

Undoing the effects of Mass Incarceration

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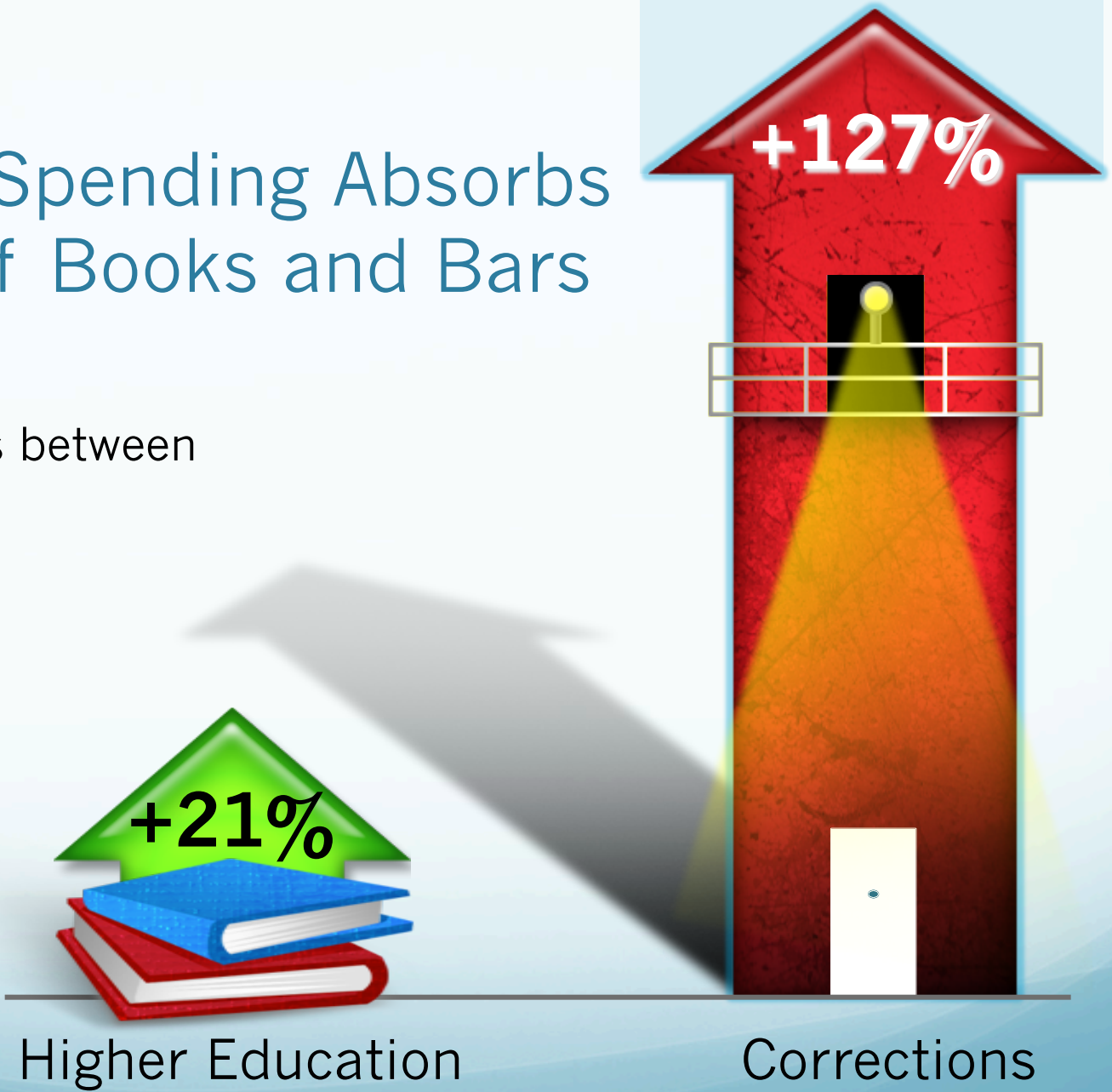


Purpose

- Look at the impact of incarceration practices on society
- Examine mass incarceration policies and practices as a ‘social movement’—convergence of formal and informal practices that affect policies and practices
- Conceptualize “undoing” --what creates excessive costs to society without increasing public safety

Correctional Spending Absorbs Resources: Of Books and Bars

Spending increases between 1987 and 2007



Source: The Pew Charitable Trusts, 2009. *One in 100: Behind Bars in America 2008.*

The World's Incarceration Leader

The U.S. has **5%**
of the world's population...

