**METRICS**

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Media Coverage Highlights:

Top media outlets that covered the report include:
- BBC
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- Newsweek
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When Father's Day cards go to jail: Column
June 15, 2014

This Sunday, households across America will crank up the barbecue and pause collectively to recognize the importance of fathers. As family advocates and devoted dads, we enthusiastically endorse this annual salute to paternal contributions.

But we also know that for more than 2 million of our nation's children, Father's Day is a searing reminder of a loved one who is painfully, and literally, out of reach — serving time behind bars.

Over the past three decades, America's state and federal prison populations grew at an explosive rate, and by 2009 more than 1 in 31 adults was under some form of correctional control, either incarcerated or on probation or parole.

The fiscal impact of this incarceration expansion has been widely discussed. But we are most disturbed by an often-overlooked consequence of imprisonment — its effect on children and families, the innocent casualties left behind.

A recent report by the National Academy of Sciences highlighted the problem, concluding that "fathers' incarceration and family hardship, including housing insecurity and behavioral problems in children, are strongly related."

Rates of homelessness are higher among families when the father is in prison. Children of the incarcerated are often traumatized by witnessing a parent's arrest, frequently land in foster care, have trouble in school and struggle to form attachments with peers.

Without strong authority figures and positive role models in their lives, many of these children inevitably veer off track. The Pew Charitable Trusts found that imprisonment of a parent also increases the likelihood a child will live in poverty, as most ex-offenders struggle to find jobs upon release.

Prison is certainly the right place for violent and career criminals, and some offenders commit crimes that endanger their own children, such as manufacturing drugs or engaging in prostitution in the family home. Indeed, studies show that when a father is violent or has serious substance abuse problems, incarceration may actually improve his family's well being.

But given the heavy toll incarcerating a parent takes on most kids, it makes sense to place lower-level offenders under mandatory supervision in the community, allowing them to remain connected to family, gainfully employed and available to nurture their children.

Drug courts, probation coupled with swift and certain sanctions and careful monitoring with today's sophisticated new technologies can ensure offenders are held accountable for their crimes but also remain integrated in the family unit.

As for those we do incarcerate, family preservation should remain a key concern for corrections officials. Too often, offenders are sent to prisons hundreds of miles from home, making family visits nearly impossible. Imagine a single mother, working two jobs while managing all the parenting demands. Can we expect her to get time off for a visit, even if she could afford gas for the trip and a hotel?
Most families can't do it, and for them the telephone becomes a vital means of connecting with a missing loved one. But even here our correctional system has worked against families, as telephone rates for calls with inmates have historically been exorbitantly high.

Last fall, after years of attention to the issue, the Federal Communications Commission prohibited price gouging by the private companies that provide interstate telephone service to inmates. Bravo to that, but we urge the FCC to also ensure that other increasingly popular communication technologies, including video visitation and email, are kept affordable for families struggling to stay in touch.

The disintegration of American families is one of the most vexing problems confronting our nation today, and our criminal justice system is one arena where unintended consequences can make things worse.

That's why we're proud to be part of the conservative Right on Crime Campaign, a project of The Texas Public Policy Foundation and Prison Fellowship Ministries. A top priority of the campaign is to keep families together by championing common-sense corrections and sentencing reforms.

Like my fellow conservatives, I've never shied away from tough penalties that hold lawbreakers accountable for their actions. But for the sake of families, I also support criminal justice alternatives that improve public safety, cut costs and help more offenders return to productive, law-abiding lives.

Research proves that when offenders remain connected to their families, it not only helps their kids but also protects the rest of us, reducing recidivism. That evidence clearly validates the importance of making family preservation a priority in our correctional approach.

This Father's Day, let's agree it's also the right thing to do.

Ken Blackwell, the former mayor of Cincinnati, is a senior fellow for family empowerment at the Family Research Council.

[Link to the article](http://www.usatoday.com/story/opinion/2014/06/15/fathers-day-column/10368923/)
Andreatta: From the jailhouse window on Father's Day
June 14, 2014

It's Father's Day, and dads everywhere are feigning appreciation for that nice wrinkle-free shirt to add to their collection of nice wrinkle-free shirts they never wear.

I know because I've been that dad. A full fifth of my closet is devoted to unworn nice wrinkle-free shirts. It's like a purgatory of poly-cotton blends.

But there are worse items of clothing for a father, like the prison-issued jumpsuits that 32,000 fathers across New York are wearing right now. Talk about unflattering.

Not to be a drag on the most contrived holiday of the year after Valentine's Day, but I haven't been able to get the image of dads in awful jumpsuits out of my mind after seeing what I saw outside the Monroe County Jail in downtown Rochester the other day.

A young mother with three children no taller than her waist stood in the parking lot gazing at the open slats of a tinted window on an upper floor of the jailhouse, from which a man in a cell hollered down to them: "I love you. Be good, babies."

There was genuine tenderness in his voice. His children felt it, too, because they smiled and waved from the hot asphalt as though they were on the tarmac seeing him off on a business trip instead of a stretch for doing something stupid.

That guy won't win Father-of-the-Year any time soon. Nor should he.

But it takes some measure of paternal love to open up like that in a place so hostile to affection. Judging by the menacing hooting and howling coming from the other open windows that day, he would have been safer saying nothing.

The sad irony is that studies indicate those babies he so earnestly warned to behave are far likelier to be physically aggressive, depressed, socially isolated and wind up in the clink themselves one day thanks to his being in jail.

Reggie Cox sees it all the time. He runs The Fatherhood Connection, a Rochester organization that helps troubled men be better fathers, and figures three-quarters of those he mentors had absentee dads who were either in jail or substance abusers or both.

"There's a direct correlation between incarceration and the absence of a father," said Cox, who directs a fatherhood initiative for Monroe County. "I've seen grandfathers incarcerated with their sons and their grandsons. That's what we're dealing with. It's an epidemic."

Part of me wants to label the guy in the jailhouse window a bad apple no matter how sweetly he spoke to his children. And if he misses them today, so what? He should have thought about that before he did whatever he did to get locked up in a jail that doesn't allow visitors on Father's Day, or any Sunday.

But that gut reaction is colored by a desire to believe ours is a just society in which people get what they deserve, good or bad.
Reams of research suggest otherwise, however.

The latest was a mammoth study recently released by the research arm of the National Academy of Sciences that concluded "the costs of the current rate of incarceration (in the United States) outweigh the benefits."

In short, we imprison too many people and one of the costs of doing so is the devastation wrought on children, like those little ones in the parking lot of the Monroe County Jail.

They are among a staggering 67,000 children of fathers incarcerated in New York, according to the state Department of Corrections and Community Supervision's latest annual inmate survey.

There are likely thousands more, though, because that number represents only the kids inmates owned up to or knew of. Plus, the survey only counts up to four children per inmate and 5,854 inmates claimed "four or more."

Chances are the guy in the jailhouse window had a father in prison.

That doesn't excuse his crime.

But it does make me hope he gets out one day and holds his babies close and talks to them in the tender way he did from that jailhouse window.

When A Parent Goes To Prison, A Child Also Pays A Price
June 8, 2014

When she was a child, 22-year-old Ifetayo Harvey's father was sentenced to prison for cocaine trafficking.

"My dad went to prison when I was 4 years old, and he was released when I was 12," Harvey says.

Harvey is one of millions of young people who grew up with a parent in prison. A recent study from the National Academy of Sciences examined the growth of incarceration in the United States, and among the topics was the effect on kids and families when a parent goes to prison.

Like many children with incarcerated parents, Harvey has suffered for her father's crime.

But at first, she didn't even know her dad had gone to prison.

"I noticed that my dad was gone for a while, but because my parents weren't married and they didn't live together, I assumed that he would be back," Harvey tells NPR's Arun Rath.

She started receiving letters from her father, and was confused by the long strings of letters and codes. She says it was in sometime in first or second grade that her mother told her that her father was in prison.

"I was really sad about it," she says.

In his letters, he told her how much he loved and cared about her, but Harvey says it felt like a contradiction with him not being there while she was dealing with a lot of depression and shame. "It was just a really confusing time," she says.

Lasting Effects

Jeremy Travis, one of the authors of the National Academy of Sciences report, says despite the rate of incarceration quadrupling over the past four decades, no one has really studied its effects on the family — especially kids — before.

"This is an important social question which is not getting enough attention from the research community — not because there is not enough interest, but because we've not been willing to pay for it," Travis says.

Travis says the numbers of kids with an incarcerated parent is "staggering." He says in the 1970s there were about 350,000 minors with a parent in prison; now, it's well over 2 million.

"That simply tracks [with] the fact that we're putting more people in prison," he says. "And the consequences of that are pretty profound, we think, although they're not as well documented as they should be."

What we do know, he says, is that there are higher rates of homelessness among families when the father is in prison, poor developmental outcomes for the children in those families, and that there's greater family instability in those families.
Travis says the children in those families often end up in foster care and have difficulties in school forming attachments with their peers. All of those difficulties, he says, present challenges for the communities, social workers, educators and family members who want to support that child through such a difficult time.

The first step, he says, is that we should have fewer people in prison, but it is more complicated than that.

"We will always have people in prison, and we should pay attention to the collateral consequences of incarcerating ... parents," Travis says.

Finding A Silver Lining

Ifetayo Harvey is one of the lucky ones, in a way. She had the help and support of a larger extended family, and says she had positive role models in her family. This was in sharp contrast to the example her father set.

"Maybe even my dad being incarcerated motivated me to do the best that I could in school, so something like that wouldn't happen to me or anyone that I knew," she says.

But in many other ways, Harvey suffered from the problems laid out in the study. She never visited her father, who was in a prison out of state. She never had any phone calls. The absence of her father was a big burden on her mom.

"My mom is a single parent of seven kids, and once my dad went away, this put a really big financial strain on my family," she says.

Harvey says she often made something up when asked what her dad did for a living, to avoid having to explain he was in prison.

"It's hard to explain that to people because there's such a heavy stigma against people who are incarcerated or formerly incarcerated," she says.

Harvey says that lately she's been focused on the positive aspects of growing up with a parent in prison. She says it taught her to empathize and understand people from a different angle.

Harvey's dad was deported back to Jamaica after he was released. She saved up enough money to make a trip there to visit when she was 16 years old. Before that trip, it has been 12 years since she's last seen him. She says it was a good experience, though a little awkward at times.

"But I was willing to rebuild our relationship, and I think it's good," she says. "It's good for what it is; my dad calls me once or twice a week."

Harvey just graduated from Smith College and now wants to pursue a master's degree in social work. Her dad's experience gave her a passion for social justice, and she's no longer ashamed to talk about this part of her life.

"I get power from speaking the truth of my story to others," she says. "I think that once you realize that you're not alone in your struggle, it's easier to heal."

http://www.npr.org/2014/06/08/320071553/when-a-parent-goes-to-prison-a-child-also-pays-a-price
County collaboration reduces criminal justice cost (opinion)
June 1, 2014

As a result of the nationwide trend over the past several decades to get tough on crime, state and local governments have incarcerated ever-increasing numbers of people. Since 1990, the prison population in the state of Washington has more than tripled. Nationally, it has quadrupled since 1970.

A new study by the National Academy of Sciences concludes that mass incarceration in America has not reduced crime and has become "a source of injustice."

Even worse, local governments such as Thurston County have found that incarceration is no longer economically sustainable. Criminal justice consumes 77 percent of the county’s general fund budget. With population growth and inflation outpacing the county’s ability to increase revenues, the County Commission has faced the hard reality of choosing between public safety and other services to balance its budget.

To respond to these trends, the key players in Thurston’s criminal justice system — judges, prosecutors, defense attorneys, court administrators, law enforcement and commissioners — have been meeting regularly, for the first time, to identify and implement efficiencies and best practices, including alternatives to sending offenders to jail.

The collaboration has produced some innovative programs, such as requiring community service more frequently before sentencing non-violent offenders to jail, and making better use of home-monitoring technology. The group has also re-evaluated its entire pretrial services procedures.

On the strength of a federal court decision in Oregon, Sheriff John Snaza recently stopped keeping immigrants, who have completed their sentences, in jail at the request of the U.S. Immigration and Customs Enforcement. Thurston was one of the first counties to do so.

County prosecutors now utilize a swift-and-certain sanction model to impose shorter, but immediate, sentences for offenders who violate their terms of community supervision. And they say it's having a greater effect on offenders' behavior.

Thurston County Prosecutor Jon Tunheim said the goal is to use jail less as a punishment, and more to keep dangerous people off the streets. Or, as County Commissioner Cathy Wolfe describes it, not locking up "the people we’re mad at" and saving that jail space for “the people we’re afraid of."

Thurston County’s efforts to reduce incarceration rates make more than economic sense, though that is an important driver. It’s also a social justice issue. America locks up five to 10 times as many people as a percentage of its population than other developed nations, a fact than disproportionately affects the poor and people of color.

It’s become obvious that we cannot afford to put everyone who commits a crime in jail, nor does it serve the best interests of public safety. The faster Thurston County and the state can move to reverse past trends the better.

For more than a decade, researchers across multiple disciplines have been issuing reports on the widespread societal and economic damage caused by America’s now-40-year experiment in locking up vast numbers of its citizens. If there is any remaining disagreement about the destructiveness of this experiment, it mirrors the so-called debate over climate change.

In both cases, overwhelming evidence shows a crisis that threatens society as a whole. In both cases, those who study the problem have called for immediate correction.

Several recent reports provide some of the most comprehensive and compelling proof yet that the United States “has gone past the point where the numbers of people in prison can be justified by social benefits,” and that mass incarceration itself is “a source of injustice.”

That is the central conclusion of a two-year, 444-page study prepared by the research arm of the National Academy of Sciences at the request of the Justice Department and others. The report highlights many well-known statistics: Since the early 1970s, the nation’s prison population has quadrupled to 2.2 million, making it the world’s biggest. That is five to 10 times the incarceration rate in other democracies.

On closer inspection the numbers only get worse. More than half of state prisoners are serving time for nonviolent crimes, and one of every nine, or about 159,000 people, are serving life sentences — nearly a third of them without the possibility of parole.

While politicians were responding initially to higher crime rates in the late 1960s, this “historically unprecedented” growth is primarily the result of harsher sentencing that continued long after crime began to fall. These include lengthy mandatory minimums for nonviolent drug offenses that became popular in the 1980s, and “three strikes” laws that have put people away for life for stealing a pair of socks.

And even though the political climate has shifted in recent years, many politicians continue to fear appearing to be “soft on crime,” even when there is no evidence that imprisoning more people has reduced crime by more than a small amount.

Meanwhile, much of the world watches in disbelief. A report by Human Rights Watch notes that while prison should generally be a last resort, in the United States “it has been treated as the medicine that cures all ills,” and that “in its embrace of incarceration, the country seems to have forgotten just how severe a punishment it is.”

The severity is evident in the devastation wrought on America’s poorest and least educated, destroying neighborhoods and families. From 1980 to 2000, the number of children with fathers in prison rose from 350,000 to 2.1 million. Since race and poverty overlap so significantly, the weight of our criminal justice experiment continues to fall overwhelmingly on communities of color, and particularly on young black men.

After prison, people are sent back to the impoverished places they came from, but are blocked from re-entering society. Often they cannot vote, get jobs, or receive public benefits like subsidized housing — all of which would improve their odds of staying out of trouble. This web of collateral consequences has
created what the National Academy of Sciences report calls “a highly distinct political and legal universe for a large segment of the U.S. population.”

All of this has come at an astounding economic cost, as tallied by a report from the Brookings Institution’s Hamilton Project — $80 billion a year in direct corrections expenses alone, and more than a quarter-trillion dollars when factoring in police, judicial and legal services.

Many of the solutions to this crisis are clear, even if the political path to them often is not: Reduce sentence lengths substantially. Provide more opportunities for rehabilitation inside prison. Remove the barriers that keep people from rejoining society after they are released from prison. Use alternatives to imprisonment for nonviolent offenders, drug addicts and the mentally ill. Release elderly or ill prisoners, who are the least likely to re-offend. And since more than 95 percent of inmates are eventually released, rate prisons on their success in keeping former inmates from returning — which as many as two-thirds currently do. Some states have already taken smart and effective steps in these directions, but there is a long way to go.

The insanity of the situation is plain to people across the political spectrum, from Attorney General Eric Holder Jr. to former House Speaker Newt Gingrich, who agree on the urgent need for change. The research is in, and it is uncontestable. The American experiment in mass incarceration has been a moral, legal, social, and economic disaster. It cannot end soon enough.

http://www.nytimes.com/2014/05/25/opinion/sunday/end-mass-incarceration-now.html
It sounds like the first line of a joke: "Three state corrections teams and some experts who are old hands at visiting prisons go to meet their warden counterparts in Germany and the Netherlands in mid-January to see what they could learn."

But it's a true story—and what high-level delegations from Colorado, Georgia, and Pennsylvania learned through the Vera Institute of Justice's European-American Prison Project is no laughing matter. What we learned, in fact, has serious and timely boots-on-the-ground implications.

Twenty years after the 1994 federal Crime Bill led to an upsurge in prison construction and punitive tough-on-crime sentencing measures, our national conversation around crime and punishment has shifted significantly. It is bipartisan. It is occurring in Congress and statehouses. Energy for reform is focused primarily on reducing sentence lengths, narrowing the population that goes to prison, and better preparing those who are leaving for reintegration.

A new report from the National Academy of Sciences, The Growth of Incarceration in the United States: Exploring Causes and Consequences, is an important marker highlighting the profound racial and ethnic dimensions of our system, one in which 34 percent of state and federal prisoners in 2011 were black, though they made up only 13 percent of the U.S. population in the last census; 22 percent were Latinos, who comprised 17 percent of the population. It is a criminal justice system that perpetuates a poverty trap in which black men under age 35 who do not finish high school are more likely to be behind bars than employed.

In addition to recommending policy changes that would limit rates of incarceration, the National Academies report also recommends improving the experience of incarceration and the harms associated with it—which extend beyond bars to the already suffering communities that prisoners and their families come from.

All of this brings us to an important meta-question taken up by the report: what is the role of incarceration at a time when how we incarcerate achieves little of what we know works to stop reoffending and create stronger people and stronger and safer communities?

