
Introduction

The New York State Department of Corrections and Community Supervision (DOCCS) releases [public data](#) regarding incarcerated individuals held in State prisons as of March 31 of each year.¹ This dataset contains information about incarcerated individuals' latest admission type (new conviction or parole revocation), county of indictment, gender, age, race/ethnicity, most serious conviction charge, and housing facility. In this research brief, we analyze trends in the most recently published data for March 31, 2023 in comparison to past years dating back to 2008.

Major Prison Population Trends

Total Prison Population. The number of incarcerated individuals in State prisons on March 31, 2023 increased +4% compared to 2022 (from 30,413 to 31,659)—representing the first annual increase in the past 15 years (Figure 1). Over a longer span, the number of incarcerated individuals nearly halved since 2008, going from 62,597 to 31,659, a 49% decrease. Data for [earlier years](#) indicates that the prison population peaked at 72,899 in 1999, rising almost six-fold from just 12,059 in 1970.²

Distribution of the Population by Region. There has been a significant shift in the prison population's regional makeup. The percentage of the total population indicted in the five boroughs of New York City decreased from 51% in 2008 to 38% in 2023. Conversely, a higher percentage of the prison population was indicted in upstate counties with major urban centers (Albany, Syracuse, Buffalo, Rochester) and rural upstate counties. The suburban share (Nassau, Suffolk, and Westchester) remained unchanged at 11% of the total (Figure 2). In effect, while the absolute size of the prison population from all regions fell over the past 15 years, the magnitude of the decline varied widely: a -65% drop in New York City, -54% drop in the suburbs, -38% drop in upstate counties with urban centers, and a -32% drop in upstate rural and semi-rural areas.

Parole Revocations. The percentage of the prison population attributable to parole revocations dropped by half from 8% in 2020 to 4% in 2021 and then continued to decrease to 3% in 2022 and 2% in 2023 after the signing into law of parole reforms under the Less is More Act in September 2021 (Figure 3).³ In absolute terms, the 2008 prison population included 7,228 people returned to prison on parole revocations, a number that declined by -90% to 689 people in 2023. Although the Less is More Act has driven down re-incarceration on parole revocations since 2021, the largest decrease occurred from 2020 to 2021, *before this Act went into effect*. While speculative, this earlier downward change may have resulted in part from the impact of

the COVID-19 pandemic in leading DOCCS to discourage parole officers from filing violations to decrease unnecessary health risks in carceral settings. At a minimum, it has been documented that DOCCS lifted technical parole violations pending adjudication for close to 800 individuals statewide early into the pandemic.⁴

Violent Felonies in the Population. The percentage of the prison population convicted of violent felony offenses (VFOs) in 2023 (72%) has remained consistent over the past three years. However, there has been a drastic change since 2008, when VFOs comprised 54% of the population (Figure 4).

Most Represented Charges. In addition to investigating VFOs, we looked at temporal trends in the percentage of the prison population convicted with a top charge of murder or related homicide offenses, drug felonies, sex offenses, weapons and firearms offenses, assault, robbery, burglary, and grand larceny (Figure 5). The percentage of the prison population convicted of drug felonies decreased significantly (from 29% to 14%) since 2008. Presumably, this shift at least in part reflects the effects of Rockefeller drug law reforms enacted in 2009, which two [separate studies](#) each linked to increased drug treatment in such cases.⁵ On the other hand, homicides and weapons/firearms charges increased their share of the prison population from 17% to 25% and 5% to 14% since 2008, respectively.

Gender. The vast majority (96%) of the prison population identified as male. The composition of the State's prison population by gender has changed minimally over the past 15 years. In 2008, 5% of the prison population identified as female while 4% identified as female in 2023.

Racial and Ethnic Disparities

Racial and Ethnic Composition from 2008 to 2023. The racial/ethnic composition has changed minimally in the past 15 years compared to other indicators. In 2008, 52% of the prison population were Black, 26% were Hispanic, and 20% were white. In 2023, 49% were Black, 24% were Hispanic, and 23% were white (Figure 6).

Incarceration Rates by Race/Ethnicity. We calculated the racial disparity in incarceration rates per 1,000 Black, Hispanic, and white residents in the State's general population. Incarceration rates declined for all groups; yet Black individuals continued to be incarcerated at higher rates per capita compared to Hispanic and white individuals. In 2008, 13.2 Black individuals were incarcerated per 1,000 residents compared to only 1.2 white individuals (Figure 7).

Rate Ratio of Incarceration Rates by Region (2008 vs. 2023)

		New York City	Urban Upstate	Suburban New York City	Rural Upstate	Statewide
Black-white	2008	12.6	16.4	16.2	11.8	10.6
	2023	16.1	21.2	17.2	10.1	8.5
	% Chng	+27.8%	+29.3%	+6.2%	-14.4%	-19.8%
Hispanic-white	2008	7.0	7.2	4.0	3.4	4.3
	2023	7.5	8.5	5.3	2.7	2.8
	% Chng	+7.1%	+18.1%	+32.5%	-20.6%	-32.9%

As shown in the table above, Black individuals continued to be incarcerated at higher rates than any other group. *In 2023, Black individuals were 8.5 times more likely to be incarcerated than white individuals in New York State, and Hispanic individuals were 2.8 times more likely to be incarcerated than white individuals (compared to incarceration rate ratios of 10.6 and 4.3 respectively for Black-white and Hispanic-white incarceration in 2008).*

The table also shows that the rate of incarceration for Black and Hispanic compared to white individuals increased significantly in three of four regions—except rural upstate counties. Urban Upstate counties have among the widest disparities on average. In 2023, Black individuals were 21.2 times more likely to be incarcerated than white individuals, and Hispanic individuals were incarcerated 8.5 times more likely to be incarcerated than white individuals in Albany, Erie, Monroe, and Onondaga counties.