...and **23%**
of the world's prisoners

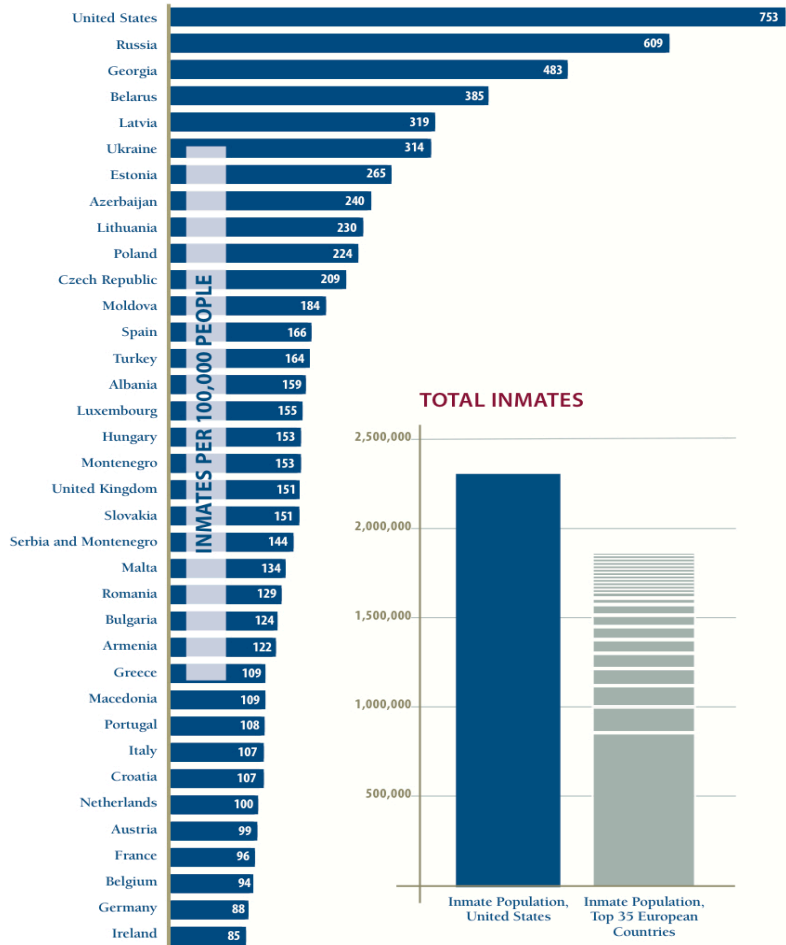


The United States has the highest prison population rate in the world, **756 per 100,000**, followed by:

- Russia (629)
- Rwanda (604)
- St Kitts & Nevis (588)
- Cuba (531)
- U.S. Virgin Is. (512)
- British Virgin Is. (488)
- Palau (478)
- Belarus (468)
- Belize (455)
- Bahamas (422)
- Georgia (415)
- American Samoa (410)
- Grenada (408)
- Anguilla (401)

