

# America Behind Bars

## Trends in Imprisonment, 1950 to 2000

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# Table of Contents

List of Tables and Figures	vii
Acknowledgements	ix
Preface	xi
CHAPTER 1: Mass Imprisonment	1
CHAPTER 2: Justice Systems and Punishment	21
CHAPTER 3: Theories of Formal Social Control	41
CHAPTER 4: Prior Imprisonment Research	65
CHAPTER 5: Economic, Social, and Political Trends	81
CHAPTER 6: Explaining Imprisonment Trends	119
CHAPTER 7: The Future of Mass Imprisonment	161
Endnotes	179
References	183
Index	201

# Mass Imprisonment

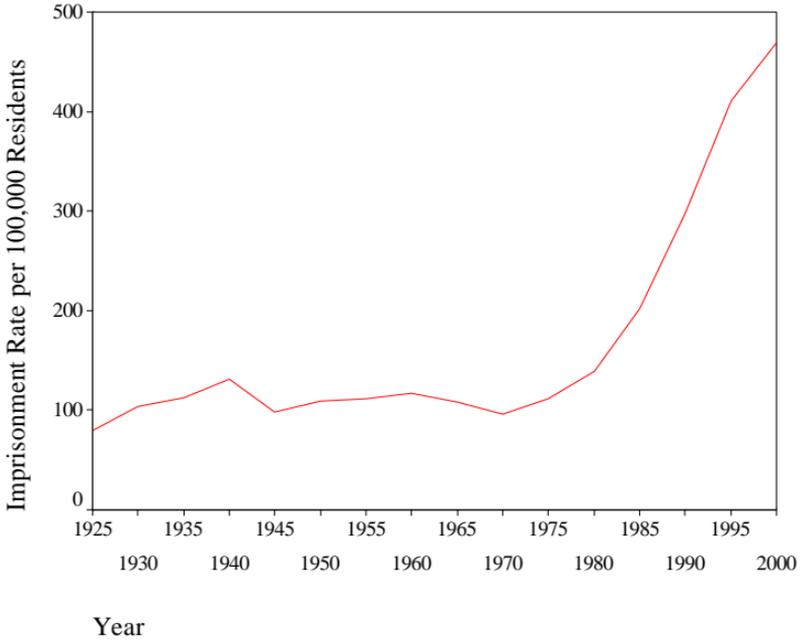
At yearend 2002, there were 2.1 million inmates residing within American jails and prisons (Harrison and Beck, 2003), in addition to a further 4.7 million individuals under some form of community control—either on probation or parole (Glaze, 2003). For every 100,000 residents in the population, 700 inhabited beds in increasingly overcrowded jails or prisons. The scale of imprisonment is unparalleled in the history of democratic nations. In fact, European nations typically imprison less than 150 inmates per 100,000 residents in the population (Walmsley, 2003). As Bonczar (2003:1) observes, “If imprisonment rates remain unchanged, 6.6 percent of persons born in 2001 will go to prison at some point in their lifetime.” David Garland (2001) described these conditions as mass imprisonment—an experiment in social control with substantial economic, social, and individual costs that are seldom considered.

America’s use of high rates of imprisonment is a relatively recent phenomenon. Between 1920 and 1970, independent of economic conditions, wars or changing crime rates, the United States used a relatively stable amount of punishment (Blumstein, 2003; Blumstein and Cohen, 1973; Blumstein, Cohen, and Nagin, 1977; Blumstein and Moitra, 1979). During this era, the imprisonment rate ranged from 100 to 150 persons per 100,000 residents in the population (Caplow and Simon, 1999). In fact, it was proposed that correctional populations were so stable that they were self-regulating (Blumstein and Cohen 1973; Blumstein and Moitra, 1979) and incarceration rates of approximately 125 persons per 100,000 residents in the population were considered the optimum use of imprisonment (Blumstein, et al. 1977). In fact, this more or less constant use of punishment was one of the few stable features of American criminal justice systems. Both the police and courts—the other two elements of criminal justice

systems—underwent a host of challenges and reforms that changed the nature of both policing and the rights that offenders had before the courts.<sup>1</sup>

During the mid-1970s, however, the use of incarceration started to increase, as outlined in Figure 1-1. This growth in correctional populations has continued unabated—at yearend 2002, for example, the nation’s prison population had increased 2.6 percent from the previous year (Harrison and Beck, 2003). Penologists have come up with a number of explanations for these changes in the use of imprisonment (Austin, 2001; Miller, 1996; Tonry, 1999; Zimring, Hawkins, and Kamin, 2001). Most troubling, however, is that the economic and social conditions from the mid-1970s until the present closely paralleled those of the era from the 1920s to the 1970s—America experienced economic booms and busts, social and political upheaval, as well as cultural changes and wars. Moreover, crime rates also oscillated throughout this era, with rates of violence peaking between 1991 and 1992, and then dropping substantially. By yearend 2002—the height of the imprisonment boom—rates of violent crime reached their lowest point since the 1950s (Rennison and Rand, 2003).

