

Resolved: US prisons ought to prioritize rehabilitation over deterrence for non-violent drug offenders.

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## Offense

### Add-On: Public Education

#### (WPPI 17)

Wharton Public Policy Initiative, 8-17-2017, "The Economic Impact of Prison Rehabilitation Programs,"

<https://publicpolicy.wharton.upenn.edu/live/news/2059-the-economic-impact-of-prison-rehabilitation/for-students/blog/news.php//EH>

Although prison rehabilitation programs initially cost prisons money to implement, studies have shown that these programs decrease the recidivism rate, decreasing the prison population. With fewer people in prison, correctional facilities need less money to operate, thus requiring less money from taxpayers. Since educational, vocational, and drug rehabilitation programs decrease the likelihood that inmates will re-offend, they also allow ex-convicts to contribute to society, boosting the economy.

Image: The U.S. re-offending rate by crime. Source: Criminologists have shown that prison education classes drastically reduce the recidivism rate. In Ohio, for example, inmates who enroll in college classes have a re-offending rate of 18%, while prisoners who do not take college courses have a re-incarceration rate of 40%. Prisoners in New York who earn a college degree while incarcerated are almost half as likely to get arrested after release compared to inmates who do not earn a degree. **By decreasing the re-offending rate, prison education programs ultimately save the state money. For example, from 2008 to 2009, Nevada decreased the state's prison population by 1.6%, which saved**

**the state \$38 million** and prevented Nevada from spending \$1.2 billion on construction costs. **When one fewer Nevadan inmate re-offends, the state saves \$22,000.** Since about 40% of state inmates and 27% of federal inmates have not completed high school, prison education programs allow inmates to gain the necessary skills they will need to find work outside of prison. In addition to educational opportunities, job-training programs in prison reduce the re-offending rate and prove to be cost-effective. For example, Minnesota's work-release program, which permits inmates to work in the community as they approach their release dates, lowers recidivism rates. Minnesota prisoners who participate in work-release programs are almost twice as likely to find work within the first couple years of release than inmates who do not have work experience. Prisoners who participate in work-release programs are 16% less likely to be rearrested and 17% less likely to be sent back to prison. From 2007 to 2011, Minnesota's work-release program saved the state \$1.25 million due to the decrease in the prison population. In clearer terms, for each inmate who participates in a work-release program, the state saves \$700 on average. Vocational training also allows ex-convicts to give back to society and boost the economy. Minnesota prisoners who received job training paid \$459,819 more in income taxes than those who did not get job training.

## **States are decreasing funding for public education now in order to fund prisons (Mitchell 14 at the Center on Budget and Policy Priorities)**

Michael Mitchell, 10-28-2014, "Changing Priorities: State Criminal Justice Reforms and Investments in Education," Center on Budget and Policy Priorities,

<https://www.cbpp.org/research/changing-priorities-state-criminal-justice-reforms-and-investments-in-education?fa=view&id=4220>//RDM

Most states' prison populations are at historic highs after decades of extraordinary growth; in 36 states, the prison population has more than tripled as a share of the state population since 1978. This rapid growth, which continued even after crime rates fell substantially in the 1990s, has been costly. Corrections spending is now the third-largest category of spending in most states, behind education and health care. If states were still spending on corrections what they spent in the mid-1980s, adjusted for inflation, they would have about \$28 billion more each year that they could choose to spend on more productive investments or a mix of investments and tax reductions. Even as states spend more on corrections, they are underinvesting in educating children and young adults, especially those in high-poverty neighborhoods. At least 30 states are providing less general funding per student this year for K-12 schools than before the recession, after adjusting for inflation; in 14 states the reduction exceeds 10 percent. Higher education cuts have been even deeper: the average state has cut higher education funding per student by 23 percent since the recession hit, after adjusting for inflation. Eleven states spent more of their general funds on corrections than on higher education in 2013. And some of the states with the biggest education cuts in recent years also have among the nation's highest incarceration rates This is not sound policy. State economies would be much stronger over time if states invested more in education and other areas that can boost long-term economic growth and less in maintaining extremely high prison populations. The economic health of many low-income neighborhoods, which face disproportionately high incarceration rates, could particularly improve if states reordered their spending in such a way. States could use the freed-up funds in a number of ways, such as expanding access to high-quality preschool, reducing class sizes in high-poverty schools, and revising state funding formulas to invest more in high-poverty neighborhoods.

