

# Reviewing the Research to Date

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# Long sentences and serious violent crime

- Long prison sentences have long been one of the nation's key responses to serious and violent crime
- Current long sentenced population largely shaped by laws and policies from the mid 1980s-mid 1990s increased sentence lengths for violent crime and repeat offending
- A persistent substantial percentage of serious violent crime is never reported to law enforcement or cleared by arrest, not subject to long sentences
- Serious and violent crime have a devastating impact, but are rare events that do not affect all populations equally

# Risk of Serious Violent Victimization by Age, Income, and Residency Type

## **Persons at higher risk:**

- Young 12-34 > 35 and older
- Urban households > suburban > rural
- Low-income households (annual household income < \$25K)

## **Population at highest risk compared to general population:**

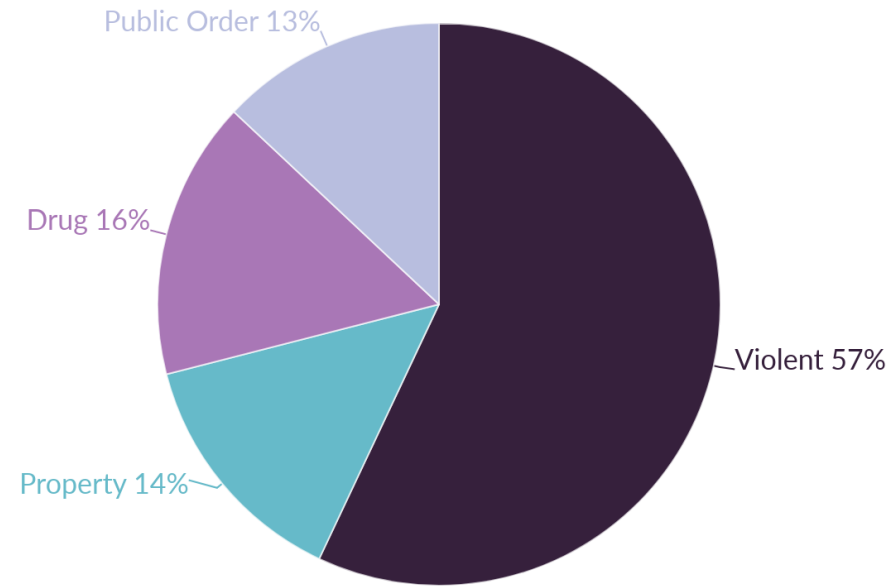
- Young, Black males, living in poorest households in urban areas
- In 2019, Black people (14% US population) accounted for 54% of murder victims

# Long Sentences by the Numbers: Demographics

- Men are more likely than women to receive and serve a long sentence
- One-third of people admitted to state prison with a long sentence are between 25 and 34 years old
- Among those released from state prisons in 2019, Black people were twice as likely as Whites to have served a long sentence
- The shares of Black and White people receiving long sentences have grown over time and the gap between those shares has widened, from 1 percentage point in 2005 to 4 percentage points in 2019

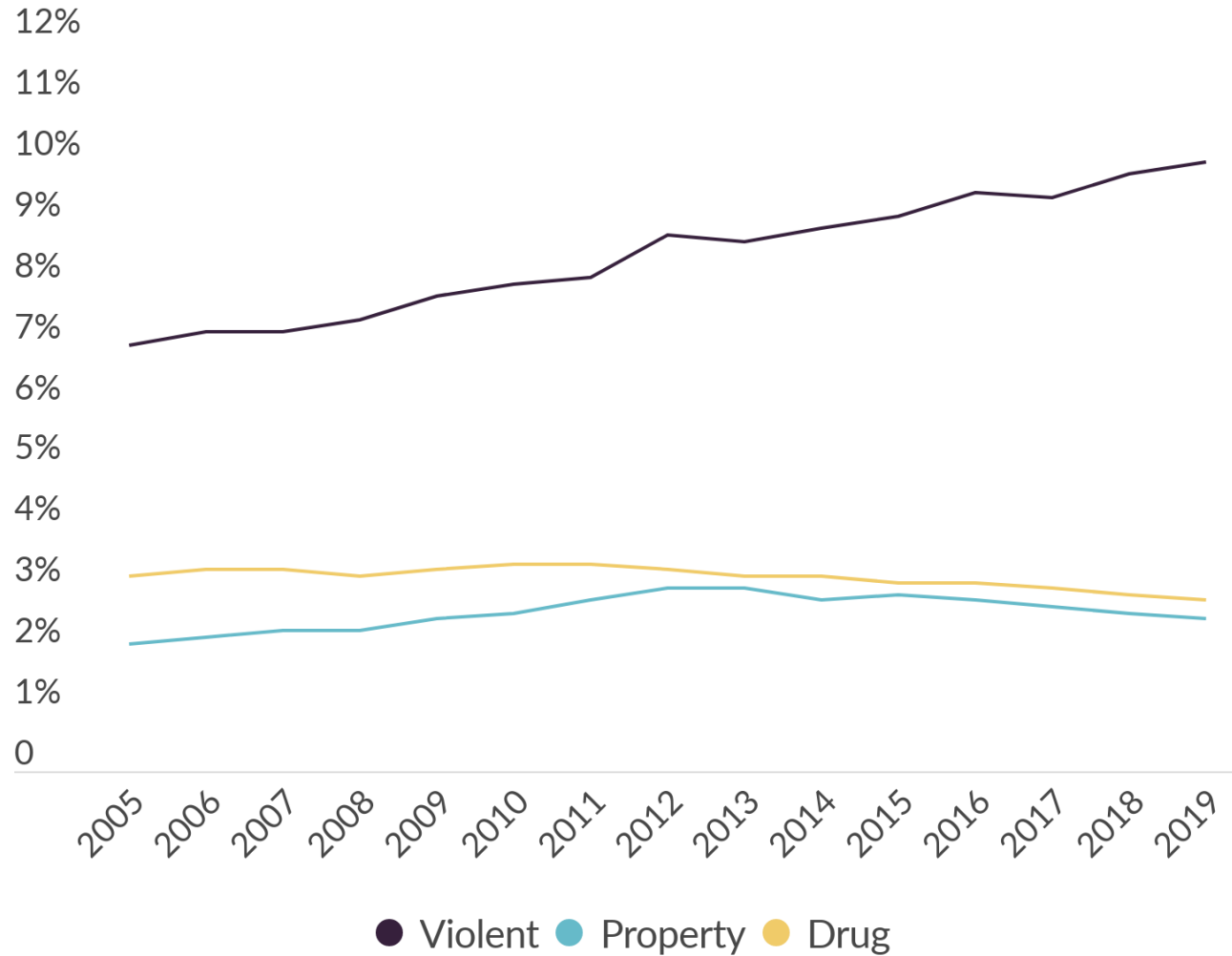
## Long Sentence Admission Cohort Offense Types, 2019

