

Sentencing Times

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RESEARCH

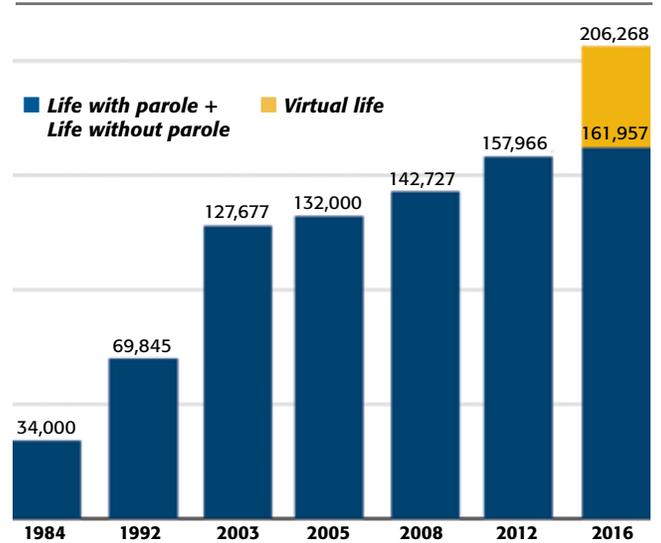
Number of people serving life sentences has nearly quintupled

The number of people serving life sentences in U.S. prisons is at an all-time high.

As revealed in our report, *Still Life: America's Increasing Use of Life and Long-Term Sentences*, 206,000 people were serving life with parole, life without parole, or "virtual life" sentences of 50 years or more in 2016 — one of every seven people in prison. Two-thirds of those serving life are people of color.

The number of people serving life is nearly five times the figure in 1984 despite evidence that continuing to incarcerate those who have "aged out" of their crime-prone years is ineffective in promoting public safety. The expansion is an outgrowth of "get tough" crime policies that characterized sentencing policy in the 1980s and 1990s. Along with the spread of mandatory sentencing, "three strikes," and other harsh policies, states and the federal government have increasingly sentenced individuals to life in prison.

Growth of life sentences, 1984–2016



Report author Ashley Nellis found that while the majority of people serving life sentences were convicted of murder, the punishment is not reserved for the "worst of the worst." Over 17,000 people convicted of non-violent offenses are serving life or virtual life sentences.

*See **Life sentences**, page 3*

POLICY

Federal sentencing reform debate shifts under Trump

Nine months into Donald Trump's presidency, a demonstrable shift in the debate about federal criminal justice policy has taken place.

Contrary to the national bipartisan efforts to address excessive sentences for drugs and low-level offenses, President Trump has espoused "tough-on-crime" rhetoric and appointed Jeff Sessions as Attorney General, a chief opponent of sentencing reform while in Congress.

Attorney General Sessions' tenure has been punctuated by warnings of an upward "dangerous permanent trend" in violent crime. Despite increases in homicides in some cities in recent years, FBI data show an overall sharp decline in violent crime over the last 20 years. Moreover, Sessions has repeatedly blamed crime increases on immigrant communities and changes in federal prosecutorial policy implemented under

President Obama despite evidence demonstrating otherwise.

The Sentencing Project had worked closely with White House officials and allies on Capitol Hill throughout 2016 to advance bipartisan sentencing reform, but the legislation never received a floor vote. Senators Charles Grassley (R-IA) and Dick Durbin (D-IL), lead sponsors of a compromise bill to reduce penalties

*See **Trump**, page 3*

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EXECUTIVE DIRECTOR'S MESSAGE

Justice reform movement undeterred

As I write, the nation is engaged in a soul-searching moment of considering who we are as a people and assessing how much progress we have made in overcoming the deep tensions that have surfaced in our society. The attacks on communities of color and vulnerable people emanating from the White House and from organized hate groups challenge the notion that we have made great progress over the past half century. I still firmly believe that American society is more inclusive and democratic than it was in the past, but it has also become quite clear that those gains are more fragile than we once thought.

It is also now time to assess how the changing political environment affects prospects for criminal justice reform. This is largely a tale of two different stories.

