

New York drug-law reforms, drop in crime reduce prison populaton

The residents of the legendary Big House that is Sing Sing could not be blamed if 11 years ago they didn't feel the old prison lived up to its nickname.

With nearly 2,300 inmates housed at the maximum-security prison in Ossining, it was a little closer to a cramped house.

But that's not the case now.

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The number of inmates at Sing Sing has plummeted by 25 percent since 2000, down to just over 1,700, a Journal News analysis of state prison data shows.

Two other state prisons in Westchester — Bedford Hills and Taconic correctional facilities — also have had significant drops in the number of inmates over the past 11 years.

"New York is sort of like the gold star for the nation for its significant drop in crime and its lowering its number of inmates," said Ashley Nellis, an analyst with the

Sentencing Project, a Washington, D.C.-based advocate for criminal justice reform.

A steady drop in crime, changes to New York's harsh Rockefeller drug laws and budget woes have been the catalysts for the decline in prisoner population, experts said. And alternatives to prison such as drug courts and community-based supervision for nonviolent offenders are cheaper remedies that are proving effective.

The state is in line with a national trend. For the first time in nearly four decades, state prisons nationwide had fewer inmates in 2010 than the previous year.

Taconic, a medium-security prison for women adjacent to the Bedford Hills facility, saw its population drop by 33 percent. Bedford Hills, a maximum-security prison for women, was down by 9 percent.

Those figures mirror statewide numbers, which show a 22 percent drop in inmates f

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rom a historical high of 71,466 in 2000.

In 2011, there were 55,599 prison inmates in New York, according to the state Department of Corrections.

After decades of prison building and expansion, 13 states have closed prisons or are considering closing prisons, Nellis said.

Relaxed drug laws

New York's 2009 reform of the Rockefeller drug laws "had a significant impact" on prison rolls, Nellis said. The laws were changed to give judges discretion to sentence drug offenders to treatment rather than mandatory minimum prison sentences.

That has helped in the dramatic lowering of the number of inmates serving sentences for drug crimes.

In 2000, drug-related crimes accounted for 32 percent of all inmates, 22,315 prisoners in all. In 2011, that figure fell to 15 percent, with 8,564 inmates serving terms for drug crimes.

At Sing Sing Correctional Facility, only 110 prisoners are serving drug terms, down from 301 in 2000. In Bedford Hills, 73 are serving drug sentences, down from 239 in 2000. At Taconic, the number of drug inmates has dropped to 76 from 338.

"New York's Rockefeller drug laws were some of the toughest in the country," said

Megan C. Kurlychek, a professor at SUNY Albany's school of criminal justice. "Relaxing those mandatory minimum sentences for drug offenses has had a significant impact."

And public opinion is turning toward a more results-oriented view of state spending on corrections than merely wanting politicians to be tough on crime, said Adam Gelb, director of the Public Safety Performance Project at the Pew Center on the States.

"The budget situation is definitely bringing states to the table, but it's not the meal," Gelb said. "State policy makers would not be making these kinds of changes if they felt that they were balancing their budgets on the back of public safety."

The Public Safety Performance Project conducted polling last year that showed 91 percent of respondents were more concerned that nonviolent offenders return to the community rehabilitated than that they serve a determinate length of time

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behind bars.

"People are beginning to understand that prisons are a government spending program like any other government spending program and need to be put to the cost-benefit test," Gelb said. "Public opinion is strongly supportive of alternatives to prison for low-risk offenders."

States' spending on prisons and corrections has exploded in the past 25 years, rising to \$52 billion nationwide last year from \$11 billion in 1987. Corrections were outpaced only by Medicaid in terms of increasing costs for states, Gelb said.

Shutting prisons

Gov. Andrew Cuomo announced plans this year to close seven prisons, saying the state would save \$72 million this fiscal year and \$112 million next year.

Four minimum-security facilities and three medium-security prisons were ticketed for closing. None of the Lower Hudson Valley prisons were targeted.

But the drop in prisoners has led to efforts to close Sing Sing, a maximum-security prison that houses male inmates and has entered into lore as the birthplace of terms like the Big House and being sent "up the river."

Assemblywoman Sandy Galef, D-Ossining, led an effort this year to close the prison, saying its location makes it too valuable a

site to serve as housing for a dwindling inmate population.

That effort failed. But, she said, the new numbers showing a 25 percent drop in the number of inmates bolster her argument.

"Maybe there will be another round," she said. "It's a very old prison; the community felt it was going to be closed a long time ago."

The state correctional officers union has opposed closing prisons. The president of the New York State Correctional Officers and Police Benevolent Association, which represents 23,000 prison officers, did not return calls for comment.

Talk of closing prisons should not come as a surprise, given the steep declines in crime over the past decade, experts said.

The number of prisoners in the state has dropped by 22 percent since 2000 as the state's crime rate has fallen by 21 percent since 2001, according to the state Division

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of Criminal Justice Services.

Every major crime was down, including a 61 percent drop in motor vehicle thefts. Only murder, down 13 percent, and larceny, down 14 percent, showed declines of less than 20 percent between 2001 and 2010.

"There is a relationship between the two," Nellis said, referring to the drop in crime and in inmates. "There are tougher restrictions on handguns, more gun seizures, more community policing, and use of police strategies that target high-crime areas. And alternatives to incarceration have had an impact as well, giving people the chance to redeem themselves before they face serious consequences."

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