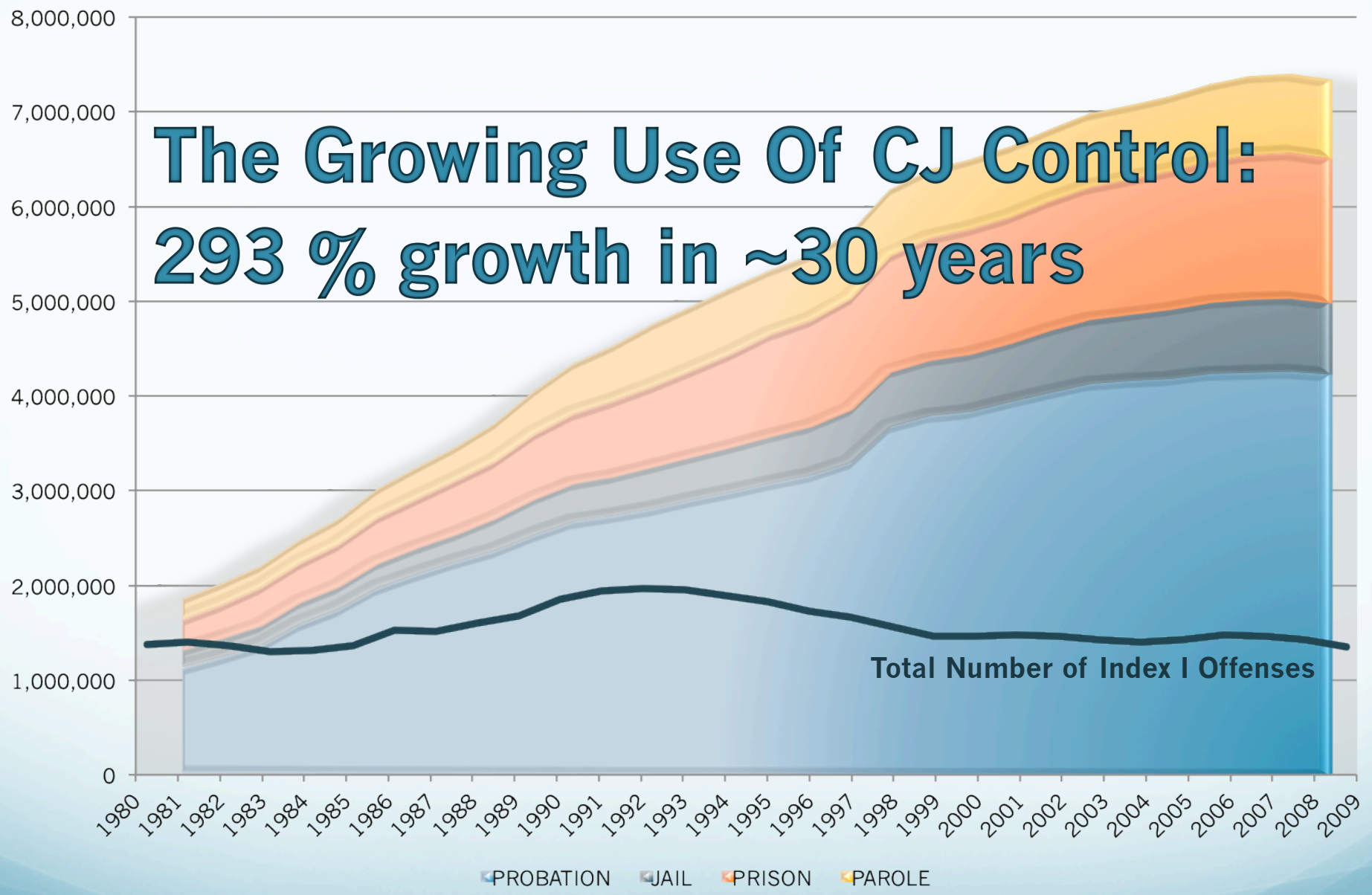
Nearly 3/5 of countries (59%) have rates below 150 per 100,000.

