	-107	-17	-13	-2
U.S. Prisons	437	397	361	-76	-17	-36	-9
U.S. Jails	237	178	201	-36	-15	23	13
Urban	168	127	147	-21	-12	20	16
Suburban	181	143	162	-19	-10	19	13
Small/Midsized metro	276	220	245	-31	-11	25	12
Rural	410	268	297	-113	-27	29	11

Appendix Figure 2

Jail incarceration counts in select large jurisdictions, 2010 to 2021

	Midyear 2010	Midyear 2020	Between 2010 and 2020		Spring 2021	Between midyear 2020 and spring 2021	
			Change	% Change		Change	% Change
Los Angeles County, Calif.	18,036	11,948	-6,088	-34	15,223	3,275	27
Harris County, Texas	10,242	8,201	-2,041	-20	8,508	307	4
Maricopa County, Ariz.	8,055	4,468	-3,587	-45	5,710	1,242	28
Cook County, Ill.	9,586	4,589	-4,997	-52	5,690	1,101	24
Dallas County, Texas	6,865	5,090	-1,775	-26	5,575	485	10
New York City, N.Y.	13,049	3,876	-9,173	-70	5,408	1,532	40
Philadelphia, Penn.	8,804	3,874	-4,930	-56	4,644	770	20
San Diego, Calif.	4,762	3,655	-1,107	-23	4,334	679	19
Tarrant County, Texas	3,248	3,988	740	23	4,046	58	1
Miami-Dade County, Fla.	5,770	3,378	-2,392	-41	3,904	526	16
Bexar County, Texas	4,169	3,370	-799	-19	3,682	312	9
Jacksonville County, Fla.	3,835	3,290	-545	-14	3,663	373	11
Shelby County, Tenn.	5,766	3,627	-2,139	-37	3,596	-31	-1
Riverside County, Calif.	3,410	3,178	-232	-7	3,531	353	11
Sacramento County, Calif.	4,199	2,504	-1,695	-40	3,368	864	35
Orange County, Calif.	5,134	3,057	-2,077	-40	3,257	200	7
Fulton County, Ga.	2,488	2,493	5	0	2,950	457	18
Hillsborough County, Fla.	3,340	2,470	-870	-26	2,870	400	16
Orange County, Fla.	3,604	2,140	-1,464	-41	2,773	633	30
Pinellas County, Fla.	3,225	2,196	-1,029	-32	2,676	480	22
Santa Clara County, Calif.	3,587	2,093	-1,494	-42	2,357	264	13
Alameda County, Calif.	4,305	1,805	-2,500	-58	2,186	381	21
Allegheny County, Penn.	3,233	1,736	-1,497	-46	1,744	8	0
Milwaukee County, Wis.	2,710	1,492	-1,218	-45	1,604	112	8
Orleans Parish, La.	3,522	850	-2,672	-76	889	39	5

Appendix Figure 3

Change in prison incarceration from highest year to spring 2021

	Highest prison pop.		Spring 2021	From high year to spring 2021	
	Year	Count		Change	% Change
U.S. Prisons Total	2009	1,615,487	1,193,934	-421,553	-26
Federal	2012	217,815	152,259	-65,556	-30
States	2009	1,407,369	1,041,675	-365,694	-26

Northeast

Connecticut (a)	2007	20,924	8,961	-11,963	-57
Maine	2018	2,425	1,666	-759	-31
Massachusetts	1997	11,947	6,664	-5,283	-44
New Hampshire	2013	3,018	2,189	-829	-27
New Jersey	1999	31,493	12,538	-18,955	-60
New York	1999	72,899	31,412	-41,487	-57
Pennsylvania	2011	51,578	38,262	-13,316	-26
Rhode Island (a)	2008	4,045	2,275	-1,770	-44
Vermont (a)	2009	2,220	1,238	-982	-44

Midwest

Illinois	2012	49,348	27,503	-21,845	-44
Indiana	2013	29,913	24,296	-5,617	-19
Iowa	2010	9,455	7,625	-1,830	-19
Kansas	2018	10,218	8,749	-1,469	-14
Michigan	2006	51,577	32,962	-18,615	-36
Minnesota	2015	10,798	7,455	-3,343	-31
Missouri	2017	32,601	22,939	-9,662	-30
Nebraska	2019	5,682	5,319	-363	-6
North Dakota	2015	1,795	1,538	-257	-14
Ohio	2015	52,233	43,537	-8,696	-17
South Dakota	2017	3,970	3,252	-718	-18
Wisconsin	2018	24,064	20,161	-3,903	-16

(a) Prisons and jails form one unified system.

