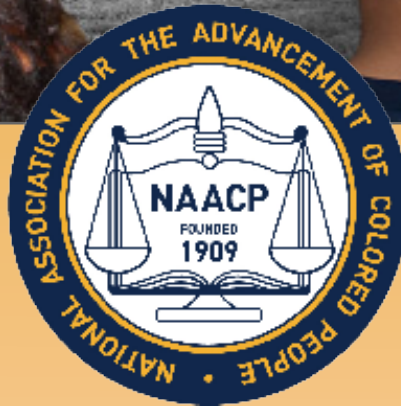
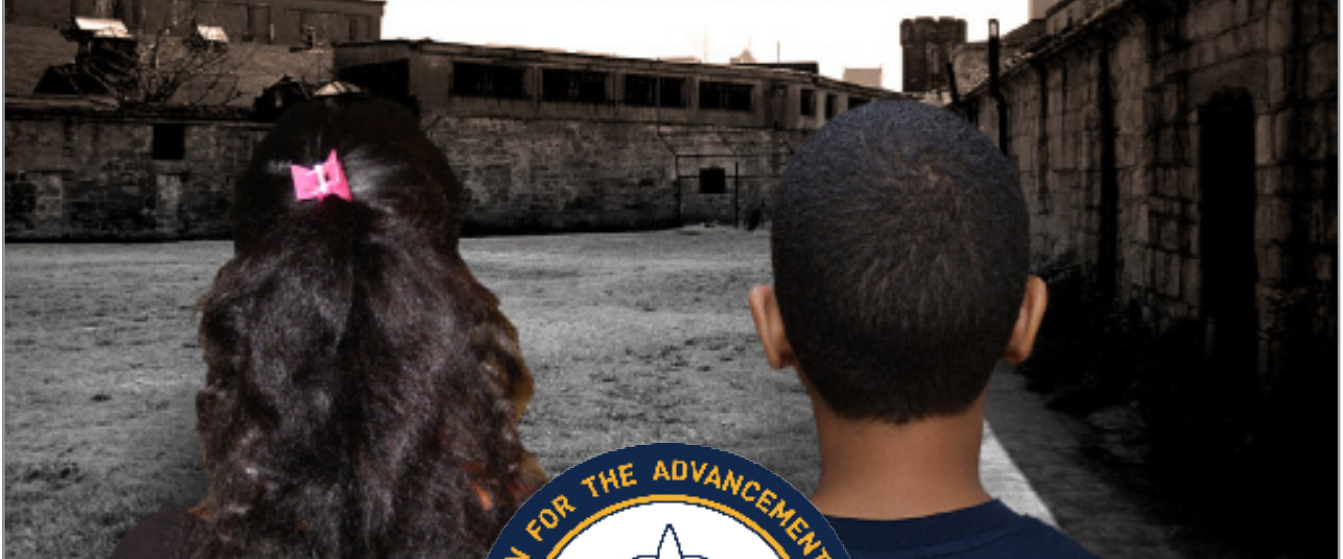


Misplaced Priorities: Over Incarcerate, Under Educate

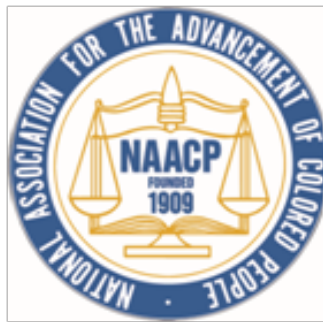


NAACP Smart and Safe Campaign Presents:

Misplaced Priorities: Over Incarcerate, Under Educate

Excessive Spending on Incarceration Undermines
Educational Opportunity and Public Safety in Communities

April 2011



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Dear NAACP Members and Friends,

As the United States approaches the 50th anniversary of the signing of the Civil Rights Act of 1964, we must seek a more comprehensive understanding of the issues that continue to undermine contemporary civil rights progress in our country. Today, there is no greater threat to civil rights accomplishments than the state of our country's education system and its impact on young African American youth. Failing schools, college tuition hikes, and shrinking state education budgets are narrowing the promise of education for young people all across the country. Meanwhile, we continue to invest billions of dollars into our corrections system, sending our youth a clear message that we value incarceration over education.

Misplaced Priorities is our report on the country's overfunding of prisons and underfunding of education. It is a sobering account of how we as a nation are wasting our financial resources on over incarceration while depriving our schools of resources that would help children in some of our most distressed communities—children who, without an adequate education, are at the greatest risk of becoming the next generation of prisoners. We ask you to join our Smart and Safe Campaign to make our education system a priority and eliminate the focus on incarceration. With your help we can elevate awareness and drive change.

Benjamin Todd Jealous
President and CEO
NAACP

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Executive Summary

Misplaced Priorities: Over Incarcerate, Under Educate **Excessive Spending on Incarceration Undermines Educational Opportunity** **and Public Safety in Communities**

For 102 years, the National Association for the Advancement of Colored People (NAACP) has played a pivotal role in shaping a national agenda to ensure the political, educational, social, and economic equality of African Americans and others who face a history of discrimination in the United States. In this new report, *Misplaced Priorities: Over Incarcerate, Under Educate*, NAACP researchers assembled data from leading research organizations and profiled six cities to show how escalating investments in incarceration over the past 30 years have undermined educational opportunities. *Misplaced Priorities* represents a call to action for public officials, policymakers, and local NAACP units and members by providing a framework to implement a policy agenda that will financially prioritize investments in education over incarceration, provide equal protection under the law, eliminate sentencing policies responsible for over incarceration, and advance public safety strategies that effectively increase healthy development in communities.

Misplaced Priorities echoes existing research on the impact excessive prison spending has on education budgets. Over the last two decades, as the criminal justice system came to assume a larger proportion of state discretionary dollars nationwide, state spending on prisons grew at six times the rate of state spending on higher education. In 2009, as the nation plummeted into the deepest recession in 30 years, funding for K–12 and higher education declined; however, in that same year, 33 states spent a larger proportion of their discretionary dollars on prisons than they had the year before¹.

Other Important Findings from *Misplaced Priorities*:

1. Over incarceration impacts vulnerable populations and destabilizes communities.

- The majority of the 2.3 million people incarcerated in U.S. prisons and jails are people of color, people with mental health issues and drug addiction, people with low levels of educational attainment, and people with a history of unemployment or underemployment.

- The nation's reliance on incarceration to respond to social and behavioral health issues is evidenced by the large numbers of people who are incarcerated for drug offenses. Among people in federal prisons, people in local jails, and young people held in the nation's detention centers and local secure facilities, more than 500,000 people—nearly a quarter of all those incarcerated—are incarcerated as the result of a drug conviction.
- During the last two decades, as the criminal justice system came to assume a larger proportion of state discretionary dollars, state spending on prisons grew at six times the rate of state spending on higher education.

2. In the six cities profiled in the report, the NAACP research team found stark disparities. Approximately each year:

- In Texas, taxpayers will spend more than \$175 million to imprison residents sentenced in 2008 from just 10 of Houston's 75 neighborhoods (by zip code). These neighborhoods are home to only about 10 percent of the city's population but account for more than one-third of the state's \$500 million in prison spending.
- In Pennsylvania, taxpayers will spend nearly \$290 million to imprison residents sentenced in 2008 from just 11 of Philadelphia's neighborhoods (by zip code). These neighborhoods are home to just over a quarter of the city's population but account for more than half of the state's roughly \$500 million in prison spending.
- In New York, taxpayers will spend more than half a billion dollars (\$539 million) to imprison residents sentenced in 2008 from 24 of New York City's approximately 200 neighborhoods (by zip code). These areas are home to only about 16 percent of the city's population but account for nearly half of the state's \$1.1 billion in prison spending.

3. Incarceration impacts educational performance at the local level.

- For three cities—Los Angeles, Philadelphia, and Houston—the research team examined the spatial relationship between “high-incarceration communities” and “low-performing schools” (as measured by mathematics proficiency). By grouping five different ranges of incarceration from the two lowest to the two highest, the authors have shown where high- and low-performing schools tend to be clustered:
 - In Los Angeles, 69 of the 90 low-performing schools (67 percent) are in neighborhoods with the highest incarceration rates;
 - In Philadelphia, 23 of the 35 low-performing schools (66 percent) are clustered in or very near neighborhoods with the highest rates of incarceration; and
 - In Houston, 5 of the 6 low-performing schools (83 percent) are in neighborhoods with the highest rates of incarceration.

Call to Action and Recommendations

Among a growing number of states that are finding better ways to manage their corrections systems, four states—Kansas, Michigan, New Jersey, and New York—have seen significant declines in their prison population as a result of policy changes that seek to reverse the trend of overspending on incarceration. However, the relative successes in these states have yet to spread across the nation or result in increased investments in education.

It is critical that all states prioritize education over incarceration. The NAACP calls for the downsizing of prisons and the shifting of financial resources from secure corrections budgets to education budgets. This can be accomplished if states accept the following recommendations:

1. Study the problem: Support federal, state, and local efforts to create a blue-ribbon commission that will conduct a thorough evaluation of the criminal justice system and offer recommendations for reform in a range of areas, including: sentencing policy, rates of incarceration, law enforcement, crime prevention, substance abuse and mental health treatment, corrections, and reentry.

2. Create reinvestment commissions: Support commissions charged with identifying legislative and policy avenues to downsize prison populations and shift savings from prison closures to education budgets.

3. Eliminate disparities in drug laws: Support efforts to eliminate disparities in sentencing between crack and powder cocaine at the state and federal level.

4. Increase earned time: Support reforms that would allow prisoners to earn an earlier release by participating in educational and vocational programming as well as drug and mental health treatment.

5. Support youth violence reduction programs: Support programs and policies to develop a comprehensive plan for implementing evidence-based prevention and intervention strategies for at-risk youth to prevent gang activity and criminal justice involvement.

6. Reform sentencing and drug policies: Eliminate mandatory minimum sentencing for drug offenses that help fuel drug imprisonment.

7. Use diversion for drug-involved individuals: Reform prosecutorial guidelines to divert people to treatment who would otherwise serve a mandatory prison term.

8. Shorten prison terms: Send young offenders who would otherwise receive mandatory sentences to structured programs to help them earn their GED and shave time off their prison sentences.

9. Increase parole release rates: Improve parole boards' ability to use evidence-based strategies when making decisions to parole prisoners, thus improving parolees' chances for success and increasing parole approval rates.

10. Reduce revocations of people under community supervision: Develop alternative-to-incarceration programs that will reduce the number of people sent to prison for technical violations.

11. Support reentry and the sealing of records: Support legislation that will close criminal records of certain offenders after they have not committed another crime within a certain number of years.

About the Research

Misplaced Priorities examines research and analysis from the leading national experts on crime, public safety, and education policy, and analyzes new information gathered at the neighborhood level to provide a unique local perspective on our national incarceration crisis. *Misplaced Priorities* also draws upon research from the Pew Center on the States' Public Safety Performance Project, the Vera Institute of Justice, The Sentencing Project, the Justice Policy Institute, the Institute for Higher Education Policy, Postsecondary Education Opportunity, and other scholars in the fields of criminal justice and education policy.

Research contributors provided key data and analysis with unique mapping capabilities. Their experience includes working with officials in the U.S. Department of Justice as well as state and local governments. They have also advised sentencing commissions, conducted research for the nation's foremost criminal justice research institutes, and assisted leading advocacy and community organizations that work on these issues around the country. NAACP staff members provided their vision in crafting the conceptual framework, applied data gathering, and editorial expertise.

About the NAACP

Founded in 1909, the NAACP is the nation's oldest and largest civil rights organization. Its more than half-million members and supporters throughout the United States and the world are the premier advocates for civil rights in their communities, conducting voter mobilization and monitoring equal opportunity in the public and private sectors.

About the Smart and Safe Campaign

Smart and Safe is a policy framework that ensures public safety as a civil and human right for all communities and, more specifically, for the many communities in crisis. Instead of calling for tough-on-crime rhetoric and "lock 'em up" practices to solve social problems, Smart and Safe was developed to meet public safety goals by meeting community needs and more aggressively addressing violent crimes.

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Section 1. Introduction

Laws and policies that have led to a record 2.3 million prisoners in America² affect all of us and limit our ability to address other priorities. The nation's spending on incarceration has limited our collective ability to support education, one of our most valuable societal investments. Nearly all of the states and the District of Columbia are facing some of their worst budget shortfalls ever,³ causing state and local governments to cut education systems, lay off teachers, close schools, increase class sizes, and raise costs at colleges and universities. These devastating cuts to education are happening at a time when the latest data show that billions of dollars continue to be spent on our nation's ineffective and overburdened prison system.

As spending for incarceration has increased, over the last 20 years and especially the last 2 years of the Great Recession, education has been a key casualty in budget battles. This is particularly visible in cities where taxpayers continue to pay millions every year to imprison people from just a few neighborhoods while schools are forced to close, teachers are let go, classrooms are overcrowded, after-school programs are cut, and college and university costs rise.

