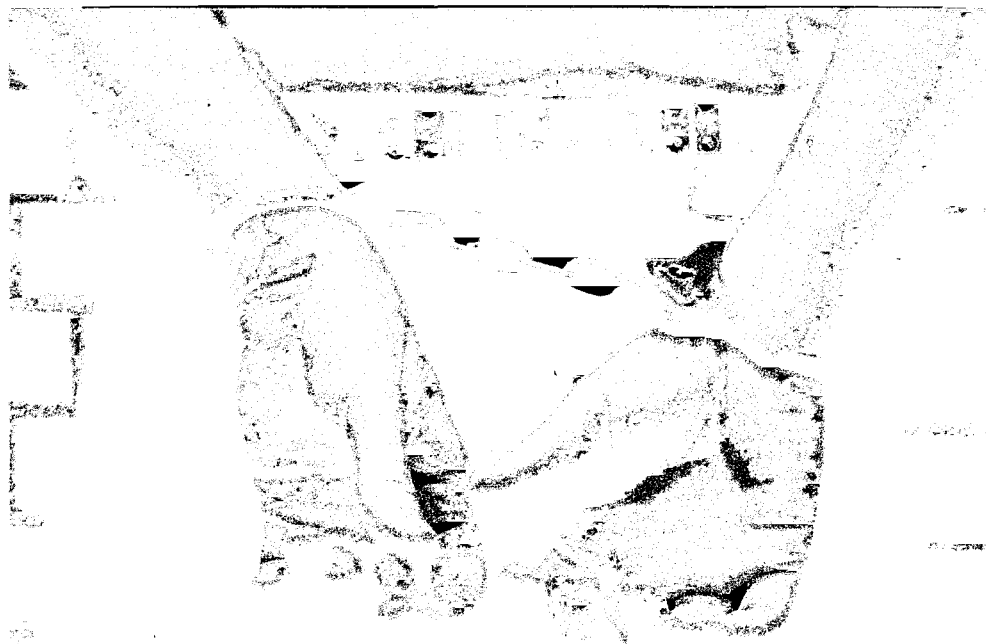
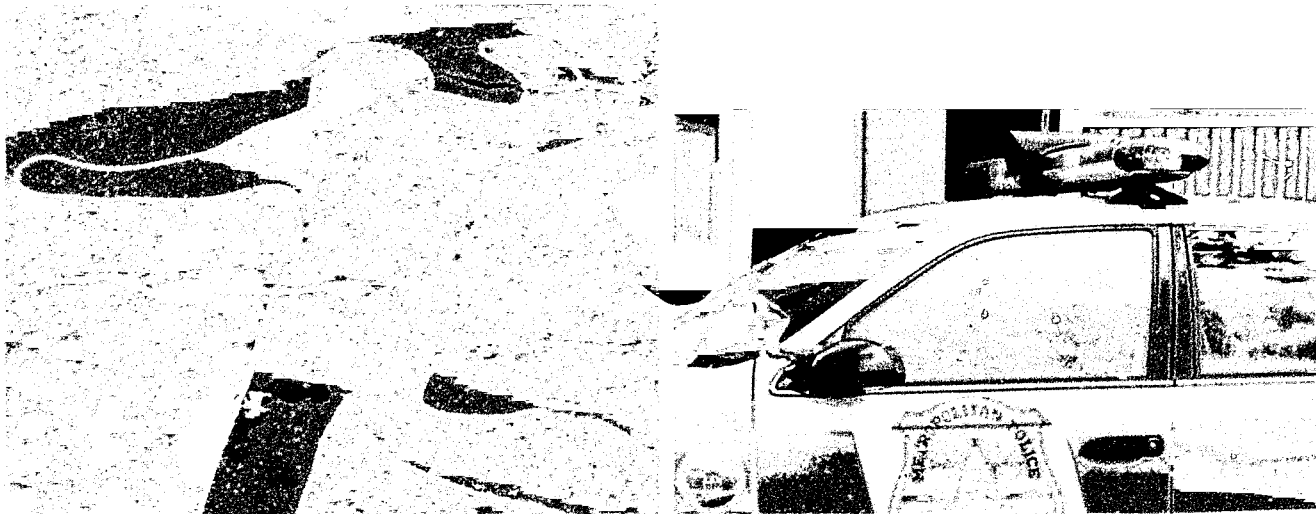




REPORT CARD ON SUV AND SUV DRIVER



Report Card on Crime and Punishment
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The Report Card on Crime and Punishment

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Cover photos by Greg Rummel and Ward Bolt

FOREWORD

Fighting Crime: A Question of Will and Priorities

With the publication of this first *Report Card on American Crime and Punishment*, the American Legislative Exchange Council (ALEC) presents a remarkable insight into the history of crime and punishment over the last three decades, the sea change which divides the period into two distinct eras, and the effects of these changes on the innocent and the law abiding.

The *Report* shows that the seeds of the present disorder were sown thirty years ago, and that societal order, once lost, is difficult and costly to restore. But ALEC has also shown, through its critical analysis, a way out.

There are 50 different state criminal justice systems in America. In the summer of 1992, as U.S. Attorney General, I reported to the President on 24 recommendations to strengthen the criminal justice systems in the states. In *Combating Violent Crime*, it was recognized that violent crime was "still primarily a state and local problem... 95 percent of violent crime is prosecuted by state and local authorities."

In this volume ALEC has documented the validity of those recommendations by demonstrating the powerful, indeed singular, effects that punishment rates have on crime rates. The message clearly is that *getting tough works*. This study makes a strong case that increasing prison capacity is the single most effective strategy for controlling crime.

Over the course of the last thirty years, most notably from 1960 to 1980, America lost its moorings. On criminal justice policy, it adopted a "blame-society-first" attitude that abandoned punishment and moved toward social spending and rehabilitation programs as the response to crime. However well motivated, these policies failed. The pain of those failures was not felt by the inanimate state, but rather by the victims of the crime wave which engulfed America and, indeed, by all law-abiding Americans. No one in this country remains untouched by this crisis of crime.

And so the question arises -- what must be done? ALEC points the way. States must reform their justice systems to ensure that the interests of the law-abiding are paramount. This means, first and foremost, that prison capacity must be sufficient in each state to imprison every violent and repeat offender and to keep them for terms more closely approaching the sentences imposed.

In order to utilize that capacity effectively the laws must insert needed discipline into the system by mandating prison terms for the most serious violent offenders.

At the U.S. Justice Department, we observed regularly that the problem of violent crime in America was largely the problem of the repeat violent offender. The consequences of this revolving door are found in ALEC's assessment of the level of crime committed by criminals we have caught and then set then set free on bail or parole. A free civil society cannot long endure a justice system which returns violent predators to the streets. Yet today, as this report is issued, and tomorrow, and every day this

year, 14 people will be murdered, 48 women will be raped, and 578 people will be robbed by a criminal we have caught, convicted, and then returned to the streets on probation or parole. Indeed, when you add pre-trial release, almost 2,000 violent crimes will be committed every day by criminals on probation, parole, or pre-trial release.

These are self-inflicted wounds that America can no longer suffer. While we have made some progress over the course of the 1980s, the challenges remain profound. The recent federal crime bill shows we are not up to meeting them. If we are to build on the successes of the eighties we must learn the lessons of the ALEC study. There is recorded here substantial evidence that the eighties worked and the sixties didn't. It does not take a rocket scientist to decide which path to follow.

William P. Barr
October 20, 1994

William P. Barr served as the 77th Attorney General of the United States. He is currently the Senior Vice President and General Counsel for GTE Corporation.

INTRODUCTION

Getting Tough on Violent Crime: A Matter of Common Sense

Samuel A. Brunelli
President of the ALEC Foundation

The American Legislative Exchange Council (ALEC), with this publication, presents the first comprehensive historical review ever accomplished of crime and punishment in the states.

It is fitting for ALEC to have undertaken this review. As America's largest individual membership organization of state legislators, ALEC has a special connection to the states and their crucial role in the nation's front line in the war on crime.

There is no single criminal justice system in America, but rather 50 separate systems, each defined by the laws and practices of the several states. No effort to restore order to the streets and neighborhoods of America can possibly succeed without a critical study of the experiences in the states and the differences among them. Such is the purpose of this study.

The data reveal a history that is as dispiriting as it is hopeful.

Today, in America, 65 people will be murdered, 299 women will be raped, 1,842 people will be robbed, and more than 3,000 people will be the victims of an aggravated assault.

From 1960 to 1992, America became a much more dangerous place to live. The chance of becoming a victim of a violent crime, or a woman's chance of being raped, increased by more than three times from 1960 to 1992. By 1992 the chance of being a victim of a violent crime was 1 in 132; the chance of a woman being raped was 1 in 2,300.

Documenting the dimensions of this more dangerous world is only a small part of the story. Within the data presented here a much more important finding becomes clear. The years from 1960 to 1992 are separated by a "sea change" in criminal justice policy which appeared in 1980. It is a tale of two eras -- the worst of times, followed by slightly better times.

Between 1960 and 1980 the crime rate in America went up 215 percent. The murder rate doubled. Property crimes went up 210 percent, with burglaries increasing 231 percent. And crime touched and changed each American.

While these trends were found in each of the states, the differences among them are also significant. The crime rate in Michigan during the 1960 to 1980 era went up 151 percent, but in New Hampshire it went up at an even greater rate — 579 percent. What accounted for the difference?

Without doubt, the most powerful explanation for the difference is found in the punishment rate variations throughout the period. While New Hampshire was pacing the nation with its crime rate increases,

its imprisonment rate fell by more than 80% — the third sharpest decline of any state. In Michigan, the imprisonment rate fell, as well, but by only 47%. Consequently, Michigan's crime rate increase was actually one of the lowest in the nation.

Then came the 1980s. From 1980 to 1992 New Hampshire experienced one of the greatest reversals in policies of all the states. It actually increased its incarceration rate more than any other state, and during the very same period New Hampshire experienced the greatest decline in crime rates in the country.

The differences between 1960 and 1992 are marked by an unmistakable breakdown of order. But the dividing line within the period is clear: an era of tumbling punishment rates divided from an era of increasing punishment rates. Correspondingly, it divides an era of runaway crime from an era of leveling, and in some categories and some states an actual diminishment, of crime rates.

The message here is unequivocal. Leniency is associated with higher crime rates; getting tough brings crime rates down.

This is the hopeful part of the *ALEC Report Card*. We now know that there is a policy choice that promises to make America safer. It places common sense and consequence at the center of criminal justice policy. It is built on criminal laws that send violent and repeat offenders to prison and legislatures that will ensure the prison capacity to keep them locked up.

America in 1994 remains a country with a serious crime problem. Despite some encouraging progress, the war against crime, especially violent crime, needs to be waged with a new sense of purpose and diligence. This *Report Card* shows what most people feel in their hearts: there is no place in society for violent criminals, and the most effective strategy we can employ is to arrest, convict, and incarcerate criminals for long periods of time. Neither welfare spending nor laws that deny to law-abiding citizens the right to bear arms show any crime control effects. The right policy choice places the right of crime victims and honest citizens at its epicenter. If this principle is not the central element of our crime fighting strategy, then the strategy is doomed to fail. And failure, in this case, is paid in the form of the lives of the innocent and law abiding. It is a price that is too high to pay.

ALEC has produced a *10-Point Agenda to Fight Crime* which is found in the Executive Summary of the *Report Card on Crime and Punishment*. If these reforms were enacted throughout America, they would restore justice in the courts and order in the neighborhoods. Nothing government does could possibly be more important.

Samuel A. Brunelli is President of the ALEC Foundation and Executive Director of the American Legislative Exchange Council (ALEC). ALEC is the nation's largest bipartisan association of state legislators, with more than 2,600 members nationwide.

EXECUTIVE SUMMARY

The issue of crime has been thrust on the national agenda by a citizenry outraged by the explosion of crime, particularly violent crime, over the last 30 years. Crime has captured the headlines in every community across the nation, and has succeeded in trapping many law abiding citizens behind locked doors, left to live in fear. Compared to the relative calm of the postwar period of the 1950s, America is a far more dangerous place to live in today.

- ❖ The 1992 total crime rate was three times that of 1960.
- ❖ Of even greater concern, the 1992 violent crime rate was almost five times the rate in 1960.
- ❖ The murder rate nearly doubled, while rapes, robberies and assaults were up by more than four times.

But the escalation of crime in America over the last three decades has not been constant. There were two distinct periods. Most of the increase in violent crime occurred between 1960 and 1980, while all of the increase in the total crime rate (FBI "index" crime) occurred in that period.

- ❖ From 1980 to 1992 the violent crime rate rose 27 percent. This, alone, would be cause of alarm were it not that the rate of increase had been ten times greater in the previous 20 years (271 percent).
- ❖ From 1980 to 1992, the total crime rate dropped by 5 percent. This would be cause for celebration if the crime rate in 1980 had not been so outrageously high (the total crime rate rose by 215 percent from 1960 to 1980).

While the explosive crime rate increases of the 1960s and 1970s appear to be a thing of the past, crime in America remains at intolerably high rates.

During the 1960s and 1970s, imprisonment was used less and less as a punishment for crime. Between 1960 and 1980 the ratio of prisoners to violent crimes (incarceration rate) dropped by 68 percent, while the ratio of prisoners to total crimes dropped by 62 percent. Part of the reason behind the dropping incarceration rates was adoption of policies based upon "root-cause" theories. These theories advanced the view that crime was caused by societal ills, especially poverty, and that if these root causes were addressed, crime would be brought under control. And indeed, social spending rose rapidly during the 1960s and 1970s, accompanying, rather than reducing, crime rates. In fact, the more effective crime control of the 1980 to 1992 period was associated with a lower rate of social spending increase. Since 1980, incarceration rates have generally increased, and exceed 1960 levels in some states. In large measure, the "get tough" policies adopted during that period, and especially the increased reliance on punishment through imprisonment, are responsible for the progress made in crime control.

Nonetheless, crime remains well above the existing levels before the drop in incarceration rates began in the 1960s. This illustrates the difficulty of reversing the trends in crime. In the post-war years there were far fewer crimes, and the chances of punishment by prison were much greater. This created strong incentives, both personal and societal, to not commit crime. Repeat offenders were also far more likely to be in prison. But the behavior that the 1960s and 1970s tolerance for crime produced is not so easily eliminated. When public policy began again to emphasize punishment by incarceration, the leniency of the previous decades had already attracted many more to criminal activity. Old habits are hard to break, both for individuals and for society. And while there can be no doubt that the greater certainty of effective punishment has contributed to the nation's success in arresting the crime explosion, there is much more progress that needs to be made.

During the same period, corrections operating costs per inmate rose markedly. From 1960 to 1992, the average taxpayer cost per inmate nearly doubled (an inflation-adjusted increase of 96 percent). But this increase was by no means consistent among the states. The cost per inmate declined in three states, and was less than 10 percent in three more states. In 18 states, the cost per inmate rose more than 100 percent. If corrections operating costs per inmate had risen at the inflation rate, nearly \$5.5 billion additional would have been available in 1992 alone to increase prison capacity (or to reduce taxes or pay for other public services).



ALEC'S 10 POINT AGENDA TO FIGHT CRIME

- 1 - KEEPING DANGEROUS DEFENDANTS OFF THE STREETS.** Authorize judges to deny bail to defendants who pose a danger to an individual or to society. End pre-trial release "on own recognizance," and require supervised, secured bail, for defendants charged with a violent felony; repeat offenders; or defendants rearrested while on pre-trial release, probation or parole.
- 2 - MINIMUM SENTENCES FOR REPEAT OFFENDERS AND SERIOUS CRIMES.** Establish mandatory minimum sentences for repeat felons and other serious offenders, including those convicted of a felony involving intentional or knowing infliction of serious physical injury; a felony sexual assault; or a felony for involving minors in the activities of a criminal syndicate or street gang.
- 3 - "ACTUAL CONDUCT" SENTENCING.** In those cases where a plea bargain has resulted in a defendant's conviction of a lesser crime, require courts to sentence for "actual conduct," where it is shown at the time of sentencing by a preponderance of the evidence that the crime involved the intentional or knowing infliction of serious physical injury or a deadly weapon was used.
- 4 - THREE STRIKES, YOU'RE OUT.** Mandate life imprisonment without release for the third conviction of a violent or serious felony, including murder, manslaughter, sexual assault, armed robbery, aggravated assault, arson, child molestation, and kidnapping.
- 5 - TRUTH IN SENTENCING.** Reform sentencing and prison release policies to require every inmate to serve no less than 85 percent of the prison sentence imposed by the court.
- 6 - TREAT JUVENILES AS ADULTS FOR SERIOUS CRIMES.** Treat juvenile offenders as adults for committing serious offenses, including a felony involving the use of a deadly weapon; a felony involving the intentional or knowing infliction of serious physical injury; felony sexual assault; or repeat serious felony offenses.
- 7 - ALLOW JUVENILES' CRIMINAL HISTORIES TO BE CONSIDERED BY THE COURT.** Permit a juvenile's criminal history to be admitted and considered in adult court proceedings.
- 8 - GUARANTEE VICTIMS' RIGHTS.** Establish constitutionally-guaranteed, comprehensive and enforceable rights for victims, including: the right to justice and due process; the right to be treated with respect, fairness and privacy; the right to be present at all proceedings where the defendant has the right to be present; the right to be heard at any proceeding involving a post-arrest release decision, negotiated plea, sentencing, or post-conviction release; the right to be informed of all proceedings and any change in the criminal's status, such as parole, release or escape; the right to a speedy trial or disposition; and the right to full restitution.
- 9 - CITIZENS' RIGHT TO KNOW.** Government should inform the public on the practices and performance of their criminal justice system by publishing, annually: the average sentence served, by type of crime, for offenders released from prison during the preceding year; the "failure to appear" rate for defendants on pre-trial release; the rearrest rate of defendants on pre-trial release and for offenders on probation or parole; and similar information.
- 10 - MAXIMIZING THE RESOURCES AVAILABLE FOR THE CRIMINAL JUSTICE SYSTEM.** Use all available strategies, such as prison privatization, electronic home detention, boot camps for juveniles, and video remote arraignment, to maximize resources.

