



**Report on the Rhode Island Department of
Corrections' Population
FY 1976 - FY 2016**

Prepared by the Planning & Research Unit

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Introduction

This report was created to summarize all of the existing data describing the Rhode Island Department of Corrections' population. The Planning & Research Unit has maintained offender data since 1976; therefore, this report contains data from 1976 to 2016. Prior to 1992, data are not available in electronic form. As a result, information in this report is constrained by what data elements were manually collected.

The RI Prison System:

As of June 30, 2016 the Adult Correctional Institutions (ACI) at the Rhode Island Department of Corrections (RIDOC) is comprised of 7 inmate facilities (5 male, 2 female), which are all located within 1 square mile of each other in Cranston, RI. Women's Facility I (The Gloria McDonald Building) presently houses all female offenders, for Women's Facility II (The Bernadette Building) is presently empty but still operational as of FY17.

The state of Rhode Island operates a unified correctional system, meaning that all offenders (i.e., those awaiting trial, sentenced, and under community supervision) in the state are under the jurisdiction of RIDOC. In this report, "Total Population" refers to total custodial population, which excludes offenders living in the community on home confinement with electronic monitoring devices.

Data Caveats:

As noted above, there are limitations to what data are included in this report based on what information was manually collected. In some cases, data were not available at standard intervals. Please pay special attention to the text, as it will identify the specific time period covered.

Another limitation of the data is that by and large, only the most serious offense for an offender is recorded. While it is possible to analyze current data for additional charges/sentences, it is not the case for data that was previously collected.

More Information:

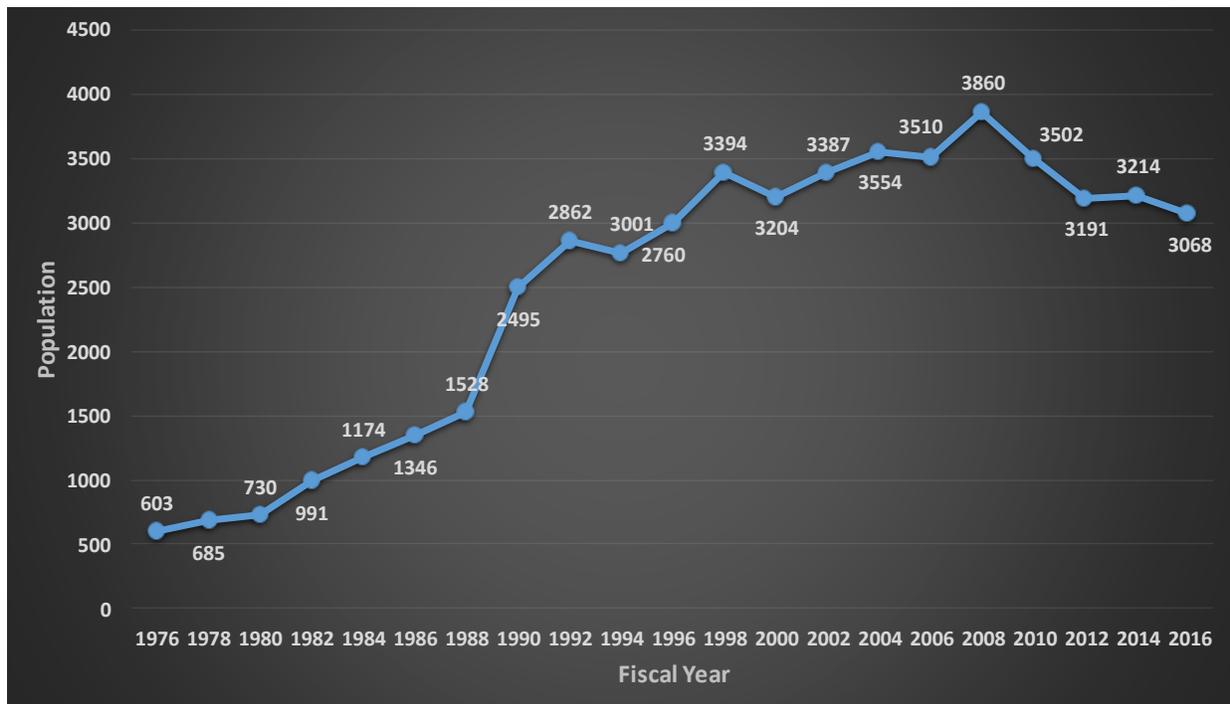
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RI's Inmate Population at a Glance (FY1976-FY2016)



The majority of the growth in the state's prison population occurred during the 1980's. From 1980 to 1989, the total prison population grew by an average of 17% annually, for a total increase of 172% (from 730 to 1987 offenders). During the 90's, the prison population continued to grow by an average of 3.6% each year. In the 2000's, the prison population grew at a rate of about 1.78% per year, however from 2010 to 2016 the prison population has decreased by an average of 1.77% per year. The total prison population (i.e., all awaiting trial and sentenced offenders, both male and female) experienced nearly a 6-fold increase from FY1976 to FY2008. This represents a 540% growth in the population over those 32 years, or an average of 16.9% annually. Since FY2008 the prison population has decreased by 20.5%, an average of 2.6% annually. This was largely as a result of: the passing of good time legislation in 2008, the State's decision to repeal mandatory minimum sentences in 2009, and the inclusion of the Second Chance Act and Justice Reinvestment Initiatives.

Was the increase in the RI inmate population due solely to an increase in the State's population?

No. While the number of offenders incarcerated in RI rose dramatically (a 380% increase), US Census (2010) research found that RI's population only grew about 11% from 1980 to 2010. Specifically, in 1980, RI's incarceration rate was 77 offenders per 100,000 state residents. According to the Bureau of Justice Statistics (2001), in 2000, the rate rose to 197 offenders per 100,000 residents, while in 2009, the Bureau of Justice Statistics (2009a) states the rate increased



to 211 per 100,000, representing growth by 174% between 1980 and 2009. The Bureau of Justice Statistics [BJS] (2016a) also states that as of December 31, 2015, the rate decreased to 204 offenders per 100,000. This represents a 3.3% decline over the course of the last 5 calendar years.

Was there significantly more growth in one segment of the prison population?

No. There was significant growth in both the number of awaiting trial and sentenced inmates *for more detail see page 14*). Similarly, there has been exponential growth in the male and female offender populations (*for more detail see pages 16-17*).

How does Rhode Island compare nationally?

As was the trend nationally, Rhode Island experienced marked growth in its total prison population, with the sharpest recent increase occurring between 2005 and 2008. However, the Bureau of Justice Statistics [BJS] (2009b) states that RI experienced the largest percent decrease in the prison population in the US (down 9.2%) by the end of 2009. Rhode Island's incarceration rate fell from 240 in 2008 (BJS, 2009b) to 204 per 100,000 residents in 2015 (BJS, 2016a). According to Statista: The Statistics Portal (2016), Rhode Island had the 8th highest crime rate while yielding the 4th lowest incarceration rate (BJS, 2016a). At the end of 2015, the United States had its lowest prison population since 2005 (1,525,900 prisoners) (BJS, 2016a). The United States' incarceration rate decreased from 504 in 2008 (BJS, 2009b) to 458 per 100,000 residents in 2015 (BJS, 2016a).



What factors lead to changes in the prison population?

Prison populations are indirectly affected by many factors, with four factors having an immediate impact: (1) the number of new offenders admitted, (2) the length of sentence imposed, (3) the amount of time offenders can earn off their sentence (i.e. time off for good behavior or program participation), and (4) the percentage of offenders leaving prison prior to the expiration of their sentence (e.g., via parole).