## **(Lassiter 16 at the University of Washington)**

Linnea Lassiter, Spring 2016, "When it Comes to Public School Funding, What Do Prisons Have to Do With it?" University of Washington,

<https://depts.washington.edu/esreview/wordpress/wp-content/uploads/2016/06/Public-School-Funding-and-Prisons.pdf> //AM

**As the U.S. prison population has skyrocketed, so has state spending on corrections. The high costs of mass incarceration – over 75 percent of which are paid with state general funds – mean fewer state dollars available to fund education.** The effect of this increased spending on public schools is particularly pronounced in the wake of the Great Recession, as most states continue to grapple with budget deficits. More than 30 states currently provide less

per-pupil funding for K-12 schools than in 2008, adjusted for inflation.<sup>2</sup> The United States incarcerates more people at a greater rate than any other country in the world.<sup>3</sup> This is largely due to state and federal policies beginning in the 1970s that resulted in a greater number of long-term prison sentences.<sup>4</sup> This is particularly true of non-violent, first-time drug offenses.<sup>5</sup> Despite a 700% increase in the number of U.S. prisoners since 1970,<sup>6</sup> crime rates have risen and fallen independent of incarceration indicating that mass incarceration has not resulted in crime reduction, despite the enormous fiscal costs to state and federal budgets. Corrections spending, particularly at the state level, has far outpaced that of K-12 and higher education. For instance: Between 1986 and 2013, state spending on prisons increased by 141%, while higher education and K-12 spending only increased by 5.6 and 6.9 percent, respectively, in the same time period (adjusted for inflation).<sup>8</sup> Over 75% of total U.S. spending on incarceration occurs at the state level; **\$9 out of every \$10 that states spend on imprisonment comes from a discretionary pool of general fund dollars intended to pay for a range of public needs.**<sup>9</sup> • Elementary and high schools receive almost 75 percent of their state funding from this same pool of general fund dollars.<sup>10</sup> **As state budgets prioritize prisons over schools, public school quality worsens. Because public school student populations have become increasingly low-income and non-white,**<sup>11</sup> **reduced education funding due to prisons widens the educational achievement gaps observed across race and income.** Although decreased education funding impacts all students, **the stakes are particularly high for low-income students of color, who are most likely to live and attend school in neighborhoods of concentrated poverty.**<sup>12</sup> Public schools in neighborhoods of concentrated poverty often have inexperienced teachers, large class sizes, zero-tolerance discipline policies and other characteristics associated with poor learning environments and low academic achievement.<sup>13</sup> Nationally, high-poverty school districts receive, on average, about 15 percent less per student in state and local funding than the lowest poverty districts.<sup>14</sup> This disparity is even more pronounced between schools serving the greatest proportion of students of color versus those who serve the lowest proportion of non-white students.<sup>15</sup> The variation in funding between wealthy and poor school districts can be partially attributed to a neighborhood's ability to generate local tax revenues for schools; however, this does not take into account variations in state funding. The distribution of state funding for public schools also varies by state. While some states provide greater funding to high-poverty school districts, others do not.<sup>16</sup> New York, Illinois and Texas are among the 23 states with regressive K-12 state and local funding distributions.<sup>17</sup> These state funding gaps are even more troubling when considering that students in poverty often need additional support and services in order to succeed academically due to the cumulative disadvantage associated with living in high-poverty areas. This is especially true for students of color. Oftentimes, **the lowest performing and most under-resourced schools are located in neighborhoods with the highest incarceration rates.** Some examples include: • **Los Angeles County, where nearly 70 percent of the lowest performing public schools are located in neighborhoods with the highest incarceration rates.**<sup>18</sup> • **Philadelphia, where of the 35 lowest performing schools, 23 are located in the zip codes with the highest incarceration rates. By contrast, of Philadelphia's 30 highest performing schools, nearly 80 percent are located in neighborhoods with the lowest rates of incarceration.**<sup>19</sup> Similar patterns have been observed in public schools across New York City, Houston, Indianapolis and other major metropolitan cities.<sup>20</sup> **As students in these high-poverty neighborhoods are experiencing cuts to education funding, states are investing a significant amount of taxpayer dollars to incarcerate people from these same neighborhoods.** In 2008, for example, Texas spent more than \$130 million to imprison Houston residents from just 15 zip codes.<sup>21</sup> While these neighborhoods are home to about 10 percent of the city's total population, they account for over 40 percent of all Houston residents sentenced to prison that year.<sup>22</sup> Meanwhile, K-12 schools and universities across the state continue to experience sharp cuts in the face of state budget shortfalls. The Houston example illustrates how states across the country overinvest in the incarceration of persons from neighborhoods of concentrated poverty while underinvesting in K-12 public schools in these same neighborhoods. This has serious implications for economic inequality and racial equity for our nation's most vulnerable children. In order to more adequately fund K-12 education and reduce education gaps across race and income, states must reduce their prisoner populations. States can do this through the following reform efforts, without compromising public safety: • Repeal mandatory minimum sentencing laws and give judges greater discretion, particularly for non-violent drug offenses. • Reform parole and early-release systems by expanding eligibility and reducing the number of