If the United States were to take a different route and redirect the dollars it spends on prisons toward mental health and employment services, early-childhood education, community corrections, retaining quality teachers in the classroom, maintaining sensible classroom sizes, and sustaining the affordability of higher education, then there would be less need for prisons.

When we make meaningful investments to educate rather than incarcerate, communities realize the benefits associated with learning, including increased earnings, reduced unemployment, increased tax revenues from more vibrant local economies, reduced reliance on public assistance, increased civic engagement, and improved public safety for communities at risk for violence and victimization.

As our misplaced investments in prisons increase, the bright futures of many of our young people decrease—which is why we must begin now to change course and invest in education over incarceration.

Section 2. America's Prison System: Costly, Unfair, and Broken

“Fixing our system will require us to reexamine who goes to prison, for how long, and how we address the long-term consequences of their incarceration.

*Our failure to address these problems cuts against the notion that we are a society founded on fundamental fairness.”*⁴

- Senator Jim Webb, author of the Criminal Justice Commission Act

Over the last four decades, the number of people incarcerated in America quadrupled from roughly 500,000 to 2.3 million.⁵ The United States is home to about 5 percent of the world's population but has 25 percent of the world's prisoners.⁶ We have won the dubious distinction of having the world's largest prison system and the highest incarceration rate in the world (754 per 100,000 people).⁷ It is safe to say that as we lag behind other nations in high school graduation rates, we are a world leader in prisoners.⁸ This overreliance on incarceration is costly: Nearly \$70 billion is spent each year to incarcerate people in prisons and jails, to imprison young people in detention centers and “youth prisons,” and to keep 7.3 million people under watch on parole and probation in our communities.

The approach of our nation's criminal justice system, which includes warehousing people with mental health and drug problems, is not only costly but contributes to a destabilization of our communities, rendering them less safe. Largely as a result of the War on Drugs—which includes police stops, arrests, and mandatory minimum sentences—more than half of all prison and jail inmates—including 56 percent of state prisoners, 45 percent of federal prisoners, and 64 percent of local jail inmates—are now those with mental health or drug problems.⁹ With most of the money related to these incarcerations going toward the cost of imprisonment, little is left for prevention, treatment, education, and services to help prisoners deal with the challenges that led them to crimes and imprisonment in the first place. Therefore the cycle of addiction, unemployment, and crime continues or worsens upon their release.

Racial disparities in arrests, sentencing, and incarceration continue to challenge the integrity of our criminal justice system. While one-third of the nation's population is African American or Latino, these ethnic and racial groups account for 58 percent of the nation's prisoners.¹⁰ The well-documented disparities in enforcement of our drug laws reveal that current drug policies impact some communities more than others. While Americans of all races and ethnicities use illegal drugs at a rate proportionate to their total population representation, African Americans are imprisoned for drug offenses at 13 times the rate of their white counterparts.¹¹ Not only are African Americans and Latinos over-represented in the criminal justice system, but they are also more likely to experience lethal violence and victimization in that system.

According to *Unlocking America: Why and How to Reduce America's Prison Population*, if African Americans and Latinos were incarcerated at the same rates as whites, today's prison and jail populations would decline by approximately 50 percent.¹² In other words, if the country could address the reasons why we incarcerate African Americans and Latinos at higher rates than whites for the same crimes, we could, in effect, dramatically bring down the prison population and save billions of dollars.

Low-income whites are also increasingly impacted by ineffective criminal justice laws and policies. For example, whites are now the fastest-growing group of drug prisoners in the United States, possibly as a result of the relatively new focus on methamphetamine use and trafficking.¹³ With 1 in 10 white men without a high school diploma likely to end up in prison, white families and communities are now being caught up in America's growing reliance on prisons to solve social problems.

Another group negatively impacted by our over-reliance on incarceration is women, who comprise the fastest growing population of prisoners in the country.¹⁴ As of 2009, the United States imprisoned over 200,000 women, with more than a million more under some form of criminal justice supervision.¹⁵ From 1997 to 2007, the number of women in prison has grown by 832 percent.¹⁶ This trend has been consistent in every state across the U.S., with women's rate of prison population growth far exceeding that of their male counterparts.¹⁷ Unfortunately, data

also shows that incarcerated women are those who themselves have more than likely experienced abuse in their past. The latest numbers released by the Department of Justice Bureau of Justice Statistics reveal that more than 57 percent of women in state prisons and 55 percent of women in local jails have been physically or sexually abused in the past.¹⁸ These numbers differ from jurisdiction to jurisdiction. In New York for example, a study found that 82 percent of women at Bedford Hills Correctional Facility had experienced severe physical and/or sexual abuse in their childhood; more than 90 percent had suffered such abuse in the course of their lifetimes.¹⁹

The overuse of prisons has serious negative consequences for the individuals imprisoned, for their families, and for our collective society. Spending time in prison reduces people's health quality; makes it more difficult to obtain jobs, higher education, housing, and day care for their children; and in many cases, prevents them from voting when they do return to their communities. The intergenerational cycle of criminalization continues when parents go to prison, because their children are more likely to end up in the foster care system, which in turn increases their likelihood of becoming involved in crime or being institutionalized, thus placing even more of an economic burden on states.

Section 3. Educate or Incarcerate?

Prison Spending of \$70 Billion Restricts Education Funding

“Our justice system is one of the few unaccountable systems in the country. It doesn’t make decisions based on best practices ... or in the best interest of the young people and families involved. As a result, there is a 70 percent recidivism rate.

*The decision makers can administer this misery and not take any responsibility for the outcome.”*²⁰

—James Bell, attorney and youth justice activist

Prison spending affects everyone by limiting what states and local governments can spend on education- an issue that has become more critical as states face their biggest budget crises since the Great Depression.

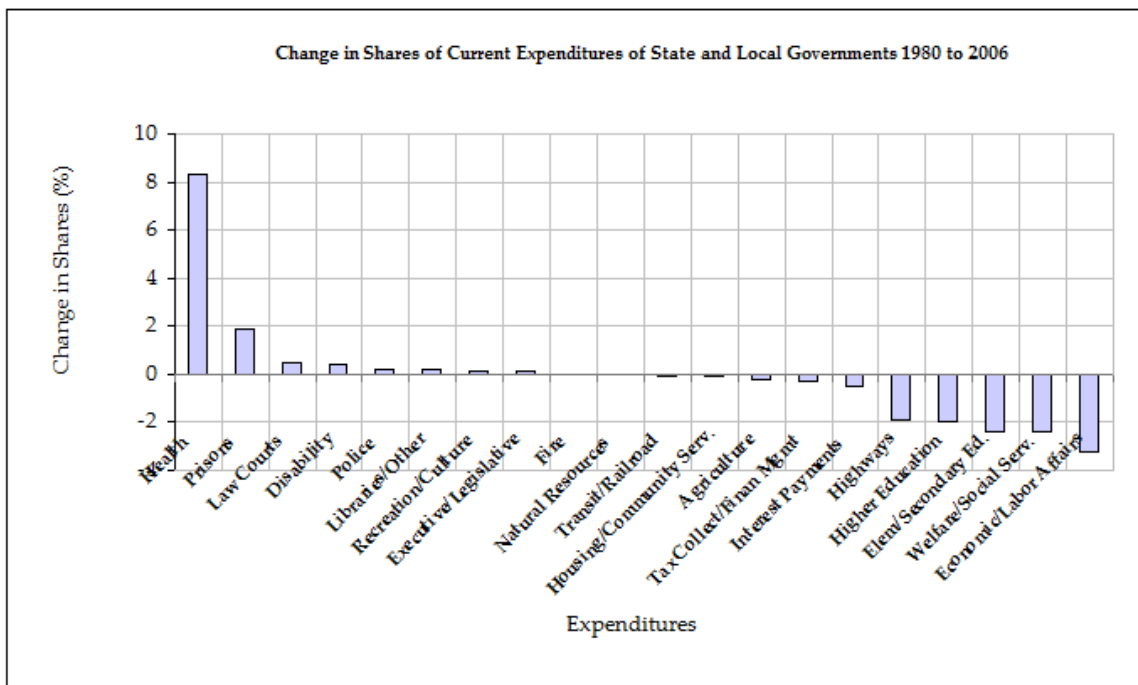
Of the \$70 billion spent annually on prisons, \$50 billion is spent at the state level.²¹ While the federal government, states, counties, and cities share the cost of paying for education, the growth in prison and jail spending has come almost entirely from state general funds - a discretionary pool of money that legislators use to pay for education, healthcare, housing, public assistance, and prisons.²² Analysis by the National Association of State Budget Officers shows that K–12 schools rely on receiving 70 percent of their state funding from the general fund, and nearly half of what colleges and universities receive from states comes from the general fund.²³ At the same time, 9 out of 10 dollars that support prisons come from the general fund, reducing the amount that is available for other critical public investments.²⁴

Prisons have emerged as a relatively new “big budget” item that continues to grow, consuming more of limited pool of general fund dollars. With \$50 billion in state prison spending annually, states are finding that there is simply less discretionary funding available to be spent on education, especially in these lean economic times. According to Postsecondary Education Opportunity, a research institute specializing in educational access and equity issues, after healthcare, prisons saw the second-biggest increase in the share of state and local government spending between 1980 and 2006, while spending for higher education declined.²⁵ This 16-year period coincides

with the addition of a million more people to the prison system.

Government Spending on Prisons: Second-Fastest-Growing Public Investment

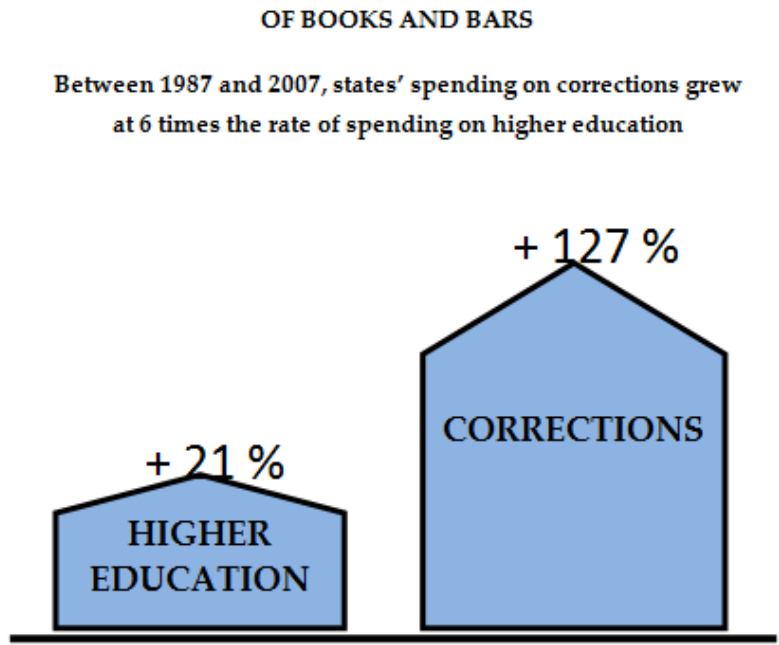
At the start of the recent economic downturn, states began experiencing limited ability to pay for their priorities. In the 2008–2009 fiscal year, prisons’ share of the general fund grew more than any other category of state spending.²⁶ For 33 of the 50 states, spending on corrections consumed a larger proportion of state general fund dollars than it had in the previous year, and general fund spending for K–12 and higher education decreased.²⁷ The federal stimulus package no doubt played a role in states’ finding money to pay for prisons and other services as tax revenue eroded. In future budget years, however, as states, counties, and cities try to balance their books and plan for the end of the federal stimulus, young people will experience more of the same: school closings, teacher layoffs, cutting of after-school programs, and rising tuition that puts college out of reach for many—as *prison spending continues to grow*.



