

State of New York  
Department of Correctional Services

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**FEMALE OFFENDERS:**

**2005 - 2006**



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# Research Highlight

New York State Department of Correctional Services  
 The Division of Program Planning, Research and Evaluation

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## FEMALE OFFENDERS: 2005-2006

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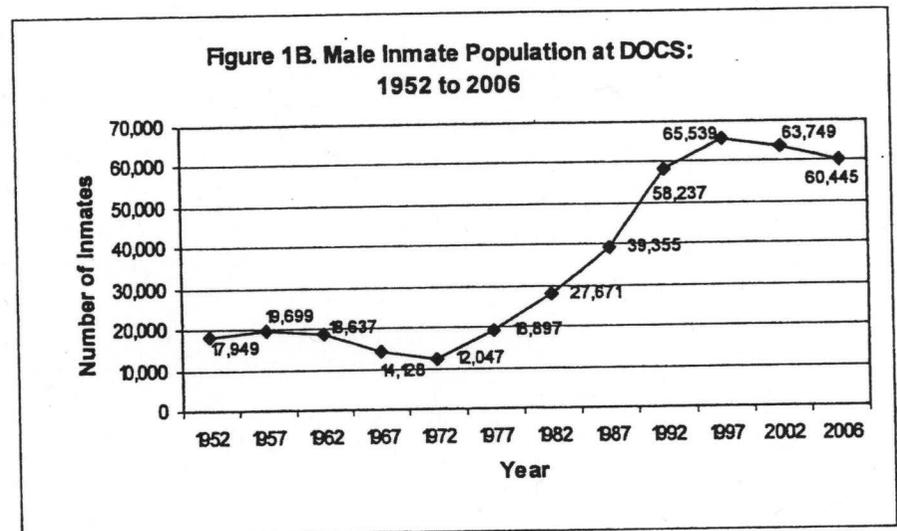
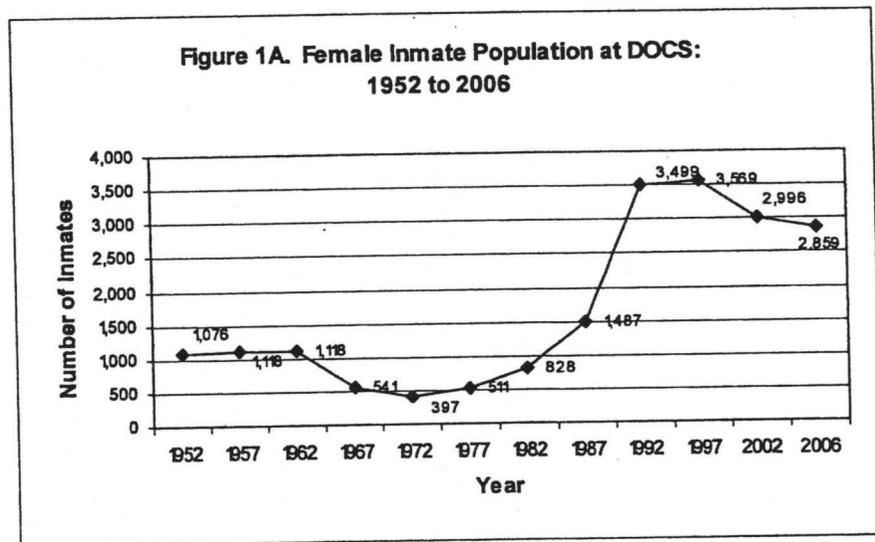
The purpose of this *Research Highlight* is to provide a profile of female offenders under the supervision of the New York State Department of Correctional Services for the years 2005 and 2006. Descriptive statistics are presented for female offenders based on three cohorts of data, (1) *inmates under custody*, (2) *inmates admitted* and (3) *inmates released*. Statistics are presented for male and female inmates for comparison purposes.



### Under Custody Data Demographics

**Total Population.<sup>1</sup>** In 2005 the Department had a total of 62,732 inmates under custody at the end of December (refer to *Table 1*). Female offenders accounted for approximately 4% (N=2,802) of this population. In 2006, the Department had 63,304 inmates under custody. Female offenders accounted for approximately 5% (N=2,859) of all inmates under custody.

Overall, between 1982 and 2006, female offenders demonstrated a growth rate that far exceeded the growth rate of the male offender population (245% vs. 118%).



<sup>1</sup> All under custody statistics are based on the characteristics of the prison population under custody at the end of the year.

This was primarily the result of dramatic, unprecedented growth throughout the 1980's and into the mid-1990's for the female inmate population. The tremendous growth in the female population between 1982 and 1996 (350% increase vs. 138% increase among men) has been attributed to the implementation of new penalties for second felony offenders and for drug crimes that were enacted in the 1970's and 1980's and resulted in tougher sentences during the "crack epidemic" of the 1980's.<sup>2</sup> The female under custody population reached its highest level ever in 1996 (N=3,728). Since 1996, the number of female offenders has declined by 23%, while the male population decreased by only 8%. At the close of 2006, the female under custody population was slightly higher than it was in 1990. *Figures IA and IB* display the number of inmates in the DOCS male and female under custody populations since 1952, in five-year intervals. The largest five-year percentage increase was for the female population which increased by 135% between 1987 (N=1,487) and 1992 (N=3,499).<sup>3</sup> However, between 1997 and 2006, the female population declined by 20% while the male population decreased by only 8%.

**Region.** Most female inmates, like most male inmates, are committed from the New York City or Suburban New York City areas (refer to *Table I*).

In 2006, 46% of the females and 54% of the males under custody were from New York City. The percentage of inmates from the New York City area was lower than in 2005 (56% for men; 49% for women).

**Table 1. Socio-Demographic Characteristics of Inmates Undercustody**

	2005 (N=62,732)				2006 (N=63,304)			
	Men	%	Women	%	Men	%	Women	%
<b>Population (Dec.31)</b>	59,930	96%	2,802	4%	60,445	95%	2,859	5%
<b>Region</b>								
New York City	33,316	56%	1,367	49%	32,576	54%	1,311	46%
Suburban NYC	6,564	11%	298	11%	6,744	11%	305	11%
Upstate Urban	11,318	19%	577	21%	12,366	20%	646	23%
Upstate Other	8,691	15%	554	20%	8,658	14%	591	21%
Missing	41	0%	6	0%	101	0%	6	0%
<b>Age (Average)</b>	36		37		36		37	
<b>Race/Ethnicity</b>								
African-American	30,606	51%	1,314	47%	31,048	51%	1,314	46%
Hispanic	16,416	27%	608	22%	16,081	27%	625	22%
White	11,658	19%	842	30%	12,095	20%	864	30%
Other	1,024	2%	8	0%	962	2%	40	1%
Missing	226	0%	30	1%	259	0%	16	1%
<b>Religion</b>								
Catholic	16,509	28%	787	28%	16,120	27%	751	26%
Protestant	17,657	29%	1,346	48%	17,682	29%	1,366	48%
Islam	8,366	14%	303	11%	8,073	13%	301	11%
Jewish	2,090	3%	51	2%	2,998	5%	59	2%
Rastafarian	2,599	4%	3	0%	2,874	5%	18	1%
Buddhist/Hindu	313	1%	11	0%	306	1%	6	0%
Greek Orthodox	52	0%	3	0%	64	0%	3	0%
Nation of Islam	2,500	4%	9	0%	2,475	4%	8	0%
Other	1,173	2%	11	0%	1,283	2%	16	1%
None Specified	6,064	10%	103	4%	5,568	9%	51	2%
Missing	2,607	4%	175	6%	3,002	5%	280	10%
<b>Marital Status</b>								
Never Married	38,870	65%	1,838	66%	39,548	65%	1,863	65%
Married	12,363	21%	511	18%	12,450	21%	547	19%
Common-Law	2,333	4%	14	1%	2,112	3%	24	1%
Separated/Divorced	5,211	9%	342	12%	5,163	9%	316	11%
Widowed	547	1%	76	3%	535	1%	76	3%
Missing	202	0%	0	0%	637	1%	33	1%
<b>Parenthood</b>								
No Children	22,527	38%	721	26%	22,833	38%	751	26%
1 Child	13,822	23%	591	21%	13,865	23%	603	21%
2 Children	9,723	16%	526	19%	9,850	16%	509	18%
3+Children	11,568	19%	944	34%	11,721	19%	959	34%
Missing	2,290	4%	20	1%	2,176	4%	37	1%
<b>Average per inmate</b>	1.4		2.0		1.4		2.0	
<b>Total # of Children</b>	82,136		5,619		83,602		5,736	



<sup>2</sup> Refer to the Penal Law, Sections 220.00 to 220.65.

