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Lower sentences cut costs without raising crime, ACLU says

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NEW YORK, Aug 9 (Reuters) - Six states that reduced incarceration rates by focusing on parole or probation instead of prison time have cut costs without increasing crime rates, according to a [report](#) released on Tuesday.

The report by the [American Civil Liberties Union](#) highlights Texas, Mississippi, Kansas, South Carolina, Kentucky and Ohio as traditionally "tough-on-crime" states that benefited from reducing incarceration rates.

Four more states -- California, Louisiana, Maryland and Indiana -- are in the midst of reform, said the report by the ACLU's Center for Justice, an advocacy group that supports less-stringent penalties for nonviolent offenses.

"The costs of using incarceration as an option of first -- rather than last -- resort far outweighs any benefit to public safety," ACLU advocacy and policy counsel Inimai Chettiar said in a statement accompanying the report.

State and federal governments spend about \$70 billion annually on prisons and corrections, and state corrections spending has skyrocketed 674 percent over the last 25 years, according to the ACLU.

POSITIVE MEASURES

Some of the changes noted by the report as having a positive impact include:

- * Decriminalizing possession of small amounts of marijuana
- * Reducing sentencing disparity between different types of drugs
- * Ending mandatory minimum sentences
- * Pushing treatment and parole over prison for non-violent offenders
- * Letting prisoners earn credit toward early release, and
- * Creating parole programs for elderly prisoners who are no longer a threat.

Sentencing reform has united political progressives like the ACLU with conservatives in states like Texas, said Michael Jacobson, the director of the [Vera Institute of Justice](#), a nonpartisan criminal law research center in New York.

"There's a sense now that you're just not getting a good return on your investment from dumping \$70 billion a year into prisons," Jacobson said. "A surprising number of conservative folks talk about this issue the way the ACLU might talk about it -- we're spending too much and getting too little."

TOUGH-ON-CRIME STATES

In Texas, according to the ACLU report, implementation of parole and probation reforms since 2007 will result in an 11 percent reduction in prison growth and save an estimated \$2 billion by 2012. Its crime rate is currently at its lowest level since 1973, the report said.

Mississippi, which has expanded parole eligibility for nonviolent offenders and earned-time credits for prisoners, is projected to save \$450 million on corrections costs by 2012, the report found. Already, its corrections costs have dropped from \$348 million in 2008 to \$332 million in 2011, and its crime rates are also at the lowest levels since 1984, according to the report.

New York has also benefited from efforts since 2004 to roll back mandatory minimum sentences for drug offenses. Between 1999 and 2009, New York prison populations have dropped 20 percent, according to the report, and the state crime rate is currently at its lowest level in decades.

In a recent policy document, the National Conference of State Legislatures said at least 23 states launched task forces or study commissions in 2011 to find ways to reform sentencing and incarceration laws.

But not every state is moving quickly. The U.S. Supreme Court earlier this year ordered California to fix overcrowding in its prisons, but "it remains to be seen whether and how earnestly" its officials will tackle its three-strikes and drug possession laws, the report said.

(Reporting by Jessica Dye)

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