FIGURE 1 THE UNITED STATES HOUSES MORE INMATES THAN THE TOP 35 EUROPEAN COUNTRIES COMBINED



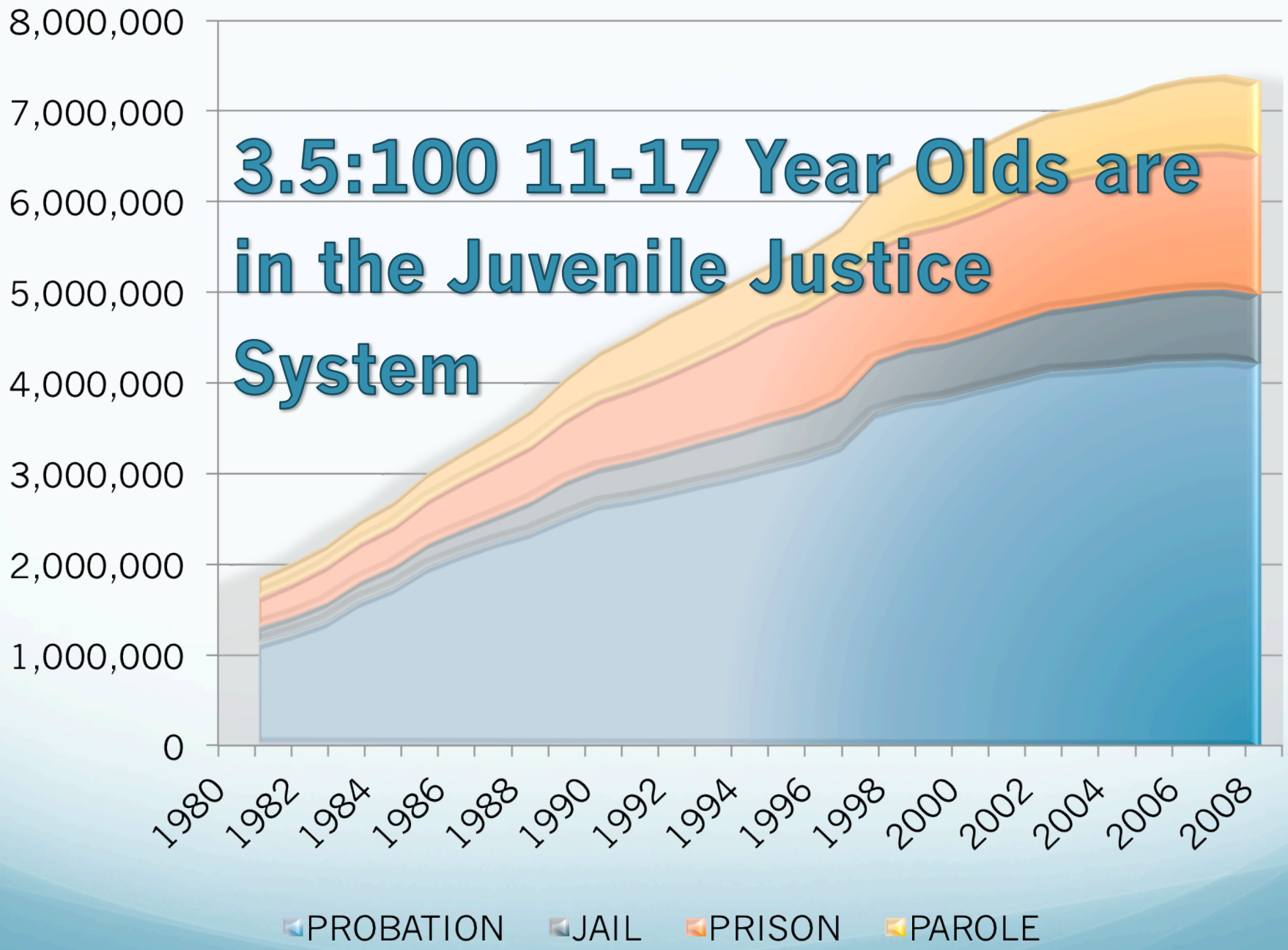
Source: International Centre for Prison Studies at King's College, London, "World Prison Brief," http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_stats.php. Data downloaded June 2010.
 Note: Rates are for total number of residents, not just adults. Figures in this chart may not align with others due to counting methods.
 Suggested Citation: The Pew Charitable Trusts, 2010. *Collateral Costs: Incarceration's Effect on Economic Mobility*. Washington, DC: The Pew Charitable Trusts.