<sup>3</sup> Until recently, the growth of the NYS DOCS female population paralleled increases in the female prison population nationwide. The *Sourcebook of Criminal Justice Statistics (2000)* published by the Hindelang Criminal Justice Research Center at SUNY Albany, presents an analysis of the number of female inmates between 1925 and 2000. From 1975 onward, the female prison population increased dramatically (refer to *Sourcebook Figure 6.2*). Also, in recent studies by the Bureau of Justice Statistics (BJS) on prison and jail inmates at the end of the year 2005, the female prison population was found to be growing at a slightly higher rate than the male population. (Refer to "*Prisoners in 2005*" by the BJS, published November, 2006.)

**Age.** Women under custody are slightly older, on average, than men. Women under custody were 37 years of age, on average, in both 2005 and 2006. Men were 36 years of age, on average, in both 2005 and 2006.

**Race/Ethnicity.** Minority inmates comprise the largest percentage of inmates under DOCS supervision each year (refer to *Table I*). This is true for both male and female inmates. In 2006, approximately 46% of all female inmates were African-American, 22% were Hispanic, and 30% were White. These proportions were somewhat different for males under custody that same year: 51% were African-American, 27% were Hispanic, and 20% were White. These proportions were similar for the 2005 data.

**Religion.** The majority of the inmates under custody claim affiliation with an organized religion at the time of their commitment, although men were more likely (9%) than women (2%) not to specify a religion. Most inmates reported themselves as being either Catholic or Protestant. Women were more likely than men to report themselves as being Protestant. In 2006, 48% of the women under custody reported that they belonged to a Protestant religion compared with only 29% of the men. On the other hand, men were slightly more likely to report themselves as belonging to an Islamic religion than women. Thirteen percent of the men under custody in 2006 reported themselves as Islamic compared with only 11% of the women.

**Marital Status.** A similar percentage of men and women inmates report never being married (refer to *Table I*). In 2005, 66% of the women and 65% of the men under custody reported never being married. In 2006, 65% of women and men reported never being married at the time of commitment to DOCS. A higher percentage of men than women report living in a common-law relationship before commitment. In 2006, 3% of the men under

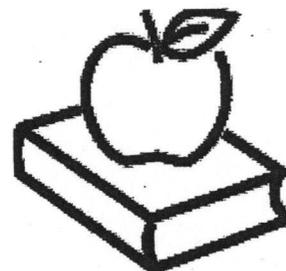
custody reported that they were living in a common-law relationship before their arrest compared with only 1% of the women. These percentages were similar for 2005.

**Parenthood.** Female offenders are more likely than male offenders to report being a parent at the time of their commitment (refer to *Table I*). In 2006, 74% of the women versus 62% of the men under custody reported that they were the parent of one or more children. In addition, women are more likely than men to have more than one child. In both 2005 and 2006, the average number of children reported by male inmates was 1.4. Among female inmates, the average number of children reported was 2.0 in both 2005 and 2006.

Some women are pregnant upon commitment to the Department or arrive with a newborn infant. Two nursery programs currently exist at DOCS to accommodate mothers and newborn infants: one at the Bedford Hills Correctional Facility (a maximum security facility) and one at Taconic Correctional Facility (a medium security facility).<sup>4</sup> The Taconic program has the capacity to house 16 mothers and infants and serves approximately 10 inmates during a calendar year. The Bedford program has the capacity to house 26 mothers and infants, and serves approximately 45 inmates during a calendar year. To address the needs of inmate mothers and their children, Bedford Hills also has a program called the Children's Center which offers a variety of programs for inmate mothers and their children. The Children's Center, which is operated by an independent contractor, provides a play room for children in the prison visiting room, a summer camp program where children can enjoy extended visits with their mothers, classes on parenting skills, and mother-child literacy training.<sup>5</sup>

**Academic Education.** Most men and women under custody do not have a high school degree upon commitment (refer to *Table 2*). However, a larger percentage of women (48%) than men (30%) had completed 12th grade or higher at the time of their commitment. Despite the fact that 48% of females had completed 12th grade or higher at commitment, 26% were participating in educational programs as compared to 27% of males, even though only 30% of males had completed 12th grade or higher at commitment.

Both men and women had lower average math scores than reading scores. Although women's math test scores were equal to the men's, the average reading scores for offenders upon commitment were slightly higher for women than for men. The average reading level in 2006 was 7.3 for men and 7.9 for women. The average math score in 2006 was 6.3 for both men and women. These grade levels were about the same in 2005 for both men and women.



<sup>4</sup> Refer to "Profile and Three Year Follow-Up of Bedford Hills and Taconic Nursery Program Participants: 1997 and 1998", prepared by E. Michele Staley of the DOCS Research Unit, 2002.

<sup>5</sup> For more information on the Children's Center, refer to the "Bedford Hills Correctional Facility Children's Center Fact Sheet," published by Bedford Hills, 2003.

Table 2 also presents statistics on participation in academic educational programs while in prison. A mid-December 2006 snapshot of the under custody population indicates that 26% of the women and 27% of the men under custody were participating in an academic program. (Percentages were similar for 2005.) In addition, 9% of the women and 15% of the men under custody had earned a degree while they were incarcerated. Of those who earned degrees, the large majority earned GED degrees.

**Vocational Education.** A slightly greater percentage of men than women participate in vocational programs while under custody (refer to Table 2). At the end of 2006, 18% of the men and 15% of the women were participating in a vocational program.

There are over 30 different vocational programs offered by DOCS, eight of which are available at female correctional facilities. Vocational programs offered at female correctional facilities include (in order of the greatest enrollment): General Business, Horticulture, Cosmetology, Custodial Maintenance, Computer Repair, Printing, Building Maintenance, and Electrical Work.<sup>6</sup>

Training in each vocational trade is broken down into tasks that are based on guidelines from the Department of Labor. When an inmate is able to accomplish a task independently and with some consistency, he or she is able to earn a "title" in that trade area. Different vocational areas vary in terms of the difficulty and number of titles offered.

Consistent with their proportion of the inmate population, in 2005, the vast majority (95%) of vocational titles were earned by men (refer to Table 2).

**Table 2. Academic and Vocational Educational Characteristics of Inmates Undercustody**

	2005 62,732				2006 63,304			
	Men	%	Women	%	Men	%	Women	%
<b>Education at Reception</b>								
6th Grade or Less	1,23	2%	68	2%	1,83	2%	70	2%
7th Grade	744	1%	131	2%	749	1%	55	2%
8th Grade	2,454	4%	68	5%	2,463	4%	147	5%
9th Grade	4,541	8%	259	9%	4,780	8%	266	9%
10th Grade	5,213	9%	374	13%	5,805	10%	404	14%
11th Grade	3,958	7%	333	12%	4,414	7%	346	12%
12th Grade	13,889	23%	1,014	36%	14,993	25%	1,024	36%
College/Technical Training	2,937	5%	321	11%	2,963	5%	356	12%
Missing	25,071	42%	234	8%	23,095	38%	191	7%
<b>Total</b>	<b>59,930</b>	<b>100%</b>	<b>2,802</b>	<b>100%</b>	<b>60,445</b>	<b>100%</b>	<b>2,859</b>	<b>100%</b>
<b>Educational Score at Reception</b>								
Reading Grade Level (Avg.)	7.3		7.8		7.3		7.9	
Math Grade Level (Avg.)	6.3		6.3		6.3		6.3	
<b>Degrees Earned in Prison*</b>								
GED	8,173		191		8,306		209	
1 year certificate	134		1		221		0	
Associates	484		32		462		30	
Bachelor's Degree	309		23		300		21	
Master's Degree	13		3		122		3	
PhD	1		0		1		0	
Other College Education	1		0		1		0	
<b>Total who earned a degree</b>	<b>9,235</b>	<b>15%</b>	<b>250</b>	<b>9%</b>	<b>9,413</b>	<b>15%</b>	<b>263</b>	<b>9%</b>
<b>Total Educational Participants*</b>	<b>16,981</b>	<b>28%</b>	<b>733</b>	<b>25%</b>	<b>16,802</b>	<b>27%</b>	<b>771</b>	<b>26%</b>
<i>(Total UC pop. Mid-December)</i>	<i>61,075</i>		<i>2,881</i>		<i>61,477</i>		<i>2,924</i>	
<b>Vocational Titles**</b>								
Total Inmates Earning Job Title	12,960		565		NA		NA	
Total Job Titles Earned	34,969		1,719		NA		NA	
<b>Participation in a Vocational or an Educational Program***</b>	<b>24,479</b>	<b>40%</b>	<b>1,054</b>	<b>37%</b>	<b>24,254</b>	<b>39%</b>	<b>1,063</b>	<b>36%</b>

