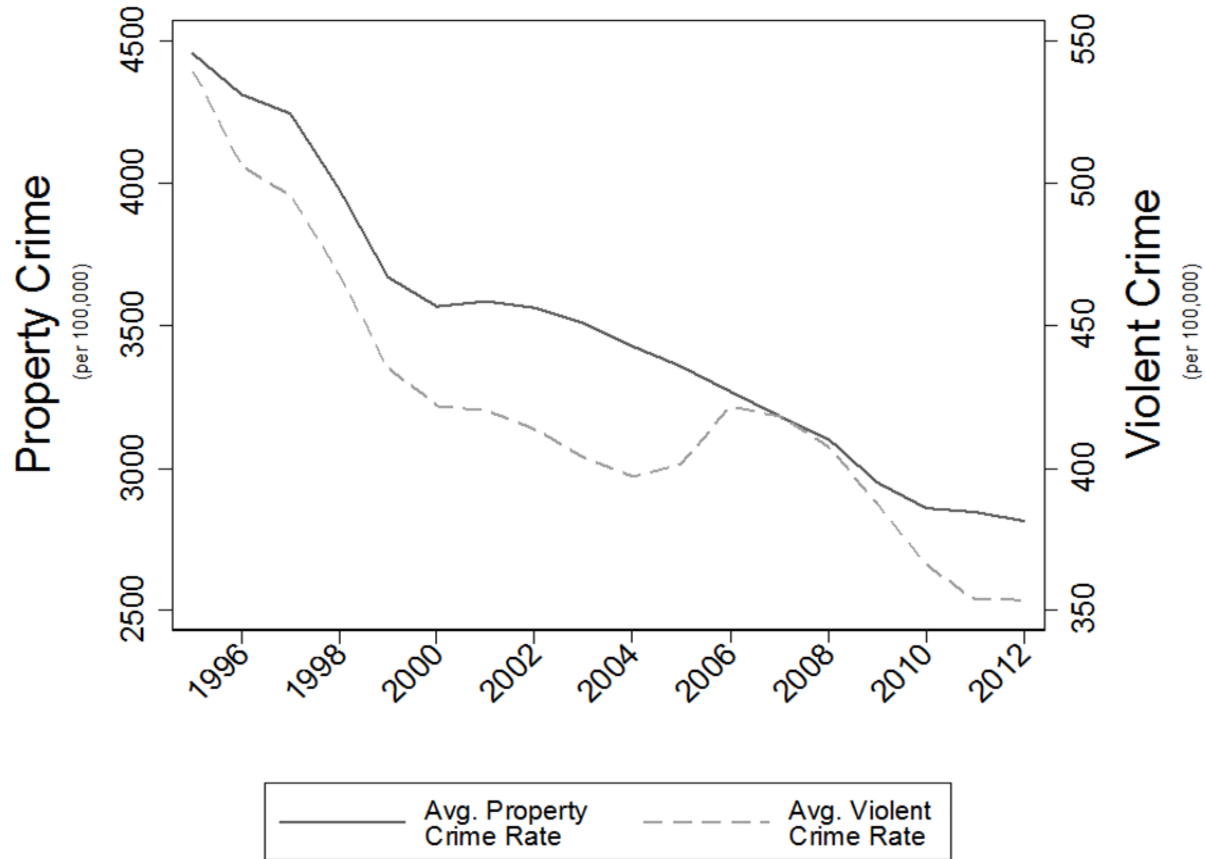


Prison Reform: Is there an academic consensus?

Presentation by Scott Liebertz, Ph.D.
to the League of Women Voters of Mobile, AL
November 16, 2016