The Growing Use Of CJ Control: 293 % growth in ~30 years

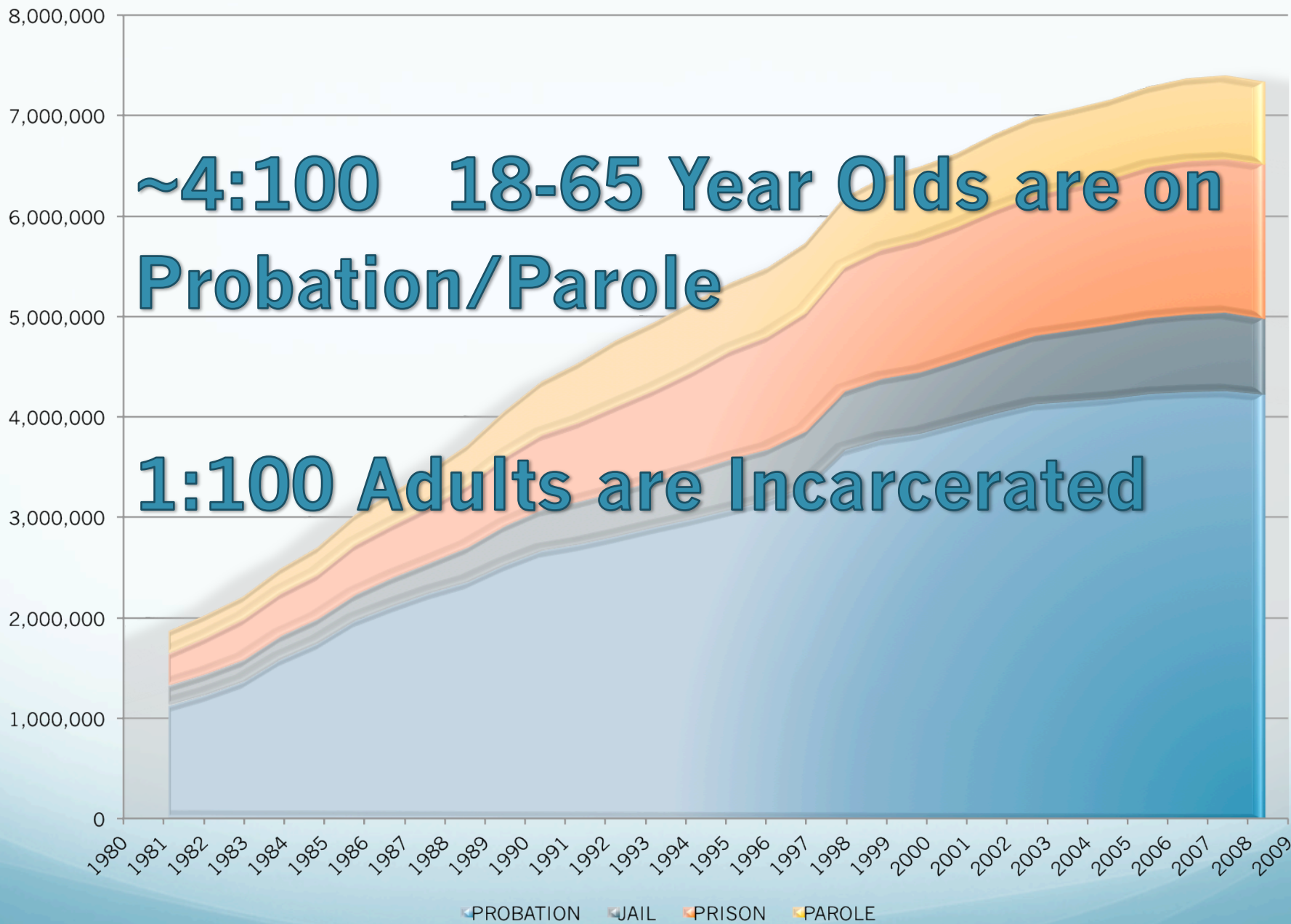


Sources: Glaze, 2009. *Correctional Populations in the United States, 2009*. Bureau of Justice Statistics.
Langan & Levin, 2002. Recidivism of prisoners released in 1994. *Federal Sentencing Reporter*, 15(1), 58.

Uniform Crime Reports, 2010. U.S. Department of Justice. <http://www.ucrdatatool.gov>
Bureau of Justice Statistics Correctional Surveys, 2009. *The Annual Probation Survey, National Prisoners Statistics Program, Annual Survey of Jails, and Annual Parole Survey*. <http://bjs.ojp.usdoj.gov/content/glance/corr2.cfm>

