

DOC Prison Receptions Report:

**An analysis of FY 2002 thru FY 2009 Prison Receptions to the Oklahoma
Department of Corrections**

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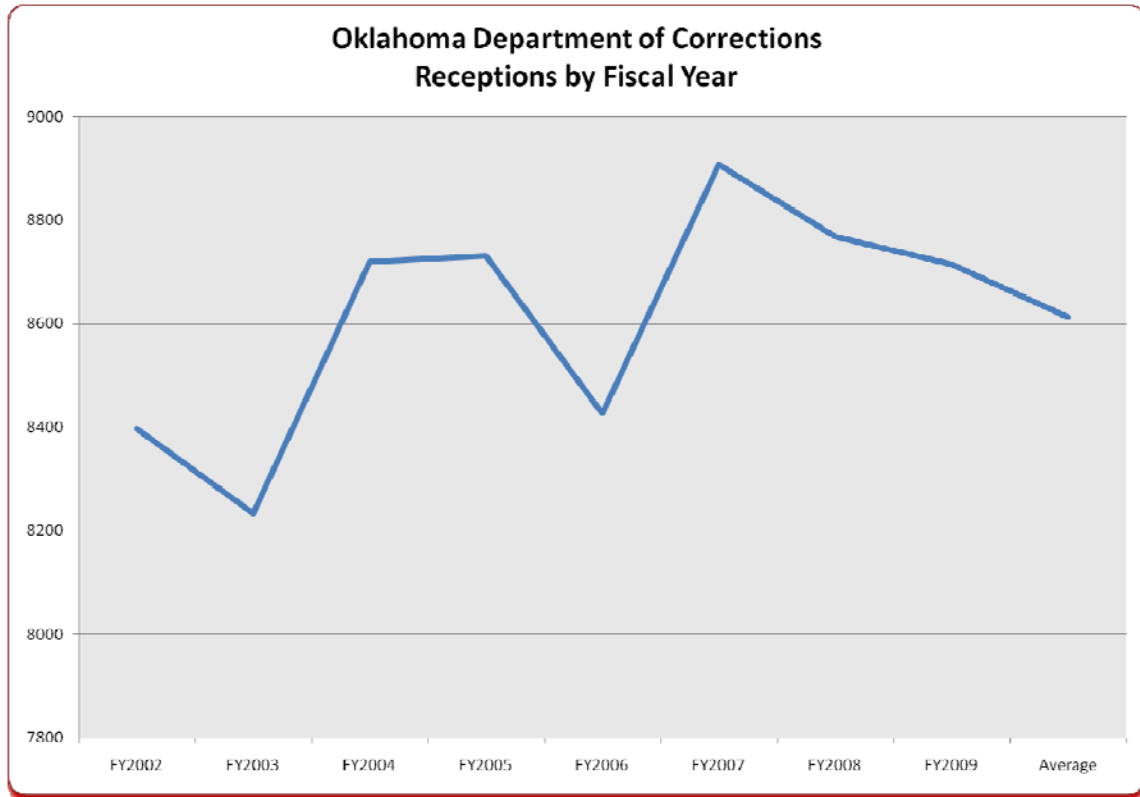
An analysis of FY 2002 thru FY 2009 Prison Receptions to the Oklahoma Department of Corrections

Abstract

Although receptions to prison in the Oklahoma Department of Corrections were higher in FY 2009 than in FY 2002 at the start of the period studied in this paper, those receptions have not followed a stable path of growth. Nor, with exceptions such as gender and some admission types, have individual categories of offenders and offenses. Inmates 50+ years or older and Hispanic/Latinos are DOC's fastest growing demographic receptions categories. A case can be made that receptions oscillated somewhat sharply around the average for the FY 2002 through FY 2007 period and have plateaued near that average the last two years as they did in FY 2004 and FY 2005. Based on past trends, one should wait at least five years to tell if the decreases of the last two years predict further decreases in the future.

Overview of Oklahoma DOC Prison Receptions, FY 2002 through FY 2009

The mean number of annual prison receptions in the Oklahoma Department of Corrections from FY 2002 through FY 2009 was 8,612, ranging from a low of 8,233 (FY 2003) to a high of 8,907 (FY 2007). DOC received 8,714 offenders to prison in FY 2009, just ended, 102 (5.8%) more than the period average.