Additional County Variations. Schenectady, Chemung, Genesee, Sullivan, and Albany are the counties with the five highest incarceration rates per capita across all groups (Figure 8). Genesee, Tioga, Warren, Ontario, and Fulton are the counties with the five highest incarceration rates for Black individuals (Figure 9). Chemung, Yates, Onondaga, Clinton, and Washington are the counties with the five highest incarceration rates for Hispanic Individuals (Figure 9). In relative terms, Genesee, Tioga, Warren, Ontario, and Fulton are the counties with the five highest disparities in incarceration rates for Black as opposed to white individuals (Figure 10).

For each of the State's 62 counties, the appendix provides the number of people in the March 31, 2023 prison population, the county's incarceration rate, and incarceration rates and relative rate-ratios for Black, Hispanic, and white individuals.

Figure 1.
New York State Prison Population 2008-2023

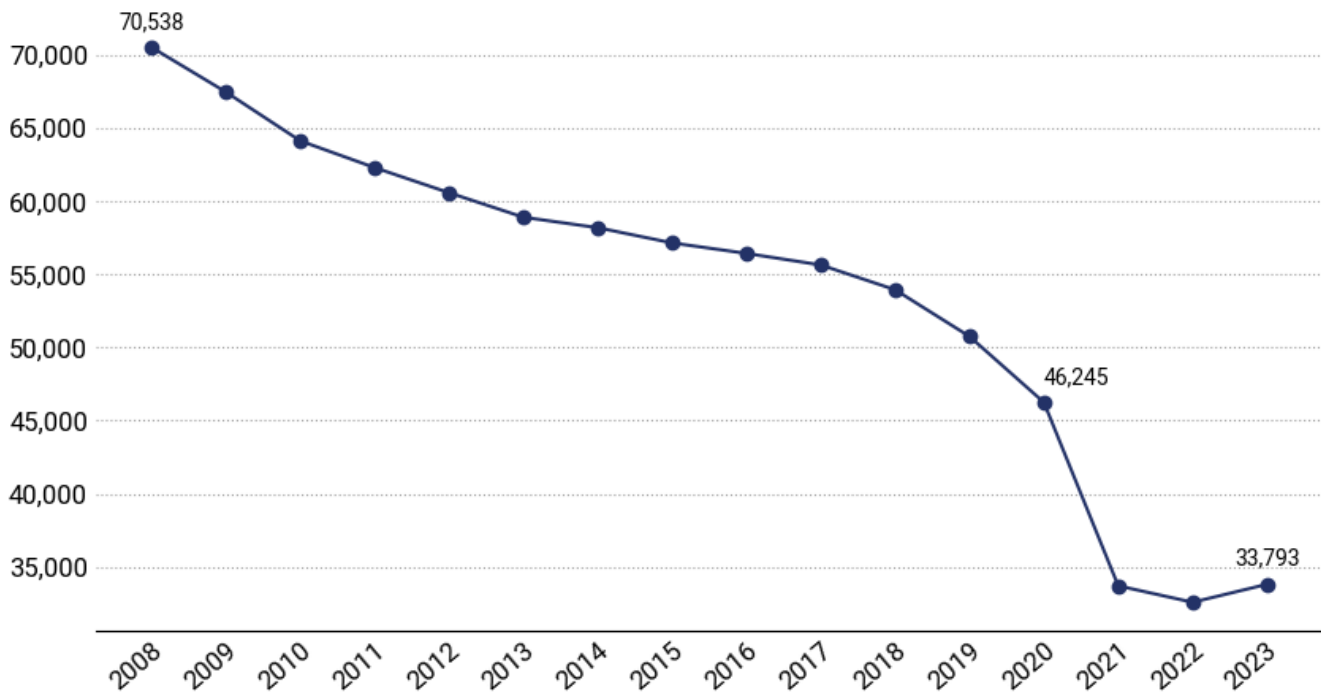
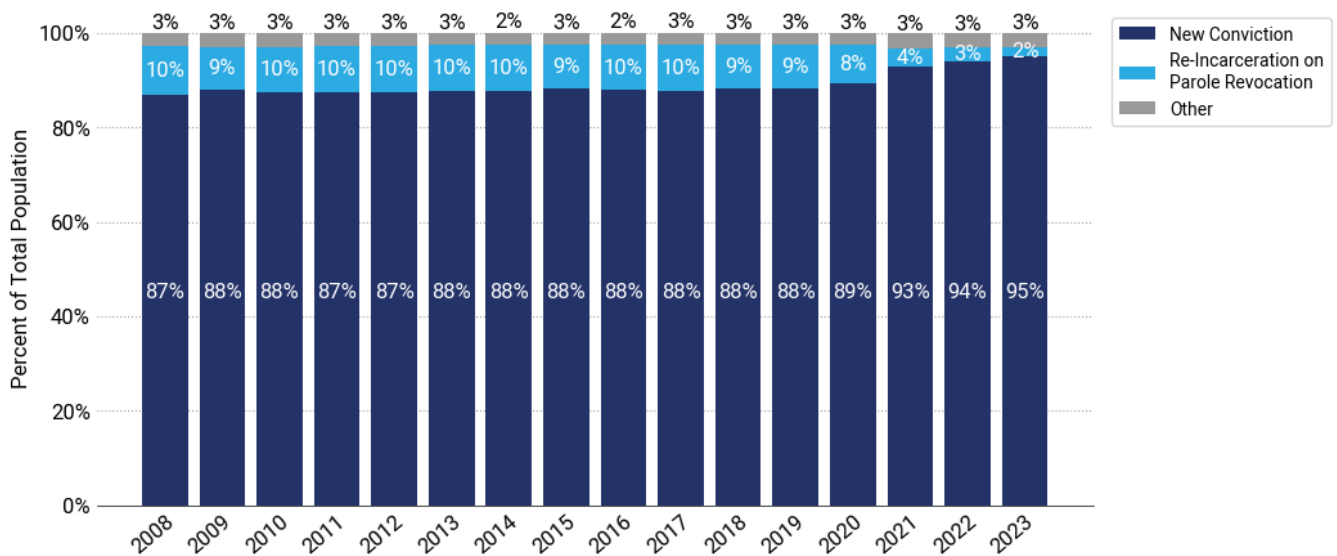
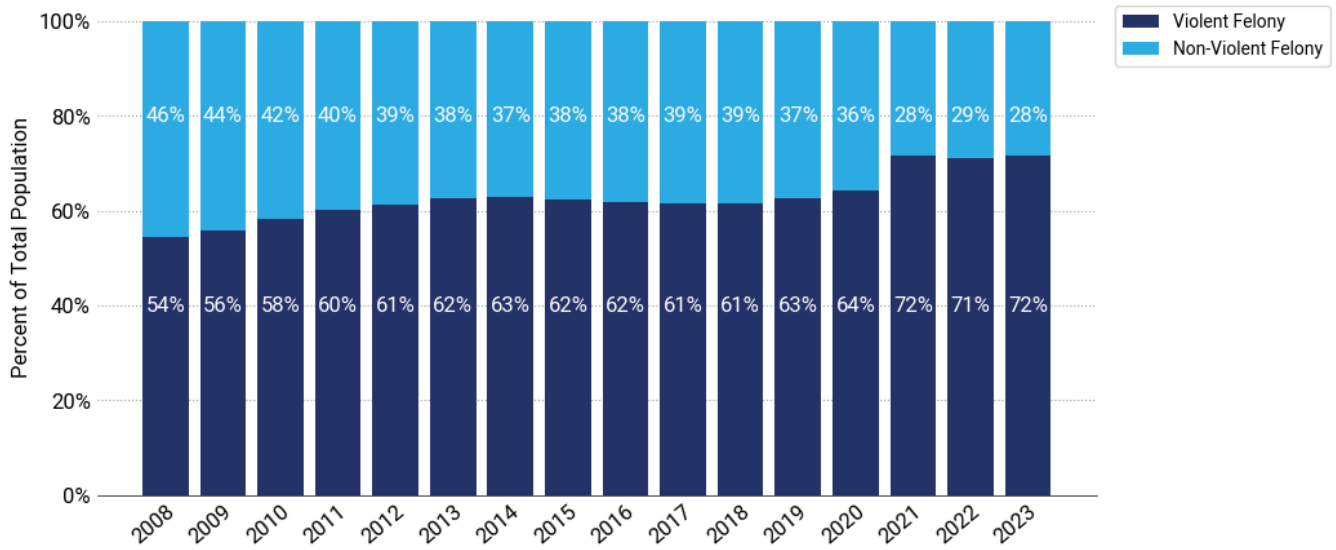


