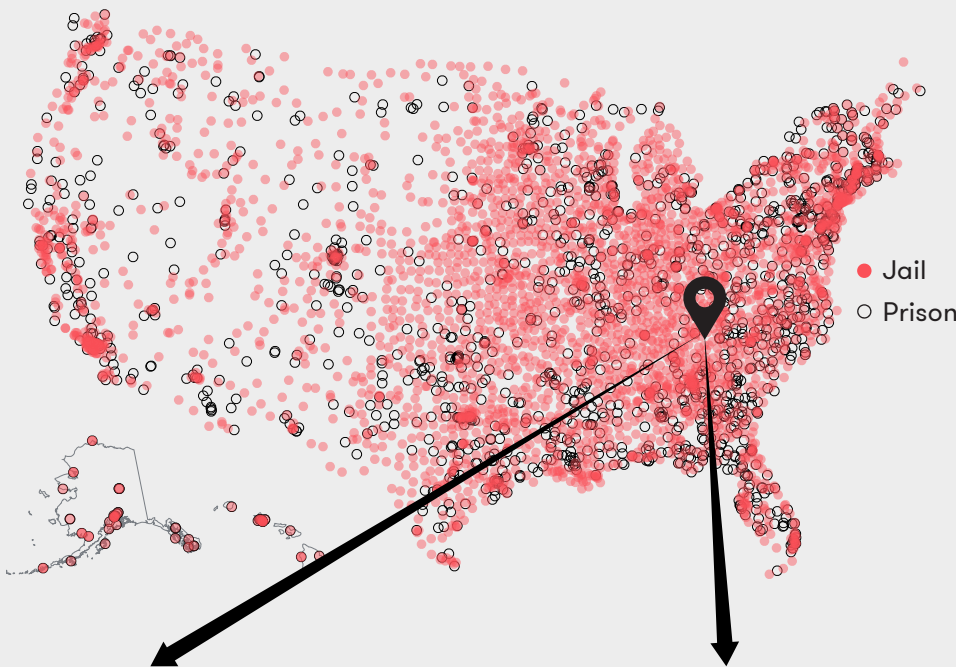


# Harlan County

MARCH 2021

## KENTUCKY

There are a staggering **1.8 million people** behind bars in the United States, a number so big it can make mass incarceration seem abstract.<sup>1</sup> But mass incarceration is a local problem, driven by more than **3,000** county-run jails and local justice systems and nearly **18,000** police departments.



**193 people**  
were in the Harlan County jail on a typical day in 2020.

**178 people**  
from Harlan County were in state prison at the end of 2019.

**Jails** are primarily funded by county-level taxpayer dollars and used to lock up people who are awaiting trial but have not been convicted of the charges they are facing. The vast majority of people in jail are simply too poor to pay bail. Some jails also hold people serving shorter prison sentences, and many jails rent beds to the state prison system or federal authorities—like U.S. Immigration and Customs Enforcement (ICE). Most jails are run by elected sheriffs or jailers.

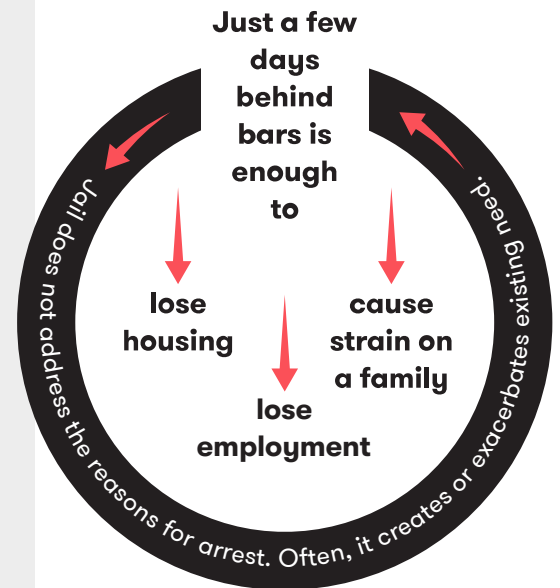
**Prisons** are primarily funded by state and federal tax dollars and hold people serving sentences of more than a year. Prisons are run by state departments of corrections and are managed by wardens. Fewer than 9 percent of incarcerated people are held in private prisons.