At the federal level, many of our worst fears about public policy have played out. Under the leadership of Attorney General Jeff Sessions, a slew of reform initiatives of the previous Administration have been overturned. AG Sessions has:

- reversed the phase out of private prison contracting by the Bureau of Prisons;
- directed federal prosecutors to seek the most serious penalties in criminal cases; and
- vowed to step up prosecutions for immigration violations and to revive the failed war on drugs.

This agenda flies in the face of evidence that documents the misguided nature of such strategies. It also would further exacerbate the counterproductive impact of mass incarceration and the lifelong consequences it produces.

The rebuttal

At The Sentencing Project, we've been engaged with our allies in trying to counter these initiatives. We have:

- produced policy analyses that refute the message that immigrants are responsible for rising crime;
- published op-ed commentary in the *Washington Post* and other leading outlets challenging the Sessions charging policy;
- continued to work in a bipartisan manner on Capitol Hill to encourage forward-looking



Marc Mauer,
Executive
Director

sentencing reform; and

- co-sponsored a rally at the Department of Justice (DOJ) to protest the Sessions policy reversals.

Where reform optimism lies

The second story is that of criminal justice reform around the nation, and here we are more encouraged. The momentum for reform that has developed over the past decade continues and is largely unaffected by messages coming from the White House.

We've worked with local coalitions in New Jersey to advance racial impact statement legislation and in Nebraska to reform felony disenfranchisement policies. We've watched as lawmakers in high incarceration states like Louisiana have enacted sentencing reforms, and are seeing the first benefits of California's Proposition 47 shifting resources from incarceration to prevention and treatment services in the community.

Where continued struggle lies

While these developments are encouraging, there are nonetheless ways in which policy initiatives and political rhetoric emanating from the DOJ may hamper reform.

Perhaps most significant is AG Sessions reluctance to pursue consent decrees with local jurisdictions regarding police misconduct and efforts to improve police/community dialogue. As leaders in law enforcement understand, police can only be as effective as their relationships with the communities they serve. The DOJ decision to continue contracting with private prisons also bolsters these companies' position and gives them further leverage in seeking out state contracts.

We also need to be mindful that the ongoing political commentary of the Administration claiming out of control crime, falsehoods about immigrants and crime, and new calls for "law and order" could set back the momentum for reform that has been building in recent years.

These developments are cause for concern, of course, but they won't deter us from being bold in our advocacy for meaningful reforms in the short run and systemic change over time. We've been doing that for 30 years, and we'll continue to advocate for justice and fairness. I hope you'll continue to work with us in this struggle. |

Life sentences

Continued from page 1

life sentences, and 12,000 people were under 18 at the time of their crime, when they were still maturing into adulthood.

These figures come at a moment when calls to end mass incarceration abound throughout the nation. Yet the increasing use of life imprisonment suggests that substantial reductions in incarceration will be limited unless policymakers address the punishments at the deep end of the system for crimes that include violence, along with the more politically palatable offenses involving drugs.

In a second report, [*Delaying a Second Chance: The Declining Prospects for Parole on Life Sentences*](#), research analyst Nazgol Ghandnoosh reveals just how elusive parole has become for eligible lifers. Based on a national survey with responses from 31 states and the federal government, this analysis found a

variety of policy choices and practices that have caused paroled lifers to serve much longer prison sentences than their counterparts in the past.

Specifically, in eight jurisdictions for which data are available since the 1980s, average time served by lifers with murder convictions doubled from 11.6 years for those paroled in the 1980s to 23.2 years for those paroled between 2000 and 2013.

In a [*supplemental document*](#), Ghandnoosh reports on how these patterns are echoed in other states, and identifies specific policy changes that have contributed to the increase in time served.

Delaying a Second Chance identifies factors producing longer prison terms for parole-eligible lifers:

■ **Legislation:** Lawmakers in several

In eight jurisdictions for which data are available since the 1980s, average time served by lifers with murder convictions doubled from 11.6 years for those paroled in the 1980s to 23.2 years for those paroled between 2000 and 2013.

states have delayed when lifers can receive their initial parole consideration and increased wait times for subsequent hearings if parole is denied.

■ **Gubernatorial**

Authority: Governors in some states have appointed parole board members committed to reducing parole grants and limiting parole boards'

decision-making authority.