\* Based on a mid-December snapshot of the Undercustody Population (including Willard).

Degrees reported were earned sometime during DOCS incarceration.

\*\* Based on vocational data for the entire year. 2006 data were not available at publication time.

\*\*\*The number of participants represents the total number of inmates who were participating in either vocational education or academic education. Some inmates were enrolled in both academic and vocational education programs simultaneously; however, they were counted only once.

<sup>6</sup> Refer to the "2005 Annual Report of the Academic and Vocational Education Program," issued by the DOCS Education Unit, 2006.

Thirty-six percent of the women and 39% of the men under custody were participating in either an academic and/or vocational program by the end of 2006. Inmates in educational programs and inmates in industry or vocational programs are given an hourly wage for participation. This wage varies considerably, depending on the type of job or program. The average wage ranges from about 10 to 30 cents per hour. Inmates employed in Industry programs are the highest paid in the Department. Industry programs are available at two of the female facilities (Bayview and Albion) and 14 of the male facilities<sup>7</sup>. As of August 2007, females represented about 4.5% of the inmates employed in Industries.

Inmates who are not enrolled in an academic or vocational education program have other work assignments in the facility, or participate in substance abuse counseling, other counseling programs and/or temporary release programs.

### Controlled Substance Use

At reception, all inmates are asked about their use of drugs during the six months prior to their arrest. Inmates are also scored on the Michigan Alcoholism Screening Test (MAST) and the Simple Screening Instrument (SSI) to determine the level of their alcohol use. MAST scores of 5 or above are interpreted as serious alcohol use, while SSI scores of 4 or higher are interpreted as abuse. In addition, data are used to identify inmates who have been assessed by counselors (through the Department's Guidance (KGNC) system) after reception as being in need of substance abuse treatment.

Each year, a somewhat larger percentage of women than men report that they have had problems with drugs or

**Table 3. Substance Use\* of Inmates Undercustody**

	2005 62,732		2006 63,304	
	Men %	Women %	Men %	Women %
<b>Substance Use</b>				
No Identified Substance	17,083 29%	513 18%	17,447 29%	469 16%
Drug Abuse only (self-report)	15,749 26%	580 21%	16,835 28%	641 22%
Alcohol Abuse only (MAST)	8,367 14%	535 19%	7,987 13%	508 18%
Drug & Alcohol Abuse	12,654 21%	1,014 36%	11,862 20%	1,057 37%
Drugs or Alcohol (SSI)	1,289 2%	50 2%	1,293 2%	54 2%
Guidance System (KGNC)	4,788 8%	110 4%	5,021 8%	130 5%
<b>Total</b>	<b>59,930 100%</b>	<b>2,802 100%</b>	<b>60,445 100%</b>	<b>2,859 100%</b>

\*Note: This is a combination of self-reported drug/alcohol use and MAST supplemented by SSI and KGNC data. The data in this table are from Table 2 of the unit's annual "Identified Substance Abusers" report.<sup>8</sup>

alcohol (refer to Table 3). In 2006, 84% of the women and 71% of the men were identified as having problems with drugs and/or alcohol. In addition, a larger percentage of inmates reported problems with drug abuse or with drug and alcohol abuse than with alcohol use alone. In 2006, 61% of the women and 50% of the men reported problems with drug abuse or with drug and alcohol abuse. Eighteen percent of the women and 13% of the men reported problems with alcohol use alone (proportions were similar for 2005).<sup>9</sup>

### Classification

At reception, all inmates are assessed for determination of mental health and medical needs. Each of the 70 NYS correctional facilities is assigned a number or level which defines the services that are available at that facility. Basically, the classification of a facility with a lower mental health or medical need number indicates that the facility offers more mental

health or medical services than a facility assigned a higher number. For example, mental health Level 1 DOCS facilities have at least one full-time psychiatrist, support staff and several program components whereas Level 6 facilities have no mental health staff available on site; inmates at Level 6 facilities that need treatment services would be transferred to an appropriate facility.<sup>9</sup>

Similarly, inmates are classified according to their medical and mental health needs by levels that correspond to facility levels. So, an inmate classified as Level 1, for example, is an inmate who is in need of greater medical or mental health services, and who must be located at a facility classified as Level 1 to have access to needed services. Table 4 presents statistics on these classification levels.

Overall, women were more likely than men to be classified as needing mental health services. In 2006, 3% of men and women were classified as needing Level 1 services; 3% of men and 7% of women were classified as needing Level 2 services. It is

<sup>7</sup> The female Industry programs are metal fabrication & assembly and telephone answering for DMV. The male Industry programs are: auto body, asbestos abatement, product distribution, construction, data entry, drafting, foundry, furniture, garment, mattress, metals, modular program, optical program, plastic bag manufacturing, printing, sign shop, soap making, and telephone answering for DMV.

<sup>8</sup> For more information on substance use of the DOCS under custody population and comparisons between male and female inmates, refer to the report "Identified Substance Abusers: December 2006," prepared by Lorraine Hogan, of the DOCS Research Unit, 2007.

<sup>9</sup> For more information on definitions of mental health levels, refer to the "Outpatient Services Manual," published by the Central New York Psychiatric Center, 1995. For information on medical classification levels, refer to DOCS Health Services Policy Number 1.26.

the Level 3 services where the percentage of women in need is much higher than the percentage of men: 29% of women compared to 7% of men.

There were some differences between men and women in terms of medical level classification. In 2006, a higher percentage of men (22%) than women (11%) were classified as Level 2. (Level 2 facilities have a physician on-site or on-call 24 hours a day.) These statistics indicate that men have medical needs which require confinement at facilities with greater medical services than women. These proportions were similar in 2005 (24% of men versus 10% of women were classified as Level 2).

### Security Level and Location

Table 5 presents statistics on facility security level for inmates under custody. Security level is determined by a number of characteristics of a facility, including (but not limited to) penetrability of the perimeter, the degree of internal control of inmate movement (i.e., the ability of the physical structure to isolate and control inmate movement), the type of housing (i.e., individual cells with automatic locking systems versus dormitory housing), and operational configuration (i.e., the ability of a facility to monitor and control inmate movement and interaction).

DOCS has a total of 70 correctional facilities. Seventeen facilities are classified as maximum security, 37 are medium and 16 are minimum security. The majority of the men and women under custody are located at medium security facilities. In 2006, 56% of the men and women under custody were housed in medium security level facilities. A higher percentage of women than men are located at minimum security facilities: in 2006, 16% of the women compared with only 7% of the men were located at minimum security facilities (including minimum security shock facilities).

