

PRISON
POLICY INITIATIVE

2016-2017
ANNUAL REPORT

November 2017

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“PPI is one of the most imaginative research groups illuminating the dark recesses of our carceral landscape”

-Pete Brook
Prison Photography

Executive Director's letter

Dear Friends,

These are trying times for criminal justice reform. The White House is occupied by a “law and order” president whose angry rants and punitive policies start with the assumption that crime is at record heights. (The truth is that crime is still near historic lows.)

While the new administration is setting back our goals — for example, by abandoning the Federal Communications Commission’s efforts to regulate the prison and jail telephone industry — **the good news is that the federal government’s power over the system of mass incarceration is more ideological than practical.**

President Obama, in fact, made precisely that point in a law review article he published before leaving office in January. Citing our *Mass Incarceration: The Whole Pie* report, he argued, “State and local officials are responsible for most policing issues, and they are in charge of facilities that hold more than 90% of the prison population and the entire jail population.” While criminal justice reform is likely to be more challenging at the federal level during the Trump administration, Americans can take heart in the fact that the greater impact of state and local reforms are not subject to review by the Trump administration.

There is a lot of evidence that states are stepping up to fill some of the federal government’s void. For example, this year both California and Illinois passed legislation that protects traditional in-person visitation from the for-profit “video-visitation” industry (p. 12). And a growing number of states are taking our advice and proposing legislation to reject the federal War on Drugs incentive to automatically suspend the driver’s licenses of people convicted of drug offenses (p. 18).

Alongside these campaigns, we’ve been hard at work doing what we do best: creating exciting data visuals to make the moral case for ending mass incarceration. Some of the highlights include:

- Tracking the true cost of imprisonment – including who benefits and who pays (p. 5)
- Exposing why stop and frisk policing policies supported by President Trump are opposed by Black and Latino residents (p. 6)
- Exposing how probation fees prey on the poor (p. 7)

The non-profit, non-partisan Prison Policy Initiative **produces cutting edge research** to expose the **broader harm of mass incarceration**, and then **sparks advocacy campaigns** to create a more just society.

- Making the case that governors and state legislators need to take responsibility for jail policies and jail growth in their states (p. 8)

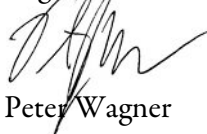
Our experience tells us that the true reach of our criminal justice system goes far beyond those behind bars, and reversing mass incarceration will mean having to think more expansively about the impact of over-criminalization. Beyond the incarcerated, there are at least 70 million Americans with criminal records, 600,000 people released from prisons each year, 11 million people who cycle through local jails annually, and almost 4 million people on probation. We'll need to keep the full scope of the system in mind as we develop reforms that restrain this overreach, rather than simply transferring people from one part of the system to another.

Finally, I'm proud to report that as an organization, we're growing stronger. Our Policy Analyst Lucius Couloute joined us in January, and our new Communications Strategist Wanda Bertram joined us a few weeks ago. And thanks to your generous support, we're poised to grow even further. We're currently hiring for a Policy Director to help us take on even more critical issues. (If you have any candidates in mind, please check out <https://www.prisonpolicy.org/jobs.html> and be in touch!)

All of this work — and all of these successes — are made possible by the generosity of our closest friends who read to the bottom of letters like these. I'm proud of what we've accomplished, and I hope you know how much my colleagues — and the larger movement that relies on our research and advocacy — thank you for making our work possible this past year.

I look forward to working alongside you over the next year to push the demand for national criminal justice reform forward and to build even stronger and more successful reform campaigns in your state.

In gratitude,



Peter Wagner
Executive Director
November 13, 2017

Who we are

The non-profit, non-partisan Prison Policy Initiative **produces cutting edge research** to expose the **broader harm of mass incarceration**, and then sparks **advocacy campaigns** to create a more just society.

The Prison Policy Initiative was founded in 2001 to document and publicize how mass incarceration undermines our national welfare. Our growing team of interdisciplinary researchers and organizers, along with student interns and volunteers, shapes national reform campaigns from our office in Western Massachusetts.

Staff

- Wanda Bertram, *Communications Strategist*
- Lucius Couloute, *Policy Analyst*
- Aleks Kajstura, *Legal Director*
- Wendy Sawyer, *Senior Policy Analyst*
- Peter Wagner, *Executive Director*
- Annette Johnson, *Director*
Senior Vice President and Vice Dean, General Counsel,
NYU Langone Medical Center
- Daniel Kopf, *Treasurer*
Writer, Quartz
- Eric Lotke, *Clerk*
National Educational Associate, Strategic Research,
Author of Making Manna
- Jason Stanley, *Director*
Professor of Philosophy, Yale University

*Organizations for identification purposes only.

Part-time staff

- Elliot Oberholzer, *Research Associate*
- Bernadette Rabuy, *Senior Policy Analyst*
- Emily Widra, *Researcher*

Student interns and volunteers

- Alex Clark, *George Washington University*
- Sasha Feldstein, *Young Professionals Network*
- Greer Hamilton, *Young Professionals Network*
- Sarah Hertel-Fernandez, *Young Professionals Network*
- Leslie Holbrook, *Young Professionals Network*
- Sari Kisilevsky, *Young Professionals Network*
- Rose Lenehan, *Alternative Spring Break*
- Jacob Mitchell, *Young Professionals Network*
- Stephen Raher, *Young Professionals Network*
- Maia Spotts, *Young Professionals Network*
- Maddy Troilo, *Smith College*

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- Bob Machuga, *Graphic Design*
- Jordan Miner, *Programming*
- Elydah Joyce, *Illustrations*

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- Rebecca Young, *Attorney*

*Organizations for identification purposes only.

Recent alumni

- Joshua Aiken, *Policy Fellow*
- Alison Walsh, *Policy & Communications Associate*

Pulling back the curtain on mass incarceration

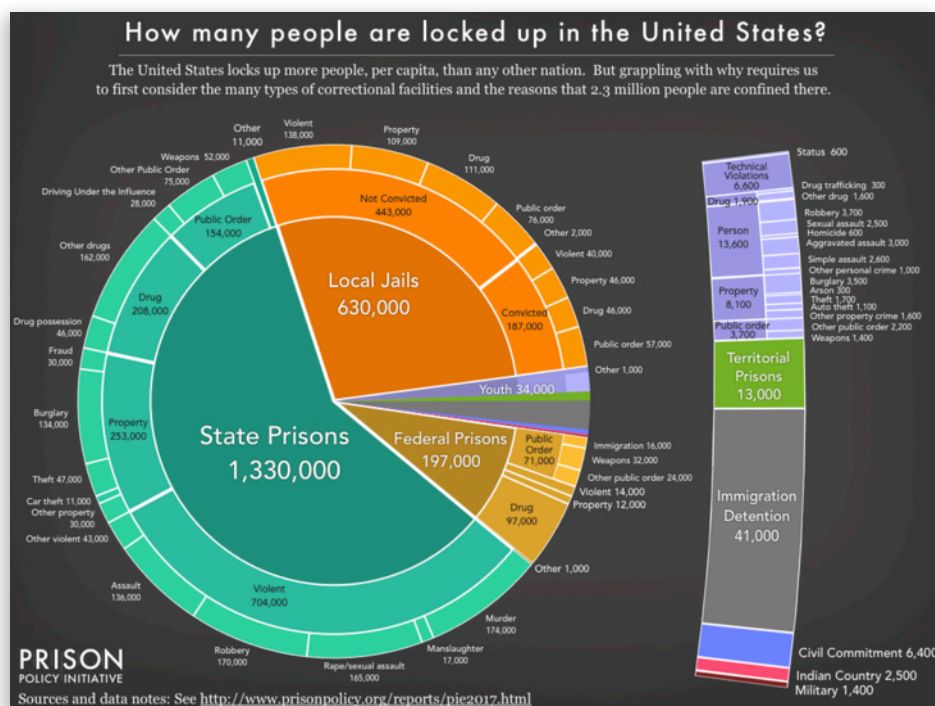
<https://www.prisonpolicy.org/national/>

We develop powerful ways to help the public understand that mass incarceration is both unprecedented and counterproductive.