Source: Postsecondary Education Opportunity, analysis of national income and product accounts from Bureau of Economic Analysis, U.S. Department of Commerce (2009).²⁸

Prison Spending Restricts Funding for Higher Education

Over the last few years, the budget battle between prisons and universities for state discretionary dollars has been won by prisons in virtually every state in the country. In 2008, the Pew Center on the States looked back at state spending patterns between 1987 and 2007 and found that after adjusting for inflation, funding for higher education grew by a modest 21 percent, while corrections funding grew by 127 percent, six times the rate of higher education.²⁹



Source: One in 100: Americans Behind Bars, Pew Center on the States and the Public Safety Performance Project (2008).³⁰

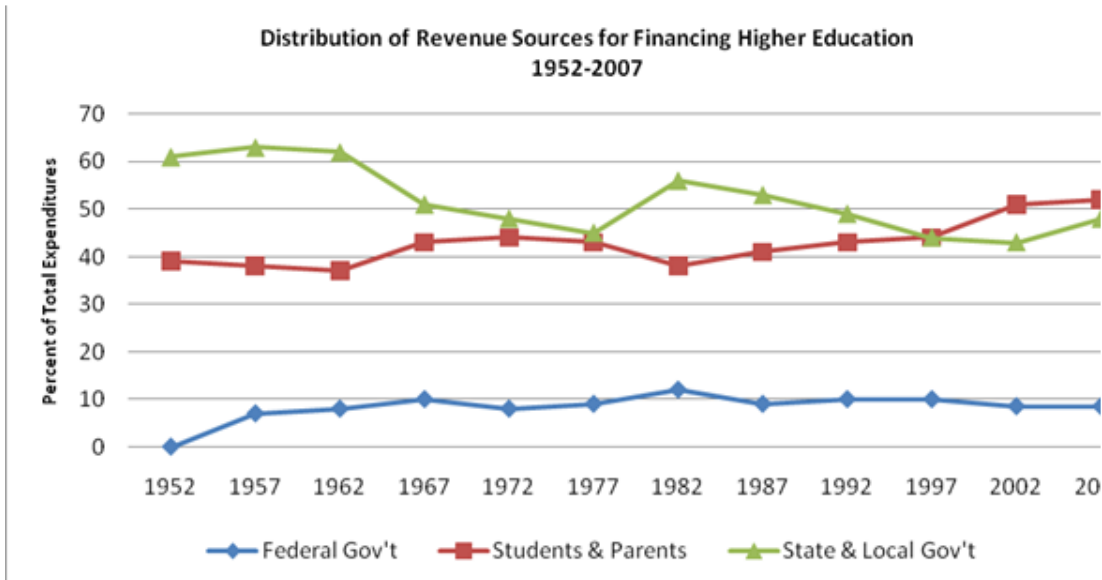
State executives around the country know that prison spending has a huge impact on their higher education budgets. Responding to Pew’s findings in her state, former Michigan governor Jennifer Granholm said, “It’s not good public policy to take all of these taxpayer dollars at a very tough time and invest it in the prison system when we ought to be investing it in the things that are going to transform the economy, like education and diversifying the economy.”³¹

As he decried the “out-of-whack” budget priorities of California, former governor Arnold Schwarzenegger declared in his January 2010 State of the State address, “Thirty years ago 10 percent of the general fund went to higher education and 3 percent went to prisons. Today, almost 11 percent goes to prisons and only 7.5 percent goes to higher education. Spending 45 percent more on prisons than universities is no way to proceed into the future...What does it say about any state that focuses more on prison uniforms than on caps and gowns?”³² Governor Schwarzenegger called for a constitutional amendment to ensure that state funding of higher education exceeds state funding on prisons.

Prison Spending Limits Educational Success of Students, Families, and Communities

Over the last 40 years, as prison budgets were on the rise and states, cities, and counties assumed the increased costs to run prisons and jails, parents and students assumed more of the costs to run the higher education system. As research by Postsecondary Education Opportunity shows, since prison populations began to surge in the 1980s, states and local governments have taken on less—while students and parents have taken on more—of the costs of attending college and university.³³

Distribution of Revenue Chart



Source: Post Secondary Opportunity, analysis of the national income and product accounts, Bureau of Economic Analysis (2009).³⁴

In the face of historic budget shortfalls for state governments, the costs of running higher education systems are being passed on to students and parents in the form of tuition hikes. In October 2009, the College Board reported that the price of a college education had risen in the previous year despite declining costs in other areas of the economy.³⁵ The report found that four-year public colleges had raised tuition and fees by an average of 6.5 percent over the course of that year. In comparison, the cost of attending a private college had only risen by 4.4 percent.

Increased college costs have placed a particularly heavy financial burden on working students and students from lower-income backgrounds. These students - people who are the least likely to be able to afford a postsecondary education—represent the greatest potential for growth in our colleges and universities. In 2007, the Institute for Higher Education Policy found that working-poor adults enroll in college at lower rates and are less likely to complete college than other students, even when accounting for financial aid.³⁶

The increasing burden on students and parents to pay for higher education is not equally distributed. While access to colleges and universities has improved over the last 30 years, experts say that four-year private and public institutions of higher learning have become less affordable and thus increasingly out of reach for African Americans and Latinos.³⁷

Prison Spending Limits Education Funding and Hurts the Economy, Health, and Public Safety

When increased prison spending means decreased spending on education, we all lose because communities cannot realize the economic and public-safety benefits that come from increased educational opportunities.

According to adolescent development researchers, staying in and completing school are critical protective factors for young people who may encounter crime and delinquency in their neighborhoods.³⁸ Most young people who do engage in delinquent behavior can leave this troubled period behind them if they can engage in normal life experiences, such as being in school and getting a job.

Communities suffer when young people cannot attend or complete college because of rising costs. The Institute for Higher Education Policy found that higher education in a community is associated with increased earning, lower unemployment, less use of public assistance, and increased voter participation.³⁹ When more people attend college, governments can see increased tax revenues from more vibrant local economies. States that have higher levels of college attainment also have violent crime rates that are lower than the national average.

The education cuts we experience when prison costs rise out of control create a negative, self-fulfilling cycle for our communities: A \$70 billion prison system forces government to cut education funding and raise tuition for students and their families. This undermines job readiness, stifles economic growth, reduces tax revenue, and leaves communities ill-equipped to deal with the challenges to public safety not addressed by incarceration. Hence, taxpayers continue to spend billions of dollars every year to imprison 2.3 million people, two-thirds of

whom do not have high school diplomas prior to ending up on a trajectory to crime and imprisonment.

While the relationship between education and prison spending may not always be clear to legislators when they support costly criminal justice policies, the link between lackluster support for education and the barriers facing some neighborhoods that seek to build well-educated and safe communities can be seen all across the country.

Section 4. Mapping the Problem at the Neighborhood Level: Community Impact

*“The benefits of smaller class size on student performance are beyond dispute. At a time when the city has failed to ensure that our children have the necessary resources in the classroom, capital dollars are allocated to repair and expand a dilapidated and unnecessary jail.”*⁴⁰

—New York City comptroller William C. Thompson, June 16, 2009

As the U.S. prison population soared over the last two decades, researchers began to notice significant concentrations of people going to prison from a few neighborhoods, particularly poor neighborhoods of color in major cities. In these high-incarceration communities, millions of dollars are being spent to incarcerate neighborhood residents, forming “million-dollar blocks.”

Not only does recidivism remain a problem in many of these areas, but unfortunately dollars spent on incarceration are often the predominant public-sector investment in these communities. As states look to find ways to save state dollars for education and other civic-level investments, reducing the overreliance on prisons in million-dollar blocks could save states millions of dollars and shift those funds from prison budgets back to education budgets.

The outdated public safety agenda that has driven prison expansion has a dramatically disproportionate impact on certain communities: In the major cities of every state, there are a small number of neighborhoods for which taxpayers are asked to spend hundreds of millions of dollars each year to cycle residents between prison and the community. At the same time that these neighborhoods’ contact with the institutions of criminal justice becomes commonplace, they are also witnessing educational opportunities evaporate with repeated cuts to education budgets.

The following case studies represent areas experiencing budget shortfalls as they continue to imprison more and more people, pouring money into their prison system, while their education system suffers. The maps in this section analyze six different cities: Los Angeles, California; Philadelphia, Pennsylvania; Indianapolis, Indiana; Jackson Mississippi; Houston, Texas; and

New York City, New York. Prepared by the Justice Mapping Center for this report, they display annual prison admission rates by neighborhoods in these cities (in Los Angeles, where information on prison admissions was not available, rates of people on parole are mapped.)

Using zip codes and in some instances census tracts as rough representations of local neighborhoods, these maps depict the rate at which adults from each zip code or census tract in each city were sent to prison in 2008, or in the case of Los Angeles, were paroled in 2006. Each zip code or census tract is color coded to represent the number of adults per 1,000 that were sent to prison that year or were on parole on any particular day.* Further analysis is then performed to reveal the extreme costs of funding incarceration in these select neighborhoods.

But the picture only becomes clear when one looks at an analysis of school performance (as determined by math proficiency scores) for each city as mapped on top of the incarceration data. The ultimate outcome is a daunting visual that clearly shows a correlation between high incarceration neighborhoods and low school performance. In five cities where school performance is depicted, the low-performing schools tend to be located in the areas with the highest incarceration rates (in New York, where education data was not available, only incarceration rates and budgets are mapped.) When viewed through a geographic lens such as this, the nation's \$70 billion investment in prisons is evident in not only the criminal justice involvement of the most vulnerable communities, but also in their levels of educational attainment.

Los Angeles, California

Two-thirds of the low-performing schools are in high-incarceration neighborhoods, and two-thirds of high-performing schools are in low-incarceration neighborhoods.

*“I attribute the increase in the dropout rate to some extent on the budget cuts—fewer counselors, fewer classes in music and the arts, less career–technical education.”*⁴¹

—Jack O’Connell, outgoing California Superintendent of Public Instruction

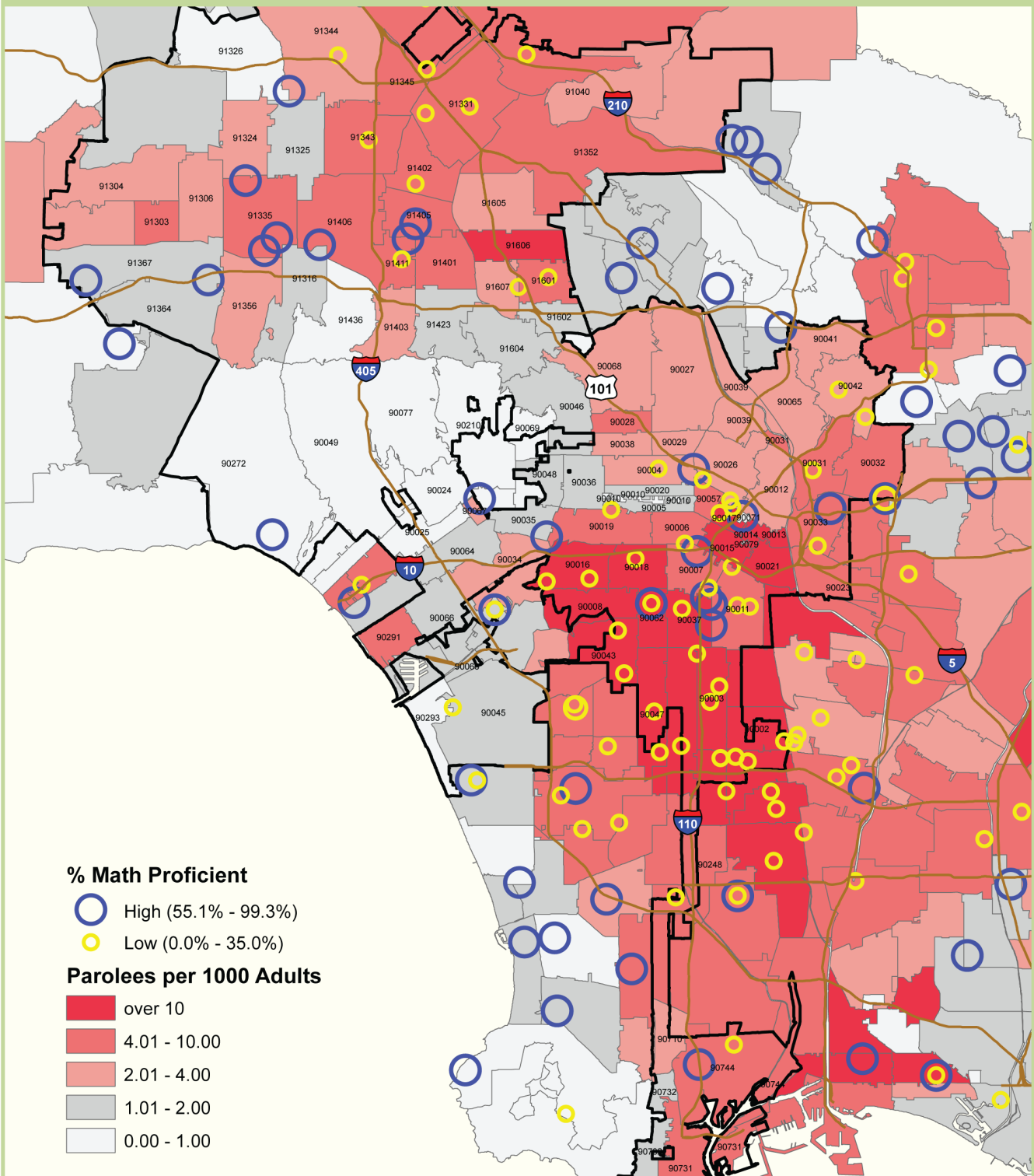
In recent years, California has faced catastrophic cuts to its education system. According to one account of the crisis, California elementary and secondary schools lost \$18 billion in state funding over the last two years alone.⁴² Indeed, during California’s seemingly never-ending state budget crisis, it is hard for educational administrators to keep track of the cumulative impact of state cuts to counties and cities as well as the effect of those cuts on schools. Last year 15,000 teachers were laid off statewide, and it is not yet clear how many thousands more will be laid off this year.⁴³

The Los Angeles school system is ground zero for the California budget meltdown. As of March 2011, the Los Angeles Unified School District was expected to lay off 7,000 employees—prompting planned student walkouts and other protests.⁴⁴ These cuts will mean teacher layoffs in every school, the closing of after-school programs, and the growth of class sizes.

