



[Home](#) > [News & Events](#) > [News](#) > [Articles](#) > New Report Pushes for Criminal Justice Reform to Address High U.S. Incarceration Rates

New Report Pushes for Criminal Justice Reform to Address High U.S. Incarceration Rates

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A committee co-chaired by [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 Harvard Kennedy School, has produced a new report urging lawmakers to consider criminal justice policy reforms to reduce the numbers of Americans behind bars. The [report](#) was released today by the National Research Council.

Committee members examined detailed data on the rise of U.S. state and federal prison populations from 1973 to 2009 to better understand demographics and the societal impacts of high incarceration rates. Among the most compelling findings:

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.

"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 Western. "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 committee recommended that federal and state policymakers re-examine policies requiring mandatory and long sentences, as well as take steps to improve prison conditions

and to reduce unnecessary harm to the families and communities of those incarcerated. In addition, it recommended a reconsideration of drug crime policy, given the apparently low effectiveness of a heightened enforcement strategy that resulted in a tenfold increase in the incarceration rate for drug offenses from 1980 to 2010 — twice the rate for other crimes.

The report notes that future discussions on incarceration policy 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.

"We need to embark on a national conversation to rethink the role of prison in society," said committee chair Jeremy Travis, president of John Jay College of Criminal Justice in New York City. "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 study was sponsored by the National Institute of Justice and the MacArthur Foundation. 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. The National Research Council is the principal operating arm of the National Academy of Sciences and the National Academy of Engineering. For more information, visit <http://national-academies.org>.



Bruce Western, faculty chair of the Program in Criminal Justice Policy and Management

Photo Credit: Martha Stewart

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