For those of us who visited Germany and The Netherlands, the approach to sentencing and the prison philosophy we saw astonished and inspired us. Not only are far fewer people imprisoned, but even those who have committed serious violent crimes serve far shorter sentences.

In these European countries, prisons are organized around the belief that, since virtually all prisoners will return to their communities, it is better to approach their incarceration with conditions as close to "normal" as possible—with the addition of treatment, behavioral interventions, skills training, and needed education—and to remove them from communities for the shortest possible time so that institutional life does not become their norm.
Inmates live in rooms and sleep in beds, not on concrete or steel slabs with thin padding. Inmates have privacy—correctional officers knock before entering—they wear their own clothes, and can decorate their space as they wish. They cook their own meals, are paid for work that they do, and have opportunities to visit family, learn skills, and gain education. Inmates are required to save money to ensure that they are not penniless upon release. There are different expectations for their corrections officers—who are drawn primarily from the ranks of lawyers, social workers, and mental health professionals—to be part of a "therapeutic culture" between staff and offenders, and consequently receive more training and higher pay. There is little to no violence—including in communal kitchens where there are knives and other "dangerous" implements. And their maximum time in any kind of punitive solitary is eight hours.

Prison policies grounded in the belief that prisoners should be treated with dignity were startlingly effective—and have eminently pragmatic implications here at home. The adverse social and economic outcomes for former prisoners in the U.S. are severe—and they are concentrated in communities that are already struggling mightily. With 95 percent of our nation's incarcerated individuals eventually returning home from prison—and 40 percent going right back to prison within three years—we would do well to heed the strategies used in these nations to teach prisoners how to be good and productive citizens that can rebuild their communities.

One cannot be re-socialized or rehabilitated if there is little or no opportunity to interact with the free world, whether through employment, family engagement, or study. And if, within three decades, we will be a country that is majority people of color, isn't it imperative that we do everything in our power to reduce the pernicious and debilitating impact of our criminal justice system on the economic agency of the people we will ultimately rely upon to fuel the nation's economy?

Can we re-imagine American prisons and their use? Yes. Pennsylvania is a system with some 51,000 inmates and 16,000 staff that reflects the racial disparities of the nation as a whole (one in every 58 black residents and one in every 129 Latino residents are incarcerated, compared to one in every 505 white residents). We have started to roll out "transitional units" in each facility for people within six months to a year of release, and we are piloting some of the normalization and reentry practices seen in Europe. We are also re-structuring our basic training for officers, emphasizing communications skills, motivational interviewing techniques, conflict resolution, and mental health first-aid training to begin to give officers the tools to be change agents. Vera and Pennsylvania are also working together to effectively and safely reduce the use of solitary confinement.

Approaches such as these can be implemented and tested in American prisons with a small cohort of the population or test piloted at different security levels. These pilots can be tied to incentive programs or units that may already exist.

Are there challenges to wholesale reform? Of course. Money. Infrastructure. Strains of racial division borne of our history and heterogeneity. And, cultural differences especially as relates to violence may mean that some European practices may not translate smoothly to the U.S. Yet we are at a moment of potential for significant shifts. It will require legislation and policy change, including rethinking sentencing for lower offenses and reducing the time for those who must be in prison. But the notion that we should strive to create an environment within our prisons conducive to our goal—to return good citizens to our communities—is a challenge we can and must meet.

Nicholas Turner is president of the Vera Institute of Justice, an independent nonprofit center for justice policy and practice. John Wetzel is secretary of the Pennsylvania Department of Corrections.

Is the ‘tough on crime’ movement on its way out?
May 22, 2014

It was a dinner invitation from Newt Gingrich a few years ago that first led me to think change might be coming on criminal justice policy. The former Republican House Speaker had arranged the event with a small group of people concerned with America’s world record prison population. Along with Gingrich, Grover Norquist and other leading lights of the Republican right, we had an intriguing conversation about the runaway “war on drugs,” excessive federal prosecutions, and the failures of our prison system.

As someone who has labored on these issues for several decades I had gotten used to fighting losing battles: trying to convince policymakers that the “one size fits all” approach of mandatory sentencing produces vast injustices; that the drug war focus on law enforcement too often ignores the need to help people access treatment; and that the dramatically high rates of incarceration for African Americans are a tragedy for our society.

But over the past decade the landscape has shifted. Four years ago, Congress passed legislation reducing the racially disparate sentencing differential between crack cocaine and powder cocaine. Earlier this year, Attorney General Eric Holder announced a significant expansion of the clemency process in order to reduce excessive prison terms for low-level drug offenders. And in two far-reaching decisions, the U.S. Supreme Court has found aspects of life without parole sentences for juveniles to be unconstitutional.

The shift has been even more dramatic in the states. After nearly four decades of steadily rising imprisonment – a 500% increase since 1972 – prison populations have finally started to decline. More than half the states have scaled back their mandatory sentencing laws. And in 2012, California voters scaled back that state’s draconian “three strikes and you’re out” law, which had resulted in such cases as a third-time offender convicted of stealing $153 worth of videotapes being sentenced to 50 years to life in prison. Although these changes have been modest in magnitude – the nationwide prison count has declined by 4% since its 2009 peak – they represent receptivity to the groundswell for reform.

The common wisdom to explain these changes is that states can no longer afford to operate bloated prison systems. Indeed, at a minimum of $25,000 a year to incarcerate an offender, the $80 billion spent on corrections nationally has cut into funding for higher education and other vital services. But the climate on criminal justice policy began to change before the fiscal crisis set in, emerging from several key factors.

First, crime rates nationally have been declining since the mid-1990s. As a result, crime is now a less salient political issue and few political campaigns today feature the type of “get tough” rhetoric that was all too common in past decades. Americans have also become increasingly skeptical of a “war on drugs” that led to a half million people behind bars for a drug offense, while shortchanging prevention and treatment initiatives. As a result we’ve seen a broad expansion of diversion programs that provide treatment, rather than incarceration, as a means of handling cases in which substance abuse is the key underlying issue.

The policy of “reentry” made its emergence in the late 1990s, with the commonsense notion that it’s in everyone’s interest for people coming home from prison to be equipped with the skills and support they need in order to become contributing members of their communities. This led Congress to pass the Second Chance Act and provide funding to help people find jobs and housing after release from prison.
Opportunities are now on the horizon to undertake even more substantial reforms. The bipartisan Smarter Sentencing Act, which would reduce excessively lengthy mandatory drug penalties, passed the Senate Judiciary Committee and now awaits action by the full Senate. While some “tough on crime” stalwarts have speculated that such changes would increase crime rates, a recent report by the National Research Council concluded that “lengthy prison sentences are ineffective as a crime control measure.”

In order to achieve a better balance in our approach to public safety we need to focus on three areas. First, we should reverse the course of the drug war by shifting to a model of prevention that relies more on the public health system than the criminal justice system. Second, we should scale back the length of prison terms across the board, even for more serious crimes. The 18-year-old convicted of aiding in a robbery is likely to be a very different person at the age of 40, and not necessarily a threat to public safety. And finally, we must recognize that public safety is best enhanced by creating opportunity.

We’ve tried decades of punishment, and now lead the world in that regard. We would do better to strive to lead the world in creating strong families and communities.

Marc Mauer is the executive director of The Sentencing Project and the author of “Race to Incarcerate.”

http://www.msnbc.com/msnbc/sentencing-reform-the-end-tough-crime
This edition: Jeremy Travis "Growth of Incarceration in the US"
Wednesday, May 21 - 9:30am, 4:30pm, 9:30pm
Thursday, May 22 - 3:30am
Saturday, May 24 - 7:30pm
Sunday, May 25 - 11:30am

The report, “The Growth of Incarceration in the United States: Exploring Causes and Consequences” is the product of a 2 year effort of scholars and specialists in the hope that it "could make a significant contribution to public understanding and to improving the justice system," writes Jeremy Travis, Chair, Committee on Causes and Consequences of High Rates of Incarceration in the US.

Guest List

Dr. Jeremy Travis President, John Jay College of Criminal Justice/ CUNY

http://www.cuny.tv/show/citytalk/PR2002989
The Slow-Death Penalty
May 19, 2014

Men who have been imprisoned and released are more than twice as likely to suffer an early death than those who haven’t been incarcerated, according to a new study released by Georgia State University criminologist William Pridemore.

The former inmates are significantly more likely to die from infectious diseases, respiratory diseases, non-alcohol-related accidental poisonings and homicide. This “mortality penalty” is likely caused by increased and prolonged exposure to diseases like tuberculosis and HIV, the ongoing stress of the prison environment, the disruption of important social bonds and, when they are released, the difficulties associated with reintegrating into society.

Pridemore’s analysis is one of the first studies to investigate the effects of imprisonment on the mortality of prisoners after their release. He studied a large-scale sample of working-age males via the Izhevsk Family Study, which was commissioned in Russia.

Including local jails, there were 1.9 million people incarcerated in the United States in 2012, according to Department of Justice statistics—of whom more than 90 percent will eventually be released. Incarceration rates in the U.S. are among the highest in the world: It has only 5 percent of the world’s population but nearly one-quarter of the world’s prisoners.

“Earlier research looked at the collateral consequences of mass imprisonment that started in the 1970s, when the U.S. went on an incarceration binge,” Pridemore said. “Most focused on incarceration’s limits on job prospects and earnings, marriages and its impact on communities. Now research is turning to its impact on health.” And the outlook is grim.

“Ironically, prisons provide an opportunity to screen and treat a population that may be unlikely or unable to take advantage of community-based health care,” he continues. “Prisons should work with inmates, prior to their release, and provide health screenings and treatment. This investment will benefit not only the individual health of current and former prisoners but also taxpayers and the broader community by way of improved population health.”

The study comes just two weeks after the National Research Council (NRC) released its report “The Growth of Incarceration in the United States,” which has everyone from politicians to the general public reconsidering mass incarceration.

The NRC report cites the low impact of long sentences on crime prevention and burdensome financial costs on taxpayers as major reasons to overhaul criminal justice policies in an effort to reduce incarceration rates. “When ex-inmates return to their communities, their lives often continue to be characterized by violence, joblessness, substance abuse, family breakdown and neighborhood disadvantage,” said Bruce Western, one of the authors of the NRC report, the Daniel and Florence Guggenheim professor of criminal justice at Harvard, and the director of the Malcolm Wiener Center for Social Policy at the Harvard Kennedy School of Government.

“It can be challenging to draw strong causal conclusions from this research, but it’s clear that incarceration is now a facet of the complex combination of negative conditions that characterize high-poverty communities in U.S. cities,” Western continues. “Prisons are part of a poverty trap, with many paths leading in, but few leading out.”
Pridemore agrees that imprisonment isn’t always the best option, particularly when an inmate’s health is concerned. “Careful research shows that many of the consequences of contact with the penal system, especially the mortality penalty of incarceration, go well beyond what we consider just punishment.”

ANYONE OF a certain age remembers Willie Horton. Furloughed in 1986 from a life sentence for murder, Horton, who is black, raped a white woman and assaulted her fiancé. But Horton’s legacy extends beyond the horrific crime he committed.

Many have blamed Governor Michael Dukakis’s failed presidential bid that year on publicity surrounding the case. Less often discussed is how far Horton’s crime set back criminal justice reform in Massachusetts — and still does to this day.

We like to think of Massachusetts as a progressive state, and it was on crime, too — until Horton. Indeed, except for our prohibition of the death penalty, there is little to set us apart from the Southern states that many in the Commonwealth consider overly punitive. Mississippi, Texas, Arkansas, Georgia, and South Carolina have all gone farther to reduce prison populations than Massachusetts. Horton’s shadow persists, silencing politicians who would be smart on crime rather than mindlessly tough.

It was not always so. Before the Horton case, Dukakis met monthly with an Anti-Crime Council, composed of representatives from a wide range of government agencies, victim’s groups, lawyers, even academics — I served on this committee. Members often disagreed on policy, but we understood that crime was a complex phenomenon. Mental health policy, juvenile justice, family services, even labor and employment had to be incorporated into solutions. Public safety required more than building prisons.

This approach was derailed by Horton’s crime. State lawmakers enacted legislation increasing imprisonment, especially for drug crimes and repeat offenders. Mandatory sentences proliferated; alternatives to imprisonment were ignored. The media regularly attacked so-called lenient judges — ignoring those who were needlessly harsh.

Soon the state’s prison population skyrocketed, falling in line with America’s failed experiment in mass incarceration. By 2010, the United States boasted the world’s largest prison population, beating out countries we regularly criticize on human rights abuses including Russia, China, and Iran. Imprisonment, rather than one instrument of crime control, became our only response.

Mass incarceration has not made us safer. A recent report from the National Academy of Sciences found no correlation between imprisonment and the crime rate. As more people were put behind bars, violent crime rose, then fell, then rose, and now has declined rapidly. That decline as seen in Massachusetts mirrors what has happened both nationally and across the globe, even in states that resisted mandatory sentencing and in countries without high incarceration rates. Would-be offenders, the report found, are deterred more by the risk of being caught than the severity of the penalty. Even incapacitation — that is, locking up people who might otherwise commit crimes — has little impact, hardly worth the cost.

And the cost of imprisoning so many Americans is substantial. Racial disparities skewed what researchers called the “life chances and civic participation” of black prisoners as well as their partners and children. Ex-felons are disqualified from public benefits and limited to non-existent job prospects. Their lives continue to be characterized by “violence, joblessness, substance abuse, family breakdown, and neighborhood disadvantage.”
With these realizations, a new consensus is forming today around rehabilitation. Evidence-based efforts are achieving significant reductions in recidivism. Advances in neuroscience may inform treatment alternatives. As a federal judge, I saw firsthand what well-designed programs could achieve in the drug and re-entry courts at the federal and state level.

Massachusetts remains slow to adopt such reforms. After courts banned sentencing juveniles to life without parole, the state District Attorneys Association gained bipartisan support when it proposed a 35-year term for youth offenders before parole consideration. Other states, and hardly just progressive ones, have gone in the opposite direction.

After a parolee killed a respected police officer, Massachusetts enacted a “three strikes” bill in 2012, just as other states began abandoning such laws. When a new parole board was “overhauled” in 2011 — the five members who had voted for that parolee’s release were purged — release rates plummeted, just as other states were reducing prison populations. US Attorney General Eric Holder has called for the commutation of sentences for non-violent federal drug offenders, but no similar system-wide approach has been proposed in the Bay State — no gubernatorial initiative nor change in parole practices.

Even on wrongful convictions, Massachusetts has lagged behind the rest of the country. Two years ago, we became the 49th state to enact a post-conviction DNA testing statue, and still prosecutors are working hard to limit strictly its application.

Yet real reform could be on the horizon. Proposed legislation could eliminate mandatory minimums for drug offenses as well as school-zone sentencing enhancements. (In Boston, where no location is far from a school, nearly every arrestee qualified.) A second pending bill would allow drug offenders serving mandatory minimum sentences to be eligible for parole, work release, and time off for good behavior. Compassionate release for aged prisoners, long overdue, has started to be discussed.

There are no excuses — not the crime rate, not even public opinion. Recent polls overwhelmingly support sending fewer people to prison. It’s time for Massachusetts to follow the lead of the rest of the country on criminal justice— indeed, the civilized world — and finally escape Horton’s shadow.

Nancy Gertner is a former United States District Court judge. She teaches at Harvard Law School.

http://www.bostonglobe.com/opinion/2014/05/17/after-horton-case-massachusetts-fell-behind-criminal-justice/TfnkbFiKt6ptnc8clqtq3K/story.html
WASHINGTON (VR) – A 2014 report published by the National Research Council asserts that the prison population of the United States "is by far the largest in the world. Just under one-quarter of the world's prisoners are held in American prisons." There are currently 2.3 million people behind bars. Since 1980, the federal prison population has grown 721 percent, according to a recently released Human Rights Watch Report.

“In the last 40 years, there has been a historic marked expansion in the US prison system. There are 7 times as many people in the prison system today than in the 1970s," says Marc Mauer, Director of The Sentencing Project, a non-profit that documents trends and calls attention to policies.

The exponential rise in imprisonment rates is, sadly, not a reflection of rising crime rates. The prevailing consensus points a finger squarely at politicians and their push for policy changes in a much more punitive direction, intended to send more people to prison and to keep them there longer. According to a national study, 88 percent of the increase in incarceration rates between 1980 and 1996 was due to policymakers’ decisions to lengthen sentences, impose incarceration (as opposed to probation), and ensure that offenders spent an increased amount of their sentence in person (for example, by reducing parole).

In the 1980s, with rising crime rates, simmering racial tensions, and the spread of crack cocaine, legislators adopted a “tough on crime” stance. The “war on drugs,” that gained tremendous political speed during the Reagan administration, contributed significantly to the skyrocketing rates of incarceration. The number of people behind bars for nonviolent drug law offenses increased from 50,000 in 1980 to nearly 500,000 by 2000. The political hysteria led to the passage of draconian penalties at the state and federal levels. Even as the drug scare faded from the public mind, the tough-on-crime stance became a default for most politicians.

“Mandatory sentencing laws took away the power of discretion from judges to consider the personal circumstances of the offenders. ‘Three strikes and you are out,’ the war on drugs, and a number of other policies have all combined to make the system much harsher," says Mauer. If all of this was intended to safeguard public safety, how has increased incarceration impacted crime rates? “The broad consensus is that while the threat of prison has some effect on crime, as the system has grossly expanded, we very much have a case of diminishing returns.” According to an ACLU report, over half of prisoners with a sentence of one year or more are serving time for a non-violent offense. Life sentences are often imposed on recidivists for property or drug-related crimes.

On average, it costs $25,000 to keep someone in prison for a year. With almost 700,000 people returning home from prison each year, “they find it hard to establish themselves since in most cases, they did not pick up any substantial work skills or education in prison that would enable them to reintegrate back,” Mauer explains. As a result, recidivism rates remain high, he adds—66% for violent crimes, 78% for property crimes, and 71% for drug re-arrests.
Who stands to profit from the massive incarceration? One obvious culprit, the private prison industry, interestingly enough, is not as deeply enmeshed in the system as one would think. Mauer points out that only 130,000 inmates are held in the private prison system, which amounts to roughly 8% of the total prison population. The industry has, instead, focused its profit-seeking efforts on immigration detention as the new area for expansion and has spent over 45 million in lobbying funds to ensure that immigration reform remains mired in a legislative quagmire. With a record number of deportations taking place, imprisonment is turning into the solution of choice when it should be the last option.