More than 50 percent of the people who were in prison, and after release were under parole supervision in Los Angeles, live in zip codes that are home to only 18 percent of the city’s adults.⁴⁵

How is school success affected by these policy choices and spending patterns? There is no way to definitively know in real time. It will be years before we can analyze the impact of these cuts on student achievement in Los Angeles schools. But what we have uncovered through analyzing school performance in high-incarceration communities is striking. When we layer school performance over the map of the residential distribution of parolees, we do know that in Los Angeles County, 69 of the 90 low-performing schools (67 percent) are in neighborhoods with the highest incarceration rates. By contrast, 59 of the city's 86 high-performing schools (68 percent) are in neighborhoods with the lowest incarceration rates.⁴⁶

LOS ANGELES COUNTY
 PRISON ADMISSIONS per 1000 ADULTS (2008)
 By ZIP CODE of HOME RESIDENCE with HIGH SCHOOL MATH PROFICIENCY



Data Sources: California Department of Corrections and Rehabilitation (2004).
 California State Dept. of Ed., (<http://www.cde.ca.gov/ta/ac/ay/aypdatafiles.asp>), Testing
 & Accountability, Accountability (2009), Adequate Yearly Progress (AYP).

JUSTICEMAPPING
 SYSTEMS

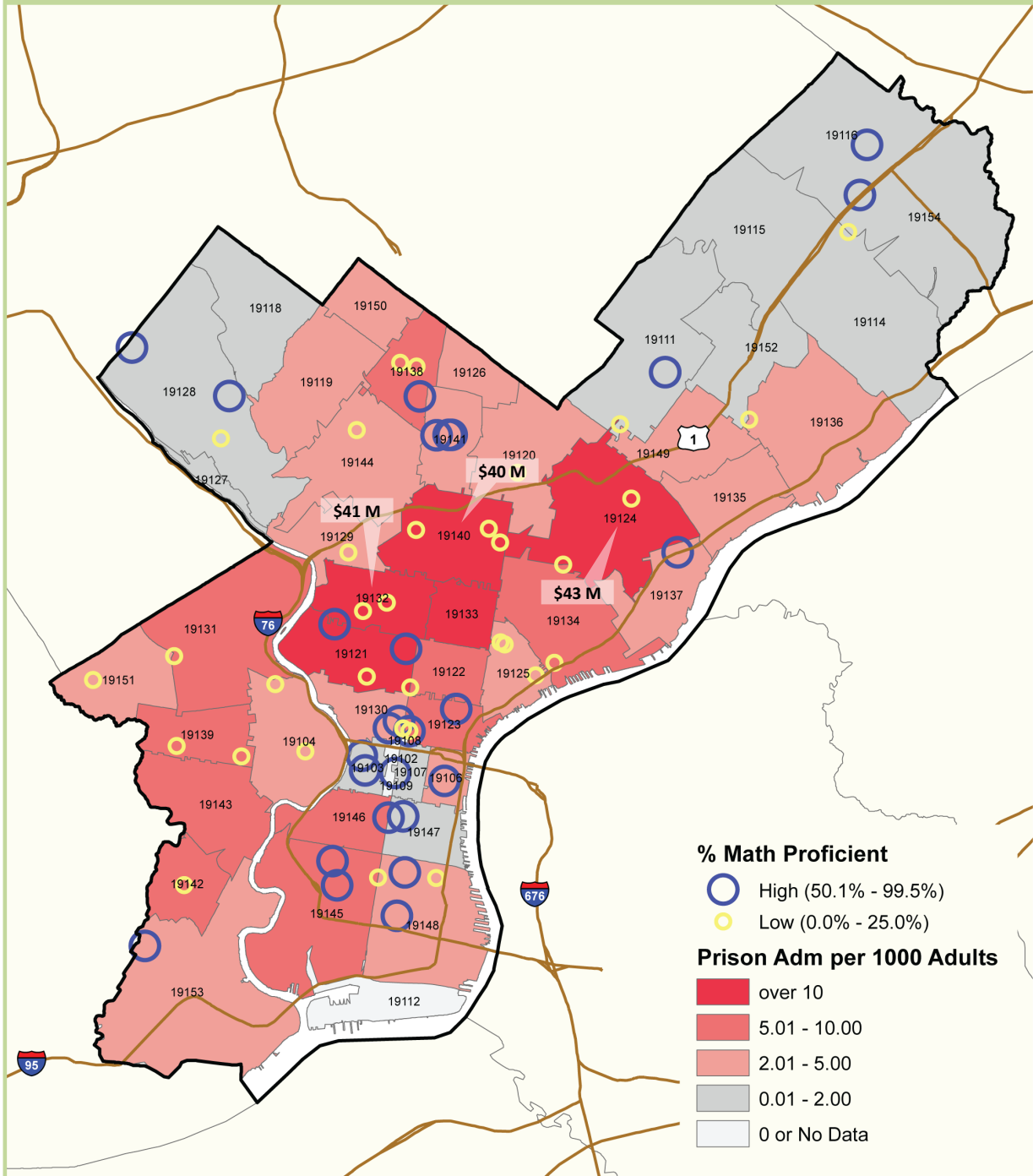
Philadelphia, Pennsylvania

Imprisoning people from 11 neighborhoods costs taxpayers \$290 million a year, while the Philadelphia school district has a \$197 million shortfall.

The Pittsburgh Tribune-Review reported that in 2008 Pennsylvania taxpayers spent \$1.66 billion on its state prison system, compared with \$1.59 billion for higher education.⁴⁷ Pennsylvania spends about \$33,000 per prisoner per year, compared with \$4,000 per college student per year.⁴⁸ As Pennsylvania joined the group of states that spend more on prisons than on higher education, both college and K–12 funding diminished as the country slipped into recession in 2008. The 2011 scheduled expenditures will increase funding toward prisons by an additional \$82 million over 2010 levels as legislators debate a proposal to cut higher education by 50 percent, which would be the single largest state-level cut to higher education in U.S. history.⁴⁹

In 2009, the Philadelphia school district's budget shortfall approached \$197 million due to a \$160 million cut in funding from the state.⁵⁰ When the recession started in 2008, Philadelphia eliminated free transit passes for 7,000 students—a measure that led the city council to write to the School Reform Commission, “With nearly 50 percent of school district students dropping out before graduation, we can hardly afford a policy that discourages attendance.”⁵¹ In 2008, as Philadelphia schools hung in the balance, taxpayers spent nearly \$281 million to imprison residents sentenced from just nine Philadelphia neighborhoods (zip codes).⁵² As the map illustrates, while these neighborhoods are home to just one-quarter of the city's population, they account for 50 percent of all adults sent to prison from Philadelphia. Three Philadelphia zip codes cost the state in excess of \$40 million each in incarceration costs in 2008.⁵³ Further limiting what they can spend on schools, Philadelphia residents also foot a bill of \$218 million a year to run the local jail.⁵⁴

PHILADELPHIA
 PRISON ADMISSIONS per 1000 ADULTS (2008)
 By ZIP CODE of HOME RESIDENCE with HIGH SCHOOL MATH PROFICIENCY



Data Sources: Justice Atlas of Sentencing and Corrections, (www.justiceatlas.org), "Philadelphia Prison Admissions (2008), Summary," Mar. 10, 2011. Pennsylvania Department of Education, (<http://paayp.emetric.net/StateReport#file>), Academic Achievement Report: 2009-2010.

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As hundreds of millions of dollars are allocated to incarcerate people from just a few of the most challenged neighborhoods of the city, school performance continues to suffer. Of the city's 35 low-performing schools, 23 (66 percent) are clustered in or very near neighborhoods with the highest rates of incarceration—where the biggest taxpayer investment is being made toward incarceration. In contrast, of Philadelphia's 28 high-performing schools, 21 (75 percent) are in neighborhoods with the lowest rates of incarceration.⁵⁵

This same pattern is repeated among neighborhoods in city after city across the country. As the maps of Indianapolis, Indiana; Jackson, Mississippi; and Houston, Texas demonstrate, the pattern of costly spending on incarceration for neighborhoods where educational divestment hits the weakest-performing schools is prevalent among a diverse array of different cities.

Indianapolis, Indiana

Millions are spent imprisoning people from eight neighborhoods as schools struggle.

*“We shouldn’t be building more prisons. We should be building more opportunities.”*⁵⁶

—State Senator Greg Taylor, Indianapolis

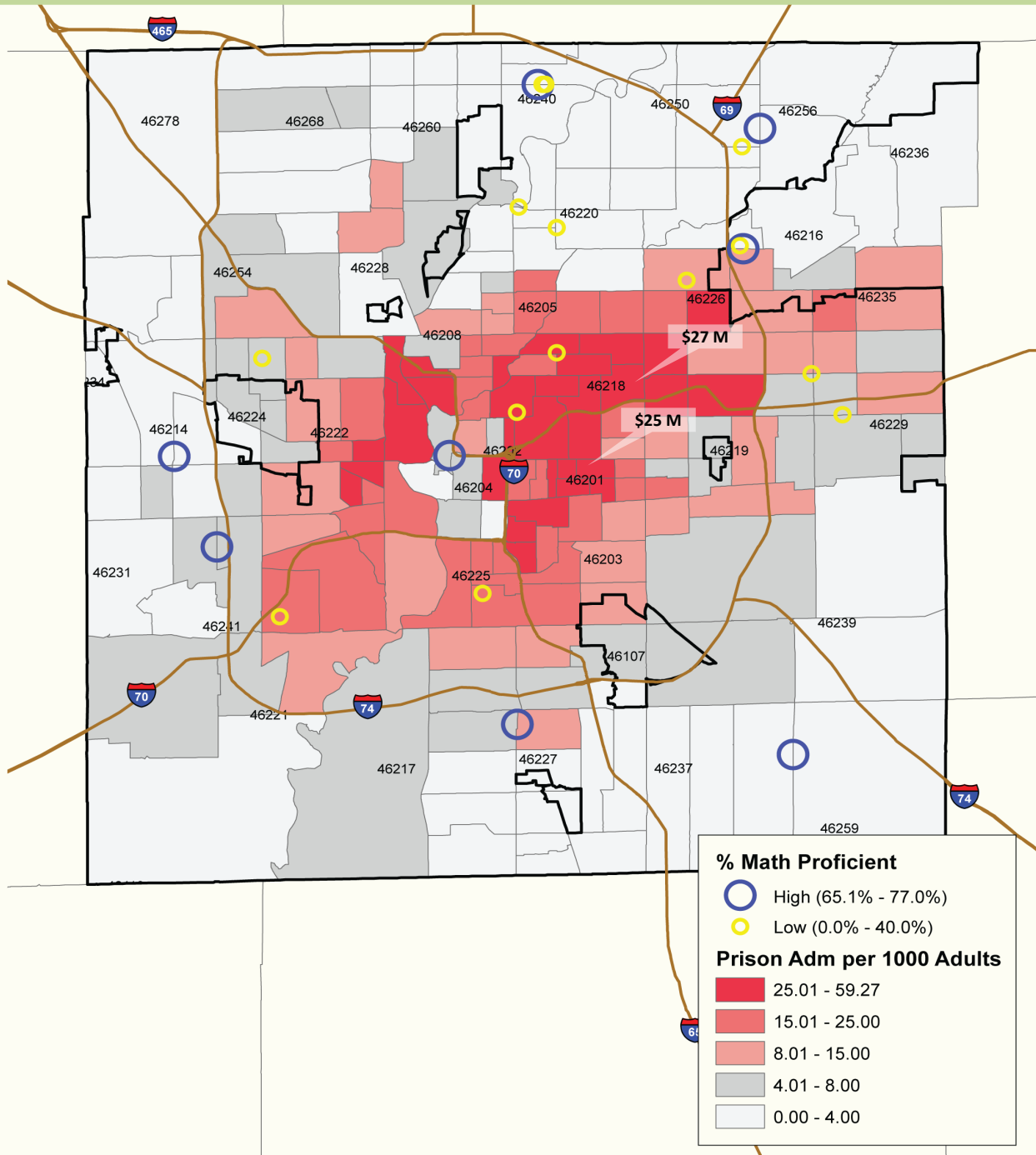
Before Indiana’s state budget crisis initiated cuts at the start of the recent economic recession, Indianapolis schools were already feeling the funding squeeze. Indiana used \$992 million in stimulus funds to cover a K–12 education shortfall in the 2009 budget.⁵⁷ As is the case in Indiana’s 2011 budget, stimulus funds will not be available to shore up vital services in future budget years. In the mist of these troubled economic times, the Indiana Department of Corrections has proposed a 1.3 percent increase in funding—a measure currently being debated in the Indiana legislature.⁵⁸ In addition, if Indiana’s criminal justice policies remain unchecked, the state is set to see a 21 percent increase in its prison population by 2017, further crippling the state budget.⁵⁹ More people in Indiana’s prisons will mean more need for more prison facilities, and more facilities will mean more prison-related costs in the future and less money for education.

