

Our criminal justice system should keep communities safe and treat people fairly, regardless of the color of their skin or the size of their bank account. And in order for our system to do a good job, it must be cost-effective by using our taxpayer dollars and public resources wisely.

#### THE NUMBERS:

- With only 5% of the world's population, the U.S. has 25% of the world's prison population – that makes us **the world's largest jailer**.
- Since 1970, our prison population has risen **700%**.
- **One in 99** adults are living behind bars in the U.S. This marks the highest rate of imprisonment in American history.
- **One in 31** adults are under some form of correctional control, counting prison, jail, parole and probation populations.

In America, our criminal justice system should keep communities **safe** and treat people **fairly**, regardless of the color of their skin or the size of their bank account. In order for our system to do a good job, it must be **cost-effective** by using our taxpayer dollars and public resources wisely, in an **evidence-based** rather than fear-based manner.

**But our criminal justice system is not doing a good job. It has failed on every count: public safety, fairness and cost-effectiveness.**

**Today, more Americans are deprived of their liberty than ever before – unfairly and unnecessarily, with no benefit to public safety.**

- One in 99 adults are living behind bars in the U.S. This marks the highest rate of imprisonment in American history.[i]
- One in 31 adults are under some form of correctional control, counting prison, jail, parole and probation populations.[ii]
- This explosion in the U.S. prison population is unprecedented. Since 1970, our prison population has risen by some 700% - an increase far outpacing rates of population growth and crime. To put this in context, between 1920 and 1970, our prison population only grew at roughly the same rate by which our general population grew.[iii]
- The U.S. incarcerates more people – in absolute numbers and per capita – than any other nation in the world, including the far more populous China (which rates 2<sup>nd</sup>) and Russia (which rates 3<sup>rd</sup>). [iv] With only 5% of the world's population, the U.S. has 25% of the world's prison population. [v]
- The dramatic, unprecedented rise in incarceration rates should be a source of great concern to all Americans, because today our country is less free – and more locked down – than at any point in American history.

**Prisons should be the last resort. We must strengthen proven alternatives to prison, especially for low-level and non-violent drug offenses.**

- Incarceration should be eliminated as a penalty for certain classes of low-level, non-violent offenses.

- We must distinguish between those in prison who are ready to re-enter society and those who continue to pose threats to public safety.
- Cost-effective alternatives to incarceration and drug treatment programs must be strengthened, and regular, systemic evaluations of our criminal justice systems should be required.

**Especially in the face of fiscal crises, state governments should make smart investments in alternatives to mass incarceration.**

- Increasingly long prison sentences, which have been adopted by many states over the past 20 years, have had a negligible effect on reducing crime rates.[vi] There is little evidence that higher incarceration rates result in lower crime rates in the first place.[vii]
- In fact, more than half of all people released from prison return within three years.[viii] One reason for this is that imprisonment, especially for lengthy sentences, destabilizes individuals, families and entire communities, which can create a dangerous recipe for higher crime rates.[ix]
- Incarceration and related costs have quadrupled over the past 20 years and now account for a staggering 1 out of every 15 state discretionary fund dollars.[x]
- By 2007, states spent more than \$44 billion on incarceration and related expenses, a 127% jump from 1987. Over this same period, spending on higher education rose just 21%, while the national prison population tripled.[xi]
- Incarceration and related costs are the 2<sup>nd</sup> fastest growing category of state budgets; 90% of this spending goes to prisons.[xii]
- By 2011, continued prison growth is expected to cost states an additional \$25 billion.[xiii]

**We should not tolerate a system that treats people unfairly because of the color of their skin or the size of their bank account.**

- Even though white Americans constitute the majority of the population and commit crimes at comparable rates to that of people of color,[xiv] African Americans and Latinos overwhelming and disproportionately bear the brunt of mass incarceration.
- The result is that people of color constitute 60% of our prison population while remaining a distinct minority of our general population.[xv]
- We incarcerate young African American men at a rate of 1 in 9 – higher than any other group of Americans.[xvi]
- We incarcerate Latinos at almost twice the rate of their white counterparts.[xvii]
- Sadly, our criminal justice system perpetuates racial and economic divisions. If our children see minorities treated unfairly and nothing being done about it, stereotyping and injustice are carried into future generations.