Figure 2.
Distribution of Prison Population by Admission Type



**Figure 3:
Prison Population Convicted of Violent vs. Non-Violent Felonies**



**Figure 4:
Distribution of Prison Population by Most Serious Conviction Charge**

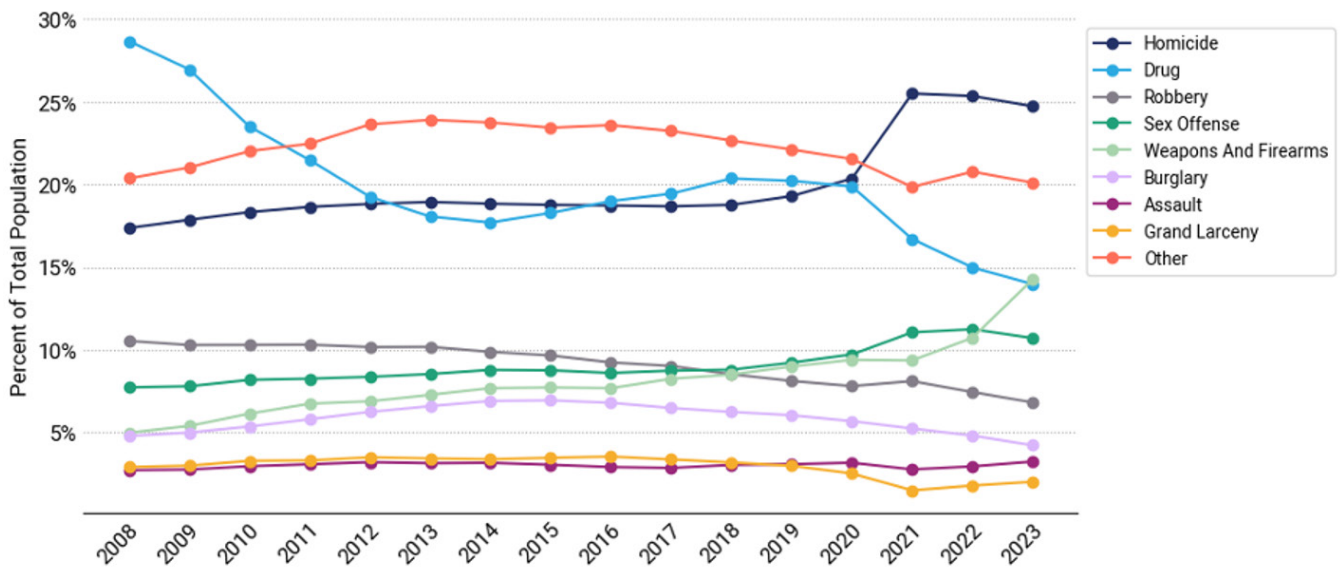


Figure 5.
Regional Distribution of the State Prison Population
(Based on County of Indictment)