HIGHLIGHTS

In 1960:

- ❖ There was a total of 3,384,200 million crimes reported to law enforcement authorities.
- ❖ The chance of being a victim of a crime was 1 in 53.
- ❖ There was a total of 288,460 million violent crimes reported to law enforcement authorities.
- ❖ The chance of being a victim of a violent crime was 1 in 622.
- ❖ While crimes were escalating throughout the 1960s, the actual prison population was on the decline; the aggregate national prison population fell from 190,000 in 1960 to 174,000 in 1972.

By 1980:

- ❖ There were 13,408,300 million crimes reported to law enforcement authorities.
- ❖ The crime rate had risen over 215 percent above its 1960 level.
- ❖ The chance of being a victim of crime was 1 in 17.
- ❖ There were 1,344,520 million violent crimes reported to law enforcement authorities.
- ❖ The violent crime rate had risen over 270 percent. The chance of being a victim of a violent crime was 1 in 168.
- ❖ From 1960 to 1980, the states that had the largest increases in imprisonment rates had the smallest increases in crime rates; while the states that had the sharpest decline in their incarceration rates had the largest increases in crime rates. The trend continued from 1980 to 1992.
- ❖ While the trends in each state are consistent, great differences exist among the states as to the degree of change. Between 1960 and 1980 the crime rate in California increased more than 125 percent, while in New Hampshire the crime rate increased over 579 percent.

By 1992:

- ❖ Crime rates had increased but had been curbed. There was a total of 14,438,200 million crimes reported to law enforcement authorities.
- ❖ The crime rate was 200 percent above its 1960 level.
- ❖ The chance of being a victim of a crime was 1 in 18.
- ❖ Violent crime had soared to 371 percent above its 1960 level.
- ❖ There were 1,932,246 million violent crimes reported to law enforcement authorities.
- ❖ The chance of being a victim of a violent crime was 1 in 132.
- ❖ Since 1987, the percentage of juvenile arrests for violent crimes has increased more than 50 percent.
- ❖ In 1991, people under the age of 21 were responsible for more than one-third of all murders in the country.
- ❖ Today, a woman faces four times the chance of being raped than in 1960. In 1960 a woman's chance of being raped was 1 in 10,400; in 1980 it was 1 in 2,717.
- ❖ In the ten states with the highest increases in incarceration rates between 1980 and 1992, crime rates were substantially reduced. Even so, in all ten states their crime rates are more than double their 1960 levels. The states are: New Hampshire, New Jersey, California, Connecticut, Massachusetts, Arizona, Rhode Island, Idaho, Alaska, and Delaware.
- ❖ Approximately, one-third of all violent crimes are committed by an offender who is on probation, parole or pretrial release. This year more than 1,200 violent crimes will be committed every day by convicted felons on probation or parole; almost 700 more will be committed by a defendant on pretrial release.
- ❖ In 1990, the average prison sentence for all felony offenses which resulted in a prison sentence was 6 years, months. However, the actual time served in prison for that sentence was 2 years, 1 month, only one-third of the sentence imposed.
- ❖ In 1990, the average prison sentence for violent offenses which resulted in a prison sentence was 9 years, 11 months; the time served was 3 years, 9 months, or 38 percent of the sentence imposed.
- ❖ From 1960 to 1991 the correctional expenditure per adult inmate increased by nearly double.

Chapter 1

A MORE DANGEROUS WORLD FOR THE LAW-ABIDING

A DIFFERENT TIME; A SAFER WORLD

1960. Dwight Eisenhower was in the White House, Fred Flintstone began his life in Bedrock, the last Edsel came off the assembly line, "Father Knows Best" was the top-rated show on television, the United States won the Olympic gold medal in hockey, the average cost of a new 3-bedroom home was \$13,725, and a first-class stamp cost 4 cents.

And America was a much safer place to live.

This is a tale of two eras in American life and of the sea change that divides them. It is the story of the abandonment of order and the long and costly struggle to restore it once lost.

The first era began in 1960 and closed in the mid-to-late 1970s. On criminal justice matters, it was an era of increasing skepticism about both the utility and morality of punishing criminals. More and more throughout this period, crime policy was driven by the notion that "society" was somehow responsible for crime, not the criminal, and addressing the "root causes" of crime was the best strategy. Therefore, "solving" the problems of unemployment, poor education, poor housing, and inadequate diet, was seen as the most effective anti-crime strategy. And so a grand experiment was begun.

Torn from its moral and utilitarian foundations, the criminal justice system relied less on punishment and more on social programs designed to alleviate

these "causes" of crime and rehabilitate the "sick" offender.

In 1960, just under 3.4 million crimes¹ were reported to law enforcement authorities in America; 1,887 for every 100,000 people. Among these, about 290,000 were violent crimes, or roughly 8.5 percent of the total. The chance of being the victim of a crime in 1960 was 1 in 53; and the chance of being a victim of a violent crime was 1 in 622.

THE STORM GATHERS

By 1970, this world of relative safety had gone. The total number of violent crimes increased more than two-and-a-half times; the rate of violent crime more than doubled. The number and rate of robberies almost tripled, and the rate of aggravated assaults almost doubled. Both the number and rate of rapes doubled. In 1970 the chance of being the victim of a violent crime had increased to 1 in 276; the chance of being the victim of an index crime was 1 in 25. Throughout the decade criminal justice policy continued to be driven by the skeptics of punishment.

1980. The average 3-bedroom home cost \$64,600, "60 Minutes" was the top rated television show, American diplomats were being held hostage in Tehran, the U.S. boycotted the Moscow Olympics, and Mount St. Helens erupted.

And America was a far more dangerous place to live.

¹ Unless otherwise specified "crimes" refers to the Federal Bureau of Investigation's (FBI) felony "index" crime categories which include murder and non-negligent homicide, rape, robbery, aggravated assault, burglary, theft, and motor vehicle theft. The numbers of offenses are those reported to law enforcement authorities during the year and then compiled annually by the FBI. More recently, the victimization surveys conducted by the U.S. Justice Department's National Institute of Justice suggest higher numbers of victimizations than those reported to the authorities. Where distinctions need to be drawn between the two measures they will be noted.

TABLE 1.1: CRIME IN THE UNITED STATES: 1960 - 1992
HISTORICAL TRENDS

	1960	1970	1980	1990	1992
TOTAL CRIME	3,384,200	8,098,000	13,408,300	14,475,600	14,438,200
TOTAL VIOLENT CRIME	288,460	738,820	1,344,520	1,820,130	1,932,246
Murder	9,110	16,000	23,040	23,440	23,760
Rape	17,190	37,990	82,990	102,560	109,060
Robbery	107,840	349,860	565,840	639,270	672,480
Aggravated Assault	154,320	334,970	672,650	1,054,860	1,126,970
TOTAL PROPERTY CRIME	3,095,700	7,359,200	12,063,700	12,655,500	12,505,900
Burglary	912,100	2,205,000	3,795,200	3,073,900	2,979,900
Larceny / Theft	1,855,400	4,225,800	7,136,900	7,945,700	7,915,200
Motor Vehicle Theft	328,200	928,400	1,131,700	1,635,900	1,610,800
TOTAL CRIME RATE*	1887.2	3984.5	5950.0	5820.3	5660.2
VIOLENT CRIME RATE*	160.9	363.5	596.6	731.8	757.5
Murder	5.1	7.9	10.2	9.4	9.3
Rape	9.6	18.7	36.8	41.2	42.8
Robbery	60.1	172.1	251.1	257.0	263.6
Aggravated Assault	86.1	164.8	298.5	424.1	441.8
TOTAL PROPERTY CRIME	1,726.3	3,621.0	5,353.3	5,088.5	4,902.7
Burglary	508.6	1,084.9	1,684.1	1,235.9	1,168.2
Larceny / Theft	1,034.7	2,079.3	3,167.0	3,194.8	3,103.0
Motor Vehicle Theft	183.0	456.8	502.2	657.8	631.5

TABLE 1.2: PERCENTAGE CHANGE IN CRIME

	1960-1980	1980-1992	1960-1992
TOTAL CRIME RATE*	215%	-5%	200%
VIOLENT CRIME RATE*	271%	27%	371%
Murder	100%	-9%	82%
Rape	283%	16%	346%
Robbery	318%	5%	339%
Aggravated Assault	247%	48%	413%
TOTAL PROPERTY CRIME	210%	-8%	184%
Burglary	231%	-31%	130%
Larceny / Theft	206%	-2%	200%
Motor Vehicle Theft	174%	26%	245%

*Crimes per 100,000 persons

TABLE 1.3: YOUR CHANCES OF BECOMING A VICTIM*

CRIME TYPE	ODDS IN 1960	ODDS IN 1970	ODDS IN 1980	ODDS IN 1992
INDEX CRIME	1 IN 53	1 IN 25	1 IN 17	1 IN 18
VIOLENT CRIME	1 IN 622	1 IN 276	1 IN 168	1 IN 132
MURDER	1 IN 19,608	1 IN 12,658	1 IN 9,804	1 IN 10,753
RAPE	1 IN 10,417	1 IN 5,348	1 IN 2,717	1 IN 2,336
ROBBERY	1 IN 1,664	1 IN 581	1 IN 398	1 IN 379
ASSAULT	1 IN 1,161	1 IN 607	1 IN 335	1 IN 226
PROPERTY CRIME	1 IN 58	1 IN 28	1 IN 19	1 IN 20

*Crimes reported to the FBI .

Source for Tables 1.1, 1.2, 1.3: Uniform Crime Report, Federal Bureau of Investigation.

By 1980, the crime rate in America had risen more than 215 percent above its 1960 level; the violent crime rate had risen more than 270 percent. In 1980, there were 13.4 million crimes reported to law enforcement authorities; almost 6,000 for every 100,000 people. The total number of violent crimes had risen from 290,000 to almost 1.35 million; the number of rapes had increased by almost five times, to almost 83,000 from 17,000 in 1960. One out of every 10 crimes reported in 1980 was violent. The chance of being the victim of a violent crime in 1980 was 1 in 168, almost four times greater than in 1960. A women's chance of being raped was 1 in 2,720, nearly four times the 1960 rate of 1 in 10,400.

During the intervening two decades, America had become better-educated, better-fed, and better-housed. And America had become a much more dangerous place to live. In every year since 1960 there had been a steady, unrelenting, and dramatic growth both in the absolute amount of crime and in the rate of crime.

In 1974 the Massachusetts Institute of Technology reported that a boy born in 1974 stood a greater chance of being the victim of a homicide than a soldier in World War II stood of dying in combat.

In the early 1980's the National Institute of Justice, studying then-current crime rates, reported that five out of six twelve-year-olds would become victims of violent crime in their lifetimes.

Perhaps never before in history had Americans experienced such a collapse of social order. Never before had the fear of crime so altered their lives.

Chart 1.1

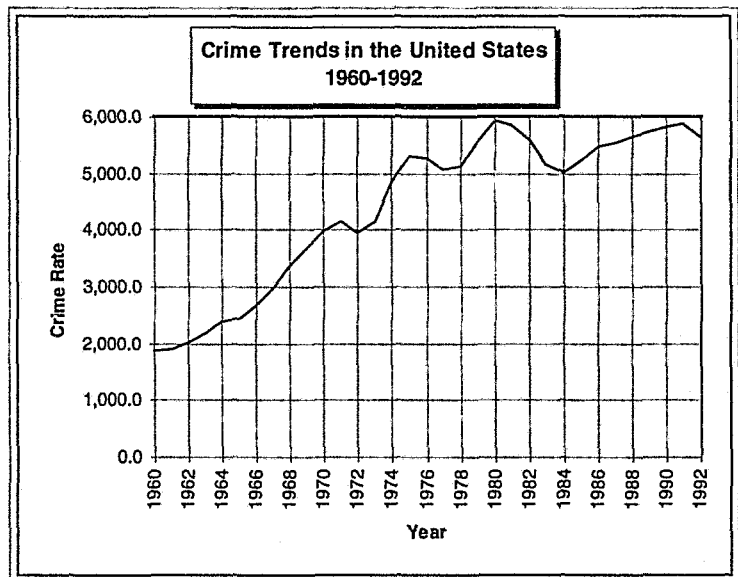


Chart 1.2

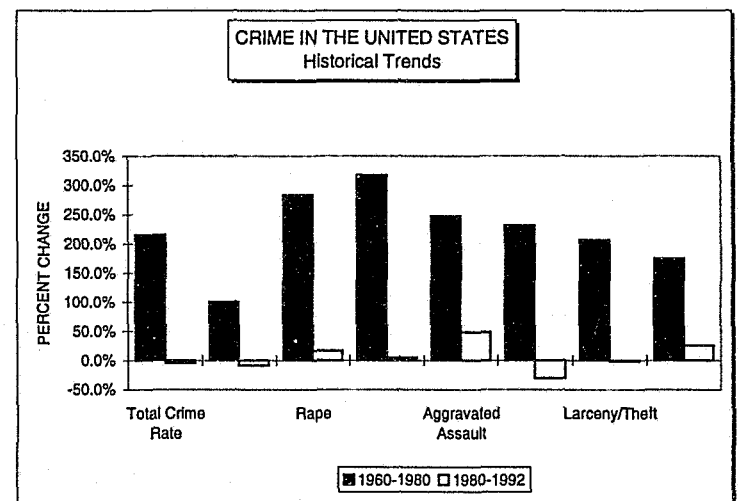
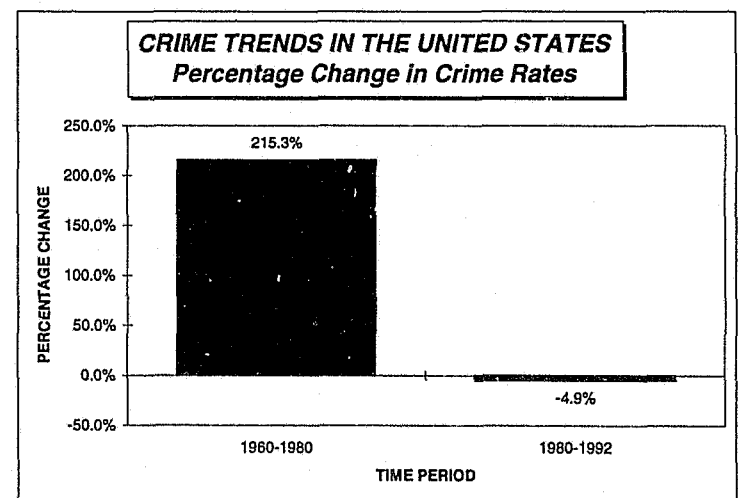


Chart 1.3



CHANGE IN THE 1980s

But the seeds of discontent were being sown in state legislatures across the country, as more people were speaking out about crime. Public policy shifts were evident from the late 1970s with the enactment of "get-tough" crime bills that began to impose mandatory prison terms for the most violent and chronic offenders.

Once again, these policy shifts produced consequences. The substantial increases in crime and crime rates that had characterized, indeed defined, the years since 1960 were arrested. In fact, the crime rate in 1990 was lower than it had been in 1980. While up in some categories, notably "other violent crime" rates, the murder rate was lower, the burglary rate significantly lower, and the overall property crime rate reduced. These trends continued through 1992.

The rise in violent crime rates during the later 1980s were affected by crime reporting and recording policies. For example, until the 1980s calls to the police from battered spouses were usually recorded as "civil disputes." Now, as the result of effective efforts by domestic violence coalitions, these calls are more often reported and recorded as aggravated assaults. While the actual number of these crimes may not have risen, nor the rate, the report of the offenses may have gone up dramatically. Indeed, the rise in violent crime in the later half of the 1980s is attributable largely to increases in reports of aggravated assaults.

Similarly, the rise of juvenile violence is contributing substantially to the overall recent rise in violent crime. And yet, few violent, albeit juvenile, criminals are subjected to the adult criminal justice system.