Nationally, The “War on Drugs” initiative under President Richard Nixon’s Administration during the 1970’s and “Get Tough on Crime” implemented under President Ronald Reagan’s Administration during the 1980’s, have been the two primary factors which led to a rapid increase in prison populations across the country during the latter part of the 20th century. In response, many states chose to pass mandatory minimum sentence legislation in the 1980’s which aimed to increase prison sentences for drug offenders while decreasing the possibility of early release. As a result, prison populations began to contain more minor drug offenders and these offenders were required to serve longer sentences. This produced a “stacking effect,” where this segment of the prison population remained incarcerated and new offenders continued to pile in. According to the Bureau of Justice Statistics (2003), the number of incarcerated persons throughout the nation grew to over 2.3 million by 2008.

In response to the growing population and forecasted projections developed in 2007, the Rhode Island Legislature passed initiatives in May 2008 to modify statutory good time by standardizing calculated earned time for all inmates who demonstrate good behavior. All offenders, with the exclusion of sex offenders, those serving 30 days or less or those serving a life sentence, are eligible to receive 10 days a month off their sentence if they remain discipline free. In addition, program earned time was established to allow inmates who participate in particular programs to receive up to 5 days a month, while offenders who successfully complete programs have the ability to earn up to another 30 days off their sentence for each program completed.

Below is a timeline demarcating major policy changes on a national level and the impact on Rhode Island’s prison system:

Late 1960s	Recreational drug use among young, white, middle class Americans rises.
1971	According to Frontline (n.d.) President Nixon names drug abuse as “public enemy number one in the US.” Nixon allots a majority of anti-drug money to treatment rather than law enforcement.
1972 (RI)	Rhode Island Department of Corrections [RIDOC] (n.d), the Rhode Island Department of Corrections is created by statute and has formal jurisdiction over the Adult Correctional Institutions and Probation and Parole.
1974	President Nixon resigns. The Ford administration recommends that “priority in Federal efforts in both supply and demand reduction be directed toward those drugs which inherently pose a greater risk to the



individual and to society.” Drugs named as high priority include heroin, amphetamines and mixed barbiturates (Frontline, n.d.).

- Late 1970s Cocaine use is on the rise and is glamorized by the media.
- 1980s (RI) The DOC embarks on long-term building /construction campaign to increase the number of beds to meet the needs of the increasing prisoner population.⁸
- The RI population starts to see steady increases in population from year to year.
- 1981 (RI) High Security Center opens, with a capacity of 96 cells (RIDOC, n.d.).
- 1982 (RI) Intake Service Center opens, with a capacity of 168 cells (RIDOC, n.d.).
- 1984 (RI) The Gloria McDonald building opens as a women’s prison (RIDOC, n.d.).
- 1984 First Lady Nancy Reagan’s “Just Say No” campaign becomes the centerpiece of the Reagan administration’s anti-drug policy. The movement focuses on white, middle class children and is funded by corporate and private donations (Frontline, n.d.).
- 1985 Crack cocaine begins to flourish in the northeast. Crack is cheap and powerfully addictive and devastates inner city neighborhoods.
- 1986 Reagan signs the Anti-Drug Abuse Act of 1986. This bill provides \$1.7 billion to fight the drug crisis. \$97 million is allocated to build new prisons, \$200 million for drug education and \$241 million for treatment. The Anti-Drug Abuse Act also created mandatory minimum sentences for drug offenders. It also created a great sentencing disparity between powder cocaine and crack (5 kilograms of cocaine is punishable by at least 10 years in prison while 5 grams of crack leads to a mandatory 5-year sentence) (Frontline, n.d.).
- 1986 (RI) The War on Drugs intensifies in RI with the introduction of crack. There is an increase in penalties for minor drug violations. RI Parole Guidelines are modified to increase the amount of time served until parole eligibility for drug offenders (E. Boyar, personal communication, May 17, 2005).
- 1988 (RI) The General Assembly passes legislation making possession of as little as 1 oz of heroin or cocaine subject to a mandatory minimum sentence of 10 years. Voters amend the State constitution to permit denial of bail in cases of drug offenses carrying a sentence of 10 years or more (L. Carrol, personal communication, July 20, 2005). As a result, the RI population begins a sharp climb, growing 85% from 1986 to 1990.



- 1989 President George H.W. Bush creates the Office of National Drug Control Policy and the drug ‘czar’ to lead it. Federal spending on law enforcement increases; treatment receives less than 1/3 of the total budget.
- 1990 (RI) The Price Medium Security facility opens as a special needs unit (RIDOC, n.d.).
- 1992 (RI) The Intake Service Center (North side) opens, with a capacity for 900 offenders (RIDOC, n.d.).
- The Moran Medium Security facility opens, with a capacity for 870 male inmates (RIDOC, n.d.).
- 1993 (RI) The Price Medium Security, special needs facility, closes due to budget cuts (RIDOC, n.d.).
- 1994 The National Criminal Justice Reference Center (1994) states the Violent Crime and Law Enforcement Act of 1994 (Federal Crime Bill) was enacted and included funding for prisons, law enforcement and prevention programs.
- 1995 US Sentencing Commission recommends modifying mandatory sentencing guidelines to reduce the disparity between crack and powder cocaine. For the first time in history, Congress overrides this recommendation. Clinton agrees with Congress and signs the rejection into law (Frontline, n.d.).
- 1996 The federal government creates the Violent Offender Incarceration/Truth-in-Sentencing Initiative. Monies are doled out to increase time served for violent offenders and increase construction of prisons for violent offenders. RI is awarded a grant and expands Medium Price by 88 beds and Women’s Facility awaiting trial beds by 45. Also, RIDOC begins renovating the Reintegration Unit, which was intended to house about 200 male inmates who would otherwise expire sentences from a medium or maximum-security facility (RIDOC, n.d.).
- 1997 (RI) The Price Medium Security facility reopens (RIDOC, n.d.).
- 1998 Human Rights Watch (2000) reports that 30% of all new sentenced admissions to state prisons and 58% of those to Federal prisons are for drug charges.
- 2002 The federal government responds to the growing number of offenders being released to the streets after long terms of incarceration. Under the



Serious and Violent Offender Reentry Initiative, RI is awarded \$1.9 million dollars to address reentry needs (RIDOC, n.d.).