With our creative research strategies and engaging graphics, we are laying the foundation for fairer and more effective justice policies.

Mass Incarceration: The Whole Pie 2017

We updated the most popular visual in the criminal justice reform movement to include **15 new data visuals**, providing policymakers and the public with a clear and accurate big-picture view of punishment in the United States. In the midst of attempts by the White House to move away from criminal justice reform, *The Whole Pie* offers the reassuring reminder that **the bulk of incarceration flows directly from the policy choices made by state and local** — not federal — governments.



Evan Sinar, PhD @EvanSinar

Some of the best visualization work out there - Prison Policy Initiative's top data visualizations in 2016 ow.ly/ki3s307zPIM #dataviz

70% of people in local jails are not convicted of any crime. The "not convicted" population in American jails is larger than most other countries' total incarcerated population.

Jasmine M Heiss @JasminitaMH

I'm a day late to celebrate #PiDay (March = rough), but no better way than w/ updated look at #massincarceration. Best research around.

Prison Policy Init. @PrisonPolicy

#ICYMI, we released an update to our annual Mass Incarceration: The Whole Pie 2017 report.

Prison Policy Init. @PrisonPolicy

.@POTUS cites our Whole Pie report to make point that state & local criminal justice policy reform matters harvardlawreview.org/2017/01/the-pr...

Court Innovation @courtinnovation

Takeaway valuable to our work on pretrial reform: US "not convicted" jail pop. larger than most countries' total incarcerated population.

Prison Policy Init. @PrisonPolicy

Mass Incarceration: The Whole Pie 2017 shows what lock up 2.3 million people prisonpolicy.org/reports/pie2017.html #PiDay #dataviz

12:00 PM - 14 Mar 2017

1 Retweet 3 Likes

How many people are locked up in the United States?

Jeremy Travis @JTravis48

Kudos to @PrisonPolicy & @TheCrimeReport for imprt reminder: too many incarcerated in US. Reform requires hard work.

At 'Critical Moment' Under Trump, Report Gives Hard Facts...
The Prison Policy Initiative's annual report on U.S. prison populations offers a reality check on the administration's fear-loaded rhetoric on rising violent crime. thecrimereport.org

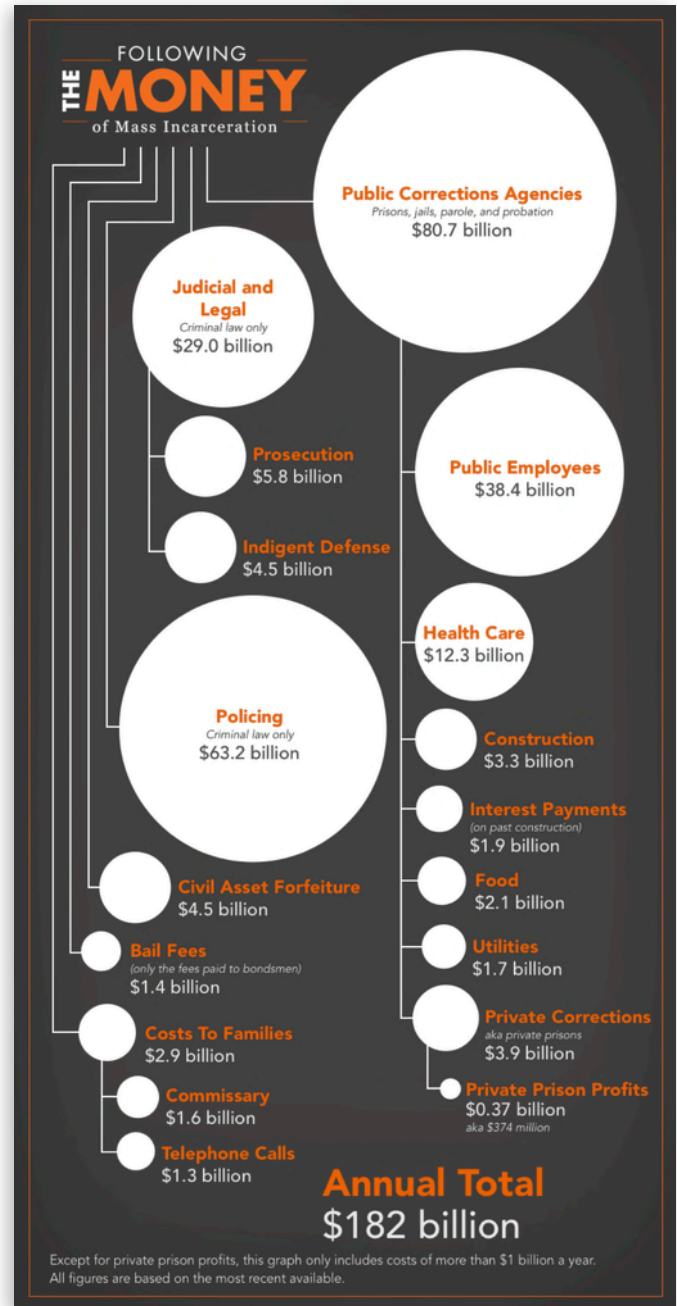
Maya Schenwar @MayaSchenwar

443,000 people who haven't been convicted of anything are locked up in county jails. prisonpolicy.org/reports/pie2017.html @PrisonPolicy #PiDay #bailreform

How many people are locked up in the United States?

Following the Money of Mass Incarceration

The cost of imprisonment — including who benefits and who pays — is a major part of the national discussion around criminal justice policy. In this first-of-its-kind report, we find that our system of mass incarceration costs the government and families of justice-involved people at least \$182 billion every year. By identifying some of the key stakeholders and quantifying their “stake” in the status quo, our visualization shows how entrenched mass incarceration has become in our economy.



James Kilgore @waazn1 Following

@PrisonPolicy gives us the prison infographic of the year!!! Follow the \$\$\$ of #massincarceration prisonpolicy.org/reports/money...

GrassrootsLeadership @Grassroots_News Following

\$182 million? To keep people in cages? @PrisonPolicy follows the money of mass incarceration in a new report.

