CHAPTER

1

Introduction

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When it comes to crime and punishment, the United States has maintained a curious paradox over the last few decades. On the one hand, we have constructed the biggest prison system on the planet. Although we were once relegated to second place in the incarceration race, Russia's release of more than 100,000 inmates in the year 2000—largely over concerns about high levels of crowding and the spread of disease among the inmate population—has allowed the United States to recapture the world's imprisonment crown (Wagner & Walsh, 2016). Driven primarily by policies emerging out of a conservative contemporary political culture that places enormous faith in the ability to control crime through incarceration, the inmate population in the United States has now topped the 2 million mark (Kaeble & Glaze, 2016).

Given this figure, it is important to note that the exponential growth in the prison population over the last few decades has occurred in the midst of a relatively *stable* and *declining* violent crime rate over the same period of time (LaFree & Drass, 2002). For example, Figure 1.1 shows the increase in the incarcerated population since the early 1900s—a clear linear trend upward beginning in the early to mid-1970s. At the same time, Figure 1.2 clearly shows a general pattern of rising, then stable, and even declining violent crime rates dating back to the early 1990s.

On the other hand, the United States has also been, and continues to be, the most violent Western industrialized nation in the world. This is despite the fact that crime has been falling steadily for over a decade now, and 2014 is now regarded as one of the safest years in modern American history (Sharkey, 2018). Nevertheless, although the United States' incarceration rate is over six times that of England and Australia, even during the "great crime decline" of the 1990s, for every 100 homicides that occurred in Los Angeles there were 4.8 in Sydney and 3.8 in London (Zimring & Hawkins, 1997). Furthermore, as can be seen in Table 1.1, the homicide rate in the United States is nearly three times that of Canada and nearly five times that of nearly every Western European

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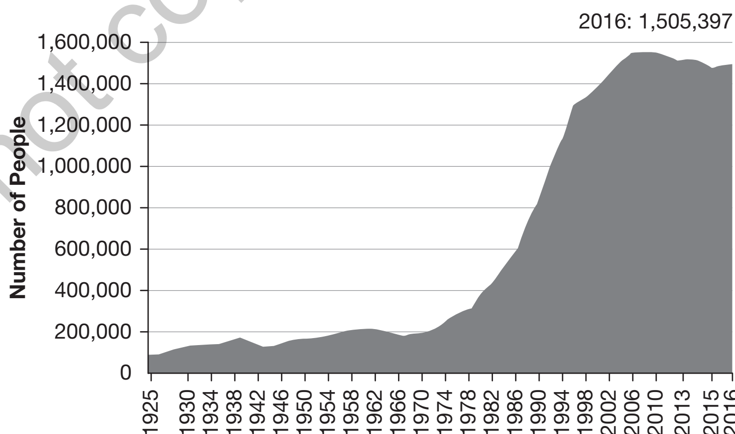
nation. Even within the United States, the homicide rate for young African American males more than doubled from 1985 to 1993, to 167 per 100,000 citizens (by way of comparison, it was 46 in 1960). More recent research indicates that the American "crime drop" was unequal, in that it was not really felt in impoverished African American communities (Parker, 2008). Among the industrialized countries in the world, lethal violence appears to be a uniquely American problem.

THE POLITICS AND CONSEQUENCES OF INCARCERATION

It is apparent, therefore, that our willingness to lock up such a large proportion of the American citizenry has failed to result in a corresponding increase in public safety. Oddly enough, however, this nugget of reality continues to be ignored by public policy makers, many of whom still cling to the misguided notion that we can "build our way out of the crime problem." There are certainly a few variations on the theme, but the overall message from political pundits has been disturbingly homogeneous since the early 1970s: The crime problem (such as it is) in this country is the result of chronic leniency on the part of the criminal justice system.

Accordingly, those who oppose this claim are generally treated as having inadvertently confessed to being an intellectual hack (or perhaps to possessing a childlike faith in a more naïve Utopian social support approach). Despite the bulk of the research generated by criminologists—who are often pigeonholed by political elites as being merely left-leaning naysayers—policy makers from both sides of the political spectrum have consistently embraced policies

FIGURE 1.1 Trends in U.S. Corrections: U.S. State and Federal Prison Population, 1925–2016