Compared to contiguous states, Oklahoma had similar patterns of “increased-decreased” receptions year-to-year as Arkansas, Missouri, and Texas FY 2004-FY 2008, the only years available from those states. Colorado had continuous reception increases each year

in the period, and Kansas and New Mexico did not post comparable data on their websites.

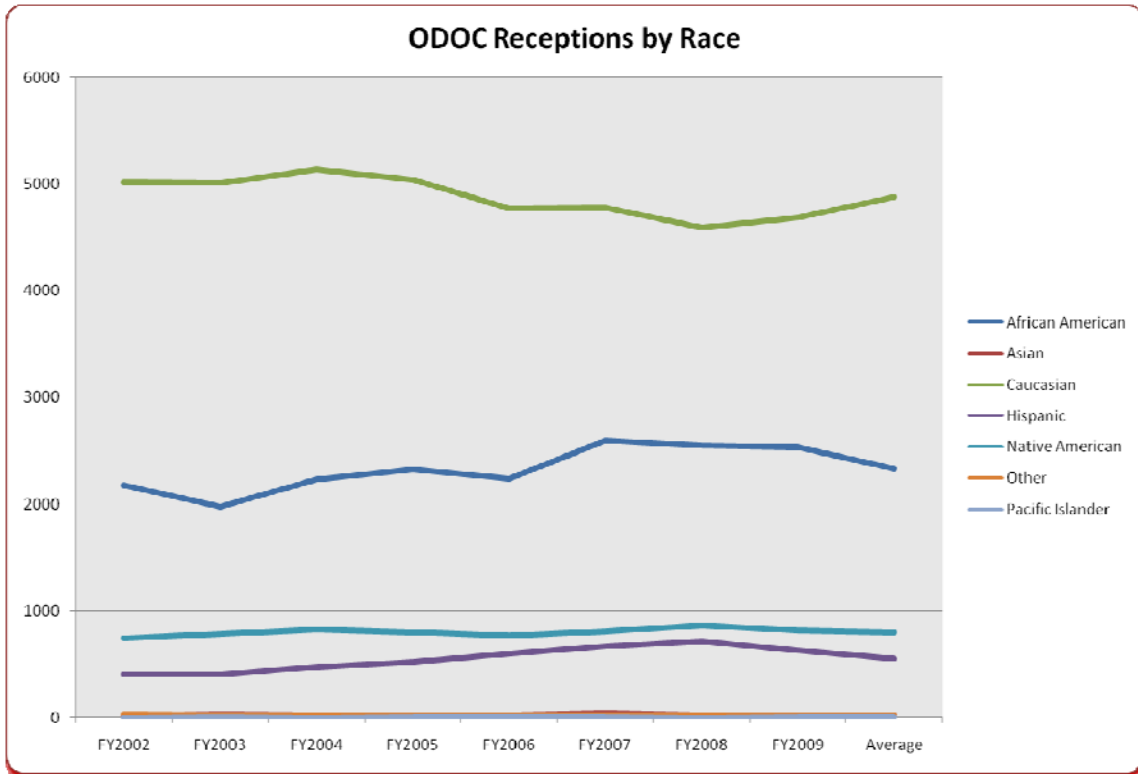
Annual Percentage Change in Prison Receptions, by State, FY 2004-FY 2008

Fiscal Year % Change	States*				
	AR	CO	MO	TX	OK
From 2004 to 2005	+8.7	+15.5	+5.8	n/a	+0.1
From 2005 to 2006	-3.4	+7.8	-0.3	+2.4	-3.5
From 2006 to 2007	-21.1	+4.5	-0.7	-0.8	+5.7
From 2007 to 2008	+9.9	+3.9	+0.2	+1.6	-1.2

*From department of corrections websites of states contiguous to Oklahoma. Kansas and New Mexico did not have comparable data posted on their websites.