As the accompanying map shows, even without new prison beds taxpayers are spending around \$240 million a year to imprison people from Indiana’s biggest city, Indianapolis.⁶⁰

INDIANAPOLIS

PRISON ADMISSIONS per 1000 ADULTS (2008)

By CENSUS TRACT of HOME RESIDENCE with HIGH SCHOOL MATH PROFICIENCY



Data Sources: Justice Atlas of Sentencing and Corrections, (www.justiceatlas.org), "Indianapolis Prison Admissions (2008), Summary," Mar. 10, 2011.

Indiana Department of Education, (<http://mustang.doe.state.in.us/AP/ayppress.cfm>), Indiana Accountability System for Academic Progress: 2009, AYP Results, School Search.

JUSTICEMAPPING
S Y S T E M S

Home to 11 percent of the city's adult population, five zip codes in Indianapolis account for 41 percent of residents annually sent to prison from the city. These five high-incarceration zip codes add up to more than 56 percent of prison expenditures (\$82 million) for the city. Incarceration costs for two zip codes alone in Indianapolis each amount to more than \$20 million; for one, taxpayers are spending \$27 million and for the other \$25 million.⁶¹

Jackson, Mississippi

Teachers are being laid off and class sizes are growing as bills to cut prison costs are voted down and taxpayers spend \$24 million to imprison people from Jackson neighborhoods.

“The only place we can go is teachers.

*It’s an extreme challenge within the district to find dollars.”*⁶²

—Michael Thomas, Jackson Public School District deputy superintendent for operations

*“When education’s not the priority in Mississippi, we lose.”*⁶³

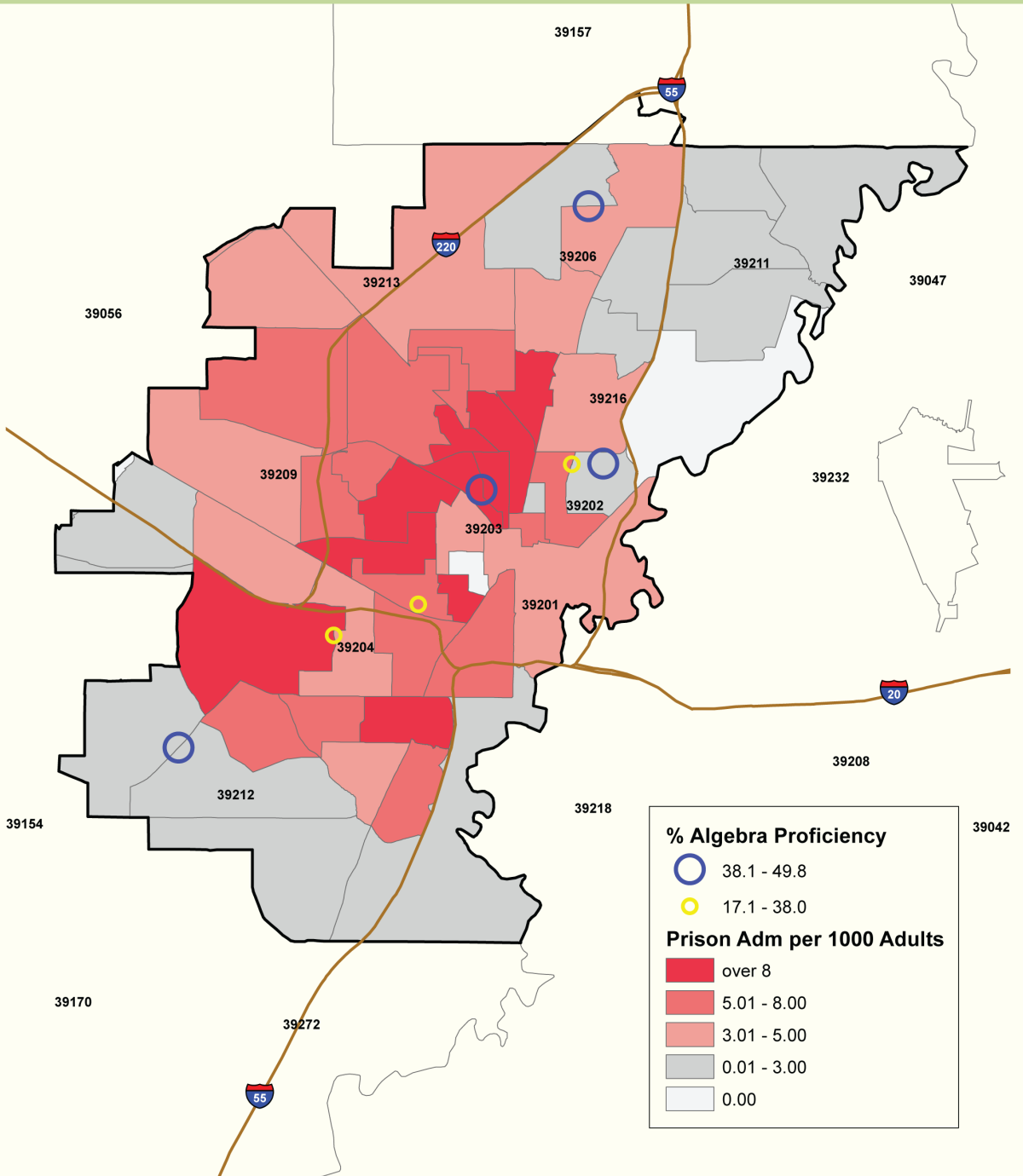
—Representative George Flaggs, Vicksburg

A hot topic in education circles in Mississippi is what to do about funding the Mississippi Adequate Education Program (MAEP), the state’s primary mechanism of providing equalized funding for school districts. Governor Haley Barbour has proposed to cut MAEP by \$65 million and shift these dollars to meet the state budget shortfall.⁶⁴ The state’s House of Representatives, however, approved a state funding plan for MAEP without these proposed drastic cuts.

Meanwhile, at the same statehouse, legislators voted down a bill in February 2010 that could have cut the sentences of some nonviolent drug prisoners in half, pared the prison population by 1,000 inmates, and saved the Mississippi Department of Corrections \$8 million through 2013.⁶⁵

As Jackson’s education system experiences budget cuts, taxpayers are spending \$25 million a year to imprison people from neighborhoods in just two zip codes in Jackson.⁶⁶

JACKSON
 PRISON ADMISSIONS per 1000 ADULTS (2008)
 By ZIP CODE of HOME RESIDENCE with HIGH SCHOOL MATH PROFICIENCY



Data Sources: Justice Atlas of Sentencing and Corrections, (www.justiceatlas.org), "Jackson Prison Admissions (2008), Summary," Mar. 10, 2011.
 Mississippi Dept. of Ed., (<http://orshome.mde.k12.ms.us/ors/assessment/index.html>), Assessment and Accountability Reporting System: 2009, Student Assessment Data.

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While these neighborhoods are home to 45 percent of the city's population, they account for more than two-thirds (67 percent) of Jackson residents sent to prison in 2008. Located on Jackson's west side, the most expensive zip code in the city has Mississippi taxpayers spending \$10 million to incarcerate its residents. And in the face of these expenditures, school performance data show that the three low-performing high schools in the city are in zip codes with either the highest or next-to-highest rates of incarceration, while three of the four high-performing schools are located in zip codes experiencing the next-to-lowest rates of incarceration in the city.⁶⁷

Houston, Texas

Tuition and school lunch costs are on the rise as taxpayers spend half a billion dollars on imprisonment in Houston each year.

*“Nothing should be cut...It’s not good for our children’s future”*⁶⁸

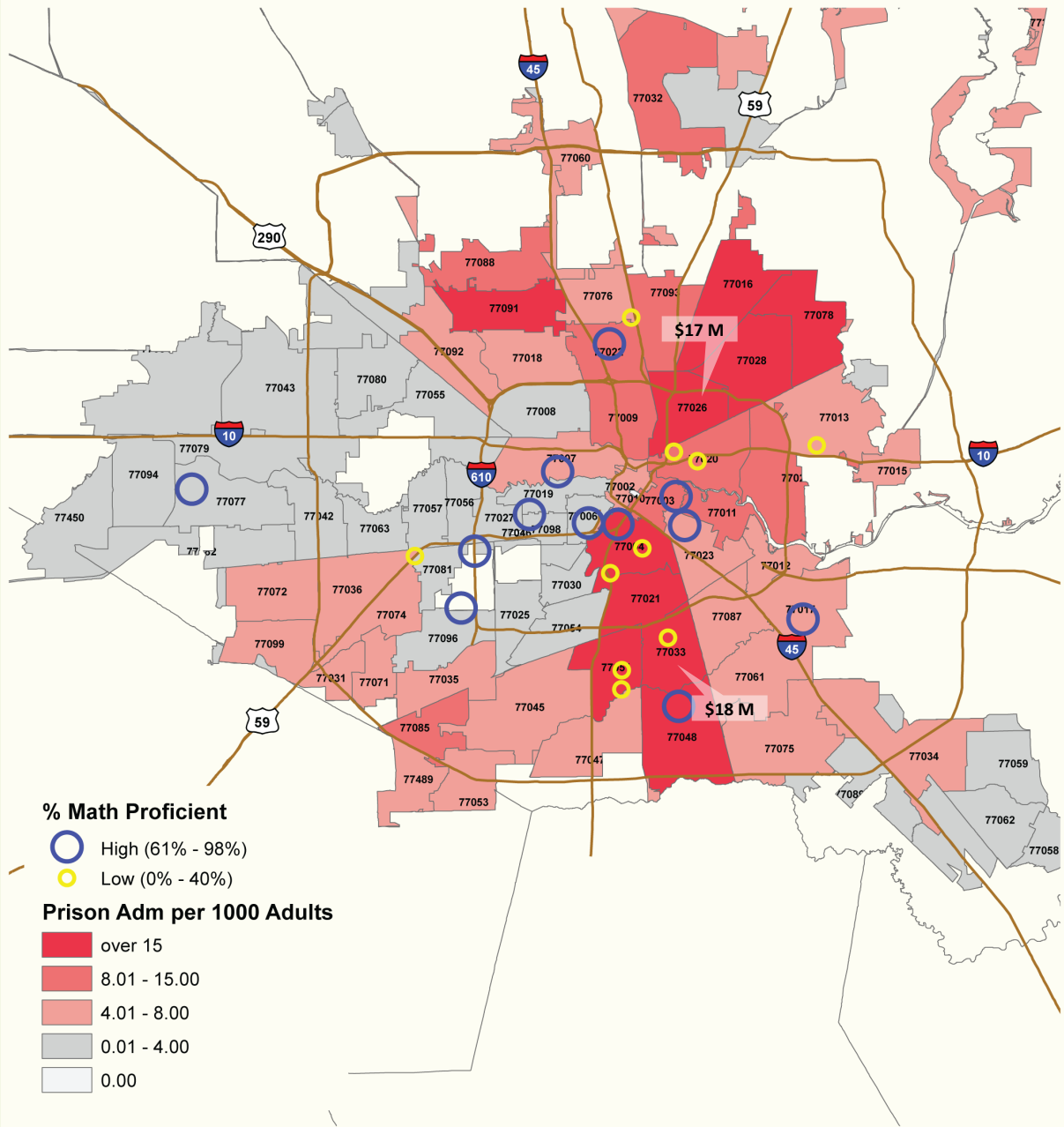
—Lorna Correo, mother with children in the Houston Independent School District

With state lawmakers facing a \$26.8 billion shortfall, towns and municipalities are bracing for cuts at the local level that will include the layoff of administrators and teachers.⁶⁹ The cuts to the elementary system will result in fewer cafeteria workers, a hike in school lunch costs, and the elimination of nearly 300 jobs.⁷⁰ “Teachers will lose jobs, students will lose educational opportunities, and our state will lose ground in its long-term economic competitiveness,” said Jackie Lain, an Associate Executive Director for the Texas Association of School Boards.⁷¹

Along with K–12 schools throughout the state, all Texas universities are bracing for a 10 percent funding cut in 2010 and 2011. “Even though we make up only 12 percent of the budget, 41 percent of the cuts to achieve the 5 percent reduction came from higher education,” said Kent Hance, Chancellor of the Texas Tech University System.⁷² While some of the revenue shortfalls facing the higher education system will be made up through freezes on hiring and salaries, students at the University of Texas Health Science Center at Houston are facing an 11 percent rise in tuition.⁷³

As the map illustrates, while students in both higher education and K–12 school systems are feeling the effect of budget cuts in Houston, taxpayers spent more than \$130 million to imprison residents sentenced in 2008 from neighborhoods in just 15 zip codes in Houston. While these neighborhoods are home to only about 10 percent of the city’s population, they account for 40 percent of residents sent to prisons from the city in 2008. Two zip codes in Houston alone cost the state \$17 million and \$18 million respectively.

HOUSTON
 PRISON ADMISSIONS per 1000 ADULTS (2008)
 By ZIP CODE of HOME RESIDENCE with HIGH SCHOOL MATH PROFICIENCY



Data Sources: Justice Atlas of Sentencing and Corrections, (www.justiceatlas.org), "Houston Prison Admissions (2008), Summary," Mar. 10, 2011. Texas Education Agency, (http://ritter.tea.state.tx.us/ayp/index_multi.html), Adequate Yearly Progress Results (2006).