■ **Parole Board Procedures:** Most states afford only limited rights to incarcerated individuals during parole hearings.

The Sentencing Project's research on life sentences concludes that unnecessarily long prison terms are costly and impede public investments in effective crime prevention, drug treatment, and other rehabilitative programs that produce healthier and safer communities. |

Trump

Continued from page 1

for many drug offenses, continue to voice their commitment to advancing legislation during the 115th Congress. Trump's senior advisor, Jared Kushner, has reportedly taken interest in criminal justice reform and held meetings with bill sponsors and conservative advocates to discuss strategies to advance reforms. Given the turbulent political environment in Washington this year the immediate future for sentencing reform is uncertain.

Alternatively, Congress has advanced several bills that would increase penalties for immigration offenses and synthetic drugs. The Sentencing Project is concerned and is speaking out against these punitive approaches.

Most of the federal policy changes taking place on the criminal justice front have been orchestrated by the Department of Justice (DOJ) this year. In May, we issued a rebuke to Sessions' directive to federal prosecutors revoking former Attorney General Eric Holder's Smart on Crime Initiative. Sessions called on federal prosecutors to charge the most serious provable offense and to seek the longest possible sentence in federal

criminal cases.

In a statement, Executive Director Marc Mauer said the change "will again fill federal prisons with people convicted of low-level drug offenses serving excessive sentences . . . [and] exacerbate prison overcrowding, increase spending and jeopardize the safety of staff and prisoners." He expanded on this point during interviews with "CBS Evening News" and National Public Radio's "All Things Considered."

Within days of the policy announcement, The Sentencing Project staff helped organize and spoke at a rally at DOJ headquarters attended by news media and over 125 activists condemning the sentencing and charging changes. Staff also published three separate op-eds on the topic, including a joint commentary published in the *Washington Post* by Mauer and ACLU Legal Director, David Cole.

Prior to the announcement, The Sentencing Project had joined a coalition



Executive Director Marc Mauer speaking at a rally at U.S. Department of Justice headquarters protesting the Attorney General's shift in charging and sentencing policies.

letter of 54 legal, civil rights, criminal justice and faith-based organizations urging Sessions to maintain the Smart on Crime Initiative because of its contribution to reducing the federal prison population, and met with DOJ officials to discuss our concerns.

Despite the challenges, The Sentencing Project remains committed to advocating against a federal prison build-up and advancing a reform agenda with Congress. Moreover, we will continue to rely on facts and honest analysis to communicate the most humane and effective public safety approaches. |

ADVOCACY

Rev. Boyer: From student to criminal justice reformer

Legislation to authorize racial impact statements was passed with bipartisan support in the New Jersey legislature this year thanks in part to a robust advocacy campaign anchored by Reverend Charles Boyer, pastor of Bethel African Methodist Episcopal Church in Woodbury, N.J.

As a third generation A.M.E. minister, Rev. Boyer has spearheaded several successful initiatives within the church to prioritize challenging mass incarceration. He has worked with The Sentencing Project in several ways over the years, first as a seminary student and now as an active state advocacy partner.

While enrolled as a student at Payne Theological Seminary, Rev. Boyer took a course entitled “Race, Crime and Justice” taught by Executive Director Marc Mauer and Rev. Dr. Leah Gaskin Fitchue, then-President of the Seminary. The course offered a historical perspective on the growth of incarceration in the United States, including racial disparity.

Rev. Boyer and his classmates were also introduced to advocacy strategies, including racial impact statements, to reduce the scale of incarceration and

address racial injustice.

Racial impact statements are a tool for lawmakers to evaluate potential disparities of proposed legislation prior to adoption and implementation. Similar to fiscal impact statements, they assist legislators in detecting unforeseen policy ramifications.

Iowa was the first state to require racial impact statements in 2008, followed by Connecticut and Oregon. Minnesota lawmakers also consult racial impact statements generated by the state’s sentencing commission.

In 2015, Rev. Boyer convened several organizational partners including The Sentencing Project, Drug Policy Alliance of New Jersey, religious leaders and civil rights groups to form a racial impact statement coalition in New Jersey. Advocates engaged in legislative briefings, meetings with lawmakers, and educational campaigns to broaden coalition support.