**Table 4. Classification Statistics**

	2005 62,732				2006 63,304			
	Men	%	Women	%	Men	%	Women	%
<b>Current Mental Health Level</b>								
Level 1	1,443	2%	82	3%	1,549	3%	87	3%
Level 2	1,828	3%	148	5%	2,021	3%	213	7%
Level 3	4,200	7%	749	27%	4,135	7%	825	29%
Level 4	2,348	4%	175	6%	2,582	4%	183	6%
Level 6	24,125	40%	704	25%	25,316	42%	704	25%
Level 7	25,728	43%	913	33%	24,581	41%	834	29%
Missing	258	0%	31	1%	261	0%	13	0%
<b>Total</b>	<b>59,930</b>	<b>100%</b>	<b>2,802</b>	<b>100%</b>	<b>60,445</b>	<b>100%</b>	<b>2,859</b>	<b>100%</b>
<b>Current Medical Level</b>								
Level 1	1,821	3%	48	2%	1,661	3%	49	2%
Level 2	14,184	24%	277	10%	13,029	22%	320	11%
Level 3	43,457	73%	2,420	86%	45,312	75%	2,457	86%
Missing	468	1%	57	2%	443	1%	33	1%
<b>Total</b>	<b>59,930</b>	<b>100%</b>	<b>2,802</b>	<b>100%</b>	<b>60,445</b>	<b>100%</b>	<b>2,859</b>	<b>100%</b>

**Table 5. Security Level and Female Correctional Facilities**

Current Facility Security Level	2005				2006			
	Men	%	Women	%	Men	%	Women	%
Maximum	22,878	38%	808	29%	22,884	38%	812	28%
Medium	33,290	56%	1,563	56%	33,576	56%	1,598	56%
Minimum	2,201	4%	340	12%	2,290	4%	368	13%
Shock	976	2%	91	3%	994	2%	81	3%
Minimum Camps	585	1%	0	0%	701	1%	0	0%
<b>Total</b>	<b>59,930</b>	<b>100%</b>	<b>2,802</b>	<b>100%</b>	<b>60,445</b>	<b>100%</b>	<b>2,859</b>	<b>100%</b>
<b>Female Facilities *</b>								
Maximum Security			808	29%			812	28%
Bedford Hills			666	24%			672	24%
Reception, Bedford			109	4%			103	4%
ICP, Bedford			19	1%			19	1%
RMU, Bedford			14	0%			18	1%
Medium Security			1,563	56%			1,598	56%
Albion			1,111	40%			1,106	39%
Bayview			147	5%			160	6%
Taconic			177	6%			177	6%
ASACTC, Taconic			128	5%			155	5%
Minimum Security			431	15%			449	16%
Albion Work Release			39	1%			55	2%
Bayview Work Release			68	2%			57	2%
Beacon			228	8%			253	9%
Lakeview (Shock)			91	3%			81	3%
Lakeview (Other)			5	0%			3	0%
<b>Total</b>			<b>2,802</b>	<b>100%</b>			<b>2,859</b>	<b>100%</b>

\* ICP = Intermediate Care Program; RMU = Regional Medical Unit; ASACTC=Alcohol and Substance Abuse Correctional Treatment Center.

Table 5 also presents a breakdown of the female correctional facilities. There are six female facilities at DOCS: one maximum security level facility, three medium security level facilities, and two minimum security level facilities. Bedford Hills Correctional Facility, the state's only maximum security facility for women, is also the reception center for women. Bedford houses 28% of the total female population and is located north of New York City. Across the street from Bedford is Taconic Correctional Facility. Taconic houses 11% of the under custody female population.

Albion, the Department's largest female correctional facility, is located near Rochester and houses 41% of the total under custody female population. Bayview (located in New York City) and Beacon (located north of Bedford) account for 17% of the female population. Finally, the Lakeview Shock facility, the state's only co-ed prison is located in the far western part of New York and accounts for 3% of the female population.

### Crime Information

**Commitment Crime.** Most women under custody have traditionally been committed for drug offenses while most men are committed for violent felony offenses (refer to Table 6). However, the proportion of both men and women committed for violent offenses has increased steadily for the past several years.<sup>10</sup> For example, in both 2005 and 2006, 21% of male and female VFOs under DOCS' custody were committed for murder. As a result of the increase in violent offenders, the proportion of women convicted of drug offenses has decreased, while the proportion convicted of violent offenses has increased. By the end of 2006, the largest proportion of female offenders was convicted of violent felony offenses (38%) followed by drug offenses (33%). Meanwhile, 58% of the men compared with 38% of the women were committed for a violent felony offense.

Women were still more likely than men to be convicted of drug offenses.

At the end of 2006, 33% of the women under custody were committed for a drug offense compared with 21% of the men. In addition, most of the women and men who were convicted of a drug offense were convicted for drug sales rather than drug possession. Since drug offenses are so prevalent among women offenders, additional analysis was completed on the relationship between ethnicity and crime, and between drug offense and drug type for female offenders.

Figure 2 illustrates the relationship between the four most frequent types of commitment crimes (i.e., Violent Felony Offenses, Other Coercive Offenses, Drug Offenses, and Property Offenses) and ethnicity for female offenders under custody at the end of 2006. Substantially higher proportions of African-American and Hispanic female offenders were committed for drug offenses than White female offenders; 36% of the African-American female offenders and 45% of the Hispanic female offenders were committed for a drug offense compared with only 20% of the White female offenders. African-American female offenders were more likely to be committed for a violent felony than Hispanic and White female offenders; 41% of African-American female offenders were committed for a violent felony offense compared with only 36% of the Hispanic offenders and 33% of the White offenders. African-American female offenders were more likely to be committed for a violent felony than Hispanic and White female offenders; 41% of African-American female offenders were committed for a violent felony offense compared with only 36% of the Hispanic offenders and 33% of the White offenders.

Figure 3 illustrates the type of drug involved in the drug offense for female offenders in 2006. The three most frequently reported drugs are presented: heroin, crack cocaine, and powder cocaine. Crack (52%) followed by cocaine (30%) were the two most frequently listed drugs involved in an offense of drug possession. Meanwhile, crack was by far the most frequently listed drug (60%) followed by Cocaine (17%) for those convicted of a drug sale offense.



Figure 2: Crime by Ethnicity: Female Offenders Under Custody, 2006

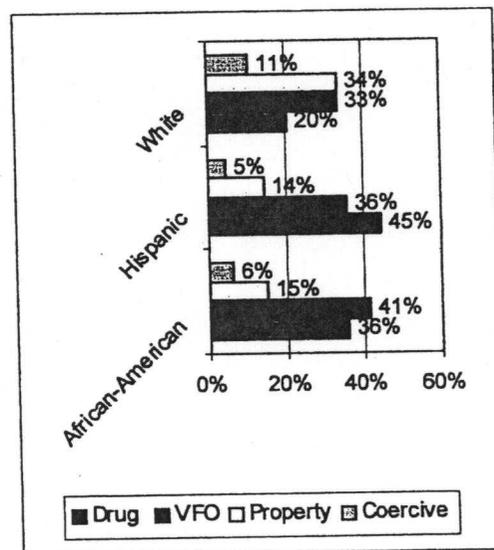
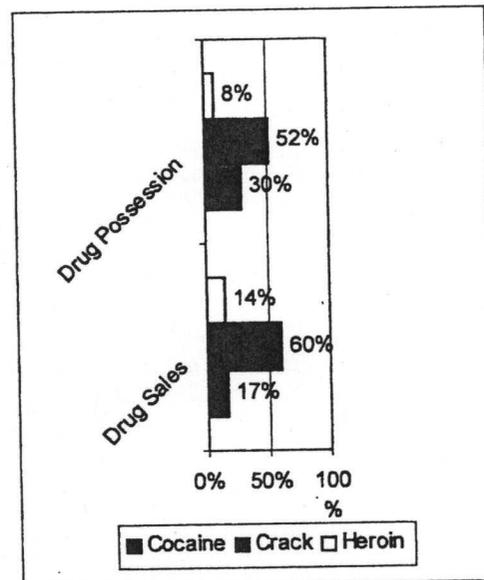


Figure 3: Drug Offense By Crime Type: Female Offenders Under Custody, 2006



<sup>10</sup> Refer to "Female Offenders: 1997-1998", "Female Offenders: 1999-2000", "Female Offenders: 2001-2002", and "Female Offenders: 2003-2004", prepared by Michele Staley of the DOCS Research Unit.

