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“Mass Incarceration in the United States: At What Cost?”

**Joint Economic Committee Hearing
Opening Statement of Senator Jim Webb**

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Washington, DC – Senator Jim Webb conducted a Joint Economic Committee (JEC) hearing to explore the steep increase in the U.S. prison population and the economic and social costs of mass incarceration. His opening statement follows:

I would like to thank Chairman Schumer for agreeing to hold this important hearing and allowing me the opportunity to chair it. I would also like to thank our witnesses for appearing today. Following my remarks, I would ask Vice-Chair Maloney and Senator Brownback to make their opening statements.

Over the course of the period from the mid-1970s until today, the United States has embarked on one of the largest public policy experiments in our history, yet this experiment remains shockingly absent from public debate: the United States now imprisons a higher percentage of its citizens than any other country in the world.

In the name of “getting tough on crime,” there are now 2.1 million Americans in federal, state, and local prisons and jails -- more people than the populations of New Mexico, West Virginia, or several other states. Compared to our democratic, advanced market economy counterparts, the United States has more people in prison by several orders of magnitude.

All tolled, more than 7 million Americans are under some form of correction supervision, including probation and parole.

America’s incarceration rate raises several serious questions. These include: the correlation between mass imprisonment and crime rates, the impact of incarceration on minority communities and women, the economic costs of the prison system, criminal justice policy, and transitioning ex-offenders back into their communities and into productive employment. Equally important, the prison system today calls into question the effects on our society more broadly.

As Winston Churchill noted in 1910, “The mood and temper of the public in regard to the treatment of crime and criminals is one of the most unflinching tests of the civilization of any

country.” With the world’s largest prison population, our prisons test the limits of our democracy and push the boundaries of our moral identity.

The growth in the prison population is only nominally related to crime rates. Just last week in the Washington Post, the deputy director of the Bureau of Justice Statistics stated that “the growth [in the incarceration rate] wasn’t really about increase[ed] crime but how we chose to respond to crime.”

The steep increase in the number of people in prison is driven, according to most experts, by changes in drug policy and tougher sentencing, and not necessarily an increase in crime. Also, the composition of prison admissions has shifted toward less serious offenses: parole violations and drug offenses. Nearly 6 in 10 persons in state prison for a drug offense have no history of violence or significant selling activity. In 2005, four out of five drug arrests were for possession and only one out of five were for sales.

Is incarcerating low-level drug offenders working, particularly given recidivism rates?

The racial composition of America’s prisons is alarming. Although African Americans constitute 14 percent of regular drug users, they are 37 percent of those arrested for drug offenses, and 56 percent of persons in state prisons for drug crimes. African Americans serve nearly as much time in federal prisons for drug offenses as whites do for violent crimes.

A black male who does not finish high school now has a 60 percent chance of going to jail. One who has finished high school has a 30 percent chance. We have reached a point where the principal nexus between young African-American men and our society is increasingly the criminal justice system.

Moreover, we are spending enormous amounts of money to maintain the prison system. The combined expenditures of local, state, and federal governments for law enforcement and corrections personnel total over \$200 billion. Prison construction and operation has become sought after, if uncertain, tools of economic growth for rural communities.

Are there ways to spend less money, enhance public safety, *and* make a fairer prison system?

Having such a large prison population also has significant employment and productivity implications. The economic output of prisoners is mostly lost to society while they are imprisoned. These negative productivity effects continue after release. As we’ve gotten tough on crime, we’ve given up on rehabilitating offenders. And we’ve created additional barriers to reentry with “invisible punishments.” These include ineligibility for certain government benefits, such as housing, public assistance, or student loans. It is no longer possible to pay your debt to society.

We want to keep bad people off our streets. We want to break the back of gangs, and we want to cut down on violent behavior. But there’s something else going on when we’re locking up such a high percentage of our people, marking them at an early age and in many cases eliminating their chances for a productive life as full citizens. It will take years of energy to address these

problems. But I am committed to working on a solution that is both responsive to our needs for law and order, and fairer to those ensnared by this system.

I welcome the thoughts of our witnesses today regarding these important topics, and a continuing national dialogue to address these enormous policy issues.

I would like to introduce today's witnesses:

Professor Glenn Loury is the Merton P. Stoltz Professor of the Social Sciences at the Department of Economics at Brown University. He has taught previously at Boston, Harvard and Northwestern Universities, and the University of Michigan. Mr. Loury is a distinguished academic economist who has contributed to a variety of areas in applied microeconomic theory and written on racial inequality.

Professor Bruce Western is the Director of the Multidisciplinary Program in Inequality and Social Policy at the Kennedy School of Government. He taught at Princeton University from 1993 to 2007. Dr. Western's work has focused on the role of incarceration in social and economic inequality in American society. He is the author of *Punishment and Inequality in America*, a study of the growth and social impact of the American penal system.

Alphonso Albert is the Director of Second Chances, in Norfolk, Virginia, a program designed to provide comprehensive support services that lead to full-time employment and social stability for those individuals impacted by the stigma of being labeled "ex-offender." Prior to working with the Second Chances Program, Mr. Albert served as the Assistant Director and Business Liaison for the City of Norfolk's Enterprise Community initiative, Norfolk Works Inc.

Michael P. Jacobson is the director of the Vera Institute of Justice. He is the author of *Downsizing Prisons: How to Reduce Crime and End Mass Incarceration*. Prior to joining Vera, he was a professor at the City University of New York Graduate Center and the John Jay College of Criminal Justice. He has served as New York City's Correction Commissioner, Probation Commissioner, and Deputy Budget Director.

Pat Nolan is the Vice-President of Prison Fellowship, where he focuses on efforts to ensure that offenders are better prepared to live healthy, productive, law-abiding lives on their release. He served fifteen years in the California State Assembly, four of them as the Assembly Republican Leader. Mr. Nolan has appeared before Congress to testify on matters such as prison work programs, juvenile justice and religious freedom.

Witnesses should please limit their remarks to five minutes, although their entire statements will be entered into the record. After all the witnesses have presented their testimony, we will move to questions.