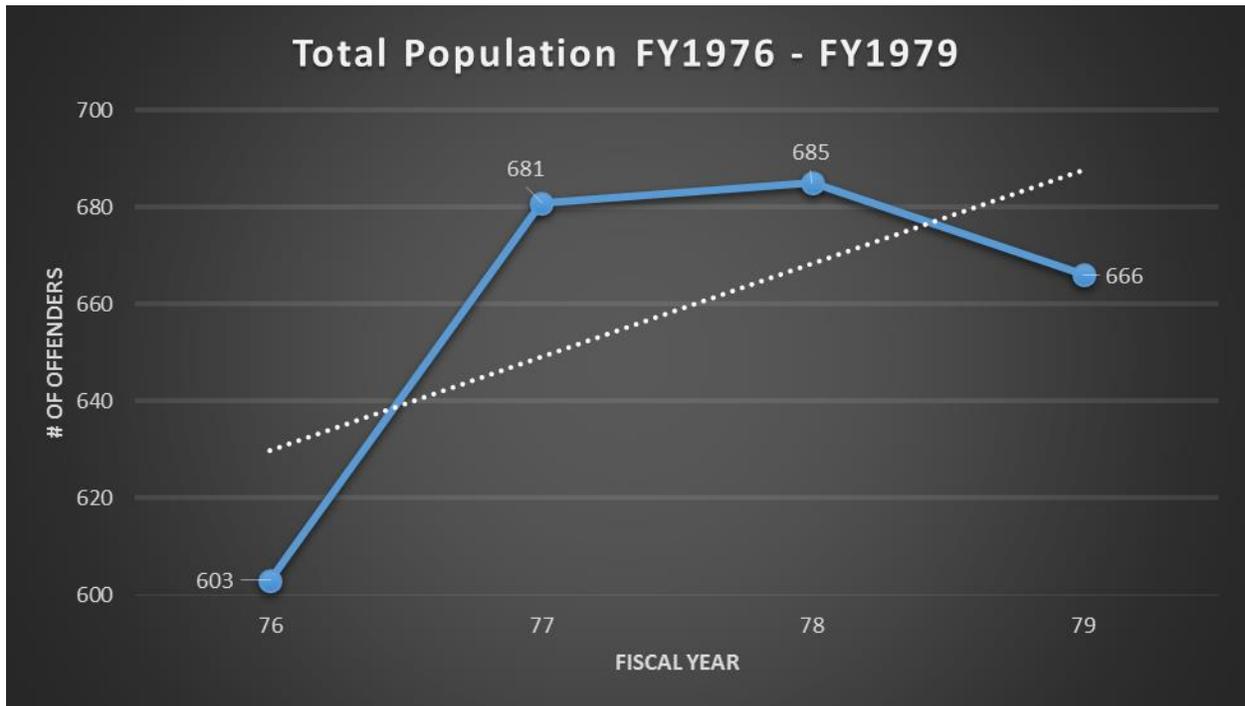
- 2003 (RI) Governor Carcieri issues an executive order that establishes a Governor's Steering Committee on corrections reform and prisoner reentry. This committee was established to create a comprehensive plan and systematic approach to promoting reentry strategies for all offenders prior to release from incarceration with continued support from probation and parole, community-based agencies and all other State agencies after release (RIDOC, n.d.).
- 2008 (RI) RIDOC (2011) states the General Assembly enacted legislation to moderate the growth of the inmate census by equalizing the rate of earned time among all inmates other than sex offenders and by providing incentives for inmates to participate in treatment and programs that can reduce their risk to re-offend upon release.
- 2009 (RI) The Brennan Center for Justice: Twenty Years (2015) states that Rhode Island repealed all mandatory minimum sentencing laws for drug offenses.
- 2010 According to the United States Sentencing Commission (2015), President Barack Obama signs into federal law the Fair Sentencing Act of 2010 that reduces the disparity between the amount of crack cocaine and powder cocaine needed to trigger certain federal criminal penalties and eliminated the five-year mandatory minimum sentence for simple possession of crack cocaine.
- 2010 (RI) Women's Facility I opens as a medium security facility for women, with a capacity for 213 offenders (RIDOC, n.d.).
- 2010 (RI) The DIX building (Women's Minimum/Work Release) closes. Minimum/Work Release women are transferred to the Gloria McDonald building, while another building is renovated for the permanent relocation of these women (RIDOC, n.d.).
- 2011 (RI) The Bernadette Building (Women's Minimum/Work Release) is opened (RIDOC, n.d.).
- 2011 (RI) The Donald Price Medium Security Facility closes as mandated by the General Assembly (RIDOC, n.d.).
- 2012 (RI) Rhode Island Department of Corrections [RIDOC] (2016a) states that RIDOC was awarded a Second Chance Act Statewide Recidivism Reduction Grant to address deficiencies in the use of assessment, case management and programming interventions.



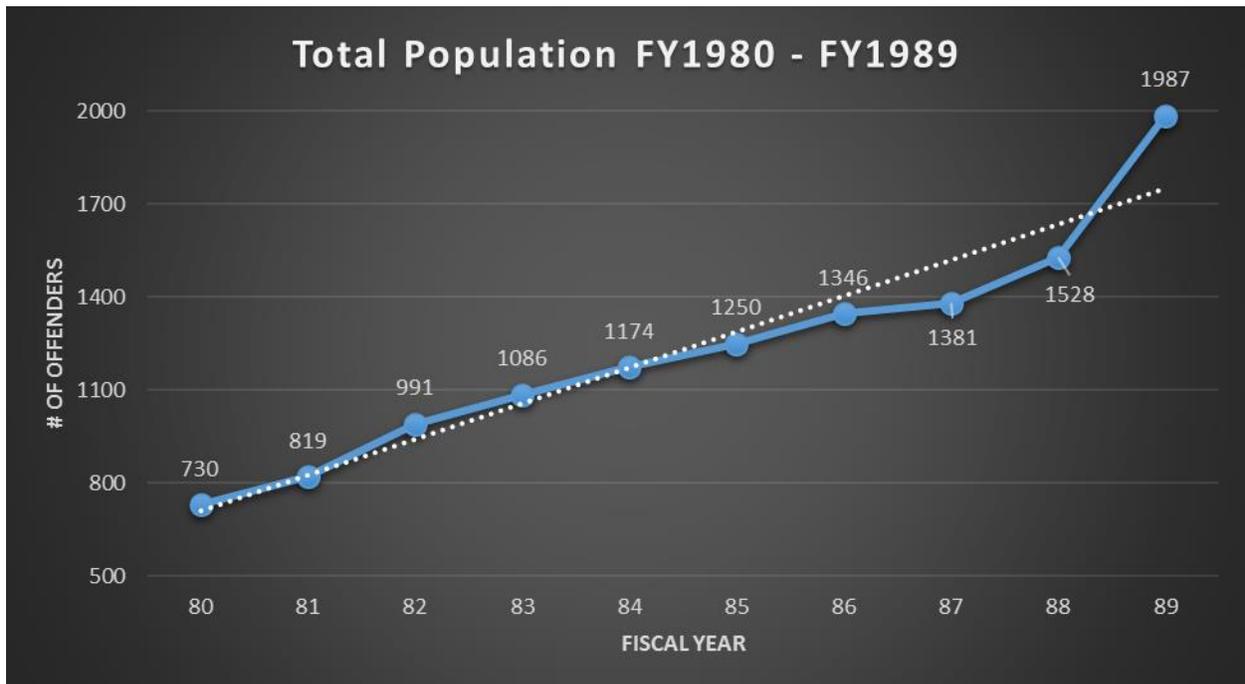
- 2012 (RI) Legislation was passed that changed good time policies for those offenders convicted of committing severe crimes (RIDOC, n.d.).
- 2013 (RI) Rhode Island passed a law making possession of small amounts of marijuana punishable with a maximum \$150 civil fine and no jail time (Brennan Center for Justice: Twenty Years, 2015).
- 2016 (RI) Due to declining population, Women’s Facility II’s (Bernadette) population was consolidated into Women’s I (Gloria McDonald). Women’s Facility II (The Bernadette Building) is presently empty but still operational.