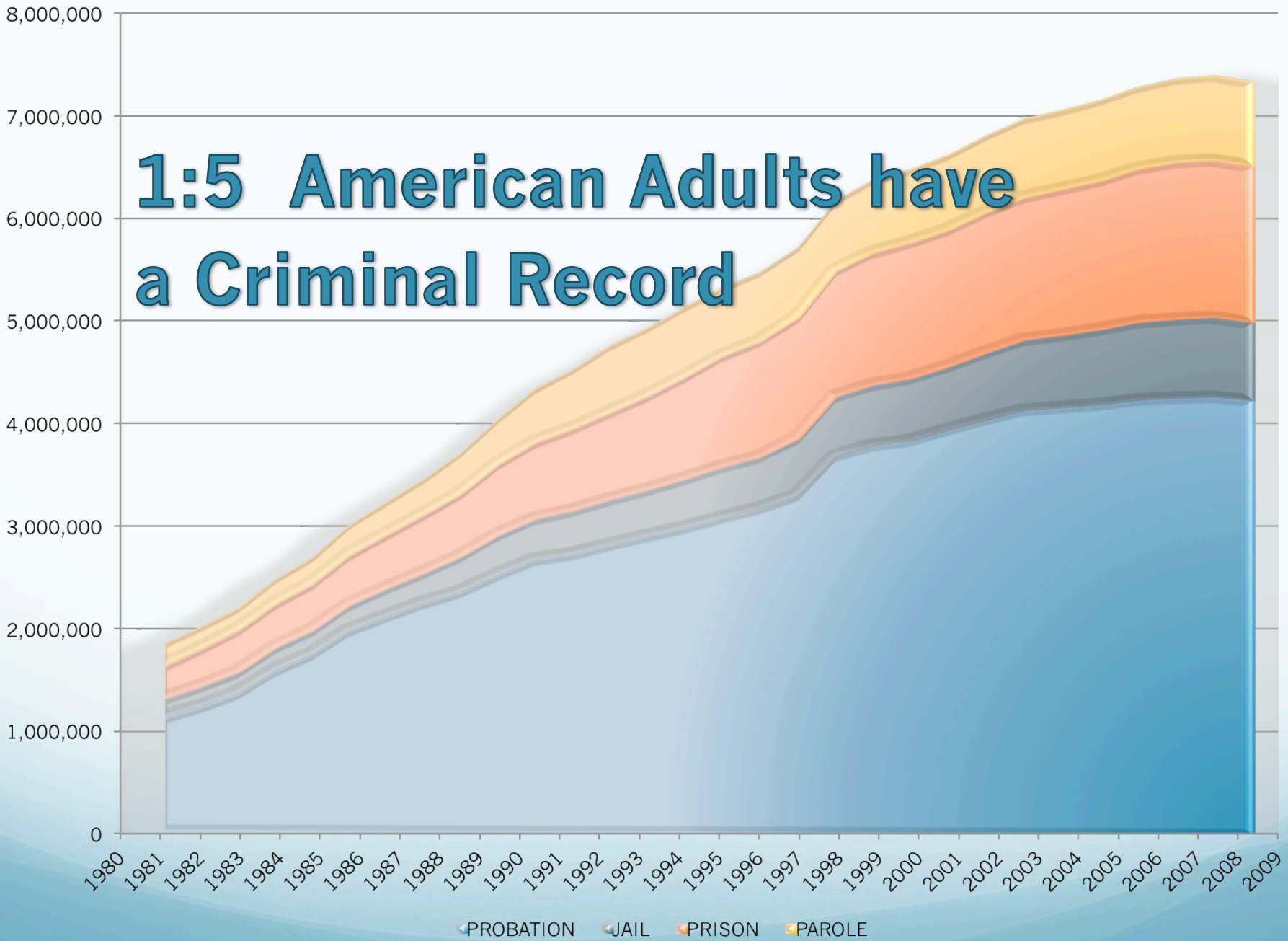


Source: Taxman, Perdoni, & Harrison, 2007. "Drug Treatment Services for Adult Offenders: The State of the State. *Journal of Substance Abuse Treatment*, 32, 3: 239-254.



Sources: Glaze, 2009. *Correctional Populations in the United States, 2009*. Bureau of Justice Statistics.
 The Pew Charitable Trusts, 2009. *One in 100: Behind Bars in America 2008*.