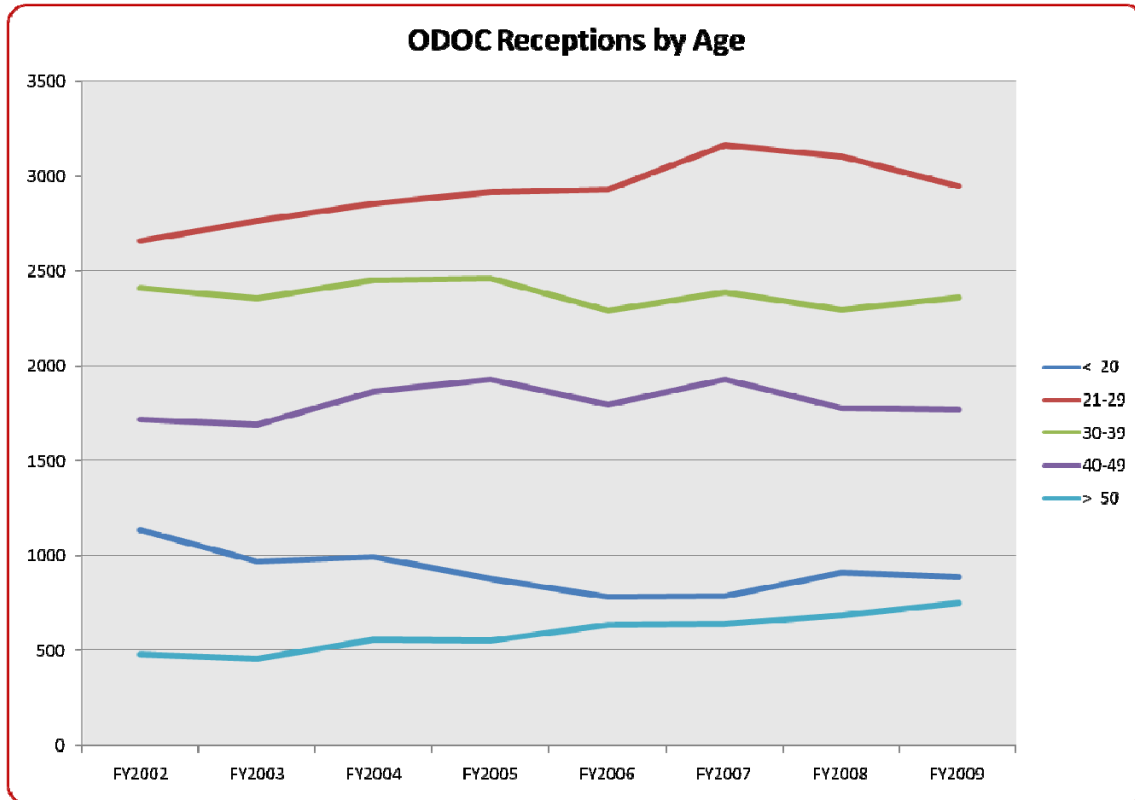
Demographics

DOC received 54.1% more Hispanic/Latino offenders in FY 2009 than FY 2002, part of a general yearly upward trend. However, receptions for these offenders declined slightly in FY 2009 compared to FY 2008. DOC received 6.7% fewer Caucasians in FY 2009 than in FY 2002, also part of a general yearly trend downward. Receptions of African-American offenders were 16.5% higher in FY 2009 than FY 2002 and of Native Americans, 9.2% higher in FY 2009 than FY 2002.



DOC received 3.1% more males in FY 2009 than FY 2002 and 8.1% more females, their trends consistent with the overall reception pattern described earlier.

The largest increase in percentage growth of offenders received by age was among offenders 50 years and older, which increased 56.1%. Thirty- to 49-year-old receptions were basically level across the period. However, receptions 20 and younger declined fairly consistently to 21.7% fewer in FY 2009 than in FY 2002 while those 21-29 increased 11%.