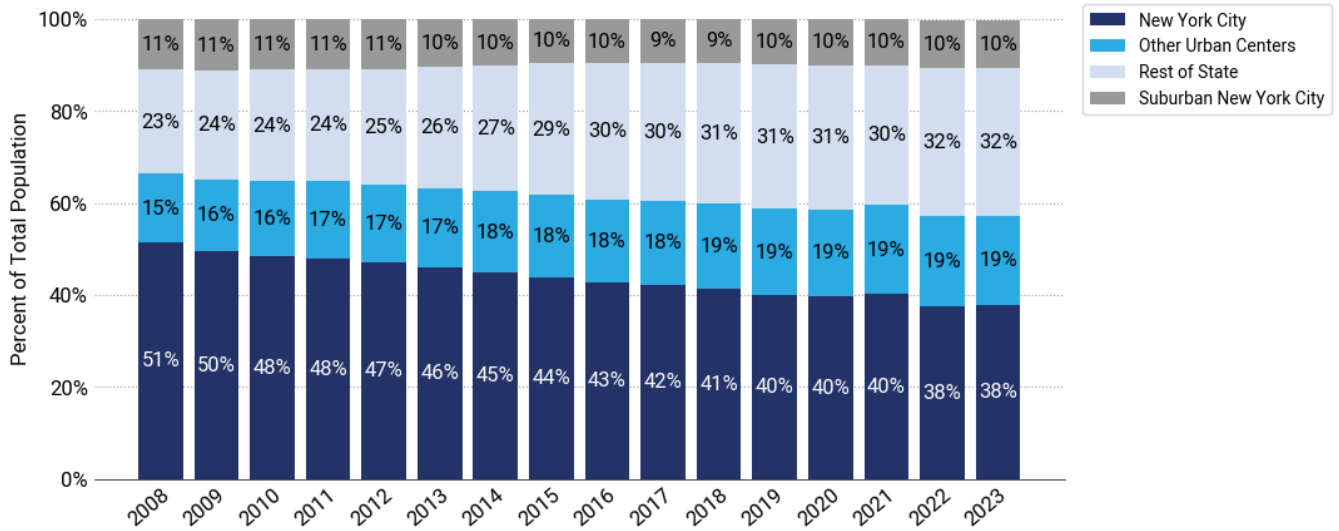


Figure 6.
Distribution of the Prison Population by Race/Ethnicity

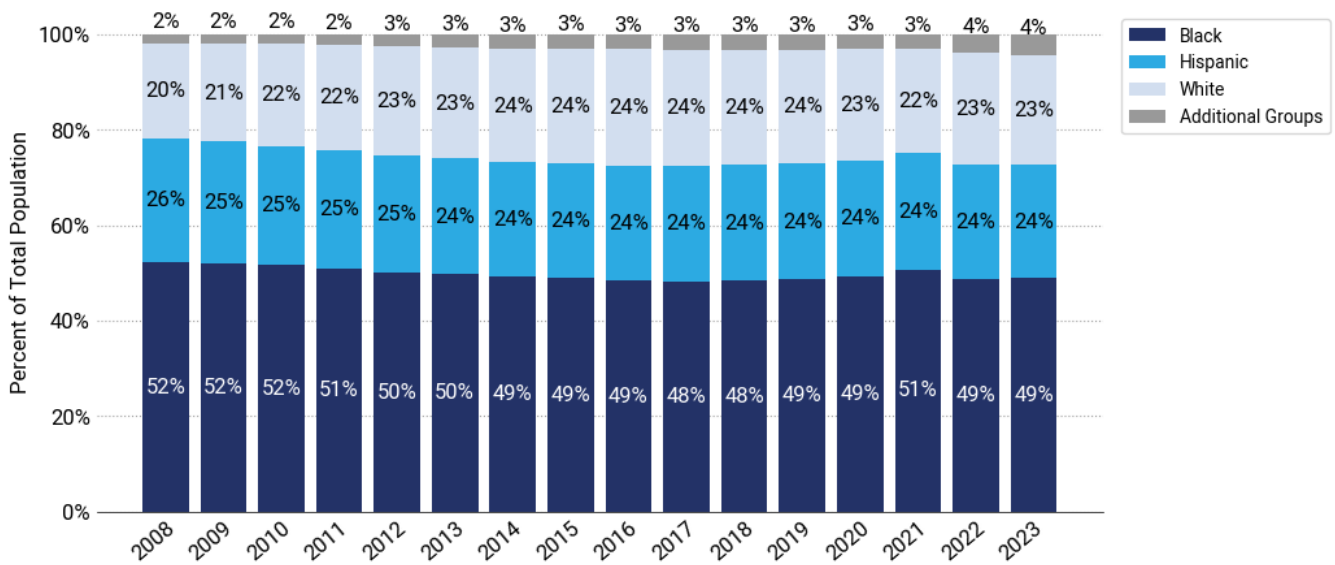