Total Population by Decade

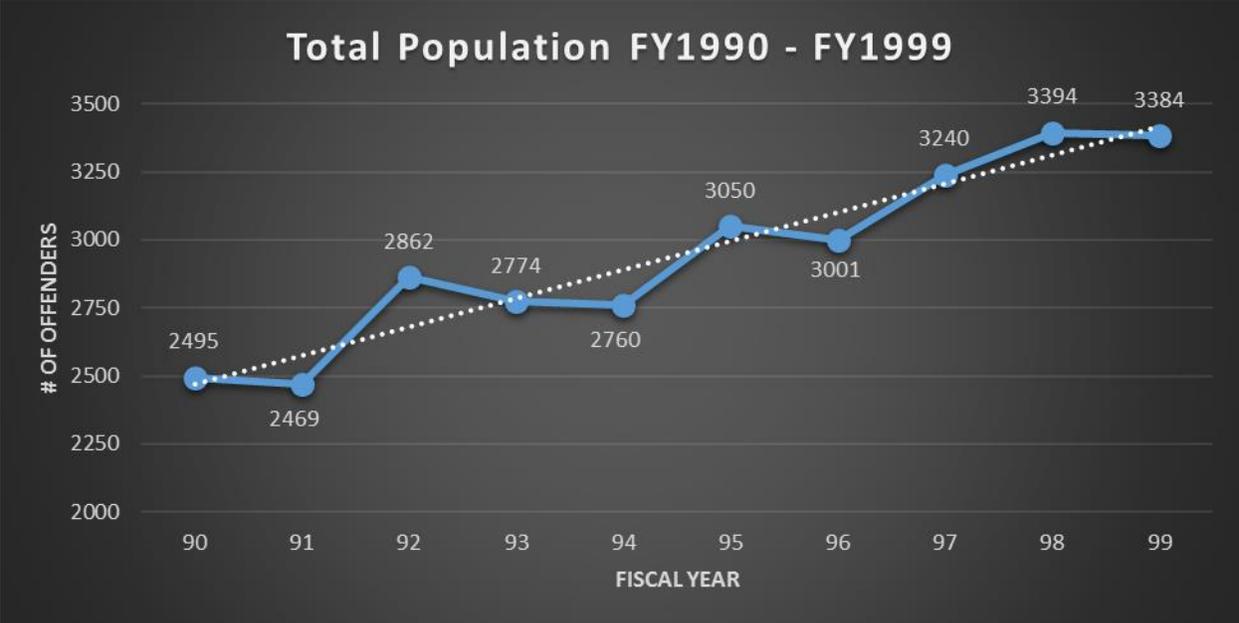


From FY1976 to FY 1979, the average total population increased by 10%.



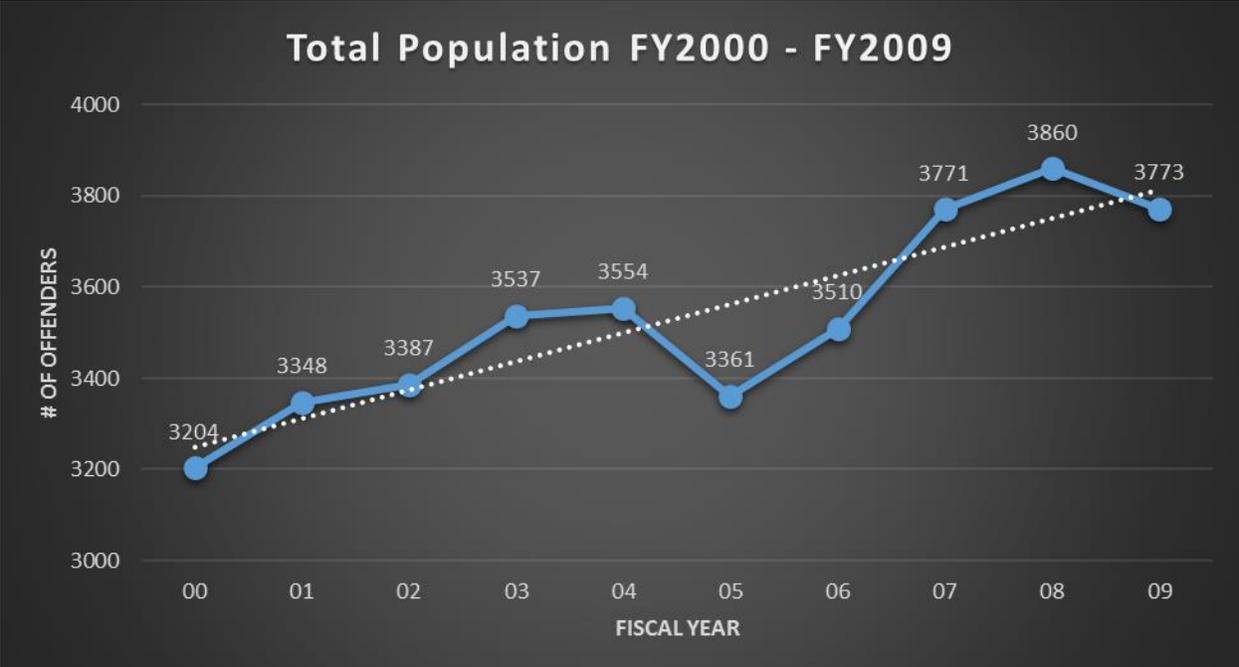
From FY 1980 to FY 1989, the average total population increased 172%.

In comparison to the latter part of the 70's, the average total population increased 48% from FY86 to FY89.



From FY 1990 to FY 1999, the average total population increased 36%.

From FY 1996 to FY 1999, the average total population increased 13%.

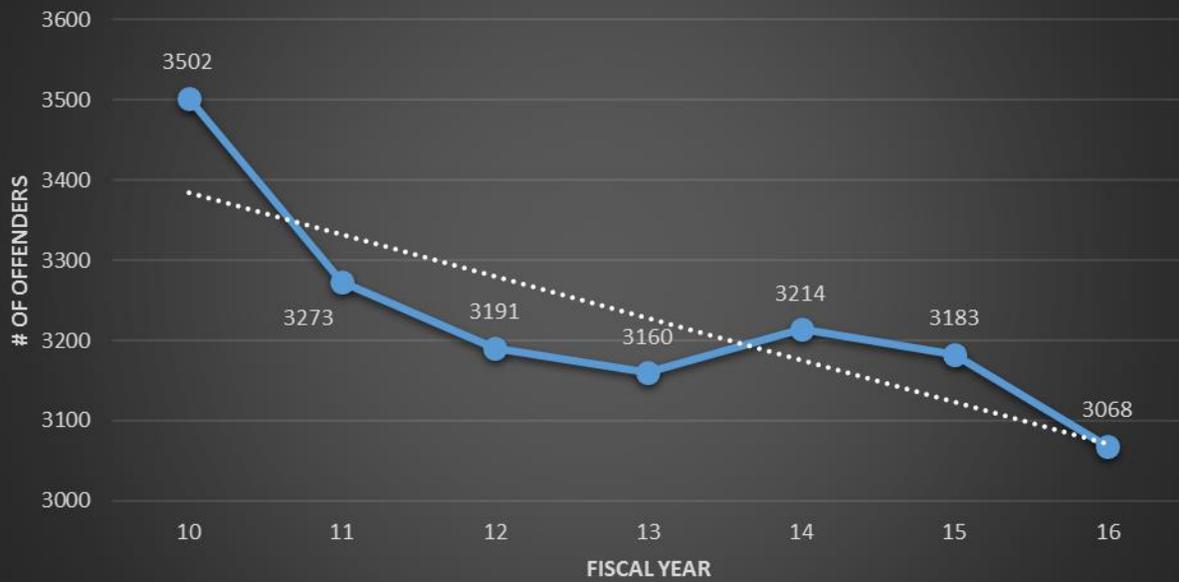


From FY 2000 to FY 2009, the average total population increased 17%.

The population reached an all-time high in 2008, increasing 20% from 2000.



Total Population FY2010 - FY2016



From FY 2010 to FY 2016, the average total population decreased 12%.