Crime in the United States

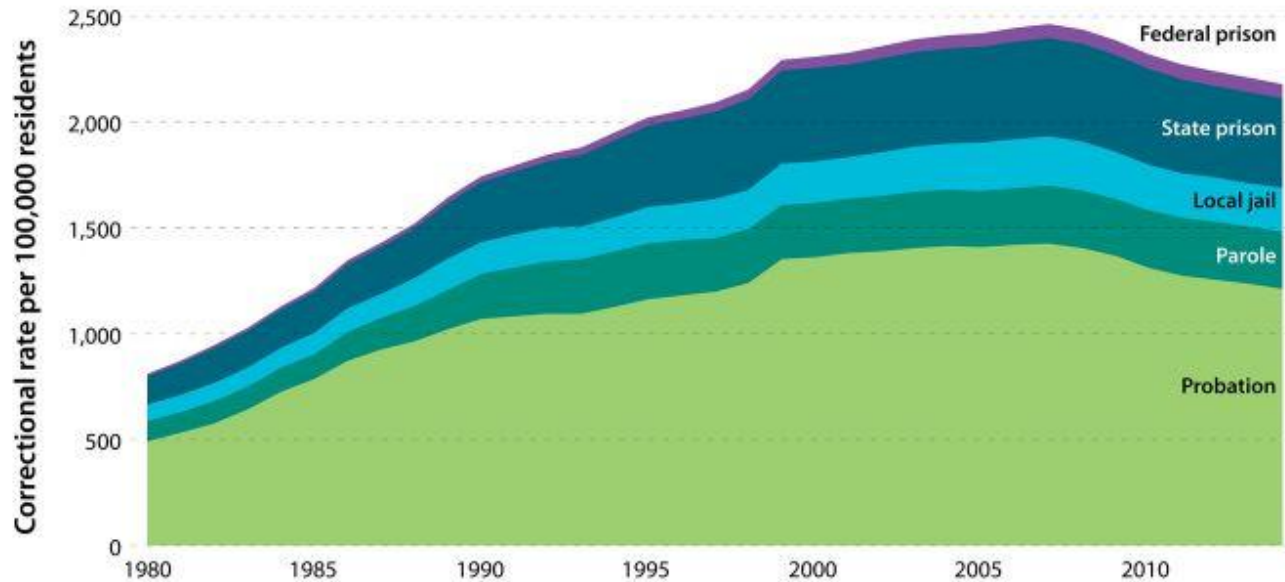


Incarceration Rates

FIGURE 1.

Correctional Rate in the United States, 1980–2014

After peaking in 2007, the rate of correctional supervision has declined modestly.

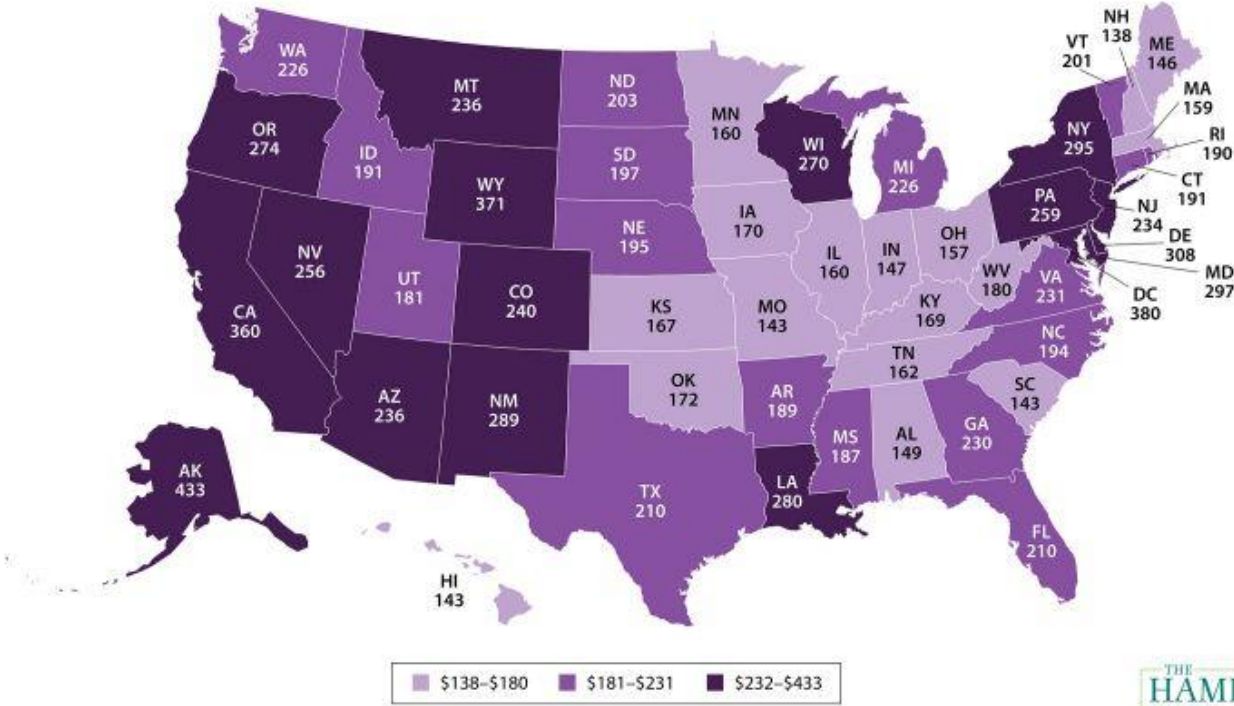


Source: BJS n.d.; Census Bureau n.d.; authors' calculations.