Appendix Figure 3

Change in prison incarceration from highest year to spring 2021,

continued

	Highest prison pop.		Spring 2021	From high year to spring 2021	
	Year	Count		Change	% Change
South					
Alabama	2012	32,431	25,105	-7,326	-23
Arkansas	2017	18,070	16,085	-1,985	-11
Delaware (a)	2007	7,257	4,586	-2,671	-37
Florida	2010	104,306	81,168	-23,138	-22
Georgia	2009	56,986	46,315	-10,671	-19
Kentucky	2017	23,543	18,686	-4,857	-21
Louisiana	2012	40,172	26,543	-13,629	-34
Maryland	2002	24,162	14,963	-9,199	-38
Mississippi	2008	22,754	17,701	-5,053	-22
North Carolina	2010	40,382	29,192	-11,190	-28
Oklahoma	2016	29,916	22,625	-7,291	-24
South Carolina	2008	24,326	16,069	-8,257	-34
Tennessee	2017	28,980	22,994	-5,986	-21
Texas (b)	2010	173,649	133,024	-40,625	-23
Virginia (b)	2015	38,403	31,548	-6,855	-18
West Virginia	2016	7,162	3,905	-3,257	-45
West					
Alaska (a)	2014	5,794	4,250	-1,544	-27
Arizona	2015	42,719	36,704	-6,015	-14
California	2006	175,512	96,499	-79,013	-45
Colorado	2008	23,274	15,670	-7,604	-33
Hawaii (a)	2005	6,146	4,099	-2,047	-33
Idaho	2019	9,437	8,226	-1,211	-13
Montana (c)	2016	3,814	2,477	-1,337	-35
Nevada	2016	13,757	11,222	-2,535	-18
New Mexico	2017	7,276	5,877	-1,399	-19
Oregon	2013	15,517	13,433	-2,084	-13
Utah	2013	7,077	5,602	-1,475	-21
Washington	2017	19,656	15,067	-4,589	-23
Wyoming (d)	2018	2,543	1,880	-663	-26

(a) Prisons and jails form one unified system.

(b) Spring 2021 estimates based on people in DOC custody and the estimated number of people held in local jails.

(c) Spring 2021 not fully comparable with prior years due to change in how Montana counts people in work release.

(d) Spring 2021 estimate based on last known value and rate of change in states within region.

Appendix Figure 4

Prison population from 2019 to 2021

	Year-end 2019	Midyear 2020	Spring 2021	Percent change		
				Year-end 2019 to midyear 2020	Midyear 2020 to early 2021	Year-end 2019 to early 2021
U.S. Prisons Total	1,435,500	1,309,485	1,193,934	-9	-9	-17
Federal	175,116	161,640	152,259	-8	-6	-13
State	1,260,393	1,147,845	1,041,675	-9	-9	-17
<i>Northeast</i>	<i>138,445</i>	<i>122,915</i>	<i>105,205</i>	<i>-11</i>	<i>-14</i>	<i>-24</i>
Connecticut (a)	12,293	9,963	8,961	-19	-10	-27
Maine	2,205	1,834	1,666	-17	-9	-24
Massachusetts	8,205	7,332	6,664	-11	-9	-19
New Hampshire	2,622	2,426	2,189	-7	-10	-17
New Jersey	18,613	17,132	12,538	-8	-27	-33
New York	44,284	38,390	31,412	-13	-18	-29
Pennsylvania	45,875	42,101	38,262	-8	-9	-17
Rhode Island (a)	2,740	2,320	2,275	-15	-2	-17
Vermont (a)	1,608	1,417	1,238	-12	-13	-23
<i>Midwest</i>	<i>244,032</i>	<i>221,232</i>	<i>205,336</i>	<i>-9</i>	<i>-7</i>	<i>-16</i>
Illinois	38,259	32,167	27,503	-16	-14	-28
Indiana	27,268	25,884	24,296	-5	-6	-11
Iowa	9,282	7,931	7,625	-15	-4	-18
Kansas	10,177	9,189	8,749	-10	-5	-14
Michigan	38,053	35,425	32,962	-7	-7	-13
Minnesota	9,982	8,330	7,455	-17	-11	-25
Missouri	26,044	24,027	22,939	-8	-5	-12
Nebraska	5,651	5,402	5,319	-4	-2	-6
North Dakota	1,794	1,247	1,538	-30	23	-14
Ohio	49,762	46,351	43,537	-7	-6	-13
South Dakota	3,804	3,478	3,252	-9	-6	-15
Wisconsin	23,956	21,801	20,161	-9	-8	-16

(a) Prisons and jails form one unified system.