people sent back to prison for parole and probation violations. Allow more prisoners to reduce their sentences through good behavior, participation in treatment programs and educational attainment while incarcerated. Introduce sentencing alternatives, such as probation and substance abuse/mental health counseling, for a greater number of crimes.

## Add-On: Culture Change

Rehabilitation has a culture changing effect on prisons.

According to the [Drug Policy Alliance](#), 85% of drug arrests are for possession only. These people aren't really dangerous to society.

However, sending these people to harsh prison environments actually makes them more likely to become serious criminals.

### The way people are treated in prison leads to recidivism.

#### (Gilligan 12 at the New York Times, a professor at NYU)

James Gilligan, [clinical professor of psychiatry and an adjunct professor of law at New York University, is the author of, among other books, "Preventing Violence" and "Why Some Politicians Are More Dangerous Than Others."] 12-19-2012, "Punishment Fails. Rehabilitation Works.," New York Times, <https://www.nytimes.com/roomfordebate/2012/12/18/prison-could-be-productive/punishment-fails-rehabilitation-works//AM>

If any other institutions in America were as unsuccessful in achieving their ostensible purpose as our prisons are, we would shut them down tomorrow. Two-thirds of prisoners reoffend within three years of leaving prison, often with a more serious and violent offense. More than 90 percent of prisoners return to the community within a few years (otherwise our prisons would be even more overcrowded than they already are). That is why it is vitally important how we treat them while they are incarcerated. How could we change our prison system to make it both more effective and less expensive? We would need to begin by recognizing the difference between punishment and restraint. When people are dangerous to themselves or others, we restrain them – whether they are children or adults. But that is altogether different from gratuitously inflicting pain on them for the sake of revenge or to “teach them a lesson” – for the only lesson learned is to inflict pain on others. People learn by example: Generations of research has shown that the more severely children are punished, the more violent they become, as children and as adults. The same is true of adults, especially those in prison. so the only rational purpose for a prison is to restrain those who are violent from inflicting harm on themselves or others, while we help them to change their behavior from that pattern to one that is nonviolent and even constructive, so that they can return to the community. It would be beneficial to every man, woman and child in America, and harmful to no one, if we were to demolish every prison in this country and replace them with locked, safe and secure home-like residential communities – what we might call an anti-prison.

## (Eisen 16 at Time)

Lauren-Brooke Eisen, [Lauren-Brooke Eisen is the senior counsel of the Justice Program at the Brennan Center for Justice at NYU School of Law] 12-9-2016, "39% of Prisoners Should Not Be in Prison," Time, <http://time.com/4596081/incarceration-report/> //AM

Those more likely to reoffend may need more intervention. We first applied this analysis to people convicted of lower-level offenses. We found that for an estimated 364,000 lower-level offenders (25% of the nationwide prison population), alternatives to prison are likely more effective. We then applied these factors to prisoners who were serving serious crimes. They may warrant prison, but do they really need such lengthy sentences? Research shows long sentences aren't very effective. A 2007 National Bureau of Economic Research study found that prison stays longer than 20 months had "close to no effect" on reducing commission of certain crimes upon release. Other studies show prison often has a "criminogenic" effect, meaning that imprisonment can actually lead people to commit more crimes after release. With that in mind, we took the 58% of prisoners serving time for six major crimes — aggravated assault, murder, nonviolent weapons crimes, robbery, serious burglary, and serious drug trafficking — and tested several methods for cutting sentences, ultimately landing on a 25% reduction.