**Table 6. Most Serious Commitment Crime of Inmates Undercustody**

Most Serious Commitment Crime	2005				2006			
	Men	%	Women	%	Men	%	Women	%
<b>Violent Felony Offense</b>	<b>34,992</b>	<b>58%</b>	<b>1,067</b>	<b>38%</b>	<b>35,239</b>	<b>58%</b>	<b>1,073</b>	<b>38%</b>
Murder	7,461	21%	223	21%	7,499	21%	222	21%
Att. Murder	1,639	5%	25	2%	1,551	4%	26	2%
Manslaughter	2,399	7%	169	16%	2,335	7%	171	16%
Rape 1st	1,858	5%	6	1%	1,856	5%	7	1%
Robbery 1st	6,017	17%	129	12%	5,858	17%	120	11%
Robbery 2nd	3,390	10%	129	12%	3,395	10%	117	11%
Assault 1st	1,858	5%	112	10%	1,872	5%	122	11%
Assault 2nd	1,394	4%	85	8%	1,455	4%	99	9%
Burglary 1st	951	3%	15	1%	964	3%	22	2%
Burglary 2nd	3,000	9%	95	9%	3,139	9%	86	8%
Arson 1st, 2nd	182	1%	26	2%	185	1%	27	3%
Sodomy 1st	1,166	3%	7	1%	1,156	3%	8	1%
Sexual Abuse 1st	1,121	3%	8	1%	1,186	3%	11	1%
Weapons Offenses	2,114	6%	20	2%	2,347	7%	19	2%
Kidnapping 1 & 2	408	1%	17	2%	405	1%	15	1%
Other Violent	34	0%	1	0%	36	0%	1	0%
<b>Other Coercive</b>	<b>4,468</b>	<b>7%</b>	<b>218</b>	<b>8%</b>	<b>4,602</b>	<b>8%</b>	<b>209</b>	<b>7%</b>
Manslaughter 2nd	347	8%	45	21%	360	8%	41	20%
Other Homicide	101	2%	11	5%	102	2%	14	7%
Robbery 3rd	1,252	28%	60	28%	1,302	28%	58	28%
Att. Assault 2nd	422	9%	33	15%	426	9%	27	13%
Conspiracy 2,3,4	265	6%	15	7%	269	6%	15	7%
Other Weapons	535	12%	5	2%	551	12%	9	4%
Other Sex Offense	1,033	23%	17	8%	1,109	24%	13	6%
Other Coercive	513	11%	32	15%	483	10%	32	15%
<b>Drug Offenses</b>	<b>13,284</b>	<b>22%</b>	<b>965</b>	<b>34%</b>	<b>12,985</b>	<b>21%</b>	<b>943</b>	<b>33%</b>
Drug Sales	8,110	61%	689	71%	7,835	60%	686	73%
Drug Possession	5,174	39%	276	29%	5,150	40%	257	27%
<b>Property &amp; Other</b>	<b>6,154</b>	<b>10%</b>	<b>519</b>	<b>19%</b>	<b>6,406</b>	<b>11%</b>	<b>594</b>	<b>21%</b>
Burglary 3rd	1,908	31%	50	10%	1,967	31%	73	12%
Grand Larceny	1,183	19%	175	34%	1,233	19%	197	33%
Forgery	528	9%	124	24%	572	9%	146	25%
Stolen Property	566	9%	31	6%	554	9%	36	6%
Drive Intoxicated	893	15%	64	12%	956	15%	59	10%
Contempt 1st	324	5%	4	1%	318	5%	2	0%
Other Felonies	752	12%	71	14%	806	13%	81	14%
<b>Youthful/Juv. Offenders</b>	<b>1,004</b>	<b>2%</b>	<b>33</b>	<b>1%</b>	<b>1,124</b>	<b>2%</b>	<b>40</b>	<b>1%</b>
<b>Missing</b>	<b>28</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>89</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
<b>Total</b>	<b>59,930</b>	<b>100%</b>	<b>2,802</b>	<b>100%</b>	<b>60,445</b>	<b>100%</b>	<b>2,859</b>	<b>100%</b>

**Prior Adult Criminal Record.** Women under custody are less likely to have a prior adult criminal record (as measured by arrest, conviction, jail or prison time) than men (refer to Table 7). In 2006, 14% of the men under custody had no prior record upon commitment compared with 24% of women. In addition, 21% of women had served a prior prison term compared to 36% of men. These proportions were similar for the 2005 data.

**Multiple Offenses.** Differences between male and female inmates also exist in the number of and types of their commitment crimes (refer to Table 7). Although the majority of the prison population is committed for a single offense, men are more likely to be committed for multiple offenses than women. In 2006, 40% of the men were committed for more than one felony offense compared with 26% of women.

Men and women who are committed for multiple offenses are also more likely to be committed for multiple violent offenses (refer to Table 7).

**Aggregate Minimum Sentence.** Women under custody tend to have shorter aggregate minimum sentences than men (refer to Table 8). In 2006, the average aggregate minimum sentence for women under custody was 65 months, while the average aggregate minimum sentence for men was 108 months. Differences in average, aggregate minimum sentence vary by crime. However, even when controlling for an offender's most serious commitment crime, women continue to demonstrate lower aggregate minimum sentences than men (refer to Table 8). For example, in 2006, the average aggregate minimum sentence for women who were committed for violent felony offenses was 122 months. The average minimum sentence for men who were committed for a violent felony offense was 157 months.

**Felony Status.** Men under custody are more likely than women to be sentenced as second or persistent felony offenders for their most serious commitment crimes (refer to Table 7). In 2006, 39% of women and 48% of men were sentenced as second or persistent felony offenders. These figures are slightly lower than those in 2005.

increased between 2005 and 2006. The proportion of women with a determinate sentence increased from 31% to 41%, while the proportion of men increased from 34% to 41%. Beginning on January 1, 2005, drug offenses became eligible for determinate sentences. As a result, the gap in determinate sentences between men and women that existed previously was closed (see Table 7).

**Sentence Type.** In 2006, 41% of men and women under custody received a determinate sentence. The proportion of men and women with a determinate sentence

**Table 7. Additional Information on Crime Data**

	2005				2006			
	Men	%	Women	%	Men	%	Women	%
<b>Total Undercustody</b>	59,930	95%	2,802	5%	60,445	95%	2,859	5%
<b>Felony Status</b>								
<b>First Felony*</b>	30,550	51%	1,635	58%	31,267	52%	1,749	61%
<b>2nd/ Persist. Felony</b>	29,380	49%	1,167	42%	29,178	48%	1,110	39%
<b>Sentence Type</b>								
<b>Indeterminate</b>	39,265	66%	1,921	69%	35,330	58%	1,698	59%
<b>Determinate</b>	20,623	34%	881	31%	25,015	41%	1,161	41%
<b>Prior Adult Criminal Record</b>								
<b>No Prior Record</b>	8,462	15%	710	25%	8,478	14%	686	24%
<b>No Prior Conviction</b>	480	1%	178	6%	4,499	7%	269	9%
<b>Conviction, No Jail</b>	11,378	20%	642	23%	11,314	19%	628	22%
<b>Prior Jail Time</b>	14,195	25%	671	24%	14,653	24%	668	23%
<b>Prior Prison Term</b>	21,399	38%	601	21%	21,466	36%	608	21%
<b>Missing</b>	16	0%	0	0%	35	0%	0	0%
<b>Number of Crimes</b>								
<b>One</b>	35,881	60%	2,069	74%	36,404	60%	2,123	74%
<b>Two</b>	13,373	22%	493	18%	13,362	22%	513	18%
<b>Three or more</b>	10,676	18%	240	9%	10,590	18%	223	8%
<b>Number of Offenders with Multiple Crimes</b>	24,049	40%	733	26%	23,952	40%	736	26%
<b>Type of Multiple Crimes</b>								
<b>2 or more VFO's</b>	13,235	22%	223	8%	13,171	22%	222	8%
<b>2 or more Coercive</b>	720	1%	25	1%	725	1%	25	1%
<b>2 or more Drugs</b>	2,667	4%	157	6%	2,540	4%	161	6%
<b>2 or more Property</b>	1,841	3%	160	6%	1,830	3%	155	5%

There are a number of other factors that could be contributing to the differences between men and women's average, aggregate minimum sentences. As demonstrated earlier, men are more likely than women to be committed for multiple offenses and multiple violent felony offenses. Men are also more likely to have a prior criminal record upon commitment than women. In general, the penal law requires more severe sentences for predicate felony offenders. These factors, and others not included in this analysis, can influence a judge's sentencing decision.