Reverend Charles Boyer, pastor of Bethel African Methodist Episcopal Church in Woodbury, N.J., was instrumental in passing legislation for racial impact statements in New Jersey.

The coalition’s effort gained momentum last year following our report, [Color of Justice: Racial and Ethnic Disparity in State Prisons](#). We documented that New Jersey tops the nation in racial disparity in incarceration, with African Americans incarcerated at a rate 12 times that of whites. The report’s publication helped advance support for racial impact statement legislation and was referenced at the Senate hearing that

considered the proposal and in editorials and other commentary.

In the spring of 2017, Rev. Boyer and The Sentencing Project’s Nicole Porter, testified before the New Jersey legislature in support of the legislation. The bill garnered overwhelming bipartisan support from both the Assembly and Senate. Governor Chris Christie signaled support for the policy when he issued a conditional veto earlier this year, which will produce an amended version that is expected to receive legislative approval. |

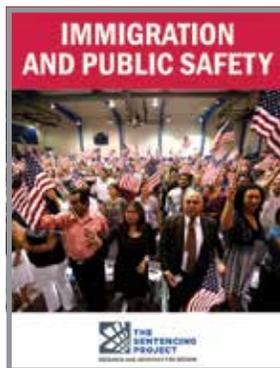
RESEARCH

Immigration and Public Safety

Contrary to the Trump Administration’s repeated efforts to link immigration enforcement with public safety, research conducted for over 100 years has clearly established that foreign-born residents of the United States commit substantially less crime than native-born citizens.

As documented in The Sentencing Project’s report [Immigration and Public Safety](#), recent studies also suggest that this is true regardless of immigration status. Moreover, immigrants improve public safety in the neighborhoods in which they live and may have contributed to the historic crime drop we have experienced over the past two decades.

Over the last 25 years the violent crime rate in the U.S. has been cut in half, to a level not seen since 1970. This decline came about during a period when the number of immigrants overall doubled, and the number of undocumented immigrants tripled. The trends are not unrelated. In fact, areas with large immigrant communities have shared or outperformed



national trends in improved public safety since the 1990s. Researchers have suggested that immigrants may be improving public safety in their communities by increasing levels of social cohesion, organization, and oversight.

Rejecting President Trump’s criticism of sanctuary cities, Boston Police Commissioner William Evans has stated, “We need to build trust with the immigrant community.” He added: “The last thing we want is for people to be afraid of us. . . . They won’t report crimes, or help us in their communities if they [are] afraid of us.” Police chiefs

in cities as different as Tulsa and Los Angeles have said they would rather work with immigrants instead of taking steps to deport them, including asking about citizenship status.

Our report, which was featured in *The New York Times*, *The Hill*, and *The Christian Science Monitor*, underscores that heightened immigration law enforcement cannot be justified as an effective public safety measure. |

ADVOCACY

Nebraska legislature fails to override veto of felony disenfranchisement reform

Florida Supreme Court approves language for constitutional amendment

During 2017, The Sentencing Project continued to work with organizers, policy advocates, and state lawmakers to address voting restrictions for individuals with felony convictions.

Nebraska

In Nebraska, legislation was introduced to restore voting rights to people with felony convictions as soon as they complete their prison, probation or parole sentence — eliminating the two-year waiting period required by law.

The Sentencing Project's Director of Advocacy Nicole Porter testified in support of the bill at the legislative hearing, and provided on-site technical assistance and research in support of state advocates.

Lawmakers voted overwhelmingly to immediately restore voting rights, but Nebraska Governor Pete Ricketts vetoed the bipartisan measure.

The Sentencing Project responded by

organizing a coalition letter signed by national and state groups and drafted multiple op-eds, amplifying media attention around the bill.

However, the Legislature fell short of the 30 votes needed to override the governor's veto. Advocates are already organizing to pursue legislation in 2019.

Florida

In Florida, the state Supreme Court unanimously approved language for a constitutional amendment, proposed by the Florida Rights Restoration Coalition, to restore voting rights to most individuals upon completion of their prison, probation or parole sentence.