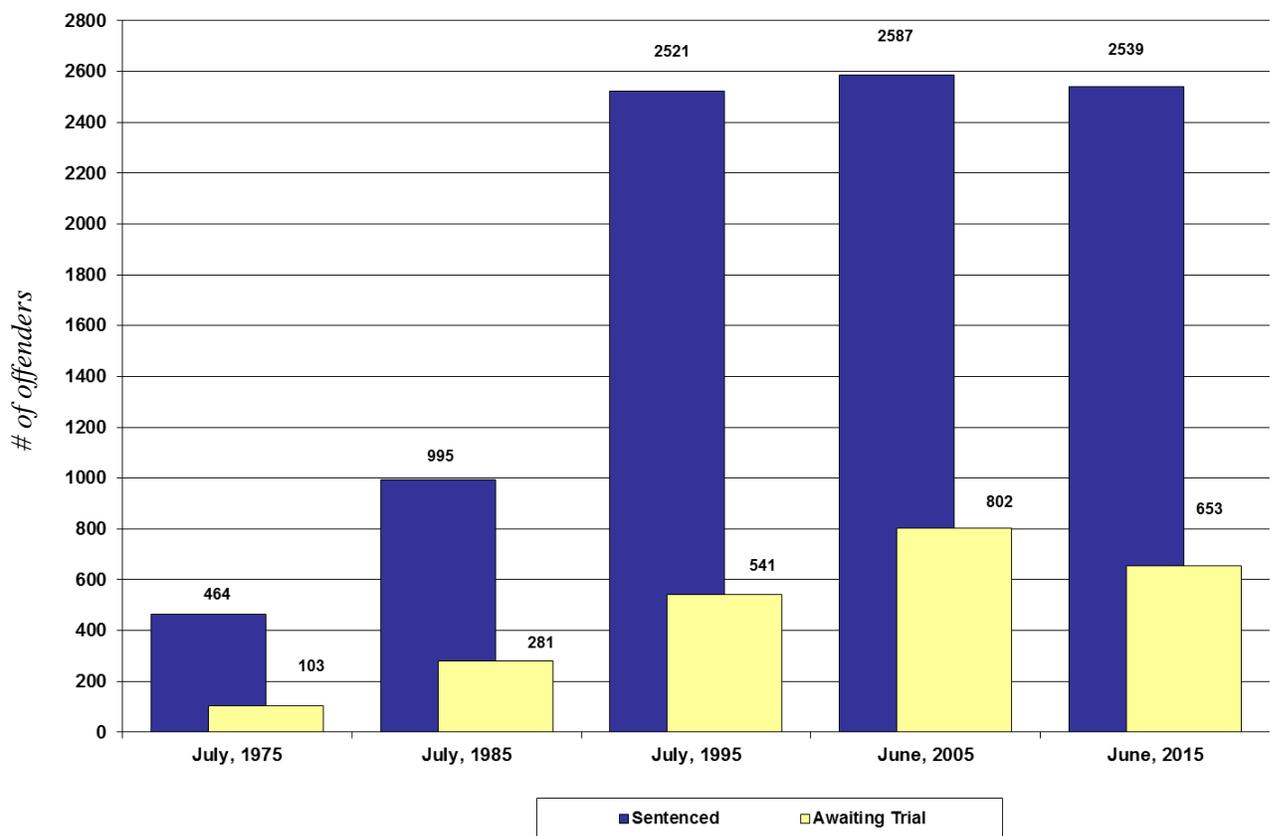
The population steadily decreased with a brief spike in FY2014.



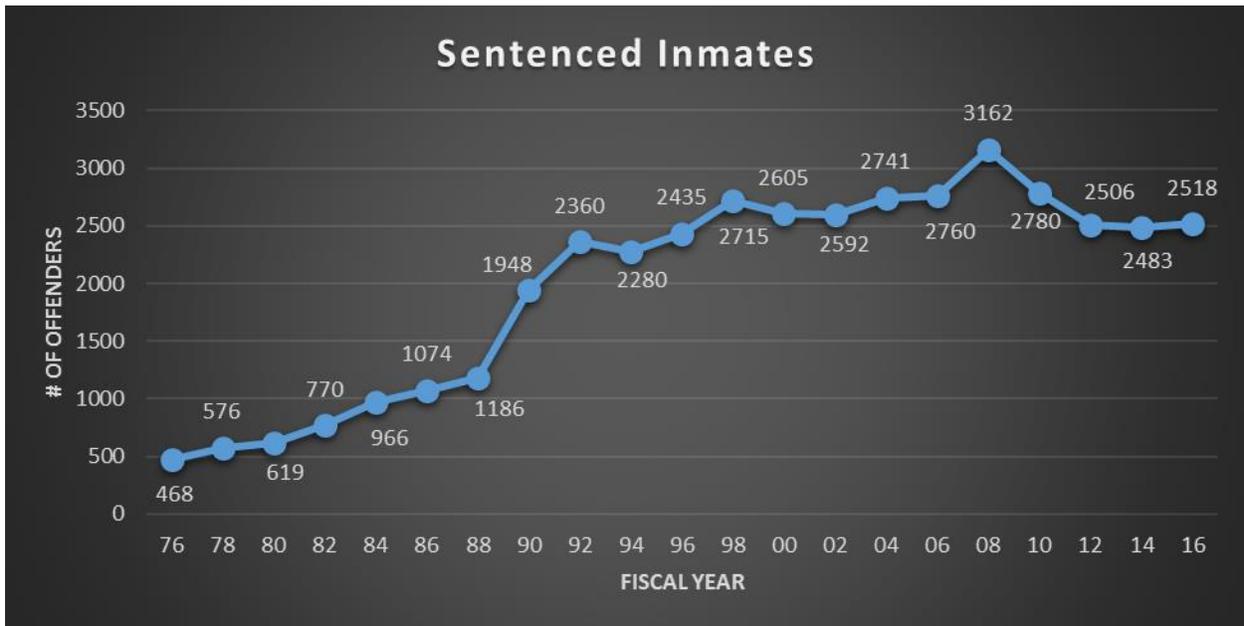
Population by Inmate Status

Was there more growth in either the awaiting trial or sentenced offender populations?

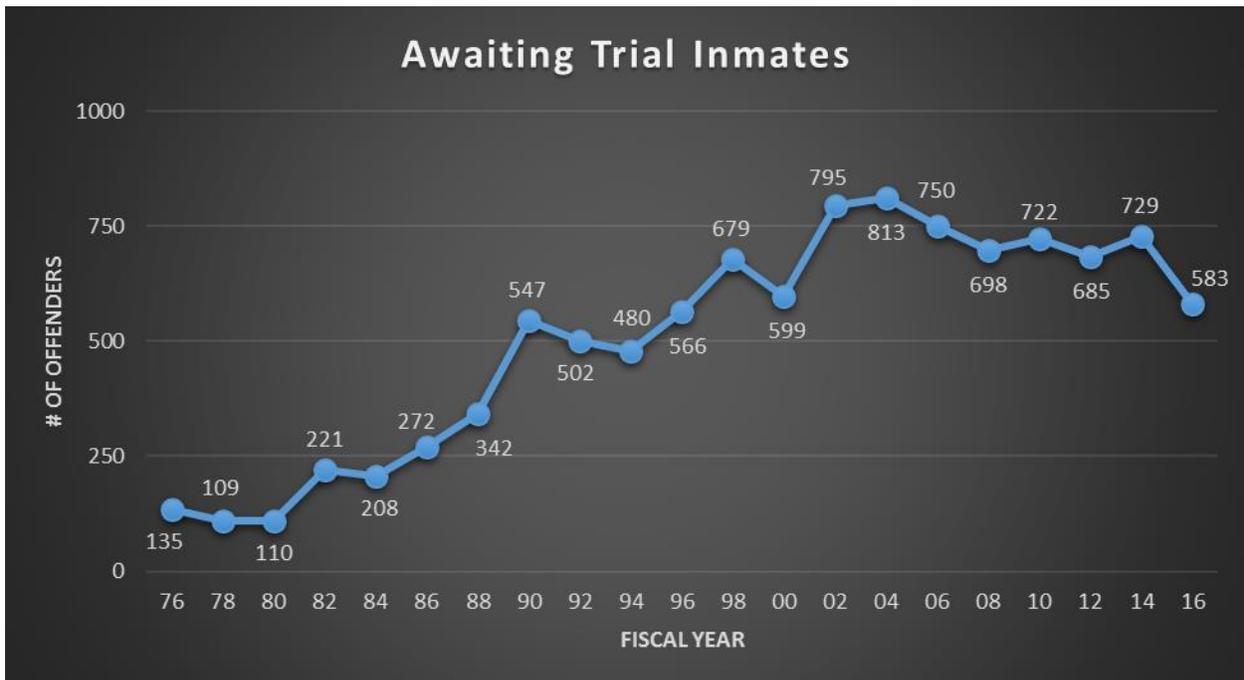
The sentenced population steadily increased from 468 in FY1976 to 3162 in FY2008. That is a 576% change in those 32 years. Since then the sentenced population has declined 20% to 2518 in FY2016. The awaiting trial population increased rapidly (502%) from FY1976 to FY2004. From FY 2004 to FY2016 there has been a decrease in the awaiting trial population of 28%. In 1975, the awaiting trial population represented 18% of the total prison population, while in 2015, it made up 20.5% of the total population.