Spending on Corrections

FIGURE 3.
Corrections Spending per Capita

Spending on corrections ranges from \$138 per resident in New Hampshire to \$433 per resident in Alaska.



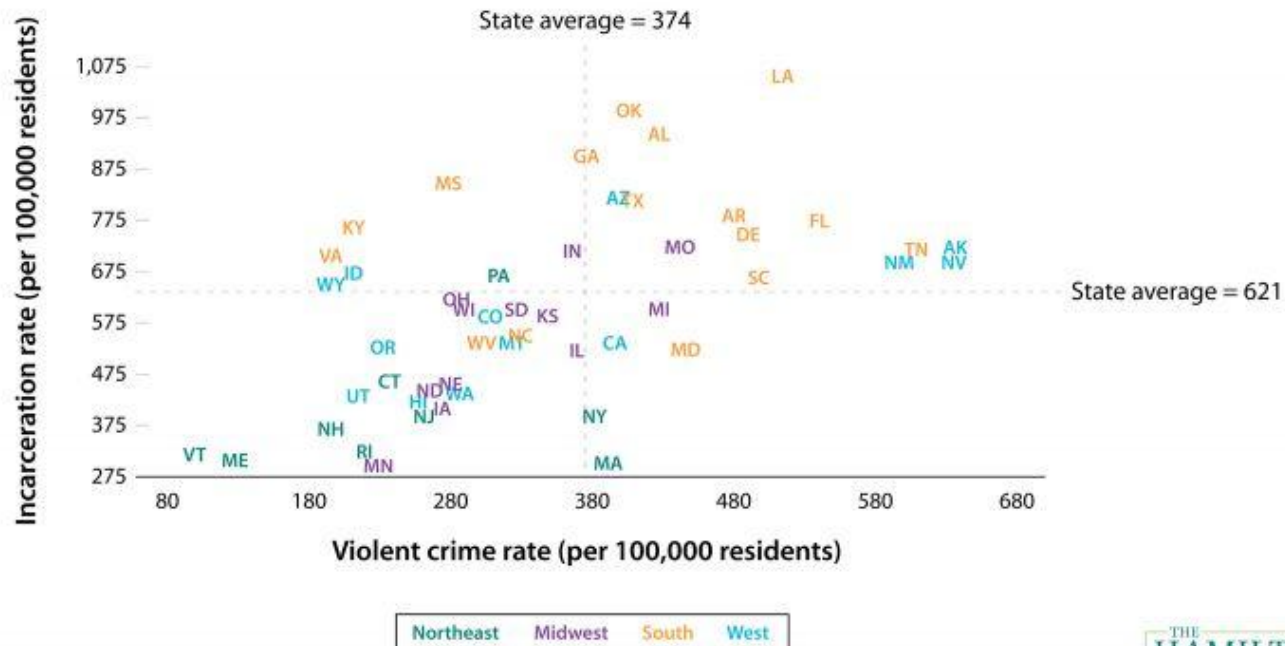
Source: BJS 2015b; Census Bureau n.d.

Violent Crime and Incarceration

FIGURE 4.

Incarceration and Violent Crime Rates, by State

The relationship between incarceration and violent crime rates varies considerably across states.