1:5 American Adults have a Criminal Record



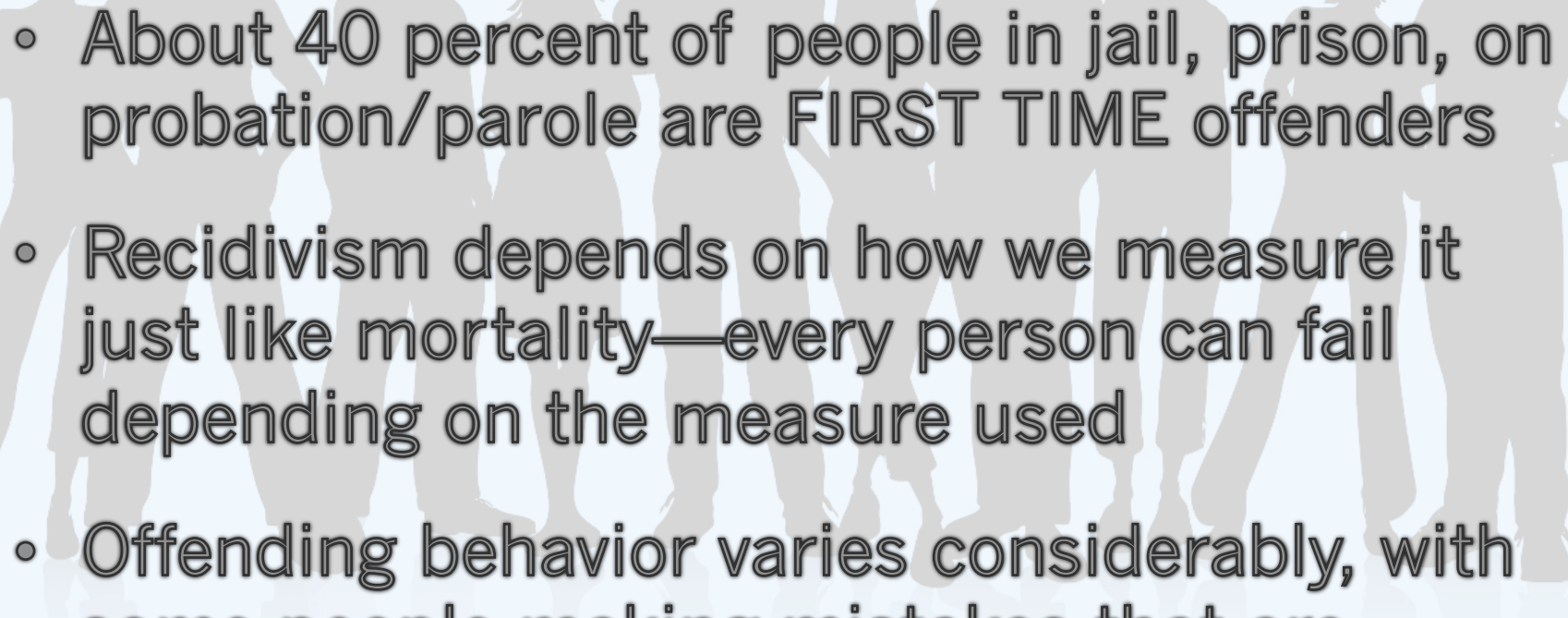
PROBATION JAIL PRISON PAROLE

Source: O'Brien & Darrow, 2007. Adverse Employment Consequences Triggered by Criminal Convictions: Recent Cases Interpret State Statutes Prohibiting Discrimination. *Wake Forest Law Review*, 42, 991.

Correctional System Reach is Deep

- 4:100** Adults under Correctional Control
- 1:100** Adults Incarcerated
- 3.5:100** Youth Involved in JJ System
- 1:5** Adults with a Criminal Record
- 3:5:100** Adults will serve “time” in their lifetime
- 1:28** Children with a parent behind bars

Myth #1: Once An Offender, Always An Offender

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- About 40 percent of people in jail, prison, on probation/parole are FIRST TIME offenders
 - Recidivism depends on how we measure it just like mortality—every person can fail depending on the measure used
 - Offending behavior varies considerably, with some people making mistakes that are situational

Myth #2: Mass Incarceration Reduces Crime

- Science finds that incarceration has **no impact on recidivism rates**, but instead prison may in fact be criminogenic (cause future criminal behavior) (Cullen, Nagin & Jonston, 2009)
- Incarceration rates have hit a point of **diminishing returns** where the rate of incarceration does not deter crime, instead it has become part of the expected lifecycle of 30% black males, 20% hispanic males, 4.5 % white males

Sources: Bonczar, 2003. *Prevalence of Imprisonment in the U.S. Population, 1974-2001*. Bureau of Justice Statistics. Langan & Levin, 2002. Recidivism of prisoners released in 1994. *Federal Sentencing Reported*, 15(1), 58. Uniform Crime Reports, 2010. U.S. Department of Justice. <http://www.ucrdatatool.gov> Bureau of Justice Statistics Correctional Surveys, 2009. *The Annual Probation Survey, National Prisoners Statistics Program, Annual Survey of Jails, and Annual Parole Survey*. <http://bjs.ojp.usdoj.gov/content/glance/corr2.cfm>

Myth #3: Severe sentences produce the best outcomes

- Incarceration is the preferred punishment since it is considered TOUGH.
- US incarceration rates are longer than other countries (1994 US vs 1995 UK)
 - 3 years longer for *murder* in the United States than in England (266 months in the United States versus 230 in England)
 - 4 years longer for *robbery*
 - nearly 4 years longer for *rape*
 - nearly 3 years longer for *assault*
 - over 2 years longer for *burglary*
- Science has determined that SEVERITY does not deter criminal activity but swift and certain actions does
- Reduce sentence length is a reachable policy—Clear & Austin (2009) resume to 1988 levels or reduce average sentence by 6 months



Myth #4: Community sanctions do not work

- **While ~80 percent of the offenders are supervised in the community, most offenders are on standard supervision**
 - **Less than 10 percent are in intermediate sanctions programs**
 - **Less than ~8 percent can participate in substance abuse treatment in the community while 70 percent need care (Taxman, Perdoni, & Harrison, 2007)**
- **Few resources are spent in community corrections—an average of \$3.82 a day in probation vs. \$78.95 in prison (Pew, 2010)**
- **Systematic reviews confirm that other options are less criminogenic than prison: Drug Treatment Courts, Residential Treatment with Aftercare, Intensive Programs with CBT, etc..**
- **Building capacity in the community will ensure that community sanctions will serve to reduce recidivism**
- **Washington Institute for Public Policy: Community sanctions are more cost effective**

What Works vs. What We Do?

The majority of correctional programs fall into these areas.