Sentenced Inmates



Awaiting Trial Inmates

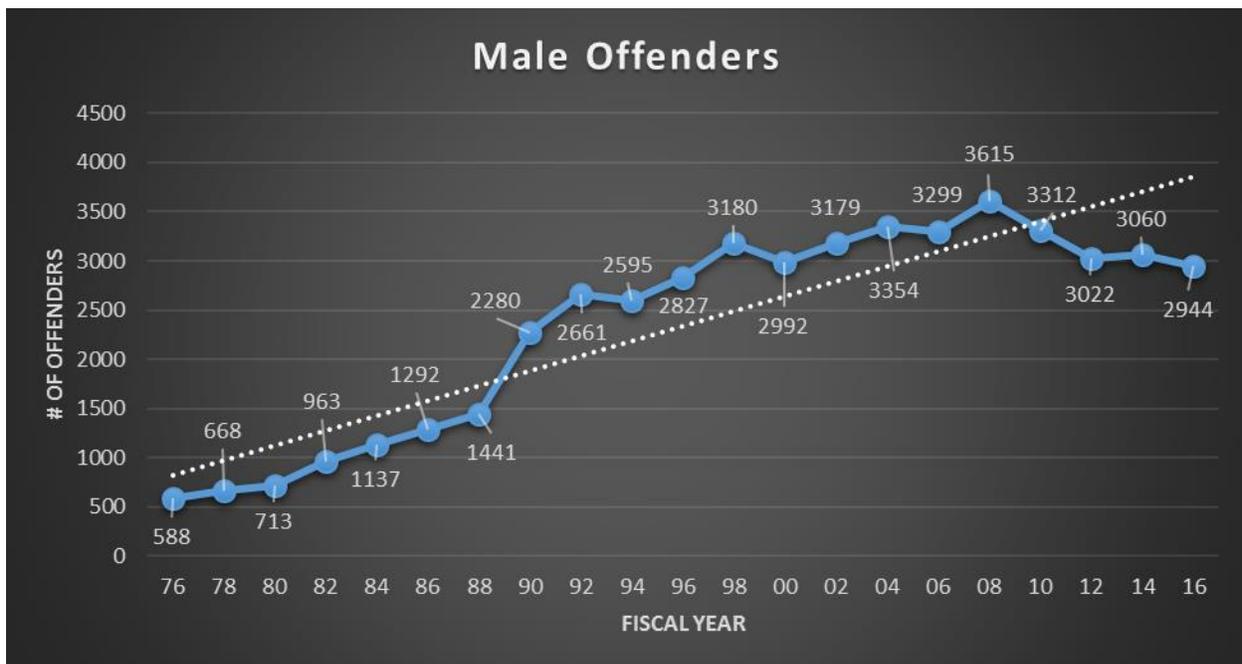


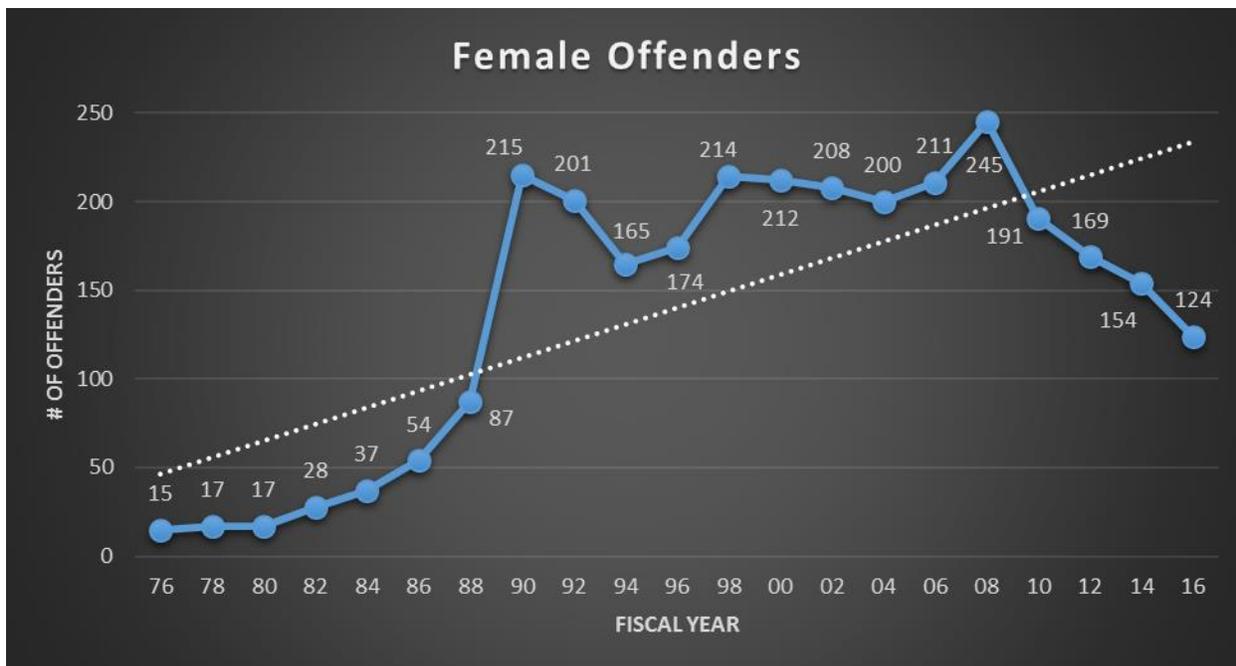
Population by Inmate Sex

Did the number of female and male offenders grow equally?

While the male inmate population increased 401% over the past 40 years, the female population grew by over 727%. Despite this steep rise in female inmates, female offenders constitute only 4% of the total RIDOC population. Interestingly, this is less than twice the proportion that females represented in 1976 (2.5%). The increase in both the male and female populations can be primarily attributed to the “War on Crime” movement during the Nixon administration and subsequently the “War on Drugs” movement during the Reagan administration of the mid to late 80’s through the early 90’s (Frontline, n.d.). Changes to the Parole Board guidelines (RIDOC, n.d.) and increased attention to female prostitution offenders also contributed to the population rise (Wall, A., personal communication, July 21, 2005). The decrease in both populations starting in 2008 is largely due to legislation that increased the amount of behavioral good time credit and provided credits for program participation and completion.

Male Inmates





Can other trends be teased out of the total population changes?

Offense Category Information

Given the legislative changes that took place during the 80’s and the population increases that followed, it is reasonable to assume that one led to the other. However, since manually-collected data by the Planning & Research Unit captured only the most serious crime for which an offender was incarcerated, this cannot be fully demonstrated with the data. Specifically, the data reflect only the most serious offense in instances when an offender committed a drug crime in conjunction with a more serious crime (e.g., robbery). Therefore, while the percentage of the prison population incarcerated for drug-related offenses has more than doubled from 7% in 1977 to 16% for all commitments in calendar year 2016, it is believed that this may underestimate the role that drugs have played in increasing RI’s prison population. Also, the number of sentenced commitments for drug-related offenses has decreased in recent years due to a law that passed in 2013 which made the possession of small amounts of marijuana punishable with a maximum \$150 civil fine and no jail time (United States Sentencing Commission, 2015).