The Sentencing Project has provided support to the Coalition over a number of years, including conducting data



Director of Advocacy, Nicole Porter, testified at the Nebraska legislative hearing.

analysis, producing op-ed commentary, and engaging in public education.

Florida leads the nation in its rate of disenfranchisement, with its 1.6 million disenfranchised citizens representing more than a quarter of the national total.

The Coalition is now in the process of gathering the 766,200 valid signatures required by February 1, 2018 to place the initiative on the 2018 ballot.

Civil rights commission

In May, Marc Mauer *testified* before the United States Commission on Civil Rights on the troubling impact of felony disenfranchisement policies. His testimony included an overview of estimates of disenfranchisement, racial effects, and the policy impact on democracy and reentry. |

POLICY

Momentum continues on 'Raise the Age' legislation

This year marked a milestone with the long-sought passage of "Raise the Age" legislation in New York State and North Carolina, the last two states to routinely charge 16-year olds as if they were adults.

By 2019, 16- and 17-year olds who run afoul of the law in those states will have their cases heard in juvenile courts, sharply decreasing collateral consequences resulting from adult arrest records and incarceration.

The experiences of states like Connecticut, Massachusetts, and Illinois — which have previously raised the age of their juvenile courts' jurisdictions — demonstrate that youthful offending continues to fall when youth are given age-appropriate consequences.

Moreover, a study from the Justice Policy Institute shows that the costs of implementation have typically been lower than policymakers anticipated.

The Sentencing Project has been actively involved in several Raise the Age advocacy efforts throughout the country. Juvenile Justice Advocacy Associate Josh Rovner provided data

analysis on the expected future impact of South Carolina's Raise the Age legislation. His analysis pushed back against state juvenile justice practitioners who believe Raise the Age is too costly, revealing how long term declines in juvenile arrests, referrals, detentions and commitments mean that additional facilities — a costly barrier to implementation — will be unnecessary.

None of the recent Raise the Age laws will be implemented immediately. Moreover, five other states still charge 17-year olds as if they were adults: Georgia, Michigan, Missouri, Texas, and Wisconsin. In addition, transfer mechanisms like direct file and automatic waivers send people under 18 to adult courts for some offenses, generally (but not always) the most serious.

While the successes of Raise the Age are worth celebrating, even more important are the overall declines in juvenile arrests and incarceration. Challenges remain to remove the many pathways that send youth into adult courts and to consider age-appropriate responses for older adolescents, as well. |

New publications from The Sentencing Project



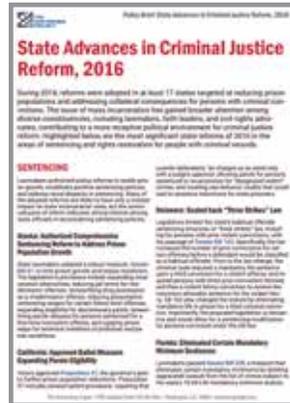
[Private Prisons in the United States](#)

This new fact sheet finds 28 states and the federal government used private prisons to incarcerate 126,272 people as of 2015 — an increase of 45% from a population of 87,369 in 2000. This figure represents 8% of the total U.S. prison population.

States show significant variation in their use of private prisons, ranging from New Mexico and Montana with over 40% of their prison population in private facilities to 19 states, including New York and Illinois, with no private prisons.

The federal prison system led the nation with the largest number of people — 34,934 — incarcerated in private prisons in 2015.

Attorney General Jeff Sessions' decision to renew the Department of Justice's commitment to private facilities is in line with his sentencing initiatives that are likely to reverse the population decline in federal prisons.



[State Advances in Criminal Justice Reform, 2016](#)

While the future of national criminal justice policy is uncertain under the Trump Administration, momentum for criminal justice reform continues at the state level.

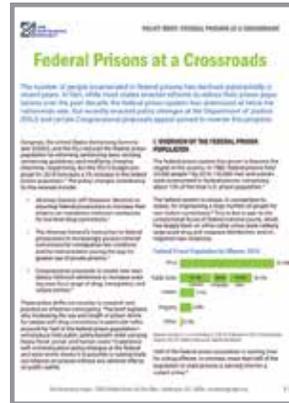
In 2016, lawmakers in at least 17 states adopted criminal justice reforms that could help reduce prison populations, address collateral consequences for persons with criminal convictions, and improve juvenile justice policy.

