

State of New York  
DEPARTMENT OF CORRECTIONS  
AND COMMUNITY SUPERVISION

Building Number 2  
Harriman Office Campus  
Albany, New York 12226

**UNDER CUSTODY REPORT:**

**Profile of Inmate Population  
Under Custody on January 1, 2013**



**Andrew M. Cuomo**  
Governor



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Acting Commissioner

**Profile of Inmate Population  
Under Custody on January 1, 2013**

**Table of Contents**

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	<u>Page</u>
Table of Contents .....	i
Executive Summary .....	ii
Introduction.....	1
Inmate Categories.....	2
Section 1: Demographic Characteristics	
Gender Distribution .....	3
Age Distribution .....	4
Race/Ethnic Distribution .....	5
Region of Commitment .....	6
World Region of Birth .....	7
Marital Status .....	8
Number of Living Children .....	9
Religious Affiliation .....	10
Veteran Status .....	11
Section 2: Criminal History	
Minimum Sentence .....	12
Maximum Sentence .....	14
Commitment Crime .....	16
Second Felony Inmate Status.....	18
Prior Adult Criminal Record.....	20
Length of Time Served in Department Custody .....	21
Time to Earliest Release .....	22
Determinate Sentencing .....	23
Education .....	24
Mental Health Indicator .....	25

## Profile of Inmate Population Under Custody on January 1, 2013

### Executive Summary

Characteristics	Category	Inmates Under Custody	Incarcerated Parolees Under Custody	Total Under Custody
Population January 1, 2013		54,235	630	54,865
Gender	Male	95.9%	91.4%	95.8%
	Female	4.1%	8.6%	4.2%
Age	Average Age	37.7	32.6	37.7
Race/Ethnic Status	White	23.6%	39.8%	23.8%
	African-American	49.6%	41.7%	49.5%
	Hispanic	24.1%	14.6%	24.0%
Region	New York City	46.7%	19.5%	46.4%
	Suburban New York	11.4%	8.7%	11.4%
	Upstate	41.9%	71.8%	42.2%
World Region of Birth	Foreign Born	10.1%	3.2%	10.0%
Marital Status	Never Married	65.6%	76.5%	65.7%
Living Children	One or more living children	59.3%	60.7%	59.3%
Religious Affiliation	Catholic	24.1%	27.0%	24.1%
	Protestant	27.9%	25.4%	27.8%
	Islam	11.3%	6.3%	11.3%
Military Service Veteran Status	Veteran	4.5%	2.5%	4.5%
Minimum Sentence	Median Minimum (in months)	64.0	24.0	62.0
	Average Minimum (in months)	120.5	27.6	119.4
Maximum Sentence	Median time in months	84.0	36.0	84.0
	Average time in months	140.8	48.1	139.7
Crime	Violent Felony	64.9%	11.0%	64.3%
	Drug Offenses	12.6%	39.0%	12.9%
	Property/Other	12.7%	40.0%	13.0%
Second Felony Offender Status	First Felony	56.3%	48.1%	56.2%
	Second Felony	39.4%	51.6%	39.5%
	Persistent Felony	4.3%	0.3%	4.3%
Prior Adult Criminal Record	No Prior Arrest	16.0%	7.3%	15.9%
	Prior Prison Term	33.4%	28.1%	33.4%
Time Served in Department Custody	Median time served (in months)	24.9	1.4	N/A
	Average time served (in months)	60.0	1.7	N/A
Time to Earliest Release Date	Median time (in months)	16.3	*	*
	Average time (in months)	51.0	*	*
Determinate Sentence	Drug Offenses - Determinate	*	*	91.8%
	Violent Felony - Determinate	*	*	67.4%
Education	Verified High School Diploma	58.1%	59.4%	58.1%
OMH Mental Health Service Level	OMH Level 1 - 4	15.3%	14.3%	15.3%

\* Not reported

# Profile of Inmate Population Under Custody on January 1, 2013

## INTRODUCTION

### Purpose of the Report

This report profiles the inmate population by demographic and criminal history characteristics. It presents information on inmates and incarcerated parolees held under Department of Corrections and Community Supervision (DOCCS) custody on January 1, 2013.

### Additional Offenders Reported Due to the Merger of Corrections and Parole

On April 1, 2011, the former Division of Parole and the former Department of Correctional Services merged to form the Department of Corrections and Community Supervision (DOCCS). In past years the Department's Under Custody reports only included inmates in correctional facilities. Starting with last year's report, all inmates are reported including those participating in the Alt 90 or Alt 45 programs<sup>1</sup>. In addition, "incarcerated parolees" (offenders under community supervision who are participating in a parole program at a DOCCS facility) will be included, but reported separately. Most "incarcerated parolees" are housed in parole program facilities, while some are housed in correctional facilities. Similarly, most inmates are housed in correctional facilities, while others are housed in parole program facilities.

The table below shows the distribution of the various offender subgroups within the under custody population. Descriptions of these different offender subgroups are presented on the next page.

Type of Facility	Inmates	Incarcerated Parolees	Total
Correctional Facilities	53,928	209	54,137
Parole Program Facilities	307	421	728
Total	54,235	630	54,865

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1. Alt-90 cases have been assigned to a 90-day drug treatment program at Willard DTC, while Alt-45 cases have been assigned to a 45-day drug treatment program at Edgecombe Residential Treatment Facility.

## **Offender Categories**

**Inmates in correctional facilities** are inmates who have been sentenced to prison (or returned to prison as a result of a parole violation), are not under community supervision, and are incarcerated in a traditional “prison” facility (N=53,928).

**Inmates in parole program facilities** are returned parole violators who are participating in an alternative drug treatment program. These inmates were revoked and given a time assessment by an Administrative Law Judge (ALJ) that represents a period of time that they must spend in prison. However, in lieu of serving the full amount of time in prison, these offenders were offered the opportunity to participate in a drug treatment program and they have volunteered to do so. If they successfully complete the program (either 90 days at Willard Drug Treatment Campus or 45 days at Edgecombe Residential Treatment Facility), these offenders will be released from incarceration at the completion of the program and restored to community supervision. If they do not successfully complete the drug treatment program, they must complete the remainder of their time assessment in a correctional facility (N=307).

**Incarcerated parolees in correctional facilities** are offenders who are under community supervision and have been incarcerated in order to participate in a treatment program at a parole program facility (e.g. Willard Drug Treatment Campus, Edgecombe Residential Treatment Facility). Incarcerated parolees (N=209) are in one of the following situations: 1) in a reception facility on the way to beginning a treatment program in a parole program facility, 2) in a correctional facility awaiting an outcome hearing by an administrative law judge as a result of being removed from a treatment program at a parole program facility, or 3) are participating in an alternative treatment program due to medical or mental health needs that cannot be met at the designated parole program facility.

**Incarcerated parolees in parole program facilities** are parolees who are under community supervision and participating in an assigned treatment program at a parole program facility. Once these incarcerated parolees complete the treatment program, they will be returned to the community to complete their term of community supervision. If these incarcerated parolees do not successfully complete their assigned treatment program, they will be removed from the program and the parole violation process will proceed accordingly. Parolees who fail the Willard Drug Treatment program and parolees who were sent to Edgecombe via special condition are removed from the programs and a violation warrant is issued. Parolees who were sent to Edgecombe with the issuance of a warrant are removed from the program and a final hearing is scheduled (N=421).

## **Sections of the Report**

The first section of this report describes the demographic characteristics of inmates and incarcerated parolees, including gender, age, race/ethnicity, region of commitment, birthplace, marital status, number of living children, religious affiliation, and veteran status. The second section describes the criminal history of inmates and incarcerated parolees, including information on minimum sentence, commitment crime, second felony sentencing status, prior adult criminal record, length of time served at current facility, length of time in Department custody, time to earliest release, and determinant sentencing status.

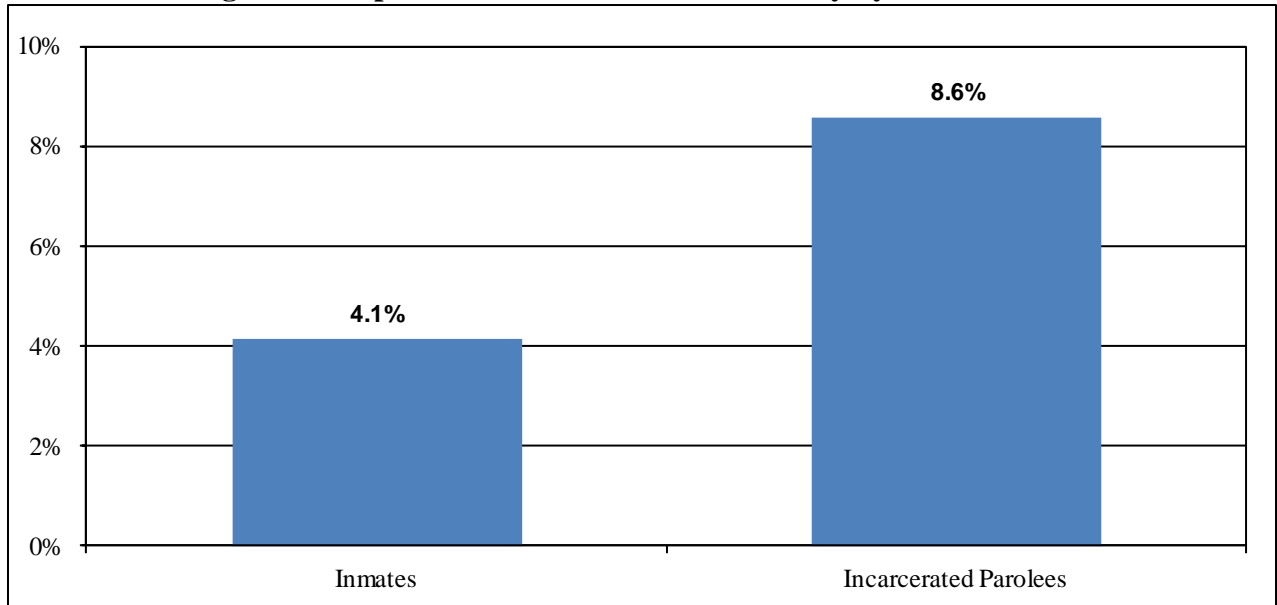
## Section One

### DEMOGRAPHIC CHARACTERISTICS

#### Gender Distribution

There were 54,865 inmates under custody on January 1, 2013. Of this total, 52,564 (96%) were male and 2,301 (4%) were female. This is a drop of 1,114 (-2%) total inmates since last year. The number of male inmates decreased by 1,056 (-2%) and female inmates decreased by 58 (-3%). A larger proportion of incarcerated parolees were female (9%) than were inmates (4%).

**Figure 1. Proportion of Females Under Custody by Inmate Status**



**Table 1. Gender Distribution and Inmate Status;  
Under Custody Population January 1, 2012 and 2013**

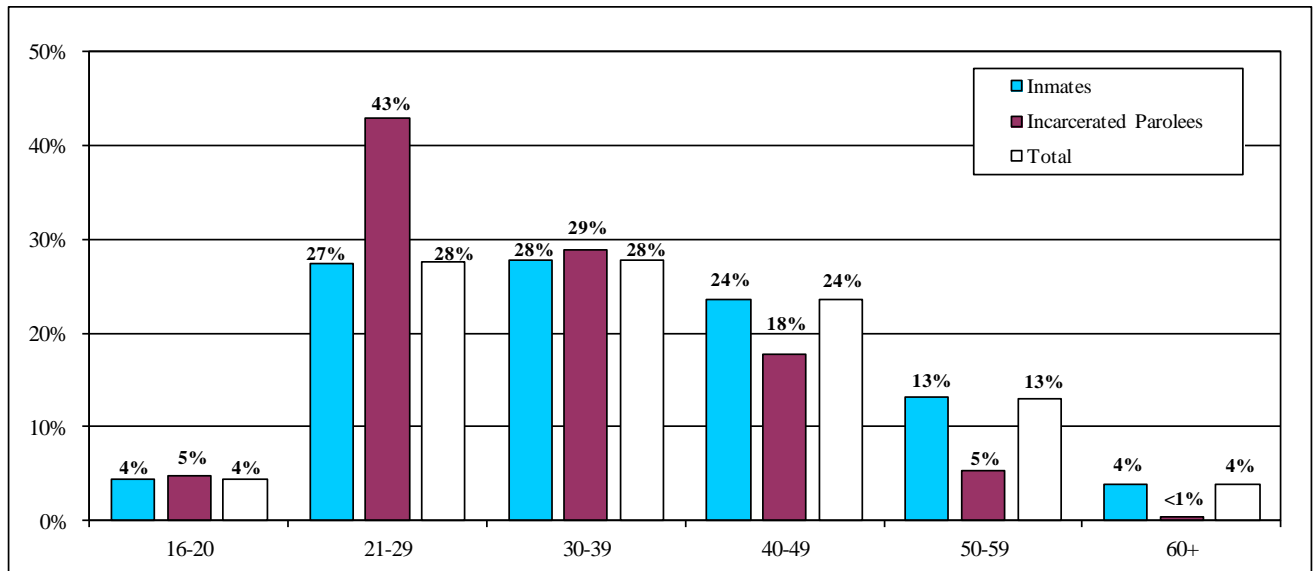
Gender and Inmate Status	2012	2013	Numeric Change	Percent Change	Percent of Total 2012	Percent of Total 2013
<b>Inmates</b>						
Male	53,124	51,988	-1,136	-2.1%	95.8%	95.9%
Female	2,312	2,247	-65	-2.8%	4.2%	4.1%
Total	55,436	54,235	-1,201	-2.2%	100%	100%
<b>Incarcerated Parolees</b>						
Male	496	576	80	16.1%	91.3%	91.4%
Female	47	54	7	14.9%	8.7%	8.6%
Total	543	630	87	16.0%	100%	100%
<b>Grand Total</b>						
Male	53,620	52,564	-1,056	-2.0%	95.8%	95.8%
Female	2,359	2,301	-58	-2.5%	4.2%	4.2%
Total	55,979	54,865	-1,114	-2.0%	100%	100%

## Age Distribution

The average age of inmates under DOCCS custody on January 1, 2013 was 38 years old. Inmates were older than incarcerated parolees. About 48% of incarcerated parolees were under age 30, while only 32% of the inmates fell into this younger age group.