Chart 1.4

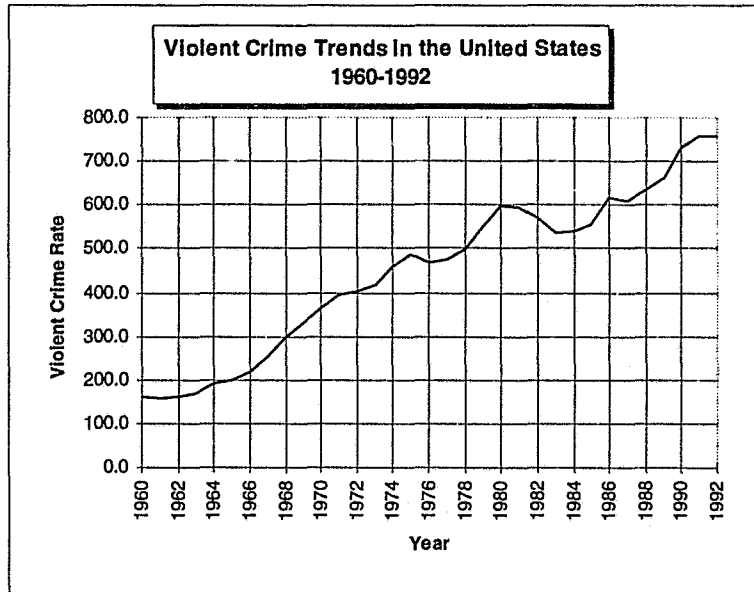


Chart 1.5

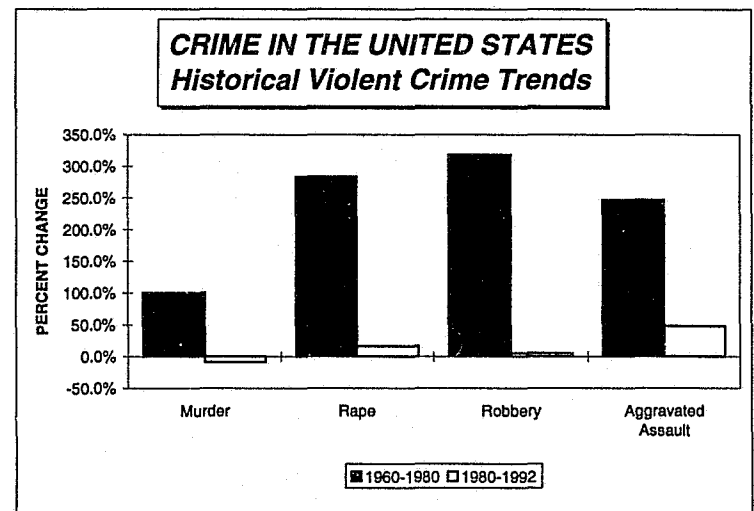
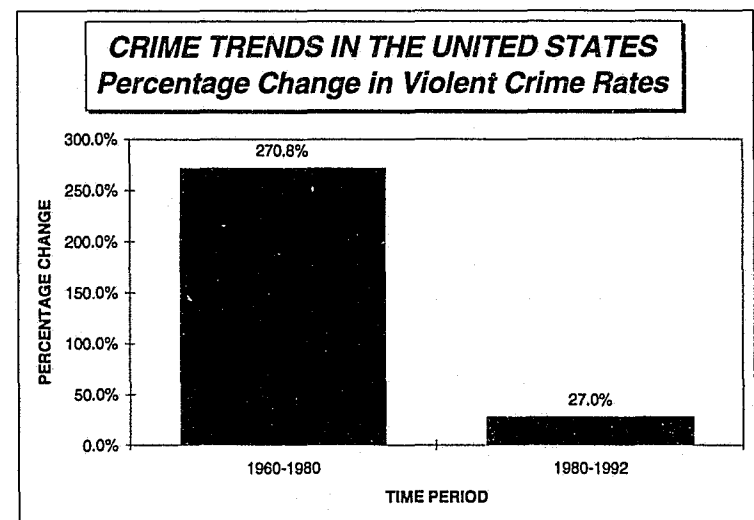


Chart 1.6



EXPERIENCE IN THE STATES

The national experience, recorded in these data, of substantial increases in crime rates throughout the 1960s and 1970s is replicated in every state, in many cases in even more dramatic fashion. However, the story of criminal justice in the states is a tapestry of different colors and hues. Understanding the differences among the states is a key to understanding the larger national picture.

From 1960 to 1980 the index crime rate rose in Michigan by more than 150 percent; in California by more than 125 percent. But in New Hampshire, the crime rate rose over 578 percent, more than four times as much as California. Indeed, New Hampshire's enormous increase in its crime rate was the worst record of any state. Vermont was not far behind with a 504 percent increase, the third worst record in the country.

And then came the 1980s. Comparing 1980 to 1992, New Hampshire had the most dramatic drop in its crime rate of any state in the country (down 34 percent), and Vermont had the second largest drop (down 32 percent). In fact, between 1980 and 1992, 37 states had decreases in their crime rates; only 13 had increases, and those increases were modest compared to the crime rate explosions of the 1960s and 1970s. For example, Mississippi had the highest percentage increase between 1980 and 1992 with a 25 percent rise in its crime rate, but that increase was less than the smallest crime rate increase during the 1960 to 1980 period (California).

The differences in violent crime rates over the same periods were even more significant. From 1960 to 1980, New Hampshire had a 1,248 percent increase in its violent crime rate, and Vermont paced the nation with a 1,784 percent increase. But, during the 1980s, both Vermont and New Hampshire had reversals. Violent crime rates fell in Vermont by almost 40 percent and in New Hampshire by more than 30 percent.

In 1992, West Virginia had the lowest crime rate of any state; North Dakota and South Dakota the second- and third-lowest respectively. But it would be wrong to characterize any of these places as "safe" today because all of them would have ranked among the top six most-dangerous states in the nation if they had exhibited these rates in 1960. Indeed, their 1992 crime rates are more than twice as high as the 1960 crime rates of 18 states. By the standards of 1960, none of these places are safe in any sense.

Among the states, significant differences are found, but similar patterns emerge. The focus of the next chapter is how America, through its states, abandoned punishment. The consequences of that abandonment are found in these numbers, but more importantly, and tragically, they are found in the faces and lives of the hundreds of thousands of victims who endured the collapse of American justice and order.

THE THREAT POSED BY REPEAT OFFENDERS

Approximately one-third of all violent crimes is committed by an offender who is on probation, parole, or pretrial release. This repeated violence by criminals who have been caught and then released threatens every American.

This year it is expected that more than 1,200 violent crimes will be committed *every day* by convicted felons on probation or parole, and almost 700 more by a defendant on pretrial release.

By whatever measure, America remains an intolerably lawless and dangerous place. While the rapid crime increases of the 1960s and 1970s were stemmed during the 1980s, America remains a much more dangerous world for the law-abiding. To understand why, and to understand the differences which mark the 1980's from the earlier two decades, is the story of the second chapter.

TABLE 1.4: THE ODDS OF VICTIMIZATION

(The 1 in X chance of being a victim of a crime in 1992)

	Total	Violent
Alabama	19	115
Alaska	18	151
Arizona	14	149
Arkansas	21	173
California	15	89
Colorado	17	173
Connecticut	20	202
Delaware	21	161
Florida	12	83
Georgia	16	136
Hawaii	16	387
Idaho	25	355
Illinois	17	102
Indiana	21	197
Iowa	25	360
Kansas	19	196
Kentucky	30	187
Louisiana	15	102
Maine	28	764
Maryland	16	100
Massachusetts	20	128
Michigan	18	130
Minnesota	22	296
Mississippi	23	243
Missouri	20	135
Montana	22	589
Nebraska	23	287
Nevada	16	144
New Hampshire	32	795
New Jersey	20	160
New Mexico	16	107
New York	17	89
North Carolina	17	147
North Dakota	34	1200
Ohio	21	190
Oklahoma	18	161
Oregon	17	196
Pennsylvania	29	234
Rhode Island	22	253
South Carolina	17	106
South Dakota	33	514
Tennessee	19	134
Texas	14	124
Utah	18	344
Vermont	29	913
Virginia	23	267
Washington	16	187
West Virginia	38	473
Wisconsin	23	363
Wyoming	22	313

TABLE 1.5: NUMBER OF VIOLENT CRIMES PER DAY: 1992

Murder	65
Rape	299
Robbery	1,842
Assault	3,088
Violent	5,294

TABLE 1.6: ESTIMATED CRIMES PER DAY COMMITTED BY OFFENDERS ON PROBATION, PAROLE AND PRETRIAL RELEASE

	Probation	Parole	Pretrial Release	Total
Murder	9	5	7	21
Rape	34	14	17	66
Robbery	350	228	298	876
Assault	459	153	336	948
Violent	852	399	658	1,909

Source for Tables 1.4 and 1.5: Uniform Crime Report, Federal Bureau of Investigation.

**TABLE 1.7: TOTAL CRIME RATES*, PERCENTAGE CHANGE AND RANKINGS:
1960-1980-1992**

State	Total Crime Rates			Percentage Change in Crime Rates			
	1960 Rank	1980 Rank	1992 Rank	1960-1992 Rank	1960-1980 Rank	1980-1992 Rank	1992 Rank
Alabama	1,222 ... 33	4,934 ... 32	5,268 23	331.1% 8	303.7% 9	6.8% 11	
Alaska	1,649 ... 23	5,646 ... 21	5,570 20	237.7% ... 20	242.3% ... 23	-1.3% 16	
Arizona	3,014 3	8,171 3	7,029 3	133.2% ... 41	171.1% ... 39	-14.0% 33	
Arkansas	1,034 ... 44	3,811 ... 44	4,762 30	360.5% 3	268.5% ... 14	24.9% 3	
California	3,474 1	7,833 4	6,679 4	92.3% ... 48	125.5% ... 49	-14.7% 36	
Colorado	2,172 ... 12	7,333 6	5,959 12	174.3% ... 31	237.6% ... 25	-18.7% 43	
Connecticut	1,157 ... 40	5,882 ... 19	5,053 27	336.9% 7	408.6% 3	-14.1% 34	
Delaware	2,160 ... 13	6,777 9	4,848 29	124.4% ... 43	213.7% ... 30	-28.5% 47	
Florida	2,705 4	8,402 2	8,358 1	209.0% ... 25	210.7% ... 31	-0.5% 14	
Georgia	1,408 ... 30	5,604 ... 22	6,405 7	355.0% 4	298.0% ... 10	14.3% 6	
Hawaii	2,298 9	7,482 5	6,112 11	165.9% ... 35	225.6% ... 28	-18.3% 42	
Idaho	1,771 ... 20	4,782 ... 36	3,996 41	125.6% ... 42	170.0% ... 40	-16.4% 39	
Illinois	2,342 8	6,269 ... 14	5,765 17	146.2% ... 39	167.7% ... 41	-8.0% 26	
Indiana	1,554 ... 25	4,930 ... 33	4,687 31	201.7% ... 26	217.3% ... 29	-4.9% 21	
Iowa	1,124 ... 42	4,747 ... 37	3,957 42	252.1% ... 18	322.4% 7	-16.6% 40	
Kansas	1,395 ... 31	5,379 ... 27	5,320 22	281.4% ... 13	285.6% ... 13	-1.1% 15	
Kentucky	1,213 ... 36	3,434 ... 46	3,324 46	174.1% ... 32	183.1% ... 34	-3.2% 18	
Louisiana	1,495 ... 27	5,454 ... 23	6,546 5	337.8% 6	264.7% ... 16	20.0% 4	
Maine	1,188 ... 37	4,368 ... 42	3,524 43	196.5% ... 28	267.6% ... 15	-19.3% 44	
Maryland	1,670 ... 21	6,630 ... 12	6,225 8	272.7% ... 15	297.0% ... 11	-6.1% 22	
Massachusetts	1,219 ... 35	6,079 ... 16	5,003 28	310.4% ... 11	398.7% 4	-17.7% 41	
Michigan	2,659 5	6,676 ... 11	5,611 19	111.0% ... 47	151.1% ... 44	-16.0% 38	
Minnesota	1,466 ... 29	4,799 ... 34	4,591 34	213.1% ... 24	227.4% ... 27	-4.3% 20	
Mississippi	705 ... 48	3,417 ... 47	4,282 40	507.7% 1	384.9% 5	25.3% 1	

*FBI Index crime rates

Total Crime Rates and Rankings

Percentage Change in Crime Rates

State	Total Crime Rates and Rankings			Percentage Change in Crime Rates		
	1960 Rank	1980 Rank	1992 Rank	1960-1992 Rank	1960-1980 Rank	1980-1992 Rank
Missouri	1,973 ... 18	5,433 ... 25	5,097 ... 25	158.4% ... 37	175.4% ... 38	-6.2% ... 23
Montana	2,053 ... 15	5,024 ... 29	4,596 ... 33	123.9% ... 44	144.8% ... 47	-8.5% ... 28
Nebraska	1,220 ... 34	4,305 ... 43	4,324 ... 37	254.5% ... 17	253.0% ... 21	0.4% ... 13
Nevada	3,441 ... 2	8,854 ... 1	6,204 ... 9	80.3% ... 49	157.3% ... 43	-29.9% ... 48
New Hampshire	690 ... 49	4,680 ... 38	3,081 ... 47	346.6% ... 5	578.5% ... 1	-34.2% ... 50
New Jersey	1,491 ... 28	6,401 ... 13	5,064 ... 26	239.7% ... 19	329.4% ... 6	-20.9% ... 45
New Mexico	2,387 ... 7	5,979 ... 17	6,434 ... 6	169.6% ... 33	150.5% ... 46	7.6% ... 9
New York	N/A	6,912 ... 8	5,858 ... 14	N/A	N/A	-15.2% ... 37
North Carolina	1,179 ... 38	4,640 ... 39	5,802 ... 16	391.9% ... 2	293.4% ... 12	25.0% ... 2
North Dakota	891 ... 45	2,964 ... 49	2,903 ... 49	225.9% ... 21	232.6% ... 26	-2.0% ... 17
Ohio	1,559 ... 24	5,431 ... 26	4,666 ... 32	199.3% ... 27	248.4% ... 22	-14.1% ... 35
Oklahoma	2,015 ... 16	5,053 ... 28	5,432 ... 21	169.5% ... 34	150.7% ... 45	7.5% ... 10
Oregon	1,977 ... 17	6,687 ... 10	5,821 ... 15	194.4% ... 29	238.2% ... 24	-13.0% ... 32
Pennsylvania	1,049 ... 43	3,736 ... 45	3,393 ... 45	223.3% ... 22	256.0% ... 19	-9.2% ... 29
Rhode Island	2,072 ... 14	5,933 ... 18	4,578 ... 35	120.9% ... 46	186.3% ... 33	-22.8% ... 46
South Carolina	1,500 ... 26	5,439 ... 24	5,893 ... 13	292.8% ... 12	262.6% ... 18	8.3% ... 8
South Dakota	1,164 ... 39	3,243 ... 48	2,999 ... 48	157.6% ... 38	178.6% ... 36	-7.5% ... 25
Tennessee	1,241 ... 32	4,498 ... 41	5,136 ... 24	314.0% ... 9	262.6% ... 17	14.2% ... 7
Texas	2,217 ... 11	6,143 ... 15	7,058 ... 2	218.3% ... 23	177.1% ... 37	14.9% ... 5
Utah	2,541 ... 6	5,881 ... 20	5,659 ... 18	122.7% ... 45	131.4% ... 48	-3.8% ... 19
Vermont	825 ... 46	4,988 ... 30	3,410 ... 44	313.1% ... 10	504.4% ... 2	-31.6% ... 49
Virginia	1,653 ... 22	4,620 ... 40	4,299 ... 39	160.1% ... 36	179.5% ... 35	-7.0% ... 24
Washington	2,232 ... 10	6,915 ... 7	6,173 ... 10	176.5% ... 30	209.8% ... 32	-10.7% ... 31
West Virginia	721 ... 47	2,552 ... 50	2,610 ... 50	262.1% ... 16	254.0% ... 20	2.3% ... 12
Wisconsin	1,146 ... 41	4,799 ... 35	4,319 ... 38	277.0% ... 14	318.9% ... 8	-10.0% ... 30
Wyoming	1,924 ... 19	4,986 ... 31	4,575 ... 36	137.8% ... 40	159.1% ... 42	-8.2% ... 27

Source: Uniform Crime Report, Federal Bureau of Investigation.