Source: Bureau of Justice Statistics *Prisoners Series*

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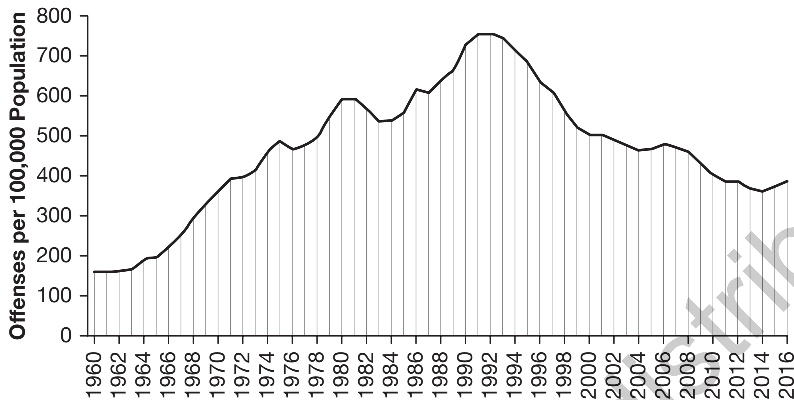
FIGURE 1.2 U.S. Violent Crime Rate, 1960–2016



Source: FBI Uniform Crime Reports

TABLE 1.1 Comparison of U.S. Homicide Rate (Homicides per 1000,000 Citizens) With Other Western Industrialized Nations, 2016

Nation	Homicide Rate
United States	4.88
Canada	1.68
France	1.58
Denmark	0.99
Australia	0.98
United Kingdom	0.92
Germany	0.85

Source: UN Office on Drugs and Crime: Global Study on Homicide—UNODC Statistics Online

that stiffen sentences for more types of offenses (especially drug offenses) and more types of offenders (especially nonviolent and youthful offenders) under the rubric of concern over public safety and, perhaps more important, the purported general effectiveness of the "get tough" approach to crime control.

What makes the get tough criminal justice policy agenda so seductive for political stakeholders (defined as individuals or groups with a vested interest in a particular policy outcome) is that it can never be empirically (i.e., scientifically) falsified (Pratt & Turanovic, 2018). In other words, the most methodologically rigorous available research demonstrates that policies such as "three strikes" laws and enhanced sentences, bloating the prison population

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even further, and sticking a higher proportion of juvenile offenders in adult facilities have little to no appreciable impact on crime rates (Pratt & Cullen, 2005). Nevertheless, advocates of the get tough approach may still contend that we just aren't being tough enough (Wright & Delisi, 2016), and that we simply need to get tougher. As an echo of this sentiment, the calls for alternative approaches to crime control have diminished under the current political administration (e.g., community supervision or correctional rehabilitation, emphasizing the importance of prisoner reentry programs) in favor of things like doubling down on enhanced sentences for drug offenses because they "protected us from violent crime" (Lopez, 2017)—a myth that is busted in Chapter 5. Yet as a consequence, the prison boom has gone on largely unabated, the end result of which forms the central thesis of this book: that the United States has become addicted to incarceration.

Race, Gender, and Incarceration

Aside from its failure to keep American citizens any safer, our reliance on the use of incarceration as the primary tool for social control has had enormous social costs in recent years. One of the most visible consequences has been the effect of imprisonment trends on the African American community. The incarceration rate for African Americans is currently six times that of whites, and nearly double that of Hispanic/Latinos (Carson, 2018). Even more telling is the fact that one out of every three African American men in the United States population between the ages of 20 and 29 is under some form of correctional supervision (prison, jail, probation, or parole); when limited to urban areas, that figure approaches one in two. Although national statistics indicate that the proportion of violent crimes committed by African Americans is higher than it is for whites (Morgan, 2017), that proportion has stayed fairly constant over the years despite the extreme growth of the African American inmate population. It is therefore safe to conclude that criminal justice policy changes since the early 1980s through the 1990s—most notably the constellation of policies emanating out of the so-called war on drugs and our resulting willingness to incarcerate nonviolent, drug offenders—are the most likely culprits for the current racial disparity in our nation's prisons (Nicosia, MacDonald, & Pacula, 2017).

These policy changes have also significantly impacted the gender gap in imprisonment. The United States Bureau of Justice Statistics indicates that in 1970 there were just over 5,600 women in state and federal prisons. By 2006, that number had increased to over 112,000 (a jump of over 2,000%). This figure has leveled off a bit with the current count of 106,200 women incarcerated in state and federal prison. Yet after adding in the over 100,000 women currently being held in jail facilities, we find that there are over 200,000 incarcerated women in this country on any given day—an increase of over 14% from a decade ago (Zeng, 2018). As with their male counterparts, this increase is

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even more striking when the numbers are disaggregated by race, where the incarceration rate for African American women today is actually higher than it was for white *men* as recently as 1980. Since women are more likely to be incarcerated for nonviolent and minor offenses than men (especially drug and property offenses)—and typically have fewer prior convictions than men—our preference for imprisoning such offenders anyway has made African American women the fastest growing segment of the United States population under state supervision, where their annual growth rate of admission to prison is roughly twice that of men (Carson, 2018). What this has gotten us is a state of affairs where, according to a recent analysis (McCarthy, 2014), one-third of all of the women incarcerated worldwide have one thing in common: They are from the United States.

