Consequences of High Incarceration Rates

Over the last few decades, the U.S. incarceration rate has quadrupled, producing the world’s largest prison population.\(^1\) Although accounting for approximately 5 percent of the world’s population, the U.S. harbors 25 percent of the world’s prisoners.\(^2\) Further, corrections spending now compromises the third-largest area of overall state spending, largely driven by the increase in the number of prisoners.\(^3\) Given this context, states interested in making their criminal justice systems smarter, fairer, and more cost-effective have turned to examine and reform their sentencing and corrections policies.

Alternatives to Incarceration and Reducing Recidivism

While prison populations are unlikely to be markedly reduced without sentencing and correctional policy reforms, and jail populations are unlikely to be markedly reduced without bail reform, several effective alternatives to incarceration and evidence-based interventions that reduce recidivism have been identified in recent years. These include, but are not necessarily limited to the following:

Day Reporting Centers (DRCs). Day reporting is a community-based alternative to incarceration used with many types of offenders, including probationers, parolees and pre-trial detainees. A DRC provides a single, centralized location where offenders go not only to report to supervision officers, but to receive a variety of services, such as substance use disorder treatment, employment assistance, education and life skills training.

Drug, Mental Health, and other Specialty Courts. Specialty or problem-solving courts focus on one type of offense or offender. They are based on a therapeutic jurisprudence model in which treatment services are integrated with supervision and judicial oversight.

Drug Treatment Alternative to Prison (DTAP). DTAP is a prosecutor-led diversion initiative involving residential drug use disorder treatment. Offenders accepted into the program plead guilty to a felony but the prison sentence is deferred while participants enter intensive residential drug treatment, followed by optional aftercare services. Those participants who successfully complete DTAP treatment are permitted to withdraw their guilty plea and have the case dismissed.

Electronic Monitoring. This form of community supervision uses systems based on radio frequency or global positioning system (GPS) technology to monitor offenders’ locations and movements in community-based settings. In a study of California’s GPS for high-risk gang offenders program, parolees monitored by GPS had significantly less arrests for new offenses and violent offenses, but higher rates of technical violations.

Flash Incarceration. Flash incarceration is the use of a brief period of incarceration – usually a brief jail term – as a sanction for a technical violation. The period of incarceration may be as little as a few days, as the focus is on the swiftness and certainty of the sanction, rather than its duration.

Hawaii Opportunity Probation with Enforcement (HOPE). HOPE is a community supervision strategy for substance-
abusing probationers. The main goals of HOPE are to reduce drug use, recidivism, and incarceration. HOPE targets probationers who generally have long histories of drug use and involvement with the criminal justice system who are considered at high risk of failing probation or returning to prison.

**Intensive Supervision that is RNR Adherent and Integrated with Treatment Services.** Intensive supervision is a more restrictive form of community supervision than regular probation or parole. Offenders may remain in the community but they are monitored more closely by a supervision officer, and supervision caseloads are typically smaller than with regular probation or parole. Research has shown that intensive supervision alone is not effective in reducing recidivism; however, intensive supervision integrated with evidence-based treatment services is effective in reducing recidivism, particularly when it adheres to the principles of Risk, Need and Responsivity (RNR).

**Periodic Imprisonment/Work Release.** Periodic Imprisonment (PI) is a sentence of imprisonment in which offenders may be released during specified hours or days of the week to work, go to school, obtain treatment, or participate in other authorized activities. PI is intended to hold offenders accountable while assisting in rehabilitation. Because offenders remain in a relatively controlled environment, they may maintain community ties that support pro-social, law-abiding behavior.

**Restorative Justice Programs.** Restorative justice programs are based on the premise that crime is a violation of people and relationships and therefore it is important to repair the harm caused by a wrongful act. Restorative justice programs provide a mechanism for doing so through processes such as victim-offender mediation and family group conferencing.

**Targeted Rehabilitation Services that are RNR Adherent.** While proper targeting and implementation is essential, including adherence to the Risk, Need and Responsivity (RNR) principles of effective correctional intervention, a variety of evidence-based programs can reduce recidivism and enhance public safety. These include, but are not limited to: educational, employment, substance use, mental health, anger management, and cognitive behavioral therapy programs.

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2. Ibid.