Figure 7.
Incarceration Rates per Capita by Race/Ethnicity

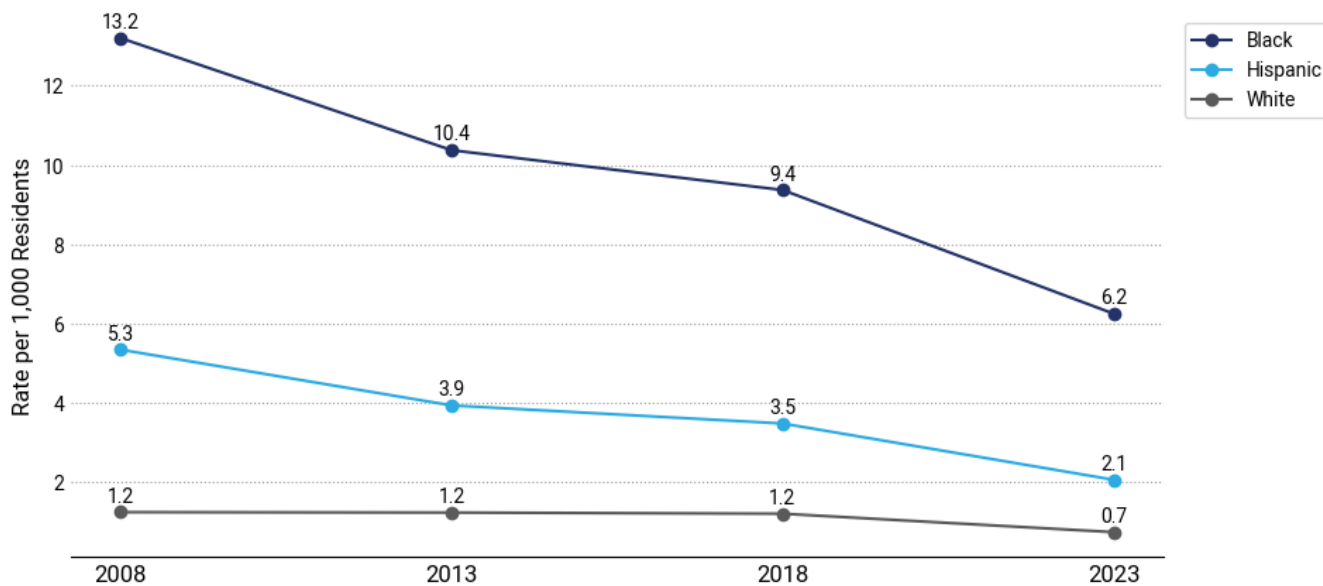


Figure 8:
County Incarceration Rates per 1,000 Residents

