

The Impact of Incarceration on Crime: Two National Experts Weigh In

Expert Q&A

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Blumstein File



Current

- J. Erik Jonsson University Professor of Urban Systems and Operations Research and former Dean, H. John Heinz III School of Public Policy and Management, Carnegie Mellon University

Key Experience

- President, American Society of Criminology (1992)
- Chairman, National Academy of Sciences Panel on Deterrence and Incapacitation (1978)
- Director, National Consortium on Violence Research (1996-2008)

Education

- B.A., Engineering Physics and Ph.D., Operations Research, Cornell University

Publications

- *The Crime Drop in America* (with Joel Wallman)
- *Criminal Careers and "Career Criminals"*

Wilson File



Current

- Ronald Reagan Professor of Public Policy, Pepperdine University

Key Experience

- Chairman, White House Task Force on Crime (1966)
- Chairman, National Advisory Commission on Drug Abuse Prevention (1972-1973)
- Member, Attorney General's Task Force on Violent Crime (1981)

Education

- A.M., Ph.D., Political Science, University of Chicago

Publications

- *Crime and Human Nature* (with Richard Herrnstein)
- *Thinking About Crime*

Prisons and other corrections operations cost state taxpayers almost \$50 billion per year. Many offenders deserve to be locked up. But aside from society's interest in retribution, what are the benefits of incarceration in terms of preventing crime?

Dr. Alfred Blumstein and Dr. James Q. Wilson are two of the nation's most respected experts on incarceration and crime, with over 90 years of academic and policy research between them. Both acknowledge that prisons can reduce crime by taking offenders off the street, deterring would-be offenders, and providing rehabilitative programs. But both also point out the limitations of prisons in achieving public safety. Over a decade ago, Dr. Wilson observed that prison populations could quickly reach a point of diminishing returns, past which additional inmates would result in a reduced benefit to crime control. Similarly, Dr. Blumstein asserts that incarceration can, in certain cases, decrease public safety if drug trafficking and other criminal organizations recruit more dangerous replacements.

The two spoke recently with Pew's Public Safety Performance Project, an initiative of the Pew Center on the States (PCS), about the link between incarceration and crime, the likely outcomes of continued prison expansion, and some policies and programs that offer better public safety results for taxpayer dollars.

What does the research tell us about the impact of incarceration on crime?

AB: There are two fundamental purposes of incarceration:

- 1) retribution or punishment per se and 2) crime control. Crime control is intended to be achieved in three ways: incapacitation, deterrence, and rehabilitation.

Research on incapacitation usually examines how many crimes a sample of offenders commit per year and assumes that locking them away for a particular sentence will avert the crimes they might have committed during that time. This model works pretty well for individual crimes like violence or assault, but does not work for crimes that involve market phenomena like theft rings and drug dealing. In the case of drug dealing, for example, the market is resilient in responding to the demand, and recruits replacements for those sent to prison.

This distinction is particularly important because drug offending accounts for the single largest crime type in prison today, comprising over 20 percent of the population in state prisons and over 50 percent of those in federal prisons. This replacement effect largely nullifies any



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ABOUT THE PROJECT

Launched in 2006 as a project of Pew's Center on the States, the Public Safety Performance Project seeks to help states advance fiscally sound, data-driven policies and practices in sentencing and corrections that protect public safety, hold offenders accountable, and control corrections costs.

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incapacitation effect of incarcerating drug dealers. Indeed, it has been the case that the replacements, usually young men, were far more dangerous than the older and more restrained men they replaced.

Also, research has shown that most criminal careers do not last very long, and so incarceration after the career would have ended achieves no crime reduction, and this consideration diminishes the value of very long sentences.

Much of the research on deterrence has been carried out by economists, who treat the sanction as the "cost" of doing the crime. Most of that research has found that the "certainty" and "swiftness" of punishment (the probability that punishment will be delivered and how quickly it will be delivered) are more important than the "severity" (typically the sentence length). Nevertheless, most of the policies in recent years have been directed at increasing time served in prison. Of course, the concept of deterrence presumes a rationality of weighing the costs and benefits that is not always present in a crime, and especially in a violent crime that may be committed as an act of passion.

Not much attention has been paid to rehabilitation in recent years, in part because of some weak evaluations of particular rehabilitative approaches several decades ago. More recently, there has been an increased emphasis on addressing the problem of prisoner reentry, and new evaluations are showing some stronger effects, largely because the approaches to rehabilitation involved a broader array of techniques, both before release and after. It is undoubtedly the case that the pain of incarceration will serve as a specific deterrent to many prisoners, but might socialize many others into further criminal activity.