The Economic Impact of Incarceration

Aside from the negligible impact on crime rates and the disproportionate impact on inner-city minority communities, where has the American addiction to incarceration gotten us? First of all, incarceration has become an integral part of the United States economy. Nowhere is this truer than in rural America, where the construction of new prisons holds the promise of stable jobs and a general boost to stumbling local economies. California's Pelican Bay "supermax" facility (the sexy moniker designating a super-maximum security prison), for instance, was built in the state's poorest county, where the unemployment rate hovered around 26%. With the addition of the facility, unemployment dropped to around 10% in 1999—still fairly high by national standards, but considerably better than it was before (Tamaki, 2000).

Similar results have been found elsewhere as well. One of the most colorful examples is how the tiny town of Tamms, Illinois—with an unemployment rate of 16%, a poverty rate above 30%, and where half the households squeak by on less than $15,000 a year—has embraced its supermax prison. In an interesting intersection of punishment, commerce, and pop culture, a local bank in Tamms features a billboard promising "super-max-imum savings," and a local burger joint—the Burger Shack 2—now offers the "Supermax Burger" that, according to Hallinan (2001), apparently comes with "the works."

The American penchant for punishment has also transformed the role of the state over the last three decades. We now live in a nation where the prison industry currently does $74 billion a year in business. In the state of California, one out of every six state employees works for the department of corrections. As prison expenditures have assumed a larger proportion of state budgets, a few states (most notably, California and New York) are currently spending more on incarceration than they are on higher education (Kyckelhahn, 2012). This shift in spending priorities away from supportive public institutions and toward a more punitive "coercive state" is even more obvious when placed in an international perspective. For example, the World Health Organization's

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2015 report indicates that Sweden and Switzerland devote over 10% more of their annual gross domestic product (GDP) to health care than the United States does—for Germany, that figure is nearly 30% more. Furthermore, both New Zealand and Finland earmark nearly 40% more of their annual GDP for education than the United States does, and both Sweden and Denmark spend over 50% more of their GDP on education.

Political Justifications for Incarceration

Why has this mixed set of priorities been allowed to continue? One commonly touted explanation is that our political leaders are simply too weak to stand up to the prison industry's special interests and instead routinely cave in to their requests for additional funding and increased protection from the whims of the market (see the discussion in Cressey, 1978). Although there may be a kernel of truth to this sentiment, it is highly oversimplified. At best, political discussions about the condition of the criminal justice system in the United States have merely been uncritical, because political candidates routinely ignore the sticky issue of mass incarceration in favor of focusing on the more symbolic notions of personal responsibility and moral failure (Newcombe, 2018).

Going a step further, Currie (1998) argued over two decades ago that a more significant contributor to the "knowledge gap" between public policy makers and American citizens is that

> people are genuinely confused about what to think about the state of crime and punishment in America. And they are confused in part because they are continually bombarded with the myths, misconceptions, and half-truths that dominate public discussion. (p. 6)

While Currie's comments are important (and certainly accurate) in their own right, they miss a key element of the political trend in contemporary punishment, and one that is a core focus of this book. In particular, since the early 1970s, political decision makers have found that a considerable amount of political capital can be gained by calling attention to the "crime problem," by framing this problem as the inevitable outcome of the 1960s culture of social permissiveness and a criminal justice system dominated by rehabilitation-minded liberal Pollyannas, and by generating as much public support as possible for repressive crime control policies—a problem that continues to this day (Trump, 2015).

In the end, misinformation about crime and punishment is touted as the truth, while new generations of policy makers ride piggyback on the get tough rhetoric of their predecessors. In turn, policy makers can continue their ongoing, public, pillow fights about who can be tougher than whom. In the process, bad information gets reproduced, and information about the extent of our reliance on incarceration will sometimes get perverted so that political stakeholders can

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make it look good for their own purposes. As a case in point, when Bill Clinton was running for his second term as president, one of the members of his administration boldly noted—presumably in an effort to show how great the last 4 years had been—that "more people are at work, more people are off the welfare roles, and *more people are in prison*" (see Currie, 1999, p. 9, emphasis added). While greater numbers of employed citizens and reduced welfare roles both typically garner public support from both ends of the political spectrum, the logic of the last point is quite troubling. As Currie (1999) has noted, it would be difficult to believe that the American Medical Association would interpret a rise in the number of hospitalized cancer patients as evidence that we are "winning the war" against the disease.