**Aggregate Maximum Sentence.** Women are more likely to have lower, aggregate maximum sentences than men even when the type of crime is taken into account (refer to *Table 9*). In 2006, women had an average maximum sentence of 98 months while the average for men was 144 months (refer to *Table 9*).

Men are more likely than women to have aggregate maximum sentences of Life or Life Without Parole (LWOP). In 2006, 18% of the men had Life sentences compared with 9% of the women (refer to *Table 9A*).

Of those inmates who received sentences of Life or Life Without Parole in 2006, most (69%) were committed for murder or attempted murder (data not presented in *Table 9A*). Six percent of the lifers had a drug offense listed as their most serious commitment crime; 5% were committed for Robbery in the first or second degree. Most of the remaining inmates sentenced to Life maximum sentences were sentenced as persistent offenders.

**Table 8. Average Minimum Sentence by Commitment Crime**

Average Sentence (in months)	2005+		2006+	
	Men	Women	Men	Women
<b>Most Serious Commitment Crime</b>				
<b>Violent Felony Offense</b>	155	122	157	122
<b>Other Coercive Offense</b>	38	30	38	29
<b>Drug Offense</b>	50	37	47	34
<b>Property</b>	29	25	28	24
<b>Youthful Offender</b>	15	14	15	15
<b>Juvenile Offender</b>	83	*	84	*
<b>Total Average Minimum</b>	108	66	108	65

\* Less than 10 cases. +Life Without Parole and Death Penalty cases assumed to be 540 months, or 45 years.

**Table 8A. Aggregate Minimum Sentence**

Aggregate Minimum (grouped)	2005				2006			
	Men	%	Women	%	Men	%	Women	%
<b>less than 12 months</b>	231	0%	34	0%	293	0%	49	2%
<b>12-17 months</b>	3,576	6%	321	12%	4,006	7%	382	13%
<b>18-23 months</b>	4,024	7%	279	10%	4,609	8%	332	12%
<b>24-35 months</b>	8,026	13%	564	20%	8,069	13%	549	19%
<b>36-47 months</b>	6,900	12%	421	15%	6,874	11%	409	14%
<b>48-71 months</b>	8,625	14%	457	17%	8,302	14%	422	15%
<b>72-119 months</b>	10,894	18%	326	12%	10,254	17%	307	11%
<b>120-179 months</b>	5,552	9%	118	4%	5,662	9%	127	4%
<b>180-239 months</b>	3,844	6%	110	4%	3,941	7%	110	4%
<b>240+ months</b>	8,037	13%	167	6%	8,179	14%	167	6%
<b>Life, No Parole*</b>	157	0%	4	0%	165	0%	5	0%
<b>Death Penalty</b>	1	0%	0	0%	1	0%	0	0%
<b>Missing</b>	63	0%	1	0%	90	0%	0	0%
<b>Total</b>	59,930	100%	2,802	100%	60,445	100%	2,859	100%

\* This total includes one female inmate from out-of-state in Department custody.

### Other Characteristics of Incarcerated Women

There are additional aspects of the incarceration experience of women under custody that have been covered in other published Departmental reports. Since the information in these reports contributes to the overall profile of women under custody, their findings will be briefly summarized.

**Table 9. Average Maximum Sentence by Commitment Crime**

Sentence (in months)	2005		2006	
	Men	Women	Men	Women
<i>by Most Serious Crime</i>				
Violent Felony Offense	81	158	89	156
Other Coercive Offense	82	77	81	76
Drug Offense	107	84	87	64
Property	62	60	61	59
Youthful Offender	43	41	43	39
Juvenile Offender	248	*	253	*
<b>Total Average Maximum **</b>	<b>149</b>	<b>107</b>	<b>144</b>	<b>98</b>

\* Less than 10 cases in a cell.

\*\* For computational purposes, an aggregate maximum sentence of life is coded as 300 months (25 years), while a Life Without Parole sentence is coded as 540 months (45 years).

**Table 9A. Aggregate Maximum Sentence**

Sentence (in months)	2005				2006			
	Men	%	Women	%	Men	%	Women	%
<b>Aggregate Maximum (grouped)</b>								
12-35 months	2,235	4%	209	7%	3,736	6%	338	12%
36 months	5,957	10%	437	16%	6,371	11%	466	16%
37-53 months	6,903	12%	416	15%	7,339	12%	458	16%
54-71 months	5,022	8%	238	8%	5,004	8%	242	8%
72-95 months	8,100	14%	465	17%	7,703	13%	426	15%
96-107 months	2,074	3%	76	3%	1,957	3%	67	2%
108-143 months	5,765	10%	328	12%	5,401	9%	284	10%
144-179 months	2,855	5%	78	3%	2,708	4%	83	3%
180+ months	9,094	15%	241	9%	8,865	15%	228	8%
Life Max	11,739	20%	310	11%	11,106	18%	262	9%
Life Without Parole	157	0%	4	0%	165	0%	5	0%
Death Penalty	1	0%	0	0%	1	0%	0	0%
Missing	28	0%	0	0%	89	0%	0	0%
<b>Total</b>	<b>59,930</b>	<b>100%</b>	<b>2,802</b>	<b>100%</b>	<b>60,445</b>	<b>100%</b>	<b>2,859</b>	<b>100%</b>

**Recidivism.** For many years, women released from DOCS' custody have had lower recidivism rates than men (recidivism is measured as a return to the Department's custody.) In the most recently issued DOCS follow-up study of inmates released from the Department in 2002, the three-year recidivism rate for women was 27% compared with a 40% return rate for men.<sup>11</sup>

**Other Studies of DOCS Programs.** One recent study of the DOCS' *Comprehensive Alcohol and Substance Abuse Treatment (CASAT)* program found that women do slightly better than men in various aspects of the program. There are three components to CASAT. *Phase I* is a residential, therapeutic treatment program annexed to a particular facility that focuses on drug education and counseling. After 6 months, graduates of *Phase I* can transition into *Phase II* (the community integration phase). At this phase, inmates are transferred into a work release facility and are allowed to engage in

a work program as well as a counseling program. *Phase III* or the aftercare phase, occurs when inmates are released to the custody of parole.

Recent analysis of the CASAT program found that CASAT women participants do better than men in *Phase II* (community integration) of the program. In particular, women are more likely than men to successfully complete *Phase II* and be released to parole. In addition, women offenders who successfully complete the CASAT program return to prison at a much lower rate than women who did not successfully participate in the program or than all other male offenders (participants and non-participants). For example, the 24 month return rate for women who successfully completed the program was 12%, compared to a 26% return rate for women who failed *Phase II* of CASAT, and a 17% return rate for males who successfully completed *Phase II*.<sup>12</sup>

Another program that has received a great deal of attention is the Shock Incarceration Program. Shock is a "rigorous multi-treatment program emphasizing discipline, academic education, substance abuse treatment and education, with group and individual counseling, all within a military structure." In New York State, Shock is a two phase program, emphasizing institutional treatment and intensive parole supervision.<sup>13</sup>

A recent study of the NYS Shock program found that a smaller proportion of eligible female offenders than male offenders are sent to or approved for Shock. This is primarily due to the fact that women are much more likely than men to be disqualified due to medical or mental health reasons. However, women participants demonstrate lower recidivism rates than men. The lower return-to-custody rate for women may be due to the fact that female Shock participants tend to be older on average, than male participants. Older offenders tend to have lower recidivism rates than younger offenders.

<sup>11</sup> Refer to "2002 Releases: Three Year Post-Release Follow-Up Study," issued by the DOCS Research Unit, prepared by Leslie Kellam, 2006.