Inmates under 21 years old numbered 2,390 (4%) of the total under custody population while inmates age 60 and over numbered 2,104 (4%) of the inmate population.

**Figure 2. Inmate Age by Inmate Status**



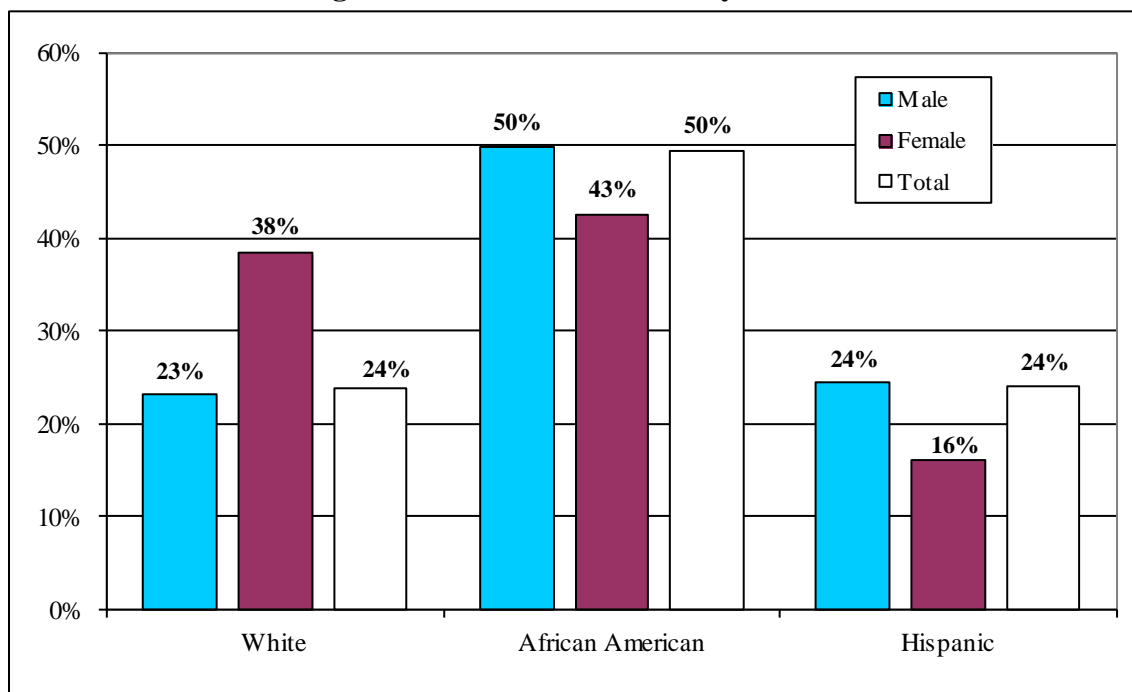
**Table 2. Inmate Age by Gender or Inmate Status, Under Custody Population on January 1, 2013**

Inmate Age by Gender	16-20	21-29	30-39	40-49	50-59	60+	Total	Average
Male	2,307	14,449	14,580	12,299	6,905	2,024	52,564	37.7
Female	83	657	626	595	260	80	2,301	37.5
Total	2,390	15,106	15,206	12,894	7,165	2,104	54,865	37.7
Male	4.4%	27.5%	27.7%	23.4%	13.1%	3.9%	100.0%	
Female	3.6%	28.6%	27.2%	25.9%	11.3%	3.5%	100.0%	
Total	4.4%	27.5%	27.7%	23.5%	13.1%	3.8%	100.0%	
<b>Incarceration Status</b>								
Inmates	2,360	14,835	15,024	12,782	7,132	2,102	54,235	37.7
Incarcerated Parolees	30	271	182	112	33	2	630	32.6
Total	2,390	15,106	15,206	12,894	7,165	2,104	54,865	37.7
Inmates	4.4%	27.4%	27.7%	23.6%	13.2%	3.9%	100.0%	
Incarcerated Parolees	4.8%	43.0%	28.9%	17.8%	5.2%	0.3%	100.0%	
Total	4.4%	27.5%	27.7%	23.5%	13.1%	3.8%	100.0%	

## Race/Ethnic Distribution

Approximately half of the Inmates under custody on January 1, 2013 were African-American, with just under a quarter Hispanic and another quarter White. The female Inmate population had a larger proportion of Whites (38%) than the male inmate population (23%). The incarcerated parolee population was more likely than inmates to be White (40% vs. 24%).

**Figure 3. Race/Ethnic Status by Gender**



**Table 3. Race/Ethnic Status by Gender or Inmate Status; Under Custody Population January 1, 2013**

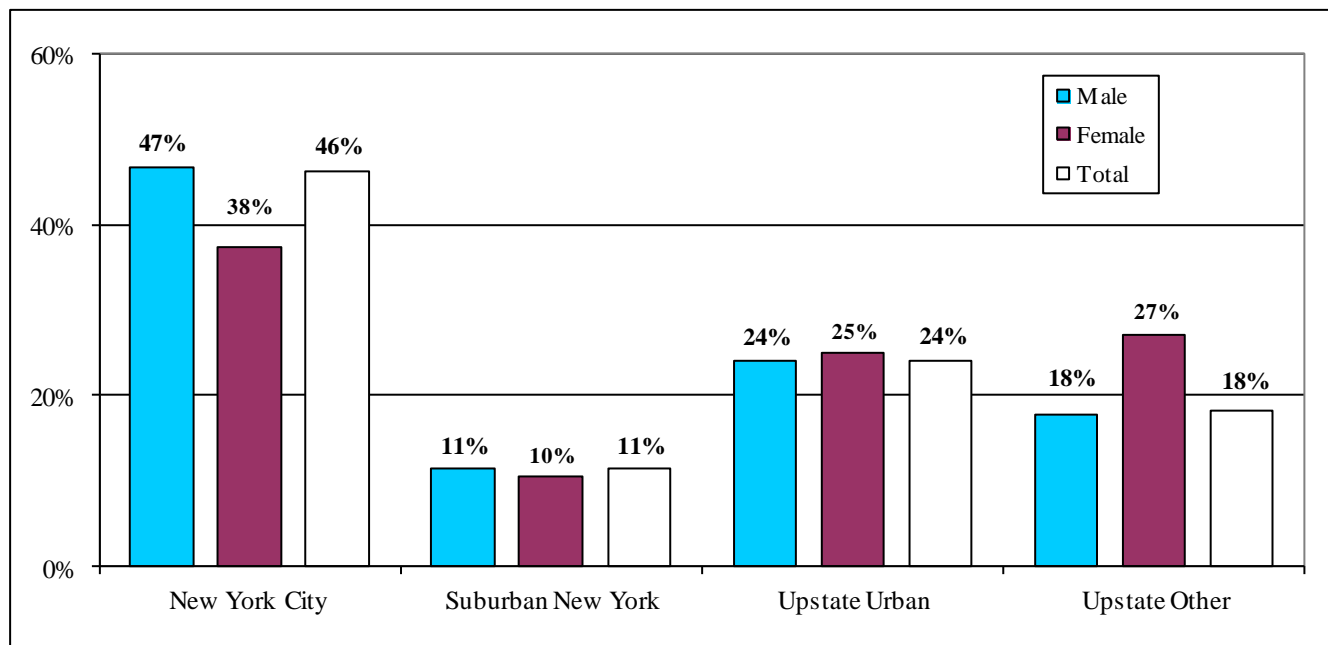
Race/Ethnic Status by Gender	White	African American	Hispanic	Native American	Asian	Other	Unknown	Total
Male	12,167	26,197	12,820	332	263	399	386	52,564
Female	884	981	369	32	10	8	17	2,301
Total	13,051	27,178	13,189	364	273	407	403	54,865
Male	23.1%	49.8%	24.4%	0.6%	0.5%	0.8%	0.7%	100.0%
Female	38.4%	42.6%	16.0%	1.4%	0.4%	0.3%	0.7%	100.0%
Total	23.8%	49.5%	24.0%	0.7%	0.5%	0.7%	0.7%	100.0%
<b>Incarceration Status</b>								
Inmates	12,800	26,915	13,097	361	269	405	388	54,235
Incarcerated Parolees	251	263	92	3	4	2	15	630
Total	13,051	27,178	13,189	364	273	407	403	54,865
Inmates	23.6%	49.6%	24.1%	0.7%	0.5%	0.7%	0.7%	100.0%
Incarcerated Parolees	39.8%	41.7%	14.6%	0.5%	0.6%	0.3%	2.4%	100.0%
Total	23.8%	49.5%	24.0%	0.7%	0.5%	0.7%	0.7%	100.0%



## Region of Commitment

Approximately half (46%) of the inmates under custody on January 1, 2013 were committed from New York City and 11% were committed from suburban New York (Nassau, Rockland, Suffolk, and Westchester counties). Upstate counties with a population center of 50,000 inhabitants or more (Albany, Broome, Erie, Monroe, Oneida, Onondaga, Niagara, Rensselaer, and Schenectady counties) comprised 24% of the offender population. The remaining 18% were sentenced from the other Upstate counties. The incarcerated parolee population was less likely than inmates to have been committed from New York City (20% vs. 47%) and more likely to be committed from upstate counties (37% vs. 18%). Women were less likely to come from New York City and were more likely to come from Upstate Other.

**Figure 4. Region of Commitment by Gender**



**Table 4. Region of Commitment by Gender or Inmate Status;  
Under Custody Population January 1, 2013**

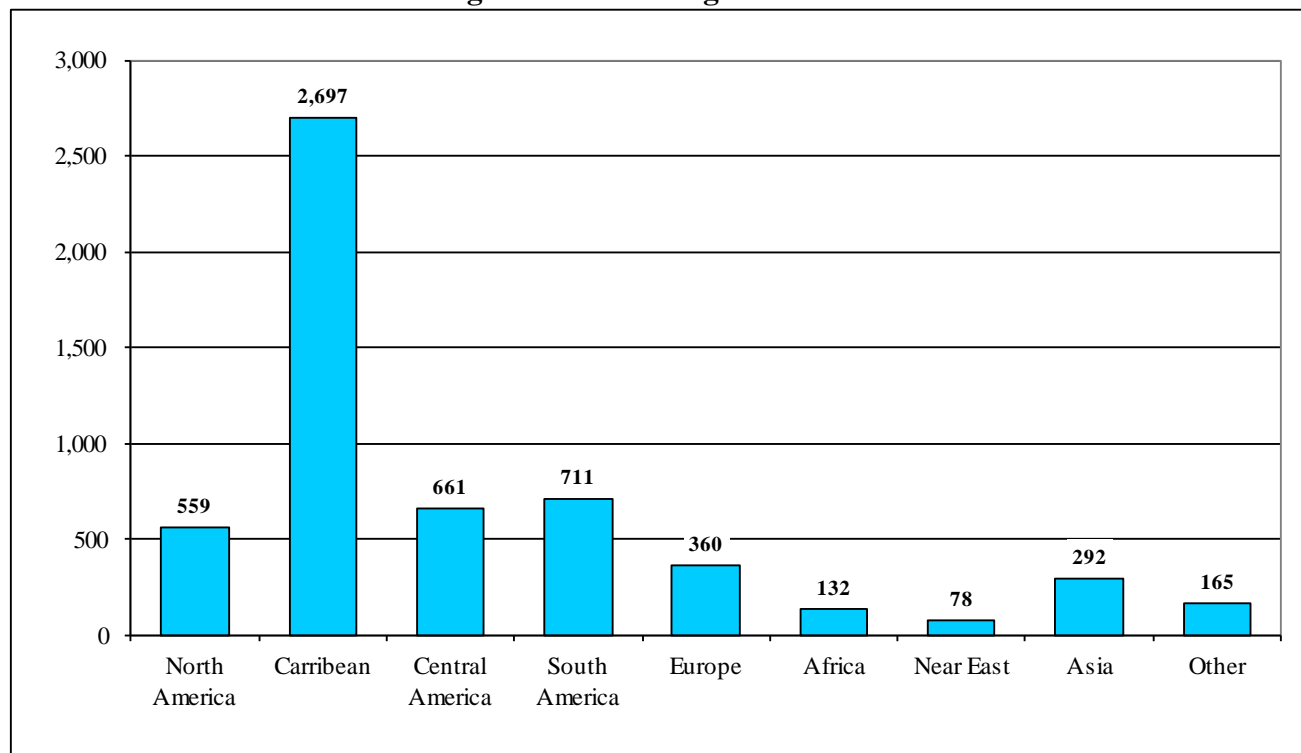
Region by Gender	New York City	Suburban New York	Upstate Urban	Upstate Other	Total*
Male	24,580	5,988	12,670	9,326	52,564
Female	862	240	573	625	2,300
Total	25,442	6,228	13,243	9,951	54,864
Male	46.8%	11.4%	24.1%	17.7%	100.0%
Female	37.5%	10.4%	24.9%	27.2%	100.0%
Total	46.4%	11.4%	24.1%	18.1%	100.0%
<b>Incarceration Status</b>					
Inmates	25,319	6,173	13,021	9,721	54,234
Incarcerated Parolees	123	55	222	230	630
Total	25,442	6,228	13,243	9,951	54,864
Inmates	46.7%	11.4%	24.0%	17.9%	100.0%
Incarcerated Parolees	19.5%	8.7%	35.2%	36.5%	100.0%
Total	46.4%	11.4%	24.1%	18.1%	100.0%

\* One inmate from out of state.