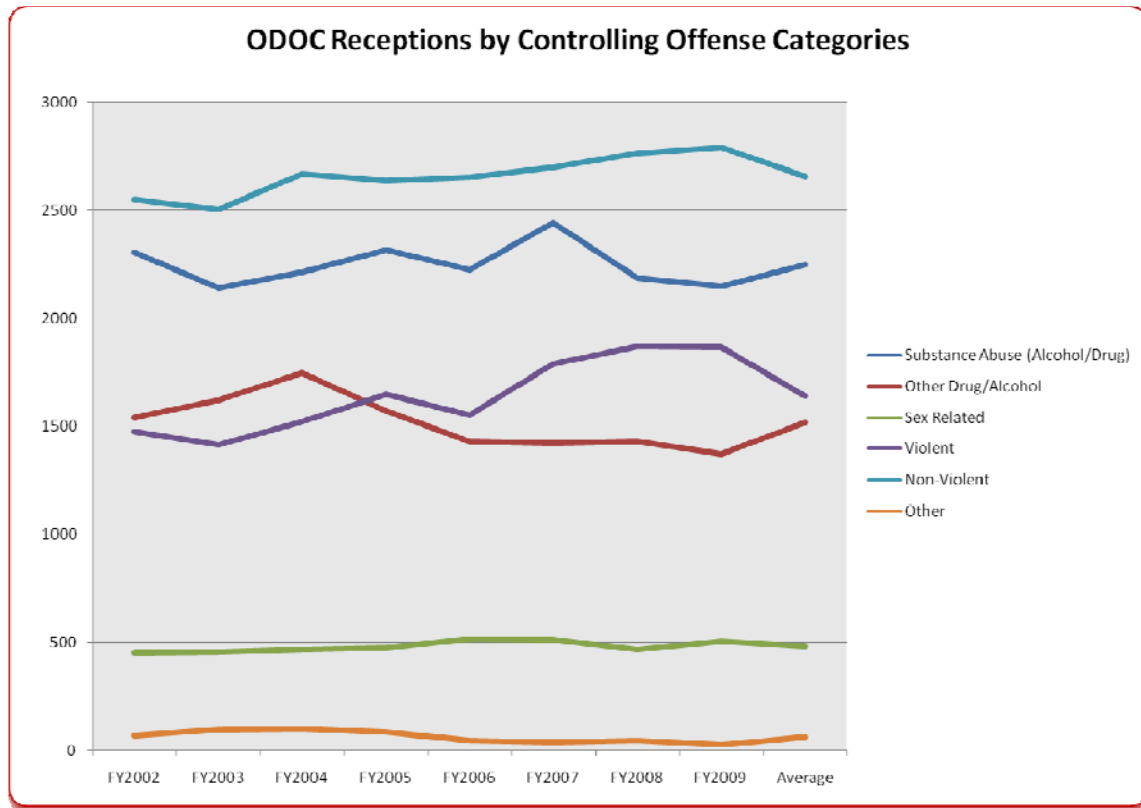
By county, Oklahoma and Tulsa counties in the period sent between 43% and 52% of all receptions each year. Other leading counties included Cleveland, Comanche, Creek, Garfield, Pittsburg, Pottawatomie, Rogers, and Stephens.

Offense Types

The top controlling offenses for prison receptions in the period were drug possession/obtaining CDS and distributing CDS, with distributing #1 in FY 2003 and FY 2004 and possession/obtaining #1 the other years. Their combined percentage of receptions ranged between 34%-37% for the entire period, showing no major increase or decrease. With DUIs included, the range changes to 40%-45%.

Receptions of males for the major drug offenses ranged from 32%-36% of all male receptions in the period. Female receptions for those offenses ranged from 45%-48% of all female receptions. Among the other major offenses most frequently received were Burglary II and DUI for males and forgery for females.

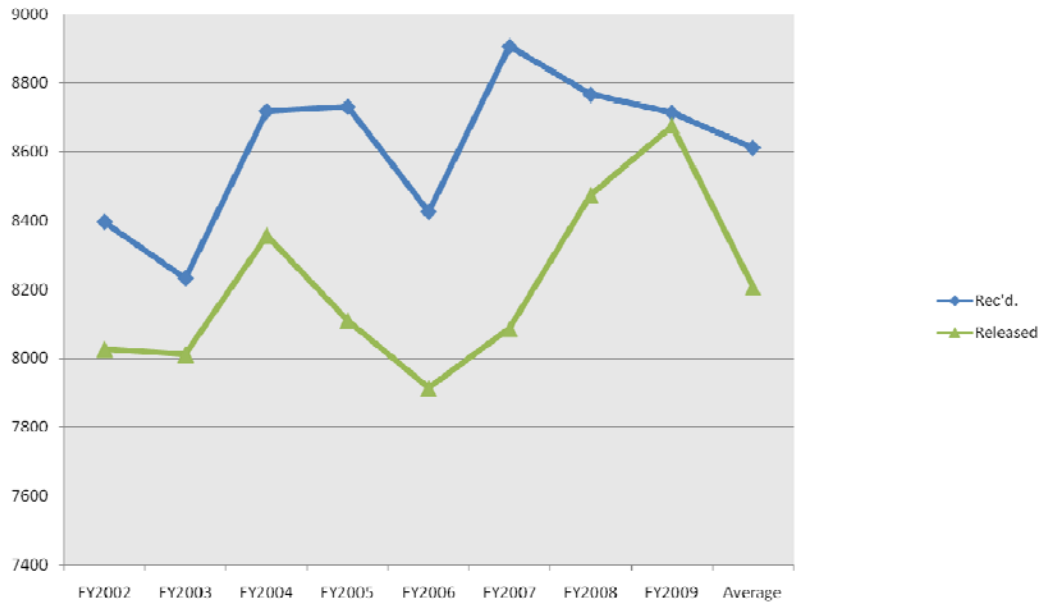
Overall, receptions for drug- or DUI-related controlling offenses (substance abuse-related and other, as shown in Appendix A) were down 8.4%, comparing FY 2002 to FY 2009. The specifically substance abuse-related controlling offenses were down in FY 2009 compared to FY 2008 and in FY 2008 compared to FY 2007. However, FY 2007 saw a sharp spike in increased receptions for substance abuse-related controlling offenses after previous years of relative equilibrium.