Understanding the factors that contributed to the use of imprisonment appears relatively simple—we punished more offenders, and we punished them more severely. Yet, we have very little understanding about the underlying factors that contributed to the increased use of punishment. As we enter the 21<sup>st</sup> century understanding the motives that influence the use of punishment deserves special attention due to the rising financial and social costs of punitive law and order policies. Imprisoning over two million offenders has tremendous costs that extend far beyond the annual outlay for a correctional bed. And if the “brakes” are not applied on our punitive social control policies, what are the upper limits of punishment? Alfred Blumstein and his colleagues in the 1970s speculated that incarcerating 125 inmates per 100,000 residents in the population represented the optimum use of prison—and if we are imprisoning more than 700 offenders today—then we must ask, “How much is enough punishment?”



**Figure 1-1.** Imprisonment rate (includes federal and state inmates). Source: Maguire and Pastore, 2003

There is an intuitive conceptual appeal to the notion that crime and imprisonment are directly and positively related: as crime increases, so should the imprisonment rate (Gottfredson and Hindelang, 1979; McGarrell, 1993). A review of crime statistics and incarceration trends, however, does not support this hypothesis. Savelsberg (1994: 919) noted that:

The steepest and steadiest increase in incarceration rates began in 1980, when the crime rate had already been leveling out during the preceding four years...the incarceration rate increased by more than 50 inmates per 100,000 population between 1980 and 1984 without any change in the crime rate.

Some of the expanded use of punishment is a consequence of increases in the rates of violent crime from the late 1970s until the early 1990s. Yet, it is difficult to explain the totality of increases in the use of imprisonment based only on changes in the numbers of violent crimes. While violent crime doubled, the use of incarceration quadrupled.

A number of empirical studies have confirmed the observation that violent crime explains only a modest proportion of changes in imprisonment rates (Inverarity and Grattet, 1989; Inverarity and McCarthy, 1988; Jankovic, 1977; Lessan, 1991, Michalowski and Carlson, 1999; Myers and Sabol, 1987) and property crime explains almost none of the increased use of imprisonment (Cappell and Sykes, 1991; D'Alessio and Stolzenberg, 1995; Jacobs and Helms, 1996). Moreover, trends in rates of crime based on reports to the police (Federal Bureau of Investigation, 2003) and victimization surveys (Rennison and Rand, 2003) document how overall crime has generally decreased to the lowest levels since the National Crime Survey was initiated in 1973. Increasing use of imprisonment at the same time as decreasing crime rates presents a significant public policy dilemma (Bauman, 2000; Beckett, 1997; Beckett and Sasson, 2000; Blumstein 1998; Irwin, 1996; Lynch and Sabol, 2000; Nagin, 1998; Zimring and Hawkins, 1991).

Despite these empirical contributions to the literature, however, there is little scholarly agreement about the underlying factors that contributed to the expansion in the use of imprisonment in America. For over six decades it had been proposed that increases in unemployment rates would lead to higher imprisonment rates (Rusche, 1933; Rusche and Kirchheimer, 1939). Scholars also examined the relationships between other economic or demographic conditions and imprisonment (Inverarity and Grattet, 1989; Lessan, 1991; Taggart and Winn, 1993). Yet, these studies seemed to miss the underlying sources of punitive social policies. As Garland (1990) observes, punishment is a complex social phenomenon, not easily explained by single causes. Consequently, a number of punishment scholars have argued that we need to focus on an array of cultural, political, and social factors in the study of imprisonment (Garland, 1990; Jacobs and Helms, 1996).

Better understanding the motivations or sources behind the use of punishment is important for a number of reasons. From a strictly economic perspective, imprisonment is a costly intervention to criminal behavior. For the cost of maintaining a single prison bed, for instance, many offenders can be supervised closely in the community. If public safety is not compromised by an expansion of the use of probation or parole, then it seems to be a responsible alternative (Clear and Cadora, 2003). Yet, politicians are unwilling to be considered "soft on crime" so few openly advocate reductions in prison spending (Tonry, 1999a).

During the current era of economic stress, however, many states are revisiting their use of imprisonment (Wool and Stemens, 2004).

From a social justice perspective the foundation of American criminal justice systems is built upon the principle of equality before the law. If extra-legal variables—factors that are not related to an actual offense or an offender’s criminal history—such as racial composition or economic conditions influence the use of imprisonment, then our responses to crime are cast into disrepute. Many suggest, for instance, that our “wars” on crime and drugs have contributed to a cynicism about criminal justice systems—especially amongst minority populations (Mauer, 1999; Miller, 1996). Moreover, as Tyler (1990) observes, reductions in the perceptions of a fair and unbiased justice system are essential if we expect citizens to uphold the law.