And prison labor has become the new sweatshop labor. Nearly a million prisoners are performing labor for private corporations, while getting paid somewhere between 93 cents and $4.73 per day, giving new meaning to the term “confinement at hard labor.” The Corrections Corporation of America and G4S sell inmate labor at subminimum wages to Fortune 500 corporations like Chevron, Bank of America, AT&T, and IBM. In 1979, Congress created the Prison Industry Enhancement Certification Program to establish employment opportunities for inmates “that approximate private sector work opportunities”—a far cry from the tidy profit-making scheme for corporations that exploit the captive labor force it has devolved to. The worst abuses have taken place in the agricultural sector, especially in states like Arizona that require inmates to work, earning between 10 and 50 cents an hour, hardly approximating “private sector work opportunities.”

So what should be the priorities in seeking to reform the system? “Sentencing policy change is the most important. Reforming or eliminating mandatory minimum sentencing laws that prevent judges from being able to tailor sentences to the individual crime and the particular defendant is vital. Extremely long sentences are far too common. Far too many 25 year olds are sentenced to life in prison when their progress should be reviewed and they could be released back into the community,” states Mauer.

Editorial: America spends mightily on prison poverty trap
May 16, 2014

Statistically, the United States is the most criminal country. A new report from the National Research Council says:

“From 1973 to 2009, the state and federal prison populations ... rose steadily from about 200,000 to 1.5 million. ... Another 700,000 are held daily in local jails. ... The U.S. penal population of 2.2 million adults is the largest in the world. In 2012, close to 25 percent of the world’s prisoners were held in American prisons, although the United States accounts for about 5 percent of the world’s population. The U.S. rate of incarceration, with nearly 1 of every 100 adults in prison or jail, is five to 10 times higher than rates in Western Europe and other democracies.”

Did Americans turn seven times more criminal between 1973 and 2009? Are Americans five to 10 times more unlawful than residents elsewhere? Of course not. The explanation for the upsurge of steel cages is that America is more punitive, with more politicians passing harsh laws to prove they’re “tough on crime.”

This lock-'em-up mentality costs U.S. taxpayers severely. The NRC report says: “Spending on corrections is the third-highest category of general fund expenditures in most states today, ranked only behind Medicaid and education.”

Why does America bankrupt itself for prisons, when other nations don’t? Government should be frugal. It shouldn’t squander billions on cellblocks while other countries are wise enough to avoid this cost.

The poor and minorities are chief targets of U.S. prosecution and incarceration. “In 2010, the imprisonment rate for blacks was 4.6 times that for whites,” the report says. This hobbles the black community and black family structure.

“When ex-inmates return to their communities, their lives often continue to be characterized by violence, joblessness, substance abuse, family breakdown and neighborhood disadvantage,” said Dr. Bruce Western, a leader at Harvard’s Kennedy School of Government, who helped create the report. “ ... Prisons are part of a poverty trap, with many paths leading in, but few leading out.”

Arguably, prisons do more harm than good. Mass incarceration hasn’t wiped out U.S. crime or curbed drug use. Instead, it destroys ethnic groups and burdens taxpayers.

If other modern democracies jail only one-fifth or one-tenth as many citizens, America should be able to do likewise. Only truly dangerous people should be confined to cells. The U.S. lock-'em-up mentality is destroying families and breaking budgets. It is time for wiser thinking.

http://www.wvgazette.com/article/20140516/ARTICLE/140519529/1103
A Harsh Sentence for Our Communities  
May 14, 2014

The nation seems to be recognizing a need for change regarding the policies which have resulted in an inordinate number of people of color who are incarcerated in the criminal justice system. The Obama Administration through its Attorney General, has begun to address the demographic disproportionately in the criminal justice system. This week’s guest blog is written by Michael Holzman, researcher and author.  
- Eric J. Cooper

By Michael Holzman  
Guest Blogger

The National Research Council of the National Academies is out with a new study that paints a grim picture of the racial disparities of incarceration and their effects on families and communities. Among other studies, it poignantly supports Michelle Alexander’s seminal 2010 publication, "The New Jim Crow."

The statistics in The Growth of Incarceration in the United States: Exploring Causes and Consequences, which was funded by the MacArthur Foundation and the U.S. Department of Justice, are shocking.

• 2.2 million adults are in U.S. prisons and local jails -- the largest prison population in the world by far. The United States has nearly one-quarter of the world’s prisoners, but only 5 percent of its population.

• Of those incarcerated in 2011, about 60 percent were black or Hispanic. Black men under age 35 who did not finish high school are more likely to be behind bars than employed in the labor market.

• In 2009, 62 percent of black children 17 or younger whose parents had not completed high school had experienced a parent being sent to prison, compared with 17 percent for Hispanic children and 15 percent for white children with similarly educated parents.

The consequences of these statistics are terrifying.

The study found no conclusive evidence of a reduction in crime, based on decades of data, but there is no doubt that high rates of incarceration and long prison sentences have shaped poor, minority communities -- and not for the better. "The vast expansion of the criminal justice system has created a large population whose access to public benefits, occupations, vocational licenses ... is limited by a criminal conviction," the study said. "Disfranchisement of former prisoners and the way prisoners are enumerated in the U.S. census combine to weaken the power of low-income and minority communities."

Young African-American men particularly are affected: "Similar to the rise in incarceration rates, most of the growth in lifetime risk of imprisonment was concentrated among men who had not been to college. Imprisonment risk reached extraordinary levels among high school dropouts. Among recent cohorts of African-American men, 70 percent of those who dropped out of school served time in state or federal prison. For these men with very little schooling, serving time in state or federal prison had become a normal life event."
Said Bruce Western, vice-chair of the committee that did the study and director of the Malcolm Wiener Center for Social Policy at the Harvard Kennedy School of Government: "It can be challenging to draw strong causal conclusions from this research, but it's clear that incarceration is now a facet of the complex combination of negative conditions that characterize high-poverty communities in U.S. cities. Prisons are part of a poverty trap, with many paths leading in, but few leading out."

Based on the study, we can estimate that in many African American communities one-third to one-half of the men will have spent time in prison, unable to contribute to the support of their children while incarcerated and only slightly more able to do so afterward: undereducated, virtually unemployable, disfranchised.

How did this happen? The study cites "an increasingly punitive political climate" that, beginning in the 1960s, increased minimum sentences, intensified punishment for drug crimes and put people in jail for minor offenses. The "war on crime" that intensified during the Nixon administration and targeted blacks in the South, effectively criminalizing African Americans, was a contributing factor.

Given the devastating impact on many communities and the minimal impact on crime rates, the study suggests the United States revise its policies and reduce long prison sentences. This tragedy is not rooted in the black community, but in the White House, courthouses, and houses of state government throughout our land.

Michael Holzman is a researcher and author. He has served as consultant to numerous foundations and is the author of the Schott Foundation's series "Public Education and Black Male Students: A State Report Card."

Eric J. Cooper is the founder and president of the National Urban Alliance for Effective Education, a nonprofit professional development organization that provides student-focused professional development, advocacy and organizational guidance to accelerate student achievement.

http://www.huffingtonpost.com/eric-cooper/a-harsh-sentence-for-our_b_5324986.html
When Parents Go to Prison, Their Kids Pay the Price
May 14, 2014

There has been very little research into the effects of throwing the parents of more than a million children into prison.

America’s incarceration infatuation has crippling consequences for its inmates, but it also devastates their relatives and loved ones—including more than 1.5 million kids who have at least one parent wasting years of parenthood in jail.

A new National Academy of Sciences study reports that the innocent children of jailed parents can become sick, including from mental illnesses; experience hunger and homelessness; start failing at school; and eventually watch helplessly as their once-enamored parents are torn apart.

In 2012, nearly one out of every four prisoners worldwide was an American—some two million people, most black or Hispanic, and often poor, in a country with five percent of the world’s population. In the early ’70s, when state legislatures and Congress began assaulting minority communities with salvos of ruthless sentencing laws, America’s imprisoned population was about 200,000.

Here’s what some of those numbers mean for America’s children:

(Chart: National Academy of Sciences)(Chart: National Academy of Sciences)

“[T]he close correlation between having a partner or parent who has been incarcerated and poor outcomes among families and children is unmistakable,” writes a panel of experts convened by the National Academy of Sciences in a newly released 464-page report following two years of research and meetings.

Buried amid the panel’s avalanche of alarming conclusions was the fact that we don’t really understand what impacts our penchant for incarceration is having on society. And that dearth of scientific knowledge extends to the most innocent victims of all.

“There’s a theme running through our report, which is noting the absence of a research portfolio on this remarkable change in our society,” says Jeremy Travis, the panel’s chairman, and president of John Jay College of Criminal Justice at the City University of New York. “We need to understand, ‘What will be the impacts of high rates of incarceration on children?’ This is noteworthy.”

Despite an absence of a robust body of peer-reviewed research, the panel found “consistent evidence” from “ethnographic and quantitative studies” of the following impacts:

- Women “grow weary” of the “time, energy, and money required to maintain a relationship with an incarcerated partner.” They become emotionally strained, socially excluded, and can feel as though they themselves are being punished by the legal system.
• More than half the fathers in state prisons were found to be primary breadwinners, and financial impacts can continue long after they’re released.

• It’s hard for anybody to raise a child properly, or be a role model, while they’re in jail—especially if their partner refuses to allow the kids to visit that awful place.

• Children of imprisoned parents have problems at school and can become withdrawn, aggressive, and lose trust in adults.

So what can be done to protect families from these effects? “Our overarching recommendation is that there should be fewer people in prison,” Travis says. “If you start there and say, ‘Well, let’s have less family disruption by having fewer people in prison, and try to keep families intact, or at least functioning,’ then that’s a good place to start.”

John Jay College President Offers Warning About Skyrocketing Prison Population
May 13, 2014

NY1 VIDEO: Jeremy Travis, the president of John Jay College of Criminal Justice at the City University of New York, joined Inside City Hall to offer a warning about how America's skyrocketing prison population is impacting both the crime rate and the social fabric of American communities.

http://www.ny1.com/content/pages/208614/ny1-online--john-jay-college-president-offers-warning-about-skyrocketing-prison-population
Interview with Craig Haney of University of California Santa Cruz
May 13, 2014

Interview with Craig Haney, distinguished professor of psychology at University of California Santa Cruz, on new National Academy of Sciences report, *The Growth of Incarceration in the United States: Exploring Causes and Consequences*.

http://www.kcsn.org/
Ohio struggles with rising prison population
May 13, 2014

When Gary Mohr began his career at the Marion Correctional Institution in 1974, there were 8,516 inmates in state prisons. Forty years later, he manages a system nearly six times as large, packed with 50,639 offenders.

One of every 175 adult Ohioans is housed, fed and receives medical care at taxpayer expense in a state prison. The latest two-year budget allocated $3.14 billion for the prison system.

Ohio officials have been unable to consistently tamp down the prison population despite attempts to do so. Major sentencing reforms were enacted, “good time” was reintroduced, community programs were enhanced, and early-release provisions were added.

And still the numbers go up. The latest projections suggest the inmate population in 27 prisons (including two private facilities) will hit 52,000 in two years, and 53,484 in five. Prisons already are bulging with 30-percent more prisoners than they were designed to hold.

“I’m getting a lot of people saying, ‘When are you going to build another prison?”’” Mohr said in an interview. “I’m a believer in people instead of bricks and mortar. I’m not going to build another prison.”

The major reason is the enormous cost, Mohr said.

“That’s a commitment of $1 billion for two decades. It would cost $120 million to $150 million to build and $40 million annually to operate.”

Mohr, prisons director since early 2011, said he remains optimistic the state can get prison population growth under control. Still, he was forced recently to seek more money in the revised state budget to hire 80 parole officers and support staff members, plus 91 guards spread over three prisons.

The series of reforms that began with House Bill 86 in 2011 got traction in Ohio’s six largest counties, including Franklin, which reduced the number of offenders being sent to state prisons in the past year. That helped reduce the prison population by about 675. However, the number of inmates being sent to prison from the remaining 82 counties increased, helping push up the population by 11.1 percent from 2003 to 2013.

Here’s the math behind the numbers: Each prisoner costs Ohio taxpayers $22,836 per year, so adding 100 prisoners, for example, costs nearly $2.3 million.

A report by the Correctional Institution Inspection Committee, a legislative corrections watchdog, last August listed five contributing reasons why the prison population has gone up: a very small increase in violent crime, longer sentences for higher-level felonies, dramatically fewer prison releases (a 24.3 percent drop in five years), legislation increasing penalties for specific crimes, and adverse court decisions.
Another factor may trump all the others: a flood of heroin cases. Men coming into prison still outnumber women more than 4 to 1, but that gap is shrinking as more women are incarcerated for nonviolent drug crimes.

State Sen. Bill Seitz, R-Cincinnati, who has been instrumental in recent prison-reform legislation, says the changes included in House Bill 86 are indeed working, “just not as fast as we had hoped. They’ve certainly ameliorated the situation as opposed to doing nothing.

“We didn’t expect a dramatic overnight reduction,” Seitz said. “It takes awhile for the full import of these comprehensive reforms to float down the system.”

Seitz said many judges opposed the reforms because they limited judicial discretion in sentencing. As a result, “some judges are finding creative ways of sidestepping the provision that requires them not to send to prison first-time Felony 4 and Felony 5 non-violent drug and property offenders.”

Mark Schweikert, executive director of the Ohio Judicial Conference, disagrees with Seitz.

“He’s disappointed in the impact those reforms have had. I don’t think judges are dragging their feet. I think judges are following the law.

“I understand Bill’s frustration, but there’s no intention from judges to fill the prison,” Schweikert said. “There’s no intention to resist the will of the General Assembly.”

The prison-crowding issue is an everyday dilemma for corrections officers represented by the Ohio Civil Service Employees Association.

“We were told sentencing reform would flatten out staffing levels, but we keep keeping more people (hired) on the administrative staff and those who work 9 to 5,” said the union’s president, Christopher Mabe. “We know there’s going to be more inmates coming into the system, and that means we need more staff.”

The inmate-to-guard ratio, now about 7.4-to-1, has risen because of the increase in the prison population, coupled with decreases in the number of front-line officers. Serious violent assaults on officers rose to a seven-year high as a result of overcrowding and the staffing shortage.

Ohio is not alone in having so many of its citizens locked up. The National Research Council issued a report last week saying incarceration in state and federal prisons rose from 200,000 in 1973 to 1.5 million in 2009. There are 2.2 million adults in U.S. prisons and jails — about 1 in 100 adults — more than in any other country. The U.S. has roughly 25 percent of the world’s inmates, but just 5 percent of the population.

http://www.norwalkreflector.com/article/4468511
Ohio struggles with rising prison population
May 12, 2014

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http://www.dispatch.com/content/stories/local/2014/05/12/ohio-struggles-to-cope-with-rising-prison-population.html
Tough on crime: the latest trend in Canada, but going out of style in the U.S.  
May 11, 2014

WASHINGTON - A pair of newly released reports show two countries moving in opposite directions on law and order: Canada gearing up for stricter sentencing laws just as the tough-on-crime era winds down in the United States.

Canada's auditor general issued a warning last week about increasingly overcrowded prisons in an era of stiffer jail terms.

Meanwhile, in the U.S., these are tough times to be tough on crime. The prison population actually receded in the U.S. in recent years, a new study shows — a dramatic shift from a decades-long trend that made America the undisputed world leader in incarceration with more than two million prisoners, or one-quarter of the entire international total.

The National Research Council study explained how drug laws turned the U.S. from a country with normal incarceration levels to a place with imprisonment rates six times higher than Canada's.

Three per cent of American children now have a parent behind bars, and the impact has been especially devastating in the black community — which has six times more people imprisoned than whites.

The cost: U.S. corrections spending increased from 1.9 per cent to 3.3 per cent of state budgets since 1985, rising from US$6.7 billion to $53.2 billion. Adjusted for inflation, states' combined corrections spending increased by just over 400 per cent, while the number of prisoners increased by 475 per cent.

So what did Americans get for their money? Not much, according to the study, which concludes that the policies might have contributed to an overall decrease in crime, but not significantly.

As Canada adds mandatory minimum sentences to its Criminal Code, the U.S. study recommends doing away with them.

Congress is considering a handful of softer-on-crime measures, while since 2009, some 40 U.S. states have relaxed their drug laws. The trend has broad political backing — not only from the left, but also from different wings of the Republican party, including potential 2016 presidential candidates Rand Paul and Jeb Bush.

Media barons past and present are weighing in, too.

Fox News owner Rupert Murdoch said last week that nobody should spend more than six months in prison for crack possession. Closer to home, Conrad Black, who became a vocal advocate of justice reform after his stay in a U.S. prison, said Americans are waking up to the back-breaking cost of their crime policies.

In an email exchange, the former newspaper owner blamed "rabid law and order demagogues," "political weaklings and cowards," and "judges who are just prosecutors" for enabling the law-enforcement industry over the years.
He called for a variety of reforms ranging from better legal aid, and letting the defence speak last in court cases, to reducing or completely eliminating prison sentences for non-violent people.

And he urged Canada to steer clear of the recent U.S. model.

"It is a completely rotten system and the Canadian emulation of it, with reduction of rehabilitative features and physical separation of prisoners from family visitors, and the certainty that native people will be the chief occupants of these new prisons, is insane and reprehensible," Black said.

"Vic Toews and Julian Fantino-nation," he added, in reference to past and present federal cabinet ministers. "God help us."

However, when it comes to severity of punishment, Canada is still not even close to the U.S.

In Canada, the maximum penalty for cocaine trafficking might be life imprisonment — but mandatory minimum sentences of one and two years would apply only if the crime was committed within a gang or near a school. Compare that to the U.S., where carrying five kilos of cocaine is an automatic 10 years to life in prison for a first offence, and 20 years to life for a second offence.

One pro-reform organization offers a series of horror stories on its website about lives ruined by U.S. drug penalties.