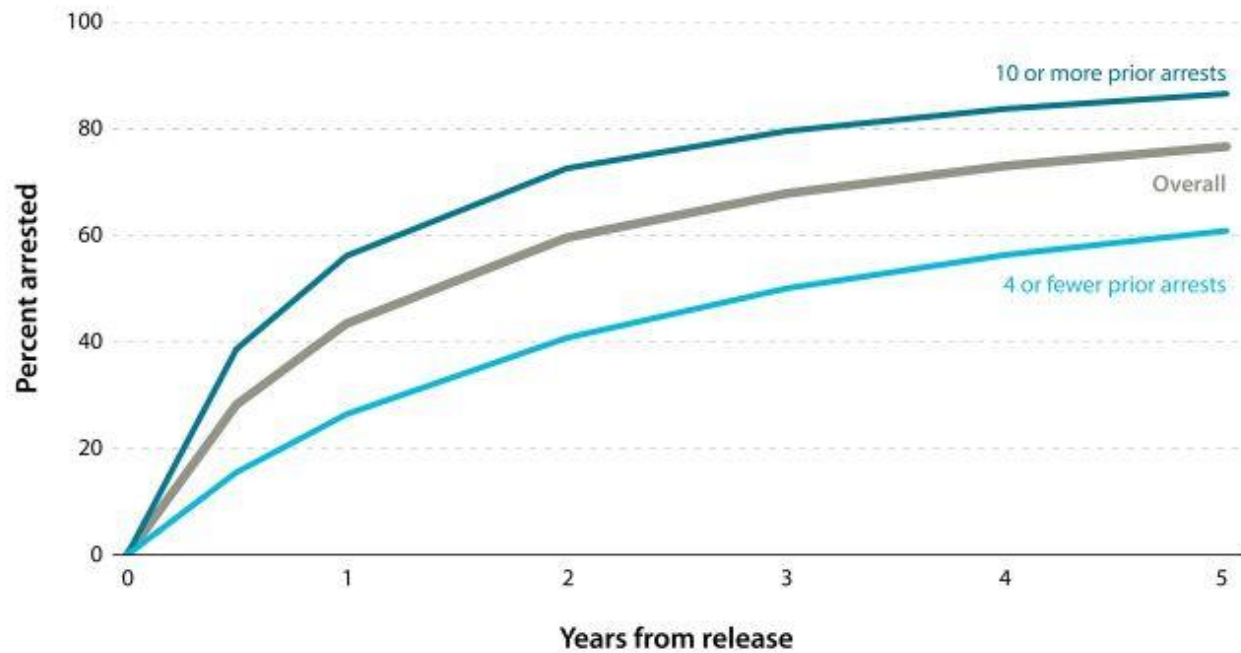
Source: Census Bureau n.d.; FBI 2015; Kaeble et al. 2016.

Note: Average violent crime and incarceration rates are population weighted.

FIGURE 7.

Recidivism of Prisoners, by Prior Arrest History

Of all released prisoners, 43 percent are rearrested within the first year following release.

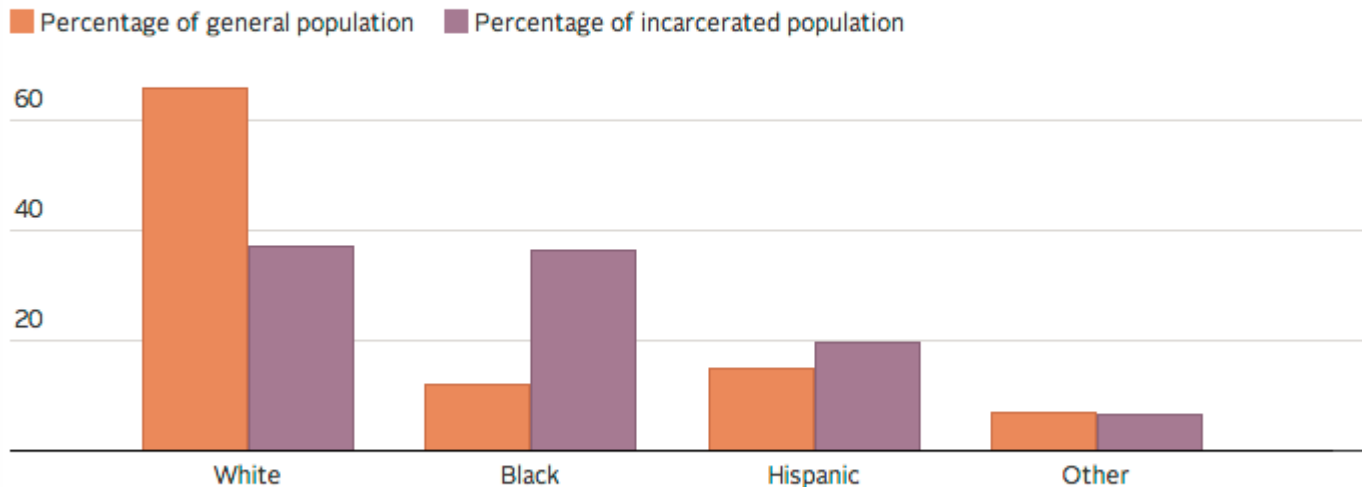


Source: BJS 2014b.