Dr. Chanda ACA @IBJIYONGI Follow

Replying to @PrisonPolicy

.@PrisonPolicy @wagnerreports NEA 2016 budget was 1000 times smaller than your \$182 billion incarceration cost estimate.

12:32 PM - 26 Jan 2017

Pete Brook @brookpete Following

Mega-graphic + @PrisonPolicy report! The \$\$\$ in mass incarceration. \$182 billion annual costs. Who pays? Who profits? prisonpolicy.org/reports/money...

Public Safety @publicsafety Following

.@PrisonPolicy makes a good point: the cost of mass incarceration isn't only due to prisons and jails.

FOLLOWING THE MONEY
of Mass Incarceration

Legal (Criminal law only)	\$29.0 billion
Prosecution	\$5.8 billion
Indigent De	\$4.5 billion
Policing (Criminal law only)	\$63.2 billion
Civil Asset Forfeitu	\$4.5 billion
Bail Fees	\$1.4 billion
Public Corrections Agencies (Prisons, jails, parole, and probation)	\$80.7 billion
Judicial and Legal (Criminal law only)	\$29.0 billion

Following the Money of Mass Incarceration
Who pays for and who benefits from mass incarceration?
prisonpolicy.org

4:05 AM - 27 Jan 2017

13 Retweets 19 Likes

5:10 PM - 26 Jan 2017

11 Retweets 7 Likes

What “Stop-and-Frisk” Really Means: Discrimination & Use of Force

Although President Trump and Attorney General Sessions have championed a return to ineffective “tough on crime” tactics, including the police practice of stop-and-frisk, this report reminds us how disastrous these moves are for Black and Latino communities. The report uses an innovative data visualization to illustrate the racially disparate use of force during police stops in New York City in 2011, when **88% of stops involving use of force targeted Black and Latino residents**. With almost 2,000 stops per day, discriminatory stop-and-frisk practices gave hundreds of thousands of people of color a very real reason to distrust the police.

How much do incarcerated people earn in each state?

Prison labor and wages come up again and again in the context of prison conditions, and were at the center of the nationwide prison strike last fall. And no wonder: wages allow incarcerated people to purchase personal items not provided by the prison, pay ever-increasing fees, and bridge the gap after release. But the last time anyone surveyed wages was nearly 20 years ago, so we combed through the policies of state correctional agencies to find up-to-date information for each state. Our findings indicate that **prisons appear to be paying incarcerated people less today than they were in 2001**.

Prison Policy Init. @PrisonPolicy
Trump thinks Stop-and-Frisk is "incredible." Black & Latino ppl KNOW it's incredibly discriminatory.
prisonpolicy.org/reports/stopan ...
9:12 AM - 17 Aug 2017
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DPA New Jersey @DrugPolicy_NJ
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.@PrisonPolicy report shows how racist policies like stop-and-frisk result in overpolicing of Black & Latino people
WHAT STOP & FRISK REALLY MEANS
What "Stop-and-Frisk" really means
Trump thinks Stop-and-Frisk is "incredible." The data says it's incredibly discriminatory.
prisonpolicy.org
9:40 AM - 17 Aug 2017
15 Retweets 18 Likes

Amanda Alexander @A_S_Alexander
Following
New report: How much do incarcerated people earn? Not much. Via @PrisonPolicy prisonpolicy.org/blog/2017/04/1 ... #prison #endmassincarceration
12:53 PM - 10 Apr 2017
1 Like

Glenn E. Martin @glennEmartin
Following
All income is relative to those who earn the least. Want to know what people in prison earn? prisonpolicy.org/blog/2017/04/1 ... @PrisonPolicy
12:32 PM - 13 Apr 2017
5 Retweets 14 Likes

The Chicago Reporter @ChicagoReporter
WATCH: An inside look at the largest prison strike in U.S. history, which took place last year in two dozen states.
Fault Lines - The Prison Factory
The US state of Alabama has the fifth highest incarceration rate in the world. Its prison system has become so dangerously overcrowded that in 2016, fo...
youtube.com
10:49 AM - 23 Apr 2017
8 Retweets 2 Likes

Reducing the burdens and net-widening effects of probation

<https://www.prisonpolicy.org/probation/>

Although it receives little public attention, probation is the leading form of correctional control in the United States.

Billed as an alternative to incarceration, probation can actually act as a net-widener, ensnaring people in correctional control for long periods of time, under conditions that set them up to fail. We're working to expose the ways probation harms people and **actually contributes to even more incarceration.**

Our report *Punishing Poverty: The high cost of probation fees in Massachusetts* analyzed probation cases and income data to prove that probation fees **hit poor communities hardest.** Our call for reform received editorial support from *The Boston Globe*, and legislation to reduce the burden of probation fees was introduced.



Shining a light on local jails

<https://www.prisonpolicy.org/jails.html>

One out of every three people who were behind bars last night were confined in a jail, two out of every three correctional facilities is a jail, and almost every person (95%) released from a correctional facility today was released from a jail.

Jails are literally mass incarceration's front door, yet the scant attention paid to jails and jail policy is itself a key impediment to reform. We're putting jails and the need for jail reform directly into the national discussion on criminal justice reform. This year's highlights included:

- **Era of Mass Expansion: Why State Officials Should Fight Jail Growth:** The U.S. jail population has tripled over the last three decades and our first-of-its-kind report looked at state trends to answer the question: what's actually driving jail growth? Featuring **more than 150 state-level graphs and state-by-state comparisons**, we exposed the real drivers: pre-trial detention and the renting of jail space to other authorities. Our report makes the case that state officials need to pay far more attention to local jails.
- We revealed the lethality of even the shortest jail stays. **The leading cause of death in local jails is suicide**, often taking place shortly after jail admission.
- We explored new research showing that the people most frequently incarcerated in New York City's jails are locked up for low-level offenses, and struggle with mental illness that could be better treated in the community.
- After the ouster of Maricopa County Sheriff Joe Arpaio, we explored the history of sheriffs serving uncommonly long terms, and their levels of spending on reelection campaigns. We found that expenditures over the typical sheriff's campaign cycle exceed \$600,000.
- We challenged policymakers to treat jail growth *and* prison growth as related, rather than separate, problems. Our research revealed that 75% of Americans live in a state where **both prison and jail populations have doubled** since 1978. We highlighted policies, such as putting people behind bars for low-level crimes, that flood the capacity of entire justice systems.



Lee G. Petro @LeeGPetro
 Yet another cutting edge report by @PrisonPolicy - prisonpolicy.org/reports/jailso...

