The JFA Institute
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Conducting Justice and Corrections Research for Effective Policy Making

ASSESSMENT OF OHIO PRISON ADMISSION TRENDS FOR FEMALE PRISONERS AND THEIR IMPACT ON THE PRISON POPULATION

Prepared by

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Introduction

In 2004, the Ohio Department of Rehabilitation and Correction (ODRC) began to see a steady increase in the female prison population. The number had reached 3,136 on November 1, 2004, an increase of 280 since January 1, 2004, or an increase of 10 percent. The previous end of year high was 2,886 on January 1, 1998. The female prisoner population had hovered in the range of 2,700- 2,800 for the past several years but the 2004 surge in the female prison population was both surprising and difficult to manage for the ODRC. In order to cope with the sudden increase, an honor camp at a male facility has been converted to a female facility to handle the growth.

At that time and in response to this emerging trend, then Director Reginald Wilkinson made a request to the Bureau of Justice Assistance (BJA), U.S. Department of Justice, to receive technical assistance in analyzing these emerging trends. BJA responded by having one of its contractors, the JFA Institute, to provide the requested TA under the BJA Correctional Options program. The ODRC submitted a formal request which was approved by the BJA and detailed Dr. James Austin to provide the necessary assistance. Dr. Austin then contacted Steve Van Dine, Chief, Bureau of Research, to help with the study. The ODRC Research Bureau provided considerable assistance to the project.

Since the research was enacted, the prison populations for both the male and female populations have continued to rise. As of October 27, 2006, the female population was 3,611 while the male population was 44,209.

The remainder of this report summarizes the more recent trends in the female prisoner population as compared to the male trends, as well as a more detailed analysis of trends among the various counties. Recommendations are then offered to help control these trends and reduce the need for additional female prison beds.

Research Design

The ODRC has two basic sources on information that may be relevant to studying female intake patterns. The first is the Commitment Report series. Commitment Reports summarize the persons sentenced to prison from courts during the preceding 12 months; it does not include persons who have been under post-prison supervision and were then revoked or violated. The database on which commitment reports are based is not "rich," that is, there are only a few basic variables. These are race/ ethnicity, sex, age, most serious crime, sentence, and county of commitment. This series is compiled for each calendar year and for each fiscal year. The data sets are available electronically for at least a decade. For each year at least 2,000 females are in the commitment database; more recently the number is closer to 3,000. Recent commitment reports can be reviewed at: http://www.drc.state.oh.us/web/reports/reports12.asp.

The second source is a series called "Intake Reports." An intake report is a detailed summary—about 90 variables describing the commitment processing, social and demographic history, the offense, and the nature of the offense—for a representative sample of admissions each year. One of these has been conducted every year since 1996 (except in 1999). Reports based on these samples can be found at http://www.drc.state.oh.us/web/reports/reports18.asp. The number of females in each sample ranges from about 350 at the lowest to about 450. The relatively small number of female cases in this data base do not allow for county by county comparisons but year

to year comparisons are useful to see what macro state-wide trends are occurring. As will be shown later on in the report only a minority of the state's counties are contributing to the rise in female prison admissions and most of these counties have small populations.

It should be noted that there are not good court or arrest statistics available statewide in Ohio. There is no reasonable chance of using existing law enforcement or court data to examine the source of increasing admissions to prison for women.

Phase 1: This phase of the study was to examine the basic patterns in admissions and the daily population for females and males using the Commitment and Intake data files over time. This analysis sought to answer such as basic questions as have the commitment patterns by county changed, what about offense patterns, or sentence patterns, and are there concentrations of offenses from particular counties? This information would be summarized from the commitment series on all female admissions.

With information from this analysis, ODRC should have a much better idea whether there have been any changes in the composition of admissions that help to explain female commitment patterns. This may offer some definite possibilities for further diversion, but it also sets up Phase 2 of the study.

Phase 2: It is expected that an examination of general patterns will bring to the surface some circumstances about which further questions should be asked. Phase 2 of this research sought to apply more qualitative efforts to understand female commitment patterns. If there are certain jurisdictions where particular patterns of commitment stand out, it might be possible to discuss the situation with criminal justice officials from such jurisdictions. This is especially relevant with regard to Ohio's sentencing guidelines. For less severe felony levels the presumption is that low level, especially never before imprisoned, offenders ought not to be sent to prison, unless certain override conditions exist. The department is not informed of those conditions, even if they are the basis for sending low level felons to prison. If commitment patterns lay out unexplained pockets of commitment of offenders, some discussions with jurisdiction criminal justice officials may explain the pattern. Since some of the reasons for overriding the guidelines presumptions are resource related, these discussions might be the basis for shifting resources to strengthen inadequacies.