Lastly, we must also consider the harms that imprisonment has on individuals, families, and communities. Imprisoning an offender eliminates their ability to commit crimes in the community. But, imprisonment is a temporary remedy—even with increases in sentence severity, most inmates serve less than three years (Harrison and Beck, 2003). Consequently, we return over 600,000 offenders to the streets each year (Travis and Lawrence, 2002). For many of these offenders, their imprisonment has created a barrier to future employment as well as legitimate opportunities (Irwin and Austin, 2001; Chambliss, 1999). Released with few funds to enable their reintegration back into the community, nor marketable skills, many offenders re-offend, or are returned to prison for technical violations of their parole within the first year after their discharge from prison (Langan and Levin, 2002).

## **PRISON NATION**

Mass imprisonment is a uniquely American response to crime amongst developed, first-world nations (Blumstein, 1998; Irwin, 1996; Tonry, 1999b). Only Russia and South Africa have similarly high rates of incarceration (Walmsley, 2003) and these developing nations experienced significant transformations in their political, legal, social, and economic systems (Savelsberg, 1994). In fact, recent empirical studies have demonstrated that state formation is a source of imprisonment. Fragile or emerging governments are more likely to use imprisonment than their more established counterparts (Ruddell, 2005). Inconsistent with the experiences of other nations, however, the United

States expanded correctional populations during eras of economic growth and prosperity (Tonry and Petersilia, 1999).

Table 1-1 reveals the variance in imprisonment between the G8 nations. In a recent British Home Office study of cross-national imprisonment, Walmsley (2003) found that the average imprisonment rate in some 200 independent countries and dependent territories ranged from 25 to 700 residents in the population. Within a 140 nation sample of these nations, there was an average of 160 inmates for every 100,000 residents in the population (Ruddell and Urbina, 2004). Considering that rates of crime in developed nations are generally quite similar (see Barclay, Tavares, and Siddique, 2001), then other factors must influence the use of incarceration.

**Table 1-1.** Imprisonment rates per 100,000 residents in the population in G8 nations

<b>Nation</b>	<b>Imprisonment Rate</b>
Canada	102
France	85
Germany	96
Italy	95
Japan	48
Russia	638
United Kingdom	139
United States	700

Source: Walmsley, 2003

There is some variation in the prison population dynamics within the G8 nations listed below. While American rates of imprisonment are still increasing, most of the G8 counterparts are experiencing more stability in the use of punishment, and Russia, as well as many of the former Soviet satellite nations, are actually decreasing their reliance upon punishment. Struggling with democracy and conditions of economic stress, they are choosing to punish less. In fact, Ruddell and Urbina (2004) found that levels of development in a sample of 140 nations did influence the use of punishment: net of other factors, richer nations tend to punish more than their less developed counterparts. As one of the richest nations in the world, the United States also leads the world in the use of punishment.

In addition to being a world leader in the use of imprisonment, the United States is one of the few remaining first world nations that still

impose the death penalty on offenders. While many developing nations rely upon justice through corporal or capital punishments (see Killias, 1986; Neapolitan, 2001), most developed nations have abolished capital punishment (Amnesty International, 2003). In fact, the European Economic Community has made the abolition of the death penalty a condition of membership. By contrast, there were 3,557 inmates on death rows within the United States at yearend 2001 (Bonczar and Snell, 2003). Urbina (2003) found that the persons we sentence to death are typically the same as those imprisoned, members of minority groups who happen to be poor.

Ruddell (2005) found that nations with high imprisonment rates were also likely to retain use of the death penalty. Thus, it is possible that some nations are more punitive than their counterparts who share similar legal systems, economic and social conditions—as well as similar crime rates. Similar results have been found in intra-national studies (see Davey, 1998). By better understanding the reasons for the variation in the use of imprisonment, we may be better able to control its use. One important reason for controlling the use of punishment are the costs involved, both the obvious economic costs of incarcerating over two million offenders, but also the long-term hidden and opportunity costs.

Bauer and Owens (2004) found that American taxpayers paid approximately 57 billion dollars to imprison offenders in 2001. In addition to the obvious or direct costs of mass imprisonment policies, there are a host of hidden costs that are seldom considered. Many scholars have speculated that America's experiment with mass imprisonment will result in long-term harms: straining race relations, damaging individuals, families, and communities, as well as reducing the legitimacy of criminal justice systems—which may in turn contribute to increased crime rates—the very problem that we are trying to solve. The following pages outline three hidden costs of mass imprisonment practices, and suggest that these conditions might actually contribute to increased long-term crime rates.

