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# Mass Incarceration: Why Do We Punish and What Are the Consequences?

Caitlin Taylor PhD

La Salle University, [taylorc@lasalle.edu](mailto:taylorc@lasalle.edu)

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# Mass Incarceration: Why Do We Punish and What Are the Consequences?

Caitlin J. Taylor, Ph.D.  
taylorc@lasalle.edu

**What is an appropriate punishment or response?  
What do you expect your response to do for the  
offender, potential victims and/or society?**

A 22 year old male from North Philadelphia is arrested and convicted of distributing crack cocaine. He has 19 prior arrests for a variety of non-violent offenses, including distributing crack. He has never been arrested for a violent offense.

**What is an appropriate punishment or response?  
What do you expect your response to do for the  
offender, potential victims and/or society?**

A 35 year old female from Northern Liberties has no prior involvement with the criminal justice system. She is arrested and convicted of reckless driving and manslaughter after she forgot to take her epilepsy medicine, had a seizure while driving her car, and killed two young school children by running them over during her seizure.

**What is an appropriate punishment or response?  
What do you expect your response to do for the  
offender, potential victims and/or society?**

A 45 year old female from South Philadelphia caught her husband in their bedroom with another woman. She instantly pulled a gun from a dresser drawer and killed both her husband and his mistress. She was convicted on two counts of murder. She has no criminal history and is the mother of two young children.

# Retribution

- Punishment inflicted on a person who has infringed on the rights of others and so deserves to be penalized
- Fairness and justice require punishment
- “Eye for an eye”

# Deterrence

- Punish to influence future behavior
- **General deterrence** = set an example to the general public and to discourage others from offending
- **Specific deterrence** = punishment to discourage offender from committing crimes in the future

# Rehabilitation

- The goal of restoring an offender to a constructive place in society through some form of vocational or educational training or therapy
- Offenders are treated, not punished, and return to society when “cured”



# Incapacitation

- Depriving an offender of the ability to commit crimes
  - Assumption individual will offend again
- Most commonly done by detaining the offender in prison
- Other options: house arrest, drivers' license restrictions

