


# Redemption



Americans believe strongly in the value of a chance to start over after misfortune or missteps. Access to drug treatment for prisoners and voting rights after completion of sentence improved. However, opportunity decreased as related to the incarceration rate, and to the increased incarceration of immigrants.

Our overall assessment indicates that opportunity for redemption was mixed for the years examined.

ADULTS INCARCERATED	INDICATOR	2009 UPDATE	SUPPORTING DATA
	<p><b>People in the Criminal Justice System:</b> the number and rate of incarcerated persons.<sup>1</sup></p>		<p>The total number of individuals incarcerated and the rate of incarceration between 2006 and 2007 did not significantly change; however, the number of individuals in federal prison significantly increased and therefore, opportunity in this area decreased during this time.</p> <p><b>Total Number Incarcerated*</b>  <b>2007:</b> 1,598,316  <b>2006:</b> 1,570,691  <b>Change:</b> increased 1.8%  <b>SIGNIFICANT: NO</b></p> <p><b>Federally Incarcerated</b>  <b>2007:</b> 199,618  <b>2006:</b> 193,046  <b>Change:</b> increased 3.4%  <b>SIGNIFICANT: YES</b></p> <p><b>State Incarcerated</b>  <b>2007:</b> 1,398,698  <b>2006:</b> 1,377,645  <b>Change:</b> increased 1.5%  <b>SIGNIFICANT: NO</b></p> <p><b>Incarceration Rate</b>  <b>2007:</b> 506 people per 100,000  <b>2006:</b> 501 people per 100,000  <b>Change:</b> increased 1.0%  <b>SIGNIFICANT: NO</b></p> <p>*Total number incarcerated does not include those in local jails.</p>

<sup>1</sup> Bureau of Justice Statistics Bulletin, *Prisoners in 2007*, December 2008, Table 1, available at <http://www.ojp.usdoj.gov/bjs/pub/pdf/p07.pdf>.



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	INDICATOR	2009 UPDATE	SUPPORTING DATA
IMMIGRANTS AND THE CRIMINAL JUSTICE SYSTEM	<p><b>Immigrants and the Criminal Justice System:</b> the number of immigrants incarcerated by their charge.<sup>2</sup></p>		<p>Between 2006 and 2007 the total number of immigrants incarcerated significantly increased. Additionally, the number of immigrants incarcerated for criminal offenses and pending charges significantly increased as well. Therefore, opportunity in this area declined.</p> <p><b>Immigrants – Total Number Incarcerated*</b>  <b>2007:</b> 30,431  <b>2006:</b> 27,368  <b>Change:</b> increased 11.2%, or 3,063 immigrants  <b>SIGNIFICANT: YES</b></p> <p><b>Immigration Law Violation – Number Incarcerated*</b>  <b>2007:</b> 13,580  <b>2006:</b> 13,427  <b>Change:</b> increased 1.1%, or 153 immigrants  <b>SIGNIFICANT: NO</b></p> <p><b>Criminal Offense – Number Incarcerated*</b>  <b>2007:</b> 12,889  <b>2006:</b> 11,687  <b>Change:</b> increased 10.3%, or 1,202 immigrants  <b>SIGNIFICANT: YES</b></p> <p><b>Pending Charge/Disposition – Number Incarcerated*</b>  <b>2007:</b> 3,962  <b>2006:</b> 2,254  <b>Change:</b> increased 75.8%, or 1,708 immigrants  <b>SIGNIFICANT: YES</b></p> <p>*Total number incarcerated does not include those in local jails.</p>
DRUG TREATMENT FOR PRISONERS	<p><b>Drug Treatment for Prisoners:</b> evaluates the passage of legislation that allows for drug treatment for those incarcerated or those recently released.<sup>3</sup></p>		<p>From 2004 to 2006, at least 13 states passed legislation that either expanded the availability of existing drug treatment programs to those incarcerated, increased diversion sentencing options, or established new pathways for judges to employ alternatives to incarceration.</p> <p>Furthermore, in April of 2008, the Second Chance Act of 2007 passed, authorizing \$362 million to expand assistance for people currently incarcerated, those returning to their communities after incarceration, and children with parents in prison. The Act's intention is to ease the re-entry process for individuals leaving prison. The law also authorizes funding for drug treatment during and after incarceration, including family-based treatment for incarcerated parents. Therefore, opportunity in this area increased.</p>

<sup>2</sup> Bureau of Justice Statistics Bulletin, *Prisoners in 2007*, December 2008, Appendix table 19, available at <http://www.ojp.usdoj.gov/bjs/pub/pdf/p07.pdf>.

<sup>3</sup> R. King, *Changing Direction? State Sentencing Reform 2004-2006*, The Sentencing Project, March 2007, pg. 4-8, available at <http://www.sentencingproject.org/Admin/Documents/publications/sentencingreformforweb.pdf>.

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DISENFRANCHISEMENT OF PRISONERS	INDICATOR	2009 UPDATE	SUPPORTING DATA
	<p><b>Voting Rights while Imprisoned:</b> evaluates the disenfranchisement of individuals imprisoned, or on parole or probation.<sup>4</sup></p>		<p>From 2007 to 2008, voting rights for those imprisoned, or on parole or probation, remained the same.</p> <p>In 2008, 48 states and the District of Columbia (all except Maine and Vermont) prohibited people in prison or jail from voting while incarcerated. Additionally, 35 states prohibited people with felony charges from voting while they are on parole and 30 of these states excluded felony probationers. This is unchanged since 2007.</p> <p>These laws have been in place for at least 30 years. Therefore, opportunity in this area is stagnant.</p>
<p><b>Voting Rights after Completion of Sentence:</b> evaluates the disenfranchisement of individuals after completion of sentence.<sup>5</sup></p>		<p>Most states continue to deny voting rights to people convicted of felonies in 2008. However, Florida and Maryland have made improvements since 2006.</p> <p>Overall, 2 states deny the right to vote to all people with felony convictions (one less than in 2006) and 9 states disenfranchise certain categories of people with felony convictions and/or require them to apply for restoration of voting rights after designated waiting periods (same as in 2006). Two states have made improvements since 2006:</p> <p><b>Florida:</b> In 2007, a policy change by the pardon board changed the state's voting right restoration procedure to automatically approve the reinstatement of rights for many persons who have been convicted of non-violent offenses. Additionally, persons convicted of certain violent crimes are now immediately eligible to apply for review and approval without a hearing, while others must still seek restoration through a hearing before the state Clemency Board.</p> <p><b>Maryland:</b> In 2007, the Legislature repealed all provisions of the state's lifetime voting ban and instituted an automatic restoration policy for all persons upon completion of sentence.</p> <p>Therefore, opportunity in this area increased.</p>	

<sup>4</sup> The Sentencing Project, *Felony Disenfranchisement Laws in the United States*, updated September 2008, pg 1, available at [http://www.sentencingproject.org/Admin/Documents/publications/fd\\_bs\\_fdlawsinus.pdf](http://www.sentencingproject.org/Admin/Documents/publications/fd_bs_fdlawsinus.pdf).

<sup>5</sup> The Sentencing Project, *Felony Disenfranchisement Laws in the United States*, updated September 2008, pg 2, available at [http://www.sentencingproject.org/Admin/Documents/publications/fd\\_bs\\_fdlawsinus.pdf](http://www.sentencingproject.org/Admin/Documents/publications/fd_bs_fdlawsinus.pdf).