

The Sentencing Project

Criminal Justice Issues and Prisoners' Rights

<https://www.sentencingproject.org/publications/state-sentencing-and-corrections-policy-in-an-era-of-fiscal-restraint/>

Policy Issue Resources

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In statehouses across the country, legislators adopted bills that either scaled back or reversed sentencing policies with the explicit objective of reducing incarceration. A number of states enacted legislation moderating policies regarding mandatory minimum sentencing and the treatment of drug offenders. These legislative actions heralded a significant reconsideration of approaches to public safety and signaled a new willingness to consider less punitive approaches to the problem of crime by politicians of both parties, in sharp contrast to the trends of the last quarter century.

Several developments account for the change in the political environment leading to the first significant moderation in criminal justice policy among states in decades. These include the declining crime rate for most of the 1990s helping to reduce public fear and concern on this issue; new programs and practitioner initiatives, such as drug courts, gaining acceptance as viable alternative methods for dealing with crime; and growing public and policymaker awareness of the limits of incarceration, expressed most recently in concern about re-entry for the nearly 600,000 inmates released from prison each year, often with few skills, drug treatment or training to facilitate their return.

An additional new development in 2001 has been the declining economic picture. Budget shortfalls in nearly every state have driven many states to consider cutting corrections budgets. The events of September 11th and their aftermath intensified existing economic difficulties and resulted in the need to cut state expenditures. In the few months following, state executive officers and legislators have proposed substantial shifts in funding for criminal justice programs. Some of these build on policy changes that may be expected to reduce incarceration, and therefore costs, while supporting continued crime reduction. Others, however, may lead to short term savings and long term cost increases.

This report assesses both of these developments among the states. To read the report, download the PDF below.

Increase in number of women incarcerated in the U.S. since 1980

Sentencing Policy

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