More than half (57%) of people admitted to prison with a long sentence in 2019 were convicted of a violent offense.



Note: Drug offenses include possession, distribution and trafficking. Public order violations include weapons offenses, DUI/DWI, nonviolent sex offenses, and other unspecified public order offenses.

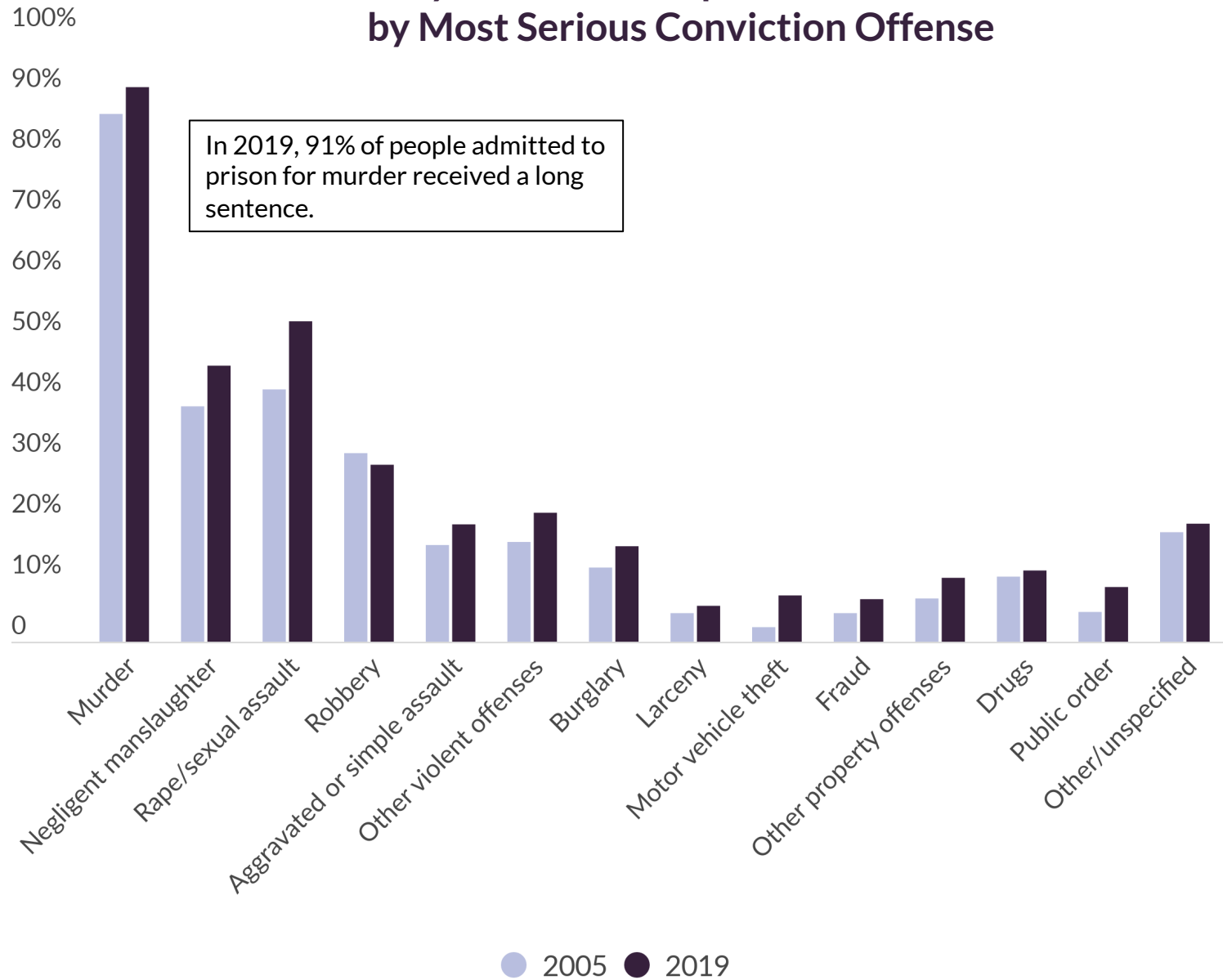
## Share of Newly Admitted People Receiving Long Sentences by Offense Type