Highlights of the report include:

- scaling back mandatory sentencing policies,
- banning the use of juvenile life without parole, and
- reforming felony drug bans on access to food stamps.

[Incarceration Rates in an International Perspective](#)

Marc Mauer examines rates of incarceration as a measure of a nation's punitiveness, policies and practices that produced mass incarceration in the U.S., decarceration case histories in other nations, and determining the "right" level of



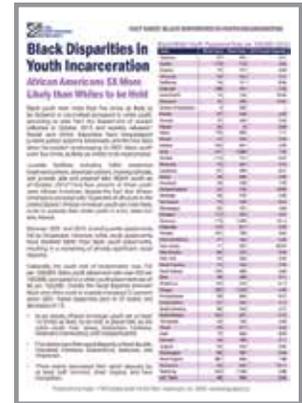
[Federal Prisons at a Crossroads](#)

Since reaching a peak in 2013, the federal prison population declined 13% by the close of 2016 — twice the national rate of decarceration.

But recent policy changes by Attorney General Jeff Sessions and certain Congressional proposals appear poised to reverse this progress.

The Department of Justice's budget proposal for 2018 forecasts a 2% increase in the federal prison population.

Federal courts frequently impose stiff mandatory sentences on individuals even though many people who receive federal drug sentences are in the lower levels of the drug trade, did not possess weapons, or had limited criminal histories.



[Black Disparities in Youth Incarceration](#)

Despite long-term declines in youth incarceration, the disparity at which black and white youth are held in juvenile facilities has grown.

As of 2015, African American youth were five times as likely as white youth to be detained or committed to youth facilities, as shown in our fact sheet.

In six states, African American youth are at least ten times as likely to be held in placement as are white youth: New Jersey, Wisconsin, Montana, Delaware, Connecticut and Massachusetts.

Since 2001, racial disparities have grown in 37 states, and at least doubled in five: Maryland, Montana, Connecticut, Delaware, and Wisconsin. |

The Sentencing Project in the news

The Washington Post

2/13/2017

Maryland should make parole a meaningful part of sentencing again

By Nazgol Ghandnoosh

The number of people held in Maryland prisons has dropped from a peak of 22,780 in 2007 to 20,408 in 2015 because legislators, judges and others in the system have opted for drug courts, treatment and other alternatives to imprisonment.

But of the 10 percent of Maryland's prison population serving a life sentence that allows for parole, not a single "lifer" was paroled between 1996 and 2014, and only a handful have had their sentences commuted.

People serving life sentences have been convicted of serious crimes. Their incarceration is intended to protect society and provide appropriate punishment.

But many were sentenced at a time when "life with the possibility of parole" meant consideration for release after a much more reasonable period of time than is the case today. Continuing to incarcerate those who have "aged out" of the high-crime years is ineffective and wastes funds that could be re-directed to other priorities.

It's time for Maryland to restore hope for deserving prisoners and fairness into the sentencing process.

1/24/2017

Omaha World-Herald

Midlands Voices: End the wait, return felons' voting rights

By Bri McLarty Huppert and Nicole D. Porter

Prior to 2005, Nebraskans convicted of a felony were barred from voting unless they received a full pardon. Under Legislative Bill 53, introduced that year by State Sen. DiAnna Schimek, the right to vote would have been automatically restored after the individual's sentence was completed. However, the bill came out of committee with an amendment, tacking on a two-year wait — a political compromise.

More than a decade later, it is time to re-evaluate the prudence of making returning

citizens wait an additional two years after completing their sentences before they are fully accepted back into our communities. In 2016, 7,069 Nebraskans, or 40 percent of those disenfranchised under current law, were individuals who had already completed their sentences.

These are our neighbors — they pay taxes, they work in our communities, they have paid their debt to society, yet they still have no voice in our democracy. LB 75, a bill introduced this month by State Sen. Justin Wayne, would change that. The measure would eliminate the two-year waiting period.