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The neighborhoods that see hundreds of millions of dollars spent to imprison their residents also see school that are struggling with success. In Houston, of 6 low-performing schools, 5 are in neighborhoods with the highest rates of incarceration. In contrast, of 12 high-performing schools, 8 are in neighborhoods with the lowest incarceration rates.⁷⁴

New York City, New York

Half a billion dollars are spent to incarcerate people from 12 percent of the city's neighborhoods as the city and state cut half a billion dollars from schools.

*"We're at the point where we're way past bone and cutting off limbs. We've lost huge numbers of school psychologists, elementary librarians, school counselors, social workers, and reading teachers."*⁷⁶
—Pat Puleo, President of the Yonkers Federation of Teachers

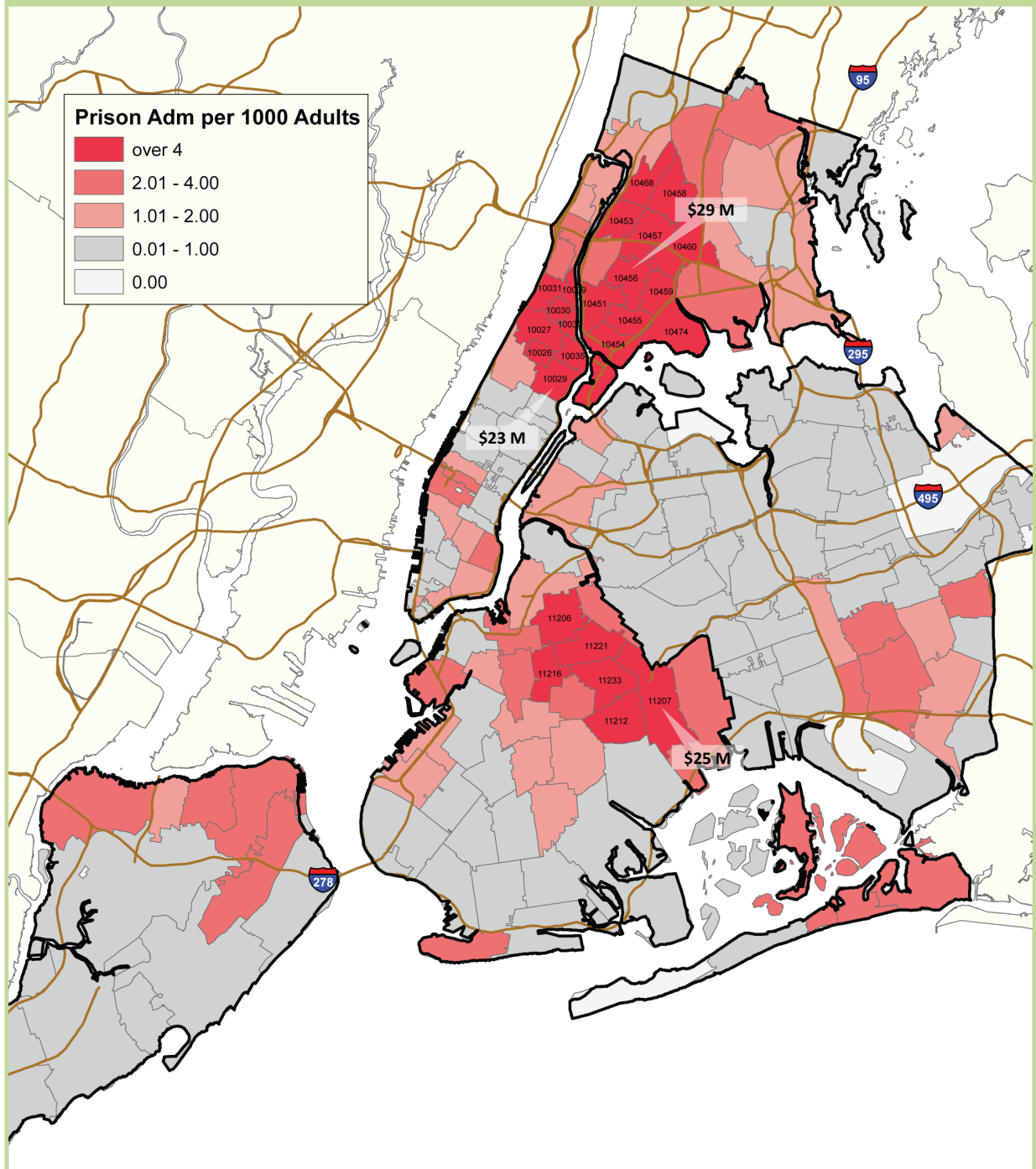
New York City schools lost between \$400 million and \$500 million in funding in the 2009–2010 fiscal year.⁷⁷ Coming after a cumulative six percent budget cut in the previous two years, reduced school spending has meant that thousands of teens have lost access to after-school programs⁷⁸ and thousands of teachers have been laid off.⁷⁹ In 2009, class sizes in city schools increased by their highest rate in more than a decade, with the youngest children experiencing the biggest growth in class sizes. "It's a real sad story. The kids with the highest educational needs tend to fall the furthest back. They benefit from the individual attention," said Leonie Haimson, Executive Director of Class Size Matters, in November 2009.⁸⁰

In March 2010, the state of New York contemplated a budget that would cut aid to local school systems by another \$1.4 billion and would lift some of the state restrictions on universities so they could raise student tuition. According to the Center on Budget and Policy Priorities, "In its fiscal year 2011 budget New York cut funding for public universities by 10 percent relative to the previous academic year, cut aid to community colleges by 11 percent, and cut grants awarded by a financial aid program that serves students from low- and moderate-income families. The state's university system previously increased resident undergraduate tuition by 14 percent beginning with the spring 2009 semester."⁸¹

At the same time that the education system lost hundreds of millions of dollars in state and city funding, state taxpayers continued to invest nearly half a billion dollars to incarcerate residents of those communities most likely to be hit hardest by cuts in education.

In 2008, more than 50 percent of the people sent to prison from New York City hailed from 27 of the city's 200 zip codes, where only 18 percent of its adults reside. New York taxpayers will spend \$418 million to imprison residents from those 27 zip codes before returning them to their communities, accounting for nearly half of the \$870 million spent to incarcerate residents from all 200 New York City zip codes. New York will spend nearly \$29 million to incarcerate residents sent to prison from a single zip code in the Bronx, another \$25 million for a single zip code in Brooklyn, and another \$23 million for a single zip code in Manhattan.⁸²

NEW YORK CITY
 PRISON ADMISSIONS per 1000 ADULTS (2008)
 By ZIP CODE of HOME RESIDENCE



Data Sources: Justice Atlas of Sentencing and Corrections, (www.justiceatlas.org),
 "New York City Prison Admissions (2008), Summary," Mar. 10, 2011.

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The high rates of removal and return from home to prison and back home again put a severe strain on families and friends as well as the economic infrastructure of these communities.

Moreover, the financial costs of incarceration can be understood as a lost opportunity to reinvest in community infrastructure such as improving schools.

As the situation depicted in these cities illustrates, the brunt of most correctional activities in the United States is borne by a few neighborhoods in major cities, particularly poor neighborhoods of color. These statistics reveal an undeniable relationship between low-performing schools and high-incarceration neighborhoods, signaling an urgent need to rethink the huge financial investments being made in our broken criminal justice system.

The negative return that incarceration is having on cities as illustrated in our study is not only troublesome for today's economic times but is also consistent with findings from neighborhood studies that suggest the cyclical removal and return of so many parents—particularly fathers—leads to the widespread breakdown of informal authority and weakening of social networks, which can reach a tipping point that results in an increase of crime in low-income communities of color.⁷⁵ Hence, misguided investments in the criminal justice infrastructure—in this case ballooning prison budgets at the expense of education—are failing cities across America and therefore failing the American people. To lay the groundwork for healthier civic communities, sentencing and programmatic reforms must be made in order to downsize prisons and reinvest prison dollars in the education system.

Section 5. Putting Education First by Enacting Smart and Safe Reforms

“We must control costs, generate savings, and—in the face of a projected drop of yet another 1,000 offenders in the coming year—close prisons.

No private business would continue operating empty facilities.

*State taxpayers simply cannot afford to maintain the status quo.”*⁸³

—Brian Fischer, New York State Corrections Commissioner

The gloomy depiction of a country falling behind the rest of the world with an underfunded and underperforming education system can change. To make change happen, our leaders have to choose cost-effective criminal justice policies, eliminate racial disparities, focus on public safety strategies that work to curb violence and victimization, and reserve more of our tax dollars for our children’s education and our nation’s future. While prison spending is still on the rise and schools are still feeling the funding squeeze, researchers suggest that millions of dollars can be saved by following the lead of states that have recently scaled down their prisons.

While there is no single approach that will work everywhere, the changes to laws and policies in Kansas, Michigan, New Jersey, and New York demonstrate that if our leaders want to change spending priorities between education and incarceration, they can do so. State leaders have found ways to bring their prison populations under control and reduce the number of people in prison:

- New York achieved a 20 percent reduction in imprisonment in 10 years, with a reduction in the prison population of more than 14,000 people;
- New Jersey achieved a 19 percent reduction in imprisonment in 10 years;
- Kansas achieved a 5 percent reduction in imprisonment over 6 years; and
- Michigan achieved a 12 percent reduction in imprisonment in just 3 years.

In all four states, crime rates have declined. With fewer people in prison and with falling crime rates, these states are starting to see a return on their investment:

- Michigan closed three prisons and five prison camps, estimated to save \$118 million;
- New Jersey closed a 1,000-bed prison in Camden, with an annual operational cost of \$42 million; and
- New York closed three small minimum-security prisons and shuttered annexes at prisons that remain in operation, estimated to save \$26.3 million in the 2010–2011 budget. After decades of rural politicians scuttling proposals to close prisons that employ people in their districts, New Yorkers are having serious debates over which multi-million-dollar prisons they might close.

How did these four states reduce prison populations and save money?

These states have realized the savings that come with fewer prisoners by using strategies that fit the needs of their state—all while they also see a drop in crime rates.⁸⁴ While there is no “silver bullet”—no one way to get in control of rising prison costs—the strategies these states used serve as a lesson to leaders elsewhere who want to reduce prison spending, improve public safety, and redirect funds to education.

1) Changing sentencing and reforming drug laws

Of the 2.3 million people in prison in this country, half a million are in prison because they were convicted of a non-violent drug offense. Many people convicted of drug offenses were subject to a mandatory minimum sentence—a long, mandatory prison term that, in most cases, no court can change, regardless of the circumstances of the crime or the costs of that prison term to taxpayers.

Changing the laws that govern how long someone will serve behind bars for a crime has become one of the most politically charged votes elected officials are asked to cast. However, faced with the escalating costs of the current policy and the research that has proven incarceration to be an ineffective means of drug treatment, some policymakers are boldly voting to change these laws.

In 2009, former New York Governor David Patterson, with the State Assembly and Senate, revised New York’s “Rockefeller Drug Laws,” the infamous mandatory minimum sentencing policies that helped fuel drug imprisonment in the state. These changes eliminated mandatory minimum terms for some low-level nonviolent drug felonies.⁸⁵ State Assembly Leader Sheldon Silver described the change as “establishing a more just, more humane, more effective policy for the state of New York.”⁸⁶

In Michigan, members of all political parties, prosecutors, and defense attorneys were able to join together to repeal almost all of the state’s mandatory-minimum drug statutes, replacing them with drug sentencing guidelines that gave discretion back to Michigan judges.⁸⁷

New Jersey recently revised its “drug-free zone” laws, which had required mandatory minimum prison terms for drug sales around schools, disproportionately affecting more densely populated cities over more sparsely populated suburbs.⁸⁸ The change to these laws capped a multi-year effort that reduced the number of people in prison for drug offenses and may reduce the troubling racial disparities associated with laws of this kind.

These measures not only help states begin to rein in excessive spending on ineffectively locking up large masses of individuals, but also help ensure that low-level drug offenders receive adequate treatment to help reduce recidivism rates.

2) Diverting people with drug addictions from prison to treatment

According to surveys of prisoners, half of all inmates in state and federal prisons were abused or were dependent on drugs before they were imprisoned, and between 15 and 20 percent said they committed their crime to obtain money to buy drugs.⁸⁹ Finding ways to divert people with drug problems from prison to treatment can help break the cycle of crime and addiction, and cut incarceration costs.

In New York City, the development of the Drug Treatment Alternatives-to-Prison (DTAP) program by Kings County (Brooklyn) District Attorney Charles J. Hynes helped divert people to treatment who would otherwise have served a mandatory prison term.⁹⁰ DTAP helped to spur the expansion of New York's Alternative to Incarceration programs, which are designed to divert people from prison to treatment, education, and employment services. New Jersey changed prosecutorial guidelines that governed plea bargains, allowing judges to divert low-level addicted defendants caught in "drug-free zones" to treatment.⁹¹ New Jersey also expanded drug court options for these formerly prison-bound individuals.⁹²

3) Using shortened prison terms as an incentive for prisoners to complete schooling and treatment

One way to cut prison costs is to shorten sentences for people who complete schooling or treatment programs while they are imprisoned. These incentives achieve two goals: prisoners can demonstrate that they are motivated to put the past behind them, and these programs may help address the issues of joblessness, lack of schooling, and addiction that may have led the individuals to crime and prison in the first place.