## World Region of Birth

Ninety percent (90%) of under custody inmates were born in the United States or a United States Territory. The other 10% or 5,510 reported birth in a foreign country. Most of these inmates who reported birth in a foreign country were from one of the island nations in the Caribbean basin.<sup>2</sup> Among inmates, 10.1% or 5,490 were foreign born while only 3.2% or 20 of incarcerated parolees were foreign born.

**Figure 5. World Region of Birth**



**Table 5. World Region of Birth; Under Custody Population January 1, 2013**

World Region by Gender	United States*	North America	Caribbean	Central America	South America	Europe	Africa	Near East	Asia	South Pacific	Unknown	Total
Male	47,107	539	2,610	651	684	336	129	74	283	17	134	52,564
Female	2,103	20	87	10	27	24	3	4	9	3	11	2,301
Total	49,210	559	2,697	661	711	360	132	78	292	20	145	54,865
Male	89.6%	1.0%	5.0%	1.2%	1.3%	0.6%	0.2%	0.1%	0.5%	0.0%	0.3%	100.0%
Female	91.4%	0.9%	3.8%	0.4%	1.2%	1.0%	0.1%	0.2%	0.4%	0.1%	0.5%	100.0%
Total	89.7%	1.0%	4.9%	1.2%	1.3%	0.7%	0.2%	0.1%	0.5%	0.0%	0.3%	100.0%
<b>Incarceration Status</b>												
Inmates	48,614	559	2,689	659	707	360	130	78	288	20	131	54,235
Incarcerated Parolees	596	0	8	2	4	0	2	0	4	0	14	630
Total	49,210	559	2,697	661	711	360	132	78	292	20	145	54,865
Inmates	89.6%	1.0%	5.0%	1.2%	1.3%	0.7%	0.2%	0.1%	0.5%	0.0%	0.2%	100.0%
Incarcerated Parolees	94.6%	0.0%	1.3%	0.3%	0.6%	0.0%	0.3%	0.0%	0.6%	0.0%	2.2%	100.0%
Total	89.7%	1.0%	4.9%	1.2%	1.3%	0.7%	0.2%	0.1%	0.5%	0.0%	0.3%	100.0%

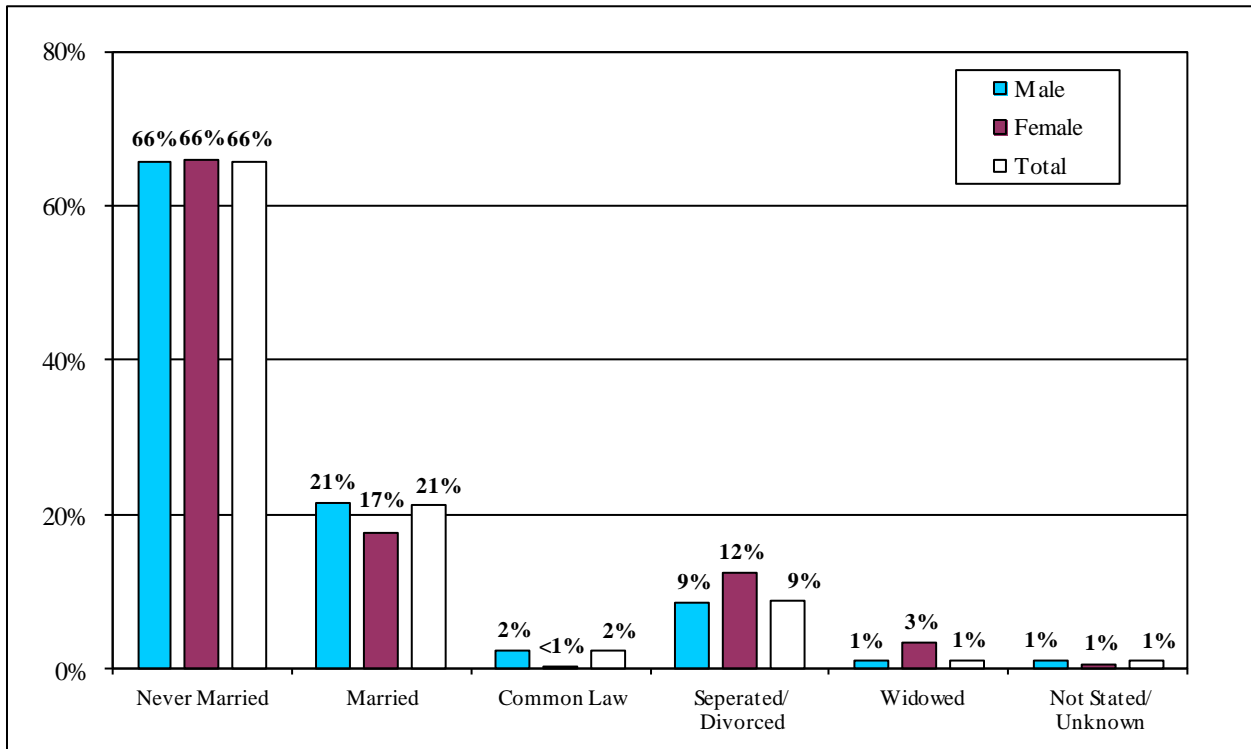
\* Includes offenders committed from United States Territories.

2. For additional information on foreign born inmates see "The Foreign Born Under Custody Population and the Institutional Removal Program" (2011), New York State Department of Corrections and Community Supervision, Albany, New York 12226. On the DOCCS' web site at: [http://www.doccs.ny.gov/Research/Reports/2012/ForeignBorn\\_IRP\\_Report\\_2011.pdf](http://www.doccs.ny.gov/Research/Reports/2012/ForeignBorn_IRP_Report_2011.pdf)

## Marital Status

Two-thirds (66%) of the inmate population reported never being married. The proportion was higher (77%) for incarcerated parolees.

**Figure 6. Marital Status by Gender**



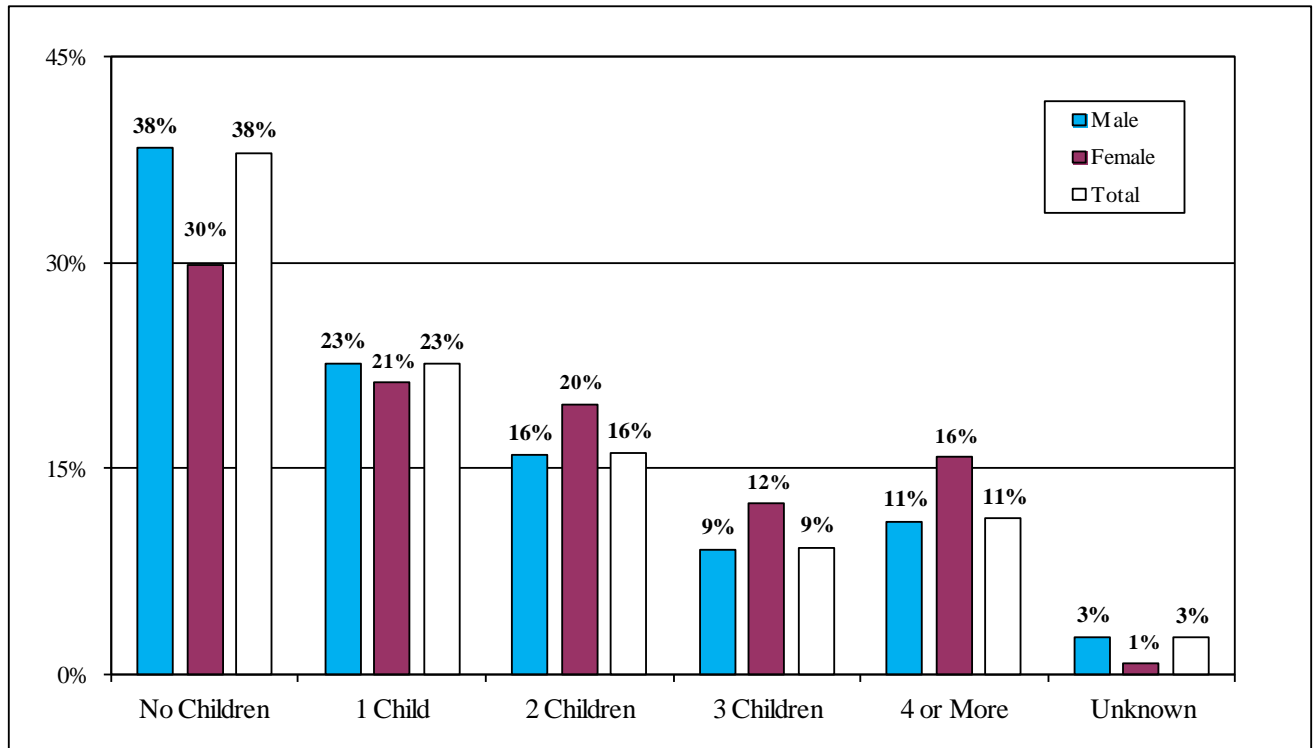
**Table 6. Marital Status; Under Custody Population January 1, 2013**

Marital Status by Gender	Never Married	Married	Common Law	Separated/Divorced	Widowed	Not Stated/Unknown	Total
Male	34,552	11,283	1,228	4,504	470	527	52,564
Female	1,515	402	6	285	79	14	2,301
Total	36,067	11,685	1,234	4,789	549	541	54,865
Male	65.7%	21.5%	2.3%	8.6%	0.9%	1.0%	100.0%
Female	65.8%	17.5%	0.3%	12.4%	3.4%	0.6%	100.0%
Total	65.7%	21.3%	2.2%	8.7%	1.0%	1.0%	100.0%
<b>Incarceration Status</b>							
Inmates	35,585	11,614	1,220	4,739	547	530	54,235
Incarcerated Parolees	482	71	14	50	2	11	630
Total	36,067	11,685	1,234	4,789	549	541	54,865
Inmates	65.6%	21.4%	2.2%	8.7%	1.0%	1.0%	100.0%
Incarcerated Parolees	76.5%	11.3%	2.2%	7.9%	0.3%	1.7%	100.0%
Total	65.7%	21.3%	2.2%	8.7%	1.0%	1.0%	100.0%

## Number of Living Children

The majority of inmates under custody (59%) reported that they had at least one living child at the time of admission to the Department. Women were more likely than men to report having a living child.

**Figure 7. Inmates with One or More Living Children by Gender**



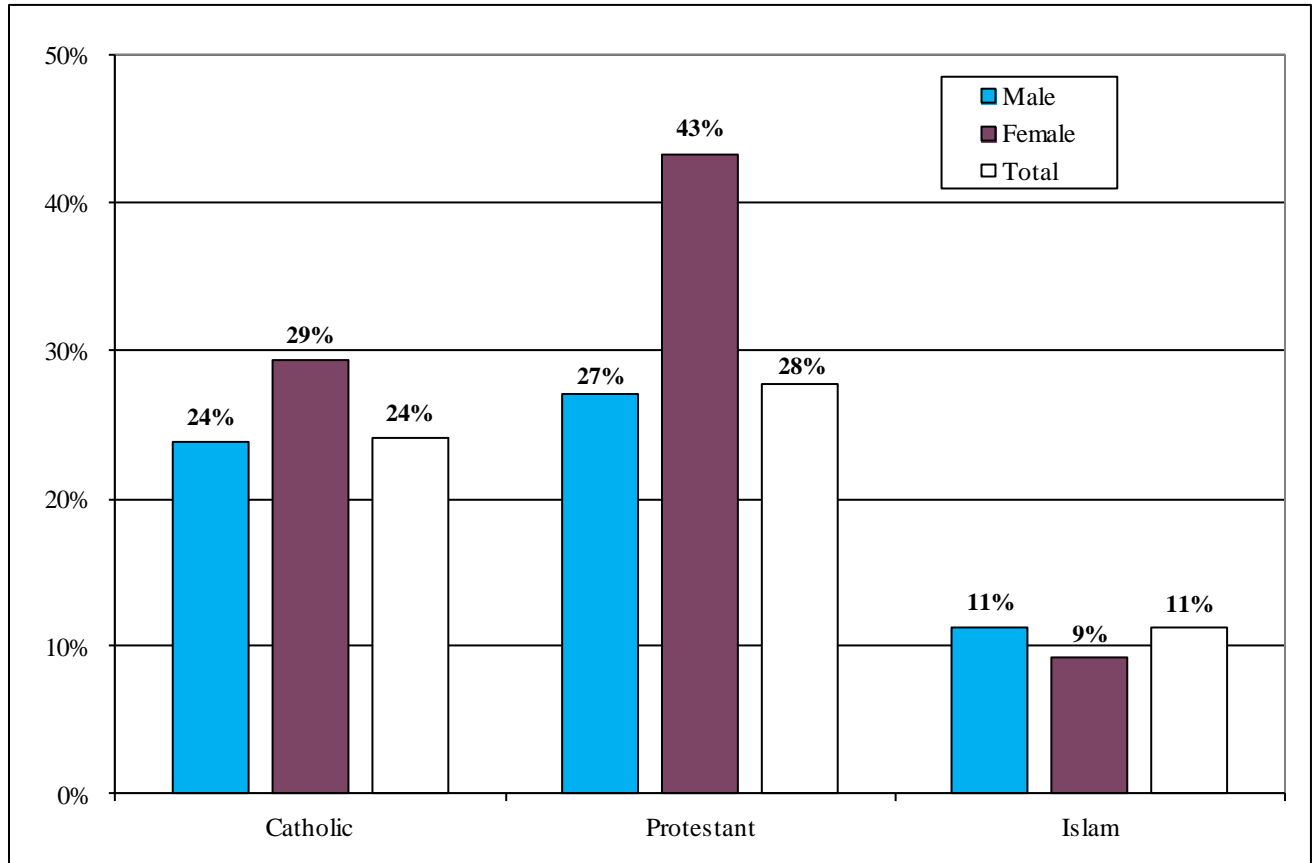
**Table 7. Number of Children; Under Custody Population January 1, 2013**