Historical State-Wide Trends in Admissions and Daily Prison Populations

Figures 1 and 2 show the historical trends for both the prison admissions and the resulting prisoner population since 1972 for both the male and female prisoners. With respect to prison admissions, the male and female numbers steadily increased from 1972 until 1993 at which time admissions leveled off. This remained the case until 2001 at which time admissions began to increase once again. With respect to the females, male admissions increased at about the same level with the noted exception of 2004 at which time the females admissions increases surpassed those of the males.

The prisoner population shows a somewhat similar trend but with a few differences. In particular, the female population also jumped in 2004 but has continued to increase at a rate that exceeds the males. When the daily population exceeds or departs from the admission trends it general suggests a change in the length of time served. This would appear to be the case for the females. But it also true that part of increase in the female population level is the rising intake.

Figure 1: Male and Female Admissions 1972-2005
Per Calendar Year

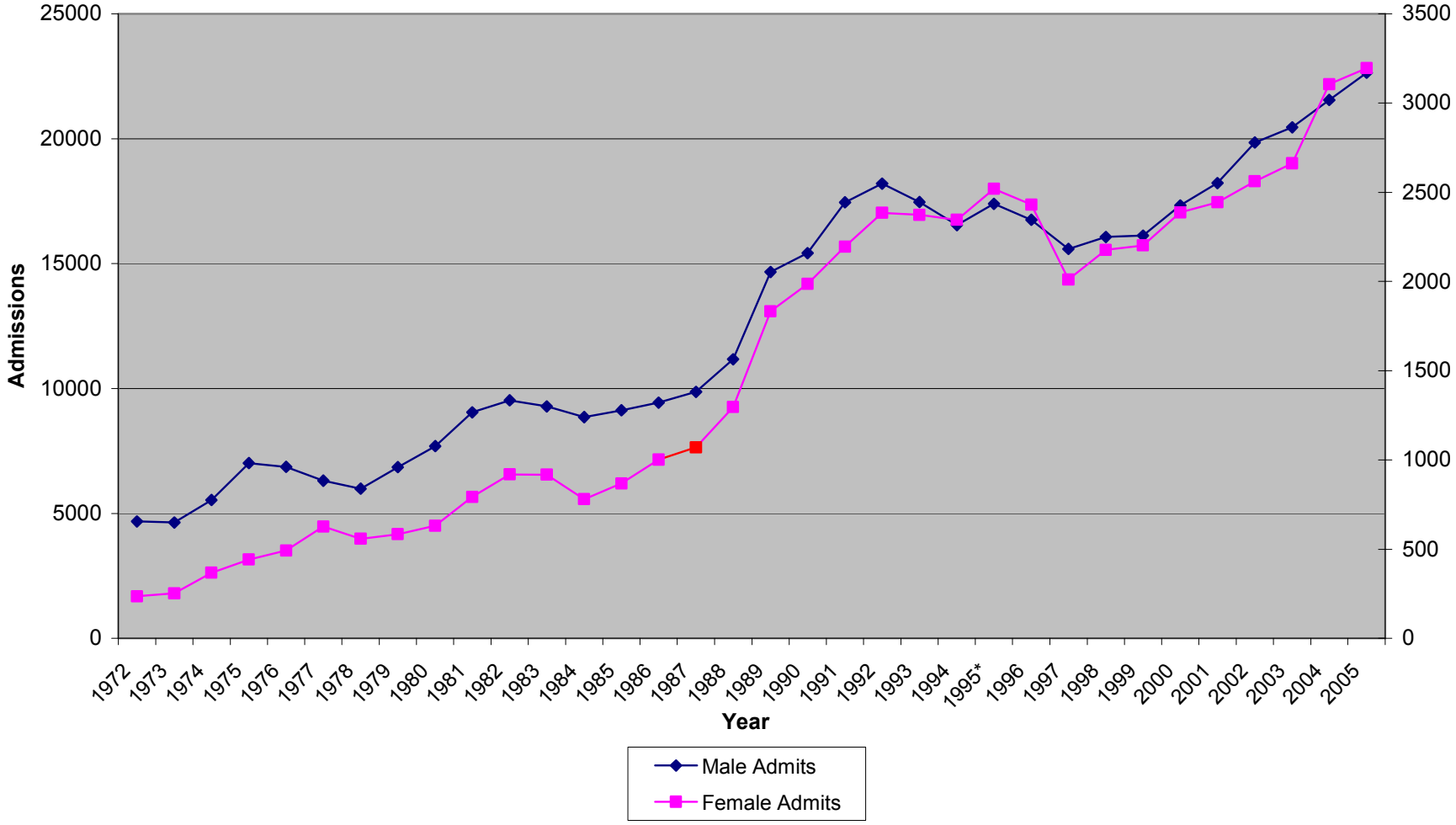
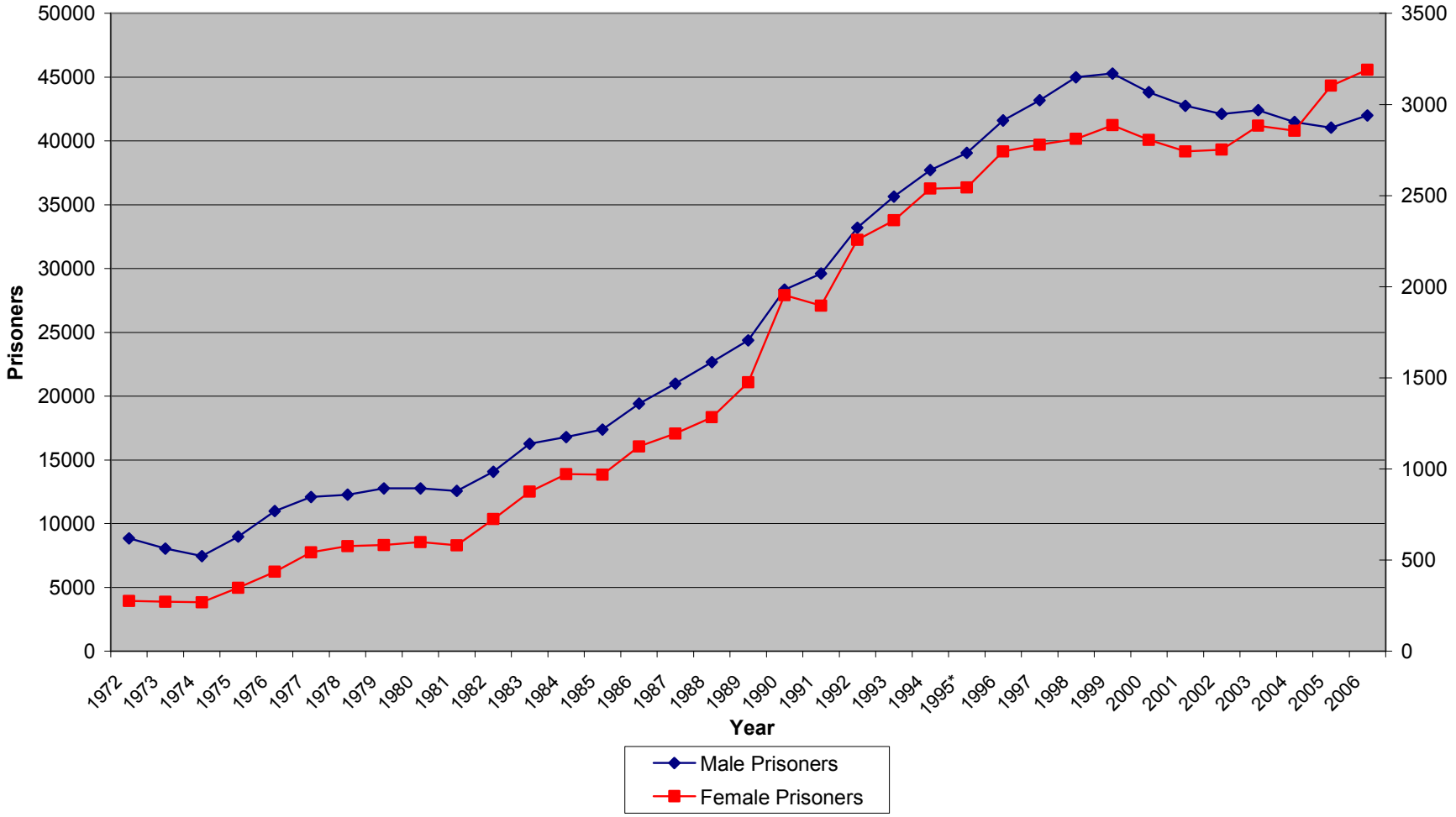


Figure 2: Male and Female Prisoner Population 1972-2006
January 1st of Each Year



There have been two major external events that have influenced these events. First there was SB2 which took effect July 1, 1996 and altered the state's sentencing laws. The major effects of that bill was to create presumptive sentencing guidelines to the states with the emphasis of shifting low level non-violent offenders from the state to county programs funded. It also eliminated discretionary parole release for most violent offenders. These guidelines were set to ensure the prison population did not increase and might even decline.

The other event was an Ohio Supreme Court decision (*Layne v. Ohio Adult Parole Authority*, 2002) which modified the existing parole guidelines. In particular, the guidelines had been using the nature of the offense as interpreted by the Parole Authority rather than the convicted offense to assign a severity of offense score. As a result of this decision, a large number of prisoners were reconsidered for parole and were paroled more quickly. This reform also served to reduce the prison population.