As a result, drug crimes have declined significantly while all other offenses remained relatively steady. Since FY08, drug commitments have dropped by about 61%. RIDOC classifies drug offenses into two separate categories: drug possession and all other drug crimes. Drug possession commitments have seen sharper declines than all other drug offenses combined. Breaking this data down further into the specific type of drugs shows that charges for marijuana dropped 92%



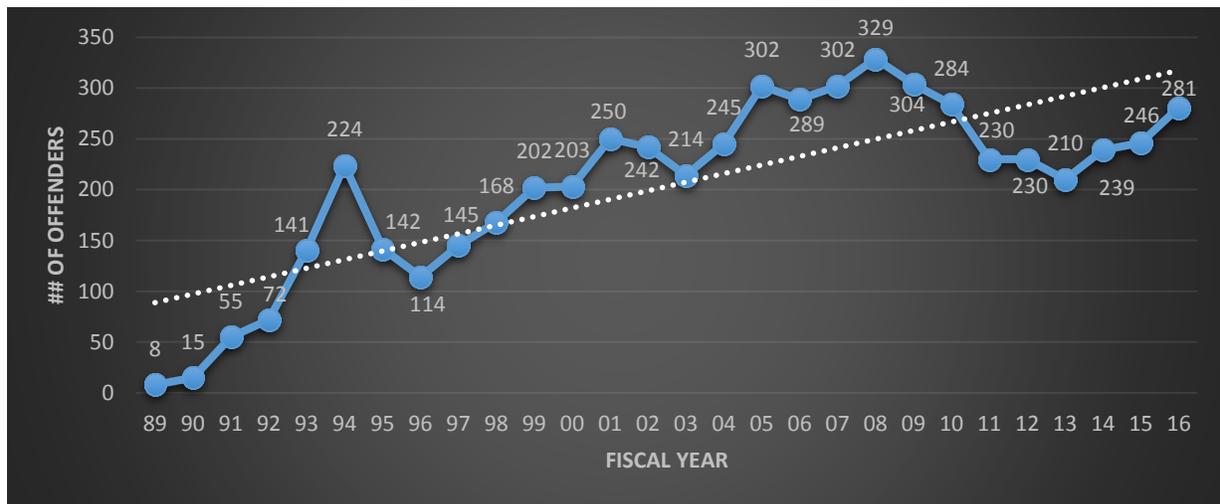
and charges related to cocaine or crack dropped by over half. However, it's important to highlight that heroin involved charges and crimes for other unspecified/ unknown drugs remained steady, albeit low (RIDOC, 2016a).

Racial Category Information

We are able to observe changes in the racial composition of the offender population. In 1974, 76% of the population was white and 23% was black. During the 80's, the percentage of white offenders decreased (66% in 1986), while the percentage of black offenders remained stable. It was not until 1986 that there was a significant Hispanic population (8.5%). At present, the percentage of Hispanic offenders continues to rise (19% of all new commitments in 2011), while the percentages of white offenders decreased slightly (55%) and the percentage of black offenders remained relatively stable (24%). As of calendar year 2016, white offenders comprised 45% of all new commitments, while Hispanic offenders made up 26% and black offenders yielded 24%.

Community Confinement Population

Community Confinement consists of offenders who are residing in the community under correctional supervision. This includes those who are held awaiting trial on home confinement, those who have served time in the ACI, and those who serve their entire sentence in the community. As expected, the community confinement program has grown significantly since its inception in 1989. In 1992, legislation was passed which expanded the community confinement program to include offenders who had been convicted of sale/delivery or possession of any schedule I or II controlled substance. As a result, this led to a dramatic increase in the community confinement population from 1992 to 1994. However, in 1994, R.I General Law 42-56-20.2 was amended to expand the number of crimes that would subsequently make an offender ineligible for community confinement. Thus, the graph shown below highlights the resulting decrease in the community confinement population from 224 in 1994, to just 114 in 1996. Interestingly, the community confinement population increased at a fairly steady rate until it reached a pinnacle of 329 in 2008, at which point it then declined by 15% to 281 in 2016.

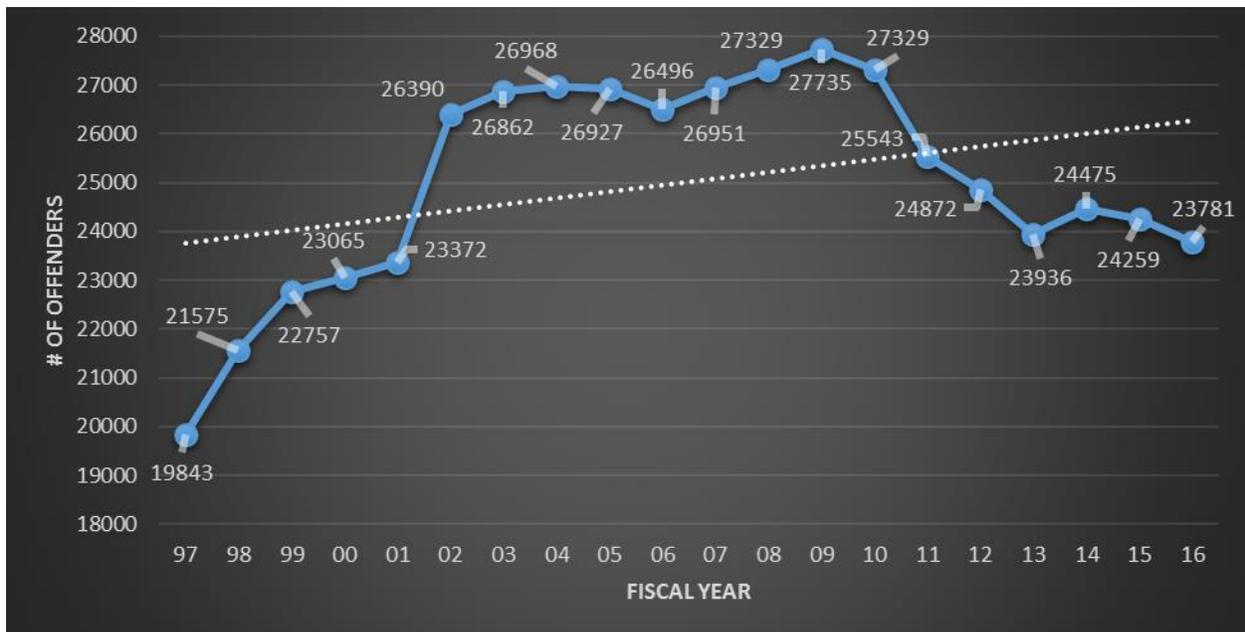


Probation & Parole Population (1997-present)

Data for probation & parole are only available from FY1997 to present. The probation and parole population steadily increased from FY1997 to FY2004 by about 36% with an average yearly increase of 4.5%. The population stayed fairly stagnant until a spike in FY2009. Since FY2009 the population has declined by 14%.

How does RI compare in terms of community supervision?

According to the Bureau of Justice Statistics (2017), as of December 2015, RI ranked 2nd in the nation in rate of probation supervision (2,822 per 100,000 residents). This 2015 rate is 85% higher than the national average of 1,522 per 100,000. In terms of the Northeast, RI ranked 1st, while Connecticut ranked 2nd with 1,494 probationers per 100,000 adult residents.