- Intensive Supervision
- Boot Camp
- Case Management
- Incarceration
- Non-Directive Counseling
- Directive Counseling

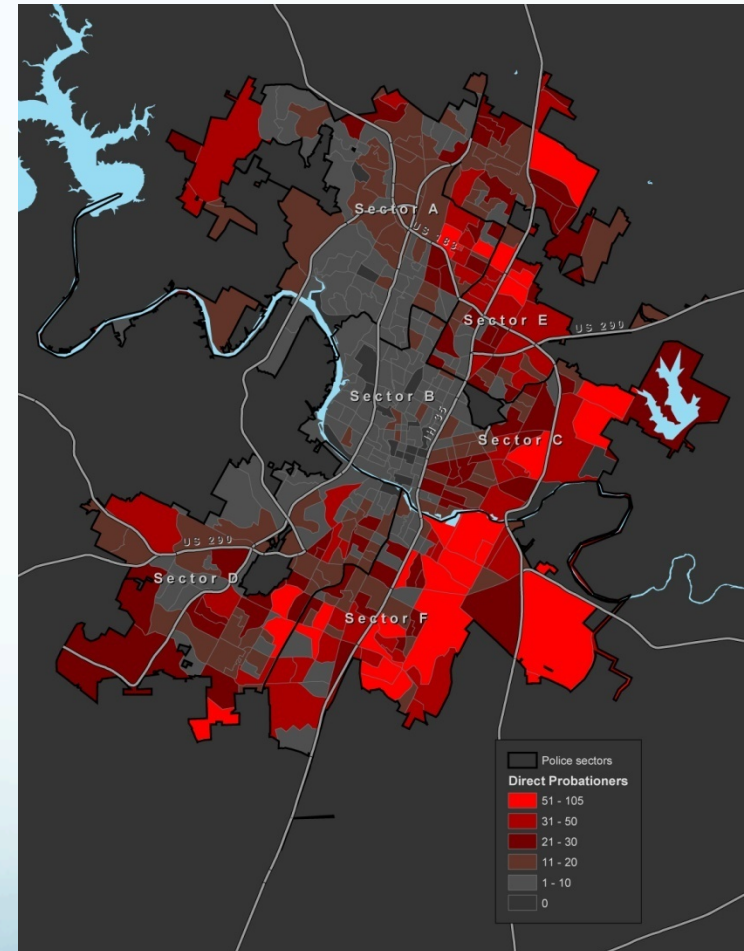
- TASC
- Diversion to Treatment (DTAP)
- Treatment with Sanctions
- Outpatient Treatment in Supervision
- Emotional Skills
- Moral Reasoning
- 12-Step with Curriculum

- In-Prison Treatment & Aftercare
- Cognitive-Behavioral Interventions
- Drug Treatment Courts
- Contingency Management
- Focus on High Risk Offenders or Offenders with High Needs



Myth #5: Only the offender is affected by incarceration

- Children: of prisoners--more than 4 in 10 fathers are black, about 3 in 10 are white, and about 2 in 10 are Hispanic... 1:28 children have a parent in prison (Glaze & Maruschak, 2009). CHILDREN SPEND TIME IN PRISON!
- Communities: Offenders tend to return in concentrated areas, causing instability in these areas, including increased STDs, pregnancy rates, and lack of male role models (Rose & Clear, 1998; Thomas & Torrone, 2006)
- Serving time reduces hourly wages for men by approximately 11%, annual employment by 9 weeks and annual earnings by 40%. By age 48, the typical former inmate will have earned \$179,000 less than non-CJS (Western & Petit, 2010)



Source: JFA Institute and Justice Mapping Center, 2007. *Probation and Prison Geography*.

MASS INCARCERATION

- “A rate of imprisonment and a size of prison population that is markedly above the historical and comparative norm for societies of this type.... Social concentration of imprisonment’s effects.”
David Garland, 2006
- A **social movement** slowly evolving over the last 40 years, even when the crime rate was declining
- Affects society in various ways including “normalizing” the criminal justice experience by making prisons part of the culture (TV, movies, songs, language, dress, pop culture)

Mass Incarceration

- ‘Tough policies’ evolved over time without being deliberative and without a thorough understanding of the impact on community and society
- We need to **undo** the “tough policies” that are not effective
- Ballooning prison population rates did not happen by accident (not because of crime or change in demographics)
- Orchestrated by policies involving:
 - Making changes to sentencing laws,
 - Rethinking inmate release decisions, community supervision practices and other correctional policies,
 - Determining who goes to prison and for how long, and
 - Reexamining probation/parole conditions that lead to violations

Next Steps.....

- Social problems are complex, but greater community-level understanding makes action more feasible
- Collective efficacy around this social issue is likely to improve overall commitment to solutions..we need the **WILL** to act (we have the knowledge)
- We know the policy levers to push, now we need the community levers to work so in tandem so that we use incarceration for those that are violent and harmful to society and not as a “one-size fits all” solution.