Crime Museum, "Rehabilitative Effects of Imprisonment,"

<https://www.crimemuseum.org/crime-library/famous-prisons-incarceration/rehabilitative-effects-of-imprisonment/> //AM

Most people may think of prisons as nothing more than facilities where criminals are incarcerated and deprived of their freedoms while serving a sentence for a crime. While this is true, the concept of imprisonment is also intended to rehabilitate the prisoners. The basic idea of rehabilitation through imprisonment is that a person who has been incarcerated will never want to be sent back to prison after they have been set free. It is hoped that an inmate's experiences while locked up will leave such a lasting impression that a former prisoner will do whatever it takes to avoid a second term. Unfortunately, research has consistently shown that time spent in prison does not successfully rehabilitate most inmates, and the majority of criminals return to a life of crime almost immediately. Many argue that most prisoners will actually learn new and better ways to commit crimes while they are locked up with their fellow convicts. They can also make connections and become more deeply involved in the criminal world. In an effort to offer better rehabilitative services to the inmates, many prisons have begun providing psychiatrists to help deal with prisoners' mental disorders and psychological issues. Prisons also offer classroom settings in which inmates can learn to read and educate themselves. These methods are proven to have a positive effect on the prisoners and have helped many to overcome a background with little or no education. Upon their release, prisoners who have stuck with these programs are given a better opportunity to succeed and to become law abiding citizens. Rehabilitation of prisoners is an extremely difficult process. Inmates are segregated from the general public and forced to live in a society with people for whom crime is a way of life. For many, time spent behind bars will push them farther into a life of crime, but for others, the horrors of prison life and the lessons they learn there are enough to deter them from committing crimes again in the future.

## Add-On: Generational Effect Of Education

(Bender 18 at the Center for American Progress)

Kathleen Bender, 3-2-2018, "Education Opportunities in Prison Are Key to Reducing Crime," Center for American Progress, <https://www.americanprogress.org/issues/education-k-12/news/2018/03/02/447321/education-opportunities-prison-key-reducing-crime/> //AM

Nationwide, the bulk of corrections spending goes toward housing the ever-growing prison population—a consequence of the rapidly expanding U.S. penal system that disproportionately punishes low-income people of color. Rather than spending more to house the growing prison population and to fund excessive rates of incarceration, federal and state governments should focus instead on supporting rehabilitation and reducing recidivism. According to a study by the U.S. Sentencing Commission (USSC), nearly half of all individuals released from federal prisons are rearrested within eight years of their release, and around half of those rearrested are sent back to jail. The same

study found that individuals younger than 21 who are released from federal prison are rearrested at the highest rates of any age group. Individuals who did not complete high school were rearrested at the highest rate—60.4 percent—while those who had a college degree were rearrested at a rate of 19.1 percent. While incarcerated young adults and school-aged children are more likely to be rearrested, they also have a lot to gain from educational opportunities while in prison. There is a logical argument for prison education: It is a cost-effective way to reduce crime and leads to long-term benefits across the entire U.S. population. In 2016, the RAND Corporation produced a report that showed that individuals who participate in any type of educational program while in prison are 43 percent less likely to return to prison. **In addition to reducing recidivism, education can improve outcomes from one generation to the next. Research shows that children with parents with college degrees are more likely to complete college, which can create social mobility for families.** Prisons with college programs have less violence among incarcerated individuals, which creates a safer environment for both incarcerated individuals and prison staff. The significant personal benefits of prison education include increased personal income, lower unemployment, greater political engagement and volunteerism, and improved health outcomes. Moreover, high recidivism—which is exacerbated by lower educational attainment—also reflects a failure of the criminal justice system at large. Formerly incarcerated individuals with low levels of education often find themselves without the financial resources or social support systems upon their release from prison and therefore are more vulnerable to committing criminal acts rather than becoming reintegrated into society. Criminality negatively impacts families and communities and diverts money and resources that should be spent on preventative measures aimed at keeping people out of prison. Numerous studies highlight the negative social, psychological, and developmental effects of incarceration on the approximately 2.7 million children under age 18 who have at least one parent in prison. These negative effects can include unstable family environments, economic troubles, increased delinquency, poor school performance, and even trauma—and stress-induced mental illness. Investing in prison education rather than increased incarceration will also benefit the American economy. For any individual, not having a high school diploma closes doors to higher education, training, and employment opportunities.

**Increased education has an enormous impact. According to [The Center for Poverty Research at UC Davis](#), the poverty rate among college educated Americans is just 5%, compared to 29% for people without a high school diploma.**

**This is crucial, as**

**(Looney 18 at Brookings)**

Adam Looney, [Three years of service in the U.S. Treasury Department as Deputy Assistant Secretary for Tax Analysis. Previously, he served as the senior economist for public finance and tax policy with President Obama's Council of Economic Advisers and was an economist at the Federal Reserve Board. He received a PhD in economics from Harvard University and a BA in economics from Dartmouth College.], 3-14-2018, "Work and opportunity before and after incarceration," Brookings,

[https://www.brookings.edu/wp-content/uploads/2018/03/es\\_20180314\\_looneyincarceration\\_final.pdf//AM](https://www.brookings.edu/wp-content/uploads/2018/03/es_20180314_looneyincarceration_final.pdf//AM)

