

The Sentencing Project

Criminal Justice Issues and Prisoners' Rights

<https://www.sentencingproject.org/publications/the-meaning-of-life-long-prison-sentences-in-context/>

Policy Issue Resources

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In contrast to these developments, a variety of policy changes beginning in the 1970s and increasing in recent decades have set in motion a movement to extend considerably the length of time that other offenders spend in prison. These changes include such policies as mandatory sentencing, truth in sentencing, and cutbacks in parole release. While many of these initiatives apply primarily to persons convicted of a violent offense, in some cases they mandate long-term incarceration even for persons convicted of property or drug offenses.

Foremost among the changes affecting the prison population in recent years are laws affecting lifers, those persons receiving a sentence that *may* result in an offender never being released from prison. Policy considerations for persons sentenced to life are very different than for offenders who appear far less threatening, such as low-level drug offenders. For violent offenders who have taken lives or who pose a serious threat to public safety, incapacitation as a means of assuring public safety is a legitimate and compelling concern at sentencing. In addition, under current laws and sentencing philosophies, lifetime incarceration is deemed an appropriate punishment for the harm done by serious violent offenders.

However, the issue of life sentences is far more complex and cannot be regarded as merely strict sentencing for a deserving population of serious violent offenders. A closer examination of the number of people serving life sentences, their offense characteristics, and the judicial process by which their sentences were imposed, challenges many of the assumptions about the composition of the lifer population. Among those serving life are persons who themselves have not committed violent acts and others whose life circumstances suggest they are more vulnerable than violent.

In this report we assess the dramatic increase in the imposition of life sentences in the context of incapacitation and public safety, fiscal costs, and the sentencing goal of punishment, including the implications for both victims and offenders.

To read the report, download the PDF below.

Increase in U.S. jail & prison population in the last 40 years

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