Appendix Figure 4

Prison population from 2019 to 2021, continued

	Year-end 2019	Midyear 2020	Spring 2021	Percent change		
				Year-end 2019 to midyear 2020	Midyear 2020 to late 2020	Year-end 2019 to late 2020
South	603,562	553,380	510,509	-8	-8	-15
Alabama	28,266	26,890	25,105	-5	-7	-11
Arkansas	17,759	16,552	16,085	-7	-3	-9
Delaware (a)	5,692	4,812	4,586	-15	-5	-19
Florida	96,009	89,382	81,168	-7	-9	-15
Georgia	55,556	50,891	46,315	-8	-9	-17
Kentucky	23,436	20,299	18,686	-13	-8	-20
Louisiana	31,609	28,213	26,543	-11	-6	-16
Maryland	18,686	17,038	14,963	-9	-12	-20
Mississippi	19,469	18,026	17,701	-7	-2	-9
North Carolina	34,510	31,506	29,192	-9	-7	-15
Oklahoma	25,712	24,039	22,625	-7	-6	-12
South Carolina	18,608	17,318	16,069	-7	-7	-14
Tennessee	26,539	24,566	22,994	-7	-6	-13
Texas (b)	158,820	145,579	133,024	-8	-9	-16
Virginia (b)	36,091	33,451	31,548	-7	-6	-13
West Virginia	6,800	4,818	3,905	-29	-19	-43
West	274,354	250,318	220,625	-9	-12	-20
Alaska (a)	4,475	4,313	4,250	-4	-1	-5
Arizona	42,441	40,151	36,704	-5	-9	-14
California	125,507	114,966	96,499	-8	-16	-23
Colorado	19,714	17,441	15,670	-12	-10	-21
Hawaii (a)	5,179	4,449	4,099	-14	-8	-21
Idaho	9,437	8,775	8,226	-7	-6	-13
Montana (c)	3,811	3,937	2,477	3	-37	-35
Nevada	12,942	11,231	10,841	-13	-3	-16
New Mexico	6,723	6,303	5,877	-6	-7	-13
Oregon	15,755	14,055	13,433	-11	-4	-15
Utah	6,731	5,993	5,602	-11	-7	-17
Washington	19,160	16,703	15,067	-13	-10	-21
Wyoming (d)	2,479	2,001	1,880	-19	-6	-24

(a) Prisons and jails form one unified system.

(b) Spring 2021 estimates based on people in DOC custody and the estimated number of people held in local jails.

(c) Spring 2021 not fully comparable with prior years due to change in how Montana counts people in work release.

(d) Spring 2021 estimate based on last known value and rate of change in states within region.

Appendix Figure 5

Prison incarceration rates from 2019 to 2021

	Year-end 2019	Midyear 2020	Spring 2021	Percent change		
				Year-end 2019 to midyear 2020	Midyear 2020 to spring 2021	Year-end 2019 to spring 2021
U.S. Prisons Total	437	391	361	-11	-8	-17
Federal	53	48	45	-9	-6	-15
States	385	343	315	-11	-8	-18
<i>Northeast</i>	247	213	183	-14	-14	-26
Connecticut (a)	345	276	249	-20	-10	-28
Maine	164	135	122	-18	-9	-25
Massachusetts	119	104	95	-12	-9	-20
New Hampshire	193	176	159	-9	-10	-18
New Jersey	210	184	135	-12	-27	-36
New York	228	190	155	-17	-18	-32
Pennsylvania	358	324	294	-10	-9	-18
Rhode Island (a)	259	211	207	-18	-2	-20
Vermont (a)	258	220	193	-14	-13	-25
<i>Midwest</i>	357	321	298	-10	-7	-17
Illinois	302	251	215	-17	-14	-29
Indiana	405	381	358	-6	-6	-12
Iowa	294	249	239	-16	-4	-19
Kansas	349	313	298	-10	-5	-15
Michigan	381	352	330	-8	-6	-13
Minnesota	177	146	131	-18	-11	-26
Missouri	424	390	373	-8	-5	-12
Nebraska	292	275	271	-6	-2	-7
North Dakota	235	160	197	-32	23	-16
Ohio	426	393	369	-8	-6	-13
South Dakota	430	392	367	-9	-6	-15
Wisconsin	411	370	342	-10	-8	-17