**TABLE 1.8 :VIOLENT CRIME RATES, PERCENTAGE CHANGE AND RANKINGS:
1960-1980-1992**

	Violent Crime Rates			Percentage Change in Violent Crime Rates		
	1960 Rank	1980 Rank	1992 Rank	1960-92 Rank	1960-80 Rank	1980-92 Rank
Alabama	187 7	449 24	872 9	367.0% 35	140.3% 46	94.3% 2
Alaska	104 21	436 25	660 19	533.0% 22	317.8% 29	51.5% 9
Arizona	208 6	651 9	671 18	223.0% 44	213.4% 40	3.1% ... 40
Arkansas	108 20	335 34	577 24	435.3% 29	211.2% 41	72.0% 3
California	239 2	894 4	1120 3	368.6% 34	274.0% 32	25.3% ... 24
Colorado	137 17	529 17	579 23	321.6% 40	285.0% 30	9.5% ... 35
Connecticut	37 42	413 27	495 31	1253.2% 2	1026.9% 5	20.1% ... 30
Delaware	84 28	475 20	621 22	639.3% 14	465.1% 16	30.8% ... 22
Florida	223 4	984 2	1207 1	440.4% 28	340.3% 25	22.7% ... 25
Georgia	159 11	555 14	733 15	361.7% 36	249.7% 35	32.0% ... 20
Hawaii	22 46	299 38	258 43	1085.1% 3	1273.2% 2	-13.7% ... 44
Idaho	38 40	313 35	281 40	636.4% 15	719.9% 8	-10.2% ... 43
Illinois	365 1	808 6	977 6	167.7% 47	121.3% 47	20.9% ... 27
Indiana	85 27	378 31	508 30	501.0% 24	346.5% 24	34.6% ... 18
Iowa	24 45	200 43	278 41	1068.4% 4	742.2% 7	38.7% ... 17
Kansas	58 33	389 30	511 28	774.9% 9	566.8% 11	31.2% ... 21
Kentucky	97 24	267 39	535 25	450.2% 26	174.0% 45	100.8% 1
Louisiana	153 12	665 7	985 5	542.6% 20	334.0% 26	48.1% ... 14
Maine	30 44	193 44	131 47	338.9% 37	548.6% 12	-32.3% ... 49
Maryland	151 13	852 5	1000 4	561.1% 17	463.4% 17	17.3% ... 31
Massachusetts	49 36	601 13	779 11	1496.7% 1	1132.4% 4	29.6% ... 23
Michigan	218 5	640 10	770 12	253.7% 42	193.7% 43	20.4% ... 28
Minnesota	42 37	228 40	338 37	704.2% 13	441.8% 19	48.4% ... 13
Mississippi	103 22	342 33	412 33	301.1% 41	233.1% 37	20.4% ... 29
Missouri	173 9	554 15	740 14	328.3% 39	220.7% 39	33.5% 19

	Violent Crime Rates			Percentage Change in Violent Crime Rates		
	1960 Rank	1980 Rank	1992 Rank	1960-92 Rank	1960-80 Rank	1980-92 Rank
Montana	67 31	223 42	170 46	153.1% 48	231.6% 38	-23.7% ... 47
Nebraska	42 38	225 41	349 36	733.8% 11	437.2% 20	55.2% 5
Nevada	146 14	913 3	697 16	377.9% 32	525.9% 13	-23.6% ... 46
New Hamp.	13 48	180 47	126 48	842.2% 8	1247.6% 3	-30.1% ... 48
New Jersey	114 18	604 12	626 20	447.7% 27	428.9% 21	3.6% ... 39
New Mexico	143 16	615 11	935 8	553.8% 19	330.0% 28	52.0% 8
New York	N/A	1030 1	1122 2	N/A	N/A	9.0% ... 36
North Carolina	223 3	455 23	681 17	204.7% 45	103.6% 48	49.7% ... 11
North Dakota	14 47	54 50	83 50	485.6% 25	279.1% 31	54.5% 6
Ohio	84 29	498 18	526 27	528.7% 23	495.6% 14	5.6% ... 37
Oklahoma	97 25	419 26	623 21	542.2% 21	332.5% 27	48.5% ... 12
Oregon	70 30	490 19	510 29	632.5% 16	604.0% 10	4.0% ... 38
Pennsylvania	99 23	364 32	427 32	331.4% 38	267.7% 33	17.3% ... 32
Rhode Island	37 41	409 28	395 34	973.1% 6	1011.2% 6	-3.4% ... 41
South Carolina	144 15	660 8	944 7	557.2% 18	359.2% 23	43.1% ... 16
South Dakota	41 39	127 49	195 45	369.4% 33	206.1% 42	53.3% 7
Tennessee	91 26	458 22	746 13	719.0% 12	402.8% 22	62.9% 4
Texas	161 10	550 16	806 10	400.7% 31	241.7% 36	46.5% ... 15
Utah	54 35	303 37	291 39	434.6% 30	458.2% 18	-4.2% ... 42
Vermont	9 49	179 48	109 49	1053.6% 5	1783.7% 1	-38.8% ... 50
Virginia	184 8	307 36	375 35	104.1% 49	67.3% 49	22.0% ... 26
Washington	57 34	464 21	535 26	843.8% 7	719.8% 9	15.1% ... 33
West Virginia	65 32	185 45	212 44	228.0% 43	187.0% 44	14.3% ... 34
Wisconsin	32 43	183 46	276 42	764.1% 10	472.1% 15	51.0% ... 10
Wyoming	110 19	393 29	320 38	191.3% 46	257.9% 34	-18.6% ... 45

Source: Uniform Crime Report, Federal Bureau of Investigation.

Chapter 2

A MORE COMFORTABLE WORLD FOR CRIMINALS

A LESS RISKY WORLD FOR CRIMINALS

As America was becoming a more dangerous society for the law-abiding throughout the 1960s and 1970s, it was becoming a strikingly more hospitable place for criminals. The numbers record a significant collapse of punishment in every state.

For example in Arizona in 1960, there were 39 criminals in prison for every 1,000 crimes reported to law enforcement.² In 1970 there were 24 criminals in prison for every 1,000 crimes, and by 1980 there were 16.

This collapse of punishment was no accident, nor was it driven by forces beyond the power of the states. It was the predictable result of adopting policies that promoted "rehabilitative" alternatives to prison. Slowly the moral and utilitarian foundations for any form of punishment were being eroded by a growing body of policy work suggesting that criminals were not responsible for their conduct, and that punishing them was simply vengeance.

One of the strongest critics of prison and punishment was the noted psychiatrist, Karl Menninger. His book, the *Crime of Punishment*, was published in 1968. It is considered the high water-mark of the intellectual case against punishment, a case that had already taken root in the sentencing practices of most states. To hold a criminal accountable was, in Dr. Menninger's view, itself "criminal" because offenders were not responsible for their acts, but rather driven by forces and circumstances beyond their power to control.

Because most states did not mandate a particular punishment for the commission of a crime, but rather left such matters to the "dis-

Chart 2-1

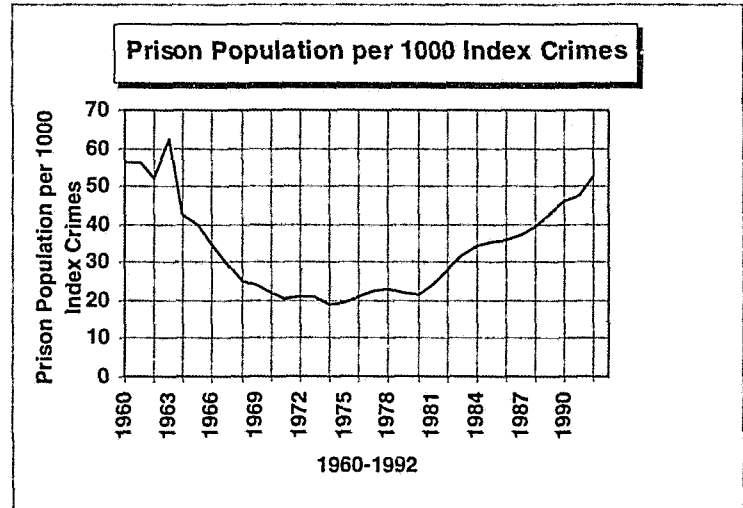
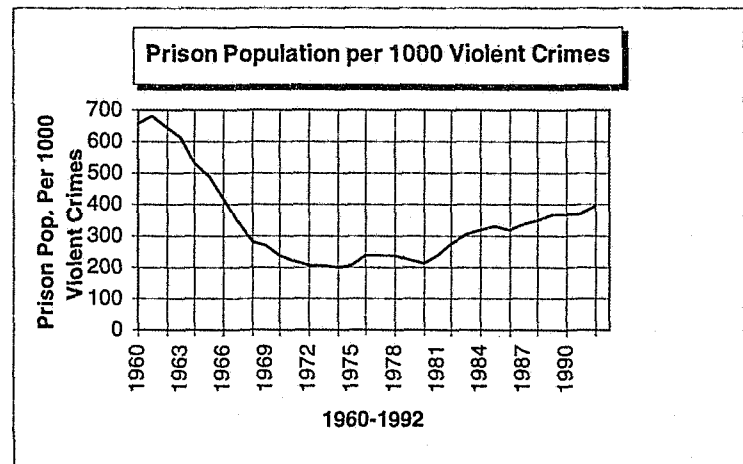


Chart 2-2



² This measure of prison population and total crime is the most direct measure of a state's "punishment" level. Sometimes measures are expressed in terms of total prison population in relation to total state population, but such a standard disconnects the prison population from the level of crime experienced in a state and is therefore less useful. Prison population should be compared to crime, not the number of (largely law-abiding) citizens.

cretion" of judges who themselves were buoyed by the spirit of rehabilitation, prison was less and less a consequence that followed conviction for a serious crime.

The reductions in Arizona's imprisonment rate were the norm for the country. In Arkansas, the 1960 imprisonment rate was 109; in 1980 it was 32. In California the 1960 imprisonment rate was 40; in 1980 it was 13. Hawaii's imprisonment rate declined from 38 in 1960 to 8 in 1980; Idaho's from 46 to 15; Iowa from 71 to 18; and Wisconsin's from 61 to 17.

No state was immune to this "sea change" in public policy; every state, to varying degrees, but all dramatic, saw this retreat from punishment. Perhaps the most startling examples of this retreat are found in the prison population totals for each state. During years of steady increases in crime rates, the prisoner population in state after state was declining.

In almost every state, there were fewer inmates in prison in 1965 than in 1960, and fewer still in 1970 than in 1965. The absolute number of prison inmates declined, even though the general population was growing and, more importantly, crime was growing at the fastest rate in history. In many states the anti-incarceration trend lasted well into the 1970s. In 1960, the aggregate national prison census was 190,000. By 1970, it had declined to 176,000, and, by 1972, it reached its low at 174,000.

This was the conscious and predictable result of America's anti-incarceration policy. It returned serious and repeat offenders to the streets, again and again, and the country paid dearly for it.

These decreases were not halted until state legislatures, responding to the increasing demand of local constituencies for "get-tough" reforms in criminal justice policies, began to enact mandatory sentencing laws. These laws removed from judges the authority to suspend prison sentences and to grant periods of probation following conviction for a serious felony. These new sentencing laws, which began to emerge in the mid-1970s, mandated that judges send convicted criminals to prison, thereby removing discretion on the disposition, or "in or out," decision. Some states also tackled the duration decision by passing new laws that set, within a relatively narrow range, the length of the prison terms that may be imposed.

Even with these policy changes, increases in prison sentences are only half the story. Because the length of the sentence imposed bore less and less relationship to the length of the sentence actually served, the "signal" from the states was garbled, and the expected deterrent effect was diluted.

For example, in 1990, the average prison sentence for all felony offenses which resulted in prison sentences was 6 years, 3 months. However, the actual time served in prison for that sentence was 2 years, 1 month -- only one-third of the sentence imposed.

For violent offenses, the average sentence was 9 years, 11 months; the time served was 3 years, 9 months, or 38 percent of the sentence imposed. The result has been to dissipate somewhat the effects of higher imprisonment rates.

BETTER STANDARD OF LIVING FOR CONVICTED CRIMINALS

For criminals who went to prison, living conditions were rising dramatically. Indeed, they were rising faster than those for the law-abiding.

To be sure, some of these improved conditions came as a result of prisoner litigation, and some of the challenged conditions were deplorable. However, beginning in the 1960s, Federal Courts began to order states to provide prison conditions that exceeded the requirements of the U.S. Constitution. Today judges order, in baroque detail, how prison officials manage their day-to-day affairs. For example:

- ❖ In North Carolina, the Federal Court has ordered that the inmates in each prison unit of a correctional institution be supplied with no fewer than five frisbees.
- ❖ In Arizona, the Federal Court has enjoined prison officials from serving a certain kind of meat loaf, and dictated the weight (50 lbs.) of Christmas packages which must be allowed each inmate.
- ❖ In Ohio and many other states, the Federal Court has directed the number of volumes to be provided in prison libraries.

❖ In California, the Federal Court has dictated the number of changes of clothes which must be provided inmates each week.

It is unlikely that this understanding of the Eighth Amendment (which forbids "cruel and unusual punishment") is within the intent of the U.S. Constitution. The extraordinary burdens placed by Federal Courts on state corrections authorities have contributed to an escalation in prison costs. From 1960 to 1990, per-inmate operating costs (current expenditures) nearly doubled (inflation adjusted.)

Immense savings in direct costs to the public, as well as a significant reduction in crime with its consequent savings in both financial cost and human suffering, could be realized simply by putting and keeping more convicted offenders in prison. This is not an impossible task.

If the cost per inmate had remained within the inflation rate since 1960, nearly an additional \$5.5 billion would have been available in 1990 alone for additional corrections capacity, tax reductions, or other public services. Some states achieved this level of cost control and better; the operating cost per inmate actually decreased in New Hampshire, Delaware and Oregon.

When prisoners are provided better institutional living conditions than they have available outside of prison, one of the primary purposes of punishment is undercut. "The infliction of disutility...is one of the objectives of criminal punishment; only if the only objective of punishment were incapacitation could it be argued that living conditions should be as comfortable in prison as outside."³



TABLE 2.1: AVERAGE ESTIMATED TIME SERVED BY TYPE OF OFFENSE

Offense	Percent of Sentence Served	Mean Prison Sentence	Estimated Time Served
All Offenses	33.0%	6 yrs., 3 mos.	2 yrs., 1 month
Violent Offenses	38.0%	9 yrs., 11 mos.	3 yrs., 9 mos.
Murder	43.0%	20 yrs., 3 mos.	8 yrs., 8 mos.
Rape	39.0%	13 yrs., 4 mos.	5 yrs., 2 mos.
Robbery	39.0%	9 yrs., 7 mos.	3 yrs., 9 mos.
Aggravated Assault ...	34.0%	6 yrs., 6 mos.	2 yrs., 2 mos.
Other	34.0%	7 yrs., 1 month	2 yrs., 5 mos.
Property Offenses ...	29.0%	5 yrs., 5 mos.	1 year, 7 mos.
Burglary	32.0%	6 yrs., 8 mos.	2 yrs., 2 mos.
Larceny	27.0%	4 yrs., 1 month	1 year, 1 month
Fraud	28.0%	4 yrs., 10 mos.	1 year, 4 mos.
Drug Offenses	29.0%	5 yrs., 6 mos.	1 year, 7 mos.
Possession	27.0%	4 yrs., 1 month	1 year, 1 month
Trafficking	31.0%	6 yrs., 2 mos.	1 year, 11 mos.
Weapons Offenses ...	40.0%	4 yrs., 2 mos.	1 year, 8 mos.

Source: Bureau of Justice Statistics, "Felony Sentences in State Courts, 1990"

³ Davenport v. DeRobertis, 844 F.2d 1310, 1313 (7th Cir. 1988) (Posner, J.).