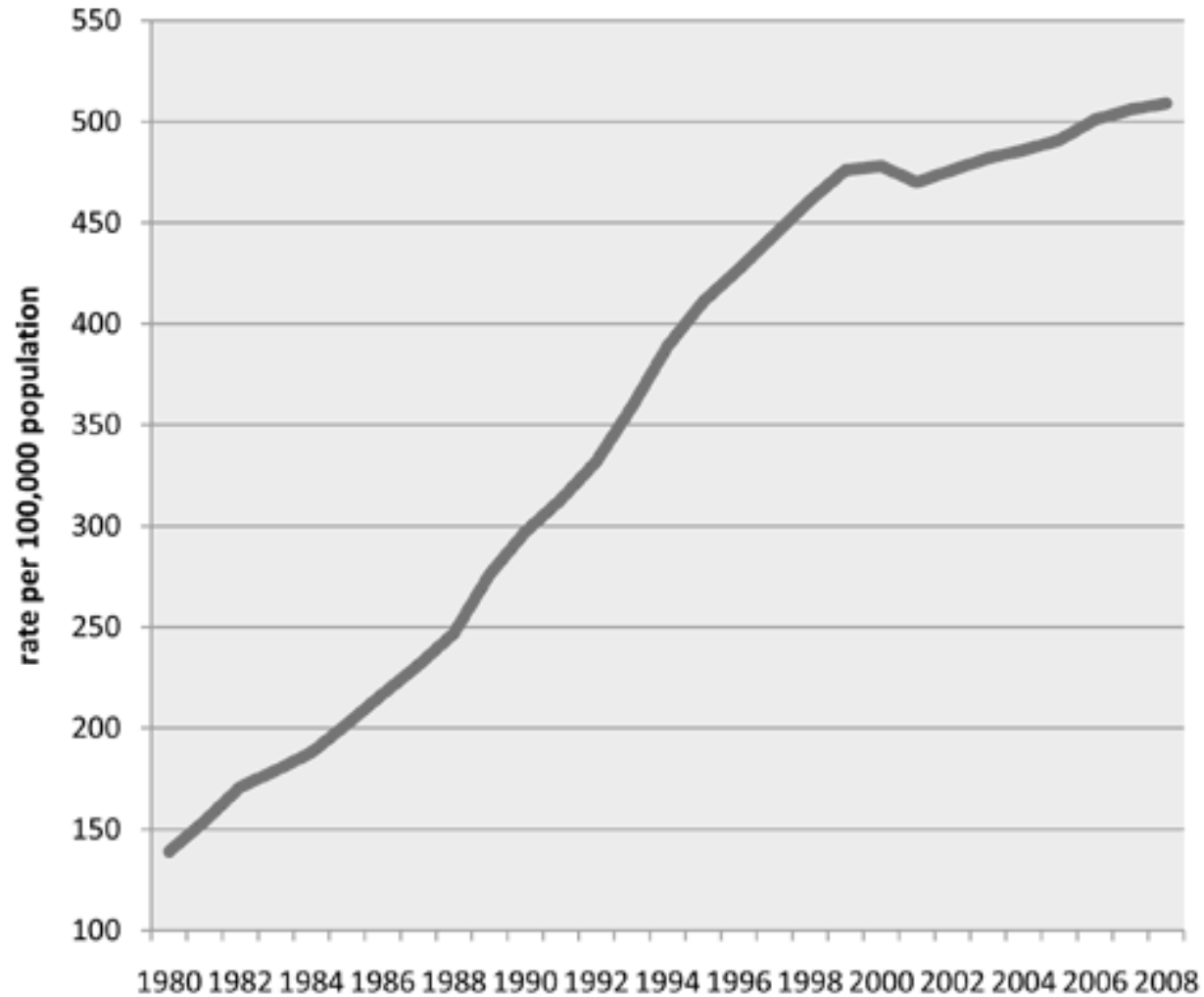
# Restorative Justice

- Punishment designed to repair the damage done to the victim and community by an offender's act
- Crime is not simply a violation against the state, but also a violation against the victim's family and community

# “Mass Incarceration” in the U.S.

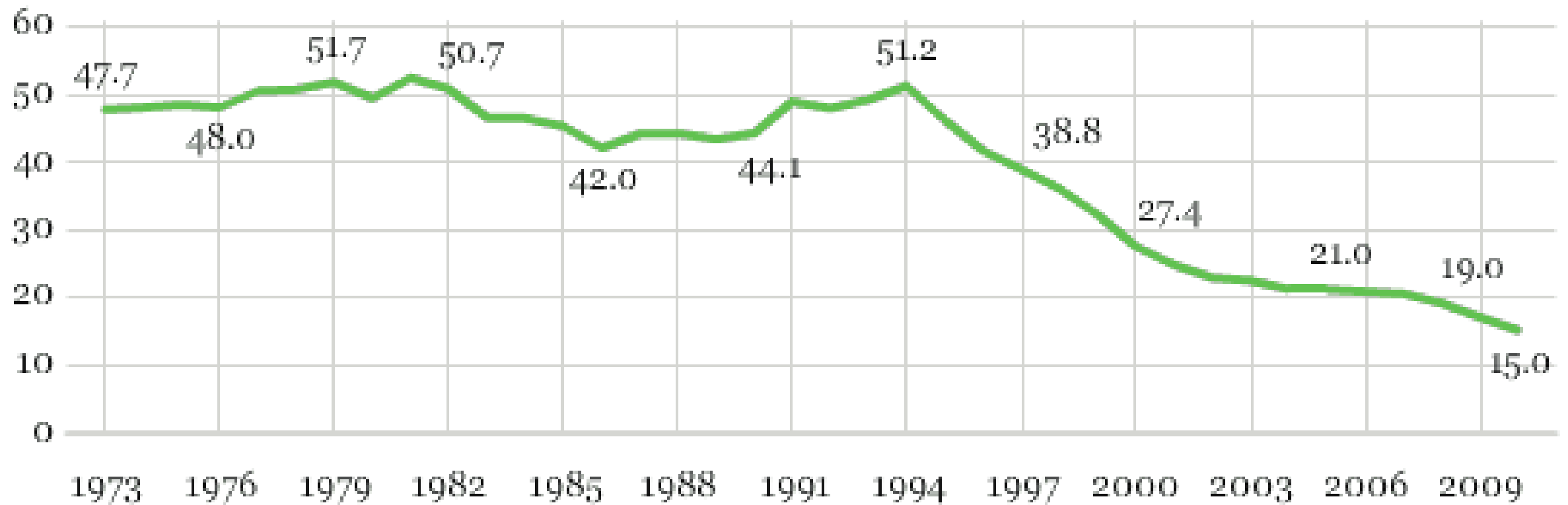
- 2.3 million in prisons and jails
- 1 in 100 adult Americans behind bars
  - 1 in 9 Black men ages 20-34
  - 1 in 355 white women ages 35-39
- US has 5% of world’s population, but 25% of world’s prisoners