EJI @EJIorg
 A new report by @PrisonPolicy finds that the U.S. jail population has tripled since the 1980s, fueling inequality:

Dr. Meghan Novisky @DrNovisky
 "Jail growth fuels cycles of marginalization, poverty, & #incarceration, especially in communities of color." Great report by @PrisonPolicy

"Moe" Maestas @Maestas
 Jails are locally controlled. Their costs, however, reflect state gov't priorities. prisonpolicy.org/reports/jailso... via @prisonpolicy #nmleg



Local jail growth

NONPARTISAN RESEARCHERS CALL FOR STATES TO GET MORE INVOLVED AFTER STUDIES SHOW GROWTH IS A NATIONAL TREND

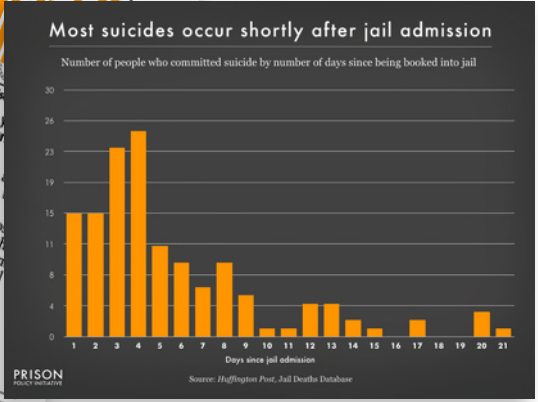
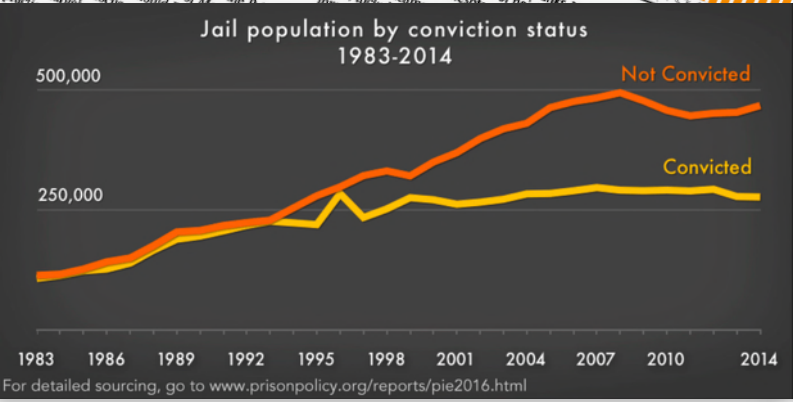


MARK BENNETT
 TRIBUNE-STAR

Problems rarely are confined to a single place. What happens in Terre Haute doesn't stay in Terre Haute. The same is true for Muncie, Albuquerque, Peoria and Valdosta. People borrow strategies and habits, and behaviors follow similar patterns. Thus, those trends are worth studying. That research could reveal a dilemma's underlying cause and a solution.

Vigo County isn't the only community faced with an overcrowded jail in need of replacement. Under pressure from lawsuits on behalf of inmates, county officials are moving forward with a plan to build a new, larger \$60 million jail in place of the current facility, which was built in 1981 and expanded 15 years ago. At a meeting with concerned citizens Tuesday, Commissioner Brad Anderson said 32 Indiana counties are expanding jails or designing new ones.

State officials pay too little attention to that situation, writing it off as a problem for local governments because new jails are typically built with local tax dollars. That's the conclusion of the Prison Policy Initiative's new report, "Era of Expansion: Why State Officials Should Pay Attention to Jail Practices," but lawmakers in other states



Bringing fairness to the prison and jail phone industry

<https://www.prisonpolicy.org/phones/>

Some children have to pay \$1/minute to talk to an incarcerated parent. Why? Because prisons and jails profit by granting monopoly telephone contracts to the company that will charge families the most.

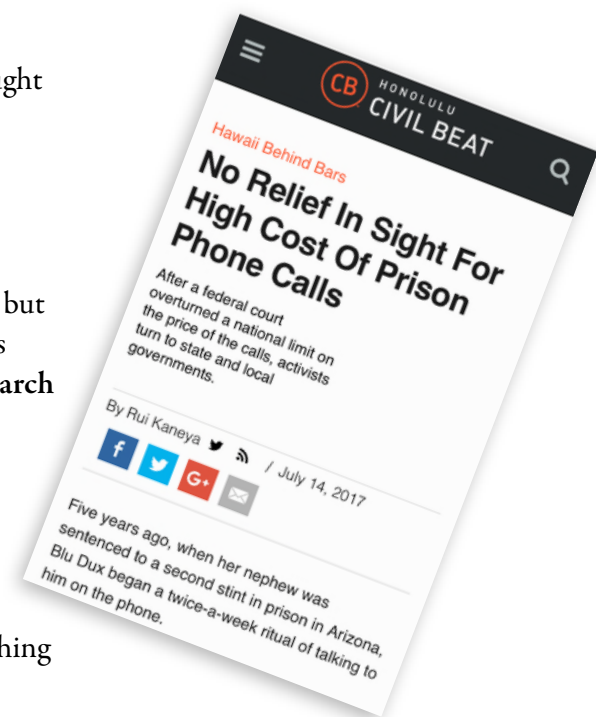
For more than 14 years, families trying to stay in touch with incarcerated loved ones have been calling on the Federal Communications Commission (FCC) to provide relief from exorbitant prison and jail telephone bills. Recognizing yet another way that mass incarceration punishes entire communities, we've made it a priority to bring order to this previously hidden market.

In 2013 and 2015 the FCC approved a series of historic regulations that would make calls home from prisons and jails more affordable. As expected, the phone companies sued to stop these regulations, and President Trump's FCC has abandoned its defense of poor families.

We're not giving up. Joining with other civil rights groups, we intervened to defend in court what the FCC would not, and we fought the merger and sale of the industry's giants.

In January, we partnered with attorney Lee Petro and our Young Professionals Network to gather, for the first time ever, **the in-state phone rates for every company in every jail in the country.** (Currently, most calls home from prisons and jails are in-state calls, but these calls are not subject to federal price caps and can be as much as \$1/minute.) The new FCC wasn't moved by our data, but **our research is helping regional journalists and legislators** make the case for further state-based reforms to the prison and jail phone market.

We are also working to slow the expansion of these companies' reach through other products that exploit incarcerated people. For example, these same "phone" companies are hawking tablets to state prison systems and then charging users inflated prices for anything from email to streaming music.



THE AMERICAN PROSPECT Archive

How the Prison Phone Industry Further Isolates Prisoners

KALENA THOMHAVE OCTOBER 12, 2017

The high profits of expensive phone calls and video visits are often too lucrative for prisons—which can get a share of those profits—to pass up.

The Washington Post EDITORIALS

The line goes dead for inmates

A federal appeals court ruled against regulations capping prison phone rates within states.

A FEDERAL appeals court decision denying the Federal Communications Commission the ability to cap prison phone rates within states is not much of a defeat for the FCC: The agency's chairman chose to drop its defense of the regulations in February. The real losers are inmates and their families.

Correctional facilities pick service providers principally on who offers them the biggest cut of their profits, and together the two charge prisoners rates so unreasonable that even free-market advocates admit someone must step in. The question has always been who, and though courts have affirmed the FCC's right to regulate calls between states, on Tuesday the U.S. Court of Appeals for the D.C. Circuit ruled the FCC does not have that authority inside a state.

FCC Chairman Ajit Pai said in a statement following the court's decision that he plans "to address the problem of high inmate calling rates in a lawful manner." What that means is anyone's guess, and Mr. Pai's office would not say. The agency does have new instructions to follow on interstate calls and to rejigger its limits on the extra fees companies charge inmates to set up those accounts so they apply only to intrastate calls.