There are some important attributes about the female prison admission that may begin to explain the overall female trends which can be summarized as follows):

1. The increase in admissions has been largely limited to white females who tend to come from the more rural and suburban areas of the state (see Figures 3 and 4).
2. Compared to males, female admissions tend to be more white, older, convicted of a non-violent crime, have short sentences, no prior incarcerations, and a shorter sentence (Table 1).
3. Females have a significantly lower return to prison rates compared to males (24.6% versus 41.1%).
4. 83% have a drug problem, 61% have prior treatment, 42% have drug involved in the crime.
5. 25% are 40 years and older.
6. 60% have HS or GED or Higher Education.
7. 38% have children.
8. 67% have no prior prison, 47% have no prior felony convictions, and 52% have no prior probation or parole violations.

Figure 3: Change in Commitments by Major Race/Sex Groups, 1998 to 2005

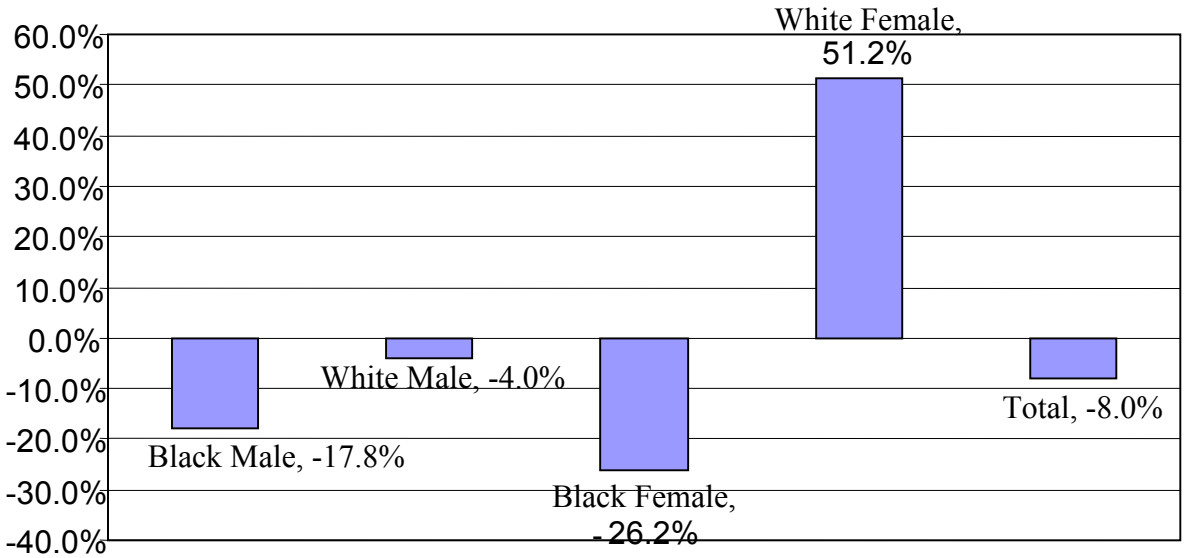


Figure 4: Percentage Increase in the Female Population vs. Percentage White by County

