

Missouri Legislative Academy

Issue Brief

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Should We Continue to Incarcerate Non-Violent Offenders?

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This brief seeks to determine what types of offenses and offenders warrant punishment in prison and what types of offenders could be penalized using a community-based sanction. As one of the most expensive forms of punishment, prisons are designed to protect the community from people who pose a *serious* threat to the safety of the community, namely violent and predatory offenders. Studies show that *many* factors contribute to the crime rate, such as the state of the economy, the demand for illegal drugs, arrest patterns, and prevention efforts, among others. Higher incarceration rates play only a marginal role in overall crime reduction.¹ In addition, stiffer penalties and longer prison sentences for non-violent and drug crimes will not necessarily increase public safety.²

I. How Does Missouri Compare to the National Average of all 50 States?

A. Net Annual Increase and Incarceration Rate ³

As of December 31, 2001:

- Missouri prisons held 28,757 inmates, a 4.4% increase since December 2000 and a 50.2% increase since 1995. The *average* increase of all other state systems during these same periods were 0.3% since 2000 and 20.6% since 1995.
- Missouri's incarceration rate was 509 per 100,000 residents. This rate represents the eighth highest in the nation. The average incarceration rate nationally was 470.
- Missouri prisons have an operational capacity of 29,162 beds. Given the current net increases per day, the Department of Corrections projects that this number will increase to 37,000 total prisoners by 2008.

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B. Prisoner Offense Type ⁴

	<u>MO (4/30/01)</u>	<u>MO (12/31/00)</u>	<u>National Avg. (12/31/00)</u>
Violent	42.5%	49.1%	48.8%
Property	31.7%	26.4%	19.8%
Drug	18.9%	18.2%	20.8%
Other	6.9%	6.3%	10.6%

- In comparison to other states, Missouri incarcerates a greater percentage of non-violent (property) prisoners and this trend is growing increasingly more disproportionate.

C. Average Number of Months Served in 1998 ⁵

<u>Length of Stay</u>	<u>Missouri</u>	<u>National</u>
Overall	31.1	29.1
Mandatory Release	46.9	34.0
Discretionary Release	31.0	44.5

- In 1998, Missouri prisoners served, overall, only two months longer than the national average. Missouri prisoners with mandatory sentences (e.g., truth-in-sentencing initiatives requiring 85% of time to be served before release eligible) served 13 months *longer* than the national average of 34 months. Missouri prisoners with discretionary sentences served 13 months *less* time than the national average.

D. Index Crime Rates Per 100,000 Residents ⁶

	1999		2000	
	<u>Missouri</u>	<u>U.S.</u>	<u>Missouri</u>	<u>U.S.</u>
Violent Crimes	500	525	490	506
Property Crimes	4,079	3,742	4,038	3,618

The Missouri crime rate has generally followed nationally declining trends since 1994. One source that studies six types of crimes in cities over 75,000 ranked Missouri cities 22nd out of 50 as to the highest crime rates per 100,000 in 1999. In 2000, large cities in Missouri were ranked 20th highest crime rates out of 50 states.⁷ Another source found that Missouri is considered “average” when compared to states within the midwest region.⁸

II. Conclusions and Issues for Further Consideration

The statistics presented here show that the incarceration rates in Missouri have risen faster than the national average. This increase is likely due to a higher number of newly admitted prisoners convicted of non-violent offenses and also to longer sentences served than the national average for mandatory minimum punishments.

Alternatives to prison, such as drug courts, intensive probation, house arrest and electronic monitoring are being used in Missouri. These alternatives can be effective means of punishment. Studies show that most prisoners *prefer prison* over community-based sentences because the responsibilities that accompany community-based sentences are perceived as punishment.⁹

Prison population projections and statistical simulation models provided by the Department of Corrections or a local University may be helpful to guide policy makers when making future decisions that will impact the criminal justice system. These models show, for example, how a change in sentencing may impact the number of people who will likely be sentenced to prison.

Endnotes

1. Blumstein, Alfred and Joel Wallman (editors) (2000). *The Crime Drop in America*. Cambridge, NY: Cambridge University Press. See especially William Spelman's chapter (Pp. 97-129) entitled: "The Limited Importance of Prison Expansion."
2. Mauer, Marc (1999). *Race to Incarcerate*. New York: The New Press.
3. Harrison, Paige M. and Allen J. Beck (July, 2002). *Prisoners in 2001*. Washington DC: U.S. Dept. of Justice.
4. *Missouri Department of Corrections Factsheets*, January 2001 and May 2001.
5. Camp, Camille Graham and George M. Camp (1999). *The Corrections Yearbook: Adult Corrections*. Middletown, CT: Criminal Justice Institute, Inc., p. 56-57.
6. Federal Bureau of Investigation. *Uniform Crime Reports*. Accessed on the web: www.fbi.gov/ucr/ucr.htm
7. The six crimes compared were: murder, rape, robbery, agg assault, burglary and motor vehicle theft. *City Crime Rankings*, 8th edition, Lawrence, KS: Morgan Quitno Press.
8. Missouri Highway Patrol. *Crime and Arrest Digest 1999/2000*. Jefferson City, MO: Statistical Analysis Center.
9. Petersilia, Joan and Elizabeth Piper Deschenes (1994). "What Punishes? Inmates Rank the Severity of Prison vs. Intermediate Sanctions." *Federal Probation* 58 (1): 3-8. Petersilia, Joan (1990). "When Probation Becomes More Dreaded Than Prison." *Federal Probation* 54 (1): 23-27.

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