

March 10, 2008**EDITORIAL**

Prison Nation

After three decades of explosive growth, the nation's prison population has reached some grim milestones: More than 1 in 100 American adults are behind bars. One in nine black men, ages 20 to 34, are serving time, as are 1 in 36 adult Hispanic men.

Nationwide, the prison population hovers at almost 1.6 million, which surpasses all other countries for which there are reliable figures. The 50 states last year spent about \$44 billion in tax dollars on corrections, up from nearly \$11 billion in 1987. Vermont, Connecticut, Delaware, Michigan and Oregon devote as much money or more to corrections as they do to higher education.

These statistics, contained in a new report from the Pew Center on the States, point to a terrible waste of money and lives. They underscore the urgent challenge facing the federal government and cash-strapped states to reduce their overreliance on incarceration without sacrificing public safety. The key, as some states are learning, is getting smarter about distinguishing between violent criminals and dangerous repeat offenders, who need a prison cell, and low-risk offenders, who can be handled with effective community supervision, electronic monitoring and mandatory drug treatment programs, combined in some cases with shorter sentences.

Persuading public officials to adopt a more rational, cost-effective approach to prison policy is a daunting prospect, however, not least because building and running jailhouses has become a major industry.

Criminal behavior partly explains the size of the prison population, but incarceration rates have continued to rise while crime rates have fallen. Any effort to reduce the prison population must consider the blunderbuss impact of get-tough sentencing laws adopted across the United States beginning in the 1970's. Many Americans have come to believe, wrongly, that keeping an outsized chunk of the population locked up is essential for sustaining a historic crime drop since the 1990's.

In fact, the relationship between imprisonment and crime control is murky. Some portion of the decline is attributable to tough sentencing and release policies. But crime is also affected by things like economic trends and employment and drug-abuse rates. States that lagged behind the national average in rising incarceration rates during the 1990's actually experienced a steeper decline in crime rates than states above the national average, according to the Sentencing Project, a nonprofit group.

A rising number of states are broadening their criminal sanctions with new options for low-risk offenders that are a lot cheaper than incarceration but still protect the public and hold offenders accountable. In New York, the crime rate has continued to drop despite efforts to reduce the number of nonviolent drug offenders in prison.

The Pew report spotlights policy changes in Texas and Kansas that have started to reduce their outsized prison populations and address recidivism by investing in ways to improve the success rates for community

supervision, expanding treatment and diversion programs, and increasing use of sanctions other than prison for minor parole and probation violations. Recently, the Supreme Court and the United States Sentencing Commission announced sensible changes in the application of harsh mandatory minimum drug sentences.

These are signs that the country may finally be waking up to the fiscal and moral costs of bulging prisons.

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