Just as important as the perpetuation of bad information and the political distortion of better information, accurate information about crime and punishment is rarely reviewed by policy makers since such material is typically found in outlets that policy makers rarely read—the dreaded academic journals. The studies published in these journals are the most scientifically rigorous available, yet the reality of crime and punishment contained in this body of work is more difficult to sell, largely because of the way academics present it. These studies are often quite complex quantitatively and therefore not terribly accessible to those not privy to the secret academic handshake. Alternatively, the standard get tough rhetoric of political pundits is more easily adoptable—and more easily absorbed by citizens—due to the simple bumper-sticker eloquence of the message. As but merely one example of the political allure of syllabically efficient criminological explanations, who could forget Bob Dole's statement during the 1996 U.S. presidential campaign regarding the sources of criminal behavior: "[C]rime can be explained with one simple word: Criminals. Criminals. Criminals" (Nagourney, 1996).

And lest we think that this sentiment is somehow dated, consider the following example of some classic, get tough, chest beating: Beginning with his campaign for the 2016 presidential election, Donald J. Trump made it a habit to pick on Chicago. Part of his desire to whip up on Chicago probably had a lot to do with it's being President Obama's hometown, and Trump was dead set on defining himself as Obama's opposite in every way possible. Yet regardless of his motivation for doing so, it became a campaign rallying cry—one that has extended into his term as president and Twitter enthusiast—to call attention to Chicago's "epidemic" problem with violence and "carnage" (McLaughlin & Chiacu, 2017). He was fond of saying that crime in Chicago was a "horror show" and that the place was "out of control."

But why, according to Trump and to those in his administration, was violence so "out of control"? Part of the problem, according to Attorney General Jeff Sessions, is that Chicago is a sanctuary city—one that is soft on illegal immigration, and the Trump administration has long held that unchecked immigration sets the stage for an epidemic of violence (Tanfani, 2017). Another source of the problem has to do with lax gun laws, particularly with respect

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to weapons trafficking, with assault weapons and other firearms coming into Chicago from out of state. This is, of course, an ironic position for the Trump administration to hold since they have also framed mass shooting events as having little or nothing to do with guns, but rather such events are the consequence of a "morality problem" (Gorner, 2017).

Even so, given how the crime problem was framed, the solution to the violence problem in Chicago was clear according to the Trump administration: crack down on illegal immigration and stiffen up penalties for violations of gun laws (Hing, 2017). Trump even suggested deploying federal troops into Chicago to address the problem. And if that does not work, he repeatedly made vague statements about a "rough cookie" police officer—a motorcycle cop, no less—that he knows who claims that he could rid the city of crime in "a couple of days" if he was just given the legal latitude to do what political leaders are too skittish to let him do. What exactly this would entail is never stated, but it is safe to assume that the solution a "rough cookie" cop would have in mind would not involve a social work or public health approach to the crime problem (see Janssen, 2017). So clearly our fascination with getting tough—a fascination that has led to our addiction to incarceration—has not gone away.

SUMMARY

Addictions rarely happen by accident. They instead emerge as a result of decisions—sometimes conscious ones and sometimes those born merely out of the neglect to make different ones—that end up leading to a place that is ultimately harmful and unhealthy. The addiction to incarceration is no different. We did not get to this place by accident, and we will not get out of it without a concerted effort to do things differently, which will first require us to acknowledge the uncomfortable truth that we have a problem in the first place. We do. It is therefore important to understand the dimensions of that problem, its sources and consequences, and to develop a plan of action to do something about it.

DISCUSSION QUESTIONS

1. How does the United States compare to other Western industrialized nations with respect to incarceration rates? How about with respect to violent crime rates?
2. Have racial disparities with respect to incarceration gotten better or worse over the last couple of decades?

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3. Has the gender gap in imprisonment narrowed or gotten wider over the last couple of decades?

4. What are some of the economic consequences of the addiction to incarceration? Would you view these consequences as healthy?

5. Why is it difficult to shed the idea that crime can be solved by "getting tough"?

KEY READINGS

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