(a) Prisons and jails form one unified system.

Appendix Figure 5

Prison incarceration rates from 2019 to 2021, *continued*

	Year-end 2019	Midyear 2020	Spring 2021	Percent change		
				Year-end 2019 to midyear 2020	Midyear 2020 to spring 2021	Year-end 2019 to spring 2021
South	483	440	407	-9	-8	-16
Alabama	576	535	500	-7	-7	-13
Arkansas	588	550	534	-7	-3	-9
Delaware (a)	585	486	463	-17	-5	-21
Florida	447	415	377	-7	-9	-16
Georgia	523	475	432	-9	-9	-17
Kentucky	525	451	415	-14	-8	-21
Louisiana	680	606	570	-11	-6	-16
Maryland	309	309	242	0	-22	-22
Mississippi	654	609	598	-7	-2	-9
North Carolina	329	302	280	-8	-7	-15
Oklahoma	650	607	571	-7	-6	-12
South Carolina	361	338	314	-6	-7	-13
Tennessee	389	355	333	-9	-6	-14
Texas (b)	548	499	456	-9	-9	-17
Virginia (b)	423	388	365	-8	-6	-14
West Virginia	379	269	218	-29	-19	-43
West	350	319	281	-9	-12	-20
Alaska (a)	612	588	579	-4	-1	-5
Arizona	583	561	513	-4	-9	-12
California	318	291	244	-8	-16	-23
Colorado	342	302	271	-12	-10	-21
Hawaii (a)	366	306	282	-16	-8	-23
Idaho	528	477	447	-10	-6	-15
Montana (c)	357	363	228	2	-37	-36
Nevada	420	362	352	-14	-3	-16
New Mexico	321	298	278	-7	-7	-13
Oregon	374	332	317	-11	-4	-15
Utah	210	183	171	-13	-7	-18
Washington	252	217	196	-14	-10	-22
Wyoming (d)	428	347	325	-19	-6	-24

(a) Prisons and jails form one unified system.

(b) Spring 2021 estimates based on people in DOC custody and the estimated number of people held in local jails.

(c) Spring 2021 not fully comparable with prior years due to change in how Montana counts people in work release.

(d) Spring 2021 estimate based on last known value and rate of change in states within region.

Appendix Figure 6

Spring 2021 jail incarceration rates and percent changes since mid-2020, select states

	Urban		Suburban		Small/Midsized metro		Rural		Total	
	Rate	% Change	Rate	% Change	Rate	% Change	Rate	% Change	Rate	% Change
California	140	21	165	24	192	16	225	16	156	20
Colorado	190	42	123	19	181	24	211	35	163	27
Florida	211	18	180	9	309	14	477	10	244	14
Georgia	277	18	249	20	372	13	432	16	315	17
Kentucky	180	15	346	15	450	21	576	16	439	17
Massachusetts	117	9	73	2	94	10	149	9	85	5
New Mexico	-	-	-	-	190	-1	277	4	219	1
New York	69	38	66	34	124	43	133	39	80	38
Tennessee	304	-6	252	-4	307	-3	401	1	316	-3
Texas	176	4	153	2	297	3	361	0	218	3