JQW: Deterrence works, though not perfectly. It is a mistake to suggest that a criminal may not be rational; most individuals handling many issues are not wholly rational either. What counts is whether among all would-be criminals (or all people) we find that bad behavior lessens as the costs rise and the benefits fall. They do. William Spelman estimates that the combined deterrence and incapacitation effect of prison alone is responsible for about 25 percent of the decline in crime rates.

Let's follow up on that. Crime, particularly violent crime, has dropped significantly over the past 15 years. How much credit do prisons deserve for the decline?

JQW: Incarceration lowers crime rates, but no one thinks that prison is the whole answer. Ask any police officer, prosecutor, or prison warden and you will learn that crime rates, in their view, respond to many factors. Since 1981, we have been lucky that these factors all tended to reduce crime rates: these include more use of prison, changes in the drug market, and periods when there was a decrease in the fraction of young people in the population.

AB: During the 1990s, from about 1993 to 2000, the nation saw over a 40 percent decline in homicide and robbery. That period also saw a significant increase in prison population. Some have argued that this increase in prison population was the cause of the crime decline. It is the case, however, that prison populations have been increasing steadily since the mid-1970s, and in particular during the period from 1985 to 1993 when there was about a 25 percent *increase* in murder and robbery. This highlights the difficulty of trying to attribute changes in crime rates to a single causal factor. Indeed, a major

consideration in that crime increase was the recruitment of young people into the crack cocaine markets. It is also the case that homicide by offenders over 30 years of age has been declining steadily since 1980, and that is probably attributable predominantly to the incapacitation effect on those older offenders, since the median prison age is typically in the early 30s.

The Crime Drop in America includes two papers, by Richard Rosenfeld and William Spelman, that used very different analytic approaches to estimate the effect of incarceration on the 1990s crime drop, and both estimated that incarceration contributed about 25 percent to that drop. Thus, there is little question that incarceration can contribute to crime reduction, but rarely as much as its advocates claim. That is why we need some serious assessment of our various sentencing laws, many of which were passed hurriedly in response to public concerns about crime in the 1980s and 1990s, to assess which ones were effective and which ones were ineffective or even counterproductive.

Would more imprisonment further reduce crime?

AB: The United States has been on an incarceration binge for the last 30 years. For at least the 50 years before that, the U.S. had an impressively flat incarceration rate of 110 per 100,000 population. During that period, incarceration policy was under the control of the criminal justice system, including courts, judges, prosecutors, and parole officials. Then, in the mid-1970s, the public became concerned about crime and the political system responded to those concerns with a variety of legislative actions such as mandatory-minimum sentencing laws, “three-strikes-you’re-out” laws, and “truth-in-sentencing” laws, all intended to increase sentences and prison populations. These laws were intended to show that the legislators were “tough on crime,” and their supporters attacked any effort at restraint as being “soft on crime,” and the public cheered accordingly. These approaches were not necessarily effective at reducing crime because the crime problem required much more subtle analysis, but they were effective in getting them reelected. As the Pew report, *One in 100: Behind Bars in America 2008*, showed so well, the current incarceration rate in prison is about five times the rate we had previously maintained for over 50 years. As a result, there can be little question that the crime-reduction effect per prisoner today is less than it was 30 years ago.

Aside from the specific issue of drug offenders I raised earlier, the growth of incarceration has resulted in far less selectivity regarding who is sent to prison, and research has shown that greater selectivity in incarceration should have

the highest yield in crimes averted per prisoner.

JQW: The tough-on-crime laws endorsed by the public had an important effect on reducing the crime rate. They also helped politicians get reelected. We should not be surprised by this: Our federal system of government puts crime control in the hands, not of criminologists or national political leaders, but of mayors, district attorneys, governors, and voters.

In much of Europe, national political leaders rejected the use of prison, and as a result the rate of many crimes rose when American crime rates were falling. In 1976, for example, England had a robbery rate lower than did the United States, but by 1996 England’s rate was one-quarter higher, its auto theft rate one-third higher, and its burglary and assault rates twice as high as in this country. The reason is that England allowed its prison population to decline. England is not the only exception to the American crime-decline pattern: Today, America has a lower burglary rate than does Australia, Canada, Denmark, England, and Finland and a lower robbery rate than does Australia, Canada, England, the Netherlands, Poland, Portugal, Scotland, and Spain.

About one million felons are on probation in this country. More intensive community supervision might reduce drug use and minor offenses in this group, but there is not much evidence it would reduce the commission of serious crimes.