Note: Data are reported for state prisoners released in 2005.

Racial Disparities

Demographics of general population vs. incarcerated population, 2012

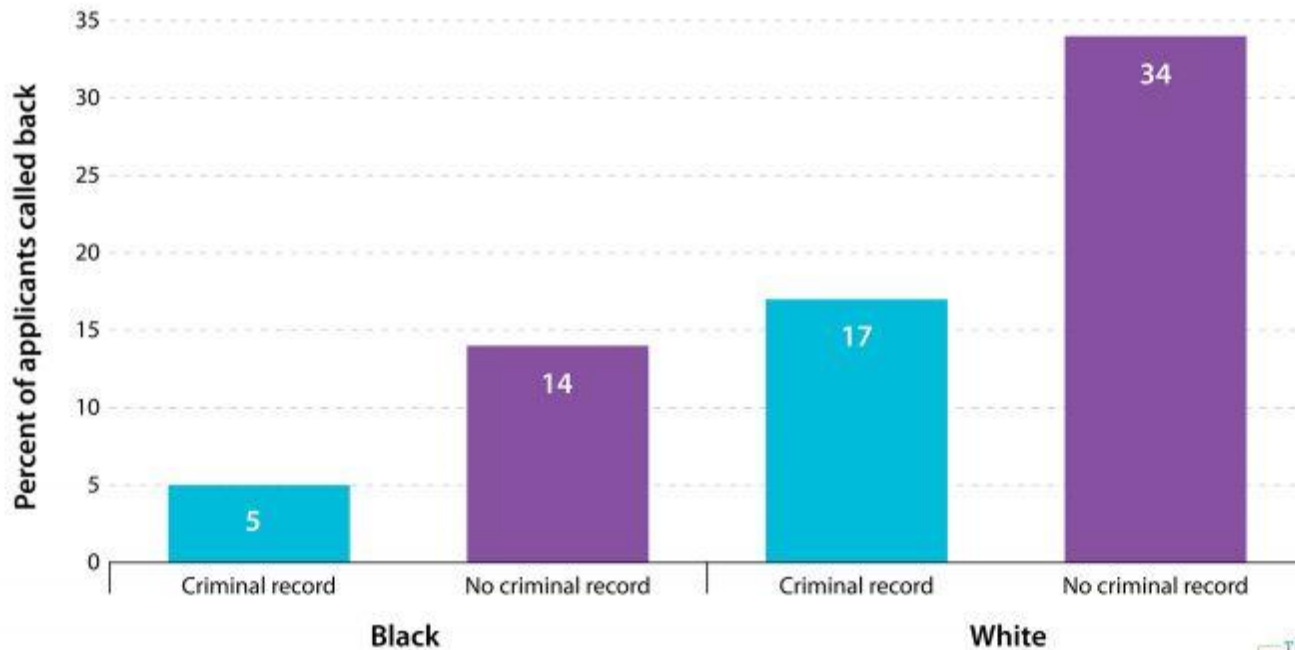


Racial Disparities

FIGURE 11.

Callback Rate, by Race and Criminal Record

The presence of a criminal record decreases the probability of receiving a call back for a job interview.



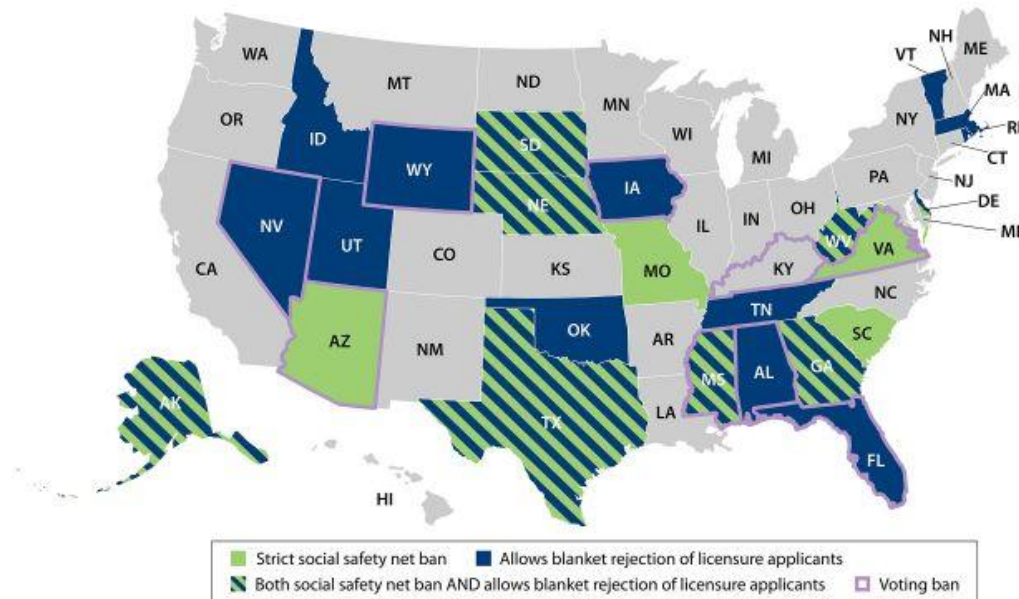
Source: Pager 2003.