## **DISPROPORTIONATE MINORITY IMPRISONMENT**

Christie (1994) observed that imprisonment has been used primarily to control the poor—regardless of which nation's penal policies are examined. Moreover, prison inmates tend overwhelmingly to be young males (Harrison and Beck, 2003). Current prison statistics also reveal

that minority populations are more likely to be imprisoned, contrasted against members of the mainstream culture. Previous studies have established that members of minority groups are disproportionately policed (Kane, 2003; Liska and Chamlin, 1984), arrested (Holmes, 2000; Liska and Chamlin, 1984; Walker, Spohn, and DeLone, 2003), incarcerated (Chiricos and Crawford, 1995; Mauer, 1999; Miller, 1996; Tonry, 1995), and are subjected to more severe punishment (Steffensmeier and Demuth, 2000; Walker et al., 2003; Urbina, 2003).

Within the United States, rates of imprisonment have disproportionately been distributed amongst minority groups. Harrison and Beck (2003) reported that rates of Black male imprisonment, for instance, are almost eight times higher than their White counterparts—while Latino men are imprisoned at a rate nearly 2.6 times the rate of White males. Black women fared somewhat better than Black males—the rate of Black female imprisonment was approximately 5.5 times the White female imprisonment rate, while the Latina imprisonment rate was about 2.3 times their White female counterparts (Harrison and Beck, 2003). Table 1-2 reveals the distribution of imprisonment by race for federal and state prison inmates in 2002.

**Table 1-2.** Imprisonment rate of federal or state prisoners by race per 100,000 residents of each group

<b>Gender and Race</b>	<b>Imprisonment Rate</b>
Males – Total	912
White	450
Black	3437
Latino	1176
Females – Total	61
White	35
Black	191
Latina	80

Source: Harrison and Beck, 2003

Bonczar (2003:1) estimates that about “one in three Black males, one in six Latino males, and one in 17 White males will go to prison in their lifetimes if current incarceration rates remain unchanged.” Such statistics may reflect the fact that American policing has focused its enforcement efforts on inner-city areas, and has not addressed occupational, or “white collar” crimes (see Reiman, 2004). Yet, it has

also been suggested that the types of offenses that are being enforced may contribute to high imprisonment rates of minority populations (Mauer, 1999; Miller, 1996; Tonry, 1995).

Pettit and Western (2004) observe that poor and working class minority members are more likely to be incarcerated than their middle class counterparts. Examining the lifetime chance of imprisonment, Pettit and Western (2004: 29) found that, "imprisonment has become a common life event for recent birth cohorts of Black non-college men." Their analyses suggest that prison has become a typical rite of passage for poor Black males. Considering that it is more costly to imprison an offender than to provide them with a college education, many suggest that our high imprisonment practices are both short-sighted and destructive (Irwin and Austin, 2001; Chambliss, 1999).

Scholars who have closely examined the issue of race and imprisonment argue that disproportionate minority confinement was a predictable consequence of the war on drugs waged primarily upon inner-city populations (Mauer, 1999; Miller, 1996; Tonry, 1995). Yet, we understand little about the underlying motives that made us declare wars on crime and drugs. More importantly, having recognized the destructive elements of our drug policy for over a decade, we allow the punishment to continue unabated. The following paragraphs outline how punitive crime control policies create additional hidden costs to individuals, families and communities.

## **INDIVIDUAL, FAMILY AND COMMUNITY DISRUPTION**

It has been argued that high imprisonment policies may contribute to crime over the long-term by corroding the social fabric of communities (Chaiken, 2000) and exacerbating social disorganization (Rose and Clear, 1998). The consequences of high imprisonment practices have the largest effect on the individual imprisoned, but these effects ripple through families and communities as well. Typically, however, we do not factor these unanticipated costs when calculating the true costs of high imprisonment policies (Piehl, 2004).

Those imprisoned, especially during times of high unemployment, may be effectively removed from legitimate labor market opportunities. Released prisoners, for instance, are often unable to obtain meaningful employment, as reductions in social capital (the relationships and trust we build through positive social networks) restrict the individual's ability to re-enter the legitimate labor market (Coleman, 1990;

Freeman, 1991; Grogger, 1994). Even though ex-prisoners are typically optimistic about their chances of legitimate employment prior to their release from prison, their previous convictions, drug use, and imprisonment make it difficult for them to successfully reintegrate into society (Urban Institute, 2004).

One factor that has made it more difficult for these ex-offenders to successfully restore their lives is that they are increasingly vulnerable to a host of punitive community sanctions (Sentencing Project, 1998). Many jurisdictions, for instance, make it more difficult for ex-convicts to reintegrate into the community by placing restrictions on employment, making them ineligible for public housing, placing restrictions on educational funding, as well as enforcing lifetime bans on receiving welfare benefits for some drug offenders (Mauer and Chesney-Lind, 2002). These sanctions have been labeled invisible or collateral consequences. While these strategies are intended to deter potential criminals, they effectively restrict the ability of some ex-offenders—particularly women with children—from pursuing legitimate opportunities (Mauer and Chesney-Lind, 2002; National Center for Institutions and Alternatives, 2000). A recent analysis of collateral consequences has found, however, that these punishments have changed over time—placing less emphasis on political sanctions (such as voting, or participation on a jury) to policies intended to enhance public safety—such as sex offender registries (see Buckler and Travis, 2003).

