

Reviewing the Research to Date

Roger Przybylski

Consultant and Founder, RKC Group

Director of Research, Justice Research and Statistics Association

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

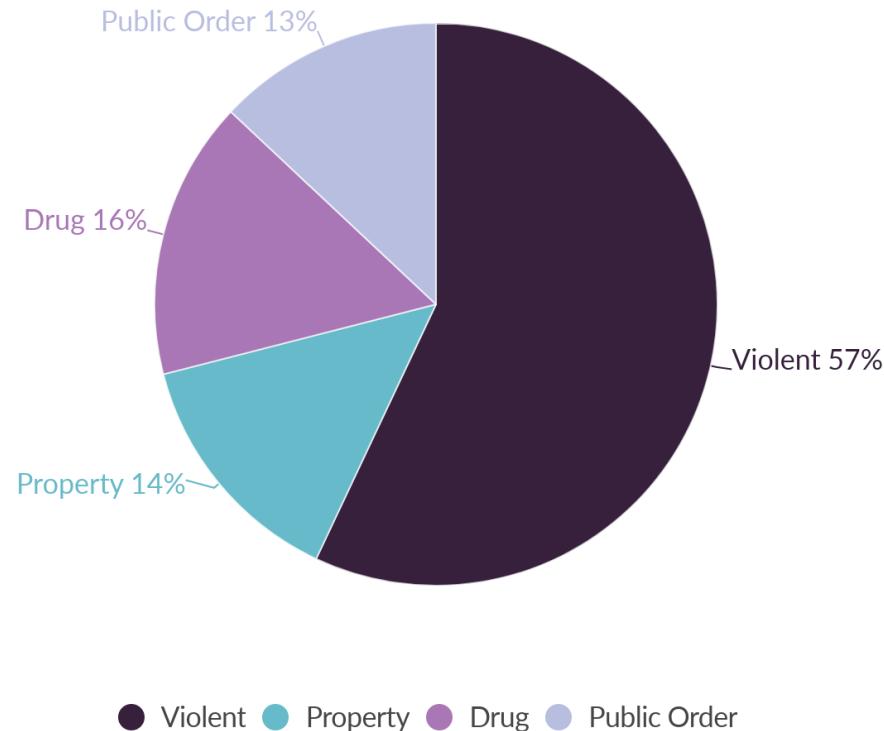
Source: FBI, Expanded Homicide Data Table 1, 2019.

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

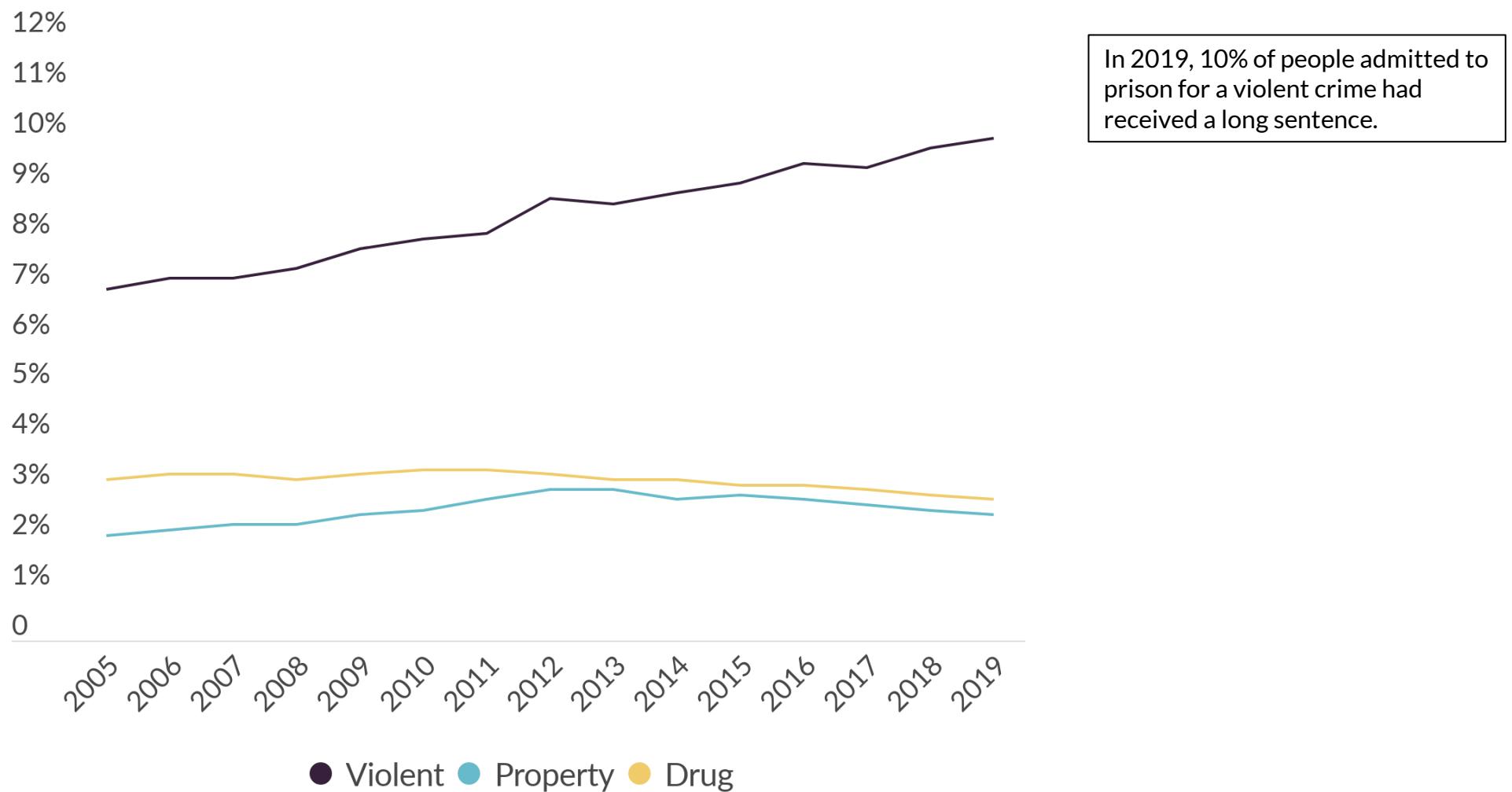
Long Sentence Admission Cohort Offense Types, 2019