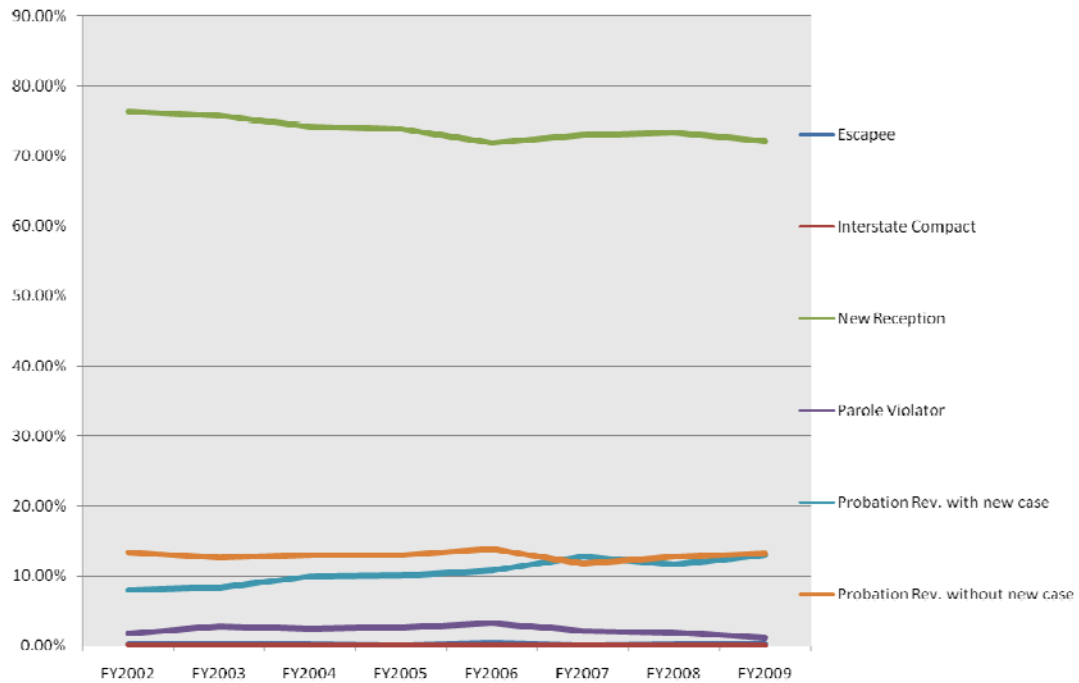
Receptions, Releases, and Returns

The average number of prison receptions for the time period was 8,612 while the average number of prison releases was 8,206, an average difference of 406. However, the FY 2005 through FY 2007 period saw much larger differences while the periods before and since those years saw differences below 400. Receptions only outnumbered releases in FY 2009 by 39.

Oklahoma Department of Corrections Receptions vs. Release



ODOC Percentage Receptions by Return Type



The mix of receptions by type of admission has remained stable for some categories and shifted for others. Comparing FY 2002 to FY 2009, returning escapees, interstate compact inmates, and probation revocation without a new case were all basically the same and varied little from year to year in the time period.

On the other hand, the range of receptions for a new offense in the period was 71.9% (FY 2006) to 76.4% (FY 2002), with FY 2009 at 72.2%, a drop of 4.2% from beginning to end of the period. However, the range has consistently been between 72% and 73% from FY 2006 through FY 2009.

Similarly, the range of receptions for parole violators was 1.2% (FY 2009) to 3.2% (FY 2006), but that proportion of receptions has declined back to levels of previous years since FY 2006. Therefore, the decline in parole revocations may have contributed to the overall decrease of the last two fiscal years. The range of receptions due to probation revocation with a new case was 8.0% (FY 2002) to 13.0% (FY 2009) with an almost consistent annual increase over the period.