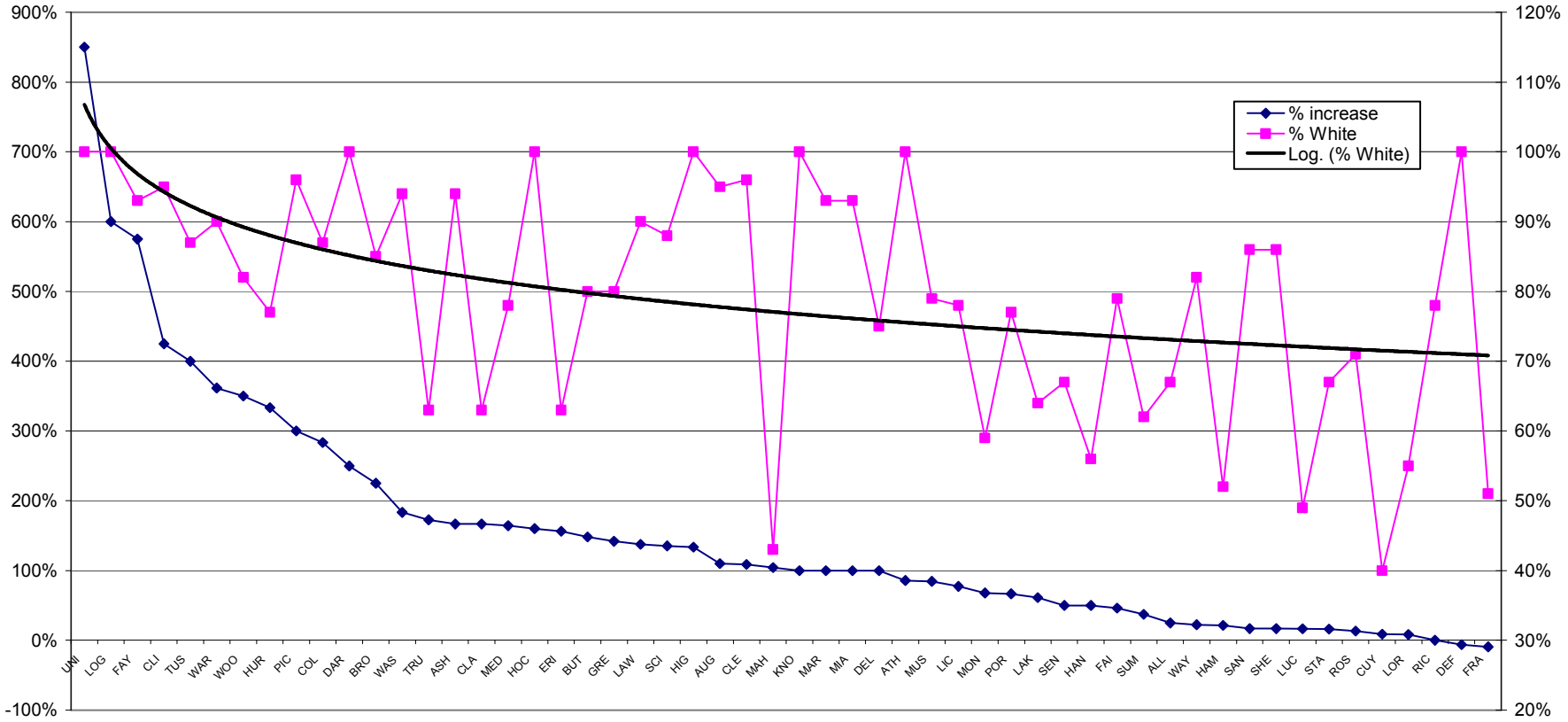


Table 1: Attributes of DRC Admissions FY 2006, Male and Female

	Females		Males	
Characteristic	**Number**	**Percent**	**Number**	**Percent**
Race				
White	2,272	64.8%	11,748	49.1%
Black	1,189	33.9%	11,585	48.4%
Other	43	1.2%	593	2.5%
Age at Commitment				
21 and Under	305	8.7%	3,672	15.3%
22 to 25	479	13.7%	4,397	18.4%
26 to 30	630	18.0%	4,191	17.5%
31 to 35	615	17.6%	3,282	13.7%
35 to 40	590	16.8%	2,940	12.3%
41 to 50	769	21.9%	2,555	10.7%
Over 50	116	3.3%	2,889	12.1%
Crime Type				
Violent	677	19.3%	7,524	31.4%
Property	1,245	35.5%	6,069	25.4%
Drug	1,274	36.4%	7,000	29.3%
Non-Violent	303	8.6%	3,333	13.9%
Gun Years				
None	3,459	98.7%	22,699	94.7%
One or more	45	1.3%	1,277	5.3%
Felony				
Life Maximum	17	0.5%	284	1.2%
One	125	3.6%	2,012	8.4%
Two	301	8.6%	2,878	12.0%
Three	562	16.0%	5,601	23.4%
Four	801	22.9%	6,070	25.4%
Five	1,698	48.5%	7,079	29.6%
Number Prior Incarcerations				
None	2,325	66.4%	11,596	48.5%
One	631	18.0%	5,437	22.7%
Two	255	7.3%	3,123	13.1%
Three	134	3.8%	1,723	7.2%
Four or more	159	4.5%	2,047	8.6%
Average Age at Commitment	***33.7 years***		***32.2 years***	
Average Sentence	***18.3 months***		***27.9 months***	
Average Time Left to Serve	***14.7 months***		***23.5 months***	

It is also noteworthy that there is no evidence that the type of crimes for which females are being sentenced to prison has changed and thus would explain the surge in white females. As shown in Table 2, females are and continue to be sentenced for drug and property crimes. One of possible reasons cited by local officials for the increase in female prisoners was increased existence and prosecution of child abuse/molestation crimes but the data do not support such an explanation.

Table 2: Female Admissions by Offense
2000 vs. 2005

Offense	2000		2005	
	N	%	N	%
Violent	422	18%	573	18%
Sex	42	2%	23	1%
Property	825	35%	1,136	36%
Drugs	942	39%	1,168	37%
Other	156	7%	295	9%
Totals	2,387	100%	3,195	100%

Variation Among the Counties

Statewide trends can and do mask very important variations among the counties. Between 2001 and 2006 there have been considerable differences between the Ohio counties in the increases in female admissions. As suggested in Table 3 there is a relatively clear pattern in that the largest increases has been not the result of a few counties but a large number of small counties located in rural and largely white communities. The large urban with larger proportions of minority/black communities have shown little if any increases in female admissions.