Number of Children by Gender	No Children	1 Child	2 Children	3 Children	4 or More	Unknown	Total
Male	20,159	11,921	8,396	4,794	5,854	1,440	52,564
Female	688	489	454	287	364	19	2,301
Total	20,847	12,410	8,850	5,081	6,218	1,459	54,865
Male	38.4%	22.7%	16.0%	9.1%	11.1%	2.7%	100.0%
Female	29.9%	21.3%	19.7%	12.5%	15.8%	0.8%	100.0%
Total	38.0%	22.6%	16.1%	9.3%	11.3%	2.7%	100.0%
<b>Incarceration Status</b>							
Inmates	20,615	12,266	8,741	5,018	6,152	1,443	54,235
Incarcerated Parolees	232	144	109	63	66	16	630
Total	20,847	12,410	8,850	5,081	6,218	1,459	54,865
Inmates	38.0%	22.6%	16.1%	9.3%	11.3%	2.7%	100.0%
Incarcerated Parolees	36.8%	22.9%	17.3%	10.0%	10.5%	2.5%	100.0%
Total	38.0%	22.6%	16.1%	9.3%	11.3%	2.7%	100.0%

## Religious Affiliation

Eighty-five percent (85%) of inmates reported affiliation with a recognized religion. Twenty-eight percent (28%) were Protestant, 24% were Catholic, 11% were Islam, 22% all other faiths, and 15% did not report affiliation with a religious faith.

**Figure 8. Religious Affiliation by Gender**



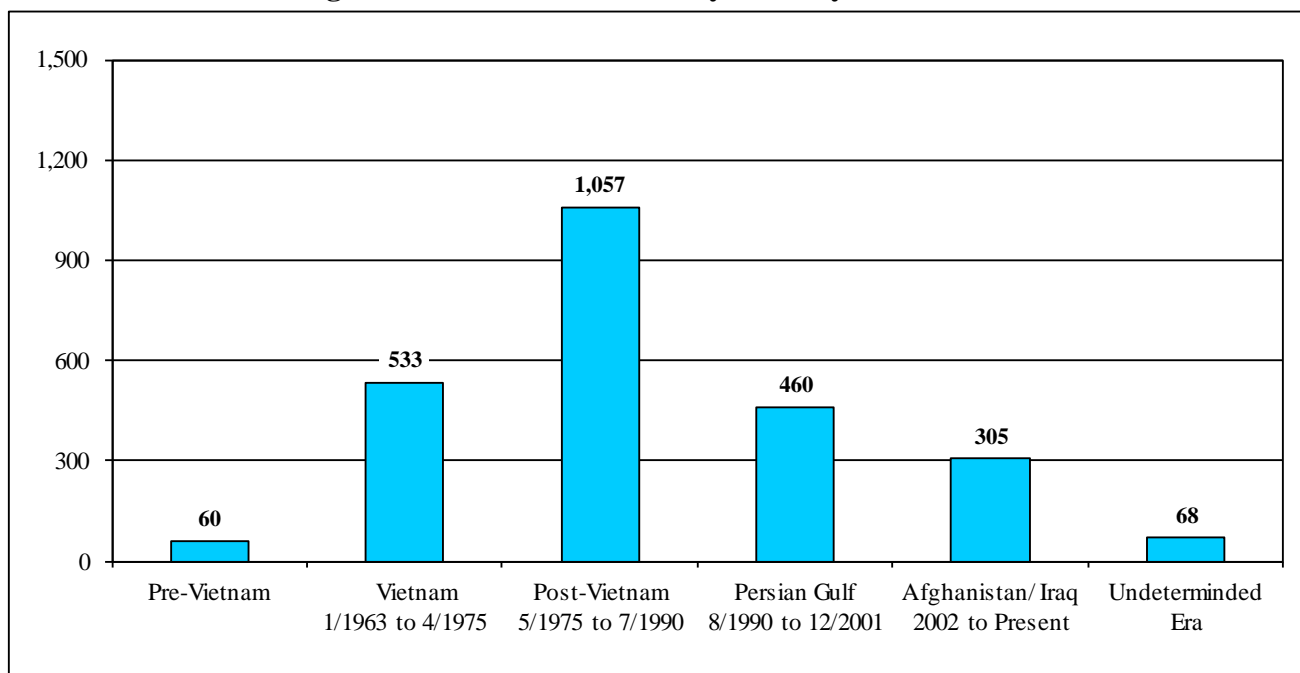
**Table 8. Religious Affiliation; Under Custody January 1, 2013**

Religious Affiliation by Gender	Catholic	Protes - tant	Islam	Nation of Islam	Rasta - farian	Jewish	Asian Religions	Native American	Greek Orthodox	Other	None Listed	Total
Male	12,562	14,274	5,965	2,076	3,641	3,756	341	439	60	1,601	7,849	52,564
Female	677	998	212	12	19	44	12	17	3	15	292	2,301
Total	13,239	15,272	6,177	2,088	3,660	3,800	353	456	63	1,616	8,141	54,865
Male	23.9%	27.2%	11.3%	3.9%	6.9%	7.1%	0.6%	0.8%	0.1%	3.0%	14.9%	100.0%
Female	29.4%	43.4%	9.2%	0.5%	0.8%	1.9%	0.5%	0.7%	0.1%	0.7%	12.7%	100.0%
Total	24.1%	27.8%	11.3%	3.8%	6.7%	6.9%	0.6%	0.8%	0.1%	2.9%	14.8%	100.0%
<b>Incarceration Status</b>												
Inmates	13,069	15,112	6,137	2,076	3,636	3,784	351	453	63	1,611	7,943	54,235
Incarcerated Parolees	170	160	40	12	24	16	2	3	0	5	198	630
Total	13,239	15,272	6,177	2,088	3,660	3,800	353	456	63	1,616	8,141	54,865
Inmates	24.1%	27.9%	11.3%	3.8%	6.7%	7.0%	0.6%	0.8%	0.1%	3.0%	14.6%	100.0%
Incarcerated Parolees	27.0%	25.4%	6.3%	1.9%	3.8%	2.5%	0.3%	0.5%	0.0%	0.8%	31.4%	100.0%
Total	24.1%	27.8%	11.3%	3.8%	6.7%	6.9%	0.6%	0.8%	0.1%	2.9%	14.8%	100.0%

## Veteran Status

Of the 54,865 inmates under custody on January 1, 2013, 5% (2,483) reported military service. Of this total, the largest number (1,057 or 43%) claimed military service in the Post-Vietnam Era (May 1975 to July 1990).

**Figure 9. Offender Veterans by Military Service Era**



**Table 9. Veteran Status by Service Era; Under Custody Population January 1, 2013**

Veteran Era by Incarceration Status	Not-Veteran	Pre-Vietnam	Vietnam 1/1963 to 4/1975	Post-Vietnam 5/1975 to 7/1990	Persian Gulf 8/1990 to 12/2001	Afghanistan/Iraq 2002 to Present	Undetermined Era	Total
Inmates	51,768	60	532	1,053	457	297	68	54,235
Incarcerated Parolees	614	0	1	4	3	8	0	630
<b>Total</b>	<b>52,382</b>	<b>60</b>	<b>533</b>	<b>1,057</b>	<b>460</b>	<b>305</b>	<b>68</b>	<b>54,865</b>
Inmates	95.5%	0.1%	1.0%	1.9%	0.8%	0.5%	0.1%	100.0%
Incarcerated Parolees	97.5%	0.0%	0.2%	0.6%	0.5%	1.3%	0.0%	100.0%
<b>Total</b>	<b>95.5%</b>	<b>0.1%</b>	<b>1.0%</b>	<b>1.9%</b>	<b>0.8%</b>	<b>0.6%</b>	<b>0.1%</b>	<b>100.0%</b>

## Section Two

### CRIMINAL HISTORY

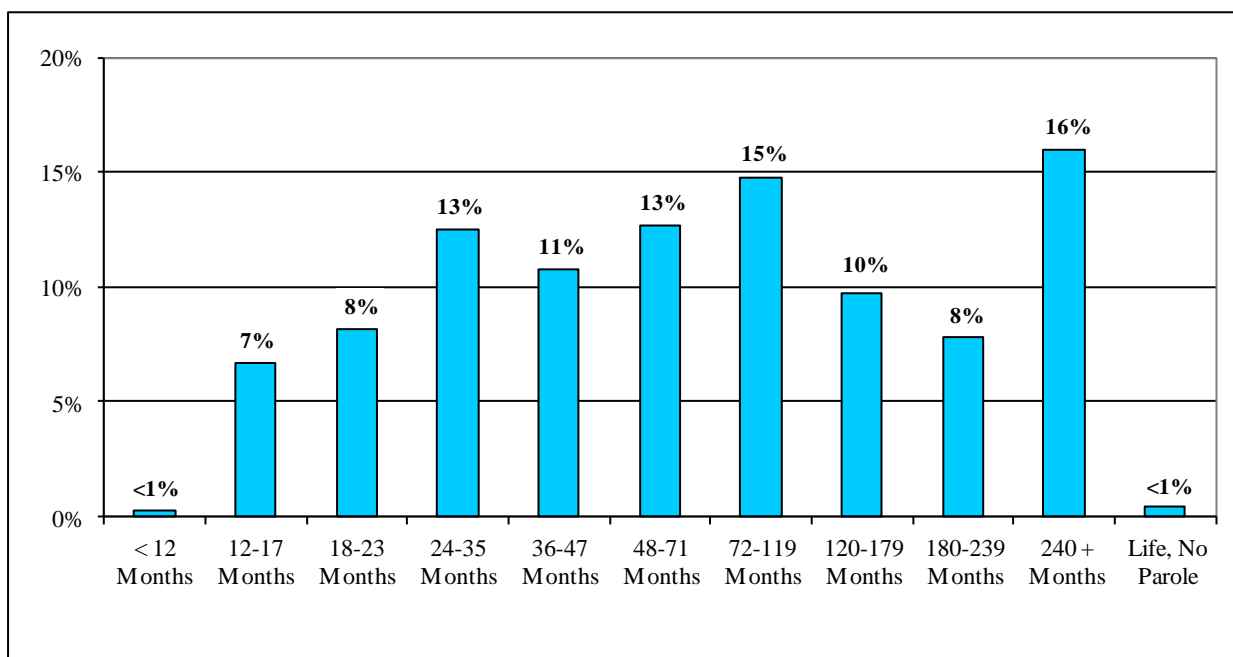
#### Minimum Sentence

The median minimum sentence for inmates was slightly more than 5 years<sup>3</sup>. However, the average minimum sentence length was ten years, reflecting the influence of lengthy minimum terms of many inmates. Almost one third are serving minimum sentences of 10 years or more.

Current sentencing laws in New York require an inmate convicted of certain crimes to receive a determinate sentence. Determinate sentences require an offender to serve a minimum term of 6/7 of the determinate sentence imposed by the judge before being eligible for release. An inmate committed for a crime not designated as having a determinate sentence has a minimum sentence set by the court.

As of January 1, 2013, there were 246 inmates under custody who were serving sentences of “Life Without Parole.” In calculating the average minimum sentence length, “Life Without Parole” cases were given a value of 45 years or 540 months.

**Figure 10. Minimum Sentence Length of Offenders**



**Table 10A. Minimum Sentence; Under Custody Population January 1, 2013**

Minimum Sentence	< 12 Months	12-17 Months	18-23 Months	24-35 Months	36-47 Months	48-71 Months	72-119 Months	120-179 Months	180-239 Months	240+ Months	Life, No Parole	Total
Total	142	3,687	4,504	6,839	5,913	6,968	8,142	5,347	4,293	8,784	246	54,865
	0.3%	6.7%	8.2%	12.5%	10.8%	12.7%	14.8%	9.7%	7.8%	16.0%	0.4%	100.0%

<sup>3</sup> The median is the middle point between the number of instances of greater value and the number of instances of lesser value. The median is therefore less subject to the influence of extreme values than is the average and is preferred by some users for this reason.