Endnotes

- 1 See Todd Minton, Zhen Zeng, and Laura Maruschak, *Impact of COVID-19 on the Local Jail Population, January-June 2020*, (Washington, DC: Bureau of Justice Statistics, 2021) <https://perma.cc/AK2J-88XS>. See also 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>.
- 2 All 2019, 2020, and 2021 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,” <https://perma.cc/P992-8N2G>; BJS, “Data Collection: Annual Survey of Jails (ASJ),” <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. For more detail on incarceration numbers in late 2020, see Jacob Kang-Brown, Chase Montagnet, and Jasmine Heiss, “People in Jail and Prison in 2020” (New York: The Vera Institute of Justice, 2021), <https://perma.cc/RYZ5-POGB>.
- 3 Minton, Zeng, and Maruschak, *Impact of COVID-19 on the Local Jail Population, January-June 2020, 2021*; and E. Ann Carson, *Prisoners in 2019* (Washington, DC: Bureau of Justice Statistics, 2020), <https://perma.cc/N7PA-LJNU>.
- 4 Minton, Zeng, and Maruschak, *Impact of COVID-19 on the Local Jail Population, January-June 2020, 2021, 13-14*.
- 5 Ibid.
- 6 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>.
- 7 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>.
- 8 Additional data and tables are available at www.vera.org/publications/people-in-jail-and-prison-in-spring-2021.
- 9 Midyear refers to late June or early July, and late year refers to the end of September or beginning of October.
- 10 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 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-sized metropolitan areas (“small and midsize metro”) and micropolitan and noncore areas (“rural”).
- 11 See e.g., events in St. Louis, Kiara Alfonseca, “St. Louis Inmates Protest Again Over Long Trial Wait Times, COVID-19 Fears,” *ABC News*, April 6, 2021, <https://perma.cc/3974-EMS8>; Shawn Arrajj, “Backlog of Felony Court Cases Grows as Officials Explore Options to Lower Jail Population,” *Community Impact Newspaper* (Houston, Texas), August 2, 2020, <https://perma.cc/789H-JR57>.
- 12 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/co-vid19updates/>; see also data available at Vera Institute

of Justice, “Care First L.A.: Tracking Jail Decarceration,” May 18, 2021, <https://perma.cc/DA79-C4ZR>.

- 13 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>.
- 14 For more information on the use of local jails as immigrant detention facilities, see Kang-Brown and Norton, “More Than a Jail,” 2018.
- 15 See Public Law 116-260, <https://perma.cc/4FC4-LMUF>.
- 16 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>.
- 17 See e.g., Editorial, “Nebraska Should Pause on New Prison and Plan for Broad Criminal Justice Reform,” *Omaha World-Herald*, February 28, 2021, <https://perma.cc/R47D-8KU3>; Fred Knapp, “Lawmakers Advance Planning, But Not Building, A New Prison,” *NET Nebraska*, April 9, 2021, <https://perma.cc/4QYR-C6GP>.
- 18 See Brian Lyman, “Alabama Legislative Leaders See Possibility of Special Session on Prisons,” *Montgomery Advertiser*, May 19, 2021, <https://perma.cc/VM7C-SD6X>.
- 19 This includes the six states—Alaska, Connecticut, Delaware, Hawaii, Rhode Island, and Vermont—with state-operated, unified prison and jail systems.
- 20 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>.

Acknowledgments

Thank you to Léon Digard and Abbi Leman for editorial support, Kica Matos and Cindy Reed for their review and feedback, and Jack Norton for research support. Thank you to the team from the New York University Public Safety Lab’s Jail Data Initiative for sharing data. Thank you to the ACLU and especially state chapters that shared jail data in Ohio. Thank you to the Indiana Public Defenders Council. Thank you to Grace Phillips at the New Mexico Association of Counties. This work would not be possible without the excellent work of researchers at the Bureau of Justice Statistics who maintain the National Jail Census and Annual Survey of Jails programs, especially Zhen Zeng.

About citations

As researchers and readers alike rely more and more on public knowledge made available through the Internet, “link rot” has become a widely acknowledged problem with creating useful and sustainable citations. To address this issue, the Vera Institute of Justice is experimenting with the use of Perma.cc (<https://perma.cc/>), a service that helps scholars, journals, and courts create permanent links to the online sources cited in their work.

Credits

© Vera Institute of Justice 2021. All rights reserved. An electronic version of this report is posted on Vera’s website at <https://www.vera.org/publications/people-in-jail-and-prison-in-spring-2021>. For more information about Vera, visit www.vera.org.

For more information about this report, contact Jacob Kang-Brown, senior research associate, at jkangbrown@vera.org.

Suggested citation

Jacob Kang-Brown, Chase Montagnet, and Jasmine Heiss. *People in Jail and Prison in Spring 2021*. New York: Vera Institute of Justice, 2021.