Serving a term of imprisonment also disrupts family relationships. A number of scholars have argued that mass imprisonment practices that have targeted minority populations have had a number of negative impacts upon families (Meares, 2004). Miller (2003) observes that since half the men incarcerated are fathers, their children receive less male closeness, involvement or contact. Loss of contact and closeness also effect the stability of marital relationships, and long-term incarceration may contribute to higher rates of separation and divorce. Higher rates of divorce, in turn, contribute to social disorganization within communities, and may also lead to increased crime (Bursik and Grasmik, 1993).

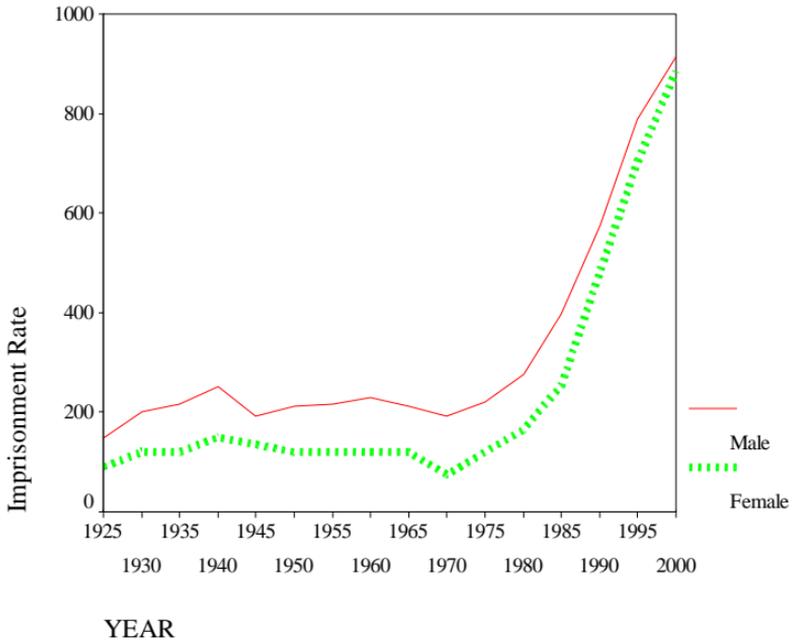
Lengthy periods of imprisonment often place considerable financial stress on the families of those incarcerated. Eliminating one wage from the family's income as well as the cost of maintaining contact with the incarcerated spouse create economic obstacles, especially considering the relative disadvantage of many of these

families in the first place. In a survey of 75 women visiting spouses or significant others in a California prison, Grinstead, Faigeles, Bancroft, and Zack (2003: 292) report that the average woman spent \$292.00 per month to maintain contact. These expenditures included the travel costs for visits, mailing packages, and telephone calls. These resources are being diverted from the family and the community. Yet, a number of studies have demonstrated that family visits actually increase successful community reintegration, and reduce recidivism (see Hairston, 1991). Clearly, we have very little understanding about the long-term costs of mass imprisonment policies on communities (see Lynch and Sabol, 2004).

Miller (2003) also identifies the difficulties in raising children without the other parent present. Loss of the male role model may, for instance, contribute to higher rates of acting-out behaviors in children (Gabel, 2003). Braman (2002) observes that loss of parental role modeling due to imprisonment might also have a long-term intergenerational effect on families, and weaken communities as well. Women are also included in the imprisonment binge. Figure 1-2 demonstrates the changes in male and female imprisonment from 1925 to 2000—while male imprisonment underwent a six-fold increase, female incarceration by 2000 reveals a ten-fold increase.

To illustrate the scope of the problem, Chesney-Lind (2002:81) observed that the numbers of females imprisoned within the United States is approximately ten times that of all of the Western European nations combined—a group of nations that has approximately the same population as America.

Consequently, prison systems have had to respond to incarcerating larger numbers of female inmates, who are primarily non-violent offenders. The family-connection difficulties reported above for imprisoned males are increased when mothers are taken away from their children. Moreover, since there are comparatively fewer women's prisons (in smaller states there may only be one women's prison) females are often imprisoned far away from their families, increasing the economic costs of visits, and reducing their frequency. Again, fewer visits further reduces family integration, an important consideration when approximately three-quarters of the women imprisoned are mothers (Richie, 2002).



**Figure 1-2.** Imprisonment rates for males and females (female imprisonment multiplied by 15 to better demonstrate the trend). Source: Maguire and Pastore, 2003

If imprisonment has damaging economic and social effects on individuals and families, a number of scholars have also suggested that mass imprisonment also influences community dynamics. While there is an attractive appeal to the notion that decreases in the number of offenders within the community will enhance social organization and decrease crime rates, a number of scholars disagree. Clear (2002) and Rose and Clear (1998) argue that communities effected by high imprisonment practices actually suffer from reduced informal social control. Informal social control represents the efforts of families, neighbors, or community members to control unacceptable behavior through persuasion, encouragement, or other means—without resorting to use of the police or other authorities. Clear (2002: 193) observes that, “high levels of incarceration concentrated in impoverished communities has a destabilizing effect on community life, so that the most basic underpinnings of informal social control are damaged.”