Florida over the past 20 years has tripled its prison population to nearly 100,000, and its violent crime rate fell 30 percent. But New York locks up fewer people today than it did in 1987 and its violent crime rate dropped 57 percent. What explains this?

JQW: Prison is only one factor affecting crime rates. The other factors include the number and tactics of police officers, changes in the crime rates associated with gangs and drug dealing, an increase in the proportion of the population that is older, and other unknowable factors having to do with self-protection and cultural shifts. However, the state of the economy and the unemployment rate have trivial effects on the level of crime.

AB: This highlights the looseness of the connection between prison population and crime, especially over a period of 20 years when the dynamics of crack markets was a major factor contributing to crime, and especially to violent crime. But many different factors—some under the control of the criminal justice system and many elsewhere in the society—could have contributed to the differences in both crime rates

and prison populations. One relevant factor could be changes in New York City, which accounts for a large fraction of the state's crime and which has seen a steady drop in crime over the past 15 years. Finding the explanations for those differences would be a worthy effort.

What other major factors influence crime?

AB: There is little question that many factors can affect crime to different degrees at various times. There was a crime peak in 1980, and that was largely affected by the demographic trends associated with the postwar baby boom that began in 1947 and peaked in 1960. By 1980, the peak of the boom was coming out of the high-crime ages and that contributed to the subsequent decline. That was followed by a trough in 1985, and the subsequent growth in crime was largely attributable to the effects of the recruitment of young replacements into crack markets. The decline following the peak in about 1993 was largely attributable to the decline in the demand for crack by new users and the displacement of the young people involved in those markets into the robust economy of the time. Also, there was a concerted effort by police to capture the guns that were an inherent part of that marketplace. And there could well have been other contributing factors.

A future crime rise could be attributable to a wide variety of possible factors; these could include difficulty by young people with minimal education in finding decent jobs, reduction in the size of police forces and diversion of police to dealing with terrorism issues, reduction in the availability of social services as a result of cuts in federal and state budgets, the potential emergence of highly competitive new drug markets, and a variety of other factors. Which ones will dominate at any time is difficult to predict. Indeed, any of these could have contributed to a crime rise over the past five years, but none seemed strong enough to move upward the national trend that has been impressively flat since 2000. Individual cities have seen crime increases, but other cities have shown declines, and so that has kept the aggregate national crime picture quite flat.

JQW: It is too easy to make up a list of all of the things that are true of American society and then attribute changes in the crime rate to them. We worry that poorly schooled people have trouble finding jobs, but in fact the unemployment rate has only a small effect on the crime rate. What probably has a larger effect is the fact that many young people are not in the labor market at all, and this may well be a result of the high rate of single-parent families that fail to supply boys with a resident father who takes work seriously. A study in Chicago showed that, if

you control for family instability, crime rates in white and black neighborhoods were not very different. We may like or dislike cuts in payments for welfare services, but there is not much evidence they have any effect on crime rates.

What policies or programs should state policy makers consider if they want to reduce crime in the most cost-effective way?

JQW: States and cities could reduce drug abuse by frequently testing people on probation and backing up the tests with immediate but brief stays in jail. This is being done in Honolulu in ways that appear to encourage drug treatment and reduce criminality. If we knew how to do it, we could improve the transition of inmates back to the community in ways that minimize their chances of committing new crimes; unfortunately we (so far) lack many good ways to do this. And we could test ways to reduce gang participation so that we know how to reduce their impact on crime. There are experiments underway on this matter in Chicago and elsewhere, but I do not yet know the results.

Finally, we could fund long-term crime prevention programs of the sort described by the "Blueprints for Violence Prevention," published by the University of Colorado.

AB: The dramatic incarceration growth of the past 30 years has occurred with virtually no attention to its cost effectiveness in reducing crime. There are many better ways to use the \$25,000 annual expenditure per prisoner. California's Proposition 36, which mandates treatment rather than incarceration for drug offenders, was the first step to move in that direction. Clearly, re-thinking the entire "drug war" to find better ways to reduce the harm resulting from both drug abuse and drug-law enforcement is necessary.

More broadly, it would be most desirable to re-think and repeal a wide variety of the legislative innovations that were created to increase incarceration without thinking of their cost effectiveness. More reasonably, it would be desirable to sunset them all, allowing two to three years for review of their cost effectiveness. Then, the legislative bodies could let those that are not shown to be valuable expire, and they could reenact those that are shown to be valuable. The considerable cost savings then could be allocated to drug treatment and to a variety of social services that have been demonstrated to be effective at crime reduction through the Blueprints Project or other evaluations. The growing state and federal budget deficits should provide some important impetus for this re-thinking. 