Analysis

Although receptions to prison in the Oklahoma Department of Corrections were higher in FY 2009 than in FY 2002 at the start of the period studied in this paper, those receptions have not followed a stable path of growth. Nor, with exceptions such as gender and some admission types, have individual categories of offenders and offenses. Inmates 50+ years or older and Hispanic/Latinos are DOC's fastest growing demographic reception categories. Receptions for violent crimes stand out for their increase but, as a smaller number overall, do not seem to impact overall increases or decreases in receptions as do non-violent or drug or DUI offenses.

Why did receptions to prison decline slightly in FY 2008 and again in FY 2009 after spiking upward in FY 2007? A case can be made that receptions oscillated somewhat sharply around the average for the FY 2002 through FY 2007 period and have plateaued near that average the last two years as they did in FY 2004 and FY 2005. In other words, a statistical "reversion to the mean" may be all that is needed to explain the slight declines. A straight regression line projection of receptions would have predicted something very close to the actual receptions. That does not mean that the "plateauing" or decreases will continue. We may see similar increases in FY 2010 and/or FY 2011 as we did in the immediately prior years, that is, between FY 2003 and FY 2004 and between FY 2006 and FY 2007. ***In other words, based on past trends, one should wait at least five years to tell if the decreases of the last two years predict further decreases in the future.***

Appendix A

Offense	Description	Offense Category	Substance Abuse (1= Y & 0 = N)
37-241	SALE OF BEER TO MINOR/ALLOW ON PREMISES	ALCOHOL RELATED	0
37-505	UNLAWFUL SALE OF ALCOHOLIC BEVERAGE	ALCOHOL RELATED	0
37-534.B	DELIVERING LIQUOR OFF PREMISES	ALCOHOL RELATED	0
37-537.A.1	SELL/FURNISH ALCOHOLIC BEV TO MINOR	ALCOHOL RELATED	0
37-537.A.2	SELL/FURNISH ALC TO MENTALLY DEFICIENT	ALCOHOL RELATED	0
37-537.H	PERMITTING INTOX PERS IN PLACE OF BUSINE	NOT ASSIGNED	0
37-538.A	OPERATING A WHISKEY STILL	ALCOHOL RELATED	0
37-538.C	SALE OF LIQUOR W/O LICENSE	ALCOHOL RELATED	0
37-538.F	SELL/FURNISH ALCOHOL TO PERSON UNDER 21	ALCOHOL RELATED	0
37-538.G	SALE OF ALCOHOL TO INTOXICATED PERSON	ALCOHOL RELATED	0
37-538.I	ALLOW INTOX PERSON IN PLACE OF BUSINESS	NOT ASSIGNED	0
37-553	FAILURE TO PAY LIQUOR EXCISE TAX	ALCOHOL RELATED	0
37-568	POSS OF ALC BEV W/INTENT TO SELL	ALCOHOL RELATED	0
37-582.A	POSS OF LIQUOR W/O TAX PERMIT NUMBER	ALCOHOL RELATED	0
59-353.24	ALTERATION OF RX/UNLAWFUL DISPENSING OF MANUFACTURER OF CONTROLLED DANGEROUS SUB	DISTRIBUTING CDS	0
63-2-101	FILLING A PRESCRIPTION UNLAWFULLY	DISTRIBUTING CDS	0
63-2-301	FAILURE TO KEEP/FURNISH CDS RECORDS	MISC. NON-VIOLENT	0
63-2-307	DISPENSING CDS W/O PRESCRIPTION	DISTRIBUTING CDS	0
63-2-314	TAMPER WITH RX LABEL	MISC. NON-VIOLENT	0
63-2-328	POSSESS/FURNISH PRECURSO SUBSTANCE	DISTRIBUTING CDS	0
63-2-332	POSS PRECURSOR W/INT TO MANUFACTURE	DISTRIBUTING CDS	0
63-2-333	SELL PRECURSER USED TO MANF METH	MISC. NON-VIOLENT	0
63-2-401	DIST OF CDS/POSS W/INTENT	DISTRIBUTING CDS	0
63-2-401.B	DIST OF IMITATION CONTROLLED SUBSTANCE	MISC. NON-VIOLENT	0
63-2-401.D	DIST CDS TO MINOR	DISTRIBUTING CDS	0
63-2-401.E	DIST CDS W/IN 1000 FT PARK/SCHOOL	DISTRIBUTING CDS	0
63-2-401.E2	DIST CDS - 1000FT PARK/SCH (85PERCENT)	DISTRIBUTING CDS	0
63-2-401.F.1	DIST/CDS W/IN 2000 FT PARK/SCHOOL(50%)	DISTRIBUTING CDS	0
63-2-401.F2	DIST CDS W/2000' SCH/PARK SEC&SUB (85%)	DISTRIBUTING CDS	0
63-2-401.G	MANUFACTURE OF CDS	DISTRIBUTING CDS	0
63-2-401.G3	AGGRAVATED MANUFACTURE OF CDS(85Percent)	DISTRIBUTING CDS	0
63-2-401.G4	AGG MANUF CDS, SEC AND SUB(85PERCENT)	DISTRIBUTING CDS	0
63-2-403	LARCENY/BURGLARY OF CDS	POSSESSION, OBTAINING CDS	0
63-2-404	MAINT PLACE FOR KEEPING/SELLING CDS	DISTRIBUTING CDS	0
63-2-406	DIST CDS NOT IN COURSE OF LEGIT BUSINESS	DISTRIBUTING CDS	0