**Table 10B. Minimum Sentence; Under Custody Population January 1, 2013**

Minimum Sentence by Gender - Inmates	Male	Female	Total	Male	Female	Total
< 12 Months	117	20	137	0.2%	0.9%	0.3%
12-17 Months	3,267	286	3,553	6.3%	12.7%	6.6%
18-23 Months	4,079	273	4,352	7.8%	12.1%	8.0%
24-35 Months	6,257	387	6,644	12.0%	17.2%	12.3%
36-47 Months	5,558	260	5,818	10.7%	11.6%	10.7%
48-71 Months	6,612	326	6,938	12.7%	14.5%	12.8%
72-119 Months	7,871	254	8,125	15.1%	11.3%	15.0%
120-179 Months	5,212	134	5,346	10.0%	6.0%	9.9%
180-239 Months	4,170	122	4,292	8.0%	5.4%	7.9%
240 + Months	8,607	177	8,784	16.6%	7.9%	16.2%
Life, No Parole	238	8	246	0.5%	0.4%	0.5%
Total Inmates	51,988	2,247	54,235	100.0%	100.0%	100.0%
Minimum Sentence by Gender - Parolee	Male	Female	Total	Male	Female	Total
< 12 Months	2	3	5	0.3%	5.6%	0.8%
12-17 Months	120	14	134	20.8%	25.9%	21.3%
18-23 Months	144	8	152	25.0%	14.8%	24.1%
24-35 Months	171	24	195	29.7%	44.4%	31.0%
36-47 Months	92	3	95	16.0%	5.6%	15.1%
48-71 Months	28	2	30	4.9%	3.7%	4.8%
72-119 Months	17	0	17	3.0%	0.0%	2.7%
120-179 Months	1	0	1	0.2%	0.0%	0.2%
180-239 Months	1	0	1	0.2%	0.0%	0.2%
240 + Months	0	0	0	0.0%	0.0%	0.0%
Life, No Parole	0	0	0	0.0%	0.0%	0.0%
Total Incarcerated Parolees	576	54	630	100.0%	100.0%	100.0%
Total Under Custody	52,564	2,301	54,865	95.8%	4.2%	100.0%
Average and Median Minimum Sentence	Male Average	Female Average	Total Average	Male Median	Female Median	Total Median
Total Inmates	122.3	77.0	120.5	72.0	41.0	64.0
Total Incarcerated Parolees	28.1	22.6	27.6	24.0	24.0	24.0
Total Incarcerated Offenders	121.3	75.7	119.4	67.0	36.0	62.0

As can be seen in Table 10B above, the median minimum sentence for inmates is 64 months, but there is a large difference between male inmates whose median minimum sentence is 72 months and female inmates at 41 months.

For incarcerated parolees the median minimum sentence was 24 months with no difference between male and female parolees. In general, Incarcerated Parolees have shorter minimum and maximum sentences than Inmates committed to state prison.



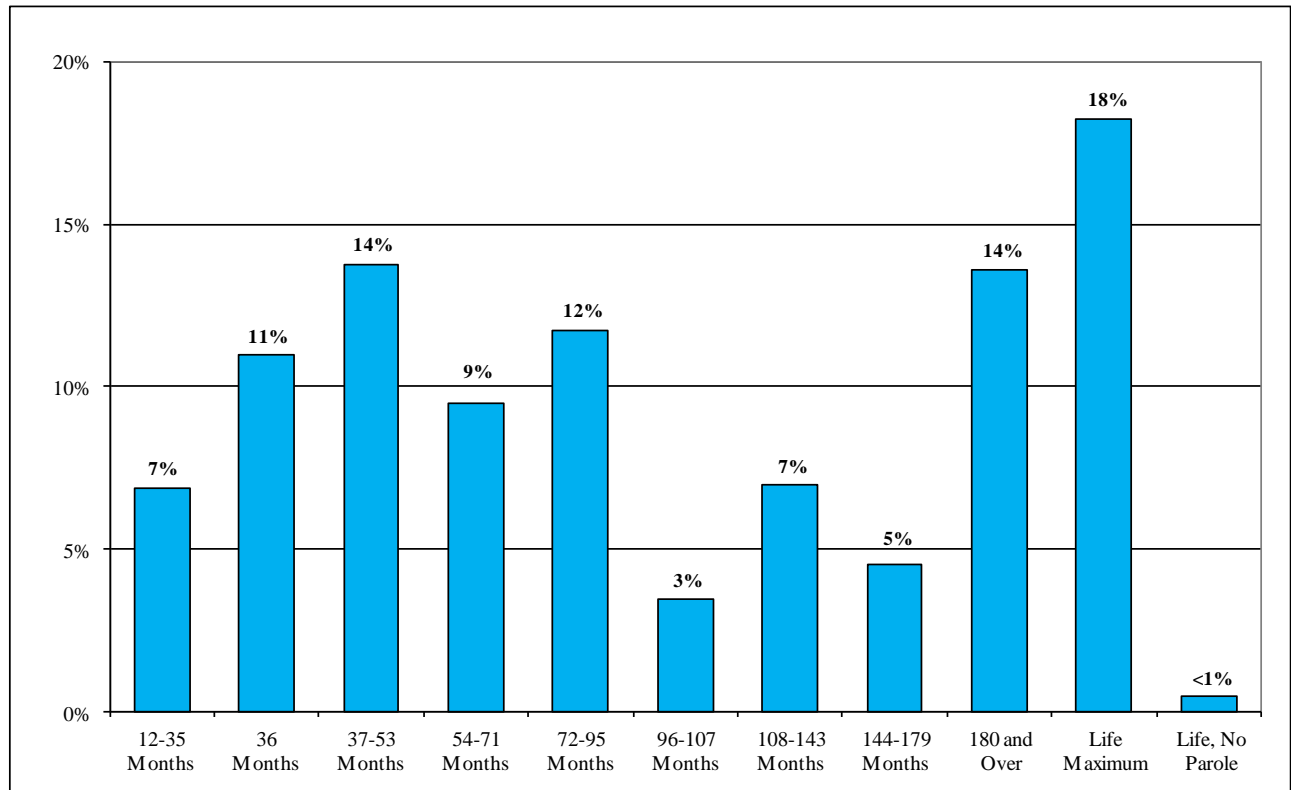
## Maximum Sentence

As of January 1, 2013 the median maximum sentence of inmates was 7 years (84 months). However, the average maximum sentence length was over eleven and a half years, reflecting the influence of lengthy maximum terms of many inmates. Almost a third had maximum sentences of 15 years or more with over 18% of the population having a maximum sentence of life.

Average maximum sentences for women (101 months) were 40 months shorter than for men (141 months). Median maximum sentences for women (60 months) were 24 months shorter than for men (84 months). Average maximum sentences for inmates (141 months) were 93 months shorter than for incarcerated parolees (48 months).

In calculating the average maximum sentence length, “Life Without Parole” cases were given a value of 45 years or 540 months, and Life maximum cases were given a value of 25 years or 300 months.

**Figure 11. Maximum Sentence Length of Inmates**



**Table 11A. Maximum Sentence; Under Custody Population January 1, 2013**

Maximum Sentence	12 to 35	36 Months	37-53 Months	54-71 Months	72-95 Months	96-107 Months	108-143 Months	144-179 Months	180 and Over	Life Max	Life, No Parole	Total Inmates
Total	3,777	6,009	7,546	5,195	6,436	1,899	3,824	2,490	7,453	9,990	246	54,865
	6.9%	11.0%	13.8%	9.5%	11.7%	3.5%	7.0%	4.5%	13.6%	18.2%	0.4%	100.0%

**Table 11B. Maximum Sentence; Under Custody Population January 1, 2013**

Maximum Sentence by Gender - Inmates	Male	Female	Total	Male	Female	Total
12 to 35	3,417	227	3,644	6.6%	10.1%	6.7%
36 Months	5,429	395	5,824	10.4%	17.6%	10.7%
37-53 Months	7,005	366	7,371	13.5%	16.3%	13.6%
54-71 Months	4,924	233	5,157	9.5%	10.4%	9.5%
72-95 Months	6,090	274	6,364	11.7%	12.2%	11.7%
96-107 Months	1,819	72	1,891	3.5%	3.2%	3.5%
108-143 Months	3,658	156	3,814	7.0%	6.9%	7.0%
144-179 Months	2,399	90	2,489	4.6%	4.0%	4.6%
180 and Over	7,250	201	7,451	13.9%	8.9%	13.7%
Life Max	9,759	225	9,984	18.8%	10.0%	18.4%
Life, No Parole	238	8	246	0.5%	0.4%	0.5%
Total Inmates	51,988	2,247	54,235	100.0%	100.0%	100.0%
Maximum Sentence by Gender - Parolee	Male	Female	Total	Male	Female	Total
12 to 35	125	8	133	21.7%	14.8%	21.1%
36 Months	166	19	185	28.8%	35.2%	29.4%
37-53 Months	157	18	175	27.3%	33.3%	27.8%
54-71 Months	35	3	38	6.1%	5.6%	6.0%
72-95 Months	67	5	72	11.6%	9.3%	11.4%
96-107 Months	8	0	8	1.4%	0.0%	1.3%
108-143 Months	9	1	10	1.6%	1.9%	1.6%
144-179 Months	1	0	1	0.2%	0.0%	0.2%
180 and Over	2	0	2	0.3%	0.0%	0.3%
Life Max	6	0	6	1.0%	0.0%	1.0%
Life, No Parole	0	0	0	0.0%	0.0%	0.0%
Total Incarcerated Parolees	576	54	630	100.0%	100.0%	100.0%
Total Under Custody	52,564	2,301	54,865	95.8%	4.2%	100.0%
Average and Median Maximum Sentence	Male Average	Female Average	Total Average	Male Median	Female Median	Total Median
Total Inmates	142.4	102.0	140.8	84.0	60.0	84.0
Total Incarcerated Parolees	48.5	43.9	48.1	36.0	39.0	36.0
Total Incarcerated	141.4	100.7	139.7	84.0	60.0	84.0

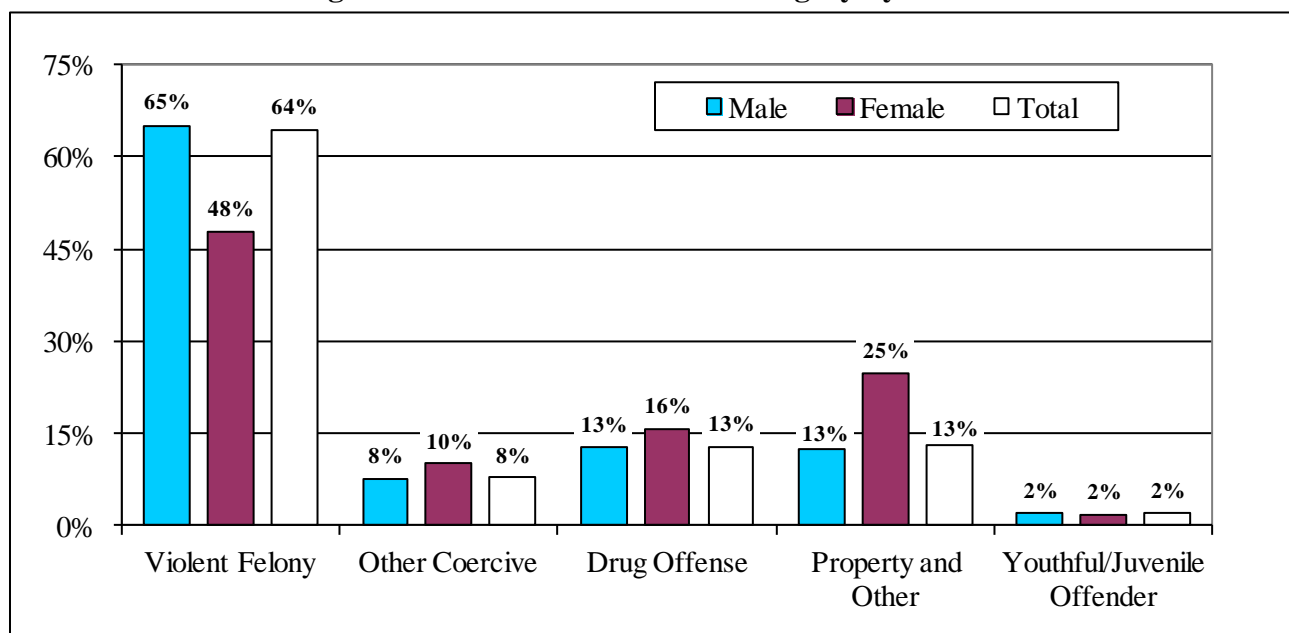
As can be seen in Table 11B above, the median maximum sentence for inmates is 84 months, but there is a large difference between male inmates whose median maximum sentence is 84 months and female inmates at 60 months.

For incarcerated parolees the median maximum sentence is 36 months. The differences between males and females were much smaller, with male median maximum sentence at 36 months compared with 39 months for female incarcerated parolees.

## Commitment Crime

Sixty-four percent (64%) of the inmates under custody on January 1, 2013, were serving a sentence for a Violent Felony Offense (VFO). Another 13% of inmates were serving a sentence for a Drug crime. Forty-eight percent (48%) of female inmates were serving a sentence for a VFO compared to 65% for male inmates. In contrast, 25% of female inmates were sentenced for a Property or Other crime compared to 13% percent of male inmates. Table 12B lists the commitment crimes that are included in each of the general categories in Figure 12. Over 79% of incarcerated parolees were convicted of a Drug or Property related crime in comparison to 25% of inmates.

