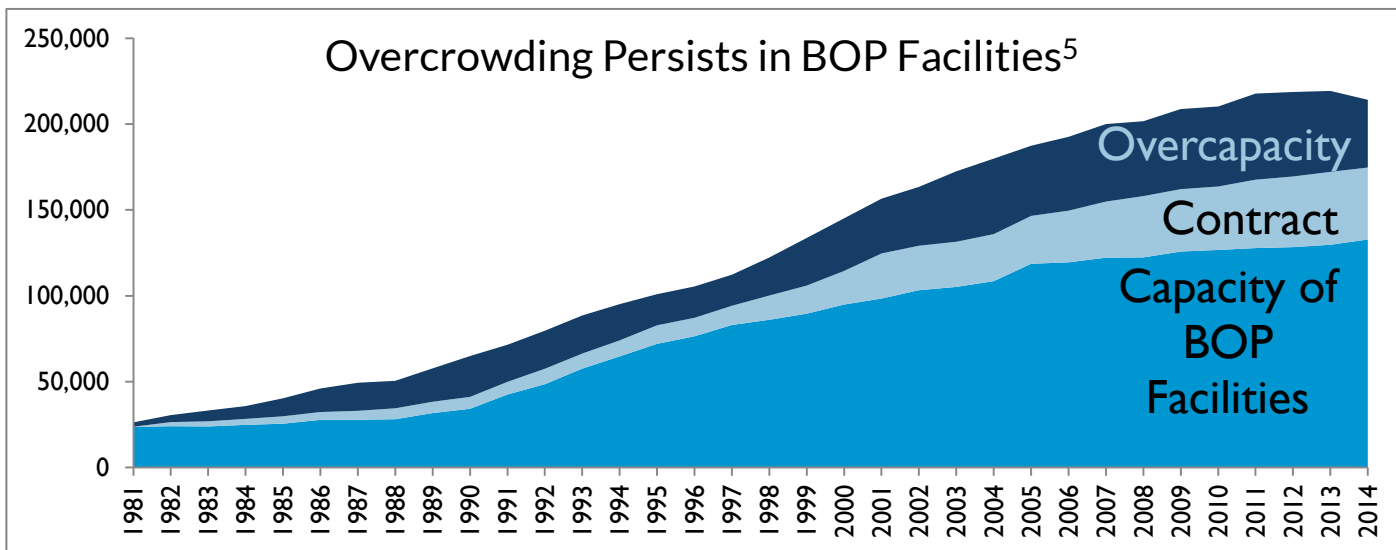


Consequences of Growth in the Federal Prison Population

In response to the challenges facing the federal prison system, Congress created the Charles Colson Task Force on Federal Corrections to examine trends in correctional growth and develop practical, data-driven policy responses. The Task Force has recently examined the drivers of growth, finding that much of it is attributable to the number of drug trafficking offenders in federal prison.¹ This policy brief examines the consequences of that growth.

Prison Population Growth Has Led to Harmful Overcrowding

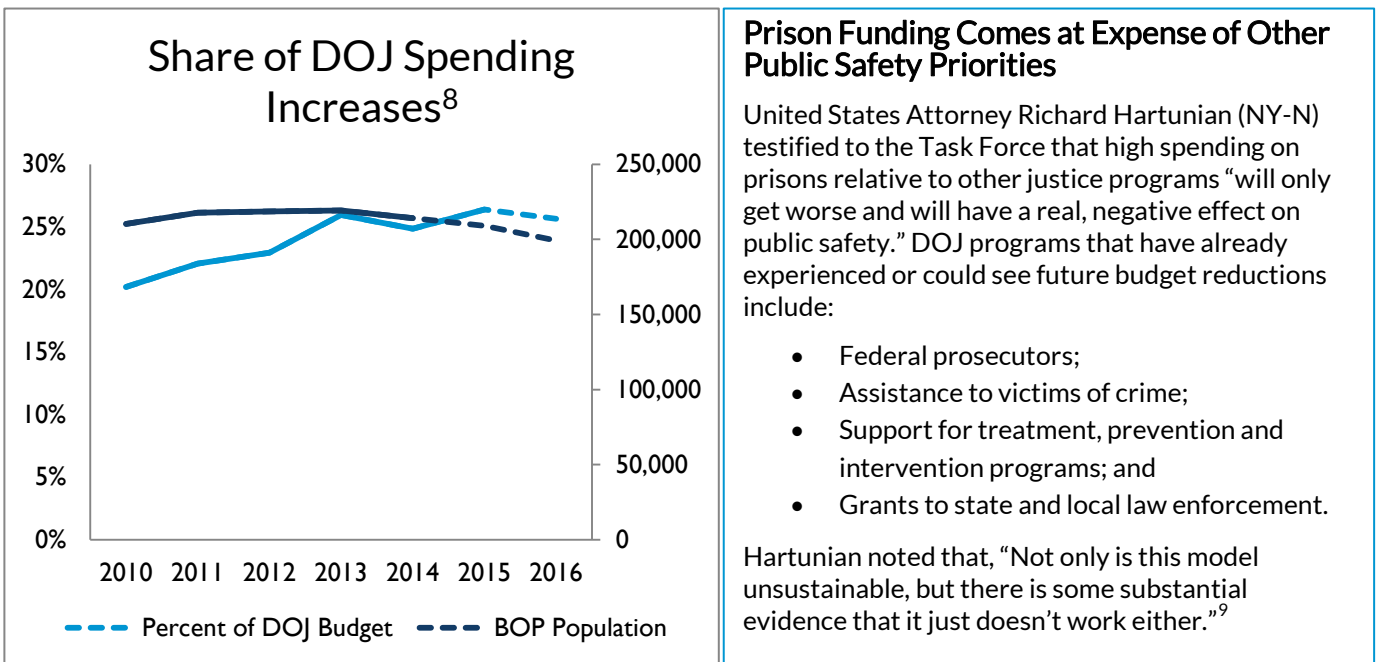
Growth in the population of the Federal Bureau of Prisons (BOP) has outpaced prison capacity, resulting in system-wide overcrowding and a continued reliance on contract facilities (the majority of which are privately operated prisons). Overcrowding, defined here as the percentage of the total prison population that exceeds facility design capacity, was at 30 percent in BOP-operated facilities, but is concentrated in the highest security levels at fiscal year-end (FY) 2014.² This overcrowding presents challenges throughout the system, including safety risks for correctional officers and inmates. Moreover, overcrowding reduces program availability due to lack of staff and space.³ Though overcrowding has begun to fall in lower security facilities, at the end of FY 2014 overcrowding remained at 39 percent in medium and 52 percent in high security facilities, the very facilities where inmates have the greatest need for intensive programming and present the greatest security threats.⁴



