

Downsizing Our Prisons and Jails

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Abstract

The United States spends \$81 billion annually on mass incarceration, addressing the needs of approximately two million incarcerated individuals. This paper explores the systemic challenges of mass incarceration, evaluates California's Proposition 47 (Prop 47) reforms, and draws on key criminological theories to propose actionable recommendations for reducing prison populations while safeguarding public safety.

Keywords: Mass Incarceration, Proposition 47, Recidivism, Rehabilitation, Criminological Theories, Critical Criminology, Differential Coercion Theory, Social Disorganization Theory, Labeling Theory, Defiance Theory, Racial Disparity, Community Development, Criminal Justice Reform.

I. INTRODUCTION

Mass incarceration is a critical issue in the United States, with over \$81 billion spent annually [1]. Despite these expenditures, significant gaps exist in funding for parole and reentry services, leaving 600,000 individuals released annually without adequate support. This disconnect leads to high recidivism rates and calls for reforms emphasizing rehabilitation over surveillance. California has pioneered reform efforts through Proposition 47 (Prop 47), which reclassified certain offenses as misdemeanors rather than felonies. This paper evaluates Prop 47's impact on crime rates and proposes reforms grounded in criminological theories.

II. EVALUATION OF CALIFORNIA'S PROPOSITION 47

Proposition 47 aimed to reduce prison overcrowding by downgrading nonviolent offenses to misdemeanors. Research by Bartos and Kubrin systematically evaluated its impact, employing data from 1970–2015 and using synthetic control group designs to approximate crime rates had Prop 47 not been enacted [2]. Findings revealed that Prop 47 reduced California's prison population by approximately 13,000 inmates, alleviating overcrowding [3].

While Prop 47 proponents highlight benefits such as reduced custodial time for nonviolent offenders, critics argue that it increased violent and property crime rates by 8.4% and 6.6%, respectively, in 2015 [4]. However, further analysis attributes part of the reported crime increase to unrelated factors, including changes in crime classification and the Los Angeles Police Department's (LAPD) underreporting of crimes prior to 2014 [5]. Studies indicate that reductions in incarceration for low-level offenses did not significantly compromise public safety, as many individuals affected by Prop 47 were nonviolent offenders unlikely to reoffend. Furthermore, the financial savings from reduced incarceration costs were reinvested in education, treatment, and victim services, creating long-term societal benefits.

III. THEORETICAL FRAMEWORK

Criminological theories provide a foundation for understanding the root causes of crime and developing reforms. This section examines key frameworks relevant to addressing mass incarceration

A. Critical Criminology

Critical criminology underscores the relationship between inequality and crime. Willem Bongger's theory asserts that crime arises from adverse social and economic conditions, perpetuated by a capitalist system that enriches some while impoverishing others [6]. Addressing systemic inequalities is essential to reducing crime and fostering social stability.

B. Differential Coercion Theory

Michael Colvin's theory highlights the coercive environment within correctional facilities, which exacerbates injustice and anger, leading to chronic criminal behavior. Overuse of punitive control mechanisms further compounds these issues [7]. Policies promoting restorative justice can mitigate these negative effects.

C. Social Disorganization Theory

Shaw and McKay's research reveals that unstable social environments foster higher crime rates. Collective efficacy, as proposed by Sampson, emphasizes the importance of strong community ties and social cohesion in mitigating crime [8]. Investments in community infrastructure and development can break the cycle of crime in disadvantaged neighborhoods.

D. Labeling Theory

Braithwaite's reintegrative shaming concept advocates for rehabilitation-focused approaches to prevent the formation of criminal subcultures [9]. Reducing stigmatization of offenders can enhance their reintegration into society and lower recidivism.

E. Defiance Theory

Sherman's defiance theory posits that offenders react negatively to unjust sanctions, necessitating tailored and respectful approaches [10]. Ensuring procedural justice and respectful treatment within the criminal justice system can improve compliance and reduce defiant behavior.

F. Race and Crime Theory

Sampson and Wilson's theory addresses racial disparities in crime, emphasizing systemic inequalities that disproportionately affect minorities [11]. Addressing these disparities is critical to creating a fair and equitable justice system.

IV. POLICY RECOMMENDATIONS

Integrating insights from these theories, the following reforms are proposed:

A. Rehabilitation over Punishment

Shift parole focus from surveillance to rehabilitation, prioritizing work and educational programs. Evidence-based programs targeting skill development and mental health support can reduce recidivism [9].

B. Community Development

Invest in community-building initiatives to address social disorganization. Programs fostering employment opportunities, affordable housing, and youth engagement are essential [8].

C. Fair Enforcement Practices

Reduce coercive control in prisons and ensure equitable treatment by correctional staff. Training programs emphasizing procedural justice can enhance institutional fairness [7].

D. Economic Support for Minorities

Improve social and economic conditions for marginalized communities, particularly African Americans and Hispanics. Initiatives promoting economic empowerment, such as job training and small business grants, can address systemic inequalities [6].

E. Racial Equity in Justice

Implement reforms to address racial disparities in sentencing and incarceration rates. Policies such as implicit bias training for law enforcement and equitable sentencing guidelines are crucial [11].

F. Holistic Approaches

Develop comprehensive strategies integrating restorative justice practices, victim support services, and community policing to create a balanced and inclusive justice system.

V. CONCLUSION

Mass incarceration in the United States demands immediate reform. By adopting evidence-based approaches such as California's Prop 47 and integrating criminological theories, policymakers can reduce prison populations while addressing root causes of crime. Holistic reforms must emphasize rehabilitation, community development, and systemic equity to create a safer and more just society.

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