

Name: Michael Jacobson, Director Vera Institute of Justice

Date: 10/4/07

Location: Hart Senate Building, Room 216

Testimony to a hearing of the Joint Economic Committee entitled

“Mass Incarceration in the United States: At What Cost?”

Good morning Senator Webb. I would like to thank you for inviting me here to testify today. I have some brief remarks and then I'd be happy to answer any questions you might have.

The United States now spends over \$60 billion annually to maintain its corrections system reflecting the fact that we imprison a greater percentage of our population than any other nation on earth. In the last 30 years, we have seen the jail and prison population rise from 250 thousand to almost 2.3 million, almost a ten-fold increase.

The strain that this geometric increase in those incarcerated puts on our states and cities is cumulative and continues to grow. Over the last decade and a half, the only function of state governments to grow as a percentage of overall state budgets is, with the exception of Medicaid, corrections. The rate of growth of spending on corrections in state budgets exceeds that for education, health care, social services, transportation and environmental protection. There is a very clear relationship between the amount of money we spend on prisons and the

amount that is available, or not available, for all these other essential areas of government. In many states -- California is one that especially comes to mind -- one can literally see money move in the budget from primary and secondary education to prisons. State budgets tend to be largely zero sum games and increases in corrections spending has absolutely held down spending in these other areas of government, many of which are also directly related to public safety.

Of course, the obvious question this raises is, “what do we get for that money?” Certainly, there should be some significant connection between our tremendous use of prison and public safety. As most people know, the U.S. experienced a large crime decline from the early 1990’s to the early 2000’s and it would seem to make intuitive sense that our significantly increasing prison systems played a major role in that decline.

In fact, it is a much more mixed and nuanced story than it would appear. There is some consensus among criminologists and social scientists that over the last decade, our increased use of prison was responsible for some (perhaps around 20-25%) but by no means most of

the national crime decline. Additionally, there is also agreement that, going forward, putting even more people in prison will have declining effectiveness as we put more and more people in prison who present less and less of a threat to public safety. At this point, putting greater numbers of people into prison as a way to achieve more public safety is one of the least effective ways we know to decrease crime.

We know, for instance, that even after spending tens of billions of dollars on incarceration, more than half of those leaving prison are back in prison within three years—not a result that anybody should be proud of. We know that targeted spending for effective in-prison and post-prison reentry programs will reduce crime and victims more substantially than prison expansion. We know that diverting people from prison who are not threats to public safety into serious and structured community based alternatives to prison is more effective than simply continuing to incarcerate, at huge expense, these same people. In the same vein, the research shows that increasing high school graduation rates, neighborhood based law enforcement initiatives and increases in employment and wages will also more effectively reduce crime than greater use of prison.

We also know that incarcerating so much of our population and especially the disproportionate incarceration of people of color also comes with other costs as well. Hundreds of thousands of people leave prison annually with no right to vote, no access to public housing, hugely limited abilities to find employment and high levels of drug use and mental illness. These unintended consequences of incarceration ripple through families and communities as those returning home are overwhelmed by seemingly intractable obstacles. Not surprisingly, many people wind up returning to prison in astounding numbers, further draining scarce resources that could be made available to deal with some of these obstacles themselves.

As someone who used to run the largest city jail system in the country, I know that most people who leave jail and prison do not want to come back. It is a miserable and degrading experience and my colleagues who run these systems and I always marvel about the numbers of people who are leaving prison who want to make good and do good. Once they leave however, they are confronted by such overwhelming barriers on which

we currently spend almost no money or attention that no one should be surprised that these same people are back in prison so soon.

We know that states can continue to decrease crime and simultaneously decrease prison populations. New York State, for example, has for the last seven years seen the largest decrease in its prison population of any state in the nation -- a decline of 14 percent. The rest of the states increased their prison populations by an average of 12 percent over the same time period. At the same time, violent crime decreased in New York State by 20 percent compared to just over 1 percent for the rest of the country. Prison populations can drop along with crime and victimization.

If we were serious about using our limited resources most effectively in reducing crime and victimization and increasing public safety, then we would begin to responsibly and systematically transfer some of the resources now used to imprison people to community based prevention, reentry and capacity building. It is important to stress here that this is an issue of public safety. Even putting aside all arguments about efficiency and effectiveness, talking only in terms of public safety, we

will all be safer if we begin to reinvest some of the money that now goes to incarcerate people who do not pose a threat to public safety (and who become more of a threat to public safety after they are imprisoned) into other programmatic initiatives both inside and outside the criminal justice system.

The fact is that almost all the extant research points out that our prison system is too big, too expensive, drains funds away from other essential areas that can more effectively increase public safety, and is harmful to our poorest communities. Despite all this research, however, we continue to imprison more and more people. There are a host of reasons for this ongoing trend including: the attraction of prisons as engines of economic development for rural communities; the financial incentives for public employee unions as well as for the private prison industry in more spending on prisons; the “realities” of the budget process and constrained budgets that limit opportunities to make substantial investments in new initiatives; and the omnipresent hyper-politics that surround issues of crime and punishment in the United States.

These are all formidable obstacles but none should be sufficient to keep us from educating policy makers and the public that there is a better way to be safe and have less crime.