Post-Prison Obstacles

FIGURE 12.

Limitations on Social Safety Net Participation, Licensure, and Voting for People with Felony Convictions, by State

Access to the social safety net, voting rights, and licensed employment are heavily restricted in a number of states, especially in southern states.



Source: Beitsch 2015; National Conference of State Legislatures 2016; Rodriguez and Avery 2016.
Note: The District of Columbia (not pictured) also allows blanket rejection of licensure applicants. States with voting bans are defined as those that require restoration of voting rights by the governor or state court.

Finding Consensus

- Mass Incarceration contributed to decline of crime rates
 - In fact, both Republicans and Democrats (Tip O’Neill, Bill Clinton, Joe Biden) supported this policy shift
 - Research suggests that about **25%** of decline in crime due to incarceration
- **BUT.....**

Finding Consensus

- There is widespread agreement that it is time to reduce the prison population/reverse the trend
- Societal versus Individual Explanations for Crime
 - Still a debate in both academia and politics
 - Agreement that **family breakdown affects criminal propensity**
 - Mass incarceration promotes family breakdown

Finding Consensus

- Mandatory Minimums
 - Still some level of debate about effectiveness
 - **BUT agreement that minimums should at least be reduced**
 - Recent effects on policy in places like Texas, Mississippi, and Georgia
 - “Minimum Effective Dose” lower than MMs

Finding Consensus

- Improving Prisoner Safety
 - As many as 1 in 5 inmates experience sexual coercion in prison
 - Prison Rape Elimination Act of 2003
 - National Prison Rape Elimination Commission, 2009
- Costs are astronomical
 - \$500 per household annually to build prisons
 - Recidivism rates of 40% within 3 years and 77% within 5 years
 - Benefits are not outweighing costs

What Works?

- More “outpatient” prison
 - Needs professional staffing, technological sophistication, legal empowerment
 - Large agreement on effectiveness
 - Less agreement politically, legally, ethically
- Quick arrests, short sentences
 - 13 states show decline in recidivism
 - Hawaii’s Opportunity Probation with Enforcement (HOPE)

Effects on Family

- Children of incarcerated suffer immensely
 - Mental health
 - Infant mortality
 - Homelessness
 - Grade retention
 - Body Mass Index
 - Physical Abuse
 - Financial Problems

Effects on Family

- Spouses negatively affected as well
 - Mental Health
 - Physical Health
 - Material Insecurity
 - Indirect Effects
 - Divorce, separation
- Policy Challenges
 - Data is limited

Effects on Family

- Policy Challenges
 - Most policy initiatives aimed at non-violent offenders
 - Distinction between non-violent and violent isn't always helpful
 - (Non)Alignment between criminal justice policy and family policy

Effects on Family

Family Contribution and Criminal Offending		
	Low Level C.O.	High Level C.O.
High Quality Family Contribution	ALIGNED	NOT ALIGNED
Low Quality Family Contribution	NOT ALIGNED	ALIGNED

Looking Forward

- Can Families be a focal point for policy change?
 - Sentence length and duration
 - Facility type
 - Alternatives to incarceration
 - Closer look at characteristics beyond criminal history
 - Link between criminal justice and social welfare
 - Confronting racial disparity

Prison Reform and the Election

- Return of “Tough on Crime” Rhetoric
 - Commitment to deport or imprison 3 million undocumented immigrants
- OK - ballot initiative changes drug possession and property crimes to misdemeanors
- CA – earlier parole for non-violent drug offenders
- NM – no more pretrial detention purely for \$\$
- Marijuana ballot measures in several states