The tax code provides subsidies for employers to hire ex-felons, to promote employment among low-income workers, and to encourage economic opportunity in distressed areas. These incentives are motivated to different degrees by a belief that economic opportunity facilitates successful reintegration of ex-felons and deters entry into crime. In this paper, we offer a more comprehensive view of the labor market opportunities of ex-prisoners in the U.S. by linking data from the entire prison population to earnings records over a sixteen year period. These data allow us to examine employment and earnings before and after release and, for younger prisoners, their family income and neighborhood in childhood. After release, only 55 percent of former prisoners have any earnings and those that do tend to earn less than the earnings of a full-time job at the minimum wage. However, their labor market struggles start earlier, with similarly high rates of joblessness prior to incarceration and with most prisoners growing up in deep poverty. For example, boys who were born into families in the bottom

**10 percent of the income distribution (families earning about \$14,000 per year) are about 20 times more likely to be in prison in their 30s, compared to boys born into families in the top 10 percent (families earning more than \$143,000 per year).** A disproportionate share grew up in neighborhoods where child poverty rates are high, most parents are unmarried, few men are employed, and where most residents are African American or American Indian. The combination of high rates of incarceration and low employment rates among ex-prisoners implies that roughly one third of all not-working 30-year-old men are either in prison, in jail, or are unemployed former prisoners. We discuss the implications of these findings for the design of policies intended to encourage employment and rehabilitation of individuals with a criminal record.

## **A reduction in poverty saves lives.**

### **(Galea 11 at Columbia University)**

Dr. Sandro Galea, 7-5-2011, "How Many U.S. Deaths are Caused by Poverty, Lack of Education, and Other Social Factors?," Columbia University, <https://www.mailman.columbia.edu/public-health-now/news/how-many-us-deaths-are-caused-poverty-lack-education-and-other-social-factors> //AM

After calculating for the relative risks of mortality from social factors, researchers obtained prevalence estimates for each social factor using primarily Census Bureau data. Individual social factors included education, poverty, health insurance status, employment status and job stress, social support, racism or discrimination, housing conditions and early childhood stressors. Area-level social factors included area-level poverty, income inequality, deteriorating built environment, racial segregation, crime and violence, social capital and availability of open or green spaces. The investigators found that **approximately 245,000 deaths in the United States** in the year 2000 **were attributable to low levels of education**, 176,000 to racial segregation, 162,000 to low social support, **133,000 to individual-level poverty**, 119,000 to income inequality, and 39,000 to area-level poverty. Overall, 4.5% of U.S. deaths were found to be attributable to poverty—midway between previous estimates of 6% and 2.3%. However the risks associated with both poverty and low education were higher for individuals aged 25 to 64 than for those 65 or older. "Social causes can be linked to death as readily as can pathophysiological and behavioral causes," points out Dr. Galea, who is also Gelman Professor of Epidemiology. For example, the number of deaths the researchers calculated as attributable to low education (245,000) is comparable to the number caused by heart attacks (192,898), which was the leading cause of U.S. deaths in 2000. The number of deaths attributable to racial segregation (176,000) is comparable to the number from cerebrovascular disease (167,661), the third leading cause of death in 2000, and the number attributable to low social support (162,000) compares to deaths from lung cancer (155,521).

# **Defense**

## **R/T Violent Offenders**

### **R/T Violent Offenders are Most Prisoners**

## **Drug convictions, particularly against nonviolent offenders, have driven mass incarceration**

### **(Alexander 10)**

**Alexander 10** Michelle Alexander [A longtime civil rights advocate and litigator, Alexander won a 2005 Soros Justice Fellowship and now holds a joint appointment at the Kirwan Institute for the Study of Race and Ethnicity at the Moritz College of Law at Ohio State University. Alexander served for several years as director of the Racial Justice Project at the ACLU of Northern California, and subsequently directed the Civil Rights Clinics at Stanford Law School, where she was an associate professor. Alexander is a former law clerk for justice Harry Blackmun on the U.S. Supreme Court and has appeared as a commentator on CNN, MSNBC, and NPR], 2010 "The New Jim Crow: Mass Incarceration in the Age of Colorblindness," New York: The New Press, P. 59 //DF

"In this chapter, we shall see how the system of mass incarceration actually works. Our focus is the War on Drugs. The reason is simple:

**Convictions for drug offenses are the single most important cause of the explosion in incarceration rates in the United States. Drug offenses alone account for two-thirds of the rise in the federal inmate population and more than half of the rise in state prisoners between 1985 and 2000.**<sup>1</sup> Approximately a half-million people are in prison or jail for a drug offense today, compared to an estimated 41,100 in 1980—an increase of 1,100 percent.<sup>2</sup> Drug arrests have tripled since 1980. As a result, **more than 31 million people have been arrested for drug offenses since the drug war began.**<sup>3</sup> **Nothing has contributed more to the systematic mass incarceration of people of color in the United States than the War on Drugs.** "Before we begin our tour of the drug war, it is worthwhile to get a couple of myths out of the way. The first is that the war is aimed at ridding the nation of drug "kingpins" or big-time dealers. Nothing could be further from the truth. **The vast majority of those arrested are not charged with serious offenses.** In 2005, for example, **four out of five drug arrests were for possession, and only one out of five was for sales. Moreover, most people in state prison for drug offenses have no history of violence or significant selling activity.**<sup>4</sup> The second myth is that the drug war is principally concerned with dangerous drugs. Quite to the contrary, arrests for marijuana possession—a drug less harmful than tobacco or alcohol—accounted for nearly 80 percent of the growth in drug arrests in the 1990s.<sup>5</sup> Despite the fact that most drug arrests are for nonviolent minor offenses, the War on Drugs has ushered in an era of unprecedented punitiveness."

## R/T Policies Against Violent Offenders

### Nonviolent offenses reduce more than violent offenses increase

**Zhan 19** Christine Zhang, 4-24-2019, "Maryland's prison population drops to 1980s levels, continuing a multiyear decline," baltimoresun,

<https://www.baltimoresun.com/news/maryland/crime/bs-md-prison-population-vera-20190423-story.html> //DF

Maryland's prison population has fallen below 18,000 for the first time in nearly three decades. According to a report released Wednesday by the Vera Institute of Justice, a New York-based nonprofit that tracks criminal justice issues, 17,815 people were held in Maryland's state prisons at the end of last year. That amounts to a prison incarceration rate of 295 per 100,000 residents — a 1.7% drop from the rate in 2017. Over the past decade, the rate has fallen by nearly 29%. Nationally, about 1.5 million people were incarcerated in state and federal prisons at the end of last year, down 20,000 (or 1.3%) from the end of 2017, according to the Vera Institute report. The Vera Institute figures were obtained directly from each state's department of corrections and from the Federal Bureau of Prisons. The numbers for Maryland might differ from the state's published reports because they do not include people held in state prisons on behalf of other jurisdictions, such as federal prisoners, said Jacob Kang-Brown, the report's lead author. **Maryland's 2016 Justice Reinvestment Act is often credited for helping to reduce the prison population in recent years. The landmark legislation sought to divert nonviolent offenders from prison into drug treatment and other programs and included changes to mandatory minimum drug penalties.** It went into effect in October 2017. **Maryland's incarceration rate began a steady decline in 2011 and dropped nearly 10% in 2017 — the largest decline of any state that year.** "We expect those numbers to continue to drop because of the JRA," said J. Michael Zeigler, acting secretary of the Maryland Department of Public Safety and Correctional Services. Zeigler also attributed the recent decline in the state's inmates to a reduction of arrests in Baltimore City since the early 2000s. The city made 25,180 pre-trial bookings in fiscal year 2018, compared with more than 100,000 in fiscal year 2004. As of Jan. 1, 2019, **27% of all Maryland inmates call Baltimore home, according to data provided by the department.** **Maryland's imprisonment rate is the lowest it has been since the late 1980s** — a period that preceded enormous growth in the prison population across the United States.

There are always compromises. But we've gone so far, wouldn't have happened 20 years ago

1. "Proof of concept" and creating momentum – "winners win" (ex. Welfare starts at the state level "labs of democracy" and then goes national. MASS passed an individual mandate that Obama scaled up in Obamacare

2. Politically lucrative for politicians

**Fandos 18** Nicholas Fandos, 12-18-2018, "Senate Passes Bipartisan Criminal Justice Bill," NYT,

<https://www.nytimes.com/2018/12/18/us/politics/senate-criminal-justice-bill.html> //DF