63-2-407	OBTAIN OR ATTEMPT CDS BY FORGERY/FRAUD	POSSESSION, OBTAINING CDS	0
63-2-408	CONSP/ATT/ENDEAVOR TO COMMIT DRUG CRIME	MISC. NON-VIOLENT	0
63-2-415	TRAFFICKING IN ILLEGAL DRUGS	DISTRIBUTING CDS	0
63-2-415.A	TRAFFICKING (PRE 1989)	DISTRIBUTING CDS	0
63-2-415.D	AGGRAVATED TRAFFICKING IN ILLEGAL DRUGS	DISTRIBUTING CDS	0
63-2-419	USE OF MINOR IN SALE OF CDS	MISC. NON-VIOLENT	0
63-2-503	ACQUIRE PROCEEDS FROM DRUG ACTIVITY	DISTRIBUTING CDS	0
63-2-509	CULTIVATION OF CONTROLLED SUBSTANCE	DISTRIBUTING CDS	0
21-1215	MINOR IN POSSESSION OF ALC BEV	ALCOHOL RELATED	1
21-1220	TRANSPORTING OPEN CONTAINER - BEER	ALCOHOL RELATED	1
21-712	MANSLAUGHTER FIRST DEGREE - INTOX. DR.	MANSLAUGHTER	1
37-537.1.1	EMPLOYEE INTOXICATED WHILE ON DUTY	NOT ASSIGNED	1
37-538.D	UNLAWFUL BUY/SELL/POSS W/INTENT ALC BEV	ALCOHOL RELATED	1
37-8	PUBLIC DRUNK	ALCOHOL RELATED	1
47-11-902	DUI - LIQUOR OR DRUGS/APCV	DUI	1
47-11-902.C	DUI (AFCF) - LIQUOR OR DRUGS/APCV	DUI	1
47-11-902CM	DUI - LIQUOR OR DRUG/APCV	DUI	1
47-11-904	PERSONAL INJ ACCIDENT WHILE DUI	DUI	1
47-761	DRIVING WHILE IMPAIRED	DUI	1
63-2-402	POSS OF CONTROLLED SUBSTANCE	POSSESSION, OBTAINING CDS	1
63-2-402.B1	POSS OF CDS (METH) AFCF	POSSESSION, OBTAINING CDS	1
63-2-402.B2	POSS OF CDS (MARIJUANA) AFCF	POSSESSION, OBTAINING CDS	1
63-2-402.C	POSS/CDS 1000' SCHOOL/PARK/CHILD (50%)	POSSESSION, OBTAINING CDS	1
63-2-402.C2	POSS CDS 1000' SCHOOL/PARK/CHILD (90%)	POSSESSION, OBTAINING CDS	1
63-2-405	UNLAWFUL POSSESSION OF PARAPHERNALIA	DISTRIBUTING CDS	1
63-2-407.1	POSS/USE OF NITRITE INHALANTS	NOT ASSIGNED	1
63-2-407.B	UNLAWFUL CREATE/DELIVER/POSSESS PRESCRIP	DISTRIBUTING CDS	1
63-4210.B	OPERATING VESSEL WHILE INTOXICATED	NOT ASSIGNED	1