Families Against Mandatory Minimums describes a Utah rap producer who sold a few pounds of marijuana while in possession of a gun; he's now serving a 55-year minimum sentence.

There's a football player at Southern University who made $1,500 for introducing two people for a drug transaction. The penalty? Life in prison. He received a presidential commutation in 2013 and was released after two decades locked away.

But attitudes are shifting quickly.

In a U.S. poll released last month, the Pew Research Center found 67 per cent agreeing that government should focus more on treating people who use illegal drugs, compared with 26 per cent who said prosecution should be the focus.

Compare that to 1990, when 73 per cent of respondents to a similar poll said they favoured a mandatory death penalty for "major drug traffickers."

The politicians are taking note.

In addition to reforms in dozens of states, the U.S. Congress is weighing bills with bipartisan support that would reduce mandatory minimums and allow early release for low-risk prisoners.

Congress also passed a 2010 bill that significantly narrowed the drastic disparity between penalties for cocaine and crack possession.

Attorney General Eric Holder has also instructed federal prosecutors to prosecute drug offences more leniently, and called on states to stop removing voting rights from ex-convicts.

Up north, the conversation is on different track.

Canada's federal prison population has increased about seven per cent since 2009, with a similar rate of growth forecast for the next few years.
Auditor general Michael Ferguson reported last week that half of Canada's federal penitentiaries were running at, or above, their rated capacities.

The Harper government has added mandatory minimums through five major pieces of legislation, related to drugs, gang activity, white-collar crime and property theft. Some of them are under attack, and the Supreme Court has agreed to hear a case where mandatory minimums were tossed out for some gun crimes.

The government says it's committed to the tougher approach.

"For certain offences, our government firmly believes that a minimum period of incarceration is justified," said an email from the office of Justice Minister Rob Nicholson.

"Canadians lose faith in the criminal justice system when they feel that the punishment does not fit the crime."

http://www.mysask.com/portal/site/main/template.MAXIMIZE/?javax.portlet.tpst=f059e2ed0c0e3921802ac01060315ae8_ws_MX&javax.portlet.prp_f059e2ed0c0e3921802ac01060315ae8_viewID=story&javax.portlet.prp_f059e2ed0c0e3921802ac01060315ae8_topic_display_name=National%20News&javax.portlet.prp_f059e2ed0c0e3921802ac01060315ae8_topic_name=National&javax.portlet.prp_f059e2ed0c0e3921802ac01060315ae8_news_item_id_key=28327126&javax.portlet.begCacheTok=com.vignette.cachetoken&javax.portlet.endCacheTok=com.vignette.cachetoken
On the May 10th edition of The New York Times Close Up, Sam Roberts talks with Jeremy Travis, the president of CUNY’s John Jay College of Criminal Justice, about the price of increased incarceration based on a study released by the National Research Council.

New York Times DealBook columnist and editor Andrew Ross Sorkin discusses former Treasury Secretary Timothy Geithner, the subject of the cover story in this week’s Sunday Times Magazine.

Former New York Times restaurant critic Ruth Reichl, the author of several memoirs, discusses her first novel, “Delicious!”

And the New York Times reporters roundtable convenes.

http://www.ny1.com/content/about_ny1/program_info/100000/the-new-york-times-close-up
New Report Examines the Growth of Incarceration in the United States
May 9, 2014

The United States is well past the point where the immense number of people in prison -- by a significant margin the largest in the world -- can be justified by social benefits. That is the conclusion of a committee of preeminent criminal justice experts, social scientists, and historians convened by the National Research Council, which last week released its comprehensive study of America's overgrown criminal justice system. The committee's findings and recommendations focus on what drove the increase in the use of imprisonment as punishment, how it affected individuals, families, communities, and society at large, and whether this shift in policy produced significant benefits or whether a major policy change is needed to arrest the growth of incarceration in America.

"The Growth of Incarceration in the United States: Exploring Causes and Consequences" confirms what many researchers, criminal justice experts and advocates have argued for years: Incarceration has dramatically increased without yielding large crime-reduction benefits for the country. Incarceration rates in the U.S. have more than quadrupled in the past four decades. There are now 2.2 million people behind bars, a rate of nearly 1 out of 100 U.S. adults, placing the U.S. far outside the experience of other western democracies. Considered together with these glaring statistics, the commission's conclusions will further fuel calls to re-examine policies that rely on incarceration as the preferred method of combating crime.

The Committee finds high incarceration rates came about not because of an increase in crime, but because of policy choices. As some of the committee members noted at the report's release last week, incarceration has left a huge footprint on our society with little evidence of its effectiveness.

The report provides a thorough context of the enactment and implementation of criminal justice policies during the social, political, and economic changes confronting the United States beginning in the 1960s. It also examines the dramatic evolution of America's sentencing policies, which from mid-1980s through the mid-1990s became focused on punishing drug and violent crimes more harshly. This included an unprecedented piling on of mandatory minimum sentences, three-strike provisions requiring 25 year sentences for those convicted of certain crimes, and state truth-in-sentencing laws requiring individuals to serve at least 85 percent of their original sentence. The authors mark the current sentencing era, which began in the mid 1990s, as a period of drift, with state legislatures repealing some of the harsh sentencing laws of the past but without the comprehensive reform that could truly rectify the problems of overly punitive sentencing policies.

Scientific evidence is the report's core. But, as the authors say, "empirical evidence by itself cannot point the way to policy, yet an explicit and transparent expression of normative principles has been notably missing" in criminal justice policy.

In that vein, the report lays out four guiding principles, which do a great job of framing why the current state of our criminal justice system falls so far short of American ideals. Those goals are: proportionality of sentences to the seriousness of the crime committed; parsimony, meaning that punishment should not exceed the minimum need to achieve its purpose; citizenship, or the sanctity of an individual's fundamental status as a member of society; and social justice, the idea that "as public institutions in a democracy, prisons should promote the general well-being of all members of society."
This is an important call on the nation to take a collective breath and thoughtfully begin to chart a new course while keeping in mind the values of fairness, equality, and the real purpose of punishment. The National Academy of Sciences’ report, along with a wealth of new research emerging on criminal justice policy, will have the greatest possible impact if it can convince policymakers to make thoughtful changes to how we dispense justice in America. Whether through a National Commission on Mass Incarceration, like the Brennan Center proposed last month, or simply by hastening the growing consensus on left and right, now is the time for comprehensive reform.

http://www.huffingtonpost.com/laurenbrooke-eisen/new-report-examining-the_b_5295626.html
LANE: The jury is out on mass incarceration. “Though the U.S. prison population of 1.5 million in 2012 was far larger than that of any other country, both in absolute terms and as a percentage of population, the era of ever-increasing ‘mass incarceration’ is ending. The number of state and federal inmates peaked in 2009 and has shrunk consistently thereafter, according to the Justice Department. New prison admissions have fallen annually since 2005....This is not, however, the impression one would get from a new 464-page report from the prestigious National Research Council, which, like other think-tank output and media coverage of late, downplays recent progress in favor of a scarier but outdated narrative.” Charles Lane in The Washington Post.

http://www.washingtonpost.com/blogs/wonkblog/wp/2014/05/08/wonkbook-obamas-hhs-pick-has-a-tough-task-on-her-hands/?tid=hpModule_ba0d4c2a-86a2-11e2-9d71-f0feafdd1934
Reaching a verdict on the era of mass incarceration [editorial]
May 7, 2014
*This editorial also appeared in outlets such as Memphis Commercial Appeal and Columbia Daily Herald.

Though the U.S. prison population of 1.5 million in 2012 was far larger than that of any other country, both in absolute terms and as a percentage of population, the era of ever-increasing "mass incarceration" is ending.

The number of state and federal inmates peaked in 2009 and has shrunk consistently thereafter, according to the Justice Department. New prison admissions have fallen annually since 2005.

The inmate population is still disproportionately African American — 38 percent vs. 13 percent for the general population — but the incarceration rate for black men fell 9.8 percent between 2000 and 2009, according to the Sentencing Project.

This is not, however, the impression one would get from a new 464-page report from the prestigious National Research Council, which, like other think-tank output and media coverage of late, downplays recent progress in favor of a scarier but outdated narrative.

The report opens by observing that the prison population “more than quadrupled during the last four decades” and goes on to condemn this as a racially tainted episode that badly damaged, and continues to damage, minority communities but did little to reduce crime.

The study’s authors are right that the disproportionate presence of minorities in prison is a tragic reality, rooted at least partly in the post-1960s politics of white backlash. Today’s big prison population reflects the impact of mandatory minimums and longer sentences, which probably do yield diminishing returns in terms of crime reduction, especially for nonviolent drug offenses.

Summarizing a relative handful of studies, the NRC report implies that we can have safe streets without the cost, financial and moral, of locking up so many criminals — since it’s “unlikely” that increased incarceration had a “large” positive impact on crime rates.

It would be nice if there were no trade-off between crime and punishment, but common sense says it’s not so. An analysis by the Brookings Institution’s Hamilton Project, similar in both tone and timing to the NRC report, acknowledges that increasing incarceration can reduce crime and that this effect is greatest when the overall rate of incarceration is low.

Ergo, increasing the incarceration rate now would do little to reduce crime, but the crime-fighting benefits were probably substantial back in the high-crime, low-incarceration days when tougher sentencing was initially imposed.

It’s easy to pass judgment on the policymakers of that violent era, when the homicide rate was double what it is today and crime regularly topped pollsters’ lists of voter concerns.
That had a racial component, but minorities were, and are, disproportionately victims of crime, too. The NRC report extensively discusses the negative effect on communities of incarcerating criminals, but it has comparatively little to say about the social impact of unchecked victimization.

Buried within the report is the fact that, in 1981, the average time served for murder was just five years; by 2000, it had risen to 16.9 years. The numbers for rape were 3.4 and 6.6 years, respectively. Insofar as “mass incarceration” reflects those changes — and the majority of state prisoners are in for violent crimes — it’s a positive development.

In an oft-quoted but empty phrase, the NRC report declares the growth of incarceration in the United States “historically unprecedented and internationally unique.”

The same might be said for the United States itself. This is the only nation on earth with more than 100 million people, effective, democratically accountable law enforcement and a lot of crime.

If we released all drug offenders, the incarceration rate would still be much higher than that of Europe. Ditto if we released all minorities. Nor are U.S. racial disparities unique. Canadian statistics show that, for unknown reasons, the black share of Canada’s prison population is three times that of the general population — the same as in the United States.

Instead of ignoring recent positive trends, researchers should try to understand them. The decline in incarceration may represent the delayed effect of falling crime and the diminished flow of new offenders it necessarily entails.

Sentencing reform, too, is taking hold, based on changing public attitudes. The percentage of Americans who say criminals are not punished harshly enough has fallen nearly 23 points since 1994 — when the crime wave peaked — according to data compiled by Arizona State University professor Mark Ramirez.

After erring on the side of leniency in the 1960s, then swinging the opposite way in the 1980s and 1990s, the United States may be nearing a happy medium.

But this probably would not be possible if 48 percent of Americans felt unsafe walking at night within a mile of their homes, as the Gallup poll found in 1982.

To sustain moderate public opinion we must keep the streets safe, and to do that we must learn the right lessons from the recent past.

http://www.washingtonpost.com/opinions/charles-lane-reaching-a-verdict-on-the-era-of-mass-incarceration/2014/05/07/1bfe62a8-d5f7-11e3-8a78-8fe50322a72c_story.html
Hard line on soft drugs doesn’t work
May 7, 2014

NEW YORK — You can begin with the figures, as stated by The Drug Policy Alliance:
"Each year the US spends US$ 51 billion in the prosecution of drug-related crimes, including possession for simple use of controlled substances.

"In 2012, 1.55 million people were arrested on nonviolent drug charges.
"Of those arrested for marijuana in that year, 749,825 people, or 88 percent, were detained for possession.

"Federal, state and local prisons hold 2,228,400 US citizens: one in every 108 adults, the highest incarceration rate in the world, and up to 10 times higher than those in Western Europe and other major democracies. This is partly because of the harsh legislation that frames the so-called War on Drugs.

Or you can begin with the news: As of now, potentially thousands of inmates may seek clemency if they meet six criteria: they are serving a sentence longer than the current mandatory sentences reformed in 2010; they are nonviolent, low-level offenders; they have no significant criminal record; they lack connections to the organized crime; they have served 10 years of their sentence; they have shown good conduct.

In any case, the fact remains the same: the strategy of the US policies in the War on Drugs has led to failure.

And not only here: Afghanistan is wrecked by opium poppy fields and corruption due to heroin, while in Mexico the cartel violence has produced more than 70,000 deaths since 2006, and expanded their business — among other crimes — to human trafficking.

Towards the end of April the National Research Council published The Growth of Incarceration in the United States, which shows that today the US accounts for less than five percent of the world's population and almost 25 percent of the world's prisoners. But it has not always been like that. The report highlights that the incarceration rate went through the roof during the last 40 years — since Richard Nixon declared the War on Drugs, in 1971 — as a consequence of the legislation created in the 1980s. It also suggests that current criminal justice policies are not useful to the nation, since focusing on punishment has not prevented the growing and cheaper availability of drugs in the streets, but only turned the US into the world's most heavy-handed system.

A person can be an accessory, even an unknowing one (like the woman with no criminal record sentenced to life without parole because her boyfriend kept a box with a pound of cocaine in her attic), and rot in prison because there are minimum sentence requirements: even if the judge believes the punishment is excessive, the law does not allow a lesser serving time for the crime.

Ethan Nadelmann, executive director of the Drug Policy Alliance, found it “significant” that the report has been funded by the Department of Justice's research division. "This is yet another indication that the Obama Administration, after having done little during its first term to reduce incarceration, is now firmly committed to doing all it can to reduce incarceration," he said.
However, that might give President Barack Obama excessive credit.

According to Attorney General Eric H. Holder, the prison system consumes 30 percent of the Justice Department’s budget. Also, states and local governments face financial strain because they have to allocate resources to the trailing of mere addicts and to the food-and-lodging expenses of the large prison population created by their present criminal justice policies.

Just like he did about the still pending migratory reform, the president has shown concern for the criminalization of nonviolent crimes, in particular those related to drugs: today marijuana can be smoked in Washington state and Colorado, and Uruguay is the first country that permitted it) or matters that would be better served by educational and health policies (such as addiction or related diseases). But he has done nothing: intoxication is an issue no less controversial than undocumented immigrants.

What’s more, he has not been open-handed with the presidential prerogative of pardon. Ronald Reagan and Bill Clinton granted one of every 100 applications they received; forgiveness became scarcer during the administration of George W. Bush (one in 1,000) and even scarcer under Obama: one in 5,000.

Even if the number of clemency requests has grown, so has the number of people imprisoned since Reagan expanded policy and championed legislation to curtail the crack epidemic of the 1980s, tough laws that were approved by Congress and state legislatures. At the beginning of that decade, those in prison for nonviolent drug crimes were around 50,000; by 1997, more than 400,000.

People still remember “Just Say No,” the main slogan of Nancy Reagan’s campaign against illegal drugs (that was later expanded to premarital sex). By the mid-1980s, only two to six percent of US citizens saw drug abuse as the nation’s “number one problem,” The Drug Policy Alliance states. “The figure grew through the remainder of the 1980s until, in September 1989, it reached a remarkable 64 percent,” the organization observed. “Within less than a year, however, the figure plummeted to less than 10 percent, as the media lost interest. The draconian policies enacted during the hysteria remained, however, and continued to result in escalating levels of arrests and incarceration.”

Not only that: the higher the risks, the larger the profits. The demand has not decreased: a survey of the US Department of Health and Human Services showed that 23.9 million US nationals aged 12 or older used illicit drugs in 2012, that is 9.2 percent of the population. The advocacy group Law Enforcement Against Prohibition says that the number of drug users has increased 2,800 percent since 1970.

Deputy Attorney General James Cole, who announced the new policy and encouraged those eligible to request pardons, said: “These older, stringent punishments that are out of line with sentences imposed under today’s laws erode people’s confidence in our criminal justice system.”

While Congress is considering a bill that would allow retroactive application of the new sentencing guidelines (which could reduce an estimated 12,000 sentences), many federal and state laws collide with the Justice Department’s new perspective.

They also contradict the common sense of the average US citizen, who seems to grasp the intensity of the problem that perpetuates violence, hurts civil liberties, and deepens racial discrimination (61 percent of those in prison for drug crimes are black and Hispanic): a Pew Research Center poll found that 63 per cent of US nationals believe that it would be a good thing if state governments moved away from mandatory prison terms for nonviolent drug crimes.

http://www.buenosairesherald.com/article/158774/hard-line-on-soft-drugs-doesn%E2%80%99t-work
Prison not answer [letter to the editor]
May 6, 2014

THERE has been a recent suggestion that Tasmania should follow the American model of no suspended sentences, mandatory sentencing and lengthier prison sentences.

A recent study by the American National Research Council (National Academy of Sciences) found that these policies in the US had increased the prison population from 200,000 in 1973 to 2.2 million in 2009 (including local jails) and that the USA now has a quarter of the world's prisoners although only 5 per cent of the world's population.

This has caused a substantial burden on the public purse.

The cause is that media, naturally, reports only major crime, but the public gains the impression this tiny percentage is the average or normal form of crime and so demands tougher sentencing. Are we in Tasmania going to form policy based on scientifically gathered accurate statistics and the recommendations of experts, or on half-baked misinformed public opinion as in the US?

- ROBERT STONJEK, Kings Meadows.

At a symposium of the National Association of Attorneys General, U.S. Attorney General Eric Holder discussed the new National Research Council report on the growth of incarceration in the United States. Holder called it a "landmark study" that brings into sharp focus the importance of efforts to make the criminal justice system more efficient and effective.

The importance of these efforts and the urgent need for action on the historic changes that we’re working to bring about was really brought into sharp focus by a landmark study that was released just last week by the National Academy of Sciences’ National Research Council. This new report was funded by the National Institute of Justice as well as by the MacArthur Foundation.

We are committed to devoting the time, the resources and the personnel necessary to ensure that each one receives the full attention and the rigorous scrutiny that it deserves. At the same time, as the National Academy of Sciences report makes crystal-clear, we must increase our efforts to identify and to confront disparity at every stage of the criminal justice process. With this goal in mind at my direction, a team of more than a dozen U.S. attorneys known as the Racial Disparities Working Group, is currently examining sentencing disparities and developing recommendations on how we can address them.