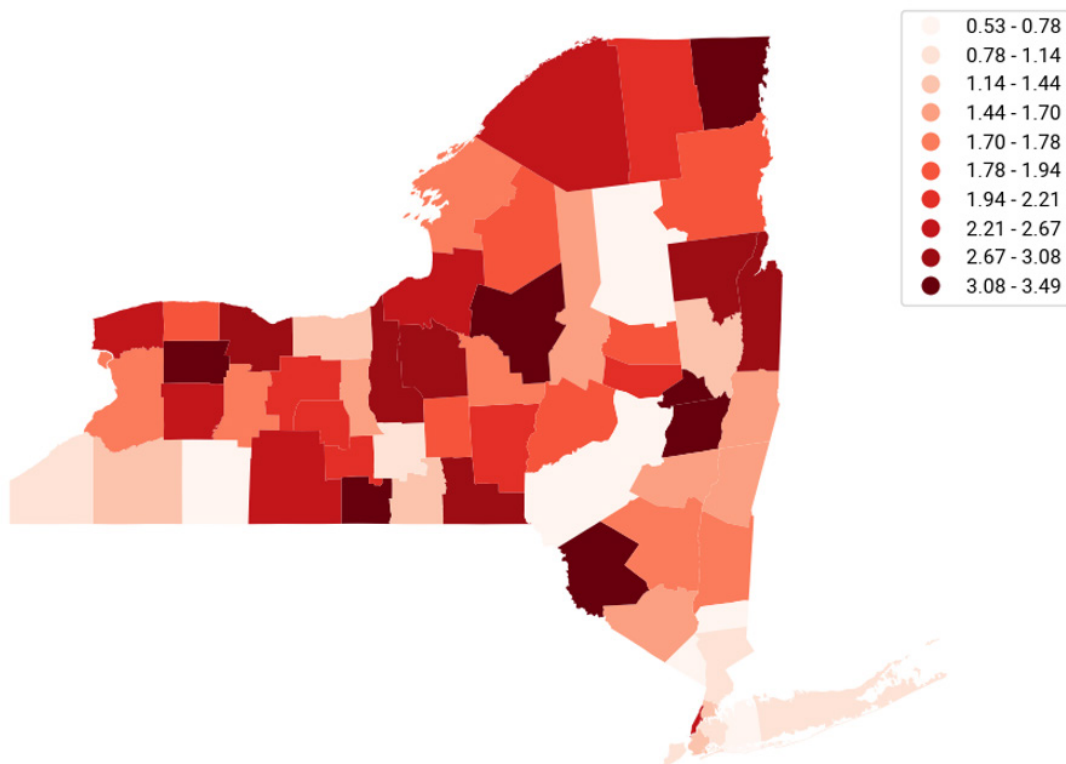
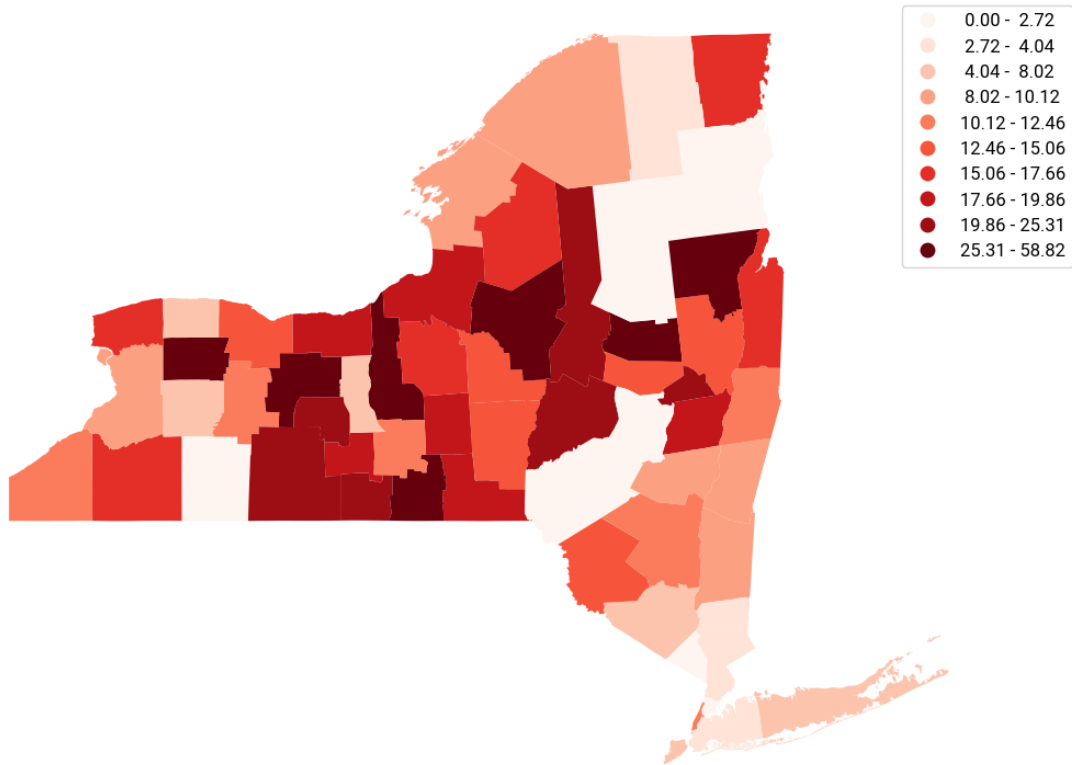
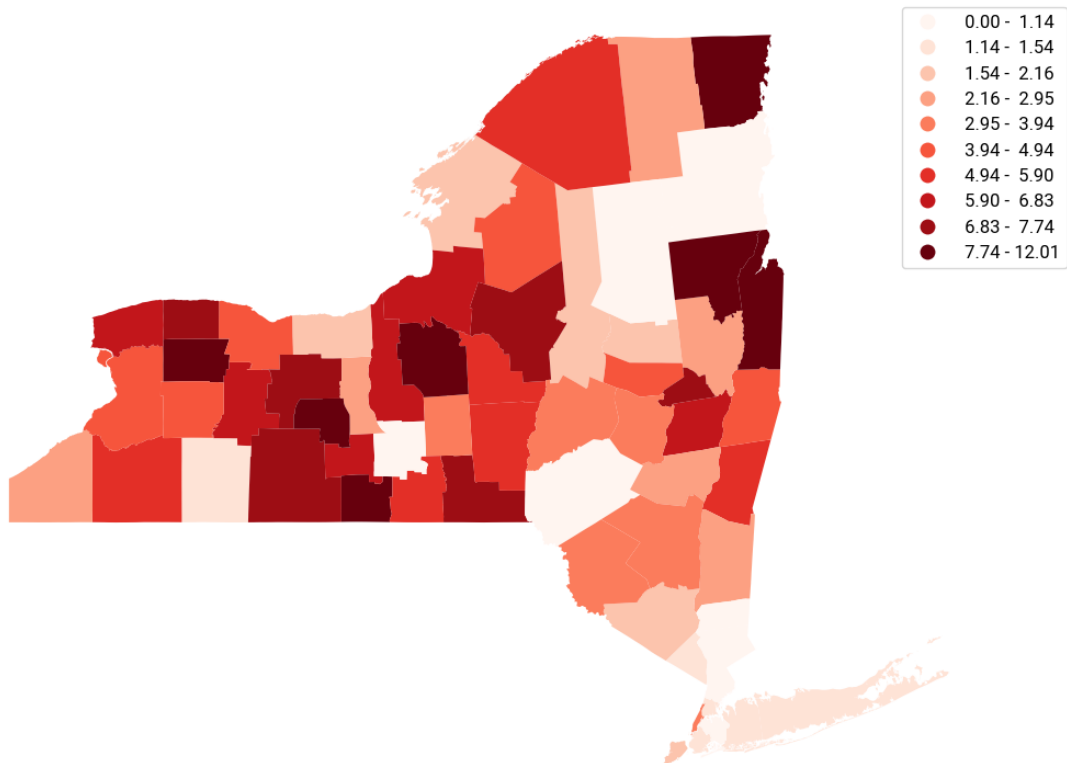