<sup>12</sup> Refer to "The Comprehensive Alcohol and Substance Abuse Treatment Program" report, issued by the DOCS Research Unit, prepared by Elaine Humphrey, 2006.

<sup>13</sup> Refer to "The Nineteenth Annual Shock Legislative Report, 2007", prepared by Leslie Kellam, 2007. Quote from page p. ii.

**Escapes.** DOCS has very few escape incidents each year. Between 1995 and 2006, two of the 67 escapes involved a female inmate.<sup>14</sup> In the past 17 years, there have been four escapes from female correctional facilities out of 146 total escapes.

**Temporary Release Participants.** A number of women are able to participate in long-term and short-term temporary release programs each year. These programs are designed as methods of helping an inmate, soon to be released, reintegrate into the community setting. Temporary release programs can include furloughs, work release or day reporting.

A higher proportion of female offenders than male offenders is assigned to temporary release programs each year. For example, on January 1, 2007, 4% of the total under custody female population was assigned to a work release facility compared to 1% of the men under custody. The greater proportion of female offenders participating in work release may be due to the fact that male offenders are more likely than female offenders to be committed for a violent felony offense or have an abscondence in their history, two factors which preclude inmates from being eligible for temporary release programs.<sup>15</sup>

Other studies of temporary release programs have found that women consistently demonstrate lower abscondence rates than men.<sup>16</sup>

## Admissions

**Admission Type.** Admissions to DOCS can be grouped into two basic categories: (1) *new court commitments*, and (2) *returned technical violators*. *New court commitments* are inmates admitted to the Department who have sentences for felony convictions that they are beginning to serve. *Returned technical violators*, on the other hand, are inmates, previously granted release to parole supervision, who have been returned to the Department due to technical violations of their parole. Technical violators are returned to DOCS to serve time owed on their sentences for their current offenses.

The majority of inmates admitted to the DOCS each year are new court commitments (refer to *Table 10*). In 2006, 69% of the total female admissions were new court commitments compared to 62% of males. In 2005, 69% of females were new commitments compared to 65% of male offenders. The information presented on socio-demographics and crime information for admissions (refer to *Tables 11 & 12*) will be limited to new court commitments, consistent with the Department's series on inmates admitted to DOCS.<sup>17</sup>

**Socio-demographics.** Socio-demographic characteristics are similar to the under custody data (refer to *Table 11*). Only 7% of the new court commitments in 2006 were female. Women were, on average, 3 years older at the time of commitment than men. The majority of the commitments for both men and women were from a minority ethnic group and most had not graduated from high school. In 2006, about one-half of women offenders were committed from New York City or Suburban NYC and one-half were from committed from Upstate counties;

among men, 60% were from the New York City area.

**Crime Characteristics.** One basic difference between the new court commitment data and the under custody data, in terms of crime characteristics, is that the largest proportion of both the men and women were committed for a drug offense. However, the proportion of female drug commitments was greater than the proportion of male drug commitments, although this gender gap decreased slightly between 2005 and 2006 (refer to *Table 12*).

**Table 10. Admission Type by Gender**

Admission Type	Men	%	Women	%
<b>2005</b>				
New Commitment	15,156	65%	1,207	69%
Return Tech. Viol.	7,590	32%	490	28%
Other	679	3%	54	3%
<b>Total (N=25,176)</b>	<b>23,425</b>	<b>93%</b>	<b>1,751</b>	<b>7%</b>
<b>2006</b>				
New Commitment	15,608	62%	1,259	69%
Return Tech. Viol.	8,878	35%	535	29%
Other	633	3%	31	2%
<b>Total (N = 26,944)</b>	<b>25,119</b>	<b>93%</b>	<b>1,825</b>	<b>7%</b>

In addition (and similar to inmates under custody), a larger proportion of men than women were committed for a violent felony offense. In both 2005 and 2006, males were more likely than females to be sentenced as second felony offenders (46% versus 34%, respectively, in 2006). Women committed to DOCS were still less likely to have a prior record than men. This pattern held true for both 2005 and 2006.

<sup>14</sup> Refer to "Inmate Escape Incidents: 2002-2006," issued by the DOCS Research Unit, prepared by James Lyons, 2007.

<sup>15</sup> Refer to Article 26, Section 851 of the New York State Correction Law for more information on eligibility requirements for temporary release.

<sup>16</sup> "Comparison of Temporary Release Absconders and Non-Absconders: 1993-1994," DOCS Research Unit, prepared by Deborah J. Chard-Wierschem, 1995.

<sup>17</sup> For statistics and more detail on admissions to Department, refer to the DOCS report, "Statistical Overview: Year 2006 Court Commitments," prepared by Michael T. Hayes (2007).

In October 1995, the legislature established a determinate sentencing structure in New York State for specified second violent felony offenders. In September 1998, the legislature extended the determinate sentencing structure to first violent felony offenders. In January 2005, determinate sentencing was extended to drug offenses. Determinate sentences are fixed terms of imprisonment for which, with the exception of medical parole, the Board of Parole does not determine release.<sup>18</sup> Cases affected by determinate sentencing legislation are presented in *Table 12*. In 2006, 57% of the male commitments received determinate sentences compared with 50% of the female new court commitments. However, determinate sentences increased by 16% between 2005 and 2006 for both male and female new court commitments.

**Table 11. Socio-Demographic Characteristics of New Commitments**

	2005 (N=16,363)				2006 (N=16,867)			
	Men	%	Women	%	Men	%	Women	%
<b>Total Admissions</b>	15,156	93%	1,207	7%	15,608	93%	1,259	7%
<b>Region</b>								
New York City	7,295	48%	480	40%	7,485	48%	514	41%
Suburban NYC	1,810	12%	137	7%	1,936	12%	130	10%
Upstate Urban	3,095	20%	264	22%	3,284	21%	269	21%
Upstate Other	2,955	19%	326	27%	2,933	19%	346	27%
Missing	1	0%	0	0%	0	0%	0	0%
<b>Age (Average)</b>	32		35		32		35	
<b>Race/Ethnicity</b>								
Black	7,395	49%	537	44%	7,622	49%	516	41%
Hispanic	4,091	27%	234	19%	4,176	27%	295	23%
White	3,444	23%	427	35%	3,588	23%	413	33%
Other	193	1%	2	0%	152	1%	35	3%
Missing	33	0%	7	1%	70	0%	0	0%
<b>Education</b>								
<= 6th Grade	210	1%	35	3%	358	2%	34	3%
7th Grade	82	1%	26	2%	189	1%	20	2%
8th Grade	390	3%	65	5%	665	4%	75	6%
9th Grade	939	6%	130	11%	1,541	10%	110	9%
10th Grade	1,258	8%	168	14%	2,063	13%	190	15%
11th Grade	1,143	8%	127	11%	1,759	11%	159	13%
12th Grade	2,479	16%	491	41%	4,382	28%	435	35%
College or Technical Training	397	3%	146	12%	725	5%	178	14%
Missing	8,258	54%	19	2%	3,926	25%	58	5%

**Table 12. New Court Commitments Crime Data**

	2005				2006			
	Men	%	Women	%	Men	%	Women	%
<b>Commitment Offense</b>								
Violent Felony	4,561	30%	200	17%	4,676	30%	202	16%
Other Coercive	1,624	11%	99	8%	1,655	11%	86	7%
Drug Offenses	5,306	35%	533	44%	5,516	35%	544	43%
Property	3,093	20%	355	29%	3,133	20%	394	31%
Youthful Offender	555	4%	18	1%	605	4%	33	3%
Juvenile Offender	16	0%	2	0%	23	0%	0	0%
<b>Felony Status</b>								
First Felony	7,905	52%	719	60%	8,373	54%	837	66%
Second/Persistent Felon	7,251	48%	488	40%	7,235	46%	422	34%
<b>Sentence Type</b>								
Indeterminate	8,922	59%	801	66%	6,696	43%	635	50%
Determinate	6,233	41%	406	34%	8,912	57%	624	50%
<b>Prior Record</b>								
No Prior Record	1,917	13%	262	23%	1,980	13%	224	18%
No Prior Conviction	989	7%	70	6%	1,174	8%	166	13%
Conviction, No Jail Time	3,072	20%	313	27%	3,147	20%	304	24%
Prior Jail Time	4,490	30%	321	28%	4,630	30%	316	25%
Prior Prison Term	4,688	31%	196	17%	4,677	30%	249	20%
<b>Total</b>	15,156	100%	1,207	100%	15,608	100%	1,259	100%

<sup>18</sup> Refer to "New York Sentence Charts" published by West Publishing Company, compiled by Irving Schwartz.