Prison system needs overhaul to combat overcrowding, NRC says

May 5, 2014

State and federal lawmakers should revise current criminal justice policies to significantly reduce incarceration rates because prisons are drastically overcrowded, an April 30 National Research Council report says.

"We are concerned that the United States is past the point where the number of people in prison can be justified by social benefits," said Jeremy Travis, NRC committee member and president of John Jay College of Criminal Justice.

The state and federal prison populations rose from 200,000 in 1973 to 1.5 million in 2009, because of policy decisions such as mandatory sentencing, long sentences for violent and repeat offenses and intensified criminalization of drug-related activity, the report says.

"A criminal justice system that makes less use of incarceration can better achieve its aims than a harsher, more punitive system," Travis said.

The report comes on the heels of a March 4 Congressional Research Report (pdf) that says the federal prison system population exceeds the space available to house and maintain it.

The number of inmates under the Bureau of Prison's jurisdiction has increased by about 790 percent since fiscal 1980, "resulting in overcrowding in the federal prison system," says the report.

CRS says Congress could take a different tack by reducing the prison population through alternatives such as increasing good time credit for inmates who participate in certain rehabilitative programs, placing more low-level offenders on community supervision in lieu of incarceration or reducing mandatory minimum penalties for some offenses.

US incarceration rate 'very serious concern': Anthropologist
May 4, 2014

The US incarceration rate, the highest in the world, is a “very serious concern,” because most prisoners come from minority groups who are imprisoned for non-violent crimes, an American anthropologist says.

“The incarceration rate is really a very, very serious concern,” William Beeman, a professor of anthropology at the University of Minnesota told Press TV on Sunday.

“A lot of the people who are in jail are not in jail for violent crimes, they’re in jail because of possession of small amounts of drugs,” Beeman said.

“And there’s a definite racial bias in the incarceration rate, that is the people who are from minority populations, that is African Americans or Hispanic populations or even Asian populations are incarcerated at much, much higher rates than the white population,” he added.

A recent report shows the number of people locked up in US prisons has skyrocketed over the past decades, with minorities being disproportionately targeted.

The devastating report, issued this week by the National Research Council which is an arm of the National Academy of Sciences, shows the growing size of the world’s largest prison population does not correspond to an increase in violence but is driven by politically-motivated policy changes.

The 464-page report describes the rise in the US incarceration rate since the 1970s as “historically unprecedented and internationally unique.”

According to the report, 200,000 adults were locked in US federal and state prisons in 1973 but by 2009, that number had ballooned to 1.5 million. Since 2009, the number of adults that federal and state prisons in the US hold has risen to 2.23 million.

http://www.presstv.ir/detail/2014/05/04/361314/us-incarceration-rate-a-serious-concern/
US prison population skyrocketing: Report
May 4, 2014

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However, that number multiplies when people who are on parole or probation are considered.

Meanwhile, sixty percent of incarcerated people in the US are people of color. African-American males who have not completed high school and are under the age of 35 are more likely to be incarcerated than employed in the formal labor market.

“The U.S. prison population is largely drawn from the most disadvantaged part of the nation's population: mostly men under age 40, disproportionately minority, and poorly educated,” the report said.

This comes as the April jobs report released by the US Bureau of Labor Statistics showed the African-American unemployment rate stood at 11.6 percent, compared with the overall unemployment rate of 6.3 percent. The data also showed that the black jobless rate was more than twice the white jobless rate of 5.3 percent.

http://www.presstv.ir/detail/2014/05/04/361236/us-prison-population-skyrocketing/
Skyrocketing Prison Population Devastating US Society

May 3, 2014

National Research Council report documents devastating costs to communities, families and society.

Impacted communities have long slammed U.S. policies of mass incarceration that are locking up more people than any other country in the world. Now that criticism is also resounding from the highly-regarded National Research Council—an arm of the National Academy of Sciences—which issued a devastating report charging that “unprecedented” levels incarceration is spreading social harm.

After two years of data review, the NRC this week released a 464-page report that delivers a round indictment of four decades of skyrocketing incarceration that has quadrupled the prison population and torn apart families, communities, society, and the lives of the incarcerated people themselves.

“It is easy for those in power to dismiss communities and organizations how have been fighting this stuff for generations as out in left field or put them in racist stereotypes,” Isaac Ontiveros of Critical Resistance told Common Dreams. “But now you have the center saying the same thing.”

Commissioned by the National Institute of Justice and the MacArthur Foundation, the report finds that 2.23 million people are currently locked in U.S. prisons and jails, but that number multiplies when people who are on parole or probation are considered. This is the result of an “unprecedented and internationally unique rise in U.S. state and federal prison populations” since 1973, according to an NRC statement.

This climbing prison population does not correspond to increases in violence, but rather, is driven by policy changes, including: the imposition of “mandatory minimums” in the 1980s, longer sentences for repeat convictions, and increased criminalization of drug offenses due to the War on Drugs. As a result, incarceration rates for drug offenses to multiply ten times between 1980 and 2010.

The political push for these policies uses racist rhetoric, the report charges. “Deeply held racial fears, anxieties, and animosities likely explain the resonance of coded racial appeals concerning crime-related issues.”

While the financial price of these incarceration rates has been high for society overall, the social and economic costs to poor communities and people of color is unmatched.

According to the report, “The U.S. prison population is largely drawn from the most disadvantaged part of the nation’s population: mostly men under age 40, disproportionately minority, and poorly educated.” Sixty percent of incarcerated people are people of color, and black males who did not complete high school and are younger than 35 are more likely to be incarcerated than employed in the formal labor market.

“You read some UN report about genocide in another country,” said Ontiveros. But even middle-of-the-road people are pointing out systematic state violence that uses courts, police, the prison system, cultural institutions, and media to target and unleash incredible amounts of violence against a certain group, we need to start thinking in those terms.”
Furthermore, incarcerated people disproportionately face “drug and alcohol addictions, mental and physical illnesses, and lack of work preparation or experience,” charges the report.

While the financial price of these high incarceration rates to society have been high, the social and economic costs to low-income communities of color is unmatched. High incarceration rates spread trauma and poverty through communities and tear families apart, charges the report. “Prisons are part of a poverty trap, with many paths leading in, but few leading out,” committee vice chair Bruce Western, professor of sociology, Daniel and Florence Guggenheim Professor of Criminal Justice, and the director of the Malcolm Wiener Center for Social Policy at the Harvard Kennedy School of Government.”

The committee made a series of recommendations for policies aimed at decreasing incarceration rates, including a “reconsideration of drug crime policy” and re-examination of mandatory minimum sentencing.

The report also called for steps to “improve prison conditions” and expand programming on the inside. Yet James Kilgore of the No More Jails campaign in Champaign-Urbana, Illinois told Common Dreams, “What’s far more important is to reinvest money into communities that have been decimated by mass incarceration. Resources should go into community programs that keep people out of jail and prison, including public housing, substance abuse treatment, and mental health programs. Those programs, in the long run, will be more important than programs offered inside prisons and jails.”

Ontiveros agrees: “We should prioritize re-entry services and programs that are community-based and not under the purview of corrections. We cannot on those that have propped up this abhorrent institution be in charge of changing it.”

He added, “The bare minimum response to this report should be the immediate rolling back of the policies and sentencing guidelines and conditions of parole and probation and a swift and rigorous decarceration strategy for those who are locked up. If things still don’t change, we need to hold the people continuing these policies accountable.”

Since the 1970s the rate of incarceration in the United States has quadrupled, after having been relatively flat over the prior half-century.

In 1973 the number of Americans in prison was around 200,000. By 2009 that number had grown to 1.5 million. An additional 750,000 Americans are held daily in local jails.

These are the findings of a report released this week from the National Research Council (NRC). The US is the world's top jailor, the report finds, and the numbers aren't even close:

The US penal population of 2.2 million adults is the largest in the world. In 2012, close to 25% of the world's prisoners were held in American prisons, although the United States accounts for about 5% of the world's population. The US rate of incarceration, with nearly 1 of every 100 adults in prison or jail, is 5- to 10-times higher than rates in Western Europe and other democracies.

Based on the results of its study, the NRC calls the US incarceration rates "historically unprecedented and internationally unique".

The report also paints a picture of the kind of people who are filling US prisons and jails. More than half are black or Hispanic and come from "the most disadvantaged segments of the population".

They are mainly men under age 40, who are poorly educated and often have drug and alcohol addiction or other medical issues.

Another disturbing fact: a black man under the age of 35 who did not graduate from high school has a greater chance of being in prison than in the workforce.

The report concludes:
The meaning and consequences of this new reality cannot be separated from issues of social inequality and the quality of citizenship of the nation's racial and ethnic minorities.

"Prisoners are more likely to come out of poor communities (and to return to them)," writes the Washington Post's Emily Badger. "This means that communities with the least capacity to absorb former prisoners are home to the largest share of them. This also means that economic, social and political problems tied to incarceration tend to fall on communities that have many other related challenges."

But have the increased incarceration rates made Americans safer?
The report finds that the crime rates have fluctuated over the past 40 years, and while they have declined overall, there is little correlation to the rise in sentencing rates.

"The tremendous increase in incarceration in the US does not reflect the fact that the country has become substantially more criminal or violent over this time," Badger says. "The true explanation has more to do with politics and policy."

The war on drugs, mandatory minimum sentences and politicians promising to "get tough" on crime - these are the driving forces behind the incarceration numbers, the report asserts.
"How did that happen?" asks Reason Magazine's Jacob Sullum. "In brief, American voters and politicians freaked out about crime, demanding ever-tougher policies that increased the likelihood and length of incarceration."

Although the arrest-to-crime ratio has remained largely the same over the past four decades, it has become much more likely that those arrested wind up in prison.

Prosecutions have become more effective, and many more convicted criminals never stand trial - they plead guilty to a lesser charge and a shorter sentence.

"This makes it much easier for prosecutors to move cases through the courts," writes Vox's Dara Lind. "Of course, efficiency isn't necessarily the same as effectiveness - in theory, the point of prosecution should be to figure out whether the person committed a crime or not, not to convict and sentence as many people as possible."

Then there's the high costs of incarceration. Corrections budgets are the third-largest item in most states, behind health care for the poor (Medicaid) and education. In 1972 state spending was $6.7b (£4b). By 2010, it had grown to $53.2b - from 1.9% to 3.3% of overall state budgets.

"Corrections budgets have skyrocketed at a time when spending for other key social services and government programs has slowed or contracted," the report says.

After looking at the data, the report's authors conclude that reforms must be made - sentences should be shorter for non-violent criminals and prison conditions should be improved so inmates are better prepared to re-enter society.

"We believe that the policies leading to high incarceration rates are not serving the country well," the report states. "We are concerned that the United States has gone past the point where the numbers of people in prison can be justified by social benefits. Indeed, we believe that the high rates of incarceration themselves constitute a source of injustice and, possibly, social harm."

The report, Sullum writes, "can be used to win over anyone who still thinks building more prisons is a sound investment in public safety".

David Downs of the East Bay Express puts it a little more forcefully:

Congrats, fellow Americans. We did it. Like mastering the atom, or walking on the moon, we've succeeded where others have come up short. We've put more people in more cages than any country ever in the history of the Earth. Land of the free, indeed!

Mapping America's Enormous Prison Population
May 2, 2014

The 2.2 million people who fill America's prisons exceed the entire population of Qatar. Yet, somehow, the fact of our mass incarceration rate tends to fade into the fabric of the everyday. Not so with a new tool from software engineer Stuart Sandine, who used data from the International Centre for Prison Studies to build a map of the world's imprisoned population.

With Sandine's Prison Data, it's easy to toggle among imprisonment stats in different countries. America's prison population exceeds that of China, Russia, Brazil, India, and Thailand, according to this data, and so does the land of the free's incarceration rate.

"I've long been disturbed by our country's prison-industrial complex, particularly the abhorrent number of incarcerated non-violent offenders and race inequality in incarceration," Sandine, now at New York City's Hacker School, says. "One day I was exploring prisonstudies.org, which is a great data source, and became frustrated with my inability to visualize the data in a more meaningful way. So I built a tool that scrapes that data and presents it more usefully, allowing country comparisons, maps, and quick fact lookups."

The costs of mass incarceration have quadrupled in the last 40 years, according to a new report from the National Research Council this week. That same study concluded that U.S. prison practices disproportionately punish African Americans over whites, and the United States has no choice but to reduce its incarceration rate. "We are concerned that the United States is past the point where the number of people in prison can be justified by social benefits," NRC committee chair and John Jay College of Criminal Justice president told reporters.

http://www.fastcoexist.com/3029942/visualized/mapping-americas-enormous-prison-population
Either way, Blount’s jail dilemma will cost [letter to the editor]
May 2, 2014

Memo to the Blount County Corrections Partnership: If you figure out a way to wriggle out of this overcrowded jail dilemma, send the solution to Washington, D.C. It’s not just Blount County that has to figure out how to fit the punishment to the crime to the jail to the budget. It’s the whole nation.

The numbers for Blount are indeed stark. The county is at risk of a legal tangle that could put the local corrections system — and taxpayers — at the mercy of a court forced to lay down the law about constitutional jail conditions.

Consultant Alan Kalmanoff, executive director of the Institute for Law and Policy Planning, summarized Wednesday a draft report containing his assessment and recommendations: Without major changes in policy and procedure in Blount County’s criminal justice system, the only choice will be construction of a bigger jail.

By Kalmanoff’s math, the Blount County jail will need 635 beds in addition to the 350 in place. To taxpayers, here are the scarier numbers. Construction could cost $68 million. That’s the low-ball estimate. Jail expansion could reach $124 million. And staffing those new beds could add $10 million per year. The authors of a just-released report by the National Research Council of the National Academy of Sciences would by no means be shocked by Blount County’s jail squeeze.

The U.S. ranks No. 1 among nations in per capita rates of prison and of jail population.

‘Twas not always so. The guilty finger points at policies instituted over the past four decades to fight the “drug war.” Suffice it to say, the front lines of the drug war were breached and the U.S. is left holding 25 percent of the world’s prisoners.

The U.S. inspector general cautioned last year that rising expenditures for incarceration threaten the ability of law enforcement to fulfill other duties. The White House is considering early release for low-level felons with nonviolent histories but serving long, mandated terms for drug-related convictions.

Kalmonoff made a telling statement: “There is lots and lots of research that shows a sudden quick sanction followed by supervision is far more effective on the crime rate than a long punitive stay in jail.”

Blount County has a choice. Pony up for a bigger jail or develop more effective ways to deal with “minor offenders awaiting trial, addicts who seemingly need treatment in the community, or scofflaws who sit idle in jail, at taxpayer’s expense to pay off their fines and fees.”

Guess what — that’ll cost, too. Remember the oil filter commercial, “You can pay me now, or pay me later.”

That stark detention facility behind the Blount County Justice Center is looking like a giant oil filter, and it’s about to start leaking.

Mass incarceration: Why the costs outweigh the benefits
May 2, 2014

This week, the National Research Council released a landmark report exploring the causes and consequences of mass incarceration. The comprehensive work, authored by a committee of thinkers at the forefront of criminal justice and social science, concludes that the costs of the current rate of incarceration vastly outweigh the benefits. Among the detrimental effects are employment obstacles faced by returning prisoners, economic and other hardships on their children and families, the acute impact on minority and poor communities, and enormous financial expenditures from public coffers.

Concluding that the United States has “gone past the point where the numbers of people in prison can be justified by social benefits,” the committee recommends a thoughtful reconsideration of sentencing policy, prison policy, and social policy to better align with the core values of justice and jurisprudence.

Indeed, this report comes at a time of unprecedented momentum surrounding criminal justice issues. State and federal leaders on both sides of the aisle are talking about and, in many places, passing substantial reform packages. It is critical that this larger justice reform conversation, which can frequently turn both political and emotional in nature, draw from the expanding base of data and research pointing the way to what works.

We know from our research on the federal prison population that a host of reforms will be needed to reduce the growth of the federal prison system. These include:

- Reducing or eliminating mandatory minimum drug sentences
- Giving judges discretion in the application of mandatory minimums
- Lowering the minimum share of a sentence an offender is required to serve

We’re also learning from the experiences of the states. For example, our assessment of how 17 states are implementing data-driven reforms through the Justice Reinvestment Initiative shows:

- Using risk-assessment tools can help courts and judges evaluate the likelihood of recidivism.
- Responding to some crimes and violations with community-based, not prison-based, treatment programs can improve recidivism outcomes.
- Reducing sentence lengths, expanding parole eligibility, and limiting revocations can reduce unnecessary spending on incarceration.

Statehouses across the country are already coming to the realization that prison is costly, harmful, and comes at the expense of other fiscal priorities. They have begun to pass sweeping reforms to stem the tide, but many are simply slowing the growth rather than bending the curve.

Examining the role and effectiveness of alternatives to incarceration was beyond the scope of the National Research Council report, but we know that informed policy decisions will require measuring the impact of reforms and developing a larger body of research on what works. Viable alternatives that have an evidence-based impact on crime, imprisonment, and public spending will go a long way toward reversing this trend.

The National Research Council report is hardly the first of its kind to shed light on a challenging topic, but it is certainly the most thoughtful and comprehensive to date. The next step is for researchers,
practitioners, and policymakers to take up the charge, developing, implementing, and measuring the impact of policy changes that can safely reduce correctional control in America.

http://blog.metrotrends.org/2014/05/mass-incarceration-costs-outweigh-benefits/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+MetrotrendsBlog+(Metrotrends+Blog)
Does the U.S. Really Need So Many Prisoners?
May 2, 2014

A leading government research panel says it is time for the United States to take a serious look at its decades-long habit of imprisoning so many of its people.

The report from the National Research Council found the skyrocketing increase in the number of prisoners held throughout the country is doing more harm than good for society, making it imperative for policymakers to reconsider the tough-on-crime laws that led to this development.