5/14/2017

Jeff Sessions Decision to Re-up in the Drug War Won't Work

By Kara Gotsch and Marc Maurer

A recent statement issued by the American Society of Criminology warned that the Trump Administration's crime policies "should be built on science, and elected officials at all levels of government have a responsibility to endorse public policies that are evidence-based and that promote fairness, equality, and justice."

Attorney General Sessions' new charging and sentencing policy does not adhere to this sound advice. Ultimately, the job of a prosecutor must be to seek justice and fairness, not to gain more convictions or secure long prison sentences.

As the opioid epidemic rages, lessons from the 1980s should not be forgotten. More prisons and prisoners will not end addiction or demand for drugs, but increased access to mental health services and medical care can have a substantial impact.

Mass incarceration and the War on Drugs is a failed experiment, a conclusion that is now shared by legislators and the public across the political spectrum. Rather than reverting to such discredited drug and sentencing policies, we would do better to embrace more effective and more compassionate approaches.

Public Education

The Sentencing Project has made presentations to more than 30 organizations and institutions in the past year, including:

- Administrative Office of the U.S. Courts
- American Probation and Parole Association
- American University
- College of New Jersey
- Columbia University
- Congressional Black Caucus
- Corrections Ministries and Chaplains Association
- Democracy Convention
- Eastern State Penitentiary
- Equitas Foundation
- Georgetown University
- Harvard Law School
- Iowa Justice Action Network
- Jessup Prison (MD)
- Law and Society Association
- National African American Drug Policy Coalition
- National Association of Criminal Defense Lawyers
- Penn State University Law School
- Princeton University
- University of Pennsylvania Law School
- U.S. Department of Housing and Urban Development



RESEARCH AND ADVOCACY FOR REFORM

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THE SENTENCING PROJECT

Established in 1986, The Sentencing Project works for a fair and effective U.S. criminal justice system by promoting reforms in sentencing policy, addressing unjust racial disparities and practices, and advocating for alternatives to incarceration.

To these ends, it seeks to recast the public debate on crime and punishment.

To receive news and updates electronically from The Sentencing Project, send an email to: staff@sentencingproject.org

The full text of publications, reports and speeches shown in bold italic type font in the newsletter can be found at www.sentencingproject.org.



5/9/2017

Life Without Redemption

By Ashley Nellis and Marc Mauer

Even for individuals convicted of murder, robbery and other violent offenses, life sentences produce diminishing returns for public safety.

A longstanding consensus among criminologists about involvement in crime is that most individuals age out of the propensity to break the law as they mature.

The 18-year-old who was a lookout on an armed robbery generally has become a low public safety risk by the age of 40. About that same time the costs of incarceration rise with the health care needs of an aging prison population, diverting resources from interventions that could be employed with teenagers entering their “crime-prone” years.

Supporters of life imprisonment will argue that the individuals serving such

terms have committed the most serious crimes, and therefore their punishment is appropriate.

But such a position confuses proportionality with harshness. That is, all sentencing systems call for escalating punishments based on the severity of the crime. Murder is punished more harshly than robbery, which is punished more harshly than car theft.

But this doesn’t mean that the punishment at the top of the scale needs to be so severe as lifelong imprisonment or the death penalty. All nations in Western Europe have abolished the death penalty, and sentences of more than 20 years are unusual.



6/15/2017

Private prisons don’t save money, don’t make us safer

By Nicole D. Porter

Many states have experienced prison population declines, providing an opportunity to reduce contract beds.

This year, Nevada lawmakers considered legislation to ban private prison contracts in addition to the decision by Texas officials to close three private prisons. And at the local level, the District of Columbia ended private management of one of its jails. These changes were made possible due to sustained advocacy concerned with prison privatization and decarceration initiatives.

However, Kentucky’s governor recently announced plans to contract with a private prison company due to prison overcrowding despite eliminating for-profit contracts four years ago.

Private prisons are not an effective option for lawmakers looking at prison management. For those motivated by reducing costs, reforming punitive sentencing policies to reduce prison populations would be far more effective.

Moreover, investing public safety dollars in programs that prevent crime, divert prison-bound defendants and provide re-entry services have been shown to be more effective at reducing recidivism. |