When families are disrupted and unstable, it becomes harder for individuals to maintain informal social control. Sampson, Raudenbush, and Earls (1997) labeled these informal methods of social control as collective efficacy, and found that neighborhoods with lower levels of collective efficacy had higher crime rates.

## **PUNISHMENT AND LEGITIMACY OF CRIMINAL JUSTICE SYSTEMS**

High imprisonment policies may also exacerbate mistrust in criminal justice systems, and reduce their legitimacy amongst the minority social groups most affected by these crime-control practices (Butler, 1995; Tyler, 1990). Members of minority groups believe that the war on crime and drugs has been deliberately used to control them—many scholars agree. Tyler and Huo (2002:1) observe that,

Public opinion polls suggest that Americans' trust in the police and the courts is low. These same polls also reveal a disturbing racial divide, with minorities expressing greater levels of distrust than whites. Practices such as racial profiling, zero-tolerance policing, the use of excessive force, and harsh punishment for minor drug crimes all contribute to low trust and confidence in the police and courts—i.e. to a crisis of legitimacy.

Sherman's (2002) observations about trust in criminal justice systems reveal a similar racial divide between perceptions of White and non-White respondents. In 2003, for instance, Gallup Polls revealed that 24 percent of Whites reported very little or no confidence in the criminal justice system, while 42 percent of Blacks had the same response. (Maguire and Pastore, 2003). More important, perhaps, is the finding that five percent of Blacks expressed no confidence in criminal justice system, contrasted to only one percent of White respondents (Maguire and Pastore, 2003).

Clear (2002) has observed that an "us versus them" approach to justice has developed in many inner-city neighborhoods. This observation is evident in the percentages of persons who report having low or no confidence in the honesty of ethical standards of police—while five percent of White respondents expressed this belief, 19 percent of their Black counterparts had the same feelings (Maguire and

Pastore, 2003). Sampson and Bartusch (1999) suggest that high levels of “legal cynicism” will in turn result in less law abiding behavior.

Butler (1995) sees this mistrust of criminal justice systems as a factor that is contributing to the increased incidence of jury nullification. Jury nullification occurs when a defendant is clearly guilty, but the jury refuses to convict them—usually because they perceive the law or the administration of justice as unjust (Conrad, 1998). There is some anecdotal evidence to suggest that some Black jury members are very reluctant to send another Black youth or adult to prison, especially for non-violent offenses. Consequently, our policies of mass imprisonment may reduce the perceived legitimacy of the law, and increases in “legal cynicism”.

Altogether there are a number of hidden costs of mass imprisonment that directly influence the social and economic viability of individuals, families and communities. These costs might exacerbate problems with family relationships, and result in higher rates of divorce. Higher rates of divorce and economic stress may in turn contribute to neighborhood decline—especially since many of those imprisoned are from poor minority neighborhoods. Finally, these conditions may reduce collective efficacy, or increase social disorganization—which may also result in increased crime rates in these communities. If assessments of these community-level dynamics are correct, our mass imprisonment policies may create a continuing vicious cycle of future offenses and the continued need for punishment.

## **OPPORTUNITY COSTS OF MASS IMPRISONMENT POLICIES**

Crime control policies based on mass imprisonment are an outcome of policy priorities set by legislators (Feeley and Simon, 1992; Ruggerio, South, and Taylor, 1998; Simon and Feeley, 1995; Tonry, 1999a). But there are costs and benefits to each set of public policies. Several scholars have, for instance, observed that high imprisonment policies contributed to the crime drop in America (Dilulio, 2000). Yet, there are also unanticipated or unforeseen costs with any social policy. What if, for example, high imprisonment policies actually contribute to long-term increases in crime?

Mass imprisonment policies already have had serious economic consequences that threaten America’s long-term social well-being (Christie, 1994; Hagan and Dinovitzer, 1999). First, imprisonment is a costly crime-control measure where the costs extend far beyond the

average \$21,400 to keep an offender in prison in 2000 (Camp and Camp, 2002). Unprecedented growth of correctional budgets has forced legislators to reduce investments in health, education or welfare programs (Irwin and Austin, 2001; Irwin, Schiraldi, and Ziedenberg, 2000). In Maryland, for example, there are more persons in correctional facilities than in state colleges (Schiraldi, 1998) and in California from 1984 to 1994 the prison system received a 209 percent increase in funding while state universities received 15 percent during the same era (Macallair, Taqi-Eddin, and Schiraldi, 1998).