Table 4 shows that 14 counties were responsible for 71% of the total increase in female admissions between 2001 and 2006. And most of these counties were relatively small counties located in predominantly white suburban areas of the state. But simply being a small suburban white community does not fully explain the trend. While it's true that the larger urban counties with higher concentrations of minority prisoners tended to show little if any increases, there were many such counties that showed little, none or even decreases in their commitments.

We also looked the offenses and sentence lengths for the top *25 high growth* and the top 25 *low growth* counties (Table 5). Here we can see some differences in the types of crime but no differences in sentence lengths. In particular, the low growth counties have a lower proportion of drug trafficking but a higher proportion of violent offenses as compared to the high growth counties. The differences in the drug cases may be related to differences in the larger counties (which are largely urban) being more willing to plea a case from a trafficking to a possession case or simple differences in the nature of drug violations. It was suspected but not confirmed that the high growth counties have a higher proportion of drugs cases involving methamphetamine which is more likely associated with white drug users and being taken more seriously in the rural counties. But despite these claims there is no major difference in the overall sentence lengths.

Table 3: Female Admissions 2001-2006 By County and Amount of Increase

County	FY 2001 N	FY 2006 N	Increase FY01-06	% increase FY01-06	County	FY 2001 N	FY 2006 N	Increase FY01-06	% increase FY01-06
Jackson	1	14	13	1300%	Delaware	10	20	10	100%
Guernsey	1	11	10	1000%	Knox	5	10	5	100%
Union	2	19	17	850%	Marion	22	44	22	100%
Putnam	1	8	7	700%	Miami	21	42	21	100%
Logan	2	14	12	600%	Athens	7	13	6	86%
Noble	1	7	6	600%	Muskingum	26	48	22	85%
Fayette	4	27	23	575%	Licking	31	55	24	77%
Crawford	1	6	5	500%	Montgomery	125	210	85	68%
Vinton	1	6	5	500%	Adams	3	5	2	67%
Clinton	4	21	17	425%	Mercer	3	5	2	67%
Carroll	1	5	4	400%	Portage	9	15	6	67%
Ottawa	1	5	4	400%	Lake	31	50	19	61%
Tuscarawas	3	15	12	400%	Hancock	14	21	7	50%
Warren	13	60	47	362%	Monroe	2	3	1	50%
Gallia	2	9	7	350%	Paulding	4	6	2	50%
Geauga	2	9	7	350%	Preble	4	6	2	50%
Van Wert	2	9	7	350%	Seneca	10	15	5	50%
Wood	6	27	21	350%	Fairfield	13	19	6	46%
Huron	3	13	10	333%	Summit	151	207	56	37%
Holmes	1	4	3	300%	Allen	12	15	3	25%
Morrow	1	4	3	300%	Wayne	9	11	2	22%
Pickaway	6	24	18	300%	Hamilton	230	279	49	21%
Columbiana	6	23	17	283%	Sandusky	12	14	2	17%
Darke	4	14	10	250%	Shelby	12	14	2	17%
Brown	4	13	9	225%	Lucas	67	78	11	16%
Williams	2	6	4	200%	Stark	106	123	17	16%
Washington	6	17	11	183%	Ross	15	17	2	13%
Trumbull	11	30	19	173%	Cuyahoga	624	680	56	9%
Ashtabula	6	16	10	167%	Lorain	84	91	7	8%
Clark	24	64	40	167%	Fulton	6	6	0	0%
Medina	14	37	23	164%	Harrison	1	1	0	0%
Hocking	5	13	8	160%	Madison	5	5	0	0%
Erie	16	41	25	156%	Perry	2	2	0	0%
Butler	54	134	80	148%	Richland	36	36	0	0%
Greene	31	75	44	142%	Wyandot	3	3	0	0%
Lawrence	8	19	11	138%	Defiance	16	15	-1	-6%
Scioto	31	73	42	135%	Franklin	266	241	-25	-9%
Hardin	3	7	4	133%	Ashland	9	7	-2	-22%
Highland	6	14	8	133%	Morgan	4	3	-1	-25%
Belmont	4	9	5	125%	Jefferson	11	8	-3	-27%
Coshocton	4	9	5	125%	Meigs	3	2	-1	-33%
Auglaize	10	21	11	110%	Pike	2	1	-1	-50%
Clermont	23	48	25	109%	Henry	4	1	-3	-75%
Mahoning	24	49	25	104%	**Total**	**359**	**1,057**	**698**	**194%**
Champaign	4	8	4	100%					