The Charles Colson Task Force on Federal Corrections was created by Congress. This nine-person, bipartisan, blue-ribbon task force is mandated to examine challenges in the federal corrections system and develop practical, data-driven policy responses. The Task Force will meet throughout 2015 to conduct its work and present its findings and recommendations in the beginning of 2016 to Congress, the Department of Justice, and the President. The Urban Institute and the Center for Effective Public Policy provide research and logistical support to the Charles Colson Task Force. This brief was developed by Samuel Taxay and Abigail Flynn, researchers at the Urban Institute.

Spending on Prisons Remains High

In FY 2014, BOP saw its first population decline in decades, with further reductions in FY 2015. Compared to 1980, however, the population is still 750 percent higher and spending is 635 percent higher (in inflation-adjusted terms),⁶ with almost 210,000 inmates as of April 30, 2015; almost \$7 billion was appropriated to BOP for FY 2015. Importantly, expenditures for the BOP have also increased as a share of the total Department of Justice (DOJ) budget, from about 20 percent in 2009 to over 25 percent today (see graph). Although the prison population is expected to decrease further in the coming years, spending on prisons is anticipated to consume a similarly large proportion of the DOJ budget; the budget request for FY 2016 asks for over \$400 million in additional spending to improve safety in overcrowded and understaffed facilities and expand the availability of programming.⁷



Prison Funding Comes at Expense of Other Public Safety Priorities

United States Attorney Richard Hartunian (NY-N) testified to the Task Force that high spending on prisons relative to other justice programs “will only get worse and will have a real, negative effect on public safety.” DOJ programs that have already experienced or could see future budget reductions include:

- Federal prosecutors;
- Assistance to victims of crime;
- Support for treatment, prevention and intervention programs; and
- Grants to state and local law enforcement.

Hartunian noted that, “Not only is this model unsustainable, but there is some substantial evidence that it just doesn’t work either.”⁹

Notes

1. Samuel Taxy, *Drivers of Growth in the Federal Prison Population* (Washington, DC: Urban Institute, 2015).
2. U.S. Department of Justice, *FY 2016 Performance Budget Congressional Submission: Federal Prison System, Salaries and Expenses* (Washington, DC: US DOJ, 2015). Hereafter, BOP S&E Request, 2016.
3. U.S. Government Accountability Office, *Bureau of Prisons: Growing Inmate Crowding Negatively Affects Inmates, Staff, and Infrastructure* (Washington, DC: US GAO, 2012).
4. BOP S&E Request, 2016.
5. Source: Urban Institute analysis of Bureau of Prisons data as presented in Nathan James, *The Federal Prison Population Buildup: Overview, Policy Changes, Issues, and Options* (Washington, DC: Congressional Research Service, 2014). Hereafter, James, 2014.
6. See, for example, James, 2014.
7. BOP S&E Request, 2016.
8. All data from Department of Justice Budget and Performance Summary and Congressional Budget Submission FY 2012-FY 2016. FY 2010 – FY 2014 spending is outlays, FY 2015 is amount appropriated, and FY 2016 is budget request. Dashed budget line represents budget request, and dashed population line represents projected changes to the prison population as presented in BOP S&E Request, 2016.
9. Richard Hartunian, *Statement of Richard S. Hartunian United States Attorney Northern District of New York before the Charles Colson Task Force on Federal Corrections* (Washington, DC: US DOJ, 2015).