### This fact sheet will

help you understand who is locked up in your county jail and how this impacts your community.

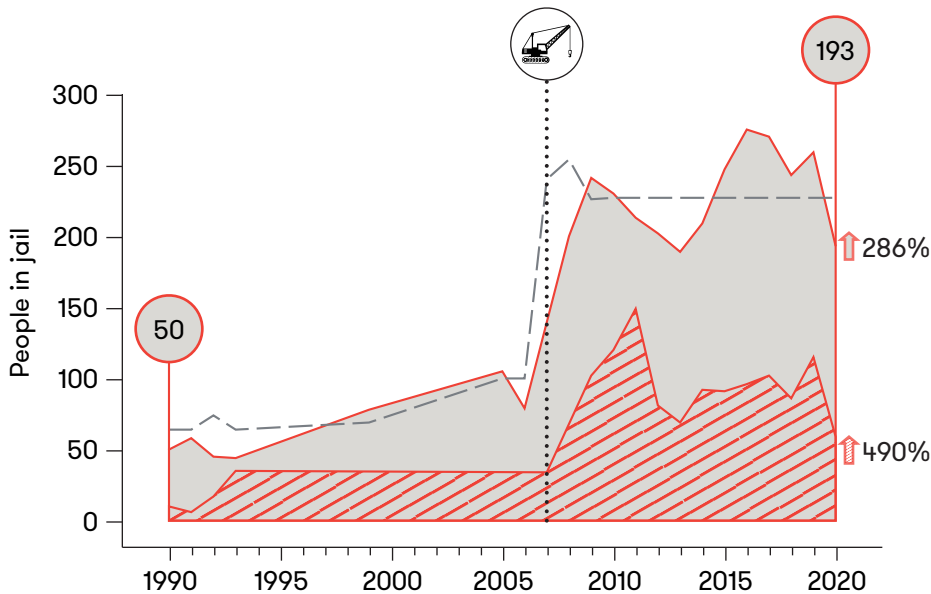
#### Use it to:

- Explore trends
- Talk about their impact
- Change the system



### County jail population

- Total jail population
- Jail capacity
- Pretrial jail population
- 🏗️ Jail construction



### Rising incarceration

On an average day in 2020, 193 people were being held in the county jail, 85 percent of the total capacity. The 286 percent increase in incarceration since 1990 does not necessarily reflect an increase in serious crime.<sup>3</sup> In 2020, during the COVID-19 pandemic, the jail population decreased 25 percent from 2019. This decline shows that Harlan County can quickly reduce its jail population.

### Cost

In 2007, Harlan County spent nearly \$2 million in taxpayer dollars to expand the jail to 230 beds. Jail costs continue to make up a sizable portion of the budget. Every dollar spent is one that could have gone to critical community needs.

### Pretrial detention

59 people were detained pretrial on a typical day in 2020. Many are sitting in jail simply because they cannot pay bail.



People held in jail pretrial are likely to receive more severe prison sentences than those released before trial.<sup>2</sup>

Nearly **everyone** who goes to prison first spends time in the local jail.

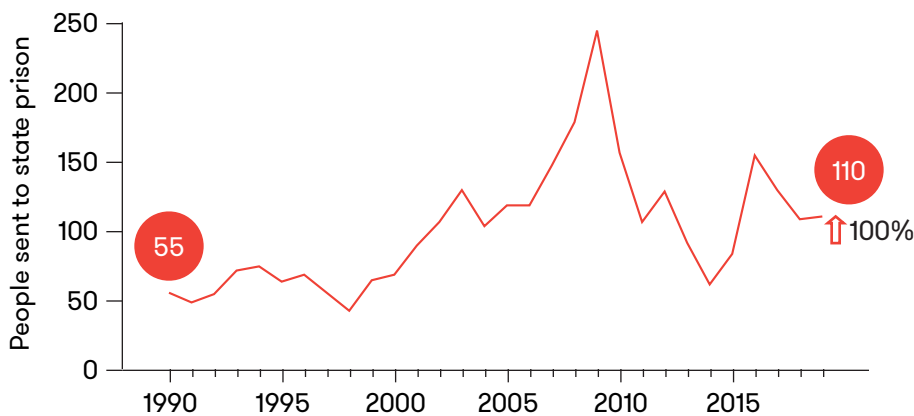
### Public health

Jails have revolving doors, often churning the same people in and out. Even before COVID-19, jail stays led to worse physical and mental health outcomes.<sup>4</sup>