TABLE 2.2: COST PER-INMATE

(Current Operations)*

	1960 Cost		1990 Cost		Increase		Over
	Per-Inmate	Rank	Per-Inmate	Rank		Rank	Inflation
	(1990 Dollars)						(Millions)
Alabama	\$3,501	47	\$8,117	47	131.9%	14	\$70.9
Alaska	N/A		\$55,240	1	N/A		
Arizona	\$6,209	37	\$17,517	24	182.1%	8	\$155.8
Arkansas	\$3,191	48	\$10,647	45	233.7%	4	\$50.1
California	\$9,570	23	\$18,147	22	89.6%	23	\$807.3
Colorado	\$10,328	19	\$11,730	43	13.6%	42	\$9.8
Connecticut	\$17,574	9	\$21,319	15	21.3%	41	\$29.1
Delaware	\$29,342	3	\$25,256	9	-13.9%	48	\$0.0
Florida	\$4,952	40	\$13,619	36	175.1%	10	\$384.7
Georgia	\$2,348	49	\$13,409	37	471.1%	1	\$239.0
Hawaii	\$18,174	8	\$34,923	4	92.2%	22	\$28.6
Idaho	\$8,122	31	\$14,359	34	76.8%	25	\$12.2
Illinois	\$9,215	24	\$15,971	28	73.3%	28	\$185.9
Indiana	\$6,429	35	\$16,086	27	150.2%	13	\$121.8
Iowa	\$8,411	30	\$22,492	12	167.4%	11	\$55.9
Kansas	\$7,414	32	\$14,672	32	97.9%	20	\$41.9
Kentucky	\$4,022	45	\$11,293	44	180.8%	9	\$65.6
Louisiana	\$7,068	34	\$7,980	49	12.9%	43	\$17.0
Maine	\$12,409	15	\$25,245	10	103.4%	18	\$19.0
Maryland	\$8,420	29	\$17,347	25	106.0%	17	\$149.4
Massachusetts	\$34,340	2	\$35,794	3	4.2%	45	\$11.5
Michigan	\$8,757	27	\$18,851	18	115.3%	15	\$345.9
Minnesota	\$19,806	7	\$31,994	5	61.5%	30	\$38.7
Mississippi	\$4,031	44	\$7,988	48	98.2%	19	\$32.0
Missouri	\$6,295	36	\$10,169	46	61.5%	31	\$57.9
Montana	\$14,858	11	\$15,898	29	7.0%	44	\$1.5
Nebraska	\$11,084	17	\$16,164	26	45.8%	35	\$11.6
Nevada	\$9,675	22	\$14,105	35	45.8%	36	\$23.6
New Hampshire	\$27,152	4	\$20,881	16	-23.1%	49	\$0.0
New Jersey	\$10,033	20	\$18,544	20	84.8%	24	\$179.8
New Mexico	\$9,146	25	\$28,020	8	206.4%	7	\$57.9
New York	\$10,801	18	\$22,684	11	110.0%	16	\$652.3
North Carolina	\$9,722	21	\$18,694	19	92.3%	21	\$159.4
North Dakota	\$21,452	6	\$29,211	7	36.2%	39	\$3.4
Ohio	\$7,299	33	\$12,799	40	75.3%	27	\$175.0
Oklahoma	\$4,628	42	\$7,710	50	66.6%	29	\$37.9
Oregon	\$13,046	14	\$12,102	42	-7.2%	47	\$0.0
Pennsylvania	\$8,923	26	\$15,712	30	76.1%	26	\$151.3
Rhode Island	\$37,138	1	\$37,425	2	0.8%	46	\$0.5
South Carolina	\$4,890	41	\$13,035	39	166.5%	12	\$132.0
South Dakota	\$8,477	28	\$13,098	38	54.5%	34	\$6.2
Tennessee	\$5,139	39	\$17,581	23	242.1%	3	\$129.2
Texas	\$3,877	46	\$12,514	41	222.8%	6	\$432.2
Utah	\$13,580	12	\$21,659	14	59.5%	32	\$20.0
Vermont	\$22,879	5	\$31,160	6	36.2%	38	\$5.6
Virginia	\$5,300	38	\$18,157	21	242.6%	2	\$223.9
Washington	\$15,353	10	\$22,074	13	43.8%	37	\$53.7
West Virginia	\$4,428	43	\$14,447	33	226.3%	5	\$15.7
Wisconsin	\$13,448	13	\$20,849	17	55.0%	33	\$54.3
Wyoming	\$11,638	16	\$15,560	31	33.7%	40	\$4.4
U.S.	\$8,372		\$16,431		96.3%		\$5,461

*Current operations - excludes capital costs

Source: Calculated from Government Finance series, U.S. Bureau of the Census and Bureau of Justice Statistics.

**TABLE 2.3: TOTAL CRIME* INCARCERATION RATES,
PERCENTAGE CHANGE AND RANKINGS**

	Total Crime Incarceration Rate						Percentage Change in Incarceration Rate					
	1960	Rank	1980	Rank	1992	Rank	1960-92	Rank	1960-80	Rank	1980-92	Rank
Alabama	134	2	24	19	76	2	-43.2%	39	-82.5%	44	224.0%	16
Alaska	N/A		15	33	52	22	N/A		N/A		236.3%	9
Arizona	39	41	16	32	59	16	52.3%	5	-58.0%	15	263.0%	6
Arkansas	109	6	32	8	67	11	-38.6%	33	-70.5%	28	108.1%	36
California	40	40	13	40	51	24	0%	7	-68.2%	23	305.3%	3
Colorado	55	25	12	41	41	35	-25.0%	25	-77.4%	41	232.7%	12
Connecticut	51	29	14	38	51	23	0.2%	18	-73.4%	34	277.3%	4
Delaware	23	47	24	18	80	1	242.0%	1	2.4%	1	234.1%	10
Florida	53	28	25	16	43	32	-19.0%	24	-53.1%	11	72.6%	44
Georgia	126	4	39	3	57	19	-54.3%	45	-68.7%	24	45.9%	46
Hawaii	38	44	8	49	24	49	-38.3%	31	-80.4%	43	214.0%	18
Idaho	46	32	15	35	51	25	9.2%	13	-67.9%	22	240.8%	8
Illinois	38	43	15	36	47	30	22.9%	9	-61.8%	19	221.4%	17
Indiana	75	13	23	20	52	21	-30.7%	29	-68.9%	25	122.8%	33
Iowa	71	16	18	29	41	36	-42.9%	38	-75.2%	38	130.1%	31
Kansas	76	12	19	25	45	31	-40.9%	36	-74.8%	36	134.2%	29
Kentucky	98	8	29	11	70	9	-28.5%	27	-70.7%	29	143.5%	26
Louisiana	77	11	33	7	58	18	-25.2%	26	-56.8%	13	73.1%	43
Maine	65	20	11	44	34	42	-47.7%	42	-83.1%	45	209.2%	19
Maryland	103	7	27	13	61	15	-40.9%	35	-73.9%	35	126.1%	32
Massachusetts	31	45	9	48	32	43	5.3%	15	-71.5%	30	269.9%	5
Michigan	46	33	25	17	74	4	60.9%	4	-46.5%	6	200.9%	20
Minnesota	41	39	10	47	18	50	-55.3%	47	-76.5%	40	90.2%	39
Mississippi	129	3	31	9	69	10	-46.3%	41	-75.6%	39	120.6%	34
Missouri	43	36	22	22	61	14	40.9%	6	-50.5%	8	184.3%	21

*FBI Index Crimes

	Total Crime Incarceration Rate						Percentage Change in Incarceration Rate					
	1960	Rank	1980	Rank	1992	Rank	1960-92	Rank	1960-80	Rank	1980-92	Rank
Montana	43	35	18	30	39	38	-10.9%	22	-59.5%	16	120.0%	35
Nebraska	74	14	21	24	37	39	-49.7%	44	-72.0%	32	79.9%	41
Nevada	42	38	26	14	71	7	68.0%	3	-39.1%	5	176.0%	22
New Hampshire	43	37	7	50	52	20	22.0%	11	-83.8%	46	654.9%	1
New Jersey	47	31	12	43	48	29	2.3%	16	-75.0%	37	309.6%	2
New Mexico	55	24	12	42	31	45	-43.7%	40	-78.2%	42	158.4%	24
New York	N/A		18	28	58	17	N/A				225.2%	15
North Carolina	111	5	53	1	50	26	-54.8%	46	-52.1%	9	-5.7%	50
North Dakota ...	44	34	14	37	27	48	-38.4%	32	-69.0%	26	98.7%	38
Ohio	73	15	22	21	74	3	0.7%	17	-69.4%	27	229.1%	14
Oklahoma	57	23	30	10	70	8	22.6%	10	-47.5%	7	133.6%	30
Oregon	49	30	18	27	30	46	-39.1%	34	-62.6%	21	62.8%	45
Pennsylvania	66	19	18	26	61	13	-6.7%	20	-72.0%	31	233.0%	11
Rhode Island	14	48	11	45	37	40	156.9%	2	-25.2%	2	243.4%	7
South Carolina ..	58	22	40	2	72	5	23.7%	8	-31.1%	3	79.6%	42
South Dakota	66	18	28	12	71	6	6.6%	14	-57.8%	14	152.7%	25
Tennessee	71	17	33	5	42	34	-41.3%	37	-52.7%	10	24.2%	49
Texas	53	26	34	4	49	28	-7.8%	21	-35.5%	4	43.0%	47
Utah	24	46	11	46	28	47	14.1%	12	-56.3%	12	161.0%	23
Vermont	84	10	13	39	42	33	-49.4%	43	-84.7%	47	230.9%	13
Virginia	88	9	33	6	62	12	-29.9%	28	-62.0%	20	84.6%	40
Washington	39	42	15	34	31	44	-18.7%	23	-60.4%	17	105.5%	37
West Virginia...	180	1	26	15	35	41	-80.3%	48	-85.8%	48	38.7%	48
Wisconsin	61	21	17	31	40	37	-34.2%	30	-72.6%	33	140.1%	27
Wyoming	53	27	21	23	50	27	-6.3%	19	-60.6%	18	137.9%	28
U.S.	55	-	21	-	52	-	-6.4%	-	-62%	-	146.2%	-

Source: Bureau of Justice Statistics, U.S. Department of Justice, and the Uniform Crime Report, Federal Bureau of Investigation.

**TABLE 2.4: VIOLENT CRIME INCARCERATION RATES,
PERCENTAGE CHANGE AND RANKINGS**

	Violent Crime Incarceration Rate						Percentage Change in Incarceration Rate					
	1960	Rank	1980	Rank	1992	Rank	1960-92	Rank	1960-80	Rank	1980-92	Rank
Alabama	134	2	24	19	76	2	-43.2%	39	-82.5%	44	224.0%	16
Alabama	880.6	31	259.2	24	461.4	27	-47.6%	21	-70.6%	20	78.0%	28
Alaska	0.0		198.5	38	434.9	31	0.0%		0.0%		119.0%	22
Arizona	560.7	45	203.5	37	616.6	15	10.0%	2	-63.7%	11	202.9%	6
Arkansas	1047.8	25	366.4	12	553.8	19	-47.2%	20	-65.0%	14	51.1%	34
California	576.7	44	110.6	49	305.1	43	-47.1%	18	-80.8%	30	175.8%	8
Colorado	863.0	32	170.6	43	421.2	36	-51.2%	24	-80.2%	28	146.9%	18
Connecticut	1613.1	13	193.4	39	522.0	22	-67.6%	35	-88.0%	42	170.0%	10
Delaware	602.7	42	342.4	16	625.7	14	3.8%	3	-43.2%	3	82.7%	26
Florida	640.4	39	212.0	32	296.5	45	-53.7%	27	-66.9%	16	39.9%	38
Georgia	1115.5	24	397.5	7	502.0	23	-55.0%	28	-64.4%	12	26.3%	42
Hawaii	4043.5	2	188.3	41	559.7	18	-86.2%	48	-95.3%	48	197.2%	7
Idaho	2152.9	8	227.3	30	720.6	7	-66.5%	33	-89.4%	44	217.1%	4
Illinois	246.3	48	113.9	48	278.4	47	13.0%	1	-53.8%	6	144.4%	19
Indiana	1376.2	17	304.4	20	479.0	25	-65.2%	31	-77.9%	25	57.4%	32
Iowa	3359.8	3	418.0	6	578.0	17	-82.8%	47	-87.6%	41	38.3%	39
Kansas	1818.4	12	265.2	23	468.1	26	-74.3%	39	-85.4%	38	76.5%	29
Kentucky	1218.5	20	369.5	11	433.7	32	-64.4%	29	-69.7%	18	17.4%	46
Louisiana	751.3	36	272.9	21	383.0	39	-49.0%	23	-63.7%	10	40.3%	37
Maine	2595.2	5	249.0	27	917.7	6	-64.6%	30	-90.4%	45	268.6%	3
Maryland	1133.2	23	208.6	34	377.4	40	-66.7%	34	-81.6%	31	80.9%	27
Massachusetts	764.3	35	88.0	50	206.8	50	-72.9%	38	-88.5%	43	135.0%	20
Michigan	560.6	46	256.3	25	538.2	21	-4.0%	4	-54.3%	7	110.0%	23
Minnesota	1434.8	15	203.7	36	249.7	48	-82.6%	46	-85.8%	39	22.6%	45
Mississippi	883.3	30	313.2	19	719.1	8	-18.6%	7	-64.5%	13	129.6%	21

	Violent Crime Incarceration Rate						Percentage Change in Incarceration Rate					
	1960	Rank	1980	Rank	1992	Rank	1960-92	Rank	1960-80	Rank	1980-92	Rank
Missouri	495.2	47	210.7	33	420.9	37	-15.0%	6	-57.5%	8	99.7%	24
Montana	1328.9	19	397.1	8	1047.1	4	-21.2%	8	-70.1%	19	163.7%	13
Nebraska	2150.8	9	395.5	9	460.3	28	-78.6%	44	-81.6%	32	16.4%	47
Nevada	992.8	26	248.5	28	629.4	13	-36.6%	14	-75.0%	24	153.3%	16
New Hampshire	2222.2	6	180.9	42	1285.6	2	-42.1%	17	-91.9%	46	610.7%	1
New Jersey	618.0	40	125.3	45	392.2	38	-36.5%	13	-79.7%	26	212.9%	5
New Mexico	914.0	29	116.1	47	212.4	49	-76.8%	42	-87.3%	40	82.9%	25
New York	0.0		120.1	46	303.7	44	0.0%		0.0%		152.9%	17
North Carolina	587.0	43	543.7	3	428.4	34	-27.0%	11	-7.4%	1	-21.2%	50
North Dakota	2755.6	4	750.0	1	945.3	5	-65.7%	32	-72.8%	22	26.0%	43
Ohio	1368.3	18	244.9	29	655.9	11	-52.1%	25	-82.1%	35	167.8%	12
Oklahoma	1186.4	21	361.0	13	610.4	16	-48.6%	22	-69.6%	17	69.1%	30
Oregon	1388.0	16	249.6	26	339.9	42	-75.5%	40	-82.0%	34	36.2%	40
Pennsylvania	696.4	38	188.9	40	486.9	24	-30.1%	12	-72.9%	23	157.7%	15
Rhode Island	807.0	33	155.5	44	426.7	35	-47.1%	19	-80.7%	29	174.4%	9
South Carolina	607.5	41	330.4	17	449.3	29	-26.0%	10	-45.6%	4	36.0%	41
South Dakota	1865.2	11	715.9	2	1091.1	3	-41.5%	16	-61.6%	9	52.4%	33
Tennessee	964.3	27	328.7	18	286.2	46	-70.3%	36	-65.9%	15	-12.9%	49
Texas	733.0	37	383.3	10	429.7	33	-41.4%	15	-47.7%	5	12.1%	48
Utah	1142.6	22	207.0	35	542.8	20	-52.5%	26	-81.9%	33	162.2%	14
Vermont	7270.3	1	356.7	14	1317.3	1	-81.9%	45	-95.1%	47	269.3%	2
Virginia	792.6	34	503.3	4	708.3	10	-10.6%	5	-36.5%	2	40.7%	36
Washington	1519.2	14	227.2	31	362.0	41	-76.2%	41	-85.0%	37	59.3%	31
West Virginia	2005.8	10	351.7	15	436.7	30	-78.2%	43	-82.5%	36	24.2%	44
Wisconsin	2207.8	7	443.2	5	634.1	12	-71.3%	37	-79.9%	27	43.1%	35
Wyoming	933.7	28	266.2	22	713.9	9	-23.5%	9	-71.5%	21	168.2%	11
U.S.	651.0	-	210.4	-	388.2		-40.4%	-	-67.7%	-	84.5%	-

Source: Bureau of Justice Statistics, U.S. Department of Justice and the Uniform Crime Report, Federal Bureau of Investigation.

Chapter 3

PUNISHMENT AS PREVENTION AND PROTECTION

A debate over criminal justice policy has re-emerged in America, as those who favor a repeal of the mandatory sentencing laws have called the laws too harsh and an improper invasion of the province of the courts.

Critics of these tougher sentencing laws have said that there is no evidence that they have had any crime control effects, and that the taxpayers can no longer afford to build the required prison space. The states are not sending convicted criminals to prison at rates that are the highest in their history. In fact, 30 states remain at levels well below their 1960 imprisonment rates. But it is clear that since 1980 there have been significant increases in the imprisonment rates of every state, and so the question arises whether these increases are correlated with any crime control effects.

WHAT THE EVIDENCE SHOWS: GETTING TOUGH WORKS

Studying both the national data and data available for each of the states, one message is clear: Leniency is associated with unrelenting increases in crime; "getting tough" works to arrest and even lower crime rates.

From 1960 to 1980, the states with the slowest decline in their incarceration rates had the smallest increases in their crime rates. The states with moderate declines in their incarceration rates had higher increases in their crime rates, while the states with the most severe declines in their incarceration rates had the largest increases in their crime rates.