Even as both sides acknowledged concessions, Tuesday's vote was an important first step for the unlikely coalition of liberals and conservatives — including the American Civil Liberties Union, the American Conservative Union, Koch brothers and the liberal Center for American Progress — who locked arms in recent years and pushed lawmakers to reconsider the way the federal government administers justice three decades after the war on crime peaked. In one of this Congress's final acts, **every Democrat and all but 12 Republicans voted in favor of the legislation** — an outcome that looked highly unlikely this month amid skepticism from Republican leaders. **For Republicans** preparing to relinquish total control of Washington next month, **the bill's passage** offered one final victory on their own terms and **handed** Mr. **Trump a bipartisan policy achievement that he can tout as he seeks re-election. Liberals** saw reason to celebrate, as well, even as they called for more aggressive changes: **In gaining the support of** Mr. Trump and so many Senate **Republicans, they believe they have shifted the terms of policy debates around criminal justice in a way that could set the stage for additional changes** on the federal level and in the states. "This bill in its entirety has been endorsed by the political spectrum of America," said **Senator Richard J. Durbin**, Democrat of Illinois, who has led the push for changes along with two Republicans, Senators Charles E. Grassley of Iowa and Mike Lee of Utah. **"I can't remember any bill that has this kind of support, left and right, liberal and conservative, Democrat and Republican."** Mr. Trump quickly touted the vote on Twitter, saying that the changes would "keep our communities safer, and provide hope and a second chance, to those who earn it."

3. Establishes collective action networks

**Fandos 18** Nicholas Fandos, 12-18-2018, "Senate Passes Bipartisan Criminal Justice Bill," NYT,

<https://www.nytimes.com/2018/12/18/us/politics/senate-criminal-justice-bill.html> //DF

House leaders have pledged to pass the measure this week, and President Trump, whose support resuscitated a yearslong overhaul effort last month, said he would sign the bill. Even as both sides acknowledged concessions, Tuesday's vote **was an important first step for the unlikely coalition of liberals and conservatives — including the American Civil Liberties Union, the American Conservative Union, Koch brothers and the liberal Center for American Progress — who locked arms in recent years and pushed lawmakers to reconsider the way the federal government administers justice three decades after the war on crime peaked**. In one of this Congress's final acts, every Democrat and all but 12 Republicans voted in favor of the legislation — an outcome that looked highly unlikely this month amid skepticism from Republican leaders. For Republicans preparing to relinquish total control of Washington next month, the bill's passage offered one final victory on their own terms and handed Mr. Trump a bipartisan policy achievement that he can tout as he seeks re-election. Liberals saw reason to celebrate, as well, even as they called for more aggressive changes: In gaining the support of Mr. Trump and so many Senate Republicans, they believe they have shifted the terms of policy debates around criminal justice in a way that could set the stage for additional changes on the federal level and in the states.

# R/T Deterrence is effective

## R/T Rehab Increases Crime

### 1. Criminal activity increase is short term

#### (Zarkin 15 at RTI International)

Gary A. Zarkin, [Gary A. Zarkin is vice president of the Behavioral Health and Criminal Justice Research Division at RTI International. He has published extensively in economic, substance abuse, and health service journals, including the American Journal of Public Health, Health Economics, Health Services Research, and more.], 2015, "Lifetime Benefits and Costs of Diverting Substance-Abusing Offenders From State Prison," RTI International, <https://sci-hub.tw/https://journals.sagepub.com/doi/abs/10.1177/0011128712461904> //AM

Importantly, the net benefits and cost savings estimates are conservative because the model follows only the single cohort of offenders who were incarcerated in 2004. As additional cohorts are considered in future years, the net benefits would be even larger. One of the concerns about a diversion program is that offenders are released to the community where they may commit crimes instead of being incarcerated. Our analysis shows an immediate, short-lived increase in crimes. However, by the end of the 1st year, fewer crimes are committed, generating cost savings to the criminal justice system. These cost savings increase rapidly in the first 20 years and then flatten out as offenders age. This trajectory of cost savings mirrors the trajectory of the number of crimes averted. The current study also provides insight into how net benefits and criminal justice cost savings may scale with respect to the size of the diversion program

### 2. Increased imprisonment hasn't reduced crime rates, no reduction in recidivism from deterrence

#### (Pew 18)

3-18-2018, "More Imprisonment Does Not Reduce State Drug Problems," Pew,

<https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2018/03/more-imprisonment-does-not-reduce-state-drug-problems> //RDM

Although the share of federal inmates who are drug offenders has declined from its peak of 61 percent in 1994,<sup>7</sup> it was still nearly 50 percent in 2015.<sup>8</sup> And as the federal prison population soared, spending ballooned 595 percent between 1980 and 2013 without delivering a convincing public safety return.<sup>9</sup> In fact, self-reported use of illegal drugs increased between 1990 and 2014 (see Figure 1), as has the availability of heroin, cocaine, and methamphetamine as indicated by falling prices and a rise in purity.<sup>10</sup> The surge in federal prison spending has also failed to reduce recidivism. The rate of federal drug offenders who leave prison and are placed on community supervision but commit new crimes or violate the conditions of their release has been roughly a third for more than three decades.