Table 4: Counties with the Largest Increases in Female Admissions

County	FY01	FY06	Change	% Change
Warren	13	60	47	362%
Butler	54	134	80	148%
Greene	31	75	44	142%
Scioto	31	73	42	135%
Fayette	4	27	23	575%
Wood	6	27	21	350%
Clark	24	64	40	167%
Medina	14	37	23	164%
Erie	16	41	25	156%
Clermont	23	48	25	109%
Mahoning	24	49	25	104%
Marion	22	44	22	100%
Miami	21	42	21	100%
Muskingum	26	48	22	85%
Licking	31	55	24	77%
Montgomery	125	210	85	68%
Summit	151	207	56	37%
Hamilton	230	279	49	21%
Sub Total	846	1,520	674	80%
All Counties	2,306	3,258	952	41%

Table 5: Comparison of High and Low Prison Admission Growth Counties Offense and Sentence Length

Attribute	High Growth 25 Counties	Low Growth 25 Counties
Number of Admissions FY 06	367	1,860
Net Increase FY01-FY06	+294	+170
Offense		
Drug Possession	16.3%	27.0%
Drug Trafficking	12.5%	5.8%
Other Drugs	8.7%	3.2%
Theft	16.1%	13.8%
Forgery	6.3%	5.8%
Burglary	6.0%	5.6%
Violent Crimes	6.0%	17.3%
Other	28.1%	16.5%
Sentence Length		
Six months or less	47.4%	48.9%
6 months to 1 year	27.0%	25.7%
1-2 years	12.3%	12.4%
2-3 years	6.0%	5.2%
3-4 years	1.9%	3.3%
4-5 years	1.6%	1.5%
Six + years	2.5%	1.9%
LIFE	1.4%	1.2%

In order to evaluate these possible explanations eight counties were selected that represented differing changes in the female admissions. Two of the counties (Richland and Sandusky) experienced significant reductions in their female admissions while the others had major increases. The logic of this comparative analysis was to see if some of the above explanations separated the counties with large increases as opposed to those that did not show such an increase.

The information collected for each county is summarized in Table 6. For each county we examined the possible explanations for the increase in female admissions by conducting interviews with the officials from these counties to learn their perceptions and to see if those perceptions were supported by the available data.

First, it became clear that having a prison in the county, having a methadone problem, increases in sex female offenders (child abuse), lack of jail bed space, and a lack of APA , ADAMH, and CCA funds did not distinguish the declining and increasing growth counties. What did surface but in no particular order of importance was 1) demographic growth in the county, 2) the development of community based programs for female offenders, and access to what is referred to as a CBCF facility. The latter factor has to do with the distinction between CCA funded programs and CBCF local facility that may or may not have beds set aside for females. The CCA is state funding for community based programs. The CBCFs are "super-jails for sentenced persons" that the state funds but are managed by a single county board or a multi-county board.

Table 6: Summary Attributes of the Comparative Counties

Factor	Union	Wayne	Greene	Fairfield	Allen	Warren	Sandusky	Richland
Changes in the Prison Admissions								
% White Population	96%	97%	89%	95%	85%	94%	91%	88%
Female Admissions FY 2001	2	9	31	4	12	13	12	36
Female Admissions FY 2005	12	21	72	35	35	37	14	33
% Increase FY 2001-2005	500%	133%	132%	775%	192%	185%	17%	-8%
%Female Increase FY 2001-04	300%	217%	161%	158%	153%	150%	-13%	-26%
%Male Increase FY2001-04	111%	31%	93%	32%	14%	42%	-29%	47%
Explanatory Factors								
1. Prison In County	1	0	0	1	2	2	0	2
2. Meth/Drug Problem	Unkn	Unkn	Yes	Unkn	Unkn	Unkn	Unkn	Yes
3. Increase in Sex Offenses	No	No	No	No	No	No	No	No
4. Access to CBCF	Limited	Limited	Limited	Limited	Limited	Limited	Yes	Yes
5. Lack ADAMH Funds	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
6. Population Growth	+10.6%	+3.3%	+0.4%	+7.8%	-0.4%	+16.3%	-1.2%	-0.5%
7. APA Services	Full	None	None	None	Full	Supplemental	None	Full
8. Access to Special Programs	None	None	None	None	None	None	Yes	Yes
9. Female Jail Capacity	24	12	50	22	31	31	8	10
10. CCA Funding	$64,287	$246,927	$257,045	$230,477	$391,931	$60,718	$213,912	$268,808

Relative to the demographic growth factor, counties with high growth prison admissions tended to report higher general population growth whereas Richland and Sandusky Counties had very little growth. The two other differences were the existence of far more community based program slots for females in Richland and Sandusky as compared to the other counties and more access to female beds at the regionally located CBCFs. Table 7 details the wide array of program slots available for male and female offenders in Richland County.