## Releases

**Release Type.** There were over 26,000 releases and discharges from the Department in 2006. Generally speaking, a release is defined as the sanctioned release of an inmate to the community as a result of being paroled or conditionally released. Discharge refers to the whole range of reasons by which an inmate may leave the Department's custody. Discharges include releases to the community due to maximum expiration of sentence, court ordered discharge, discharge of inmates to the custody of the Office of Mental Health, escape or abscondence. Tracking releases and discharges allows the Department a mechanism for monitoring the movement of inmates in and out of the prison system. Release and discharge types are presented in *Table 13*<sup>19</sup>.

Of all releases from the Department, the largest group was inmates released to parole supervision by action of the Board of Parole (50%), followed by inmates who were by law "conditionally released" (33%) because they have reached their conditional release date (i.e., a date that is calculated at either 2/3 of an inmate's aggregate maximum indeterminate sentence or 6/7 of an inmate's aggregate maximum determinate sentence).



**Table 13. Release Type by Gender**

Release or Discharge Type	2005 (N=26,144)				2006 (N=26,394)			
	Men	%	Women	%	Men	%	Women	%
<b>General Releases</b>								
Conditional Release	7,123	29%	311	18%	8,357	34%	428	24%
Parole	13,344	54%	1,205	68%	12,139	49%	1,088	61%
Subtotal (% of Total)	20,467	83%	1,516	86%	20,496	83%	1,516	86%
<b>Discharges</b>								
Maximum Expiration	2,973	12%	155	9%	3,173	13%	193	11%
Court Ordered Discharge	98	0%	6	0%	118	0%	8	0%
Discharge Mental Health	517	2%	28	2%	549	2%	35	2%
Absconder	102	0%	16	1%	78	0%	12	1%
AWOL (Arrested)	60	0%	5	0%	45	0%	3	0%
Escape	1	0%	1	0%	3	0%	0	0%
Death	167	1%	5	0%	129	1%	2	0%
Other Release/Discharge	24	0%	3	0%	32	0%	2	0%
Subtotal (% of Total)	3,942	16%	219	12%	4,127	17%	255	14%
<b>Total</b>	<b>24,409</b>	<b>100%</b>	<b>1,735</b>	<b>100%</b>	<b>24,623</b>	<b>100%</b>	<b>1,771</b>	<b>100%</b>

**Table 13** also indicates that women are more likely to be released by the Board of Parole than men. In 2006, 61% of the women released to the community were paroled compared with only 49% of the men. On the other hand, men were more likely (34%) than women (24%) to be released at their conditional release date.

In 2006, discharges accounted for 17% of all exits from DOCS. Similar proportions of discharges exist for men and women, although men were more likely than women to be discharged at the maximum expiration of their sentences (13% vs. 11%,

respectively). **Time Served.** *Table 14* presents statistics on average time served (including prior jail time) for inmates who are *first releases* by crime. *First releases* are inmates who were released to the community for the first time under their current offense, as a result of release by the Board of Parole, conditional release, or maximum expiration of sentence. Computing time served for first releases is possible since these inmates have had no interruptions in serving their sentence.

**Table 14. Average Time Served by Crime and Gender (first releases)**

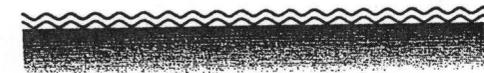
Average Time Served (in months)	2005 (N = 16,621)		2006 (N = 16,662)	
	Men	Wom.	Men	Wom.
<b>Time Served</b>	45	31	44	30
<b>Commitment Crime</b>				
Violent Felony	73	57	75	64
Other Coercive	37	29	37	32
Drug Offense	37	27	32	25
Property & Other	25	21	27	20
Youthful Offender	19	18	19	21
<b>Violent Crime</b>				
Class A-I	280	*	293	278
Class B	112	98	115	98
Class C	68	50	69	53
Class D	40	31	38	32
Class E	30	*	31	*
<b>Other Offenses</b>				
Class A-I	144	*	152	*
Class A-II	54	40	50	39
Class B	39	28	37	27
Class C	37	30	34	29
Class D	29	23	28	20
Class E	24	18	25	20
Youthful Offender	19	18	19	21

\*Less than ten cases

<sup>19</sup> For more information on releases, refer to DOCS' report, "Statistical Overview: Year 2006 Discharges" issued by the DOCS Research Unit, prepared by Michael T. Hayes, 2007.

In general, the average time women served in prison was several months less than the average time men served. On average, women who were first releases in 2006 served 30 months, while men released in 2006 served 44 months (refer to *Table 14*). These figures were slightly higher in 2005. In addition, women served less time with DOCS even when controlling for commitment crime. In 2006, women whose most serious commitment crime was a violent felony offense served 64 months, on average, while men served about 75 months, on average.

*Table 15* presents statistics on the average number of months men and women served at DOCS by aggregate minimum and aggregate maximum sentence. In nearly every category and for both years, women served less time than men, even when controlling for sentence.

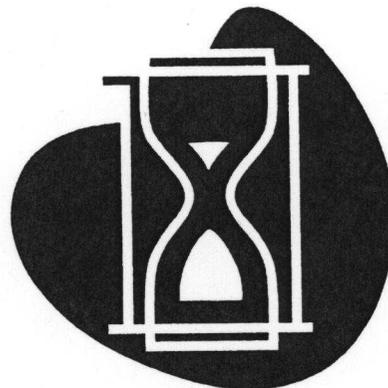


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*Note:* This report is the 7th in a series of reports on female offenders. The first two reports published by the DOCS Research Unit were prepared by Deborah Chard-Wierschem in 1995 and 1997. The subsequent reports were published by the DOCS Research Unit and prepared by E. Michele Staley in 1999, 2001, 2003, and 2005. For additional information on inmates under custody in earlier years, see "Men and Women Under custody: 1987-2001", DOCS Research Unit, prepared by E. Michele Staley in 2002.

**Table 15. Total Time Served by Aggregate Sentence  
(first releases only)**

Grouped Sentence	Average Time Served (in months)							
	2005				2006			
	Men (N)	Avg	Women (N)	Avg	Men (N)	Avg	Women (N)	Avg
<b>Aggregate Maximum</b>								
12-36 months	4,627	21	399	17	5,661	20	570	17
37-53 months	3,024	29	231	24	2,853	30	204	25
54-71 months	1,581	41	89	36	1,487	44	79	38
72-95 months	2,503	41	209	30	2,248	44	167	33
96-107 months	403	67	21	56	380	69	17	55
108-143 months	1,267	60	88	44	1,077	64	82	51
144-179 months	414	94	15	84	427	96	9	*
180+ months	887	140	26	126	758	153	23	122
Life Max	785	89	52	54	582	118	38	103
<b>Total</b>	15,491		1,130		15,473		1,189	
<b>Aggregate Minimum</b>								
less than 12 months	40	10	6	*	478	10	68	10
12-17 months	2,628	18	287	15	2,680	18	312	16
18-23 months	2,287	23	176	20	2,439	22	195	20
24-35 months	3,575	29	286	24	3,466	29	268	25
36-47 months	2,416	38	183	32	2,193	40	165	34
48-71 months	2,402	59	124	52	2,162	59	121	52
72-119 months	1,696	102	57	96	1,600	105	48	96
120-179 months	322	156	8	*	291	160	2	*
180-239 months	81	222	2	*	101	242	6	*
240+ months	44	299	1	*	63	313	4	*
<b>Total</b>	15,491		1,130		15,473		1,189	



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