“We are concerned that the United States is past the point where the number of people in prison can be justified by social benefits,” Jeremy Travis, the research panel's chairman and president of John Jay College of Criminal Justice in New York City, said. “We need to embark on a national conversation to rethink the role of prison in society. A criminal justice system that makes less use of incarceration can better achieve its aims than a harsher, more punitive system. There are common-sense, practical steps we can take to move in this direction.”

Travis and his colleagues said the U.S. has been "internationally unique" in locking up significant numbers of its citizens over the past four decades. The U.S. prison population (including state and federal) soared from 200,000 inmates in 1973 to 1.5 million by 2009.

With 2.2 million adults currently behind bars, the U.S. not only has by far the world’s largest prison population, but it also accounts for 25% of all people incarcerated on the planet—even though it has only 5% of its population.

Other startling statistics from the report:

· Nearly 1 out of every 100 American adults is behind bars—a rate that’s five to 10 times higher than rates in Western Europe and other democracies.

· About 60% of all prisoners were black or Hispanic (as of 2011).

· Black men under age 35 who don’t graduate from high school are more likely to get arrested than to get a job.

The report suggested that lawmakers in statehouses and Congress revisit mandatory sentencing laws that helped fuel the surge in prison populations. They noted that such laws targeting drug offenders have done little to stem the nation’s drug problem, while resulting in a tenfold increase in the incarceration rate for drug offenses from 1980 to 2010 — a rate twice that of other crimes.

The cost of corrections has outpaced budget increases for almost every other major government service, states the report. Only spending on Medicaid and education is higher than state spending on incarcerations.

How a national spike in incarcerations affects crime, cost and communities
May 1, 2014

Since 1973, the rate of incarceration in the United States has quadrupled, with more than 2 million people now behind bars. Jeffrey Brown talks to Jeremy Travis of the John Jay College of Criminal Justice about a new report that examines the causes and consequences of this explosion and recommends ways to cut down the figures.

GWEN IFILL: Finally tonight: what to do about a decades-long growth in the number of Americans behind bars.

That was the subject of a gathering of policy-makers, academics and law enforcement officials meeting in Washington today. It’s also the focus of new research released this week that questions how effective government has been at reducing crime.

Jeffrey Brown looks deeper with the author of one of the new reports.

JEFFREY BROWN: The U.S. penal population is the largest in the world, with more than two million people behind bars. And while the nation accounts for 5 percent of the world’s population, it houses 25 percent of its prisoners. These numbers have increased fourfold over the past 40 years.

A new report by the National Academy of Sciences examines the causes and consequences of this explosion in rates and recommends the U.S. revise its current criminal justice policies in order to cut down the figures.

The chair of the committee that issued the report joins us now.

Jeremy Travis is president of John Jay College of Criminal Justice in New York.

And welcome to you.

JEREMY TRAVIS, President, John Jay College of Criminal Justice: Thank you for the invitation.

JEFFREY BROWN: First, the sheer size of this population, which you call historically unprecedented and internationally unique, what are the key drivers that got us there?
JEREMY TRAVIS: So the drivers are a big change in our penal posture as a country, sort of how we think about punishment, how we think about how to respond to crime. And we have invested heavily in prison as a response to crime. And that has been part of our political discussion and part of our criminal justice discussion.

JEFFREY BROWN: Well, so you are citing mandatory minimum sentences, longer sentences, use of prison for certain crimes than perhaps in the past wouldn’t have been used. What are the costs that you cite, clearly societal costs that you talk about here? Some of it has to do clearly with racial and ethnic minorities.

JEREMY TRAVIS: Let’s start with the fiscal costs. The fiscal costs are enormous. States now spend $57 billion a year for their state prisons. There’s another $27 billion for jails, another $6 billion for the federal system, which continues to grow. And those costs are enormous, and those costs, those expenditures are squeezing out other public purposes, like education, or health care, or housing, things that the taxpayer might rather see their money invested in. But, as you indicated, there are other costs that we document in this report. We review the evidence. This is a science report from the National Academy. So we review the evidence on the consequence of having quadrupled the rate of incarceration for our country and for our democracy.

If we look just at prisons themselves, we now have many prisons that are overcrowded because we have squeezed a lot of people into not much more space. They’re getting fewer programs. They’re less well-prepared for their inevitable return home. But we also look at the consequences for their families. We have now two million people who — children who have a parent in prison. The consequences, the intergenerational consequences are very profound. For their communities, there are consequences of lots of people being churned in and out of the prison system. And these consequences are concentrated in a small number of communities of color, poor communities where people are already struggling with a lot of other adverse circumstances.

JEFFREY BROWN: You know what is perhaps the most interesting — or controversial, perhaps, notion here is that the idea that more incarceration leads to a lower crime rate you’re suggesting doesn’t hold up.

JEREMY TRAVIS: Right.

JEFFREY BROWN: Or at least doesn’t hold up in the way that we have thought of in the past, certainly not to make up for the kind of costs you just talked about. Explain that.

JEREMY TRAVIS: Well, this conclusion might surprise people. So we reviewed the evidence on the relationship between incarceration and public safety. And there are a number of studies that have been done. And the basic conclusion of our committee is that it’s hard to have any mathematical precision about this question. We acknowledge that there is some effect of having lots more people in prison on crime rates. And that’s not a surprise. But we also note that the studies basically show that the effect is very small. So we have had a big increase in incarceration rates. And that was justified by our elected officials and our public understanding as being necessary to reduce crime. And we have a small effect, with some uncertainty in terms of the precision of the estimation of that effect. So this big debt has not paid off. So the basic recommendation of our panel is, in light of those very nominal benefits and the enormous costs, financial and other, that it’s time to reverse course.

JEFFREY BROWN: And what does that mean? What kind of alternatives are you calling for? What examples, if any, do you see already out there in the states or at the federal level?

JEREMY TRAVIS: So another finding that might surprise people is that the increase in incarceration has not been driven by crime rates. So crime has gone up and gone down over this 40-year period, and the incarceration has gone up every year.
If you go back further in our history, sort of the turmoil of the ’60s and ’70s created an environment in which we became tough on crime, law and order, and we remember that rhetoric. But over time, the growth of our prison population is not tied to crime rates.

So what are the drivers, if it’s not crime? The drivers are choices that we have made to make long sentences longer and to put people in prison who otherwise wouldn’t have gone to prison, mandatory minimum sentences. So that’s — that evidence gives us great confidence in making recommendations to the states and the federal government that they should review the mandatory minimums, the truth in sentencing statutes that keep people in prison longer, the three strikes and you are out reforms.

All of these reforms we adopted over the decades have not have any had any significant crime control effect, and we specifically recommend a reexamination of drug enforcement policy. The per capita rate of incarceration for drug offenses has gone up tenfold, while the overall rate has gone up fourfold.

So we have invested a lot in the drug enforcement policy, and in fact drug prices have come down, when they should have gone up with more enforcement. And drug use has stayed constant. So here is an example of a policy that is not paying the benefits that the public had hoped for.

JEFFREY BROWN: Let me ask you briefly, finally, there’s a lot — this discussion is in the air, right, about the prisons.

JEREMY TRAVIS: Right.

JEFFREY BROWN: You’re throwing out a bunch of things that really aim at policies that have been there for several decades.

How viable, how much pushback, how much of a discussion or possibility, really, for reform do you think is there right now?

JEREMY TRAVIS: Well, our committee took note of and is heartened by the amount of the reform in the air.

And it’s not anymore a matter of left vs. right. The Republican Party, the Democratic Party have come together on these issues. State governments are now revisiting some of these policies. The federal government, even recently, the attorney general has made some important pronouncements.

So there is no question that things are changing, and changing in essence in the directions that we’re recommending. But even given that optimism, our review of the history should remind us as a nation that this is a very difficult set of policy choices that we have to make to reverse course, because it took us 40 years to get here. We hope that the current high level incarceration is not the new normal forever, because the effects are quite profound.

So, it is really a call to action, that we hope our evidence will help support this political and public discussion that will put us in a different direction.

JEFFREY BROWN: Jeremy Travis, thank you so much.

JEREMY TRAVIS: Well, thank you for the invitation.

May 1, 2014

The past 40 years have seen the United States become home to more prisoners than any other country in the world. Yet despite this dramatic boom in incarceration rates, a new report finds that the deterrent effect of tough-on-crime policies remain “highly uncertain.”

The report, published Wednesday by the National Research Council, describes the rise of incarceration in America as “historically unprecedented and internationally unique.” It found that from 1973 to 2009, the prison population grew from about 200,000 to approximately 2.2 million. With this spike, the U.S. now holds close to a quarter of the world’s prisoners, even though it accounts for just 5 percent of the global population.

“We are concerned that the United States is past the point where the number of people in prison can be justified by social benefits,” said Jeremy Travis, president of John Jay College of Criminal Justice and the chair of the committee behind the study. “A criminal justice system that makes less use of incarceration can better achieve its aims than a harsher, more punitive system.”

The cost of America’s prison expansion has been staggering, the study notes. In most states, spending on corrections represents the third highest category of general fund expenditures, ranked only behind Medicaid and education.

The social costs have likewise been steep, particularly for minorities and the poor. In 2011, for example, about 60 percent of everyone behind bars was either black or Hispanic. Black men under the age of 35 with no high school diploma are now more likely to be in jail than working in the labor market, the report notes.

These trends extend to family life. In 2009, 62 percent of black children age 17 or younger, whose parents had not completed high school, had experienced a parent being sent to prison. Among white children, the rate was 15 percent.

Although incarceration rates have risen, crime rates have followed no clear path. Violent crime rose, then fell, rose again and then declined over the 30-plus years tracked in the study. “The best single proximate explanation of the rise in incarceration is not rising crime rates, but the policy choices made by legislators to greatly increase the use of imprisonment as a response to crime,” the authors note. Since the 1970s, these policies have come to include the war on drugs, mandatory minimums for drug crimes and violent offenses, three-strikes laws and “truth-in-sentencing” mandates that require inmates to serve at least 85 percent of their sentences.

In this week’s FRONTLINE investigation, Prison Nation, filmmaker Dan Edge explores the effect such policies have had in Beecher Terrace, a housing project in the west end of Louisville, Kentucky, where roughly one in six people cycle in and out of prison every year. Watch the full film below.

Time to Make America Average When It Comes to Incarceration Rates
May 1, 2014

It's time to end the United States' exceptionalism when it comes to incarcerating its citizens. Our objective should be to make America average. We need to re-join the family of civilized nations when it comes to incarceration.

A groundbreaking report released yesterday by the National Research Council, the principal operating arm of the National Academy of Sciences, documents the unprecedented and costly price of U.S. incarceration rates. With less than five percent of the world's population but nearly 25 percent of the world's prisoners, the U.S. continues to rank first among nations in both prison and jail population and per capita rates. As the report points out, this unprecedented rate of incarceration is a relatively new phenomenon in U.S. history. America's prison population exploded largely as a result of the failed drug war policies of the last 40 years.

The report, commissioned by the National Institute of Justice and the MacArthur Foundation, documents how the drug war has contributed to the skyrocketing U.S. prison population and the staggering costs associated with mass incarceration. The report points out that U.S. incarceration rates are 5-10 times higher than rates in Western Europe and other major democracies. The report also documents the staggering racial disparities in drug enforcement and incarceration.

The report calls for a significant reduction in rates of imprisonment and says that the rise in the U.S. prison population is "not serving the country well." It concludes that in order to significantly lower prison rates, the U.S. should revise its drug enforcement and sentencing laws.

Even as bipartisan support for reducing incarceration grows across the country, I have two fears. The first is that we will succeed in reducing incarceration rates by 10 percent or so over the next few years, pat ourselves on the back, and think enough has been done. The second is that we will reduce incarceration by at least that much but increase by millions more the number of people on probation, parole and otherwise under the supervision of the criminal justice system. Transforming America from a maximum incarceration society to a maximum surveillance society will be a very mixed blessing.

Reducing incarceration involves more than just eliminating mandatory minimum sentences and harsh criminal penalties for nonviolent drug crimes. Removing marijuana from the criminal justice system through responsible regulation and taxation of legal markets would make a meaningful difference. So would ending the criminalization of drug use and possession of all drugs and making a true commitment to treating drug use and addiction as health issues.

Ultimately we need to reduce the role of criminalization and the criminal justice system in drug control as much as possible while protecting public safety and health. It is significant that this report by the National Academy of Sciences, with its harsh criticism of America's punitive incarceration binge, was co-funded by the Department of Justice's research division. This is yet another indication that the Obama Administration, after having done little during its first term to reduce incarceration, is now firmly committed to doing all it can to reduce incarceration.


http://www.huffingtonpost.com/ethan-nadelmann/mass-incarceration-drug-war_b_5249319.html
Congress Told to Revisit Tough Sentencing Laws in Research Council Report
May 1, 2014

Congress should reconsider mandatory sentencing laws that have contributed to a “historically unprecedented” and “internationally unique” surge in the American prison population, according to a new report by the National Research Council.

The 464-page report could add momentum to Senate efforts to reduce criminal penalties.

Released on Wednesday after two years of study, the report finds that tough criminal sentencing policies that federal and state lawmakers began to implement widely during the 1980s have had only an “incremental deterrent effect” on crime, even as they have helped drive a four-fold increase in the nation’s correctional population.

The United States imprisons nearly a quarter of the world’s inmates, even though it accounts for just 5 percent of the world’s population, the research organization said. And the U.S. incarceration rate is between five and 10 times that of Western European countries and other democracies.

“Given the small crime prevention effects of long prison sentences and the possibly high financial, social and human costs of incarceration, federal and state policy makers should revise current criminal justice policies to significantly reduce the rate of incarceration in the United States,” the report recommended. “In particular, they should re-examine policies regarding mandatory prison sentences and long sentences.”

While many state prison populations have declined in recent years as state lawmakers have scaled back tough sentencing policies, the number of federal prisoners has ticked upward, the report noted. The federal inmate population now totals more than 216,000 and consumes more than a quarter of the Justice Department’s overall budget. That’s led lawmakers in both parties to seek alternatives to incarceration as a way both to cut costs and to ensure fairer outcomes for offenders they say are facing excessive penalties.

Drug offenders make up roughly half of the federal prison population, though in many cases inmates were convicted of trafficking large quantities.

In the Senate, a bipartisan group of lawmakers — led by Republicans John Cornyn of Texas and Mike Lee of Utah and Democrats Richard J. Durbin of Illinois and Sheldon Whitehouse of Rhode Island — has been pushing bills (S 1410, S 1675) that would cut mandatory minimum penalties and allow many inmates to leave prison ahead of schedule. The Senate could take the proposals up as early as this month, and Durbin and Lee were scheduled to appear at an event on Thursday to tout their sentencing bill and urge legislative action.

Apart from the legislative efforts to curb tough penalties, the independent U.S. Sentencing Commission — which sets sentencing guidelines that judges follow and which are typically tougher than mandatory minimum sentences set out in statutes — has taken its own steps to reduce penalties. The panel voted last month to shave an estimated 11 months off the guidelines used to sentence many drug offenders, and on Wednesday it sent that policy change to Congress for review. The change will go into effect Nov. 1 unless Congress proactively votes to reject it, a highly unlikely step.
The two simple facts that explain why the US prison population exploded
May 1, 2014

A new report from the National Research Council takes a comprehensive look over the explosion of the US prison population. Its conclusion: the costs of mass incarceration significantly outweigh the benefits, and the federal government and states need to take a hard look at how many people they're sending to prison and for how long.

MORE EFFICIENT PROSECUTION, LONGER PRISON SENTENCES

One of the key questions the report takes on is why the US prison population has grown so much over the past 40 years. The report debunks two big misconceptions about what caused the increase, and offers two big reasons — prosecution has become more efficient, and prison sentences have lengthened. Here's a guide:

It WASN'T because more people committed crimes

The report concluded the rise of incarceration couldn't be traced to crime rates going up. Crime rates have fluctuated over the past forty years, and don't appear to have much of an impact on the prison population — no matter which way crime rates went, incarceration rates kept growing. (The report also found, as other researchers have, that there's no evidence that harsher prison sentences deter crime.)

It WASN'T because better policing led to more criminals getting arrested

Policing has changed significantly since the beginning of the mass-incarceration era, and most of these changes have been designed to make policing more effective. That implies that police would be better at apprehending criminals today than they were thirty years ago.

But the new report shows that since 1980, the ratio of arrests per crime — in other words, the proportion of crimes that police were able to find and arrest suspects for — stayed pretty flat:

Based on the arrest-to-crime ratio, the authors write, "no increase in policing effectiveness occurred from 1980 to 2010 that might explain higher rates of incarceration."

It WAS because people who got arrested were more likely to go to jail

While the arrest-to-crime ratio is a rough way to measure how effective police are, the prison-to-arrest ratio is a rough way to measure how efficient the prosecution and court process is.

The authors of this report find that prosecution has gotten a lot more efficient — and that, they conclude, is a substantial reason for the explosion of the incarcerated population.

Why are people who get arrested more likely to end up in prison now than they were thirty years ago? Part of it is that more crimes now require a prison sentence than required one in 1980, so more of the people who are found guilty of crimes end up having to go to prison for them (rather than getting probation or a fine).
Part of it is also that most people who get convicted of crimes these days never even go to trial — they just plead guilty in exchange for a shorter prison sentence. This makes it much easier for prosecutors to move cases through the courts. Of course, efficiency isn’t necessarily the same as effectiveness — in theory, the point of prosecution should be to figure out whether the person committed a crime or not, not to convict and sentence as many people as possible.

But whatever the merits of the way prosecution works, the authors conclude it’s definitely a big reason for the rise of mass incarceration. In fact, during the 1980s it was the biggest reason, before being overtaken by the last and most important factor.

It WAS because people who went to prison served more time

The biggest reason the prison population exploded, especially after 1990: more people were in prison for longer periods of time.

This is also largely due to changes in sentencing policy. States and the federal government added lots of new mandatory minimum sentences in the 1980s and 1990s, which forced people convicted of a given crime to serve a certain number of years in jail.

THE COMMON DENOMINATOR OF BOTH CAUSES: SENTENCING POLICY

One particularly harsh kind of mandatory minimum sentence was imposed as “three-strikes” laws, which forced a criminal convicted of his third felony to serve a long prison sentence (between 25 years and a life sentence). States and the federal government also passed “truth-in-sentencing” laws, particularly in the late 1980s and early 1990s, which forced inmates to serve a large amount of their prison sentences (typically 85 percent) before being eligible for parole.