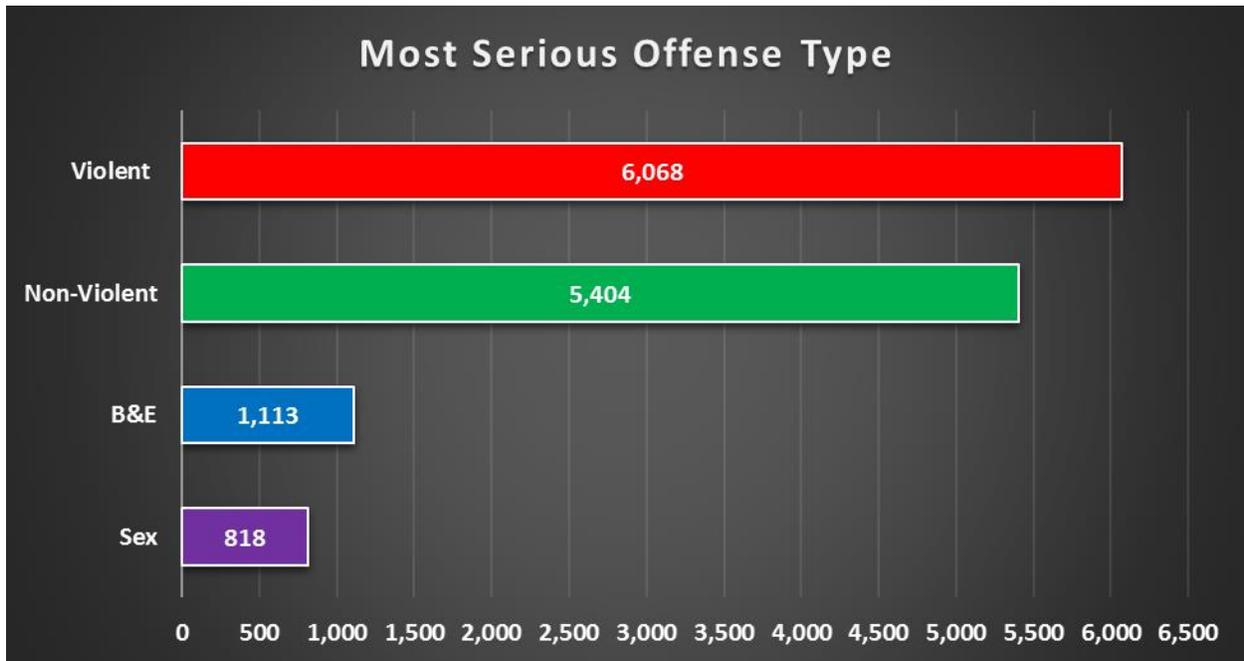
Rhode Island Offenders by Supervision Type

According to Rhode Island Department of Corrections [RIDOC] (2016b) of the 23,781 offenders under probation or parole supervision as of 12/31/2016, 17,544 were Rhode Island offenders who reside in R.I Communities. This subset of the offender population is broken up into three separate supervision types: Active, Low, or Banked. As of 12/31/2016, RIDOC had 7,845 offenders on active supervision, which includes offenders who have at least one open indictment and who are in regular contact with a Probation or Parole Officer. RIDOC had 1,766 offenders on low supervision, which includes offenders who have at least one open indictment but are not reporting to or in regular contact with a probation or parole officer. As a result, those placed on low supervision only require a minimum level of supervision. RIDOC had 7,933 banked caseloads, which are comprised of probation cases where the offender has been “trouble free” for a period of time or is low risk with no special conditions. As a result, the case remains open, but the offender is not actively supervised or required to report to a Probation Officer.



Rhode Island Offenders by Crime Type

When this same subset of the Parole and Probation Population (R.I offenders who reside in R.I communities) is further analyzed by examining their most serious offense type, the number of offenders convicted of a violent offense yielded the highest percentage of any other offense type (6,068 offenders or about 35% of the resulting population). Similarly, 5,404 (about 31%) of offenders were convicted of a non-violent offense, followed by 4,067 (about 23%) having been convicted of a drug offenses. It's important to highlight that those convicted of breaking and entering (1,113 offenders or about 6%) and sex offenses (818 offenders or about 5%) were found to be the two least frequently supervised of all serious offense types (RIDOC, 2016b).

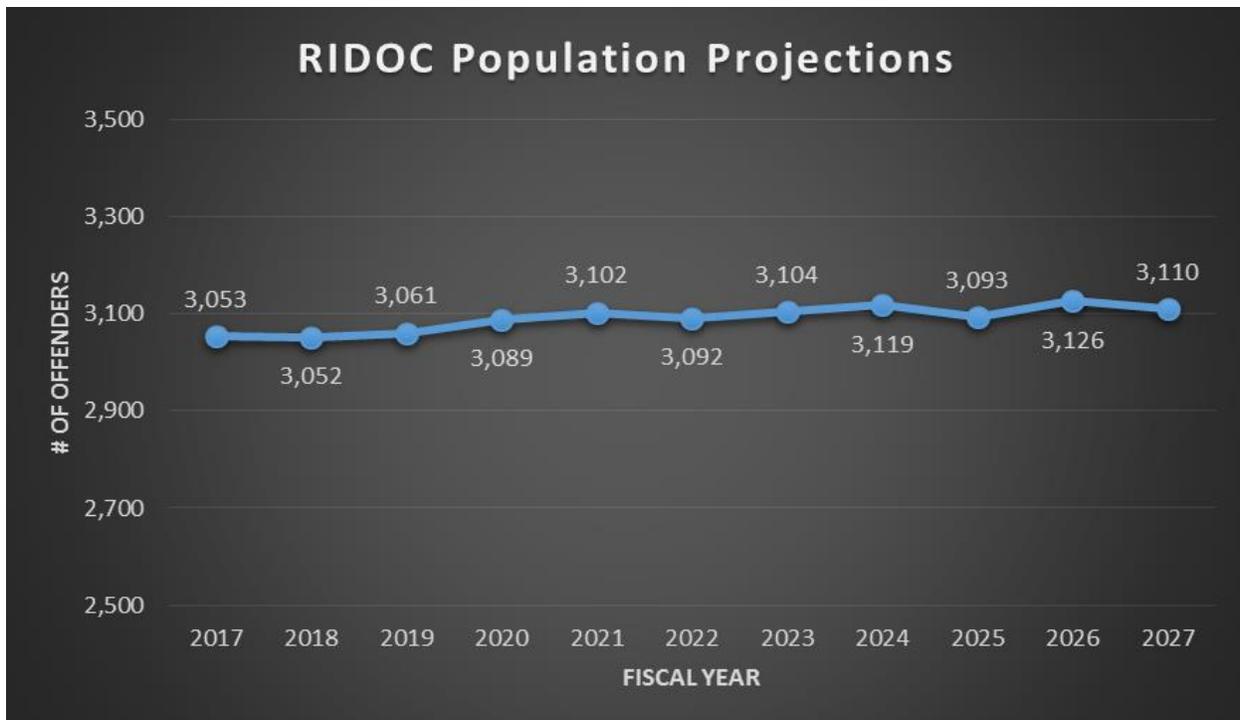


Where is the population headed?

According to the Bureau of Justice Statistics (2016b), RI continues to have one of the lowest incarceration rates in the country, ranking 4th lowest in 2015. Additionally, the institutional population in the state has had an average decline of 2.6% per year since FY 2008. Over the last 8 years, the RI prison population experienced a notable decrease from a peak of 3860 in FY 2008 to 3068 in FY 2016.

As of FY17 projection, RIDOC was operating below federal capacity in all facilities. The 10-year forecast of RI's prison population, conducted by Wendy Ware of JFA Associates/The Institute, estimates that the population will see slight growth of 1.8% (or 56 inmates). However, this projected growth would allow RI to remain below both the operational (3,774) and federal (3,989) capacities throughout the 10-year forecast (RIDOC, 2016a).

It is also hopeful that the current national and state Prisoner Reentry initiatives will be successful in guiding released offenders to becoming productive, law-abiding citizens. The involvement of ALL state and local agencies in this initiative and the acknowledgement that released offenders are more than just the responsibility of the corrections agency is a major cultural change. Investing in future Justice Reinvestment Initiatives is going to be paramount to reducing the recidivism rate as correctional facilities throughout the country continue to implement evidence based practices to increase the frequency of successful outcomes.



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