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**Charles Lane**  
Editorial Writer

## Reaching a verdict on the era of mass incarceration

By Charles Lane, Published: May 7 [E-mail the writer](#)

Though the [U.S. prison population of 1.5 million in 2012](#) was far larger than that of any other country, both in absolute terms and as a percentage of population, the era of ever-increasing "mass incarceration" is ending.

[The number of state and federal inmates peaked in 2009](#) and has shrunk consistently thereafter, according to the Justice Department. New prison admissions have fallen annually [since 2005](#).

### Charles Lane

Lane is a Post editorial writer, specializing in economic policy, financial issues and trade, and a contributor to the PostPartisan blog.

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The inmate population is still disproportionately African American — 38 percent vs. 13 percent for the general population — but the incarceration rate for black men fell 9.8 percent between 2000 and 2009, according to the [Sentencing Project](#).

This is not, however, the impression one would get from [a new 464-page report](#) from the prestigious National Research Council, which, like other think-tank output and media coverage of late, downplays recent progress in favor of a scarier but outdated narrative.

The report opens by observing that the prison population "more than quadrupled during the last four decades" and goes on to condemn this as a racially tainted episode that badly damaged, and continues to damage, minority communities but did little to reduce crime.

The study's authors are right that the disproportionate presence of minorities in prison is a tragic reality, rooted at least partly in the post-1960s politics of white backlash. Today's big prison population reflects the impact of mandatory minimums and longer sentences, which probably do yield diminishing returns in terms of crime reduction, especially for nonviolent drug offenses.

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Summarizing a relative handful of studies, the NRC report implies that we can have safe streets without the cost, financial and moral, of locking up so many criminals — since it's "unlikely" that increased incarceration had a "large" positive impact on crime rates.

It would be nice if there were no trade-off between crime and punishment, but common sense says it's not so. An analysis by the Brookings Institution's [Hamilton Project](#), similar in both tone and timing to the NRC report, acknowledges that increasing incarceration can reduce crime and that this effect is greatest when the overall rate of incarceration is low.

Ergo, increasing the incarceration rate now would do little to reduce crime, but the crime-fighting benefits were probably substantial back in the high-crime, low-incarceration days when tougher sentencing was initially imposed.

It's easy to pass judgment on the policymakers of that violent era, when the homicide rate [was double what it is today](#) and crime [regularly topped pollsters' lists of voter concerns](#).

That had a racial component, but minorities were, and are, disproportionately *victims* of crime, too. The NRC report extensively discusses the negative effect on communities of incarcerating criminals, but it has comparatively little to say about the social impact of unchecked victimization.

Buried within the report is the fact that, in 1981, the average time served for murder was just five years; by 2000, it had risen to 16.9 years. The numbers for rape were 3.4 and 6.6 years, respectively. Insofar as "mass incarceration" reflects those changes — and the majority of state prisoners are in for violent crimes — it's a positive development.

In an oft-quoted but empty phrase, the NRC report declares the growth of incarceration in the United States "historically unprecedented and internationally unique."

The same might be said for the United States itself. This is the only nation on earth with more than 100 million people, effective, democratically accountable law enforcement and a lot of crime.

If we released all drug offenders, the incarceration rate would still be much higher than that of Europe. Ditto if we released all minorities. Nor are U.S. racial disparities unique. [Canadian statistics](#) show that, for unknown reasons, the black share of Canada's prison population is three times that of the general population — the same as in the United States.

Instead of ignoring recent positive trends, researchers should try to understand them. The decline in incarceration may represent the delayed effect of falling crime and the diminished flow of new offenders it necessarily entails.

Sentencing reform, too, is taking hold, based on changing public attitudes. [The percentage of Americans who say criminals](#) are not punished harshly enough has fallen nearly 23 points since 1994 — when the crime wave peaked — according to data compiled by Arizona State University professor Mark Ramirez.

After erring on the side of leniency in the 1960s, then swinging the opposite way in the 1980s and 1990s, the United States may be nearing a happy medium.

But this probably would not be possible if [48 percent of Americans felt](#) unsafe walking at night within a mile of their homes, as the Gallup poll found in 1982.

To sustain moderate public opinion we must keep the streets safe, and to do that we must learn the right lessons from the recent past.

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**kdburg** wrote:  
8:29 AM EDT

Mr. Lane's first sentence states the premise he purports to explain: "the era of mass incarceration is ending." The first sentence in the linked report he cites as the authority for that premise is: "The number of people incarcerated in state and federal prisons increased by 9% from 1,440,144 to 1,571,013 between 2002 and 2012. Some end."



**Rimfire** responds:  
1:51 PM EDT

[Details](#), [Details](#).



**designatedhitter** wrote:  
7:57 AM EDT

Race and racism are most often assumed as the explanation for disparities in incarcerations rates between whites and blacks in North America. But the reality is that it is culture. The redneck culture that dominates in the black ghettos of US cities, is the same one that dominates in some white enclaves. When the most admired guy in your neighborhood is a drug dealer/pimp/gangster, you're in trouble.

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