From 1980 to 1992, the states with the largest increases in their incarceration rates had the most dramatic drops in their crime rates. The states with more moderate increases had more moderate declines or marginal increases in crime rates. And the states with the smallest increases in their incarceration rates contin-

Chart 3.1

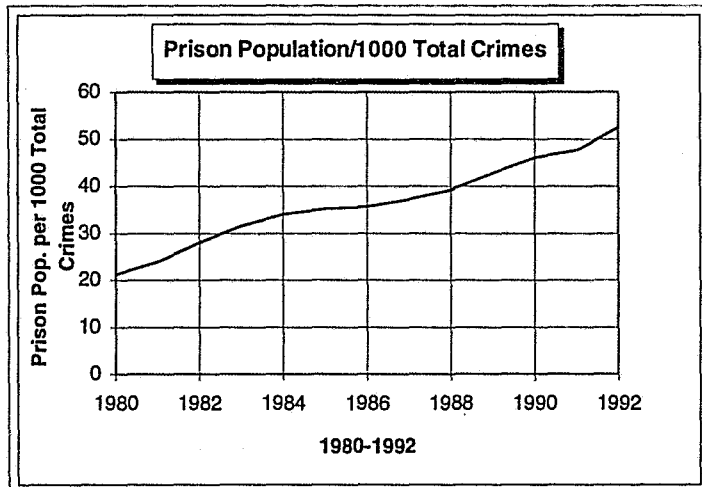
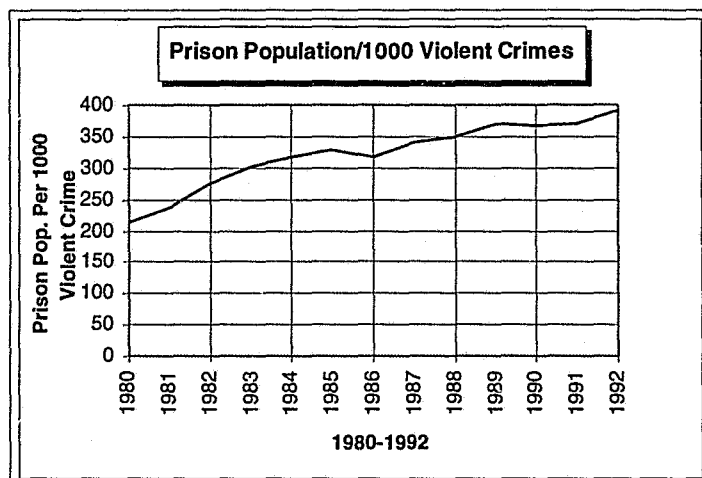


Chart 3.2



ued to have higher increases in their crime rates, albeit at a slower rate than that experienced in the earlier period.

As an example, from 1960 to 1980, New Hampshire had the third sharpest decline in imprisonment rates of any state in the country; correspondingly, it had the largest crime rate increase of any other state during the same period. In fact, among the 20 states which had the largest drops in imprisonment rates from 1960 to 1980, 14 were also among the twenty experiencing the highest increases in crime rates. However, of the 20 states which exhibited the most restraint in decreasing their imprisonment rates from 1960 to 1980 (only Delaware actually increased its

imprisonment rate over this time period), 16 were among the 20 states with the slowest growth in their crime rates.

There were only 14 states that showed an absolute increase in the crime rate during the 1980-1992 period, and eight of them were among the 10 lowest in the rate of increase in the incarceration rate. Alabama was the only state with a growing crime rate which had a relatively high rate of increase in the incarceration rate.

VIOLENT CRIME

The same inverse relationship between crime rates and incarceration rates holds true when applied to violent crime. From 1960 to 1980, violent crime incarceration rates plummeted in all 50 states, and violent crime skyrocketed. However, the states which reduced their violent crime incarceration rates the most experienced the greatest increases in violent crime. Seventeen of the 20 states which decreased their violent crime incarceration rates the most are among the 20 states that experienced the highest increase in violent crime rates. This relationship continued from 1980-92, albeit at a slower rate. Of the top ten states that experienced declines in violent crime rates during this period, six were among the top ten states in increasing their violent crime incarceration rates.

As these statistics show, the inverse relationship between crime rates and incarceration rates is very strong. Each state's percentage change in crime rate and imprisonment rate shows a story as obvious as it is powerful.

SOCIAL SPENDING AND CRIME

Advocates of policies which would address the "root cause" of crime suggest that broader taxpayer financed social programs would reduce crime rates. However, during the period in which the U.S. experienced the greatest expansion in social welfare spending, arguably begun with President Johnson's "Great Society" programs in the mid-1960s and continuing until today, crime rates soared by more than 200 percent, and violent crime rates rose more than 350 percent. Though there is no evidence that this expansion of social welfare spending *caused* increases in crime rates, the very fact that crime rates did not decrease during this period suggests that large-scale social welfare programs are not an effective strategy for fighting crime. In fact, it is evident that much of the economic and social decay found in American inner cities today, which includes the departure of businesses and middle-class families, is due to the high rates of crime in these areas.

In contrast, the clear relationship between crime rates and incarceration indicates that if there should be a priority placed on scarce public funds, it should be on increasing incarceration rates, particularly for violent offenders.

TABLE 3.1: GROWTH IN INCARCERATION RATES* AND CHANGES IN CRIME RATES

	Average Change in Prison Population Per 1000 Total Crimes		Average Change in Total Crime Rate	
	1960-80	1980-92	1960-80	1980-92
Top 10 States	-38%	+303%	203%	-19%
Middle States	-66%	+162%	239%	-7%
Bottom 10 States	-81%	+51%	313%	+9%

	Average Change in Prison Population Per 1000 Violent Crimes		Average Change in Violent Crime Rate	
	1960-80	1980-92	1960-80	1980-92
Top 10 States	-47%	+250%	+231%	-8%
Middle States	-75%	+98%	+379%	+26%
Bottom 10 States	-90%	+15%	+925%	+51%

*Grouped by prison population per 1,000 total crimes and prison population per 1,000 violent crimes.

GUN AVAILABILITY AND CRIME

Many have suggested that gun control would be an effective strategy to combat violent crime. However, placing gun availability and crime in an historical context shows that there is no significant relationship. While the proportion of violent crimes perpetrated with guns decreased 3.7% from 1980-92 (when incarceration rates were rising), firearms availability (firearms per capita) increased by 18%. Therefore, the increase in the availability of guns did not manifest itself in the greater use of guns for crime.



Chapter 4

JUVENILES AND THE RECENT INCREASE IN CRIME RATES

One out of every five persons arrested is under 18 years of age. Juveniles account for 42 percent of all arrests for arson and 24 percent of arrests for motor vehicle theft.

In 1992, 2,263,000 arrests were made for FBI index crimes, of which 655,000 (29 percent) were of juveniles. Arrests of juveniles for violent crimes increased by 57 percent from 1983 to 1992; the increase in arrests for property crimes was 11 percent.

Arson is a crime that is particularly prevalent among young offenders. Of the 16,000 persons arrested for arson in 1992, almost half were under 18 and 32 percent were under 15. Juveniles also accounted for a large proportion of motor vehicle thefts (44 percent), with 61.5 percent of such offenses committed by suspects under 21. Half of all burglary arrests involved suspects under 21, and 34 percent were under 18.

Juveniles accounted for 14 percent of murder arrests, but an additional 20 percent of murder suspects were between 18 and 21. Fifty-five percent of all murder arrests involved a suspect under 25, 45 percent of robbery suspects were under 21, and 26 percent were under 18.

During most of the 1970s and early 1980s the arrest rate for juveniles who committed violent crimes was low and remained generally flat. However, between 1981 and 1990 murders committed by adults rose five percent while murders committed by juveniles rose 60 percent. In 1990, people under the age of 21 were responsible for more than one-third of all the murders in the country.

**TABLE 4.1: JUVENILES AND CRIME:
1972-1992**

(Percent of offenses cleared by arrest of juveniles)

Year	Total Crime Index	Violent Crime	Property Crime
1972	27.3%	13.2%	33.8%
1973	30.6%	12.2%	35.9%
1974	31.3%	12.5%	36.3%
1975	30.0%	12.8%	34.4%
1976	28.6%	12.2%	32.7%
1977	28.4%	11.8%	32.8%
1978	28.1%	11.7%	32.6%
1979	26.6%	11.8%	30.9%
1980	24.4%	11.2%	28.2%
1981	21.4%	9.8%	24.7%
1982	20.6%	9.5%	23.8%
1983	20.1%	9.5%	23.2%
1984	20.1%	9.8%	23.3%
1985	20.1%	9.6%	23.4%
1986	19.1%	9.0%	22.6%
1987	18.1%	8.5%	21.3%
1988	18.1%	8.9%	20.9%
1989	17.8%	9.5%	20.3%
1990	19.2%	11.2%	22.0%
1991	19.3%	11.4%	22.1%
1992	20.0%	12.8%	22.6%

Source: Sourcebook of Criminal Justice Statistics, 1992

From 1972 through 1987, the percentage of juveniles arrested, as compared to the total of all offenses cleared by arrest, declined steadily. In fact, juveniles were declining in importance as a factor in overall violent crime. But since 1987 this trend has reversed; the percentage of juvenile arrests for violent offenses increased more than 50 percent.

The juvenile justice system is shrouded in secrecy. The offenders, the nature of their offenses, and the consequences that flow from them are not routinely and systematically made known to the public. That is because in large measure the system was designed to protect the juvenile and not the public. It was designed at a time when the "bad kids" threw rocks through windows or shoplifted. It was designed to protect these kids from having a "record" follow them for the rest of their lives for making only one "mistake." There may have been good reason for the system then and, arguably, for the system now, insofar as the minor first-time delinquent is concerned. It is, however, a system wholly inadequate for dealing with chronic violent juvenile criminals -- those who have committed murder, rape, robbery, aggravated assault, or other serious offenses.

Much of the impetus to reform the juvenile justice system comes from the public and from crime victims who are demanding that juveniles charged with serious offenses be tried as adults. Most recently, the Congress has enacted legislation to reduce the age at which juveniles may be tried as adults. The more important question, however, is not the process (adult trial or juvenile adjudication), but rather the outcomes of a juvenile's criminal acts. This issue has not received an appropriate level of attention.

The current level of data on the juvenile justice system is not sufficient to allow definitive reporting on state performance. Clearly, however, the challenge of juvenile crime is the most pressing challenge faced by those who work for a safer America.



CONCLUSION

The period from 1960 to 1992 was indeed marked by two distinct eras in American life. Beginning in the early 1960s, the nation embarked on a social experiment, testing the notion that by curing the "root causes" of crime, America would become a more just and safer place to live. To achieve this end, government at all levels spent trillions of taxpayer funds on various social welfare programs. In addition, government transformed the criminal justice system from one that used incarceration as a punishment, to one that favored process over truth, ignored chronic juvenile criminals, and allowed distant federal bureaucracies to supplant the traditional roles of the states as the primary instrument of the criminal justice system.

The result was a greater dependency on government by millions of people, and crime rates that skyrocketed for a 20 year period.

These conditions have created long-term effects. Falling incarceration rates not only created perverse incentives which made crime "profitable," but also resulted in the early release of thousands of criminals who continued to practice their craft with little fear or regard for the consequences. In the 1980s, the nation attempted to restore punishment as the consequence of crime by increasing incarceration, and though the rate of increase in crime rates dropped dramatically as a result, they still remained substantially above 1960 levels.

Though the trend in crime rates is positive, the high crime rates of today show that it is easier to get into trouble than to get out of trouble. What we should learn from the experience of the last 30 years is that incarceration works to reduce crime. In order to restore America to the level of public safety it once took almost for granted, criminal justice policy must continue to emphasize incarceration as the punishment for crime, and violent and repeat criminals should be singled out for longer prison terms.



APPENDIX A.1: STATE RANKING TABLES: TOTAL CRIME RATES:
1960-1980-1992

Rank	1960 Crime Rate	Rank	1980 Crime Rate	Rank	1992 Crime Rate
1	California 3474	1	Nevada 8854	1	Florida 8358
2	Nevada 3441	2	Florida 8402	2	Texas 7058
3	Arizona 3014	3	Arizona 8171	3	Arizona 7029
4	Florida 2705	4	California 7833	4	California 6679
5	Michigan 2659	5	Hawaii 7482	5	Louisiana 6546
6	Utah 2541	6	Colorado 7333	6	New Mexico 6434
7	New Mexico 2387	7	Washington 6915	7	Georgia 6405
8	Illinois 2342	8	New York 6912	8	Maryland 6225
9	Hawaii 2298	9	Delaware 6777	9	Nevada 6204
10	Washington 2232	10	Oregon 6687	10	Washington 6173
11	Texas 2217	11	Michigan 6676	11	Hawaii 6112
12	Colorado 2172	12	Maryland 6630	12	Colorado 5959
13	Delaware 2160	13	New Jersey 6401	13	South Carolina 5893
14	Rhode Island 2072	14	Illinois 6269	14	New York 5858
15	Montana 2053	15	Texas 6143	15	Oregon 5821
16	Oklahoma 2015	16	Massachusetts 6079	16	North Carolina 5802
17	Oregon 1977	17	New Mexico 5979	17	Illinois 5765
18	Missouri 1973	18	Rhode Island 5933	18	Utah 5659
19	Wyoming 1924	19	Connecticut 5882	19	Michigan 5611
20	Idaho 1771	20	Utah 5881	20	Alaska 5570
21	Maryland 1670	21	Alaska 5646	21	Oklahoma 5432
22	Virginia 1653	22	Georgia 5604	22	Kansas 5320
23	Alaska 1649	23	Louisiana 5454	23	Alabama 5268
24	Ohio 1559	24	South Carolina 5439	24	Tennessee 5136
25	Indiana 1554	25	Missouri 5433	25	Missouri 5097
26	South Carolina 1500	26	Ohio 5431	26	New Jersey 5064
27	Louisiana 1495	27	Kansas 5379	27	Connecticut 5053
28	New Jersey 1491	28	Oklahoma 5053	28	Massachusetts 5003
29	Minnesota 1466	29	Montana 5024	29	Delaware 4848
30	Georgia 1408	30	Vermont 4988	30	Arkansas 4762
31	Kansas 1395	31	Wyoming 4986	31	Indiana 4687
32	Tennessee 1241	32	Alabama 4934	32	Ohio 4666
33	Alabama 1222	33	Indiana 4930	33	Montana 4596
34	Nebraska 1220	34	Minnesota 4799	34	Minnesota 4591
35	Massachusetts 1219	35	Wisconsin 4799	35	Rhode Island 4578
36	Kentucky 1213	36	Idaho 4782	36	Wyoming 4575
37	Maine 1188	37	Iowa 4747	37	Nebraska 4324
38	North Carolina 1179	38	New Hampshire 4680	38	Wisconsin 4319
39	South Dakota 1164	39	North Carolina 4640	39	Virginia 4299
40	Connecticut 1157	40	Virginia 4620	40	Mississippi 4282
41	Wisconsin 1146	41	Tennessee 4498	41	Idaho 3996
42	Iowa 1124	42	Maine 4368	42	Iowa 3957
43	Pennsylvania 1049	43	Nebraska 4305	43	Maine 3524
44	Arkansas 1034	44	Arkansas 3811	44	Vermont 3410
45	North Dakota 891	45	Pennsylvania 3736	45	Pennsylvania 3393
46	Vermont 825	46	Kentucky 3434	46	Kentucky 3324
47	West Virginia 721	47	Mississippi 3417	47	New Hampshire 3081
48	Mississippi 705	48	South Dakota 3243	48	South Dakota 2999
49	New Hampshire 690	49	North Dakota 2964	49	North Dakota 2903
		50	West Virginia 2552	50	West Virginia 2610