In 2019, 10% of people admitted to prison for a violent crime had received a long sentence.

Note: Drug offenses include possession, distribution, and trafficking.

## Share of Newly Admitted People Sentenced to 10+ Years by Most Serious Conviction Offense



In 2019, 91% of people admitted to prison for murder received a long sentence.

● 2005 ● 2019

Source: Council on Criminal Justice, 2022

Note: Murder includes non-negligent manslaughter; drug violations include possession, distribution, trafficking, and other offenses.

# Impact on Public Safety: Incapacitation

- Long sentences prevent crimes from occurring, but quantifying the number of crimes averted is difficult and estimates are imprecise
- Effects vary by crime type; focus on violent offending produces short- and long-term benefits
  - Focus on drug crimes produces no impact and may increase crime/violence due to replacement effect



# Impact on Public Safety: Incapacitation (cont.)

- Incapacitation effect depends on imprisoning people who engage in high rates of criminal behavior (selective incapacitation)
  - But selective incapacitation is inherently difficult to implement effectively
  - Limitations of criminal history records
  - Diminishing benefits because of the age-crime curve
  - “Redemption” literature: As age-at-release increases, offending rate decreases
    - People first arrested at 18 had same rearrest rate 7.7 years later as general population

# Impact on Public Safety: Deterrence/Recidivism Reduction

- General research consensus: Lengthy prison sentences produce, at best, a modest deterrent effect and have little or no marginal benefit for recidivism
- Certainty of apprehension matters more than severity of punishment
- Longer prison terms associated with increased recidivism
  - May be less conducive to rehabilitation; prison experience itself has been shown to be criminogenic

# Impact on Public Safety: Deterrence/Recidivism Reduction

- General research consensus does not mean unanimity
- Two recent USSC analyses (2020, 2022) found significant recidivism reduction effect for 10+ year sentences
  - People sentenced in federal court to 120 months or more were less likely to recidivate than matched group serving shorter sentences
  - Several methodological criticisms

# Impact on Public Safety: Community Impacts

- Children with incarcerated parents are at increased risk for abuse, neglect, and are more likely to engage in criminal behavior and be imprisoned later in life
- High rates of incarceration are disproportionately concentrated in low-income communities of color
  - Compounds pre-existing social & economic disadvantages
  - Weakens collective efficacy
  - Exacerbates legal cynicism/distrust

# Sources Cited

- Blumstein, A., & Nakamura, K. (2009). Redemption in the presence of widespread criminal background checks. *Criminology*, 47(2), 327-360.
- Loeber, R., & Farrington, D. (2014). Age-crime curve. In G. Bruinsma & D. Weisburd (Eds.), *Encyclopedia of criminology and criminal justice*, pp. 12-18.
- Lee, H., & Wildeman, C. (2021). Assessing mass incarceration's effects on families. *Science*, 374(6565), 277-281.
- Nagin, D. S. (2013). Deterrence in the Twenty First Century. *Crime and Justice: Review of Research*, 42, 199-264.
- National Research Council (2014). *The Growth of Incarceration in the United States: Exploring Causes and Consequences*. Committee on Causes and Consequences of High Rates of Incarceration, Jeremy Travis, Bruce Western, and Steve Redburn, Editors. Committee on Law and Justice, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press.
- Webster, Cheryl Marie. Doob, Anthony N. Searching for Sasquatch: Deterrence of Crime Through Sentence Severity, in J. Petersilia & K. Reitz (Eds,) *The Oxford Handbook of Sentencing and Corrections* Oxford University Press, 2012,
- Sampson, R. J. Smith, L. Ash. (2021). Rethinking Criminal Propensity and Character: Cohort Inequalities and the Power of Social Change. *Crime and Justice: A Review of Research*. 50, 13-76
- United States Sentencing Commission. (2020) Length of Incarceration and Recidivism. (2022). Length of Incarceration and Recidivism.