New York's Shock Incarceration program sends younger prisoners to a structured, six-month program that helps them earn their GED, and if they successfully complete the program, shaves time off their prison sentence. The Shock Incarceration program is estimated to have reduced minimum prison sentences for some 35,000 people by an average of 11.3 months each.⁹³

New York's Merit Time program allows people serving prison sentences for nonviolent, non-sexual crimes to earn a one-sixth reduction of their minimum prison term if they complete their GED or vocational certificate, complete an alcohol or drug abuse program, or perform 400 hours of service on a community work crew.⁹⁴ Between 1997 and 2006, the Merit Time program saved 24,000 prisoners an average of 6.4 months in prison each, saving taxpayers an estimated \$372 million.⁹⁵

4) Increasing the number of people who get paroled and improving their chances of success

People who have served some time in prison, depending on the state they live in, may be eligible for parole: They can return to the community as long as they complete a set of conditions, which can include obtaining and maintaining a job, remaining drug-free and sober, and paying restitution for the crime. In the past four decades, many states have restricted who can be paroled and slowed the process of release. But when done right, parole reforms can both help former prisoners plan for their eventual return to the community and allow the criminal justice system to break the cycle of crime by helping people returning home to get a job, get housing, find treatment, and get more schooling.

Responding to concerns that parolees were reoffending upon release, parole systems now have more scientifically proven tools that can help parolees better plan for their eventual return home, reduce the chances they will fail on the outside, speed up release decisions, and bring down prison populations.

In Michigan, the Prisoner ReEntry Initiative helped improve the parole board's confidence that people being released would have a better chance for success, resulting in increased parole approval rates. New Jersey developed new administrative parole policies grounded in effective methods and strategies for release decisions. The number of people successfully released to

parole in New Jersey increased from 3,099 in 1999 to 10,897 in 2001, and these higher parole release rates were sustained throughout the rest of the decade.

5) Reducing the number of people sent to prison from probation or parole

Instead of sending someone to prison, the courts may place the person on probation: like someone on parole, a probationer can remain in the community as long as he or she follows the conditions set by the court or the corrections system. Conditions may include getting and keeping a job, completing treatment, and paying restitution for the crime.

In some states, significant numbers of people are behind bars because they failed a drug test, could not pay a fee or fine, or failed to make a restitution payment while they were on probation or parole. While people must be

held accountable for their actions, such “technical violations” of parole or probation supervision can be costly if the only option is sending them to prison. Some states have found it to be more cost effective to expand their options by finding other ways to hold people accountable for technical violations while still setting them on the right path toward rehabilitation.

In 2006 in Kansas, two-thirds of people admitted to prison were imprisoned because they failed to meet requirements under parole or probation supervision in the community. Of these, 90 percent had failed for technical violations (breaking a condition of their supervision). A third of these technical violations were related to alcohol and drug use, further indicating a clear need for addiction treatment services for these individuals. Local community corrections agencies developed strategies that dramatically reduced the number of people sent to prison for technical violations, while still holding them accountable. Michigan and New Jersey took similar steps to reduce the number of people sent back to prison for technical violations.

Section 6. Call to Action and Recommendations: Invest to Educate, Not Incarcerate

Although Kansas, Michigan, New Jersey, and New York provide excellent models of how to downsize prisons, even these states have yet to make the leap of applying the savings from downsizing prisons to their education budgets. The NAACP calls on policymakers to reduce state and federal prison populations and reinvest the resulting savings in education.

It is time for states to adopt the principles of our Smart and Safe Campaign by reinvesting dollars from prisons into education. It is time for America to be smart and safe and commit to the future by reinvesting dollars from prisons into education.

The following are recommended policies that will downsize prisons and make dollars available for education budgets:

1. Study the problem: Support federal, state, and local efforts to create a blue-ribbon commission that will conduct a thorough evaluation of the criminal justice system and offer recommendations for reform in a range of areas, including: sentencing policy, rates of incarceration, law enforcement, crime prevention, substance abuse and mental health treatment, corrections, and reentry.

2. Create reinvestment commissions: Support commissions charged with identifying legislative and policy avenues to downsize prison populations and shift savings from prison closures to education budgets.

3. Eliminate disparities in drug laws: Support efforts to eliminate disparities in sentencing between crack and powder cocaine at the state and federal level.

4. Increase earned time: Support reforms that would allow prisoners to earn an earlier release by participating in educational and vocational programming as well as drug and mental health treatment.

5. Support youth violence reduction programs: Support programs and policies to develop a comprehensive plan for implementing evidence-based prevention and intervention strategies for at-risk youth to prevent gang activity and criminal justice involvement.

6. Reform sentencing and drug policies: Eliminate mandatory minimum sentencing for drug offenses that help fuel drug imprisonment.

7. Use diversion for drug-involved individuals: Reform prosecutorial guidelines to divert people to treatment who would otherwise serve a mandatory prison term.

8. Shorten prison terms: Send young offenders who would otherwise receive mandatory sentences to structured programs to help them earn their GED and shave time off their prison sentences.

9. Increase parole release rates: Improve parole boards' ability to use evidence-based strategies when making decisions to parole prisoners, thus improving parolees' chances for success and increasing parole approval rates.

10. Reduce revocations of people under community supervision: Develop alternative-to-incarceration programs that will reduce the number of people sent to prison for technical violations.

11. Support reentry and the sealing of records: Support legislation that will close criminal records of certain offenders after they have not committed another crime within a certain number of years.

Notes

- ¹ Unless otherwise noted, all state fiscal expenditure data are from State Expenditure Report: 2008 (Washington, DC: National Association of State Budget Officers, 2009).
- ² One in 31: The Long Reach of American Corrections (Washington, DC: The Pew Center on the States, 2009), 1, http://www.pewcenteronthestates.org/uploadedFiles/PSPP_1in31_report_FINAL_WEB_3-26-09.pdf.
- ³ Elizabeth McNichol, Phil Oliff, and Nicholas Johnson, “States Continue to Feel Recession’s Impact,” Center on Budget and Policy Priorities, January 21, 2011, <http://www.cbpp.org/cms/?fa=view&id=711>.
- ⁴ Jim Webb, “Why We Must Reform Our Criminal Justice System,” The Huffington Post, June 11, 2009, http://www.huffingtonpost.com/sen-jim-webb/why-we-must-reform-our-cr_b_214130.html.
- ⁵ William J. Sabol, Heather C. West, and Matthew Cooper, Prisoners in 2008 (Washington, DC: U.S. Justice Department, Office of Justice Programs, Bureau of Justice Statistics, 2009).
- ⁶ “The National Criminal Justice Commission Act,” Jim Webb: U.S. Senator for Virginia, http://webb.senate.gov/issuesandlegislation/criminaljusticeandlawenforcement/Criminal_Justice_Banner.cfm.
- ⁷ One in 100: Behind Bars in America 2008 (Washington, DC: The Pew Center on the States, 2008), 6, http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS_Prison08_FINAL_2-1-1_FORWEB.pdf
- ⁸ Adam Liptak, “Inmate Count in U.S. Dwarfs Other Nations,” New York Times, April 23, 2008, <http://www.nytimes.com/2008/04/23/us/23prison.html>.
- ⁹ Lauren E. Glaze and Doris J. James, Mental Health Problems of Prison and Jail Inmates (Washington, DC: U.S. Justice Department, Office of Justice Programs, Bureau of Justice Statistics, 2006), <http://bjs.ojp.usdoj.gov/index.cfm?ty=pbdetail&iid=789>.
- ¹⁰ William J. Sabol, Heather C West and Mathrew Cooper, Prison in 2008 (Washington, DC: U.S. Justice Department, Office of Justice Programs, Bureau of Justice Statistics, 2009).

- ¹¹ “Punishment and Prejudice: Racial Disparities in the War on Drugs, 2000. (New York, NY: Human Rights Watch, 2000) 2<http://www.hrw.org/legacy/campaigns/drugs/war/key-facts.htm>
- ¹² James Austin and others, *Unlocking America: Why and How to Reduce America’s Prison Population* (Washington, DC: The JFA Institute, 2007), XX, <http://www.jfa-associates.com/publications/srs/UnlockingAmerica.pdf>.
- ¹³ Darryl Fears, “A Racial Shift in Drug-Crime Prisoners: Fewer Blacks and More Whites, Says Sentencing Project,” *The Washington Post*, April 15, 2009, <http://www.washingtonpost.com/wp-dyn/content/article/2009/04/14/AR2009041401775.html>.
- ¹⁴ Dr. Natasha Frost, Judith Greene and Kevin Pranis. “The Punitiveness Report-HARD HIT: The Growth in Imprisonment of Women, 1977-2004,” the Institute for Women and Criminal Justice. <http://www.wpaonline.org/institute/hardhit/part1.htm#np>.
- ¹⁵ Quick Facts – Women and Criminal Justice – 2009. Women’s Prison Association, Institute on Women and Criminal Justice. <http://www.wpaonline.org/pdf/Quick%20Facts%20Women%20and%20CJ%202009.pdf>.
- ¹⁶ Quick Facts – Women and Criminal Justice – 2009. Women’s Prison Association, Institute on Women and Criminal Justice. <http://www.wpaonline.org/pdf/Quick%20Facts%20Women%20and%20CJ%202009.pdf>.
- ¹⁷ Dr. Natasha Frost, Judith Greene and Kevin Pranis. “The Punitiveness Report-HARD HIT: The Growth in Imprisonment of Women, 1977-2004,” the Institute for Women and Criminal Justice. <http://www.wpaonline.org/institute/hardhit/part1.htm#np>.
- ¹⁸ Prior Abuse Reported by Inmates and Probationers, Bureau of Justice Statistics, U.S. Department of Justice (April 2009), and Doris J. James, *Profile of Jail Inmates, 2002* Bureau of Justice Statistics, U.S. Department of Justice (July 2004).
- ¹⁹ Jialing Zheng, “The Abuse Incarceration Connection,” *Women Out of Prison*, A project of the News & Documentary graduate program at the Arthur L. Carter Journalism Institute of New York University. <http://nyunewsdoc.wordpress.com/drug-abuse/the-abuse-incarceration-connection/>.

- 20 “James Bell,” Heroes for a Better World, <http://www.betterworldheroes.com/pages-b/bell-quotes.htm>.
- 21 2009 State Expenditure Report (Washington, DC: National Association of State Budget Officers, 2010), 54, <http://www.nasbo.org/LinkClick.aspx?fileticket=%2bPqnI4oZw2I%3d&tabid=38>.
- 22 2009 State Expenditure Report (Washington, DC: National Association of State Budget Officers, 2010), 54, <http://www.nasbo.org/LinkClick.aspx?fileticket=%2bPqnI4oZw2I%3d&tabid=38>.
- 23 2009 State Expenditure Report (Washington, DC: National Association of State Budget Officers, 2010), 4, <http://www.nasbo.org/LinkClick.aspx?fileticket=%2bPqnI4oZw2I%3d&tabid=38>.
- 24 2009 State Expenditure Report (Washington, DC: National Association of State Budget Officers, 2010), 54, <http://www.nasbo.org/LinkClick.aspx?fileticket=%2bPqnI4oZw2I%3d&tabid=38>.
- 25 “Health Care Costs as a Competitor for Higher Education Investment 1952 to 2007,” Postsecondary Education Opportunity, September 2009, 15.
- 26 2009 State Expenditure Report (Washington, DC: National Association of State Budget Officers, 2010), 30, <http://www.nasbo.org/LinkClick.aspx?fileticket=%2bPqnI4oZw2I%3d&tabid=38>.
- 27 2009 State Expenditure Report (Washington, DC: National Association of State Budget Officers, 2010), 56, <http://www.nasbo.org/LinkClick.aspx?fileticket=%2bPqnI4oZw2I%3d&tabid=38>.
- 28 “Health Care Costs as a Competitor for Higher Education Investment 1952 to 2007,” Postsecondary Education Opportunity, September 2009, 15.
- 29 One in 100: Behind Bars in America 2008 (Washington, DC: The Pew Center on the States, 2008), 6, http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS_Prison08_FINAL_2-1-1_FORWEB.pdf.
- 30 One in 100: Behind Bars in America 2008 (Washington, DC: The Pew Center on the States, 2008), 6, http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS_Prison08_FINAL_2-1-1_FORWEB.pdf.