**APPENDIX A.2: STATE RANKING TABLES: TOTAL CRIME PERCENTAGE CHANGE:
1960-1980-1992**

Rank	Percentage Change 1960-1992	Rank	Percentage Change 1960-1980	Rank	Percentage Change 1980-92
1	Mississippi 507.7%	1	New Hampshire 578.5%	1	Mississippi 25.3%
2	North Carolina 391.9%	2	Vermont 504.4%	2	North Carolina 25.0%
3	Arkansas 360.5%	3	Connecticut 408.6%	3	Arkansas 24.9%
4	Georgia 355.0%	4	Massachusetts 398.7%	4	Louisiana 20.0%
5	New Hampshire 346.6%	5	Mississippi 384.9%	5	Texas 14.9%
6	Louisiana 337.8%	6	New Jersey 329.4%	6	Georgia 14.3%
7	Connecticut 336.9%	7	Iowa 322.4%	7	Tennessee 14.2%
8	Alabama 331.1%	8	Wisconsin 318.9%	8	South Carolina 8.3%
9	Tennessee 314.0%	9	Alabama 303.7%	9	New Mexico 7.6%
10	Vermont 313.1%	10	Georgia 298.0%	10	Oklahoma 7.5%
11	Massachusetts 310.4%	11	Maryland 297.0%	11	Alabama 6.8%
12	South Carolina 292.8%	12	North Carolina 293.4%	12	West Virginia 2.3%
13	Kansas 281.4%	13	Kansas 285.6%	13	Nebraska 0.4%
14	Wisconsin 277.0%	14	Arkansas 268.5%	14	Florida -0.5%
15	Maryland 272.7%	15	Maine 267.6%	15	Kansas -1.1%
16	West Virginia 262.1%	16	Louisiana 264.7%	16	Alaska -1.3%
17	Nebraska 254.5%	17	Tennessee 262.6%	17	North Dakota -2.0%
18	Iowa 252.1%	18	South Carolina 262.6%	18	Kentucky -3.2%
19	New Jersey 239.7%	19	Pennsylvania 256.0%	19	Utah -3.8%
20	Alaska 237.7%	20	West Virginia 254.0%	20	Minnesota -4.3%
21	North Dakota 225.9%	21	Nebraska 253.0%	21	Indiana -4.9%
22	Pennsylvania 223.3%	22	Ohio 248.4%	22	Maryland -6.1%
23	Texas 218.3%	23	Alaska 242.3%	23	Missouri -6.2%
24	Minnesota 213.1%	24	Oregon 238.2%	24	Virginia -7.0%
25	Florida 209.0%	25	Colorado 237.6%	25	South Dakota -7.5%
26	Indiana 201.7%	26	North Dakota 232.6%	26	Illinois -8.0%
27	Ohio 199.3%	27	Minnesota 227.4%	27	Wyoming -8.2%
28	Maine 196.5%	28	Hawaii 225.6%	28	Montana -8.5%
29	Oregon 194.4%	29	Indiana 217.3%	29	Pennsylvania -9.2%
30	Washington 176.5%	30	Delaware 213.7%	30	Wisconsin -10.0%
31	Colorado 174.3%	31	Florida 210.7%	31	Washington -10.7%
32	Kentucky 174.1%	32	Washington 209.8%	32	Oregon -13.0%
33	New Mexico 169.6%	33	Rhode Island 186.3%	33	Arizona -14.0%
34	Oklahoma 169.5%	34	Kentucky 183.1%	34	Connecticut -14.1%
35	Hawaii 165.9%	35	Virginia 179.5%	35	Ohio -14.1%
36	Virginia 160.1%	36	South Dakota 178.6%	36	California -14.7%
37	Missouri 158.4%	37	Texas 177.1%	37	New York -15.2%
38	South Dakota 157.6%	38	Missouri 175.4%	38	Michigan -16.0%
39	Illinois 146.2%	39	Arizona 171.1%	39	Idaho -16.4%
40	Wyoming 137.8%	40	Idaho 170.0%	40	Iowa -16.6%
41	Arizona 133.2%	41	Illinois 167.7%	41	Massachusetts -17.7%
42	Idaho 125.6%	42	Wyoming 159.1%	42	Hawaii -18.3%
43	Delaware 124.4%	43	Nevada 157.3%	43	Colorado -18.7%
44	Montana 123.9%	44	Michigan 151.1%	44	Maine -19.3%
45	Utah 122.7%	45	Oklahoma 150.7%	45	New Jersey -20.9%
46	Rhode Island 120.9%	46	New Mexico 150.5%	46	Rhode Island -22.8%
47	Michigan 111.0%	47	Montana 144.8%	47	Delaware -28.5%
48	California 92.3%	48	Utah 131.4%	48	Nevada -29.9%
49	Nevada 80.3%	49	California 125.5%	49	Vermont -31.6%
				50	New Hampshire -34.2%

APPENDIX A.3: STATE RANKING TABLES: VIOLENT CRIME RATES: 1960-1980-1992

Rank	Violent Crime Rate 1960	Rank	Violent Crime Rate 1980	Rank	Violent Crime Rate 1992
1	Illinois 365	1	New York 1030	1	Florida 1207
2	California 239	2	Florida 984	2	New York 1122
3	North Carolina 223	3	Nevada 913	3	California 1120
4	Florida 223	4	California 894	4	Maryland 1000
5	Michigan 218	5	Maryland 852	5	Louisiana 985
6	Arizona 208	6	Illinois 808	6	Illinois 977
7	Alabama 187	7	Louisiana 665	7	South Carolina 944
8	Virginia 184	8	South Carolina 660	8	New Mexico 935
9	Missouri 173	9	Arizona 651	9	Alabama 872
10	Texas 161	10	Michigan 640	10	Texas 806
11	Georgia 159	11	New Mexico 615	11	Massachusetts 779
12	Louisiana 153	12	New Jersey 604	12	Michigan 770
13	Maryland 151	13	Massachusetts 601	13	Tennessee 746
14	Nevada 146	14	Georgia 555	14	Missouri 740
15	South Carolina 144	15	Missouri 554	15	Georgia 733
16	New Mexico 143	16	Texas 550	16	Nevada 697
17	Colorado 137	17	Colorado 529	17	North Carolina 681
18	New Jersey 114	18	Ohio 498	18	Arizona 671
19	Wyoming 110	19	Oregon 490	19	Alaska 660
20	Arkansas 108	20	Delaware 475	20	New Jersey 626
21	Alaska 104	21	Washington 464	21	Oklahoma 623
22	Mississippi 103	22	Tennessee 458	22	Delaware 621
23	Pennsylvania 99	23	North Carolina 455	23	Colorado 579
24	Kentucky 97	24	Alabama 449	24	Arkansas 577
25	Oklahoma 97	25	Alaska 436	25	Kentucky 535
26	Tennessee 91	26	Oklahoma 419	26	Washington 535
27	Indiana 85	27	Connecticut 413	27	Ohio 526
28	Delaware 84	28	Rhode Island 409	28	Kansas 511
29	Ohio 84	29	Wyoming 393	29	Oregon 510
30	Oregon 70	30	Kansas 389	30	Indiana 508
31	Montana 67	31	Indiana 378	31	Connecticut 495
32	West Virginia 65	32	Pennsylvania 364	32	Pennsylvania 427
33	Kansas 58	33	Mississippi 342	33	Mississippi 412
34	Washington 57	34	Arkansas 335	34	Rhode Island 395
35	Utah 54	35	Idaho 313	35	Virginia 375
36	Massachusetts 49	36	Virginia 307	36	Nebraska 349
37	Minnesota 42	37	Utah 303	37	Minnesota 338
38	Nebraska 42	38	Hawaii 299	38	Wyoming 320
39	South Dakota 41	39	Kentucky 267	39	Utah 291
40	Idaho 38	40	Minnesota 228	40	Idaho 281
41	Rhode Island 37	41	Nebraska 225	41	Iowa 278
42	Connecticut 37	42	Montana 223	42	Wisconsin 276
43	Wisconsin 32	43	Iowa 200	43	Hawaii 258
44	Maine 30	44	Maine 193	44	West Virginia 212
45	Iowa 24	45	West Virginia 185	45	South Dakota 195
46	Hawaii 22	46	Wisconsin 183	46	Montana 170
47	North Dakota 14	47	New Hampshire 180	47	Maine 131
48	New Hampshire 13	48	Vermont 179	48	New Hampshire 126
49	Vermont 9	49	South Dakota 127	49	Vermont 109
		50	North Dakota 54	50	North Dakota 83

**APPENDIX A.4: STATE RANKING TABLES: PERCENTAGE CHANGE IN VIOLENT CRIME RATES:
1960-1980-1992**

Rank	Percentage Change in Violent Crime Rate 1960-92	Rank	Percentage Change in Violent Crime Rate 1960-80	Rank	Percentage Change in Violent Crime Rate 1980-92
1	Massachusetts 1496.7%	1	Vermont 1783.7%	1	Kentucky 100.8%
2	Connecticut 1253.2%	2	Hawaii 1273.2%	2	Alabama 94.3%
3	Hawaii 1085.1%	3	New Hampshire 1247.6%	3	Arkansas 72.0%
4	Iowa 1068.4%	4	Massachusetts 1132.4%	4	Tennessee 62.9%
5	Vermont 1053.6%	5	Connecticut 1026.9%	5	Nebraska 55.2%
6	Rhode Island 973.1%	6	Rhode Island 1011.2%	6	North Dakota 54.5%
7	Washington 843.8%	7	Iowa 742.2%	7	South Dakota 53.3%
8	New Hampshire 842.2%	8	Idaho 719.9%	8	New Mexico 52.0%
9	Kansas 774.9%	9	Washington 719.8%	9	Alaska 51.5%
10	Wisconsin 764.1%	10	Oregon 604.0%	10	Wisconsin 51.0%
11	Nebraska 733.8%	11	Kansas 566.8%	11	North Carolina 49.7%
12	Tennessee 719.0%	12	Maine 548.6%	12	Oklahoma 48.5%
13	Minnesota 704.2%	13	Nevada 525.9%	13	Minnesota 48.4%
14	Delaware 639.3%	14	Ohio 495.6%	14	Louisiana 48.1%
15	Idaho 636.4%	15	Wisconsin 472.1%	15	Texas 46.5%
16	Oregon 632.5%	16	Delaware 465.1%	16	South Carolina 43.1%
17	Maryland 561.1%	17	Maryland 463.4%	17	Iowa 38.7%
18	South Carolina 557.2%	18	Utah 458.2%	18	Indiana 34.6%
19	New Mexico 553.8%	19	Minnesota 441.8%	19	Missouri 33.5%
20	Louisiana 542.6%	20	Nebraska 437.2%	20	Georgia 32.0%
21	Oklahoma 542.2%	21	New Jersey 428.9%	21	Kansas 31.2%
22	Alaska 533.0%	22	Tennessee 402.8%	22	Delaware 30.8%
23	Ohio 528.7%	23	South Carolina 359.2%	23	Massachusetts 29.6%
24	Indiana 501.0%	24	Indiana 346.5%	24	California 25.3%
25	North Dakota 485.6%	25	Florida 340.3%	25	Florida 22.7%
26	Kentucky 450.2%	26	Louisiana 334.0%	26	Virginia 22.0%
27	New Jersey 447.7%	27	Oklahoma 332.5%	27	Illinois 20.9%
28	Florida 440.4%	28	New Mexico 330.0%	28	Michigan 20.4%
29	Arkansas 435.3%	29	Alaska 317.8%	29	Mississippi 20.4%
30	Utah 434.6%	30	Colorado 285.0%	30	Connecticut 20.1%
31	Texas 400.7%	31	North Dakota 279.1%	31	Maryland 17.3%
32	Nevada 377.9%	32	California 274.0%	32	Pennsylvania 17.3%
33	South Dakota 369.4%	33	Pennsylvania 267.7%	33	Washington 15.1%
34	California 368.6%	34	Wyoming 257.9%	34	West Virginia 14.3%
35	Alabama 367.0%	35	Georgia 249.7%	35	Colorado 9.5%
36	Georgia 361.7%	36	Texas 241.7%	36	New York 9.0%
37	Maine 338.9%	37	Mississippi 233.1%	37	Ohio 5.6%
38	Pennsylvania 331.4%	38	Montana 231.6%	38	Oregon 4.0%
39	Missouri 328.3%	39	Missouri 220.7%	39	New Jersey 3.6%
40	Colorado 321.6%	40	Arizona 213.4%	40	Arizona 3.1%
41	Mississippi 301.1%	41	Arkansas 211.2%	41	Rhode Island -3.4%
42	Michigan 253.7%	42	South Dakota 206.1%	42	Utah -4.2%
43	West Virginia 228.0%	43	Michigan 193.7%	43	Idaho -10.2%
44	Arizona 223.0%	44	West Virginia 187.0%	44	Hawaii -13.7%
45	North Carolina 204.7%	45	Kentucky 174.0%	45	Wyoming -18.6%
46	Wyoming 191.3%	46	Alabama 140.3%	46	Nevada -23.6%
47	Illinois 167.7%	47	Illinois 121.3%	47	Montana -23.7%
48	Montana 153.1%	48	North Carolina 103.6%	48	New Hampshire -30.1%
49	Virginia 104.1%	49	Virginia 67.3%	49	Maine -32.3%
				50	Vermont -38.8%

APPENDIX A.5: STATE RANKING TABLES: TOTAL CRIME INCARCERATION RATES
1960-1980-1992

Rank	Total Crime Incarceration Rate 1960	Rank	Total Crime Incarceration Rate 1980	Rank	Total Crime Incarceration Rate 1992
1	West Virginia 180	1	North Carolina 53	1	Delaware 80
2	Alabama 134	2	South Carolina 40	2	Alabama 76
3	Mississippi 129	3	Georgia 39	3	Ohio 74
4	Georgia 126	4	Texas 34	4	Michigan 74
5	North Carolina 111	5	Tennessee 33	5	South Carolina 72
6	Arkansas 109	6	Virginia 33	6	South Dakota 71
7	Maryland 103	7	Louisiana 33	7	Nevada 71
8	Kentucky 98	8	Arkansas 32	8	Oklahoma 70
9	Virginia 88	9	Mississippi 31	9	Kentucky 70
10	Vermont 84	10	Oklahoma 30	10	Mississippi 69
11	Louisiana 77	11	Kentucky 29	11	Arkansas 67
12	Kansas 76	12	South Dakota 28	12	Virginia 62
13	Indiana 75	13	Maryland 27	13	Pennsylvania 61
14	Nebraska 74	14	Nevada 26	14	Missouri 61
15	Ohio 73	15	West Virginia 26	15	Maryland 61
16	Iowa 71	16	Florida 25	16	Arizona 59
17	Tennessee 71	17	Michigan 25	17	New York 58
18	South Dakota 66	18	Delaware 24	18	Louisiana 58
19	Pennsylvania 66	19	Alabama 24	19	Georgia 57
20	Maine 65	20	Indiana 23	20	New Hampshire 52
21	Wisconsin 61	21	Ohio 22	21	Indiana 52
22	South Carolina 58	22	Missouri 22	22	Alaska 52
23	Oklahoma 57	23	Wyoming 21	23	Connecticut 51
24	New Mexico 55	24	Nebraska 21	24	California 51
25	Colorado 55	25	Kansas 19	25	Idaho 51
26	Texas 53	26	Pennsylvania 18	26	North Carolina 50
27	Wyoming 53	27	Oregon 18	27	Wyoming 50
28	Florida 53	28	New York 18	28	Texas 49
29	Connecticut 51	29	Iowa 18	29	New Jersey 48
30	Oregon 49	30	Montana 18	30	Illinois 47
31	New Jersey 47	31	Wisconsin 17	31	Kansas 45
32	Idaho 46	32	Arizona 16	32	Florida 43
33	Michigan 46	33	Alaska 15	33	Vermont 42
34	North Dakota 44	34	Washington 15	34	Tennessee 42
35	Montana 43	35	Idaho 15	35	Colorado 41
36	Missouri 43	36	Illinois 15	36	Iowa 41
37	New Hampshire 43	37	North Dakota 14	37	Wisconsin 40
38	Nevada 42	38	Connecticut 14	38	Montana 39
39	Minnesota 41	39	Vermont 13	39	Nebraska 37
40	California 40	40	California 13	40	Rhode Island 37
41	Arizona 39	41	Colorado 12	41	West Virginia 35
42	Washington 39	42	New Mexico 12	42	Maine 34
43	Illinois 38	43	New Jersey 12	43	Massachusetts 32
44	Hawaii 38	44	Maine 11	44	Washington 31
45	Massachusetts 31	45	Rhode Island 11	45	New Mexico 31
46	Utah 24	46	Utah 11	46	Oregon 30
47	Delaware 23	47	Minnesota 10	47	Utah 28
48	Rhode Island 14	48	Massachusetts 9	48	North Dakota 27
		49	Hawaii 8	49	Hawaii 24
		50	New Hampshire 7	50	Minnesota 18

