

## THE UNITED STATES VERSUS THE WORLD

The United States recently became the country with the most people incarcerated and the highest incarceration rate of any nation in the world. This high level of incarceration does not stem from abnormally high crime rates, but is instead linked more strongly to our nation's sentencing practices and drug policies, both of which have been developed to be "tough on crime." This "tougher" and harsher stance is not as effective as approaches other nations use, which focus more on crime prevention and rehabilitation.

### THE UNITED STATES IMPRISONS MORE PEOPLE THAN ANY OTHER NATION IN THE WORLD.

- During 2002, the United States prison and jail population exceeded 2 million for the first time in history.<sup>1</sup>
- In 2004, the nation's prison population is counted at 1.47 million<sup>2</sup> and the total number of people incarcerated is 2.1 million.<sup>3</sup>
- The United States has the highest rate of incarceration at 726 prisoners per 100,000 people.<sup>4</sup>
- The second highest are Russia, Belarus, and Bermuda, all with a rate of 532 prisoners per 100,000 people.<sup>5</sup>
- The third is Palau, with 523 prisoners per 100,000 people.<sup>6</sup>
- Western European nations have much lower rates, with England and Wales at 142, Germany at 96, and France at 91 per 100,000 people.<sup>7</sup>
- Many non-Western European nations also have significantly lower rates, with Cuba at 190 prisoners per 100,000 people,<sup>8</sup> China with 118, and India with 29.<sup>9</sup>
- More than three fifths of the world's nations have incarceration rates below 150 per 100,000 people.<sup>10</sup>
- The current rate of incarceration in the United States is higher than the Soviet Union's in 1979, which had an incarceration rate of 660 per 100,000 people.<sup>11</sup>

### HIGHER CRIME RATES DO NOT FULLY EXPLAIN THE DIFFERENCE IN INCARCERATION RATES.

- **Compared to other industrialized nations, the United States has similar rates of victimization.** In many areas American citizens are actually at less of a "risk of victimization than their counterparts in other nations." Overall, then, the United States does not have significantly higher rates of crime or victimization than other industrial nations.<sup>12</sup>
- **Policy decisions partially account for high incarceration rates.** While the United States does have a murder rate 4 times higher than most western European nations and crime rates did increase through the 1960's and 70's, the crime rate alone cannot explain the six-fold increase in incarceration over the past 3 decades. One major study showed that, between 1980 and 1996, increases in crime explained only 12% of the rise in incarceration, while changes in sentencing policy and drug policy accounted for nearly 88% of the drastic increase in the United States' incarceration rates. Essentially, people are more likely to be sentenced to prison for federal and drug offenses and are being sentenced for longer period of time. For example:
  - Burglars in the United States usually serve about 16 months in prison, whereas in Canada they serve about 5 months and in England and Wales they serve about 7.<sup>13</sup>

- In England and Wales, only 12% of prisoners, compared to 41% in the United States, have sentences of 10 years or more (including life sentences). Furthermore, only 6% of prisoners in England and Wales convicted of drug offenses, compared with 27% in the United States, serve sentences of 10 years or more (including life sentences).<sup>14</sup>
- Germany has a significantly smaller percentage of sentences of 1 year or more for persons convicted of all major crimes with the exception of willful homicide.<sup>15</sup>
- While 123 nations allow the death penalty, only the U.S. and Iran currently sentence juvenile offenders to death. Even nations such as China and Pakistan, countries that previously executed juveniles, have amended their laws to exclude death as a penalty for youth. In the U.S. since 1973, 226 juvenile offenders have been sentenced to death, and 22 have been executed.<sup>16</sup>

#### DIFFERENT APPROACHES TO CRIMINAL JUSTICE YIELD BETTER RESULTS THAN THE CURRENT APPROACH.

- **Many programs in other nations have preemptively reduced crime.** Based on the efforts of other nations, it is estimated that encouraging social development of children and families decreases crime and yields returns up to \$7.16 for every \$1 spent. In order to decrease crime by 10%, \$228 additional tax dollars per family would need to be spent on incarceration compared to just a \$32 dollar increase to help at-risk children complete school.<sup>17</sup>
- **Other nations effectively use creative programs to decrease crime and recidivism.** Project Turnaround in New Zealand allows the offender, victim, and community representatives to attempt to come to terms with the crime committed and to create a plan of action for the offender to make amends to the victim and the community. Less than 10% of offenders are referred back to the court for not fulfilling the agreed-upon plan. This system received an International Community Justice Award in 2000 for “reducing reconviction rates while retaining public confidence.”<sup>18</sup>
- **Different philosophies are used in other nations in terms of prisoner treatment.** In Cuba, the emphasis is more on rehabilitation and a return to the community than on punishment or societal isolation. Prisoners are allowed to wear street clothes, earn a comparable income (to that of a free person who holds the same occupation), and are incarcerated in their home province no matter what their security level is. Additionally, prisoners become eligible for a conditional release program halfway through their sentence (for sentences of under five years), through which they work on farms or in factories with co-workers who are not informed of their prisoner status. Through this program, offenders are also able to visit their families at home (unsupervised) twice a month for three days at a time. Of those prisoners who participate in alternative programs such as the conditional release program, the recidivism rate is about 15%.<sup>19</sup>

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3 The Sentencing Project. “New Incarceration Figures: Growth in Population Continues”. Available at: <http://www.sentencingproject.org/pdfs/1044.pdf>. Accessed on May 19, 2005.

4 Ibid.

5 Ibid.

6 Ibid.

7 Ibid.

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- 10 Walmsley, Roy. 2003. "Findings 188: World Prison Population List, 4th edition." UK Home Office. Available at: <http://www.homeoffice.gov.uk/rds/pdfs2/r188.pdf>. Accessed on June 24, 2004.
- 11 Christie, Nils. 1994. *Crime Control as Industry: Towards GULAGS, Western Style*. New York: Routledge.
- 12 Mauer, op. cit.
- 13 Ibid.
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