**Figure 12. Commitment Crime Category by Gender**



**Table 12A. Crime Category; Under Custody Population January 1, 2013**

Commitment Crime Type by Gender	Violent Felony	Other Coercive	Drug Offenses	Property and Other	YO/JO	Total
Male	34,192	4,017	6,700	6,574	1,081	52,564
Female	1,099	231	362	568	41	2,301
Total	35,291	4,248	7,062	7,142	1,122	54,865
Male	65.0%	7.6%	12.7%	12.5%	2.1%	100.0%
Female	47.8%	10.0%	15.7%	24.7%	1.8%	100.0%
Total	64.3%	7.7%	12.9%	13.0%	2.0%	100.0%
<b>Incarceration Status</b>						
Inmates	35,222	4,214	6,816	6,890	1,093	54,235
Incarcerated Parolees	69	34	246	252	29	630
Total	35,291	4,248	7,062	7,142	1,122	54,865
Inmates	64.9%	7.8%	12.6%	12.7%	2.0%	100.0%
Incarcerated Parolees	11.0%	5.4%	39.0%	40.0%	4.6%	100.0%
Total	64.3%	7.7%	12.9%	13.0%	2.0%	100.0%

**Table 12B. Crime Category by Inmate Status; Under Custody Population January 1, 2013**

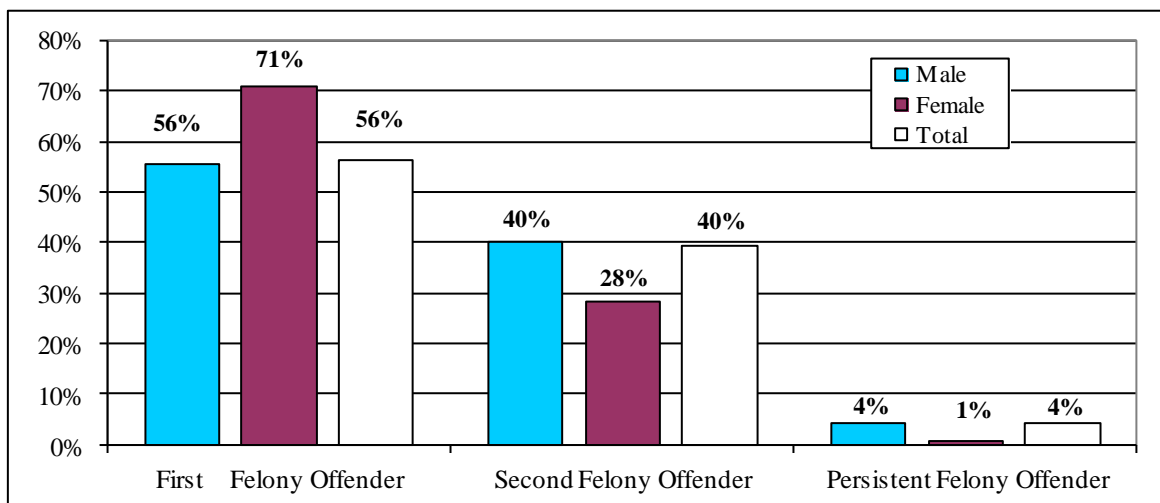
Commitment Crime Type	Inmate			Parolee			Grand Total
	Male	Female	Total	Male	Female	Total	
<b>Violent Felony</b>							
Murder	6,941	204	7,145	1	0	1	7,146
Attempted Murder	1,319	37	1,356	1	0	1	1,357
Manslt 1st,Ag 2nd	1,963	167	2,130	1	0	1	2,131
Rape 1st	1,711	3	1,714	1	0	1	1,715
Robbery 1st	4,266	91	4,357	3	0	3	4,360
Robbery 2nd	2,977	115	3,092	19	0	19	3,111
Assault 1st	1,900	116	2,016	4	0	4	2,020
Assault 2nd	1,395	102	1,497	8	0	8	1,505
Burglary 1st	1,118	22	1,140	0	0	0	1,140
Burglary 2nd	3,703	138	3,841	16	0	16	3,857
Arson 1st,2nd	185	27	212	0	0	0	212
Sodomy 1st	1,071	6	1,077	0	0	0	1,077
Sex Ab 1st,Ag.2	1,190	8	1,198	0	0	0	1,198
Weapons Offenses	3,487	45	3,532	13	0	13	3,545
Kidnapping 1st,2nd	350	11	361	0	0	0	361
Other VFO Sex Off	437	5	442	1	0	1	443
Other Violent	110	2	112	1	0	1	113
Subtotal	34,123	1,099	35,222	69	0	69	35,291
	96.9%	3.1%	100.0%	100.0%	0.0%	100.0%	
<b>Other Coercive</b>							
Manslaughter 2nd	250	43	293	1	0	1	294
Other Homicide	138	22	160	0	0	0	160
Robbery 3rd	1,146	39	1,185	15	1	16	1,201
Att Assault 2nd	443	33	476	4	0	4	480
Conspiracy 2,3,4	251	24	275	3	0	3	278
Other Weapons	580	14	594	5	0	5	599
Other Sex Offenses	773	19	792	1	0	1	793
Other Coercive	403	36	439	4	0	4	443
Subtotal	3,984	230	4,214	33	1	34	4,248
	94.5%	5.5%	100.0%	97.1%	2.9%	100.0%	
<b>Drug Offenses</b>							
Drug Sale	3,542	217	3,759	115	12	127	3,886
Drug Possession	2,929	128	3,057	114	5	119	3,176
Subtotal	6,471	345	6,816	229	17	246	7,062
	94.9%	5.1%	100.0%	93.1%	6.9%	100.0%	
<b>Property and Other</b>							
Burglary 3rd	2,201	66	2,267	88	12	100	2,367
Grand Larceny	1,166	185	1,351	45	9	54	1,405
Forgery	404	77	481	24	5	29	510
Stolen Property	381	30	411	17	3	20	431
Drive Intoxicated	783	75	858	25	3	28	886
Contempt 1st	409	6	415	3	0	3	418
All Other felonies	1,014	93	1,107	14	4	18	1,125
Subtotal	6,358	532	6,890	216	36	252	7,142
	92.3%	7.7%	100.0%	85.7%	14.3%	100.0%	
<b>YO/JO</b>							
Youthful Offender	876	41	917	29	0	29	946
Juvenile Offender	176	0	176	0	0	0	176
Subtotal	1,052	41	1,093	29	0	29	1,122
	96.2%	3.8%	100.0%	100.0%	0.0%	100.0%	
<b>Grand Total</b>	<b>51,988</b>	<b>2,247</b>	<b>54,235</b>	<b>576</b>	<b>54</b>	<b>630</b>	<b>54,865</b>
	<b>95.9%</b>	<b>4.1%</b>	<b>100.0%</b>	<b>91.4%</b>	<b>8.6%</b>	<b>100.0%</b>	

## Second Felony Inmate Status

Fifty-six percent (56%) of the inmates under custody on January 1, 2013, were sentenced as first felony offenders. Crimes by felony sentencing status are presented in Table 13B. Men are more likely than women to be sentenced as second felony offenders.

New York State Penal Law establishes more severe sentences for second felony offenders and persistent felony offenders than for first felony offenders. In general, a persistent felony offender is a person convicted of at least two prior felony offenses on separate occasions. This status allows them to be sentenced to a life maximum. It should be noted that some offenders included among the individuals sentenced as first felony offenders were also convicted of prior felony crimes and some even had previous sentences to state prison. The majority of such offenders were convicted of class A-1 violent felony crimes, which do not permit sentencing as a second felony offender since the penalties for A-1 violent felony crimes are already the most severe.

**Figure 13. Felony Sentencing Status by Gender**



**Table 13A. Second Felony Sentencing Status; Under Custody Population January 1, 2013**

Felony Offender by Gender	First Felony Offender	Second Felony Offender	Persistent Felony Offender	Total
Male	29,211	21,023	2,330	52,564
Female	1,634	653	14	2,301
Total	30,845	21,676	2,344	54,865
Male	55.6%	40.0%	4.4%	100.0%
Female	71.0%	28.4%	0.6%	100.0%
Total	56.2%	39.5%	4.3%	100.0%
<b>Incarceration Status</b>				
Inmates	30,542	21,351	2,342	54,235
Incarcerated Parolees	303	325	2	630
Total	30,845	21,676	2,344	54,865
Inmates	56.3%	39.4%	4.3%	100.0%
Incarcerated Parolees	48.1%	51.6%	0.3%	100.0%
Total	56.2%	39.5%	4.3%	100.0%

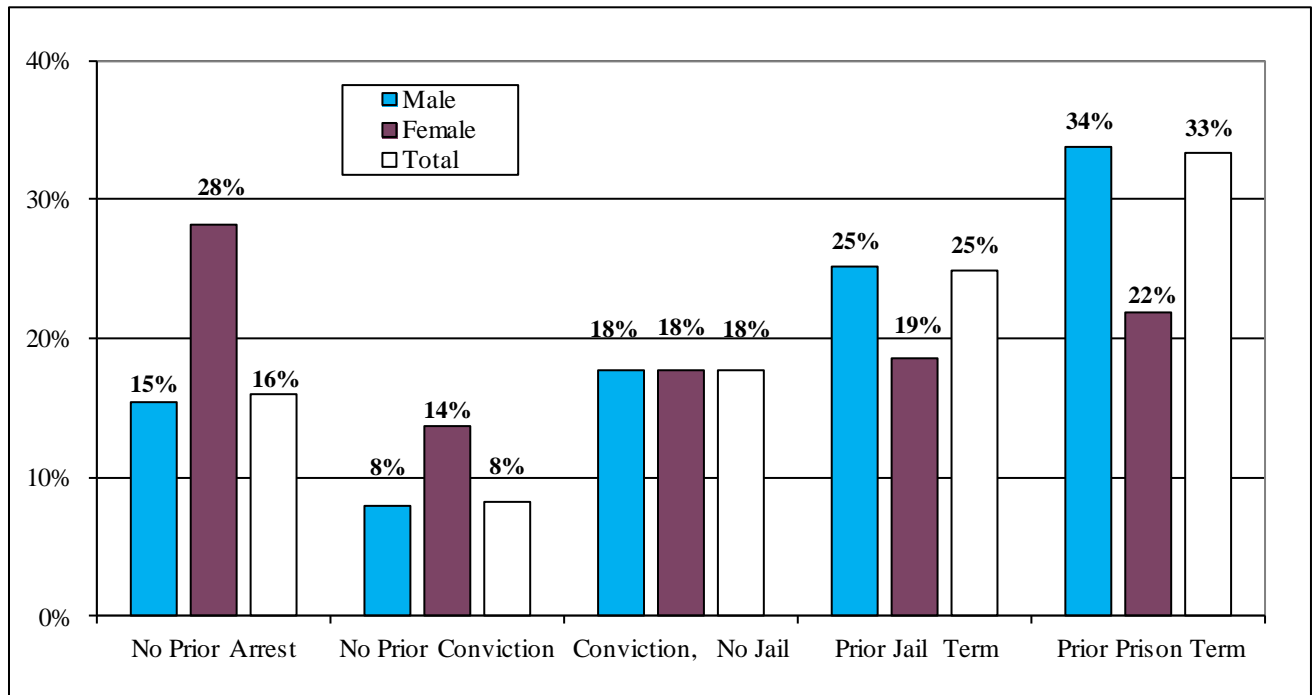
**Table 13B. Second Felony Sentencing Status; Under Custody Population January 1, 2013**