Ultimately, the report’s authors say, the common denominator in both of the big causes of mass incarceration — more prisoners per arrest, and longer sentences per prisoner — is the harsher sentencing policies of the 1980s and 1990s. The report tells federal and state governments to take a hard look at the entire criminal justice system — but improving sentencing seems like the right place to start.

The Ambition of the Apollo Program Applied to Caging 2.2 Million Human Beings
May 1, 2014

A major national advisory body said this week that America’s extremely high prison population cannot “be justified by social benefits” and “has reached a level where these high rates of incarceration themselves constitute a source of injustice and social harm.”

The National Resource Council - which is the working arm of the National Academy of Sciences and the National Academy of Engineering - released ‘The Growth of Incarceration in the United States: Exploring Causes and Consequences (2014)’ online and in print Wednesday, and it is destined to become a go-to resource in the incarceration debate.

Researchers from the NRC report an “unprecedented and internationally unique rise in U.S. state and federal prison populations, from 200,000 inmates in 1973 to 1.5 million in 2009.”

“With the inclusion of local jails, the U.S. penal population totals 2.2 million adults, the largest in the world; the U.S. has nearly one-quarter of the world’s prisoners, but only 5 percent of its population.”

“Nearly 1 in 100 adults is in prison or jail, which is 5 to 10 times higher than rates in Western Europe and other democracies.”

Congrats, fellow Americans. We did it. Like mastering the atom, or walking on the moon, we’ve succeeded where others have come up short. We’ve put more people in more cages than any country ever in the history of the Earth. Land of the free, indeed!

IT’S THE DRUGS
Mandatory minimums, three-strikes laws, and the War on Drugs bear a large portion of the blame, the report finds. “The apparently low effectiveness of a heightened [drug] enforcement strategy resulted in a tenfold increase in the incarceration rate for drug offenses from 1980 to 2010 — twice the rate for other crimes.”

IT’S RACIST
And the outcomes of the system are pretty racist, the report finds

“People who live in poor and minority communities have always had substantially higher rates of prison admission and return than other groups. Consequently, the effects of harsh penal policies in the past 40 years have fallen most heavily on blacks and Hispanics, especially the poorest, the report says. In 2010, the imprisonment rate for blacks was 4.6 times that for whites. This exceeds racial differences for many other common social indicators, from wealth and employment to infant mortality.

Of those incarcerated in 2011, about 60 percent were black or Hispanic.

· Black men under age 35 who did not finish high school are more likely to be behind bars than employed in the labor market.

· In 2009, 62 percent of black children 17 or younger whose parents had not completed high school had experienced a parent being sent to prison, compared with 17 percent for Hispanic children and 15 percent for white children with similarly educated parents. “
IT'S CLASSIST
And the system is class warfare writ large, the report indicates.

“Incarceration correlates with negative social and economic outcomes for former prisoners and their families, and it is concentrated in communities already severely disadvantaged and least capable of absorbing additional adversities.

"From 1980 to 2000, the number of children with incarcerated fathers increased from about 350,000 to 2.1 million — about 3 percent of all U.S. children. Further, men with a criminal record often experience reduced earnings and employment after prison, and housing insecurity and behavioral problems in children are hardships strongly related to fathers’ incarceration, according to the report.

"Prisons are part of a poverty trap, with many paths leading in, but few leading out.

“Another major consequence of high rates of incarceration is their considerable fiscal burden on society, the report says. Allocations for corrections have outpaced budget increases for nearly all other key government services, including education, transportation, and public assistance. State spending on corrections is the third highest category of general fund expenditures in most states today, ranked only behind Medicaid and education.”

IT JUST DOESN'T WORK
Which would all be fine and dandy if we were living in relative safety, which we're not.

“The report concludes that the increase in incarceration may have caused a decrease in crime, but the magnitude of the reduction is highly uncertain and the results of most studies suggest it was unlikely to have been large.

"In addition, the deterrent effect of increases in lengthy prison sentences is modest at best. Because recidivism rates decline significantly with age, lengthy sentences are an inefficient approach to preventing crime, unless they can specifically target high-rate or extremely dangerous offenders."

The study was paid for by the National Institute of Justice and the John D. and Catherine T. MacArthur Foundation, and the National Research Council review team included: chair Jeremy Travis, President, John Jay College of Criminal Justice, City University of New York; Bruce Western (vice chair), Professor of Sociology and Daniel and Florence Guggenheim Professor, Director, Malcolm Wiener Center for Social Policy, Kennedy School of Government, Harvard University; Robert D. Crutchfield, Professor, Department of Sociology, University of Washington, Seattle; Tony Fabelo, Division Director, Research Justice Center, Council of State Governments, Austin, Texas; Marie Gottschalk, Professor, Department of Political Science, University of Pennsylvania; Craig W. Haney, Distinguished Professor, Department of Psychology, University of California Santa Cruz; Ricardo H. Hinojosa, Chief Judge, U.S. District Court, Southern District of Texas; as well as other experts from Brown University, Princeton, New York University, Rutgers, Carnegie Mellon, Harvard, Temple, University of Minnesota, and University of Southern California.

The National Academy of Sciences, National Academy of Engineering, Institute of Medicine, and National Research Council make up the National Academies. They are private, independent nonprofit institutions that provide science, technology, and health policy advice under a congressional charter granted to NAS in 1863.

http://www.eastbayexpress.com/LegalizationNation/archives/2014/05/01/the-ambition-of-the-apollo-program-applied-to-caging-22-million-human-beings
National Public Radio’s Morning Edition
May 1, 2014


The Meteoric, Costly and Unprecedented Rise of Incarceration in America
April 30, 2014

Pleas to reform prison policy in the United States have come from numerous interest and advocacy groups over the years, their numbers steadily expanding as the size of the world's largest prison population has, too. They've come from the families of incarcerated offenders, from policymakers who've wearied of the war on drugs, from fiscal conservatives who've watched states devote ever more money to incarceration. Increasingly, the call for prison reform has come from unlikely alliances of the left and right.

But this latest voice may carry the most weight yet: On Wednesday, the National Research Council published a 464-page report, two years in the making, that looks at the stunning four-decade rise of incarceration in the United States and concludes that all of its costs — for families, communities, state budgets and society — have simply not been worth the benefit in deterrence and crime reduction.

The report, commissioned by the National Institute of Justice and the MacArthur Foundation, assesses nearly every facet of America's "historically unprecedented and internationally unique" rise in incarceration since the 1970s. It synthesizes years of evidence on crime trends, on causes driving the growth in prisons, and on the consequences of all this imprisonment. It argues that the U.S. should revise its current criminal justice policies — including sentencing laws and drug enforcement — to significantly cut prison rates and scale back what's become the world's most punitive culture.

So how did we get here, and what do four decades of criminal justice policy teach us about where we should go next? Here is your primer on the National Research Council's report.

U.S. incarceration has skyrocketed in four decades
For decades in the early and mid-20th century, the U.S. prison population was remarkably stable. But that has changed dramatically since the 1970s. In 1973, federal and state prisons in the U.S. held 200,000 adults. By 2009, that number had ballooned to 1.5 million, with an additional 700,000 serving prison time for felonies in local jails, bringing the total to 2.23 million adults:

Add adults interacting with the criminal justice system outside of prison, and the total adult correctional population in the U.S. is even larger:

That's given us the largest prison population in the world
The past 40 years constitute not just a historical anomaly within U.S. history; they've made the U.S. home to more prisoners than any other country in the world. Today, nearly 1 in 100 adults in the U.S. is in a prison or jail. That rate is five to 10 times higher than in Western Europe and the world's other democracies:

Today, the U.S. has 5 percent of the world's population, but nearly a quarter of all of its prisoners.

Why has this happened?
The tremendous increase in incarceration in the U.S. does not reflect the fact that the country has become substantially more criminal or violent over this time. The true explanation has more to do with politics and policy.
Since the 1970s, Congress and state legislatures have enacted a number of changes to prison and sentencing laws that have mandated prison time for lesser offenses and ensured longer sentences for violent crimes and repeat offenders. The "war on drugs" — a corollary to Lyndon Johnson's "war on crime" — also ensured that drug crimes received more attention from police and harsher punishment in courtrooms.

During the 1980s, Congress began to enact "mandatory minimum" laws for drug crimes and violent offenses. The 1990s brought "three strikes" laws in Congress and more than half of states (giving a third offense mandatory sentences of 25 years or more). "Truth-in-sentencing" laws also required offenders to serve at least 85 percent of their sentences. Effectively, more people were going to jail, carrying with them longer sentences. And increasingly, they were serving almost all of that time.

As a result, between 1980 and 2010, the incarceration rate for drug crimes increased tenfold:

Popular support for politicians who are "tough on crime" helped feed these trends. And much research suggests that public opinion on the topic of crime and punishment has been heavily racialized, suggesting that we can't understand the rise in incarceration without acknowledging the mediating role of race. The NRC report acknowledges this:

Deeply held racial fears, anxieties, and animosities likely explain the resonance of coded racial appeals concerning crime-related issues, such as the infamous "Willie Horton ad" aired during the 1988 presidential election. But racial indifference and insensitivity — as distinguished from outright racial hostility — may help explain the long-term public support for criminal justice policies that have had an adverse and disproportionate impact on blacks (and Latinos).

For example: Experimental and survey research suggests that racial resentment is a strong predictor in whether whites support capital punishment. Racial prejudice has also been associated with increased support for more punitive prison policies. And policing tactics that disproportionately impact minorities — like stop-and-frisk — are more likely to be supported by whites than blacks.

The financial cost associated with these policies has been staggering. Spending on incarceration at the state level has outpaced budget increases for just about every other function of government, including education, transportation and welfare. Only spending on Medicaid at the state level has grown faster in the last 20 years.

State spending on corrections increased by 400 percent, adjusted for inflation, between 1980 and 2009 (over the same time, state prison populations increased by 475 percent). The rise in corrections spending at the federal and local level has been similarly steep:

As a result, the report points out, the criminal justice system in many states has increasingly become the main provider of health care, substance abuse treatment, mental health services, job training and education for the most disadvantaged populations in America.

And the social costs have disproportionately fallen on poor and minority communities. Today, minorities constitute 60 percent of the U.S. prison population. Men under the age of 40, the poorly educated, people with mental illness and drug and alcohol addicts are also over-represented. Blacks in particular have been disproportionately arrested for drug crimes:

While incarceration rates for both Hispanics and blacks have risen much faster than they have for whites:

As a result of these trends, black men younger than 35 without a high school degree are now more likely in America to be imprisoned than employed in the labor market.
These disproportionate impacts extend to their children: As of 2009, 62 percent of black children under 17, whose parents had not completed high school, have had a parent in prison. The same was true for 17 percent of Hispanic children and 15 percent of white children (with similarly educated parents).

These racial disparities compound other problems in distressed communities
Prisoners are more likely to come out of poor communities (and to return to them). This means that communities with the least capacity to absorb former prisoners are home to the largest share of them. This also means that economic, social and political problems tied to incarceration tend to fall on communities that have many other related challenges.

"There is little question," as the report puts it, "that incarceration has become another strand in the complex combination of negative conditions that characterize high-poverty communities in U.S. cities."

Consider New York city, where just 15 of 65 community districts on the below map accounted for more than half of all city residents sent to prison in 2009. Those same communities have poverty rates that are twice as high as the city average, and they are more than 90 percent minority.

In these communities, incarceration is part of the poverty trap. Men and women with few prospects are more likely to wind up in prison. Then when they come out, their prospects for employment are even bleaker. "Their criminal responsibility is real," the NRC writes, "but it is embedded in a context of social and economic disadvantage."

That concentrated disadvantage is also passed to the next generation. Research has linked incarceration to frayed relationships between parents and between men and their children. It's linked to economic distress for families, housing insecurity and reliance on public assistance. Incarceration reduces fathers' involvement with their children, even after their release from prison, and it undermines their roles as parents and earners. Having an incarcerated father also increases a child's chances of having behavioral problems, bad grades and lower educational attainment.

At the community level, high rates of incarceration are associated with lower civic and political engagement — not just for former prisoners, but for the communities around them. Incarceration disenfranchises former felons, nearly 6 million of whom could not vote in 2010. That's five times more than in 1976. That also means that 1 in 40 voting-age adults is disenfranchised in the U.S. Or 1 in 13 voting-age blacks.

And all of this incarceration has had minimal benefit
Over the four decades when incarceration rates steadily rose, actual crime rates fluctuated:

Since the 1990s, crime has generally fallen, but this does not necessarily mean that crime fell because of increases in incarceration. A number of other changes in society — and in policing tactics — have taken place over the same time.

The increase in incarceration may have caused a decrease in crime, but most studies suggest that this effect is small or uncertain. If strict prison policies are meant to be a deterrent to repeat offenders, there's also little evidence in the literature that the experience of being in prison discourages people from re-offending.

So if the costs of mass incarceration are steep and the benefits small, what do we do now?
The National Research Council calls for reform on three fronts. On sentencing policy, we could reduce the length of sentences and the harshness of drug laws. With prison policy, we could work to improve the programs and conditions for people serving in prison, while trying to make the consequences of incarceration less harmful on their families and communities on the outside.
There's also much we could do in the realm of social policy, far beyond the typical reach of the criminal justice system. Given that incarceration has become deeply intertwined with other problems within impoverished communities, policies that reduce school dropout rates, that ameliorate neighborhood poverty or mental illness would also have an impact.

The U.S. also needs to recall principles that have been "notably missing," in the report's language, in public discussion of criminal justice policy as incarceration rates have skyrocketed. Namely, these:

Proportionality: Criminal offenses should be sentenced in proportion to their seriousness.

Parsimony: The period of confinement should be sufficient but not greater than necessary to achieve the goals of sentencing policy.

Citizenship: The conditions and consequences of imprisonment should not be so severe or lasting as to violate one’s fundamental status as a member of society.

Social justice: Prisons should be instruments of justice, and as such their collective effect should be to promote society’s aspirations for a fair distribution of rights, resources and opportunities.

No doubt, this conversation probably should have started 40 years ago.

April 30, 2014


http://www.cbsnews.com/radio/
Mass Incarceration
April 30, 2014

We talk to one of the authors of a new National Academy of Sciences report that looks at the high incarceration levels in the United States. The study found that the massive increase in incarceration rates is not a significant enough factor in the decline in crime rates over the same period. Therefore, the study finds, steps need to be taken to reduce incarceration rates.

Guests: Craig Haney; UC Santa Cruz

http://www.kcrw.com/media-player/mediaPlayer2.html?type=audio&id=pp140430mass_incarceration_o
The United States incarcerates too many people, a new National Research Council report concludes.

Adding more evidence to a growing debate, the elite scientific panel noted with alarm that “the U.S. penal population of 2.2 million adults is by far the largest in the world.” Nearly one out of every 100 U.S. adults is in prison or jail, a rate five to 10 times higher than that in Western Europe and other democracies.

“We are concerned that the United States is past the point where the number of people in prison can be justified by social benefits,” said committee chair Jeremy Travis, president of John Jay College of Criminal Justice in New York City. “We need to embark on a national conversation to rethink the role of prison in society.”

The study panel attributed the “historically unprecedented” and “internationally unique” growth in prison population to mandatory sentencing, long sentences for violent and repeat offenses and the once politically popular “war on drugs.”

The burden does not fall evenly, the 400-plus page report notes.

Of those incarcerated in 2011, about 60 percent were African-American or Hispanic. African-American males under the age of 35 who did not finish high school are more likely to be behind bars than employed in the labor market, the study found. In 2010, the imprisonment rate for African-Americans was 4.6 times that for whites.

The benefits, moreover, may be questionable.

“The increase in incarceration may have caused a decrease in crime,” the report concludes, “but the magnitude is highly uncertain, and most studies suggest it was unlikely to have been large.”

http://www.mcclatchydc.com/2014/04/30/226063/researchers-blast-us-prison-policies.html
Choice: Cut Prison Population, Or Accept New Normal
April 30, 2014

The expert views of a National Research Council committee could provide the intellectual backing for a change of sentencing policies that could "significantly" reduce America's world-leading imprisonment rate.

Or the quadrupling of prisoner numbers in the last few decades could be accepted as the "new normal."

Those stark choices were outlined yesterday by Jeremy Travis, president of John Jay College of Criminal Justice and chairman of the panel, which declared that "the nation's incarceration levels are unnecessarily high." The committee issued a report two years in the making that analyzed how the U.S. came to put 2.2 million adults behind bars and the consequences of that high rate for society.

The experts said the high imprisonment total has become a "key contributor to the political, social, and economic marginalization" of African Americans and other disadvantaged groups.

A report more than 400 pages long included a wealth of statistics on the problem, among them that nearly 1 in 100 adults is behind bars--a rate 5 to 10 times higher than that in Western Europe and other democracies.

The effects of "harsh panel policies" have hit blacks and Hispanics hardest, the panel said, noting that in 2010, the imprisonment rate for blacks was 4.6 times that for whites.

Between 1980 and 2000, the number of children with incarcerated fathers increased from 350,000 to 2.1 million, about 3 percent of all U.S. children.

A major question is whether policymakers will pay heed to the report's finding that the U.S. "has gone past the point that the numbers of people in prison can be justified by social benefits."

The total number of prisoners has dropped slightly in recent years, but not the dramatic reduction the committee advocates. Travis said the group did not recommend a specific target for lowering the prison population, preferring that a "political and public conversation" come to a consensus.

The experts did lay out "guiding principles" for "good justice policy" among them that "criminal sentences should be proportionate to the seriousness of the crime" and that "punishment should not exceed the minimum needed to achieve its legitimate purpose."

A central conclusion was that many prison sentences are longer than they need to be, especially given that the explosion in the prison population has had only a minor effect on the crime rate. "Because recidivism rates decline markedly with age, lengthy prison sentences, unless they specifically target very high-rate or extremely dangerous offenders, are an inefficient approach to preventing crime by incapacitation," the report said.

The committee did not engage in what Travis called "political prognostication" to forecast whether federal and state policy makers would make changes that would result in significant lowering of the prison population.