Providers have pushed even harder to get out of the market by offering a contract system to inmates that the provider owns and others may pay to offer their services through the same wires. Such heavy-handed regulation on the FCC's part, though, would probably invite new litigation from the phone industry.

More realistically, inmates will have to rely on states to bring rates down. At least 11 so far have taken some form of action. Fifty would be better. Congress could make that happen by amending the Communications Act (D-III.) has in the past minute meant they're



The Post and Courier

TOP STORY

Recent change by the FCC could cause cost of inmate phone calls to surge in South Carolina prisons

By Maya T. Prabhu
mprabhu@postandcourier.com
Feb 19, 2017 (0)

Bloomberg Markets Tech Pursuits Politics Opinion Businessweek

NBA Pistons Owner Under Fire for Deal on Inmate Phone Service

By Todd Shields
July 27, 2017

- Platinum Equity founded by Detroit team owner in deal for firm
- Securus charges as much as \$22 for 15-minute call in Michigan

Tom Gores built a private equity empire that made him rich enough to buy professional basketball's Detroit Pistons and name a civic leader in Michigan.

Now the billionaire's empire has struck a deal to buy the franchise from the current owner, Tom Gores Inc., a private equity firm that provides services to professional sports teams. The deal is valued at \$2.56 billion, the highest in the league's history.

Gores could be the first owner to buy a team outright, as he did with the Las Vegas Raiders of the NFL.



Tom Gores Photographed by Gregory Shamus/Getty Images

KNOXVILLE MERCURY DONATE

Knox County Jail Policies Draw Fire Over Prisoner Profiteering

IN NEWS BY S. HEATHER DUNCAN
June 29, 2016 / leave a COMMENT

No letters. No in-person visits. And every call or

Protecting family visits from the exploitative video calling industry

<https://www.prisonpolicy.org/visitation/>

County jails collude with private companies to replace traditional in-person visits with expensive, low-quality video chats.

Video calling, a technology that should make it easier for families to stay in touch, is being used to eliminate human contact and create profits for both private companies and local jails. As a leader in the movement to regulate the industry, we've continued our fight to **protect families and enact lasting change:**

- With the help of our research and advocacy, state policymakers across the country are recognizing the importance of in-person visits. Most recently, **Illinois and California** passed measures to regulate the video calling industry and preserve in-person family visits. Similar bills in **Massachusetts and New Jersey** are pending.
- We supported U.S. Senator Tammy Duckworth's (D-IL) bill that would require the FCC to regulate the exploitive video and phone calling industry.
- On our blog, we amplified the voices of incarcerated people and their families, who explain better than anyone why **video calling can't replace in-person visits.**
- We kept this corrupt industry in the press, generating editorial support from newspapers like *The New York Times* and *The Boston Globe*, and investigative reports from outlets like *Wired* and *Truthout*.



Senior Policy Analyst Bernadette Rabuy testifies before the California Public Safety Committee in support of protecting in-person family visits.



Proving that criminal justice reform is a public health necessity

<https://www.prisonpolicy.org/health.html>

The harms of incarceration don't end with individuals, but extend into communities – especially those with high rates of incarceration — and compound community-wide problems.

By highlighting the negative health outcomes shared by communities hit hardest by incarceration, we're empowering advocates with public health arguments for criminal justice reform. We argue that funding health, education, job, and housing programs is a more effective crime control strategy than policing and incarceration.

Can incarcerated people afford to see the doctor?

In an in-depth, 50-state investigation, we put the exorbitant costs of medical co-pays in prison into context. For some incarcerated people, a doctor's visit costs almost an entire month's pay. We also converted those fees into their free world equivalents, finding that 13 states charge medical co-pays that are equivalent to charging minimum wage workers more than \$200. Unaffordable medical fees deter imprisoned people from seeking the medical treatment they need, and represent one of the many ways by which our criminal justice system jeopardizes

Prisons And Jails Are Forcing Inmates To Pay A Small Fortune Just To See A Doctor

The fees are designed to discourage inmates from seeking care, which could have dangerous consequences.

By Nick Wing

Dr. Branden McLeod
@brandenm

Follow

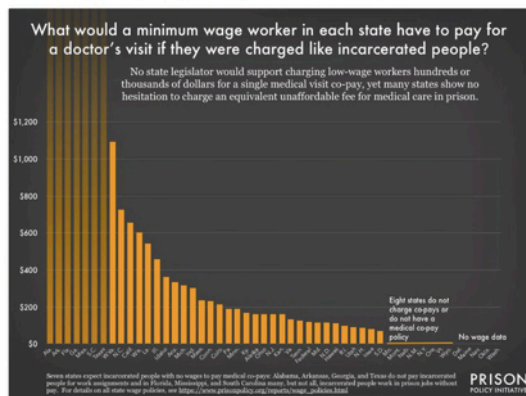
If your Dr. charged a \$500 co-pay, would you visit? @PrisonPolicy found that incarcerated people pay exorbitant fees tinyurl.com/lh6hwtl

12:53 PM - 19 Apr 2017

joshua robert wiese
@jrwiese

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.@PrisonPolicy out w/crazy & insightful data on prisoner health copays, feeding very cycle poverty that drives crime prisonpolicy.org/blog/2017/04/1...



8:53 AM - 19 Apr 2017

elly kalfus
@ekalfy

Follow

.@PrisonPolicy demonstrates absurdity of #PrisonCopays. In #MA, equivalent of charging free-world person \$235.71 prisonpolicy.org/blog/2017/04/1...

1:36 PM - 3 May 2017

Piper Kerman
@Piper

Following

@PrisonPolicy homes in on something important here. You can't survive in prison w/o \$. For hygienes, food, stamps, calls to kids/parents 1/2

Prison Fellowship @prisonfellowshp
How much do incarcerated people earn in each state? ow.ly/6UdG30aMkHT via @PrisonPolicy

9:35 AM - 12 Apr 2017

5 Retweets 9 Likes

5 9

the health of incarcerated populations, staff, and the public.

On our blog, we highlighted specific ways that incarceration causes individual and public health problems:

- Using research on women’s health in marginalized communities, we revealed the important connections between **race, incarceration and women’s HIV rates**.
- We investigated the ongoing mental health crisis in prisons and jails, explaining why failing to meet the demand for treatment jeopardizes the health and safety of incarcerated people and correctional staff.
- We unearthed a study that found each year behind bars takes two years off an individual’s life expectancy, and connected that finding to recent research showing that **the scale of mass incarceration has actually depressed life expectancy** in the U.S. as a whole.
- We connected the importance of nutritious food in correctional facilities to the health outcomes of currently and formerly incarcerated people.

Finally, we made the case for **reforms to support vulnerable populations**:

- We analyzed Bureau of Justice Statistics research suggesting that drug addiction is “at the root of 21% of all crimes,” calling for the redirection of people and resources away from prisons and jails and toward more effective treatment.
- Honing in on a local example, we reported on the overuse of jails in New York City to deal with mental health and substance abuse problems.
- During National Reentry Week, we discussed **the importance of addiction treatment in re-entry** to reduce recidivism and support formerly incarcerated people.