- 31 One in 100: Behind Bars in America 2008 (Washington, DC: The Pew Center on the States, 2008), 6, http://www.pewcenteronthestates.org/uploadedFiles/8015PCTS_Prison08_FINAL_2-1-1_FORWEB.pdf.
- 32 “2010 State of the State Address,” January 6, 2010, www.gov.ca.gov/speech/14118.
- 33 Low Income Students’ Shares of Totals: 1970 to 2010 (chart). Postsecondary Education Opportunity, February 2011.
- 34 Distribution of Revenue Sources for Financing Higher Education: 1952–2007 (chart). “Health Care Costs as a Competitor.”
- 35 Tamar Lewen, “College Costs Keep Rising, Report Says,” The New York Times, October 20, 2009, <http://www.nytimes.com/2009/10/21/education/21costs.html>.
- 36 Courtney McSwain and Ryan Davis, College Access for the Working Poor: Overcoming Burdens to Succeed in Higher Education (Washington, DC: Institute for Higher Education Policy, 2007), 6, http://www.cpec.ca.gov/CompleteReports/ExternalDocuments/College_Access_for_the_Working_Poor_2007_Report.pdf.
- 37 Between 1990 and 2003, African American and Hispanic students were a shrinking share of total undergraduate enrollment at four-year colleges and universities (Tom Mortensen, “Financial Aid Issues for Students from Low-Income Families,” presentation at Annual Conference of the Council for Opportunity in Education, September 8, 2006). And of those adult working-poor students who face the biggest challenges getting into, paying for, and completing higher education, more than a third identified their race as non-white. A report from the National Association for College Admission Counseling (NACAC) published in October 2009 noted that “in 2007, black and Hispanic persons constituted approximately 32 percent of the traditional college-aged population, but they represented only about 25 percent of students enrolled in postsecondary education.”
- 38 Xianglei Chen and Phillip Kaufman, “Risk and Protective Factors: The Effects on Students Dropping Out of High School,” MPR Associates Inc., 5, http://www.mprinc.com/products/pdf/Risk_and_Protective_Factors.pdf.

- ³⁹ McSwain and Davis, 9, http://www.cpec.ca.gov/CompleteReports/ExternalDocuments/College_Access_for_the_Working_Poor_2007_Report.pdf.
- ⁴⁰ “Education and Community Advocates, Elected Officials and the United Federation of Teachers Urge City’s Capital Funds for Prison Construction Be Redirected Towards Building New Schools,” *Class Size Matters*, June 11, 2009.
- ⁴¹ Seema Mehta, “Education Fills Big Space on Brown’s Chalkboard,” *The Los Angeles Times*, December 14, 2010, <http://www.latimes.com/news/local/la-me-brown-education-20101214,0,2707726.story>.
- ⁴² Larry Abramson, “Economy Puts the Squeeze on Education Promises,” *NPR*, March 19, 2010, <http://www.npr.org/templates/story/story.php?storyId=124905425>.
- ⁴³ Hoa Quach, “California Budget Crisis: Pink Slippin’ Teachers,” *San Diego News Network*, March 16, 2010, <http://www.sdn.com/sandiego/2010-03-16/politics-city-county-government/california-budget-politics-city-county-government/california-budget-crisis-diaries-pink-slippin-teachers>.
- ⁴⁴ “Student Walkouts Planned to Protest LAUSD Layoffs,” *Huffington Post*, March 18, 2011, http://www.huffingtonpost.com/2011/03/18/student-walkouts-planned-_n_837594.html
- ⁴⁵ Justice Mapping Systems. *Los Angeles County Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency*.
- ⁴⁶ Justice Mapping Systems. *Los Angeles County Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency*.
- ⁴⁷ Debra Erdley, “Number of Inmates in Pa. Prisons Increases by 40 Percent in Nine Years,” *Pittsburgh Tribune-Review*, August 23, 2009, http://www.pittsburghlive.com/x/pittsburghtrib/news/regional/s_639625.html.
- ⁴⁸ Debra Erdley, “Number of Inmates in Pa. Prisons Increases by 40 Percent in Nine Years,” *Pittsburgh Tribune-Review*, August 23, 2009, http://www.pittsburghlive.com/x/pittsburghtrib/news/regional/s_639625.html.

- 49 “The Continuing Fiscal Crisis in Corrections,” Vera Institute of Justice, <http://www.vera.org/content/continuing-fiscal-crisis-in-corrections-interactive>.
- 50 Jeffrey Selingo, “In Pennsylvania Campus Leaders Prepare to Trim Budgets As They Fight Governor’s Proposed Cuts.” *The Chronicle of Higher Education*, March 9, 2011. <http://chronicle.com/article/Campus-Leaders-in-Pennsylvania/126670/>
- 51 Justice Mapping Systems. Philadelphia Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency.
- 52 Justice Mapping Systems. Philadelphia Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency.
- 53 Justice Mapping Systems. Philadelphia Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency.
- 54 Justice Mapping Systems. Philadelphia Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency.
- 55 Justice Mapping Systems. Philadelphia Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency.
- 56 Mary Beth Schneider, “Senate Passes Budget Balanced by Stimulus,” *Indy.com*, April 14, 2009, <http://www.indy.com/posts/senate-passes-budget-balanced-by-stimulus>.
- 57 The Outlook for the Indiana State Budget, Indiana Local Government Informationa Website, updated February 2011. http://www.agecon.purdue.edu/crd/localgov/topics/essays/state_budget_outlook.htm.
- 58 Indiana State Budget, Sunshine Review: Bringing State and Local Government to Light, http://sunshinereview.org/index.php/Indiana_state_budget.
- 59 Justice Reinvestment: A Project of the Council of State Governments Justice Center, Indiana. <http://justicereinvestment.org/states/indiana>.
- 60 Justice Mapping Systems. Indianapolis Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency.

- 61 Justice Mapping Systems. Indianapolis Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency.
- 62 Ward Schaefer, "JPS To Cut Jobs, Fill Classrooms," Jackson (Miss.) Free Press, February 26, 2010, http://www.jacksonfreepress.com/index.php/site/comments/jps_to_cut_jobs_fill_classrooms_022610/.
- 63 Molly Parker, "Education, Prisons Top Budget Battles: Debate Becoming Even More Intense as Resources Dwindle," The Real Cost of Prisons Weblog, March 9, 2010, http://realcostofprisons.org/blog/archives/2010/03/msstate_triples.html.
- 64 "Mississippi Communities Pushing Hard to Protect School Funding," The Rural School & Community Trust, February 2011. <http://www.ruraledu.org/articles.php?id=2658>.
- 65 Molly Parker, "Education, Prisons Top Budget Battles: Debate Becoming Even More Intense as Resources Dwindle," The Real Cost of Prisons Weblog, March 9, 2010, http://realcostofprisons.org/blog/archives/2010/03/msstate_triples.html.
- 66 Justice Mapping Systems. Jackson Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency.
- 67 Justice Mapping Systems. Jackson Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency.
- 68 Adela Uchida, "HISD Could Be Facing More Job Cuts," KTRK Houston, March 30, 2010, <http://abclocal.go.com/ktrk/story?section=news/local&id=7358422>.
- 69 "Texas Faces \$26.8 Million Shortfall," Times Record News, Wichita, TX, January 2011. <http://www.timesrecordnews.com/news/2011/jan/10/texas-faces-268-billion-shortfall/>.
- 70 Cynthia Cisneros, "HISD To Cut Wages, Eliminate Cafeteria Jobs," KTRK Houston, March 8, 2010, <http://abclocal.go.com/ktrk/story?section=news/education&id=7318626>.
- 71 Garry Scharrer, "Deficit Looms, but Candidates Remain Silent: Texas Schools, Social Services Likely To Face Cuts," The Houston Chronicle, October 29, 2010, <http://www.chron.com/disp/story.mpl/metropolitan/7270530.html>.

- 72 “Texas Higher Ed Administrators Consider Budget Cuts,” ConnectAmarillo.com, November 15, 2010, <http://www.connectamarillo.com/news/story.aspx?id=541171>.
- 73 Jeannie Kever, “Bracing for Budget Cuts, UT Hikes Tuition,” Houston Chronicle, March 3, 2010, <http://www.chron.com/disp/story.mpl/metropolitan/6895818.html>.
- 74 Justice Mapping Systems. Houston Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency.
- 75 Todd R. Clear, *Imprisoning Communities: How Mass Incarceration Makes Disadvantaged Communities Worse* (New York: Oxford University Press, 2007).
- 76 Sylvia Saunders, “Budget Cuts Hit Wrong Note,” New York State United Teachers, October 26, 2010, http://www.nysut.org/nysutunited_15803.htm.
- 77 Justice Mapping Systems. Houston Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency.
- 78 Meredith Kolodner, “New Budget Shuttering After-School Programs for over 10,000 Students,” New York Daily News, May 29, 2009, http://www.nydailynews.com/ny_local/education/2009/05/29/2009-05-29_new_budget_shuttering_afterschool_programs_for_over_10000_students.html.
- 79 Glenn Blain, “New York Schools Chancellor Joel Klein Says 15,000 Jobs May Be Lost,” New York Daily News, January 29, 2009, http://www.nydailynews.com/ny_local/education/2009/01/28/2009-01-28_new_york_schools_chancellor_joel_klein_s.html.
- 80 Meredith Kolodner, “Budget Cuts Cause Classroom Sizes To Grow, Kindergartners Suffer the Most,” New York Daily News, November 30, 2009, http://articles.nydailynews.com/2009-11-30/local/17938753_1_class-sizes-class-size-matters-kindergarten-classes.
- 81 Nicholas Johnson, Phil Oliff, and Erica Williams, “An Update on State Budget Cuts: At Least 46 States Have Imposed Cuts That Hurt Vulnerable Residents and the Economy,” Center on Budget and Policy Priorities, November 5, 2010, <http://www.cbpp.org/cms/index.cfm?fa=view&id=1214>.
- 82 Justice Mapping Systems. New York City Prison Admissions per 1000 Adults (2008) By Zip Code of Home Residence with High School Math Proficiency.

- 83 Brian Fischer, “Commentary: Brian Fischer, Commissioner of the New York State Department of Correctional Services, Says Status Quo on Prisons Too Expensive,” Syracuse.com, March 23, 2010, http://blog.syracuse.com/opinion/2010/03/commentary_brian_fischer_commi.html.
- 84 Judith Greene and Marc Mauer, *Downscaling Prisons: Lessons from Four States* (Washington, DC: The Sentencing Project, 2010), http://www.sentencingproject.org/doc/publications/publications/inc_DownscalingPrisons2010.pdf.
- 85 “New York’s Rockefeller Drug Laws: Explaining the Reforms of 2009,” Drug Policy Alliance, 2009, http://www.drugpolicy.org/docUploads/Explaining_the_RDL_reforms_of_2009_FINAL.pdf.
- 86 “N.Y. To Ease Its Landmark Tough Drug Laws,” MSNBC.com, March 27, 2009, http://www.msnbc.msn.com/id/29918489/ns/us_news-crime_and_courts/.
- 87 “Michigan Legislature Repeals Mandatory Minimum Drug Laws,” Stop the Drug War, December 20, 2002, <http://stopthedrugwar.org/chronicle-old/268/michigan.shtml>.
- 88 Phillip Smith. “Sentencing: New Jersey Legislature Rolls Back Mandatory Minimums, Governor Will Sign Bill into Law,” Stop the Drug War, January 7, 2010, http://stopthedrugwar.org/chronicle/2010/jan/08/sentencing_new_jersey_legislatur.
- 89 Allen Beck and others, *Survey of State Prison Inmates, 1991* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 1993), 22, <http://bjs.ojp.usdoj.gov/content/pub/pdf/SOSPI91.PDF>.
- 90 “Drug Treatment Alternative-to-Prison,” Kings County District Attorney’s Office, [http://www.brooklynda.org/dtap/dtap_copy\(2\).htm](http://www.brooklynda.org/dtap/dtap_copy(2).htm).
- 91 Phillip Smith. “Sentencing: New Jersey Legislature Rolls Back Mandatory Minimums, Governor Will Sign Bill into Law,” Stop the Drug War, January 7, 2010, http://stopthedrugwar.org/chronicle/2010/jan/08/sentencing_new_jersey_legislatur.
- 92 Phillip Smith. “Sentencing: New Jersey Legislature Rolls Back Mandatory Minimums, Governor Will Sign Bill into Law,” Stop the Drug War, January 7, 2010, http://stopthedrugwar.org/chronicle/2010/jan/08/sentencing_new_jersey_legislatur.
- 93 Cherie L. Clark, David W. Aziz, and Doris L. MacKenzie, *Shock Incarceration in New York: Focus on Treatment* (Washington, DC: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, 1994), www.ncjrs.gov/pdffiles/shockny.pdf.

- ⁹⁴ Alan Rosenthal, “Sentencing Tips for New York Lawyers: Significant Changes in New York Correction Law Accelerate Release Dates & Revise Method of Release for Some,” Center for Community Alternatives, 2009, <http://www.communityalternatives.org/publications/changesNYCorrectionLaw.html>.
- ⁹⁵ Judith Greene and Marc Mauer, *Downscaling Prisons: Lessons from Four States* (Washington, DC: The Sentencing Project, 2010), http://www.sentencingproject.org/doc/publications/publications/inc_DownscalingPrisons2010.pdf.