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.

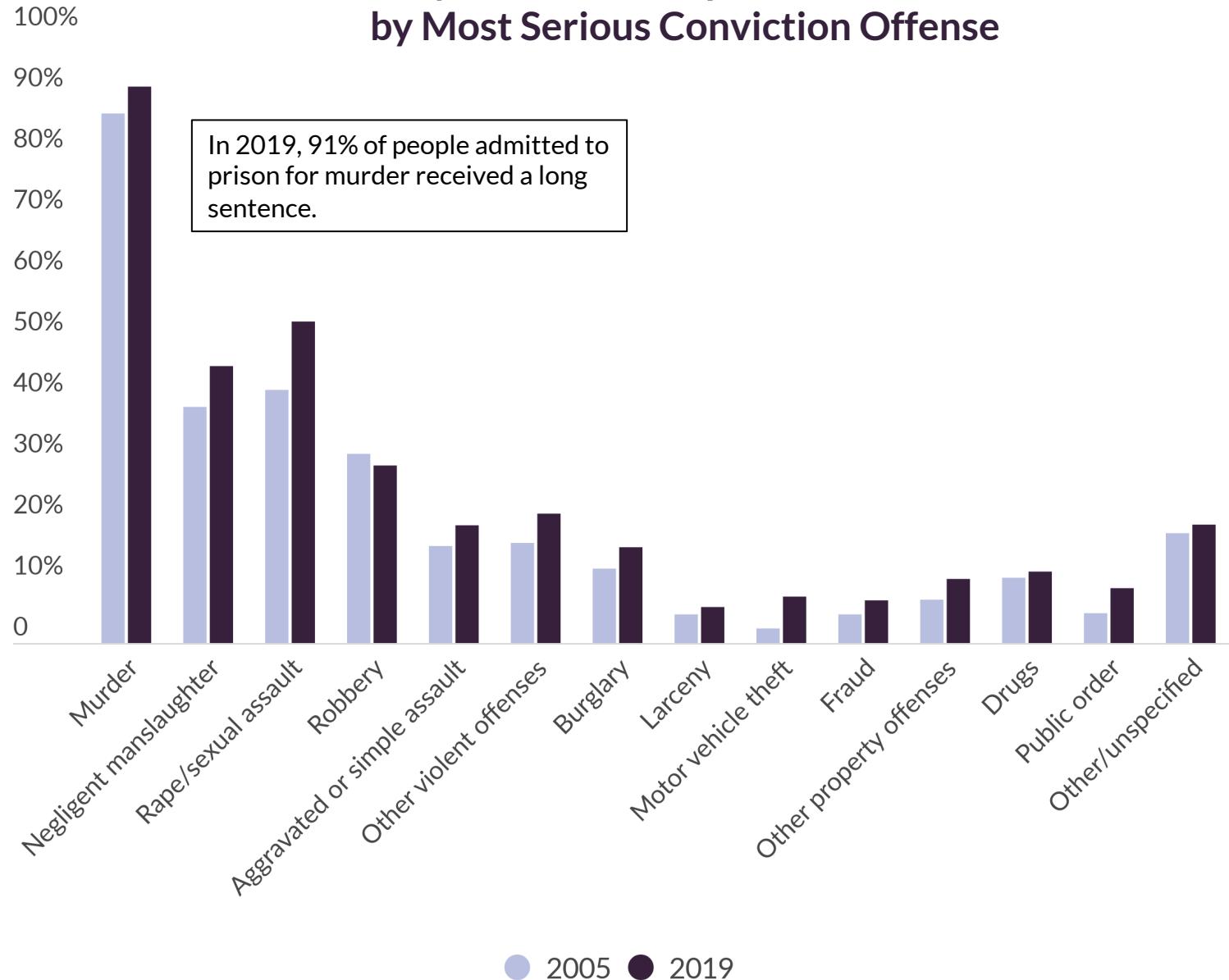
Share of Newly Admitted People Receiving Long Sentences by Offense Type



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



Source: Council on
Criminal Justice, 2022

● 2005 ● 2019

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

Source: Sampson & Ash, 2021; Loeber & Farrington 2014; Blumstein & Nakamura, 2009.

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

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