Interview with volunteer Stephen Raher

Stephen was one of the first people to join our Young Professionals Network in 2015, and continues to be one of our most dedicated volunteers, having led several in-depth investigations into the industries that prey on incarcerated people and their families. He’s written extensively about exploitative prison “services” including “electronic messaging,” release cards, tablet computers, and commissary. We asked him a few questions about his experiences as a volunteer.



Why did you decide to join the Young Professionals Network?

When I was considering leaving the private practice of law, I talked to several people about how I could be helpful to the movement against mass incarceration when I no longer had the resources of a large law firm at my disposal. Peter Wagner said the Prison Policy Initiative’s Young Professionals Network could match me with high-impact projects involving my areas of expertise, and that’s exactly what has happened.

What does your work focus on? And what’s the connection between that work and the Prison Policy Initiative?

I have a background in both anti-prison activism and business law. Because of the Prison Policy Initiative’s broad scope of work, I get to work on a wide variety of projects involving financial regulations, public contracting, consumer protection, and telecommunications law. The projects I’ve worked on are challenging, innovative, and they strategically fit within a larger coordinated effort to reverse this country’s incarceration crisis.

What do you think is most unique about the Prison Policy Initiative and the projects it takes on?

Since I started working on criminal justice issues in 1998, prisons have become a much more popular topic. As a result, a lot of organizations have rushed into this space and have prioritized projects based on funding availability or superficial talking points. The Prison Policy Initiative is one of the handful of groups that plans its work based on hard evidence and deliberate strategy. Refreshingly, it also views other like-minded organizations as true allies, not just competitors for scarce resources.

Protecting our democracy from mass incarceration by ending prison gerrymandering

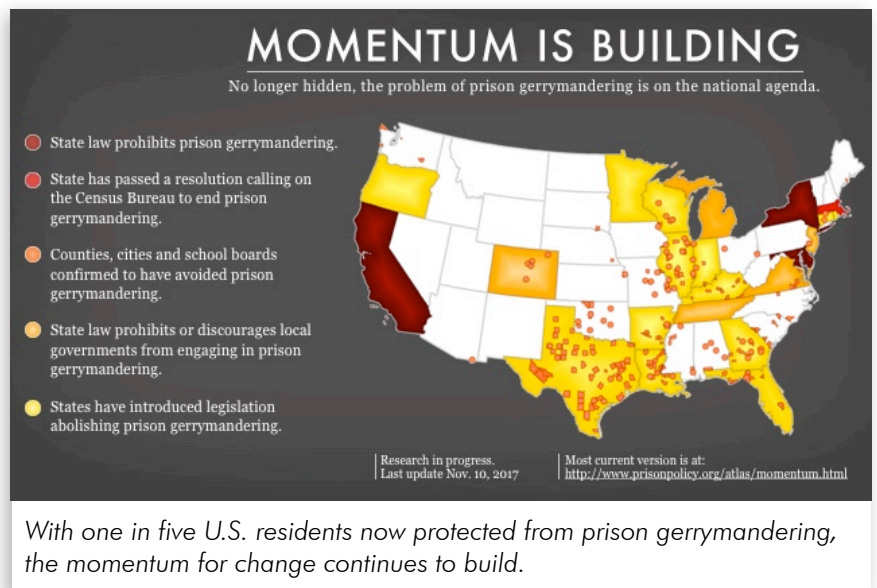
<https://www.prisonersofthecensus.org/>

The Census Bureau's practice of counting more than two million incarcerated people where they are imprisoned awards undue political clout to people who live near prisons at the expense of everyone else.

When our work began, no one knew what prison gerrymandering was, never mind how it distorts our democracy and criminal justice system. Today our work is sparking legislation, winning victories in the courts, and making the problem of prison gerrymandering a key issue for lawmakers, voting and civil rights advocates, researchers, and journalists.

This year's highlights:

- Citing our report, *The Racial Geography of Mass Incarceration*, 13 U.S. Senators requested that the Census Bureau count incarcerated people as residents of their homes in the 2020 Census.
- We submitted a comment letter to the Census Bureau on its proposed 2020 residency criteria, highlighting how the Census Bureau's proposal to continue counting people at their correctional facility a) **undermines the accuracy** of the decennial Census, b) **reflects a fundamental misunderstanding** of the nature of incarceration, and c) **can often contribute to racially discriminatory outcomes**.
- Meanwhile, we pushed reform in the state legislatures too. In May, **New Jersey passed legislation to reassign incarcerated people to their home addresses before redistricting and thus end prison gerrymandering in the state**. The bill was vetoed by Governor Christie, but legislative interest remains strong for the next session with a new governor.



United States Senate
WASHINGTON, DC 20510
September 21, 2016

Karen Humes, Chief
Population Division
U.S. Census Bureau
Room 6H174
Washington, DC 20233

Dear Ms. Humes:

We write to express our concern regarding the U.S. Census Bureau's proposed Census Residence Rule and Residence Situations' criteria.¹ Specifically, we disagree with the Census Bureau's proposal to continue counting incarcerated persons as "residents" of their places of confinement, rather than their home communities, the Census Bureau's practice would compound the criminal justice system's inequities with electoral unfairness and undermine the constitutional principle of one person, one vote. For these reasons, we respectfully request that the U.S. Census Bureau reconsider this discredited practice and count incarcerated persons at their pre-incarceration residences.

The Census Bureau's assignment of incarcerated people to the communities where they are confined is an inequitable redistribution of political power. Most individuals admitted to jail over the course of a year are released within hours or days,² and the average length of time served by federal inmates is 37.5 months.⁴ When the Census Bureau counts individuals who are in a correctional facility on Census Day as if that correctional facility is their home, legislative redistricting can inflate the political power of areas around prisons with added "residents" often cannot vote while simultaneously disempowering the communities these individuals consider home.³

This treatment of incarcerated persons raises constitutional concerns under Article I, Section 2, "Representatives . . . shall be ascertained by the States" and "Enumerated . . . within this Union, according to their respective Numbers, which shall be ascertained by the Census . . . no less than substantially equal in all States well as of all persons . . . within each State . . ."

- We also highlighted the real-world implications of prison-based gerrymandering on city governance in states like **Rhode Island and Oklahoma**, where people who are incarcerated are counted in the city council district in which the prison is located, rather than in their home town – distorting our local political systems.
- We continue to explain how prison gerrymandering impacts political representation and not federal funding, a common misconception that detracts from our efforts to eliminate this undemocratic practice.

HUFFPOST
US Edition

Rebecca Ramaswamy, Contributor
Legal Fellow at LatinoJustice PRLDEF

Being Counted At Home: Do Black And Latino Community Ties Matter To The U.S. Census Bureau?

Why the rigidity in applying the "usual residence" standard to incarcerated people?

Updated Aug 30, 2016

The criminal justice system rips men and women out of their homes and places them in far-flung places that bear little resemblance to their home communities. This distance can break the bonds of family and community, and for many residents does not remove them from the spirit of their home. It is an investment in the wellbeing of their families and neighborhoods.

the U.S. Census Bureau, for someone who is imprisoned and whose political identity is erased from one's home community.

reau received 162 comments addressing the issue of how to count incarcerated people on Census day in 2020, 156 of which — over 90% — argued that people should be counted in their home communities. However, the Census Bureau has said it plans to continue to count people who are incarcerated at the prison where they are housed in to tell the Bureau that their decision is in line with the "usual residence" standard and class marginalization.