The "high growth" counties have not funded, or received state funding for, such a wide array of alternatives to incarceration. And in some ways, the economic incentive to the county is to send the female prisoner to the state. In so doing the county bears no costs for the incarceration of a low risk offender (as compared to the males). And for the female offender, the average length of time served in a state facility (which may provide for better medical and mental health services) is typically only a few months before she is released back to the county with no post release supervision costs.

There is also evidence that some offenders prefer the current arrangement of being sentenced to a relatively short prison sentence in lieu of a multi-year probation term that may require constant monitoring and drug testing.

Table 7: Number of Adults Under Local Supervision
By Type of Program and By Gender
Richland County – August 2005

Program	Females		Males		Totals	
	N	%	N	%	N	%
CBCF	9	15%	49	83%	58	100%
Probation	11	28%	28	72%	39	100%
Intensive Collection	18	15%	103	84%	121	1009%
Intensive Supervision Probation	41	11%	342	89%	383	100%
Re-Entry Court	24	9%	252	91%	276	100%
Drug Court	NA	35%	NA	65%	NA	100%
PTR Level I Basic	175	26%	486	74%	661	100%
Totals	278	18%	1260	82%	1538	100%

Summary

Ohio has a rapidly rising female prison population which is being driven in part by increases in admissions and a longer period of confinement than has traditionally been the case. The pattern has already shifted resources in the department and could require greater resources in the future. This study sought to explain female commitment patterns and suggest possible shifts in policy or resources to use prisons more wisely with regard to female offenders.

With respect to the growth in female admissions the following conclusions can be made:

1. Approximately 14 of the states 88 counties are responsible for most of the increase;

2. These counties tend to be small rural/suburban counties with relatively small minority populations which explains why so much of the increase is limited to white females;
3. Another important factor is the limited number of local community based programs for females available to the courts for sentencing;
4. The economic incentive for these counties is to sentence the women to state prisons where they will spend only a few months incarcerated before being released back to the community rather than a local sentence;
5. Despite the lack of local and state services for females, their recidivism rate is significantly lower than the male rate
6. Most of their criminality revolves around drug use and property crimes.

The ODRC is projecting that under current policies the male and female populations will continue to rise (Table 8). In order to reduce the number of females being admitted there are a number of actions the state could pursue. The following ideas are predicated on the data that shows most of the women now being admitted to state prison are low risk and present little danger to public safety.

One immediate recommendation would be for the ODRC to aggressively target the high growth counties and help develop with the county a wider array of community based programs. The state funds could be awarded to a county to fund such programs based on estimates of the amount of averted prison operation and construction costs. The types of programs that should be developed might best be operated by private non profit agencies that have a history of working with females and their families. The agreements with the counties might take the form of a memorandum of agreement (MOA) which would spell out the joint responsibilities and goals of the state and county. It may also be necessary to create additional CBCF slots for females in the regions being served by the high growth counties.

On a larger scale, the state legislature and executive branch would be well served if a more formal cost savings or subsidy incentive program could be developed that would result the large scale diversion of both female and male prisoners who are convicted of the lower level felony crimes and meet certain screening criteria. Given the current estimates of the ODRC for population growth (see Table 8), the state could afford to fund more community based programs if the counties agree to divert prison bound offenders. The key component of the program would be to establish benchmarks for each county on how many Felony 4 and 5 offenders would be admitted to state prison each year. Such subsidy type programs have been shown to be quite effective in juvenile correctional systems. Female offenders would seem to be well suited for such diversions given that they have lower recidivism rates than the males and are much less likely to be involved in violent crimes.

Table 8: Prison Population Projections 2007-2016

Date	Male	% change	Female	% change	Total	% change
10/2/2006*	43,965		3,554		47,519	
7/1/2007	45,485	3.5%	3,726	4.8%	49,211	3.6%
7/1/2008	47,563	4.6%	3,985	7.0%	51,548	4.7%
7/1/2009	49,354	3.8%	4,249	6.6%	53,603	4.0%
7/1/2010	50,889	3.1%	4,416	3.9%	55,305	3.2%
7/1/2011	52,625	3.4%	4,598	4.1%	57,223	3.5%
7/1/2012	53,832	2.3%	4,699	2.2%	58,531	2.3%
7/1/2013	55,384	2.9%	4,802	2.2%	60,186	2.8%
7/1/2014	56,941	2.8%	4,914	2.3%	61,855	2.8%
7/1/2015	58,184	2.2%	5,088	3.5%	63,272	2.3%
7/1/2016	59,756	2.7%	5,214	2.5%	64,970	2.7%