### Admissions to state prison

- Total prison admissions

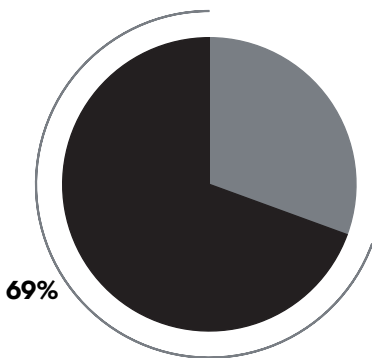


### Increase in state prison admissions

The number of people sent to state prison from Harlan County has risen 100 percent since 1990.

Note: Prison admissions reflect current sentencing practices more clearly than does the prison population. This is because the prison population, which includes people serving long sentences, changes more slowly in response to reforms.

**Different agencies using the county jail (2020)**



**59** People held for Harlan County

**134** People held for the state prison system

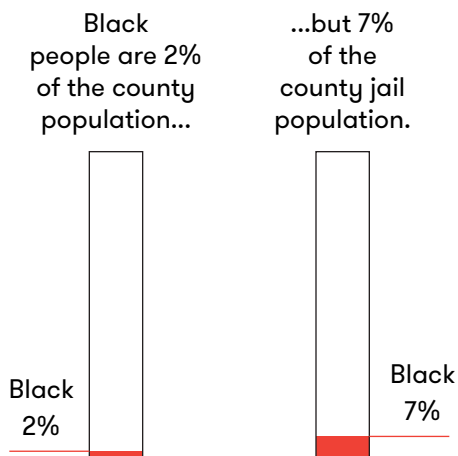
**Cashing in on incarceration**



On a typical day, 69 percent of people being held in the county jail fill beds “rented” to other agencies. The county gets paid a per diem to incarcerate or detain them.

Most counties charge fines and fees for court costs and jail stays. This further traps people in cycles of poverty.

**Racial disparities in criminalization (2020)**



Black people are treated more harshly **at every stage** of the criminal legal system.

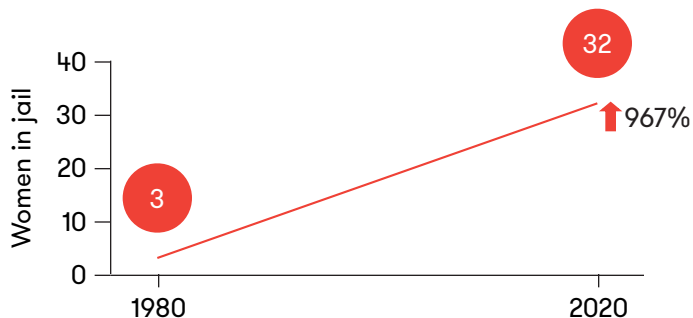
**Understanding disparities**



Racial disparities begin with who gets stopped by the police and multiply throughout the legal system. When charged with similar offenses as white people, Black people are more likely to be detained pretrial, convicted, and given harsher sentences.<sup>6</sup> Seemingly “color-blind” policies may still disproportionately impact communities of color.<sup>7</sup>

People of every race and ethnicity are incarcerated at higher rates than they were in 1970. The county’s white incarceration rate has grown 304 percent since 1990. Latinx people are also overrepresented in the nation’s jails, yet common misclassification of ethnicity leads to distorted, lower estimates of Latinx incarceration.<sup>8</sup>

**Women in the county jail**



**Rising incarceration of women**

In Harlan County, the rate of women’s incarceration is growing much more rapidly than men’s.