For that to happen, the report said, there must be a "new public consensus that current policies have been, on balance, more harmful than effective and are inconsistent with U.S. history and notions of justice." It added that "making this case to the public will require determined political leadership."
Several states have acted in recent years to adjust their sentencing policies in a way that trims prison populations, but the most dramatic change has come in California under court orders upheld by the Supreme Court.

President Obama said recently that he planned to offer clemency to many imprisoned federal drug offenders, and several U.S. senators have proposed measures to halt continuing growth in the federal inmate population. However, House Judiciary Committee Chairman Bob Goodlatte (R-VA) has indicated that he will proceed cautiously on sentencing reform, and many changes on the state level have been slow to unfold.

The report was written by a 19-member committee consisting mostly of academics but also Chief Federal Judge Ricardo Hinojosa of McAllen, Tx., a member of the U.S. Sentencing Commission; Tony Fabelo of the Council of State Governments; and Khalil Gibran Muhammad of the Schomberg Center for Research in Black Culture at the New York City Public Library.

Besides Travis, other committee members who took part in a briefing on the report yesterday in Washington, D.C., were Bruce Western, a sociology professor at Harvard and vice chair of the panel, Craig W. Haney, a psychology professor at the University of California, Santa Cruz, and Glenn C. Loury, an economics professor at Brown University.

Ted Gest is president of Criminal Justice Journalists and Washington DC Bureau Chief of The Crime Report. He welcomes comments from readers.

Experts Suggest How To Cut U.S. Imprisonment, Keep Crime Rate Down
April 30, 2014

The high level of imprisonment in the U.S. not only suffers from diminishing returns but it might actually increase crime, says New York Times columnist Eduardo Porter. A growing body of research has concluded that the costs of the strategy are much steeper than prisoners’ room and board. Anna Aizer of Brown University and Joseph Doyle of the Massachusetts Institute of Technology found that putting a minor in juvenile detention reduced his likelihood of graduating from high school by 13 percentage points and increased his odds of being incarcerated as an adult by 23 percent. Bruce Western of Harvard and Becky Pettit of the University of Washington suggested that serving time reduced men’s hourly wage by 11 percent and annual employment by nine weeks.

Today, a National Research Council panel (part of the National Academy of Sciences) releases a report on the causes and consequences of the growth in American incarceration. Watch The Crime Report for more coverage. Tomorrow, the Brookings Institution’s Hamilton Project will present an analysis suggesting that less imprisonment might not produce more crime. California, which had to release tens of thousands of prisoners in 2011 and 2012 to reduce prison crowding, offers a perspective. Steven Raphael of the University of California, Berkeley, and Michael Stoll of the University of California, Los Angeles say there were 1.2 more auto thefts for every prison year not served. Violent crime wasn’t affected at all. Extrapolating to a national scale, they estimated that reducing the imprisonment rate by 20 percent would lead to 121 new property crimes for every 100,000 Americans, a 5 percent increase over 2012. This is a price voters, and their elected officials, might be willing to pay, Porter says.

Crime Is Down, Murders Are Down, But The Numbers In Jail Are Not Worth It -
Report
April 30, 2014

In the United States, murders have plummeted in the last 20 years, as has crime. A culture that in the
1980s was commonly projected to be morphing into gangs of youth wilding across urban areas has
become just the opposite. Even New York City is reasonably safe.

But one thing has risen dramatically while crime has dropped; incarceration.

Now, a group of scholars is saying jail has little to do with crime rate or prevention and they further
believe that the negative social consequences (harder to get a job, can't buy a gun, can't vote) and cost of
incarceration means we should open some cell doors.

The National Research Council review concluded that the costs of the current rate of incarceration
outweighs the benefits. The committee recommended that federal and state policymakers re-examine
policies requiring mandatory and long sentences, as well as take steps to improve prison conditions. In
addition, it recommends a reconsideration of drug crime policy, which accounts for a lot of incarcerations.
Colorado, for example, has legalized marijuana but has thousands in its jails for marijuana possession.

"We are concerned that the United States is past the point where the number of people in prison can be
justified by social benefits," said committee chair Jeremy Travis, president of John Jay College of Criminal
Justice in New York City. "We need to embark on a national conversation to rethink the role of prison in
society. A criminal justice system that makes less use of incarceration can better achieve its aims than a
harsher, more punitive system. There are common-sense, practical steps we can take to move in this
direction."

The unprecedented and internationally unique rise in U.S. state and federal prison populations, from
200,000 inmates in 1973 to 1.5 million in 2009, occurred because of policy decisions such as mandatory
sentencing, long sentences for violent and repeat offenses, and intensified criminalization of drug-related
activity. Stricter sentencing policies were formed initially during a period of rising crime and social change;
however, over the four decades when incarceration rates rose steadily, crime rates fluctuated.

The committee evaluated scientific evidence on the effects of high incarceration rates on public safety
and U.S. society, as well as their effects on those in prison, their families, and the communities from
which prisoners originate and to which they return. The following data illustrate the magnitude of
incarceration rates, the racial disparities of incarceration, and societal impacts:

- With the inclusion of local jails, the U.S. penal population totals 2.2 million adults, the largest in
  the world; the U.S. has nearly one-quarter of the world's prisoners, but only 5 percent of its
  population.
- Nearly 1 in 100 adults is in prison or jail, which is 5 to 10 times higher than rates in Western
  Europe and other democracies.
- Of those incarcerated in 2011, about 60 percent were black or Hispanic.
- Black men under age 35 who did not finish high school are more likely to be behind bars than
  employed in the labor market.
In 2009, 62 percent of black children 17 or younger whose parents had not completed high school had experienced a parent being sent to prison, compared with 17 percent for Hispanic children and 15 percent for white children with similarly educated parents.

Another major consequence of high rates of incarceration is their considerable fiscal burden on society, the report says. Allocations for corrections have outpaced budget increases for nearly all other key government services, including education, transportation, and public assistance. State spending on corrections is the third highest category of general fund expenditures in most states today, ranked only behind Medicaid and education.

Estimating incarceration’s impact on crime is challenging, and studies on this topic have produced divergent findings. However, the report concludes that the increase in incarceration may have caused a decrease in crime, but the magnitude of the reduction is highly uncertain and the results of most studies suggest it was unlikely to have been large. In addition, the deterrent effect of increases in lengthy prison sentences is modest at best. Because recidivism rates decline significantly with age, lengthy sentences are an inefficient approach to preventing crime, unless they can specifically target high-rate or extremely dangerous offenders.

People who live in poor and minority communities have always had substantially higher rates of prison admission and return than other groups. Consequently, the effects of harsh penal policies in the past 40 years have fallen most heavily on blacks and Hispanics, especially the poorest, the report says. In 2010, the imprisonment rate for blacks was 4.6 times that for whites. This exceeds racial differences for many other common social indicators, from wealth and employment to infant mortality.

Incarceration correlates with negative social and economic outcomes for former prisoners and their families, and it is concentrated in communities already severely disadvantaged and least capable of absorbing additional adversities. From 1980 to 2000, the number of children with incarcerated fathers increased from about 350,000 to 2.1 million — about 3 percent of all U.S. children. Further, men with a criminal record often experience reduced earnings and employment after prison, and housing insecurity and behavioral problems in children are hardships strongly related to fathers’ incarceration, according to the report.

"When ex-inmates return to their communities, their lives often continue to be characterized by violence, joblessness, substance abuse, family breakdown, and neighborhood disadvantage," said committee vice chair Bruce Western, professor of sociology, Daniel and Florence Guggenheim Professor of Criminal Justice, and the director of the Malcolm Wiener Center for Social Policy at the Harvard Kennedy School of Government. "It can be challenging to draw strong causal conclusions from this research, but it's clear that incarceration is now a facet of the complex combination of negative conditions that characterize high-poverty communities in U.S. cities. Prisons are part of a poverty trap, with many paths leading in, but few leading out."

The report notes that deciding whether incarceration is justified requires an analysis of social costs versus benefits. This equation should weigh the importance of recognizing the harm experienced by crime victims, appropriately addressing those harms, and reinforcing society’s disapproval of criminal behavior. However, the committee stressed that future policy decisions should not only be based on empirical evidence but also should follow these four guiding principles, which have been notably absent from recent policy debates on the proper use of prisons:

- **Proportionality:** Criminal offenses should be sentenced in proportion to their seriousness.
- **Parsimony:** The period of confinement should be sufficient but not greater than necessary to achieve the goals of sentencing policy.
- **Citizenship:** The conditions and consequences of imprisonment should not be so severe or lasting as to violate one's fundamental status as a member of society.
Social justice: Prisons should be instruments of justice, and as such their collective effect should be to promote society's aspirations for a fair distribution of rights, resources, and opportunities. The committee did not conduct an exhaustive review of literature on the effectiveness of alternatives to incarceration, crime prevention strategies, or victim assistance programs.

In a supplementary statement to the report, one committee member questioned some of the report's conclusions regarding the effect of incarceration rates on crime prevention and underlying causes of high incarceration rates. However, he concurred with the report's recommendations, which he noted are important and ripe for consideration by the public and policymakers.

http://www.science20.com/news_articles/crime_is_down_murders_are_down_but_the_numbers_in_jail_are_not_worth_it_report-135343
How high incarceration rates cost states and shatter communities
April 29, 2014

America's historically high rate of incarceration is increasingly questioned by some state leaders, justice officials and experts. And it's back in focus this week thanks to two major reports looking at these questions. Tomorrow, the National Academy of Sciences will release a report on the causes and consequences of incarceration's four-fold rise in the U.S. over the past 40 years. It's also the subject of tonight's Frontline, “Prison State,” the second of a two-part series about those who are locked up behind bars, now totaling more than 2.3 million people in the U.S.

The documentary profiles the path of four people caught up in the cycle of Kentucky's criminal justice system. The four come from Beecher Terrace, a housing project in the west end of Louisville where one out of every six people cycle in and out of prison every year.

"If you look at incarceration spending as an investment in a neighborhood and as an investment that's being done to keep neighborhoods safe, you see the money that's being spent on Beecher Terrace is three times higher on incarceration than it is on education," says Dan Edge, the filmmaker who produced "Prison State" and last week's episode on solitary confinement. "We asked, Is this a sensible way of spending money? So many people there go to jail yet the crime rates remain high."

Frontline went to Kentucky, in part, because it has one of the fastest-growing prison populations in the country—rising 45% in the decade ending in 2009, Edge says. "And the reason we focused even more tightly on this community is that we managed to get from Kentucky these great data sets. We could map incarceration rates and where people live before they are sent to prison, we could map real hot spots and see which neighborhoods were costing the state the most."

Kentucky is also one of a number of states now considering reforms, particularly to its juvenile justice system.

One of the more intimate profiles in tonight's film looks at the case of Demetria, a 14-year-old who grew up in Beecher and has been in juvenile jail multiple times, including on a charge of assaulting her aunt. Her mother was shot dead when she was nine years old.

"She had no father to live with because he was in prison on drug charges,’ says Edge. “Her family was already riven by crime and overincarceration. Essentially she has no place to go and ends up in juvenile jail at 13. Her case is emblematic to me of the issue where incarceration becomes the answer to so much. Mental health issues land her in jail. There’s a discipline problem, it’s dealt with in jail."

Both films in the series give the audience remarkable access to the prisons, the inmates, the corrections officers and officials dealing with these issues — something that Edge said took the better part of two years to complete. In the case of Beecher Terrace, Edge says he spent a long time earning the trust of residents and the community.

"Those people feel marginalized, burnt by the media in the past, they have felt demonized and rightly so,” he says. ” It took us a long time and being there for months without cameras."

Last week's look at solitary confinement in Maine State Prison had access never seen before—featuring imagery that was often dramatic, shocking and even horrifying. Edge says the warden and former corrections officials were hoping to spark more conversation about the use of solitary confinement.
As other states consider changing some of their incarceration policies and practices in the wake of a recession, Edge says, “We’re at the end of an era potentially. It’s the first time in four decades where the number of prisoners are not going up. The question is whether films like ours are marking the end of an era or just a blip. The primary motivator for the change in this has been money. States started realizing they were spending a big proportion of money on incarceration. The question is whether that momentum will continue.”

In the U.S., Punishment Comes Before the Crimes
April 29, 2014

Few things are better at conveying what a nation really cares than how it spends its money. On that measure, Americans like to punish.

The United States spent about $80 billion on its system of jails and prisons in 2010 — about $260 for every resident of the nation. By contrast, its budget for food stamps was $227 a person.

In 2012, 2.2 million Americans were in jail or prison, a larger share of the population than in any other country; and that is about five times the average for fellow industrialized nations in the Organization for Economic Cooperation and Development.

The nation’s unique strategy on crime underscores the distinct path followed by American social and economic institutions compared with the rest of the industrialized world.

Scholars don’t have a great handle on why crime fighting in the United States veered so decidedly toward mass incarceration. But the pivotal moment seems to have occurred four decades ago.

In 1974, the criminologist Robert Martinson published “What Works? Questions and Answers About Prison Reform.” Efforts at rehabilitation, it concluded, were a waste of time.

“With few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism,” he wrote. Standard rehabilitation strategies, he suggested, “cannot overcome, or even appreciably reduce, the powerful tendency for offenders to continue in criminal behavior.”

Crime was rising in the 1960s and 1970s, alarming the public and increasing the risk to politicians of appearing “soft” on crime.

The decline in manufacturing employment, once the backbone of many urban economies, wasn’t helping. Later, in the 1980s and ‘90s, crack cocaine became a scourge of the nation’s inner cities.

But as Steven Raphael of the University of California, Berkeley, and Michael A. Stoll of the University of California, Los Angeles, note in their book “Why Are So Many Americans in Prison?,” what drove up imprisonment rates was not crime but policy.

If rehabilitation was out of reach, the thinking went, all that was left was to remove criminals from society and, through harsh sentencing, deter future crime. From 1975 through 2002, all 50 states adopted mandatory sentencing laws, specifying minimum sentences. Many also adopted “three strikes” laws to punish recidivists. Judges lost the power to offer shorter sentences.

And the prison population surged. Four decades ago, the correctional population in the United States was not that dissimilar from the rest of the developed world. Less than 0.2 percent of the American population was in a correctional institution. By 2012, however, the share of Americans behind bars of one sort or another had more than tripled to 0.7 percent.
Bruce Western of Harvard suggests a specific American motivation, which sprang to some degree from the victories of the civil rights movement.

“The crime debate was racialized to an important degree,” Professor Western told me. “The anxieties white voters felt were not just about crime but about fundamental social changes going on in American society.”

Today, a little under half the state and federal prison population is black. The Bureau of Justice Statistics estimates that a black boy born in 2001 had a 32.2 percent chance of doing time behind bars.

Growing inequality, too, appears to have played a role. As Devah Pager of Harvard told me: “There is something to the idea that the more distant the rich become to the poor, the easier it is to impose policies that are more punitive than others.”

Professor Raphael is wary of linking incarceration with income dynamics. Still, he agrees the trends are suspiciously similar. “In the 1970s, something changes,” he told me. “The increasing concentration of income at the top follows the incarceration rate almost perfectly.”

The United States had another singularity: a comparatively small welfare state that struggled to address social and economic dislocation. “The criminal justice system became the only effective institution that could bring order and manage urban communities,” Professor Pager said.

Prison, according to Professor Western, “became a last resort for a whole variety of social failures.” Whether it is caused by problems with mental health, drug abuse or unemployment, he said, “all the people that slip through the safety net and end up in crime end up in the prison system.”

What did we get from this? Crime rates have fallen by almost half since 1990, to the lowest level since the early 1970s. But that may have little to do with mass incarceration. Demographic trends — there are simply fewer young men around — help explain much of the decline. Some states, like New York, have managed to reduce crime even while cutting the prison population through better policing.

The United States still suffers higher rates of violent crimes than European countries that have lighter sentencing policies. In 2012, the United States had five intentional homicides for each 100,000 people. In Canada, the rate was 1.8. In Australia, 1.2. Mass imprisonment not only suffers from diminishing returns. After a certain point, it might actually increase crime.

Indeed, a growing body of research has concluded that the costs of the strategy are much steeper than prisoners’ room and board.

Anna Aizer of Brown University and Joseph J. Doyle Jr. of the Massachusetts Institute of Technology found that putting a minor in juvenile detention reduced his likelihood of graduating from high school by 13 percentage points and increased his odds of being incarcerated as an adult by 23 percentage points.

The impact of incarceration on a former inmate’s future life is difficult to disentangle. Still, a report by Mr. Western and Becky Pettit of the University of Washington suggested that serving time reduced men’s hourly wage by 11 percent and annual employment by nine weeks.

More than half of inmates have minor children. Their children are almost six times as likely to be expelled or suspended from school. Family incomes fall 22 percent during the years fathers are incarcerated.

On Wednesday, the National Academy of Sciences is unveiling a report on the causes and consequences of American mass incarceration. On Thursday, the Brookings Institution’s Hamilton Project will present its evaluation, alongside an analysis by Mr. Raphael and Mr. Stoll, which suggests that less imprisonment might not produce more crime.
California — which had to release tens of thousands of prisoners in 2011 and 2012 to reduce prison crowding — offers a perspective into what life might be with a more lenient approach.

According to calculations by Professors Raphael and Stoll, there were 1.2 more auto thefts for every prison year not served. Violent crime wasn’t affected at all.

Extrapolating to a national scale, they estimated that reducing the imprisonment rate by 20 percent would lead to 121 new property crimes for every 100,000 Americans, a 5 percent increase over 2012.

This is a price American voters, and their elected officials, might be willing to pay — especially if they can save money on prisons.

Even Southern states that traditionally locked up criminals for as long as possible, like Georgia and Kentucky, have begun to experiment with cheaper, less punitive alternatives.

In Washington, a bipartisan group of senators — as varied as the Texas Republican Ted Cruz on the right to Patrick Leahy, the Vermont Democrat, on the left — are supporting a bill to lighten sentences for low-risk drug offenders.

These changes could turn around the imprisonment juggernaut. After rising relentlessly for three decades, the nation’s incarceration rate hit a peak in 2008 and started gradually to decline. In 2011 and 2012, the total correctional population actually shrank slightly.

We might spend the savings on food stamps.