Figure 9:
County Incarceration Rates Per 1,000 Residents

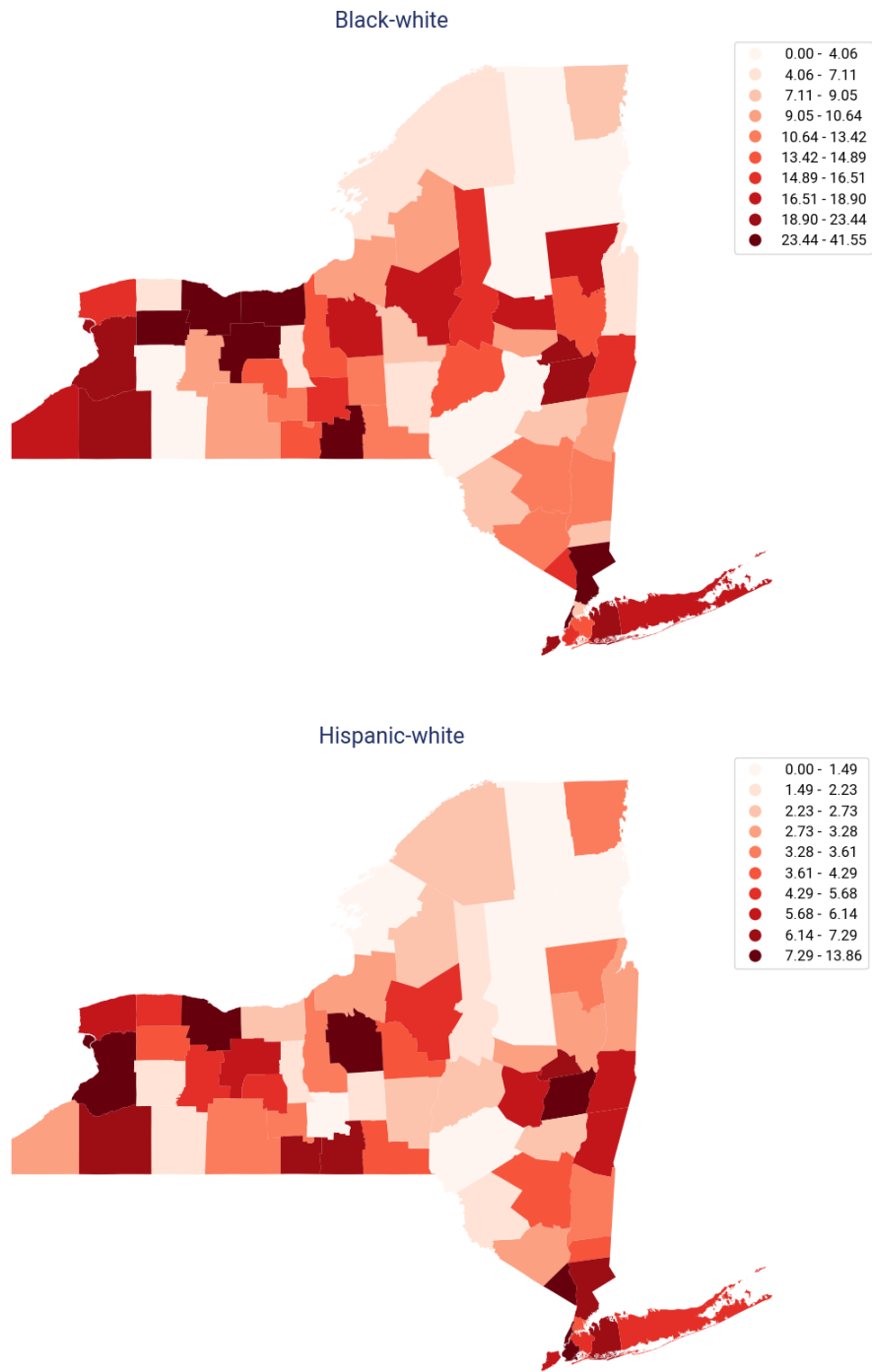
Black Individuals



Hispanic Individuals



**Figure 10:
Rate Ratio of Incarceration by County**



ABOUT THE AUTHOR

Liz Johnson is a Data Scientist at the Data Collaborative for Justice at John Jay College of Criminal Justice. Liz is currently working on multiple projects including an analysis of the New York State prison population, NYC jail population forecasting, and supporting this project by creating machine learning models to predict failure to appear in court.

Appendix. County Incarceration Rates and Racial Disparities

<i>County of Indictment</i>	Total Under Custody	Average	Black	Hispanic	White	Black-white Rate	Hispanic-white Rate
<i>Schenectady</i>	550	3.5	21.1	6.9	1	20.7	6.8
<i>Chemung</i>	288	3.4	25.2	12	1.7	14.7	7
<i>Genesee</i>	198	3.4	58.8	7.8	1.9	30.9	4.1
<i>Sullivan</i>	258	3.3	14.8	3.6	2	7.4	1.8
<i>Albany</i>	1031	3.3	19.2	6.1	0.8	23.2	7.3
<i>Oneida</i>	750	3.2	26	7.7	1.4	18.4	5.5
<i>Clinton</i>	248	3.1	16.7	8	2.3	7.2	3.4
<i>Onondaga</i>	1408	3	16.2	8.7	0.9	17.5	9.3
<i>Washington</i>	182	3	15.2	7.9	2.4	6.2	3.2
<i>Broome</i>	555	2.8	19.7	7	1.7	11.4	4.1
<i>Warren</i>	182	2.8	36.3	7.7	2.2	16.5	3.5
<i>Cayuga</i>	212	2.8	25.3	5.9	1.7	14.5	3.4
<i>Monroe</i>	2056	2.7	13.1	4.7	0.5	24.8	8.9
<i>Steuben</i>	234	2.5	21.1	6.9	2.1	10.2	3.3
<i>New York</i>	4138	2.5	10.3	3.9	0.3	36.7	13.9
<i>St Lawrence</i>	262	2.4	10.1	5.5	2.1	4.9	2.7
<i>Niagara</i>	486	2.3	16.2	6.2	1	15.7	6
<i>Oswego</i>	263	2.2	17.9	6.3	1.9	9.3	3.2
<i>Wyoming</i>	90	2.2	6.7	4.4	2	3.4	2.2
<i>Chenango</i>	104	2.2	14.1	5.5	2.1	6.7	2.6
<i>Ontario</i>	245	2.2	32.8	7.1	1.2	26.8	5.8
<i>Montgomery</i>	108	2.2	14.1	4.2	1.4	10.3	3.1
<i>Franklin</i>	103	2.1	3.3	2.9	2.1	1.6	1.4
<i>Yates</i>	53	2.1	24.6	9.2	1.8	13.8	5.1
<i>Schuyler</i>	35	2	19.5	6.1	1.8	11	3.5
<i>Orleans</i>	78	1.9	7	7.2	1.3	5.3	5.5
<i>Essex</i>	72	1.9	0.9	0	2	0.5	0
<i>Otsego</i>	113	1.9	22.2	3.5	1.5	14.6	2.3
<i>Fulton</i>	102	1.9	27.9	2.1	1.5	18	1.4
<i>Lewis</i>	48	1.8	16.1	4.3	1.7	9.7	2.6
<i>Cortland</i>	84	1.8	18.9	3	1.4	13.1	2.1
<i>Erie</i>	1690	1.8	9.4	4	0.4	21.5	9.1
<i>Ulster</i>	323	1.8	11.6	3.6	0.9	12.7	4
<i>Livingston</i>	110	1.8	11.8	6.6	1.3	9.1	5.1
<i>Jefferson</i>	207	1.8	9.3	1.9	1.3	7.1	1.4