**Chart 1b: US prisoner population (state and federal), 1980-2008**



## *U.S. Violent Crime Rate, U.S. Justice Department Statistics, 1973-2010*

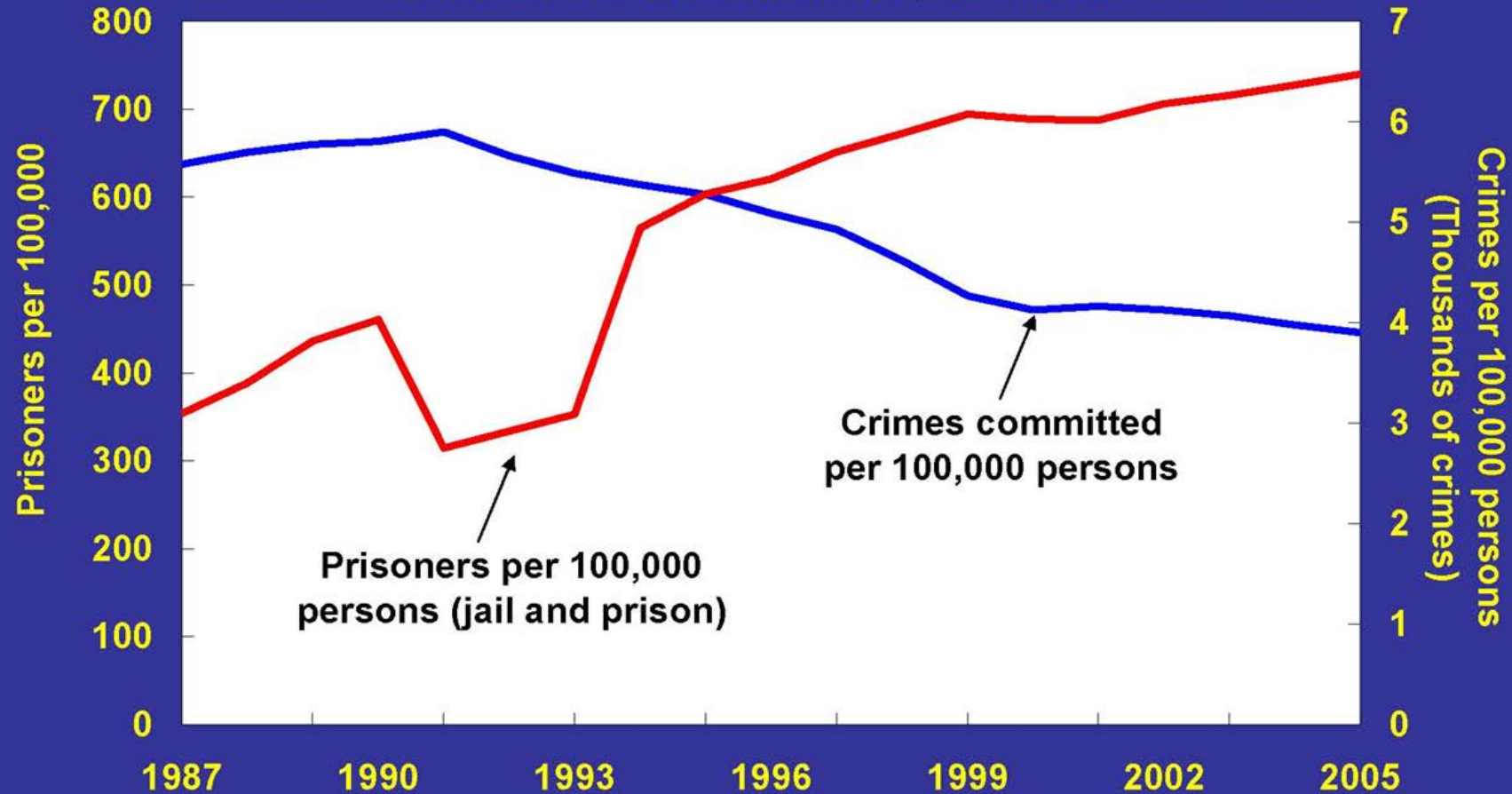
Number of victims per 1,000 population aged 12 or older



Source: Bureau of Justice Statistics

# The Incarceration Rate Has Continued to Rise Despite Falling Crime Rates

U.S. Crime and Incarceration, 1987-2005



Source: JEC Calculation based on data from Bureau of Justice Statistics, U.S. Department of Justice and *Crime in the United States 2006*, Federal Bureau of Investigation.

# Causes: Policies Reflective of Retribution

- Longer sentences
- Tightened parole restrictions
- Probation and parole “technical violations”

# An Alternative: Restorative Justice

- Punishment designed to repair the damage done to the victim and community by an offender's act
- Crime is not simply a violation against the state, but also a violation against the victim's family and community
- <http://www.youtube.com/watch?v=-pVsZu76Kmo>