**It's time to improve our criminal justice system by making it more cost-effective and fair.**

[Learn more about solutions to end the crisis of mass incarceration»](#)

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- [i] The PEW Center on the States, *One in 100: Behind Bars in America 2008*  
[http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS\\_Prison08\\_FINAL\\_2-1-1\\_FORWEB.pdf](http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS_Prison08_FINAL_2-1-1_FORWEB.pdf)(February 2008).
- [ii] The PEW Center on the States, *One in 31: The Long Reach of American Corrections*  
[http://www.pewcenteronthestates.org/uploadedFiles/PSPP\\_1in31\\_report\\_FINAL\\_WEB\\_3-26-09.pdf](http://www.pewcenteronthestates.org/uploadedFiles/PSPP_1in31_report_FINAL_WEB_3-26-09.pdf)(March 2009).
- [iii] *Public Safety, Public Spending: Forecasting America's Prison Population 2007-2001*. Public Safety Performance Project, a Project of the PEW Charitable Trusts, p ii.
- [iv] Suzanne M. Kirchoff, "Economic Impacts of Prison Growth," Congressional Research Service (April, 2010), 2.
- [v] The PEW Center on the States, *On in 100: Behind Bars in America 2008*  
[http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS\\_Prison08\\_FINAL\\_2-1-1\\_FORWEB.pdf](http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS_Prison08_FINAL_2-1-1_FORWEB.pdf)(February 2008), p. 5.
- [vi] *Unlocking America: Why and How to Reduce America's Prison Population*. The JFA Institute, November 2007, p.13.
- [vii] *Incarceration and Crime: A Complex Relationship*. The Sentencing Project, 2005, p.1. and Don Stemen, *Reconsidering Incarceration: New Directions for Reducing Crime*. Vera institute for Justice, January 2007, p.1.
- [viii] *One in 100*, p.4.
- [ix] Don Stemen, *Reconsidering Incarceration*, p.3.
- [x] The PEW Center on the States, *Prison Count 2010: State Population Declines for the First Time in 38 Years*  
[http://www.pewcenteronthestates.org/uploadedFiles/Prison\\_Count\\_2010.pdf?n=880](http://www.pewcenteronthestates.org/uploadedFiles/Prison_Count_2010.pdf?n=880) (April 2010).
- [xi] *One in 100*, p. 4.
- [xii] The PEW Center on the States, *Prison Count 2010: State Population Declines for the First Time in 38 Years*  
[http://www.pewcenteronthestates.org/uploadedFiles/Prison\\_Count\\_2010.pdf?n=880](http://www.pewcenteronthestates.org/uploadedFiles/Prison_Count_2010.pdf?n=880) (April 2010).
- [xiii] *One in 100*, p. 11.
- [xiv] Regarding likelihood of using drugs: Substance Abuse and Mental Health Services Administration. (2009). Results from the 2008 National Survey on Drug Use and Health: National Findings (Office of Applied Studies, NSDUH Series H-36, HHS Publication No. SMA 09-4434). Rockville, MD, p. 25. Beyond drug use reporting rates, there are no definitive studies documenting consistent, provable variations in the likelihood of individuals to commit crimes based on the single factor of their race or ethnicity.
- [xv] "The Sentencing Project News - Racial Disparity." *The Sentencing Project Home*. Web. 18 Nov. 2010.  
<<http://www.sentencingproject.org/template/page.cfm?id=122>>.
- [xvi] *One in 100*, p. 3.
- [xvii] *Uneven Justice: State Rates of Incarceration by Race and Ethnicity*. The Sentencing Project, 2009, p. 1.