<i>County of Indictment</i>	<i>Total Under Custody</i>	<i>Average</i>	<i>Black</i>	<i>Hispanic</i>	<i>White</i>	<i>Black-white Rate</i>	<i>Hispanic-white Rate</i>
<i>Madison</i>	119	1.7	12.9	5.6	1.5	8.6	3.7
<i>Dutchess</i>	509	1.7	8.7	2.4	0.7	12.6	3.4
<i>Orange</i>	675	1.7	7.9	2.1	0.7	11.7	3.1
<i>Rensselaer</i>	264	1.6	11.9	4.5	0.8	15.6	5.9
<i>Greene</i>	77	1.6	8.3	2.9	1.1	7.4	2.6
<i>Herkimer</i>	92	1.5	19.9	2.1	1.3	15.2	1.6
<i>Columbia</i>	90	1.5	9.2	5.1	0.9	10.4	5.8
<i>Seneca</i>	49	1.4	6.4	2.4	1.1	6	2.2
<i>Bronx</i>	2120	1.4	2.4	1.3	0.3	7.2	3.8
<i>Tioga</i>	70	1.4	39.9	5.9	1	41.6	6.1
<i>Wayne</i>	119	1.3	19.7	2.1	0.8	23.5	2.6
<i>Saratoga</i>	300	1.3	14.7	2.9	1	14.6	2.9
<i>Cattaraugus</i>	93	1.2	17.2	5.2	0.8	21.2	6.5
<i>Kings</i>	3247	1.2	2.8	1.5	0.2	16.4	8.9
<i>Richmond</i>	554	1.1	6.4	1.6	0.3	22.9	5.9
<i>Chautauqua</i>	140	1.1	12.1	2.2	0.7	17.8	3.2
<i>Queens</i>	2409	1	3.3	1.1	0.2	14.7	5.1
<i>Tompkins</i>	101	1	10.2	0.7	0.7	15	1.1
<i>Suffolk</i>	1396	0.9	5.5	1.4	0.3	16.7	4.4
<i>Westchester</i>	861	0.9	3.7	1.1	0.2	24.4	7.1
<i>Allegany</i>	36	0.8	2.4	1.2	0.8	3.2	1.6
<i>Schoharie</i>	23	0.8	2.5	3.8	0.6	4	6.1
<i>Nassau</i>	1055	0.8	3.6	1.3	0.2	19	6.6
<i>Delaware</i>	33	0.7	1.4	1.1	0.7	1.9	1.5
<i>Rockland</i>	236	0.7	2.7	1.4	0.2	16	8.4
<i>Hamilton</i>	3	0.6	0	0	0.6	0	0
<i>Putnam</i>	52	0.5	2.8	1.1	0.3	9	3.7

Endnotes

¹ NYS Department of Corrections and Community Supervision. Available at: [Incarcerated Individuals Under Custody: Beginning 2008](#).

² Vera Institute of Justice. Incarceration Trends: New York. Available at: [New York | Incarceration Trends | Vera Institute of Justice](#).

³ Less is More NY. (2022). New York's Less is More Act: One-Year Anniversary Report. Available at: [NEW YORK'S LESS IS MORE ACT: ONE-YEAR ANNIVERSARY REPORT - #Less Is More NY](#).

⁴ Schiraldi, V. (2020). Two Months Later: Outcomes of the March 27th Order to Release People Jailed for Technical Violations During the Pandemic. New York, NY: Columbia Justice Lab. Available at: <https://justicelab.columbia.edu/sites/default/files/content/NY%20Two%20Months%20Later%205.27.20%20final.pdf>.

⁵ Parsons, J., Wei, Q., Rinaldi, J., Henrichson, C., Sandwick, T., Wendel, T., Drucker, E., Ostermann, M., DeWitt, S., & Clear, T. (2015). A Natural Experiment in Reform: Analyzing Drug Policy Change In New York City. New York, NY: Vera Institute of Justice. Available at: [End of an Era? | Vera Institute](#); School of Criminal Justice, Rutgers University; Waller, M. S., Carey, S. M., Farley, E., & Rempel, M. (2013). Testing the Cost Savings of Judicial Diversion. Portland, OR and New York, NY: NPC Research and Center for Court Innovation. Available at: [Testing the Cost Savings of Judicial Diversion | Center for Justice Innovation \(innovatingjustice.org\)](#).