#### Crime rates rise and fall independently

#### (Lassiter 16 at the University of Washington)

Linnea Lassiter, Spring 2016, "When it Comes to Public School Funding, What Do Prisons Have to Do With it?" University of Washington,

<https://depts.washington.edu/esreview/wordpress/wp-content/uploads/2016/06/Public-School-Funding-and-Prisons.pdf> //AM

As the U.S. prison population has skyrocketed, so has state spending on corrections. The high costs of mass incarceration – over 75 percent of which are paid with state general funds – mean fewer state dollars available to fund education. The effect of this increased spending on public schools is particularly pronounced in the wake of the Great Recession, as most states continue to grapple with budget deficits. More than 30 states currently provide less per-pupil funding for K-12 schools than in 2008, adjusted for inflation.<sup>2</sup> The United States incarcerates more people at a greater rate than any other country in the world.<sup>3</sup> This is largely due to state and federal policies beginning in the 1970s that resulted in a greater number of long-term prison sentences.<sup>4</sup> This is particularly true of non-violent, first-time drug offenses.<sup>5</sup> Despite a 700% increase in the number of U.S. prisoners since 1970, crime rates have risen and fallen independent of incarceration indicating that mass incarceration has not resulted in crime reduction, despite the enormous fiscal costs to state and federal budgets. Corrections spending, particularly at the state level, has far outpaced that of

K-12 and higher education. For instance: • Between 1986 and 2013, state spending on prisons increased by 141%, while higher education and K-12 spending only increased by 5.6 and 6.9 percent, respectively, in the same time period (adjusted for inflation).<sup>8</sup> •

## R/T Necessary Response

**There is minimal correlation between crime rates and rates of incarceration.**

**(Petersilia 11 at the Wilson Quarterly, a professor of law at Stanford)**

Joan Petersilia, [Professor of Law at Stanford University and co-director of the Stanford Criminal Justice Center], October 2011, "Beyond the Prison Bubble," The Wilson Quarterly, <https://www.nij.gov/journals/268/pages/prison-bubble.aspx#author> //AM

The national prison population — including those held in federal facilities — grew by less than one percent, the slowest rate in the last decade. These changes mean it is very likely that we are seeing the beginning of the end of America's long commitment to what some critics call "mass incarceration." If that shift does occur, it will not be because the United States has solved its crime problem. In fact, **if there were a close correlation between crime rates and incarceration, the prisons would have begun emptying out in the late 1990s, when crime in most of its forms began to decrease.** How did we get here? Soaring crime rates, especially in the inner cities, are the most obvious part of the explanation. **From 1960 to 1990, the overall U.S. crime rate increased more than fivefold, the frequency of violent crime nearly quadrupled, and the murder rate doubled.** Drug use increased. **The upsurge was widely blamed on lenient punishment, particularly for violent repeat offenders.** Legislatures responded by passing "get tough" measures, including sentencing guidelines (which required prison sentences for some offenders who in the past might have been put on probation), so-called three-strikes-and-you're-out laws (which mandated prison terms for repeat offenders), mandatory minimum sentences (forcing judges to impose fixed sentences regardless of mitigating factors), and truth-in-sentencing measures (requiring inmates to serve a greater proportion of their imposed sentence before becoming eligible for parole). These policy changes increased both the probability of going to prison if convicted and the length of prison terms.

## R/T Rehab is Ineffective

**(Petersilia 11 at the Wilson Quarterly, a professor of law at Stanford)**

Joan Petersilia, [Professor of Law at Stanford University and co-director of the Stanford Criminal Justice Center], October 2011, "Beyond the Prison Bubble," The Wilson Quarterly, <https://www.nij.gov/journals/268/pages/prison-bubble.aspx#author> //AM

In a sense, the BRI is the ISP experiment all over again — but this time backed with treatment resources, mentorship, and community collaboration. The results have been impressive. Harvard researchers found that participants had a rearrest rate 30 percent lower than that of a matched comparison group. **It is no longer justifiable to say that nothing works. There is scientific evidence that prison and parole programs can reduce recidivism.** It is not easy and it is not inexpensive, but it is possible. To retreat now would be to pull the rug out from under hundreds of programs that are contributing to the decades-long war against crime, which, whatever its shortcomings, has been one of the nation's great success stories, vastly improving the lives of ordinary citizens and the vitality of cities.