How Political Districts With Prisons Give Their Lawmakers Outsize Influence

By KATE CARLTON GREER · NOV 7, 2016

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Congressman Robert Kerr
D-MA PUBLIC MEDIA EXCHANGE

LAW

Prisoners Can't Vote, But They Can Be Redistricted



By Noah Feldman

SEP 22, 2016 3:37 PM EDT

Prisoners can be counted in population totals for determining a voting district, even though they can't cast ballots in the place where they're being held. That's what an appeals court relying on a U.S. Supreme Court decision from last term has said -- even though that case involved noncitizens who are fully members of the community, not inmates who don't contribute to the city or use local services, Wednesdays.

Wyoming's 'ghost constituents'

Although the next census is still a few years off, it looks as though the Census Bureau will again count incarcerated people as residents of the towns where they are confined, not their homes. During a public comment period on the proposal, about 100,000 people, including former directors, civil rights organizations, and others urged the bureau to change the inmate counting method. A final decision is expected by the end of the year. The strong support for the proposal is a sign that the bureau is listening to the public. And that's saying a lot.

The Prison Policy Initiative is a nonprofit think tank based in East Hampton, Massachusetts, and part of north Cheyenne County north along the eastern border of Wyoming.

The north tip of the strip takes about 1000 of the prison population of about 1000 at the medium security prison south of Torrington.

It also jogs around the residence of state Sen. Curt Meier against the district as a result of the census.

residents," the center's website reads.

"Because prisons are disproportionately built in rural areas, call urban areas home, counting incarcerated people in the wrong place results in a systematic transfer of population and political influence from urban to rural areas."

That description fits Wyoming's redistricting plan approved four years ago and probably earlier plans as well.

The plan drafted after the 2010 census drew some unfavorable attention for the new boundaries Wyoming District 6 in part of Goshen counties.

Peter Wagner, the director of the Prison Policy Initiative, which is pushing the prison gerrymandering project, said the most egregious example of intentional prison gerrymandering he had seen.

And that's saying a lot.

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The New York Times

ORVIL E. DRYFOOS
Publisher 1961-1963

ARTHUR HAYS SULZBERGER
Publisher 1935-1961

ARTHUR OCHS SULZBERGER JR., Publisher, Chairman
ADOLPH S. OCHS
Publisher 1896-1935

Not the Right Way to Count Prisoners

Voting rights advocates have been pressing the Census Bureau for more than a decade to stop counting prison inmates as "residents" of prisons — where they typically remain for only a short time — instead of the communities they call home. The bureau, in a rejection of common sense and fairness, has proposed rules for the 2020 census that continue this discredited practice.

Counting inmates this way allows legislators to draw electoral lines to inflate the power of certain areas with "constituents" who have been stripped of the right to vote and have no interaction with the larger community. This practice made little difference during the 1950s and '60s, when the prison population was relatively small. But with about 1.5 million people in prison today, it is easier for lawmakers to pad sparsely populated districts to ensure that they pass muster under federal law. This subverts the principle of one person one vote, shifting political influence from one end of a county or state to another.

The Census Bureau was made aware of this problem a decade ago, when a report it commissioned from the National Research Council found that its method for counting inmates "equity and fairness in the census."

gerrymandering as a threat to electoral fairness. In May, for example, a United States District Court held that the city of Cranston, R.I., had violated the principle of one person one vote by deeming inmates at a correctional facility "residents" for the drawing of district lines for the City Council and the local school committee.

The court rightly found that the inmates who made up about 25 percent of Cranston's Ward 6 were not true constituents. According to court documents, their median length of stay was only 99 days, which can in no way be seen as permanent residency. Those convicted of felonies were barred from voting. And inmates held for reasons other than a felony conviction, the court pointed out, were able to vote — but only by absentee ballot based on addresses before incarceration. This meant that seven voters in Ward 6 had the same political power as 100 other voters in the city's other wards.

Some states can prevent prison-based gerrymandering by simply counting incarcerated people at their addresses. But according to an analysis by the Prison Policy Initiative, some states are prohibited by existing census data when drawing district lines. In those states, the principle of one person one vote suffers until the Census Bureau changes the counting method.

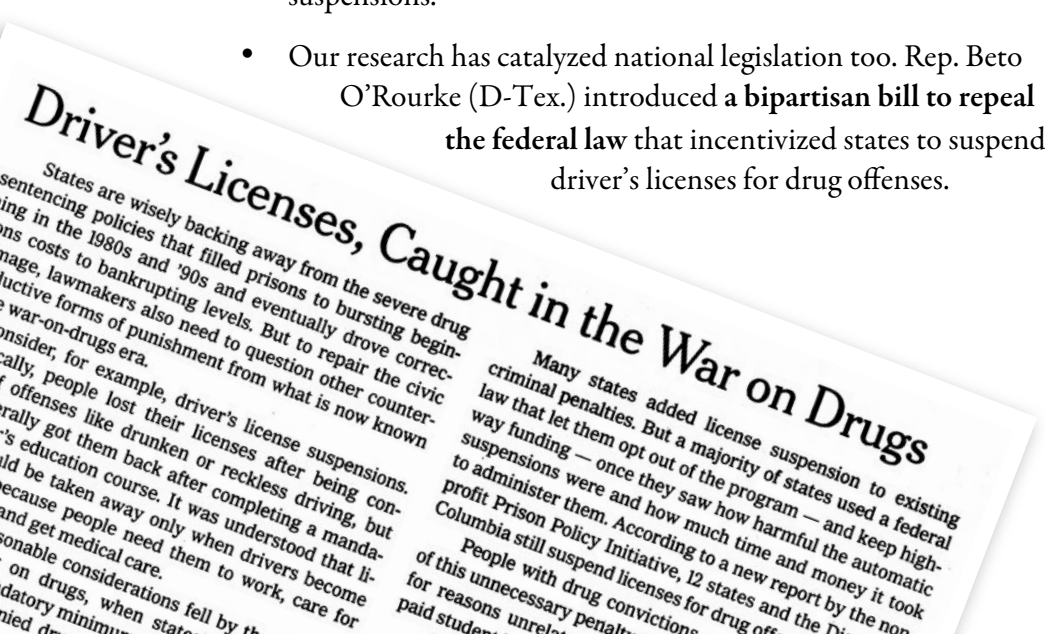
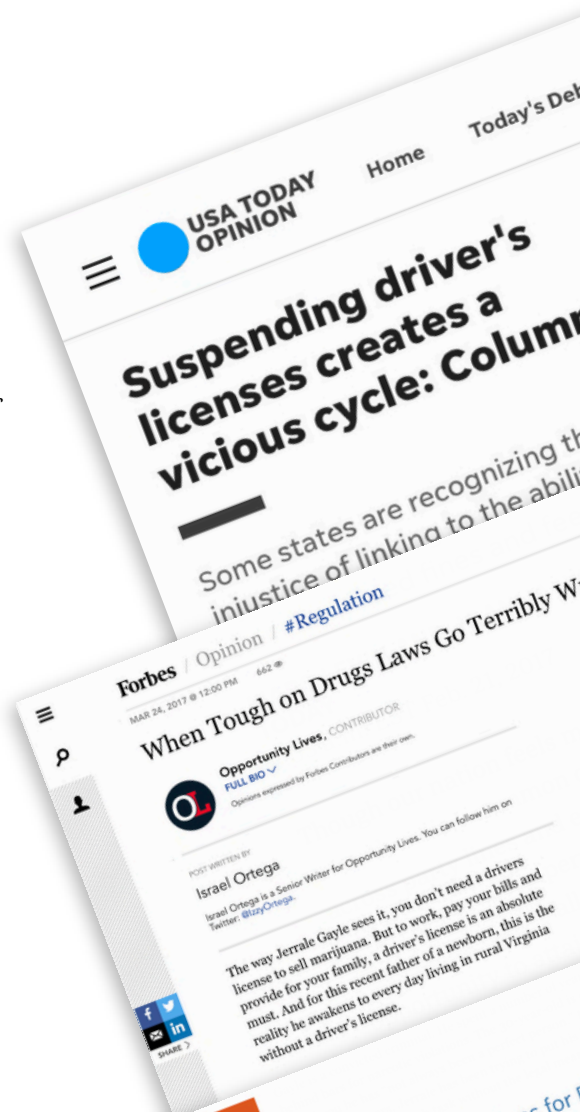
Working to end driver's license suspensions for drug offenses unrelated to driving