Commitment Crime Type	Inmate				Parolee				Grand Total
	First Felony Offender	Second Felony Offender	Persistent Felony Offender	Total	First Felony Offender	Second Felony Offender	Persistent Felony Offender	Total	
<b>Violent Felony</b>									
Murder	7,145	0	0	7,145	1	0	0	1	7,146
Attempted Murder	911	389	56	1,356	1	0	0	1	1,357
Manslt 1st,Ag 2nd	1,589	501	40	2,130	1	0	0	1	2,131
Rape 1st	1,032	555	127	1,714	0	1	0	1	1,715
Robbery 1st	1,988	1,846	523	4,357	3	0	0	3	4,360
Robbery 2nd	1,485	1,252	355	3,092	12	7	0	19	3,111
Assault 1st	1,265	659	92	2,016	3	1	0	4	2,020
Assault 2nd	727	665	105	1,497	8	0	0	8	1,505
Burglary 1st	572	478	90	1,140	0	0	0	0	1,140
Burglary 2nd	1,526	1,761	554	3,841	11	5	0	16	3,857
Arson 1st,2nd	146	65	1	212	0	0	0	0	212
Sodomy 1st	752	276	49	1,077	0	0	0	0	1,077
Sex Ab 1st,Ag.2	923	235	40	1,198	0	0	0	0	1,198
Weapons Offenses	1,894	1,506	132	3,532	7	5	1	13	3,545
Kidnapping 1st,2nd	258	83	20	361	0	0	0	0	361
Other VFO Sex Off	344	92	6	442	1	0	0	1	443
Other Violent	85	23	4	112	1	0	0	1	113
Subtotal	22,642	10,386	2,194	35,222	49	19	1	69	35,291
	64.3%	29.5%	6.2%	100.0%	71.0%	27.5%	1.4%	100.0%	
<b>Other Coercive</b>									
Manslaughter 2nd	225	61	7	293	1	0	0	1	294
Other Homicide	133	25	2	160	0	0	0	0	160
Robbery 3rd	334	830	21	1,185	10	6	0	16	1,201
Att Assault 2nd	120	355	1	476	1	2	1	4	480
Conspiracy 2,3,4	140	130	5	275	1	2	0	3	278
Other Weapons	92	488	14	594	1	4	0	5	599
Other Sex Offenses	556	227	9	792	0	1	0	1	793
Other Coercive	241	192	6	439	0	4	0	4	443
Subtotal	1,841	2,308	65	4,214	14	19	1	34	4,248
	43.7%	54.8%	1.5%	100.0%	41.2%	55.9%	2.9%	100.0%	
<b>Drug Offenses</b>									
Drug Sale	1,030	2,722	7	3,759	47	80	0	127	3,886
Drug Possession	999	2,054	4	3,057	40	79	0	119	3,176
Subtotal	2,029	4,776	11	6,816	87	159	0	246	7,062
	29.8%	70.1%	0.2%	100.0%	35.4%	64.6%	0.0%	100.0%	
<b>Property and Other</b>									
Burglary 3rd	639	1,605	23	2,267	48	52	0	100	2,367
Grand Larceny	473	860	18	1,351	16	38	0	54	1,405
Forgery	136	342	3	481	13	16	0	29	510
Stolen Property	103	298	10	411	7	13	0	20	431
Drive Intoxicated	846	9	3	858	28	0	0	28	886
Contempt 1st	156	256	3	415	1	2	0	3	418
All Other Felonies	584	511	12	1,107	11	7	0	18	1,125
Subtotal	2,937	3,881	72	6,890	124	128	0	252	7,142
	42.6%	56.3%	1.0%	100.0%	49.2%	50.8%	0.0%	100.0%	
<b>YO/JO</b>									
Youthful Offender	917	0	0	917	29	0	0	29	946
Juvenile Offender	176	0	0	176	0	0	0	0	176
Subtotal	1,093	0	0	1,093	29	0	0	29	1,122
	100.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%	100.0%	
<b>Grand Total</b>	<b>30,542</b>	<b>21,351</b>	<b>2,342</b>	<b>54,235</b>	<b>303</b>	<b>325</b>	<b>2</b>	<b>630</b>	<b>54,865</b>
	56.3%	39.4%	4.3%	100.0%	48.1%	51.6%	0.3%	100.0%	

## Prior Adult Criminal Record

For this report offenders are placed in a prior adult criminal record category based on their most extensive contact with the criminal justice system prior to their current incarceration. Thirty-three percent (33%) of inmates had served a prior prison term. For 25% of inmates, prior jail was the most serious contact with the criminal justice system, while 16% had no prior arrest. Women were more likely than men to have less serious prior adult records.

**Figure 14. Prior Adult Criminal Record by Gender**



**Table 14. Prior Adult Criminal Record; Under Custody Population January 1, 2013**

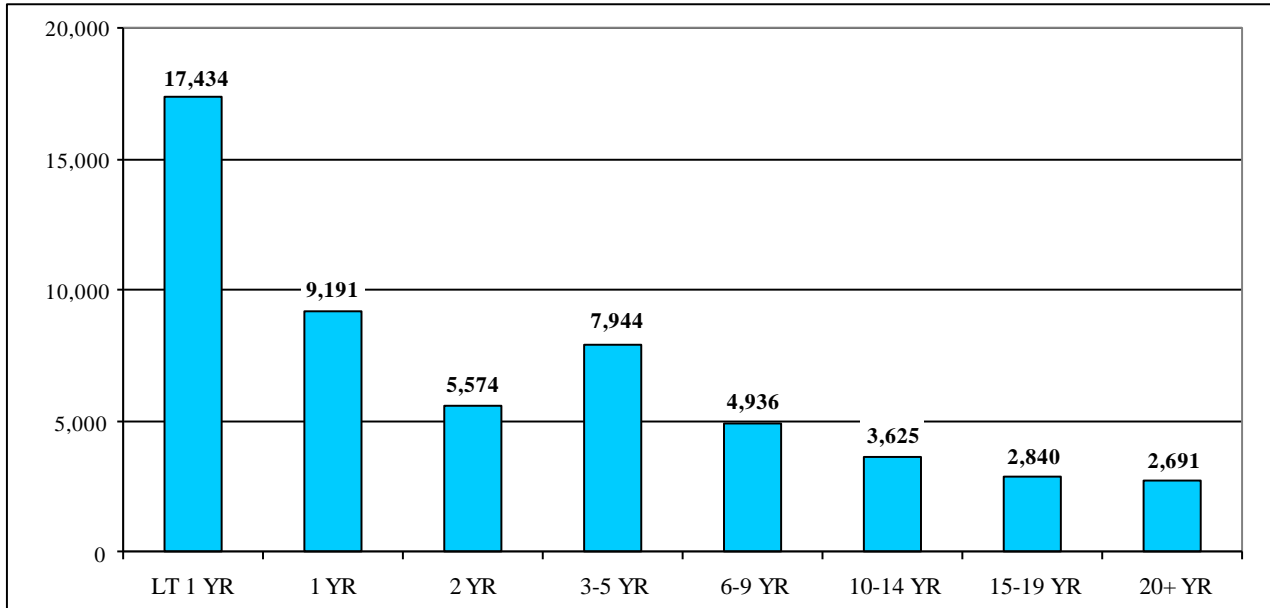
Prior Record by Gender	No Prior Arrest	No Prior Conviction	Conviction, No Jail	Prior Jail Term	Prior Prison Term	Total
Male	8,084	4,160	9,281	13,243	17,796	52,564
Female	648	315	406	428	504	2,301
Total	8,732	4,475	9,687	13,671	18,300	54,865
Male	15.4%	7.9%	17.7%	25.2%	33.9%	100.0%
Female	28.2%	13.7%	17.6%	18.6%	21.9%	100.0%
Total	15.9%	8.2%	17.7%	24.9%	33.4%	100.0%
<b>Incarceration Status</b>						
Inmates	8,686	4,427	9,554	13,445	18,123	54,235
Incarcerated Parolees	46	48	133	226	177	630
Total	8,732	4,475	9,687	13,671	18,300	54,865
Inmates	16.0%	8.2%	17.6%	24.8%	33.4%	100.0%
Incarcerated Parolees	7.3%	7.6%	21.1%	35.9%	28.1%	100.0%
Total	15.9%	8.2%	17.7%	24.9%	33.4%	100.0%

## Length of Time Served in Department Custody

About one quarter (26%) of the inmate population had spent six years or more under custody since latest admission to DOCCS. While one-third (33%) had spent less than one year under custody, almost 17% had spent 10 or more years incarcerated.

Inmates under custody on January 1, 2013, had spent an average of 60 months in DOCCS since their latest admission date. The median length of time served was 25 months. Due to the short term period of incarceration for incarcerated parolees, all of them had served less than a year as of January 2013.

**Figure 15. Length of Time Served in DOCCS Custody by Inmates Since Last Admission Date**



**Table 15. DOCCS Time Served in Years; Inmate Under Custody Population January 1, 2013**

Time in DOCCS	LT 1 YR	1 YR	2 YR	3-5 YR	6-9 YR	10-14 YR	15-19 YR	20+ YR	Total	
Male	16,957	8,758	5,363	7,692	4,805	3,539	2,792	2,658	52,564	
Female	1,107	433	211	252	131	86	48	33	2,301	
Total	18,064	9,191	5,574	7,944	4,936	3,625	2,840	2,691	54,865	
Male	32.3%	16.7%	10.2%	14.6%	9.1%	6.7%	5.3%	5.1%	100.0%	
Female	48.1%	18.8%	9.2%	11.0%	5.7%	3.7%	2.1%	1.4%	100.0%	
Total	32.9%	16.8%	10.2%	14.5%	9.0%	6.6%	5.2%	4.9%	100.0%	
<b>Incarceration Status</b>										
Inmates	17,434	9,191	5,574	7,944	4,936	3,625	2,840	2,691	54,235	
Incarcerated Parolees	630	0	0	0	0	0	0	0	630	
Total	18,064	9,191	5,574	7,944	4,936	3,625	2,840	2,691	54,865	
Inmates	32.1%	16.9%	10.3%	14.6%	9.1%	6.7%	5.2%	5.0%	100.0%	
Incarcerated Parolees	100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	
Total	32.9%	16.8%	10.2%	14.5%	9.0%	6.6%	5.2%	4.9%	100.0%	
Time Served Since Latest Admission Date in Months	Inmate-Average			60.0			Parolee-Average			1.7
Time Served Since Latest Admission Date in Months	Inmate-Median			24.9			Parolee-Median			1.4

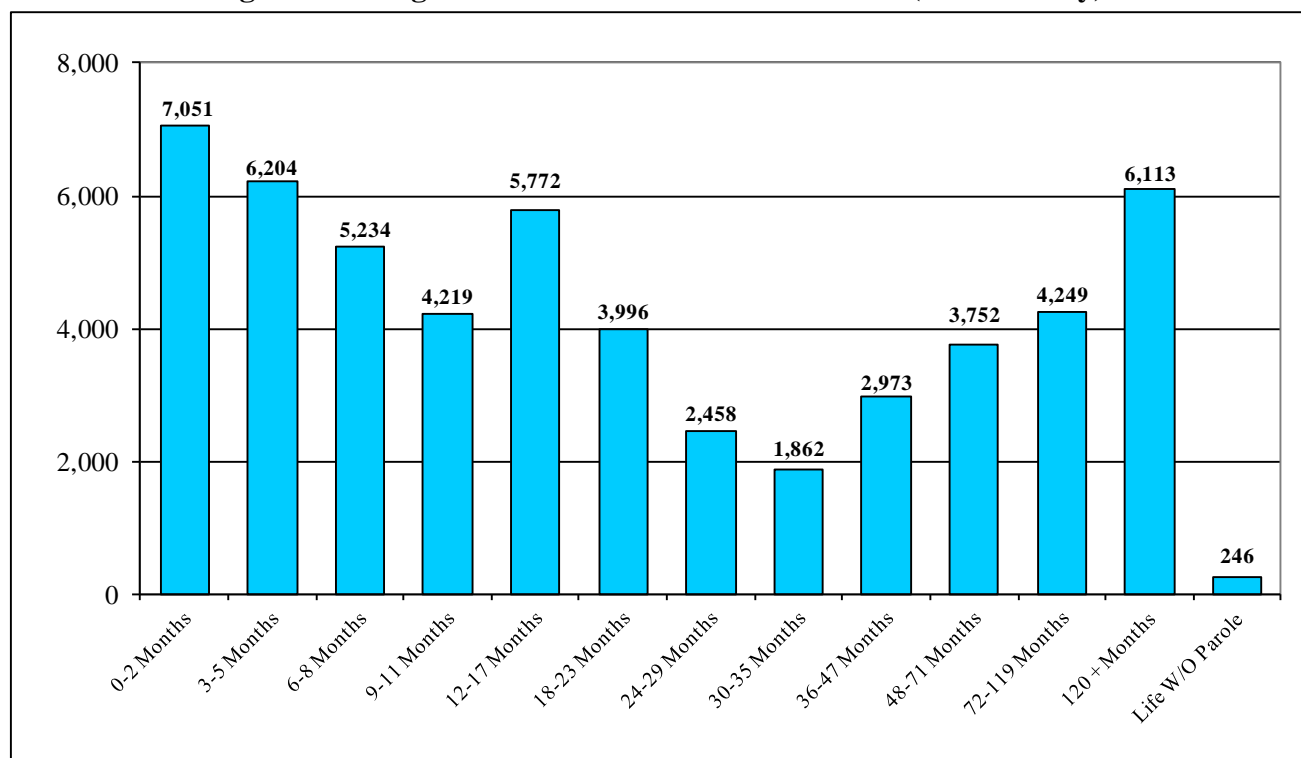


## Time to Earliest Release

Time to earliest release date is a measure of the length of time until the earliest possible date at which the inmate can legally be released. Incarcerated parolees are not included in this section.

Sixty percent (60%) of the inmate population had less than two years to their earliest release dates. The average time to earliest release for the under custody population on January 1, 2013, was 51 months. The median time to earliest release was 16 months.

