

# Broken Ground: Why America Keeps Building More Jails and What It Can Do Instead

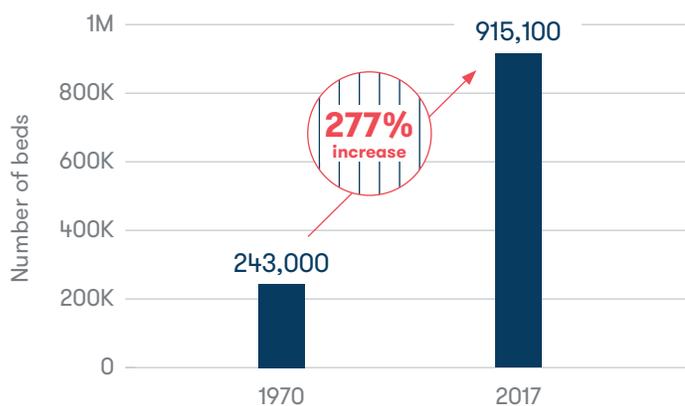
October 2019  
Report Summary

Jail construction in the past several decades has vastly expanded America's capacity to incarcerate people. In 1970, there were 243,000 jail beds in the United States. After more than four decades of many counties constructing new jail facilities or expanding existing ones, total jail capacity reached 915,100 beds by 2017. Due to decades of "tough on crime" criminal justice policies that drove up the use of arrest and incarceration, the national jail population grew between 1980 and 2008 in lockstep with this upward trend in jail construction. In the past decade, however, the number of people in jail has declined, yet jail capacity nationwide has grown by 86,400 beds. Urban counties have been at

the forefront of the jail population decline, but rural areas, suburban areas, and midsized cities remain in a jail population boom and continue to build larger jails.

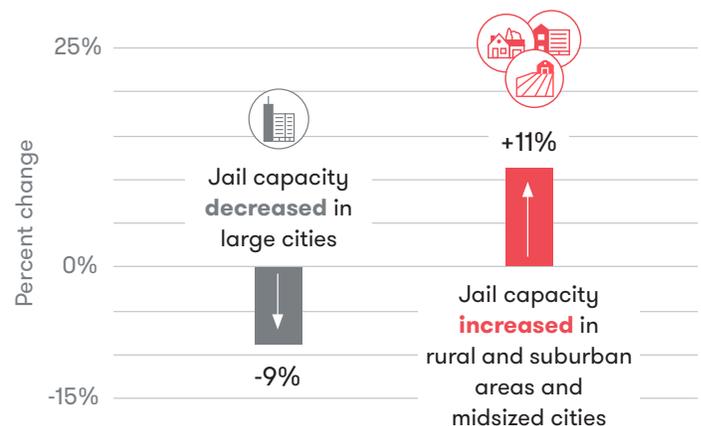
This report explores the persistence of jail expansion, looking at the arguments that county officials make in favor of new jails and describing some of the potential negative consequences of jail construction. Due to the absence of consistent national-level research on jail construction and the sheer number of jail jurisdictions—nearly 3,000—Vera Institute of Justice staff selected a convenience sample of 77 counties in

## U.S. jail capacity, 1970 and 2017



Source: For 1970 bed capacity, see U.S. Department of Justice, Bureau of Justice Statistics (BJS), "National Jail Census, 1970," database (Ann Arbor, MI: Inter-university Consortium for Political and Social Research, 2005), <https://perma.cc/BV5N-A56P>. For 2017 bed capacity, see Zhen Zeng, *Jail Inmates in 2017* (Washington, DC: BJS, 2019), 7, <https://perma.cc/8A9J-VQ2V>.

## Percent change in jail capacity by urbanicity, 2005–2013



Source: To calculate jail capacity data, Vera researchers compiled jail incarceration data from BJS, which collects data on every jail in the United States at uneven intervals through the Census of Jails. Vera's analysis of the urban-rural continuum collapses the six categories defined by the National Center for Health Statistics Urban-Rural Classification Scheme for Counties to four. For more information, see endnotes 6 & 7 of the report.

## For more information

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To read the full report, visit [www.vera.org/broken-ground](http://www.vera.org/broken-ground). For more information about this report, contact Ram Subramanian, editorial director, at [rsubramanian@vera.org](mailto:rsubramanian@vera.org). For more information about Vera's work to reduce the use of jails, contact Nancy Fishman, project director, Center on Sentencing and Corrections, at [nfishman@vera.org](mailto:nfishman@vera.org).

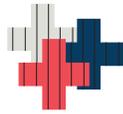
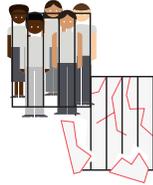
The Vera Institute of Justice is a justice reform change agent. Vera produces ideas, analysis, and research that inspire change in the systems people rely on for safety and justice, and works in close partnership with government and civic leaders to implement it. Vera is currently pursuing core priorities of ending the misuse of jails, transforming conditions of confinement, and ensuring that justice systems more effectively serve America's increasingly

diverse communities. For more information, visit [www.vera.org](http://www.vera.org).

This report was created with support from the John D. and Catherine T. MacArthur Foundation as part of the Safety and Justice Challenge, which seeks to reduce overincarceration by changing the way America thinks about and uses jails. More information is available at [www.SafetyandJusticeChallenge.org](http://www.SafetyandJusticeChallenge.org).

31 states that considered or pursued jail expansion between 2000 and 2019. From this sample, Vera identified three major, often coexisting, arguments that county officials make in public support of jail construction:

- > health and safety concerns due to overcrowding and/or aging facilities;
- > the need for space and infrastructure to improve provision of specialized services (such as medical services, mental health treatment, and programming); and
- > the opportunity for a revenue stream from renting out beds to other authorities in order to cover construction and operating costs as well as fill local budget gaps.



The decision to build, however, can lead to negative or unanticipated results. Larger jails often become overcrowded again, because expansion fails to address the root causes of increased population. The push to increase jail beds to improve health and social services can also backfire: the inherent harms of incarceration may limit the effectiveness of new service capacities, and investment in corrections-based treatment services may divert resources for similar community-based supports. Finally, counties hoping for a financial payout from renting jail beds sometimes find that the costs of constructing and operating a bigger jail exceed such income.

The cycle of jail growth and overcrowding is not an inevitable feature of local criminal justice systems. Many counties have rejected this assumption, breaking ground on new policies rather than new jails. Some have invested in appropriate and continual maintenance or renovations. Others have interrupted cycles of growth with changes that reduce the number of people they incarcerate. Communities facing the decision to build a larger jail can heed these examples and implement similar changes.