**Locking up loved ones**



**2 in 3**

Two-thirds of women in jail across the country are mothers of young children.<sup>9</sup>



**1 in 2**

More than half of all people who are in jail because they couldn’t make bail are parents to young children.<sup>10</sup>



**1 in 2**

Nearly half of adults in the United States have had an immediate family member in jail or prison.<sup>11</sup>



**Each of these officials makes decisions that lead to criminalization and incarceration in your community:**

- Police and the sheriff** → decide who gets stopped, who gets arrested, what they're charged with, and whether or not they're booked into jail.
- Prosecutors** → decide who gets diverted and who gets prosecuted and on which charges. They also make bail recommendations, control most of the evidence in a case, offer plea bargains, and make sentencing recommendations.
- Probation and parole officers** → decide supervision rules and requirements, what costs people under supervision must shoulder, and whether to reincarcerate someone for inability to meet those requirements.
- Judges** → decide who gets released or detained pretrial and who must pay a money bond to secure freedom. A judge or jury determines whether someone is found guilty and selects the terms of a sentence.
- City, county, and state legislators** → decide spending priorities for the community, control the purse strings that fund each of these systems, and enact local policies. State legislators write the criminal code, determining what constitutes an offense.

As a community member, **YOU** have influence over decision-making in Harlan County. You can get involved with or start local efforts to shift power into the community and end mass incarceration in Harlan County.

**Citations**

- <sup>1</sup> Jacob Kang-Brown, Chase Montagnet, and Jasmine Heiss, *People in Prison and Jail in 2020* (New York: Vera Institute of Justice, 2021), <https://perma.cc/YXM6-GGRC>.
- <sup>2</sup> Léon Digard and Elizabeth Swavola, *Justice Denied: The Harmful and Lasting Effects of Pretrial Detention* (New York: Vera Institute of Justice, 2019), <https://perma.cc/XUL6-JGEF>.
- <sup>3</sup> Jacob Kang-Brown and Ram Subramanian, *Out of Sight: The Growth of Jails in Rural America* (New York: Vera Institute of Justice, 2017), <https://perma.cc/MHT7-UHE8>.
- <sup>4</sup> Ingrid A. Binswanger, Marc F. Stern, Richard A. Deyo et al., "Release from Prison — A High Risk of Death for Former Inmates," *New England Journal of Medicine* 356, no. 2 (2007), 157-165, <https://perma.cc/BWL5-6F34>.
- <sup>5</sup> Jacob Kang-Brown and Jack Norton, "More Than a Jail: Immigrant Detention and the Smell of Money," Vera Institute of Justice, July 5, 2018, <https://perma.cc/LVZ6-ALCS>.
- <sup>6</sup> The Sentencing Project, *Report to the United Nations on Racial Disparities in the U.S. Criminal Justice System* (Washington, DC: The Sentencing Project, 2018), <https://perma.cc/RV24-P42S>.
- <sup>7</sup> Elizabeth Hinton, LeShae Henderson, and Cindy Reed, *An Unjust Burden: The Disparate Treatment of Black Americans in the Criminal Justice System* (New York: Vera Institute of Justice, 2018), 3-6, <https://perma.cc/33BZ-EFFY>.
- <sup>8</sup> Ram Subramanian, Kristine Riley, and Chris Mai, *Divided Justice: Trends in Black and White Jail Incarceration, 1990-2013* (New York: Vera Institute of Justice, 2018), 14, <https://perma.cc/CE52-6LJ2>.
- <sup>9</sup> Wendy Sawyer, "How Does Unaffordable Money Bail Affect Families?," Prison Policy Initiative, August 15, 2018, <https://perma.cc/L6TC-DMG4>.
- <sup>10</sup> Ibid.
- <sup>11</sup> Brian Elderbroom et al., *Every Second: The Impact of the Incarceration Crisis on America's Families* (Washington, DC: FWD.us, 2018), <https://perma.cc/F546-L52Z>.

**Data**

This fact sheet uses data from four U.S. Bureau of Justice Statistics (BJS) data series and is supplemented, when available, with data obtained directly from the Kentucky Department of Corrections and the Harlan County Sheriff's Office for the more recent years for which BJS data is not yet available. The Census of Jails provides data through 2013; the Annual Survey of Jails provides data through 2018; the National Corrections Reporting Program provides data through 2016; and the National Prisoner Statistics program provides data through 2017. A complete dataset and documentation are available on Vera's GitHub at <https://github.com/vera-institute/incarceration-trends>. Information about jail expansion is obtained from publicly available news sources. Version: Data current as of March 09, 2021.

**Acknowledgments**

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**Credits**

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**For more information**

For questions, contact [backyards@vera.org](mailto:backyards@vera.org).