**Figure 16. Length of Time to Earliest Release Date (Inmate Only)**



**Table 16. Time to Earliest Release Date in Months; Inmate Under Custody Population January 1, 2013**

Time to Earliest Release Date	0-2 Months	3-5 Months	6-8 Months	9-11 Months	12-17 Months	18-23 Months	24-29 Months	30-35 Months	36-47 Months	48-71 Months	72-119 Months	120+ Months	Life W/O Parole	Total*
Male	6,662	5,898	5,005	4,010	5,521	3,809	2,364	1,795	2,868	3,613	4,130	5,969	238	51,882
Female	389	306	229	209	251	187	94	67	105	139	119	144	8	2,247
Total	7,051	6,204	5,234	4,219	5,772	3,996	2,458	1,862	2,973	3,752	4,249	6,113	246	54,129
Male	12.8%	11.4%	9.6%	7.7%	10.6%	7.3%	4.6%	3.5%	5.5%	7.0%	8.0%	11.5%	0.5%	100.0%
Female	17.3%	13.6%	10.2%	9.3%	11.2%	8.3%	4.2%	3.0%	4.7%	6.2%	5.3%	6.4%	0.4%	100.0%
Total	13.0%	11.5%	9.7%	7.8%	10.7%	7.4%	4.5%	3.4%	5.5%	6.9%	7.8%	11.3%	0.5%	100.0%
Average Time to Earliest Release Date in Months							Male	51.8		Female	31.7		Total	51.0
Median Time to Earliest Release Date in Months							Male	16.6		Female	11.9		Total	16.3

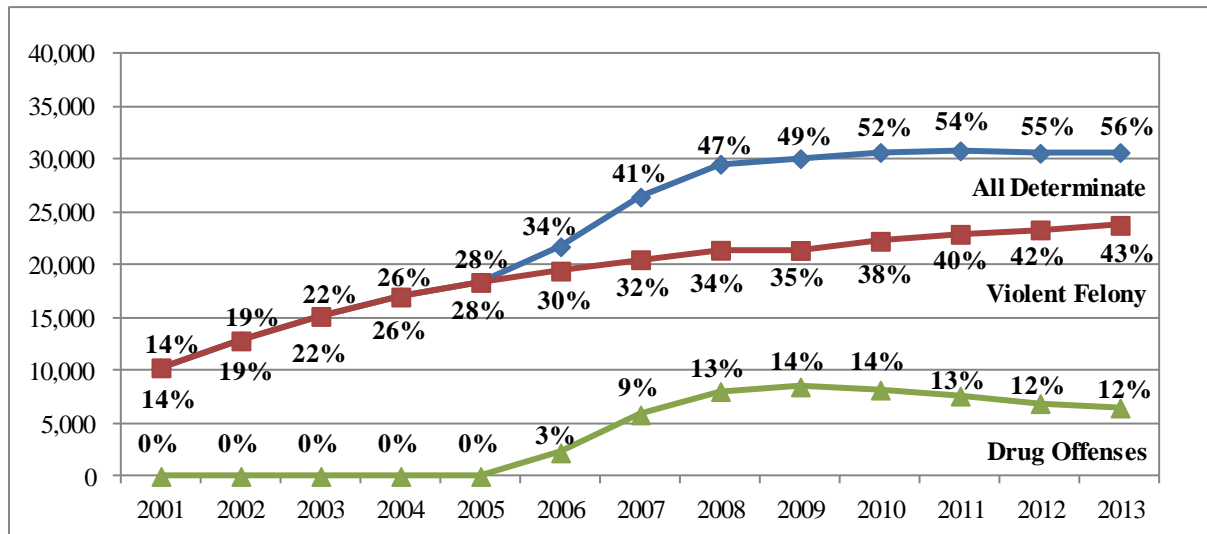
\*Does not include the 246 Life Without Parole cases.

## Determinate Sentencing

Fifty-six percent (56% or 30,681) of the 54,865 inmates under Department custody on January 1, 2013, were serving determinate sentences.

As of that date, 92% (6,484) of the inmates committed for drug offenses were serving determinate sentences while 67% (23,785) of the offenders sentenced for Violent Felony Offenses were serving determinate sentences.

**Figure 17. Number of Determinate Sentences**



**Table 17A. Number of Determinate Sentences; Under Custody Population January 1, 2013**

Incarceration Status	Violent Felony	Other Coercive	Drug Offenses	Property and Other Offenses	Youthful Offender	Juvenile Offender	Total
<b>Inmates &amp; Incarcerated Parolees</b>							
Indeterminate	11,506	3,862	578	7,137	925	176	24,184
Determinate	23,785	386	6,484	5	21	0	30,681
<b>Total</b>	<b>35,291</b>	<b>4,248</b>	<b>7,062</b>	<b>7,142</b>	<b>946</b>	<b>176</b>	<b>54,865</b>
Indeterminate	33%	91%	8%	100%	98%	100%	44%
Determinate	67%	9%	92%	0%	2%	0%	56%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

**Table 17B. Historic Number of Total Determinate, Violent Felony Determinate, and Drug Felony Determinate Sentences; Under Custody Populations January 1, 2001 - 2013**

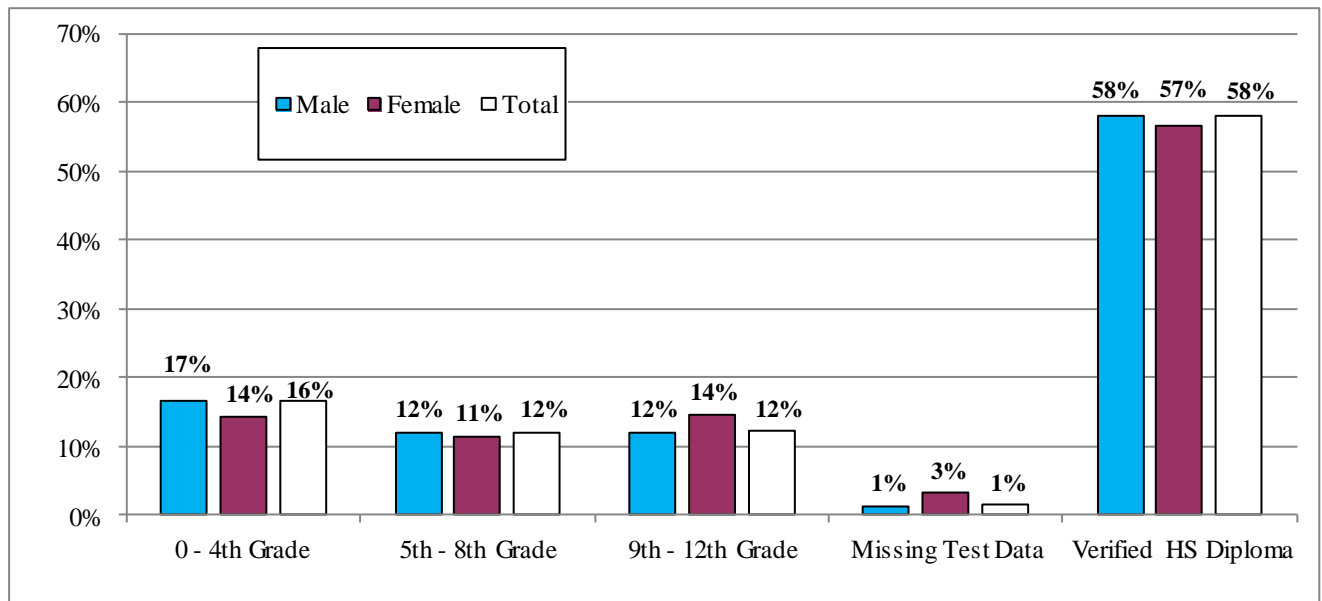
January 1,	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Total Determinate	10,297	12,853	15,171	17,026	18,406	21,756	26,463	29,573	30,103	30,689	30,845	30,609	30,681
Percent of UC	14%	19%	22%	26%	28%	34%	41%	47%	49%	52%	54%	55%	56%
Violent Determinate	10,291	12,841	15,158	16,998	18,380	19,454	20,532	21,426	21,406	22,277	22,936	23,355	23,785
Percent of UC	14%	19%	22%	26%	28%	30%	32%	34%	35%	38%	40%	42%	43%
Drug Determinate	1	2	0	0	0	2,233	5,833	8,042	8,481	8,182	7,614	6,902	6,484
Percent of UC	0%	0%	0%	0%	0%	3%	9%	13%	14%	14%	13%	12%	12%

## Education Level

The Department's education program objective is to encourage every inmate to pass a high school equivalency General Education Diploma (GED) test while incarcerated. Testing and education programming are used by the Department to track the academic level of inmates in reading and mathematics. In order to take the GED examination, the Department requires inmates to take tests demonstrating at least a ninth grade level in reading and mathematics.

Sixteen percent (16%) of inmates had a tested reading score at the 0 – 4<sup>th</sup> Grade level, 12% at 5<sup>th</sup> – 8<sup>th</sup> Grade level, 12% at the 9<sup>th</sup> – 12<sup>th</sup> Grade level (but no verified HS or GED Diploma), and finally 58% had a verified high school diploma.

**Figure 18. Reading Score Grade Level and HS Diploma Status by Inmate Status**



**Table 18. Reading Score Grade Level and HS Diploma Status; UC Population January 1, 2013**

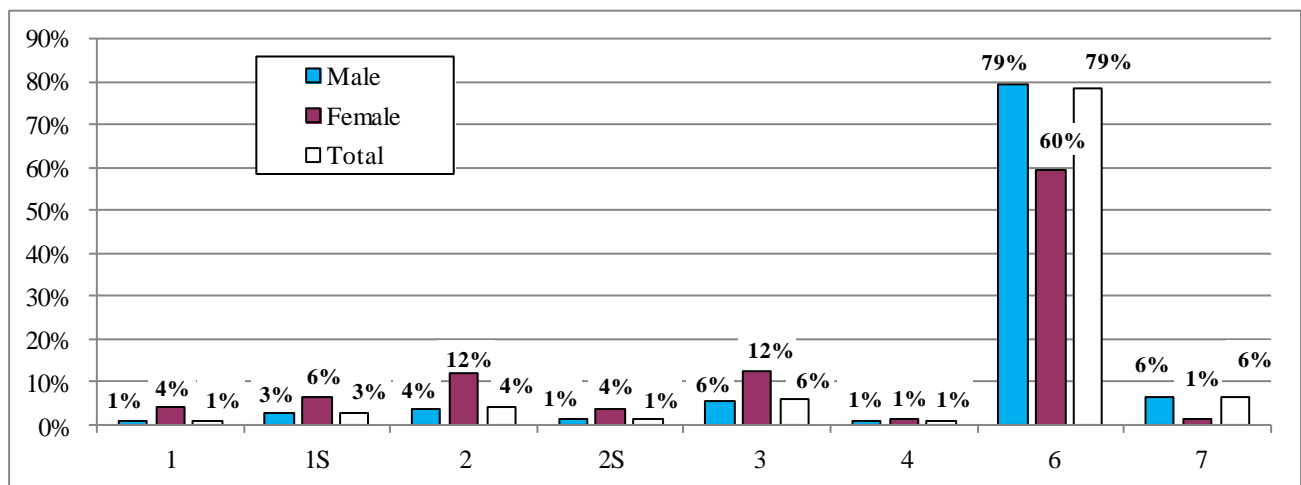
Grade Level based on Tested Reading Score	0 - 4th Grade	5th - 8th Grade	9th - 12th Grade	Missing Test Data	Verified HS Diploma	Total
Male	8,657	6,302	6,267	663	30,484	52,373
Female	323	260	329	69	1,288	2,269
Total	8,980	6,562	6,596	732	31,772	54,642
Male	16.5%	12.0%	12.0%	1.3%	58.2%	100.0%
Female	14.2%	11.5%	14.5%	3.0%	56.8%	100.0%
Total	16.4%	12.0%	12.1%	1.3%	58.1%	100.0%
<b>Incarceration Status</b>						
Inmates	8,908	6,479	6,512	718	31,402	54,019
Incarcerated Parolees	72	83	84	14	370	623
Total	8,980	6,562	6,596	732	31,772	54,642
Inmates	16.5%	12.0%	12.1%	1.3%	58.1%	100.0%
Incarcerated Parolees	11.6%	13.3%	13.5%	2.2%	59.4%	100.0%
Total	16.4%	12.0%	12.1%	1.3%	58.1%	100.0%

## Mental Health Service Level

The NYS Office of Mental Health (OMH) provides mental health diagnostic and treatment services to inmates in DOCCS custody. Staff with OMH classify inmates according to the mental health service level needed. Inmates who may need mental health treatment services are classified from level 1 through level 4, with 1 indicating a serious mental health diagnosis and 4 not as serious. Level 6 inmates have been assessed by OMH staff with no mental health service required and level 7 inmates have not yet been assessed. The “S” label in Table 19 indicates Serious Mental Illness (SMI) and the OMH level numbers indicate the level of OMH services that must be available at the facility where the inmate is housed.

Fifteen percent (15%) of inmates had an OMH service level of 1 – 4, while 79% had a service level classification of 6 (no mental health services required). Women inmates were more likely than men to have an OMH service level classification of 1 - 4, 39% and 14% respectively.

**Figure 19. Mental Health Service Level by Inmate Status**



**Table 19. OMH Service Level and SMI Status; Under Custody Population January 1, 2013**

OMH Service Level by Gender	1	1S	2	2S	3	4	6	7	Total
Male	307	1,329	1,900	625	2,831	500	41,707	3,365	52,564
Female	97	145	274	82	281	28	1,370	24	2,301
Total	404	1,474	2,174	707	3,112	528	43,077	3,389	54,865
Male	0.6%	2.5%	3.6%	1.2%	5.4%	1.0%	79.3%	6.4%	100.0%
Female	4.2%	6.3%	11.9%	3.6%	12.2%	1.2%	59.5%	1.0%	100.0%
Total	0.7%	2.7%	4.0%	1.3%	5.7%	1.0%	78.5%	6.2%	100.0%
<b>Incarceration Status</b>									
Inmates	398	1,471	2,153	706	3,064	517	42,562	3,364	54,235
Incarcerated Parolees	6	3	21	1	48	11	515	25	630
Total	404	1,474	2,174	707	3,112	528	43,077	3,389	54,865
Inmates	0.7%	2.7%	4.0%	1.3%	5.6%	1.0%	78.5%	6.2%	100.0%
Incarcerated Parolees	1.0%	0.5%	3.3%	0.2%	7.6%	1.7%	81.7%	4.0%	100.0%
Total	0.7%	2.7%	4.0%	1.3%	5.7%	1.0%	78.5%	6.2%	100.0%

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