The Prison Experience and Recidivism: Research on Time Served and Serving Time

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Plenary Overview

- National and state information about time served
- Takeaways from leading academic research on time served and recidivism
- State examples of modifications of time served
- Public opinion about time served
- Research on cellmate relationships on reoffending
Time Served
The High Cost, Low Return of Longer Prison Terms
State Prison Population Grew More Than 700% In Last Four Decades, Doubled In Last 20 Years

Measuring Time Served

• National Corrections Reporting Program data (1990-2009)

• 35 states, representing 89% of 2009 prison releases

• Data challenges
  – Inter-state comparability
  – Missing data
  – Mismatch between NCRP and NPS totals
Defining Time Served

• Average vs. Expected
• All Releases vs. First Releases
• Prison Time vs. Total Custody Time
Key National Findings

1. Length of stay grew 36% between 1990 and 2009 – 9 months longer – to about 3 years

2. Sharpest growth between 1995 and 2000

3. Significant variation between states

4. Significant variation by offense type

Changes in Time Served Vary Widely, 1990 to 2009

Time Served for Drug and Violent Crimes Grew At Similar Pace

- Violent: 37% increase
- Property: 24% increase
- Drug: 36% increase

RESEARCH ON TIME SERVED

Does More Time Mean Less Crime?
<table>
<thead>
<tr>
<th>Influence of incarceration</th>
<th>Incarcerated offender</th>
<th>Community as a whole</th>
</tr>
</thead>
<tbody>
<tr>
<td>Crime-reducing influences</td>
<td>Incapacitation</td>
<td>Incapacitation of the pool of potential offenders</td>
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<td>Specific Deterrence</td>
<td>Enhanced informal social control by reducing level of community engagement</td>
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<tr>
<td></td>
<td>Rehabilitation</td>
<td>General Deterrence</td>
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<tr>
<td>Crime-promoting influences</td>
<td>Psychological trauma</td>
<td>Adverse effects most likely to occur when prison cycling reaches critically high levels:</td>
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<td>Exposure to schools of crime</td>
<td>- Disruptive effect on local economy</td>
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<td></td>
<td>Weakened family ties</td>
<td>- Reduced opportunities and incentives to marry</td>
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<td>Limited labor market opportunities</td>
<td>- Potentially adverse effects of disrupting gang structure: replacement with more youthful offenders, violence sparked by gang splintering</td>
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<td>- Weakened informal social control by disrupting social networks</td>
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Prison cycling may promote cultural/normative heterogeneity

No Consistent Relationship Between Time Served and Recidivism

• Nagin, Cullen, & Lero Jonson (2009) reviewed 19 studies measuring length of confinement and recidivism.
  – Found no evidence linking longer prison terms with reduced recidivism

• Meade, et al. (2012) measured time served and odds of rearrest for felony crimes in Ohio.
  – No specific deterrent effect of time served for sentences under 5 years.
  – Some evidence supporting lower odds of felony rearrest for very long sentences. May be due to maturation and incapacitation.

New Evidence Measures Time Served, Criminal Activity, Employment, and Societal Costs

• Mueller-Smith (2015) measured the impact of time served on new criminal activity, employment, and societal costs.

• Each year in prison increases the odds that a prisoner will reoffend by 5.6% a quarter.
• Felony offenders are more likely to be charged and convicted of property and drug crimes after prison
• Misdemeanor offenders commit more serious offenses the more time they spend in prison
• Any incapacitation benefit is off-set by the increase in crime after release

How States Are Modifying Length of Stay

1. Reclassifying Offense Types
2. Amending Mandatory Minimum Sentencing Laws
3. Using Risk-Based Sentencing
4. Expanding Earned Time Opportunities
5. Changing Parole Policy and Practice
Majority of Voters Favor Shortening Prison Terms For Non-Violent Offenders

Public Opinion on Sentencing and Corrections Policy in America

2012 policy, consistent with 2010 research, indicates that voters are concerned first and foremost with keeping communities and people safe. Without question, voters want a strong public safety system where criminals are held accountable and there are consequences for illegal activities. They also believe that these goals can be reached while reducing the size and cost of the prison system.

A national public opinion survey conducted in January 2012, along with similar surveys in Georgia, Missouri, and Oregon, found these attitudes persist and revealed opinions on specific policy solutions.

KEY TAKEAWAYS
1. American voters believe too many people are in prison and the nation spends too much on imprisonment.
2. Voters overwhelmingly support a variety of policy changes that shift non-violent offenders from prison to more effective, less expensive alternatives.
3. Support for sentencing and corrections reforms (including reduced prison terms) is strong across political parties, regions, age, gender, and racial/ethnic groups.

THE BOTTOM LINE...

"Some of the money that we are spending on locking up law abiding, non-violent inmates should be shifted to strengthening community corrections programs like probation and parole."

Voters strongly support reducing prison time for low-risk, non-violent offenders for a variety of reasons:

<table>
<thead>
<tr>
<th>Reason</th>
<th>Strongly Accept</th>
<th>Total Accept</th>
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<tbody>
<tr>
<td>For completion of programs</td>
<td>63%</td>
<td>86%</td>
</tr>
<tr>
<td>To keep violent offenders locked up</td>
<td>62%</td>
<td>85%</td>
</tr>
<tr>
<td>To re-invest in alternatives</td>
<td>61%</td>
<td>85%</td>
</tr>
<tr>
<td>For good behavior</td>
<td>55%</td>
<td>83%</td>
</tr>
<tr>
<td>To close budget deficits</td>
<td>45%</td>
<td>78%</td>
</tr>
<tr>
<td>For age or illness</td>
<td>50%</td>
<td>77%</td>
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A large majority of voters favor shortening prison terms for non-violent offenders by a full year

“Allow non-violent crime inmates to be released up to 6 [or] 12 months early if they have behaved well and are considered a low risk for committing another crime.”

Nearly all voters prioritize preventing recidivism over time served, even when prison time varies up to a year.

“It does not matter whether a non-violent offender is in prison for 18 or 24 or 30 months [or] 21 or 24 or 27 months. What really matters is that the system does a better job of making sure that when an offender does get out, he is less likely to commit another crime.”