In terms of national expenditures, from 1977 to 2001 spending on state and local corrections increased 1101 percent (Bauer and Owens, 2004). Bauer and Owens (2004:4) found that during the same era, government services increased by the following: hospitals and health care, 482 percent; education, 448 percent; interest on the debt, 543 percent; and public welfare, 617 percent. If the true sources of crime are related to family dysfunction, substance abuse, substandard education, and families who are economically deprived, is the money being spent on corrections a good investment?

Economists and public policy analysts often consider the opportunity cost of government action where alternatives to government interventions are weighed (Hagan and Dinovitzer, 1999). Opportunity costs are seldom, however, considered in the political debate over the use of imprisonment (Irwin and Austin, 2001). By investing in the expansion of incarceration, we have fewer dollars to spend on the conditions that contribute to community disorder and crime. Investments in inner cities, social programs, or vocational training, for example, may ameliorate the need for incarceration (Hagan and Dinovitzer, 1999).

By reducing rates of imprisonment by half, almost 28.5 billion dollars a year could be diverted to enhance social programs targeting the communities with the greatest disorder and highest crime rates. Even after reducing correctional populations by one-half, however, the United States would still be a world leader in the use of imprisonment. Americans might choose to invest in mass imprisonment policies, but the true costs of these programs—the hidden costs, as well as the opportunity costs—clearly need to be known to all (see also Miller, 1996).

## **UNDERSTANDING IMPRISONMENT TRENDS**

Tonry (1995) argues that legislation and policies that lead to high rates of American incarceration are not accidental: they are deliberate policy choices, and have predictable outcomes. Developing mass imprisonment policies is a consequence of relying upon criminal justice solutions to tackle long-term social problems such as the decay of inner cities, homelessness, mental illness, substance abuse and unemployment (Dyer, 2000; Reiman, 2004). Many argue that criminal justice systems are ill-suited to confront such problems (Irwin and Austin, 2001, Beckett, 1997; Mauer, 1999; Miller, 1996) and that we might expect long-term harmful effects from these interventions (Beckett, 1997; Chambliss, 1999; Rose and Clear, 1998). Imprisonment is a costly method of crime control, and the expansion of correctional programs has come at the expense of health, education and welfare programs that are better able to respond to long-term social problems in a less damaging manner than criminal justice systems (Hagan and Dinovitzer, 1999). As a result, the short-term costs of imprisoning over two million offenders in the United States may be inconsequential compared to the long-term opportunity costs when we consider the damaging effects of imprisonment on individuals, families and communities.

Despite the acknowledgement of the high costs of mass imprisonment policies, we understand very little about the political, social, economic, and cultural factors that contribute to the use of imprisonment. Two decades of empirical tests, as well as a growing body of scholarly argument suggests that decisions about the use of punishment are inherently political (Garland, 2001; Tonry, 1995). Yet, we have seldom considered political factors in the study of imprisonment. This study responds to several gaps in the empirical literature to create alternative ways of examining the underlying causes of mass imprisonment policies from 1952 to 2000.

A number of theories have been used to better understand the use of punishment, including incarceration. Most of these approaches, however, relate the use of imprisonment to a single social factor. In most cases, these theories examine the relationships between extra-legal factors and the use of incarceration. These extra-legal factors include changes in the racial composition of America, or economic conditions such as the relationship between increasing unemployment and the use of imprisonment. This study introduces a number of

sophisticated variables that are indicators of macro economic, political, cultural, and social changes to the study of imprisonment. The effects of these variables of interest are examined on three different dependent variables. Including a larger number of dependent variables than normally examined is important to determine whether the effects of these explanatory variables are consistent across all of these indicators of imprisonment.

## **SOCIAL CONTEXT OF THE IMPRISONMENT BINGE**

The increased use of imprisonment starting in the mid-1970s has to be understood within changing social conditions that shook the foundation of long-standing social relationships. Since the 1950s America has experienced a series of cultural, social, political, and economic changes that have challenged the *status quo*. Specific changes included the influence of the civil rights movement, an unpopular war in Vietnam, changes in the political roles of 18 to 20 year-olds, women and minority groups, as well as increasing divorce rates (Gitlin, 1987; Levy, 1998; Steigerwald, 1995). In addition, people became less socially connected and this caused reductions in informal social control. Lastly, advancements in technology made the pace of these changes unparalleled (Toffler, 1970).

Concurrent with these social and cultural changes, the public became increasingly disenchanted with their political representation after the Watergate scandal (Steigerwahl, 1995) and the number of political protests increased throughout this era (Myers, 1997; Olzak, Shanahan, and McEneaney, 1996). Collectively, these events reduced public trust in political institutions and respondents in national surveys expressed pessimism about their future prospects (Putnam, 2000). Despite the fact that several million 18 to 20 year-olds were added to the voting rolls, eligible voter turnout decreased, signifying a reduction in formal political participation.