<https://www.prisonpolicy.org/driving/>

12 states and D.C. still suspend driver's licenses for drug offenses that have nothing to do with operating a vehicle.

A backwards – and little-known – federal policy left over from the War on Drugs requires states to automatically suspend the driver's licenses of people convicted of drug offenses. We're making sure the remaining states have the information they need to repeal this costly and counterintuitive law.

- Our report, *Reinstating Common Sense: How driver's license suspensions for drug offenses unrelated to driving are falling out of favor*, tracked the growing state rejection of this federal policy, and shines a light on the states that continue to implement this outdated and ineffective law.
- The report won broad editorial support in newspapers across the country, including *The New York Times*, *The Richmond Times-Dispatch*, *The Star Ledger* (N.J.), and *Treasure Coast Newspapers* (Fla.).
- Legislators across the country have paid attention to our message; lawmakers in **Mississippi, Florida, Texas and Washington, D.C.** introduced bills to end automatic suspensions.
- The **Virginia legislature** passed a compromise law that exempted first-time marijuana offenders from automatic suspensions.
- Our research has catalyzed national legislation too. Rep. Beto O'Rourke (D-Tex.) introduced a **bipartisan bill to repeal the federal law that incentivized states to suspend driver's licenses for drug offenses.**



Curbing the exploitation of people released from custody

<https://www.prisonpolicy.org/releasecards/>

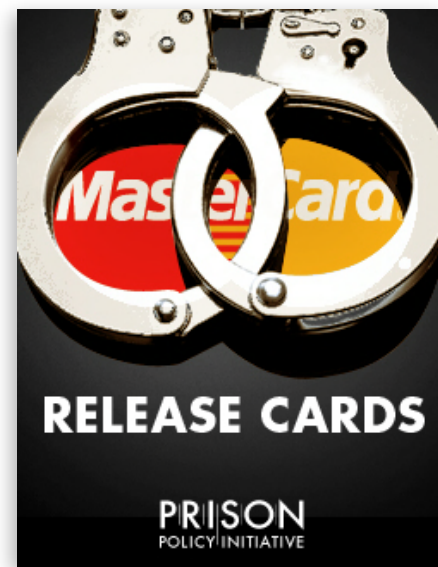
Charging poor people to access their own money is never a good idea.

Correctional facilities are increasingly using **high-fee debit cards** to compensate people they release — for money that those people possessed when initially arrested, earned while working in the facility, or received from friends and relatives. Until recently, people were given cash or a check. Now, they are instead given their own money on a mandatory prepaid card, which comes with high fees that eat into their balance.

With the help of volunteer attorney Stephen Raheer of our Young Professionals Network (see p. 15), we researched this **little-known but highly exploitative market** and submitted a comment to the Consumer Financial Protection Bureau (CFPB) urging regulation of these predatory cards.

The good news, which arrived too late for our last annual report, is that release cards will be covered by the **new consumer protections** contained in the final rule. Specifically, correctional facilities will have to provide clear fee disclosures, card issuers will have to provide reliable access to account histories, and cardholders will have some ability to dispute inaccurate charges.

However, our work isn't done. While the new CFPB regulations will help many people avoid predatory pricing, they won't help incarcerated people who have no choice in what card they're handed upon release. So while we work to protect this and other small victories, **we continue to pursue greater reforms.**



Supporting our work

<https://www.prisonpolicy.org/donate/>

The generous support of visionary foundations and individual donors has allowed the Prison Policy Initiative to grow from the idea of three enterprising students in 2001 into an innovative and efficient policy shop at the forefront of the criminal justice reform movement in 2017.

Our work is supported by a handful of foundations and a small network of generous individuals who allow us to seize timely new opportunities, like our work to protect in-person family visits from the predatory video visitation industry (p. 12), and to produce groundbreaking material that reshapes the movement for criminal justice reform, like our Whole Pie series (p. 4) which presents the now essential big picture view of the disparate systems of confinement that make the U.S. the number one incarcerator in the world.

If you would like to join these donors, you can donate online or send a paper check to PO Box 127 Northampton, MA 01061.

If you are a current supporter of our work, we ask you to allow us to count on your support in the future by becoming a monthly sustainer. Just go to <https://www.prisonpolicy.org/donate/>, select an amount and then how often you'd like it to repeat.

And if you ever have any questions about how to support our work or how your gift is being used, please don't hesitate to contact Peter, Aleks, Wendy, Lucius or Wanda at (413) 527-0845.

We thank you for making our work — and our successes — possible.

Prison Policy Initiative budget report for 2016-2017 year

Income

Small Foundations	\$88,000
Large Foundations*	\$496,000
Individual Donors	\$129,927
Consulting	\$32,500
Interest	\$2,221
Honoraria	\$3,750
Prizes	\$10,000
Total	\$762,398

Expenses

Salaries, benefits, employment taxes for 5.2 FTE staff	\$355,746
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Consultants

Graphic design	\$459
Research	\$2,663
Subtotal, consultants	\$3,122

Other expenses

Travel	\$3,522
Postage	\$3,069
Printing	\$395
Website and newsletter hosting	\$2,902
Rent & Utilities	\$12,605
Telephone, Fax, and Internet access	\$2,255
Computer equipment	\$2,725
Insurance	\$2,067
Research Tools	\$461
Supplies	\$5,626
Legal/Accounting Services	\$1,350
Staff Development	\$360
Bank Charges	\$421
Promotion & conference fees	\$3,098
Taxes	\$144
Subtotal, other expenses	\$40,999

Total **\$397,204**

*Several of these large foundation grants are for work that extend outside the current fiscal year.