**APPENDIX A.6: STATE RANKING TABLES: PERCENTAGE CHANGE IN TOTAL CRIME
INCARCERATION RATES: 1960-1980-1992**

Rank	Percentage Change Total Crime Incarceration Rate 1960-1992	Rank	Percentage Change Total Crime Incarceration Rate 1960-1980	Rank	Percentage Change Total Crime Incarceration Rate 1980-1992
1	Delaware 242.0%	1	Delaware 2.4%	1	New Hampshire 654.9%
2	Rhode Island 156.9%	2	Rhode Island -25.2%	2	New Jersey 309.6%
3	Nevada 68.0%	3	South Carolina -31.1%	3	California 305.3%
4	Michigan 60.9%	4	Texas -35.5%	4	Connecticut 277.3%
5	Arizona 52.3%	5	Nevada -39.1%	5	Massachusetts 269.9%
6	Missouri 40.9%	6	Michigan -46.5%	6	Arizona 263.0%
7	California 29.0%	7	Oklahoma -47.5%	7	Rhode Island 243.4%
8	South Carolina 23.7%	8	Missouri -50.5%	8	Idaho 240.8%
9	Illinois 22.9%	9	North Carolina -52.1%	9	Alaska 236.3%
10	Oklahoma 22.6%	10	Tennessee -52.7%	10	Delaware 234.1%
11	New Hampshire 22.0%	11	Florida -53.1%	11	Pennsylvania 233.0%
12	Utah 14.1%	12	Utah -56.3%	12	Colorado 232.7%
13	Idaho 9.2%	13	Louisiana -56.8%	13	Vermont 230.9%
14	South Dakota 6.6%	14	South Dakota -57.8%	14	Ohio 229.1%
15	Massachusetts 5.3%	15	Arizona -58.0%	15	New York 225.2%
16	New Jersey 2.3%	16	Montana -59.5%	16	Alabama 224.0%
17	Ohio 0.7%	17	Washington -60.4%	17	Illinois 221.4%
18	Connecticut 0.2%	18	Wyoming -60.6%	18	Hawaii 214.0%
19	Wyoming -6.3%	19	Illinois -61.8%	19	Maine 209.2%
20	Pennsylvania -6.7%	20	Virginia -62.0%	20	Michigan 200.9%
21	Texas -7.8%	21	Oregon -62.6%	21	Missouri 184.3%
22	Montana -10.9%	22	Idaho -67.9%	22	Nevada 176.0%
23	Washington -18.7%	23	California -68.2%	23	Utah 161.0%
24	Florida -19.0%	24	Georgia -68.7%	24	New Mexico 158.4%
25	Colorado -25.0%	25	Indiana -68.9%	25	South Dakota 152.7%
26	Louisiana -25.2%	26	North Dakota -69.0%	26	Kentucky 143.5%
27	Kentucky -28.5%	27	Ohio -69.4%	27	Wisconsin 140.1%
28	Virginia -29.9%	28	Arkansas -70.5%	28	Wyoming 137.9%
29	Indiana -30.7%	29	Kentucky -70.7%	29	Kansas 134.2%
30	Wisconsin -34.2%	30	Massachusetts -71.5%	30	Oklahoma 133.6%
31	Hawaii -38.3%	31	Pennsylvania -72.0%	31	Iowa 130.1%
32	North Dakota -38.4%	32	Nebraska -72.0%	32	Maryland 126.1%
33	Arkansas -38.6%	33	Wisconsin -72.6%	33	Indiana 122.8%
34	Oregon -39.1%	34	Connecticut -73.4%	34	Mississippi 120.6%
35	Maryland -40.9%	35	Maryland -73.9%	35	Montana 120.0%
36	Kansas -40.9%	36	Kansas -74.8%	36	Arkansas 108.1%
37	Tennessee -41.3%	37	New Jersey -75.0%	37	Washington 105.5%
38	Iowa -42.9%	38	Iowa -75.2%	38	North Dakota 98.7%
39	Alabama -43.2%	39	Mississippi -75.6%	39	Minnesota 90.2%
40	New Mexico -43.7%	40	Minnesota -76.5%	40	Virginia 84.6%
41	Mississippi -46.3%	41	Colorado -77.4%	41	Nebraska 79.9%
42	Maine -47.7%	42	New Mexico -78.2%	42	South Carolina 79.6%
43	Vermont -49.4%	43	Hawaii -80.4%	43	Louisiana 73.1%
44	Nebraska -49.7%	44	Alabama -82.5%	44	Florida 72.6%
45	Georgia -54.3%	45	Maine -83.1%	45	Oregon 62.8%
46	North Carolina -54.8%	46	New Hampshire -83.8%	46	Georgia 45.9%
47	Minnesota -55.3%	47	Vermont -84.7%	47	Texas 43.0%
48	West Virginia -80.3%	48	West Virginia -85.8%	48	West Virginia 38.7%
				49	Tennessee 24.2%
				50	North Carolina -5.7%

APPENDIX A.7: STATE RANKING TABLES: VIOLENT CRIME INCARCERATION RATES: 1960-1980-1992

Rank	Violent Crime Incarceration Rate 1960	Rank	Violent Crime Incarceration Rate 1980	Rank	Violent Crime Incarceration Rate 1992
1	Vermont 7270.3	1	North Dakota 750.0	1	Vermont 1317.3
2	Hawaii 4043.5	2	South Dakota 715.9	2	New Hampshire 1285.6
3	Iowa 3359.8	3	North Carolina 543.7	3	South Dakota 1091.1
4	North Dakota 2755.6	4	Virginia 503.3	4	Montana 1047.1
5	Maine 2595.2	5	Wisconsin 443.2	5	North Dakota 945.3
6	New Hampshire 2222.2	6	Iowa 418.0	6	Maine 917.7
7	Wisconsin 2207.8	7	Georgia 397.5	7	Idaho 720.6
8	Idaho 2152.9	8	Montana 397.1	8	Mississippi 719.1
9	Nebraska 2150.8	9	Nebraska 395.5	9	Wyoming 713.9
10	West Virginia 2005.8	10	Texas 383.3	10	Virginia 708.3
11	South Dakota 1865.2	11	Kentucky 369.5	11	Ohio 655.9
12	Kansas 1818.4	12	Arkansas 366.4	12	Wisconsin 634.1
13	Connecticut 1613.1	13	Oklahoma 361.0	13	Nevada 629.4
14	Washington 1519.2	14	Vermont 356.7	14	Delaware 625.7
15	Minnesota 1434.8	15	West Virginia 351.7	15	Arizona 616.6
16	Oregon 1388.0	16	Delaware 342.4	16	Oklahoma 610.4
17	Indiana 1376.2	17	South Carolina 330.4	17	Iowa 578.0
18	Ohio 1368.3	18	Tennessee 328.7	18	Hawaii 559.7
19	Montana 1328.9	19	Mississippi 313.2	19	Arkansas 553.8
20	Kentucky 1218.5	20	Indiana 304.4	20	Utah 542.8
21	Oklahoma 1186.4	21	Louisiana 272.9	21	Michigan 538.2
22	Utah 1142.6	22	Wyoming 266.2	22	Connecticut 522.0
23	Maryland 1133.2	23	Kansas 265.2	23	Georgia 502.0
24	Georgia 1115.5	24	Alabama 259.2	24	Pennsylvania 486.9
25	Arkansas 1047.8	25	Michigan 256.3	25	Indiana 479.0
26	Nevada 992.8	26	Oregon 249.6	26	Kansas 468.1
27	Tennessee 964.3	27	Maine 249.0	27	Alabama 461.4
28	Wyoming 933.7	28	Nevada 248.5	28	Nebraska 460.3
29	New Mexico 914.0	29	Ohio 244.9	29	South Carolina 449.3
30	Mississippi 883.3	30	Idaho 227.3	30	West Virginia 436.7
31	Alabama 880.6	31	Washington 227.2	31	Alaska 434.9
32	Colorado 863.0	32	Florida 212.0	32	Kentucky 433.7
33	Rhode Island 807.0	33	Missouri 210.7	33	Texas 429.7
34	Virginia 792.6	34	Maryland 208.6	34	North Carolina 428.4
35	Massachusetts 764.3	35	Utah 207.0	35	Rhode Island 426.7
36	Louisiana 751.3	36	Minnesota 203.7	36	Colorado 421.2
37	Texas 733.0	37	Arizona 203.5	37	Missouri 420.9
38	Pennsylvania 696.4	38	Alaska 198.5	38	New Jersey 392.2
39	Florida 640.4	39	Connecticut 193.4	39	Louisiana 383.0
40	New Jersey 618.0	40	Pennsylvania 188.9	40	Maryland 377.4
41	South Carolina 607.5	41	Hawaii 188.3	41	Washington 362.0
42	Delaware 602.7	42	New Hampshire 180.9	42	Oregon 339.9
43	North Carolina 587.0	43	Colorado 170.6	43	California 305.1
44	California 576.7	44	Rhode Island 155.5	44	New York 303.7
45	Arizona 560.7	45	New Jersey 125.3	45	Florida 296.5
46	Michigan 560.6	46	New York 120.1	46	Tennessee 286.2
47	Missouri 495.2	47	New Mexico 116.1	47	Illinois 278.4
48	Illinois 246.3	48	Illinois 113.9	48	Minnesota 249.7
		49	California 110.6	49	New Mexico 212.4
		50	Massachusetts 88.0	50	Massachusetts 206.8

**APPENDIX A.8: STATE RANKING TABLES: PERCENTAGE CHANGE IN
VIOLENT CRIME INCARCERATION RATES: 1960-1980-1992**

Rank	Percentage Change 1960-1992	Rank	Percentage Change 1960-1980	Rank	Percentage Change 1980-1992
1	Illinois 13.0%	1	North Carolina -7.4%	1	New Hampshire 610.7%
2	Arizona 10.0%	2	Virginia -36.5%	2	Vermont 269.3%
3	Delaware 3.8%	3	Delaware -43.2%	3	Maine 268.6%
4	Michigan -4.0%	4	South Carolina -45.6%	4	Idaho 217.1%
5	Virginia -10.6%	5	Texas -47.7%	5	New Jersey 212.9%
6	Missouri -15.0%	6	Illinois -53.8%	6	Arizona 202.9%
7	Mississippi -18.6%	7	Michigan -54.3%	7	Hawaii 197.2%
8	Montana -21.2%	8	Missouri -57.5%	8	California 175.8%
9	Wyoming -23.5%	9	South Dakota -61.6%	9	Rhode Island 174.4%
10	South Carolina -26.0%	10	Louisiana -63.7%	10	Connecticut 170.0%
11	North Carolina -27.0%	11	Arizona -63.7%	11	Wyoming 168.2%
12	Pennsylvania -30.1%	12	Georgia -64.4%	12	Ohio 167.8%
13	New Jersey -36.5%	13	Mississippi -64.5%	13	Montana 163.7%
14	Nevada -36.6%	14	Arkansas -65.0%	14	Utah 162.2%
15	Texas -41.4%	15	Tennessee -65.9%	15	Pennsylvania 157.7%
16	South Dakota -41.5%	16	Florida -66.9%	16	Nevada 153.3%
17	New Hampshire -42.1%	17	Oklahoma -69.6%	17	New York 152.9%
18	California -47.1%	18	Kentucky -69.7%	18	Colorado 146.9%
19	Rhode Island -47.1%	19	Montana -70.1%	19	Illinois 144.4%
20	Arkansas -47.2%	20	Alabama -70.6%	20	Massachusetts 135.0%
21	Alabama -47.6%	21	Wyoming -71.5%	21	Mississippi 129.6%
22	Oklahoma -48.6%	22	North Dakota -72.8%	22	Alaska 119.0%
23	Louisiana -49.0%	23	Pennsylvania -72.9%	23	Michigan 110.0%
24	Colorado -51.2%	24	Nevada -75.0%	24	Missouri 99.7%
25	Ohio -52.1%	25	Indiana -77.9%	25	New Mexico 82.9%
26	Utah -52.5%	26	New Jersey -79.7%	26	Delaware 82.7%
27	Florida -53.7%	27	Wisconsin -79.9%	27	Maryland 80.9%
28	Georgia -55.0%	28	Colorado -80.2%	28	Alabama 78.0%
29	Kentucky -64.4%	29	Rhode Island -80.7%	29	Kansas 76.5%
30	Maine -64.6%	30	California -80.8%	30	Oklahoma 69.1%
31	Indiana -65.2%	31	Maryland -81.6%	31	Washington 59.3%
32	North Dakota -65.7%	32	Nebraska -81.6%	32	Indiana 57.4%
33	Idaho -66.5%	33	Utah -81.9%	33	South Dakota 52.4%
34	Maryland -66.7%	34	Oregon -82.0%	34	Arkansas 51.1%
35	Connecticut -67.6%	35	Ohio -82.1%	35	Wisconsin 43.1%
36	Tennessee -70.3%	36	West Virginia -82.5%	36	Virginia 40.7%
37	Wisconsin -71.3%	37	Washington -85.0%	37	Louisiana 40.3%
38	Massachusetts -72.9%	38	Kansas -85.4%	38	Florida 39.9%
39	Kansas -74.3%	39	Minnesota -85.8%	39	Iowa 38.3%
40	Oregon -75.5%	40	New Mexico -87.3%	40	Oregon 36.2%
41	Washington -76.2%	41	Iowa -87.6%	41	South Carolina 36.0%
42	New Mexico -76.8%	42	Connecticut -88.0%	42	Georgia 26.3%
43	West Virginia -78.2%	43	Massachusetts -88.5%	43	North Dakota 26.0%
44	Nebraska -78.6%	44	Idaho -89.4%	44	West Virginia 24.2%
45	Vermont -81.9%	45	Maine -90.4%	45	Minnesota 22.6%
46	Minnesota -82.6%	46	New Hampshire -91.9%	46	Kentucky 17.4%
47	Iowa -82.8%	47	Vermont -95.1%	47	Nebraska 16.4%
48	Hawaii -86.2%	48	Hawaii -95.3%	48	Texas 12.1%
				49	Tennessee -12.9%
				50	North Carolina -21.2%

APPENDIX A.9: STATE RANKING TABLES: PER INMATE PRISON COSTS
AND PERCENTAGE CHANGE: 1960-1992

Rank	1960 Cost Per Inmate*	Rank	1990 Cost Per-Inmate	Rank	Percentage Change in Per-Inmate Cost 1960-1992
1	Rhode Island \$37,138	1	Alaska \$55,240	1	Georgia 471.1%
2	Massachusetts \$34,340	2	Rhode Island \$37,425	2	Virginia 242.6%
3	Delaware \$29,342	3	Massachusetts \$35,794	3	Tennessee 242.1%
4	New Hampshire \$27,152	4	Hawaii \$34,923	4	Arkansas 233.7%
5	Vermont \$22,879	5	Minnesota \$31,994	5	West Virginia 226.3%
6	North Dakota \$21,452	6	Vermont \$31,160	6	Texas 222.8%
7	Minnesota \$19,806	7	North Dakota \$29,211	7	New Mexico 206.4%
8	Hawaii \$18,174	8	New Mexico \$28,020	8	Arizona 182.1%
9	Connecticut \$17,574	9	Delaware \$25,256	9	Kentucky 180.8%
10	Washington \$15,353	10	Maine \$25,245	10	Florida 175.1%
11	Montana \$14,858	11	New York \$22,684	11	Iowa 167.4%
12	Utah \$13,580	12	Iowa \$22,492	12	South Carolina 166.5%
13	Wisconsin \$13,448	13	Washington \$22,074	13	Indiana 150.2%
14	Oregon \$13,046	14	Utah \$21,659	14	Alabama 131.9%
15	Maine \$12,409	15	Connecticut \$21,319	15	Michigan 115.3%
16	Wyoming \$11,638	16	New Hampshire \$20,881	16	New York 110.0%
17	Nebraska \$11,084	17	Wisconsin \$20,849	17	Maryland 106.0%
18	New York \$10,801	18	Michigan \$18,851	18	Maine 103.4%
19	Colorado \$10,328	19	North Carolina \$18,694	19	Mississippi 98.2%
20	New Jersey \$10,033	20	New Jersey \$18,544	20	Kansas 97.9%
21	North Carolina \$9,722	21	Virginia \$18,157	21	North Carolina 92.3%
22	Nevada \$9,675	22	California \$18,147	22	Hawaii 92.2%
23	California \$9,570	23	Tennessee \$17,581	23	California 89.6%
24	Illinois \$9,215	24	Arizona \$17,517	24	New Jersey 84.8%
25	New Mexico \$9,146	25	Maryland \$17,347	25	Idaho 76.8%
26	Pennsylvania \$8,923	26	Nebraska \$16,164	26	Pennsylvania 76.1%
27	Michigan \$8,757	27	Indiana \$16,086	27	Ohio 75.3%
28	South Dakota \$8,477	28	Illinois \$15,971	28	Illinois 73.3%
29	Maryland \$8,420	29	Montana \$15,898	29	Oklahoma 66.6%
30	Iowa \$8,411	30	Pennsylvania \$15,712	30	Minnesota 61.5%
31	Idaho \$8,122	31	Wyoming \$15,560	31	Missouri 61.5%
32	Kansas \$7,414	32	Kansas \$14,672	32	Utah 59.5%
33	Ohio \$7,299	33	West Virginia \$14,447	33	Wisconsin 55.0%
34	Louisiana \$7,068	34	Idaho \$14,359	34	South Dakota 54.5%
35	Indiana \$6,429	35	Nevada \$14,105	35	Nebraska 45.8%
36	Missouri \$6,295	36	Florida \$13,619	36	Nevada 45.8%
37	Arizona \$6,209	37	Georgia \$13,409	37	Washington 43.8%
38	Virginia \$5,300	38	South Dakota \$13,098	38	Vermont 36.2%
39	Tennessee \$5,139	39	South Carolina \$13,035	39	North Dakota 36.2%
40	Florida \$4,952	40	Ohio \$12,799	40	Wyoming 33.7%
41	South Carolina \$4,890	41	Texas \$12,514	41	Connecticut 21.3%
42	Oklahoma \$4,628	42	Oregon \$12,102	42	Colorado 13.6%
43	West Virginia \$4,428	43	Colorado \$11,730	43	Louisiana 12.9%
44	Mississippi \$4,031	44	Kentucky \$11,293	44	Montana 7.0%
45	Kentucky \$4,022	45	Arkansas \$10,647	45	Massachusetts 4.2%
46	Texas \$3,877	46	Missouri \$10,169	46	Rhode Island 0.8%
47	Alabama \$3,501	47	Alabama \$8,117	47	Oregon -7.2%
48	Arkansas \$3,191	48	Mississippi \$7,988	48	Delaware -13.9%
49	Georgia \$2,348	49	Louisiana \$7,980	49	New Hampshire -23.1%
		50	Oklahoma \$7,710		

*1990 inflation adjusted dollars