Throughout this era, respondents to a number of national surveys reported increasing alienation and distrust of governments. For instance, in 1958 forty-three percent of respondents in the National Elections Study (NES) survey reported that “a lot” of the people in government waste tax money. By 1998, however, this figure had increased to 61 percent. When the NES survey questioned whether governments were run for the benefit of all in 1964, 29 percent of respondents reported that government was run for the benefit of “a few

big interests.” By 1994, however, 76 percent of respondents reported that government was run for the benefit of these big interests. These sentiments of alienation and mistrust are not isolated, and self-report items in the NES, Gallup, General Social Survey (GSS), and Harris Polls have consistently established that alienation and disaffection increased between 1952 and 2000. Perhaps the highest rate of self-reported alienation and disaffection occurred during 1974—the height of the Watergate scandal, an energy crisis, the unsuccessful resolution of the Vietnam War, and increasing economic turmoil.

The 1970s were also characterized with increasing economic stress in the forms of inflation, rising consumer and corporate bankruptcies, increasing labor problems, unstable levels of employment, and the transformation from an industrial to a service economy. In the span of a few years Gallup Poll respondents identified the most important problem facing America as domestic issues, in sharp contrast to the focus on foreign policy that had dominated American interest since World War 2 (Putnam, 2000).

There is some suggestion in the political science literature that disaffection is not a distinctly American phenomenon. Public confidence in leaders and governments has decreased throughout North America, Europe, and Asia for the past three decades (Pharr and Putnam, 1999). A number of factors have been hypothesized as relating to the increase in disaffection including: greater demands for equality and participation in political processes, the collapse of traditional values, increased social mobility, the effects of regionalism, the end of the post World War 2 economic boom, the decline of political parties, and race and ethnicity as sources of disaffection (Pharr and Putnam, 1999).

While the increases in political disaffection were not isolated to America, there are distinctly American processes that may have contributed to the use of imprisonment to respond to political disaffection, civic disengagement and social disruption. First, European criminologists have long observed that American political processes are different than their European counterparts (Melossi, 1993; Savelsberg, 1994; Windlesham, 1998). European democracies have long-established bureaucratic traditions that can mitigate the influence of public opinion on changes in public policy—including the influences of punitive cultural values (Jacobs and Kleban, 2003).

Second, American politicians have been more willing (at least historically) to use the issue of crime as a politically popular election

platform. Within any public policy debate there is some question whether politicians lead or follow public opinion (Baumgartner and Jones, 1993; Jones, 1994). In the case of punishment and crime control, a number of scholars argue that American politicians have created a public demand for punishment (Beckett, 1997; Beckett and Sasson, 2000; Tonry, 1999a, 1999b). This position rejects the democracy in action hypothesis where public interest drives political action (Beckett and Sasson, 2000).

Increasing domestic political uncertainty required some type of government response to increase the legitimacy of political institutions (LaFree, 1998) and it has been argued that formal social control has expanded in order to bolster the state's legitimacy (Beckett, 1997; Chambliss, 1999; LaFree, 1998; Melossi, 1993; Tonry, 1999a).<sup>2</sup> In addition, the combined effects of political protests, changing of economic, social and political relationships and crime may have created a political environment where it was necessary to "hold the center" (Levy, 1998). As Gitlin (1987:5) observes,

Affluence, civil rights, the Cold War, Vietnam; Kennedy, Johnson, Nixon; the assassinations of Kennedy, Malcolm X, King, and another Kennedy; worldwide upheavals seeming to promise the founding of a new age in the ashes of the old. From social tensions came a tumult of movements aiming to remake virtually every social arrangement America had settled into after World War 2.

In an attempt to maintain American class relationships and political legitimacy, formal social control was used to regulate these increasingly insubordinate populations. The end result of these policies was a five-fold increase in the use of imprisonment (Caplow and Simon, 1999).

Parenti (2000) traced the relationship between increasing political uncertainty and the use of formal social control within the United States. Parenti (2000:3) argues that politicians used the issues of crime to demonstrate social policy success during a time when many thought that very few things were going right within the nation:

How bleak the world must have been for those with political and economic power during the late sixties and early seventies. Order seemed to be unraveling: massive anti-war protests on the Mall; a war effort bogged down and

hemorrhaging in the mud of Southeast Asia; economic stagnation and declining profit rates; and, in the cities, skyrocketing crime coupled with some of the most violent riots since the Civil War.

One solution to this social and political unrest was to use criminal justice systems to respond to these unruly or insubordinate populations. Crime, historically a local-level problem, became the concern of state and federal politicians (Tonry, 1999a). Along with this increased interest in crime came a substantial increase in the size of enforcement, which in turn, contributed to the increased use of imprisonment. The Americans who now found themselves behind bars have been described by a number of derogatory labels, including: “social junk”, “social dynamite”, “underclass”, and the “dangerous class” (see Kane, 2003: 269). Regardless of their label, these groups were perceived as threatening to the *status quo*, and needed to be controlled.