

Academy Meetings



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The Challenges of Mass Incarceration in America

Bruce Western, Glenn Loury, Joan Petersilia, Nicola Lacey, and Robert Weisberg

Welcome by Larry Kramer

This panel discussion was given at the 1944th Stated Meeting, held in collaboration with Stanford Law School on September 17, 2009, at the Law School.



Larry Kramer

Larry Kramer is Richard E. Lang Professor of Law and Dean of Stanford Law School. He has been a Fellow of the American Academy of Arts and Sciences since 2006.

Welcome

It is my pleasure to welcome you to the 1944th Stated Meeting of the Academy, which will address the challenges of mass incarceration.

Before I was dean of Stanford Law School, I wrote about constitutional history, with an emphasis on the founding era and early American republic. The United States is still a very young country. We don't have many institutions with really impressive historical pedigrees – at least not when compared with, say, Europe's finest universities, many of which are considerably older than the United States. One of the thrills of being elected to the American Academy was becoming part of an organization whose

charter members included John and Sam Adams and whose earliest inductees were the likes of Benjamin Franklin, George Washington, Alexander Hamilton, and Thomas Jefferson.

But historical pedigree alone is not what makes the Academy such an interesting and important organization. What makes the Academy special is the mission that motivated its original creation and the way it has continually supported that mission for two centuries. The mission is laid out in the Academy's Charter: "to promote and encourage . . . [and] in fine, to cultivate every art and science which may tend to advance the interest, honour, dignity, and

happiness of a free, independent, and virtuous people.” The countless ways in which the Academy has advanced this mission range from simply standing as evidence of the importance of research, science, and art, to promoting work in nearly every field and discipline, to helping disseminate knowledge and understanding, to engaging in efforts to preserve the values and practices needed for knowledge and the creation of knowledge so these can remain free from the forces that would demean or distort understanding for political or other ends.

Few topics generate more interest or are more important than those surrounding the enforcement of crime and the handling of criminals.

Meetings like this are a wonderful example of the role the Academy plays in helping to inform the public. Few topics generate more interest or are more important than those surrounding the enforcement of crime and the handling of criminals. This has almost always been true, moreover: matters of criminal law and punishment generated as much interest and debate when our nation was founded as they do today. These debates matter because the way in which a society handles those who violate its rules provides an important benchmark and test of that society’s morality. How we deal with crime and punishment goes far toward defining who we are and what kind of people we want to be.

There is a tendency today to throw up one’s hands and assume that studying the criminal justice system is a waste of time, that public debate about crime is pointless because the political system is simply a ratchet when it comes to these issues: we only ever increase punishment, we only ever make sentences harsher, we only ever treat the convicted worse, and we only ever think less about support and rehabilitation.

And if one looks at the record of just the past 30 or 40 years, one might think that’s true. Public debate, or at least political debate, about crime has been rather one-

sided and unidirectional. But even I’m old enough to remember the time before that “Dirty Harry” moment in the late 1960s, when the discussion and its policy outcomes were less reflexive. That the debate was once other than it is today shows that it can be different again. I think we may well be at one of those times where we have a window of opportunity and the reflexive assumptions of the past are softened enough to make us open to change.

I don’t mean by this to suggest that any particular change is right or wrong. I mean merely to say that the time seems right to have a real discussion and debate, because we may have arrived at one of those moments when new policy or better policy can actually be made. We will of course still encounter disagreement about what a better policy might be, but now is a time for study, for learning what we can do. At times like these the scholarly community matters more than ever, because we in the Academy have an important role to play in making sure that the moment isn’t wasted. This entails more than just doing research and writing papers; it means talking to and working with practitioners in the criminal justice community, talking to and working with government and with law enforcement officials, helping to build consensus and craft new policies for everything from police investigations to trial rights to sentencing to prison reform, reentry policy, voting rights, juvenile justice, and on and on.

The Academy is a place where people from all sides and with all views can come together to engage in such a conversation; it’s a place where no one will shout, “You lie!” – and where even if such an outburst did occur, it would be followed by debate and discussion to show why it’s so or not so. We offer a sanctuary from overt politics and a forum for debate that if not exactly disinterested is at least open-minded. We should be worrying today about the increasing tendency of people on all sides to limit themselves to hearing only from others with whom they already agree and to dismiss those with whom they disagree as ill-motivated. As scholars we are obliged to rise above this. And *that* is something the American Academy of Arts and Sciences has always stood for and promoted.



Bruce Western

Bruce Western is Professor of Sociology and Director of the Multidisciplinary Program in Inequality and Social Policy at Harvard University. He has been a Fellow of the American Academy of Arts and Sciences since 2007.

When I think about criminal justice in the United States, I often picture a prison scene of intense overcrowding. And perhaps because I am from Cambridge, Massachusetts, the dominant image I have of race at this moment is the somewhat more genteel, even bucolic, scene of President Obama’s so-called beer summit.

Nothing distinguishes the life experience of blacks and whites in America like contact with the criminal justice system.

I think the beer summit has actually done the public conversation about race and criminal justice a great disservice by distracting us from the real issues. As Glenn Loury argued in a recent op-ed piece in *The New York Times*, the reaction to the arrest of Henry Louis Gates Jr. by a white Cambridge, Massachusetts, police officer has largely served to trivialize the quite profound challenges to social justice in America.¹

¹ Glenn C. Loury, “Obama, Gates and the American Black Man,” *The New York Times*, July 25, 2009, www.nytimes.com/2009/07/26/opinion/26loury.html.

One of the challenges of the Academy's work on incarceration will be to recalibrate the debate and try to inject some hard facts into the discussion.

To understand the recent trends in incarceration in the United States, we might begin by looking at the comparative incarceration rates in Western Europe (see Figure 1). The incarceration rate is a measure of the scale of the criminal justice system; it records the fraction of the population that is incarcerated. In the early 2000s in Western Europe the incarceration rate was about 100 per 100,000, or 0.1 percent of the population. The U.S. incarceration rate at the time was about an order of magnitude larger, 700 per 100,000. From a comparative point of view, the U.S. incarceration rate is incredibly unusual. The American penal system is also unusual in historical terms (see Figure 2). From 1925 to the early 1970s the imprisonment rate was roughly constant at about 100 per 100,000, about the same level we see in Western Europe today.

In the early 1970s the system began to grow, and it has grown every year for the last 36 or 37 years. But the imprisonment rate doesn't capture the entire population under criminal justice supervision. While we have 1.5 million people in prison in the United States, another 780,000 are in local jails, 800,000 are on parole, and 4.2 million are on probation. More than 7 million people are under some sort of criminal justice supervision in this country, a situation that is historically novel. These very high levels of supervision have emerged only in the last decade or so. Striking as these figures are, they do not capture the most important thing about incarceration in the United States: the inequality of its distribution.

By 2008, 750 people were in prison or jail for every 100,000 in population. That is 0.75 percent of the overall population behind bars. For every 100,000 young white men with low levels of schooling who have dropped out of high school, 11,000 are incarcerated. The overall incarceration rate for young African American men today is also 11,000 per 100,000. But the rate for young African American men who have dropped out of high school is 37,000 per 100,000. Thirty-seven percent of all African

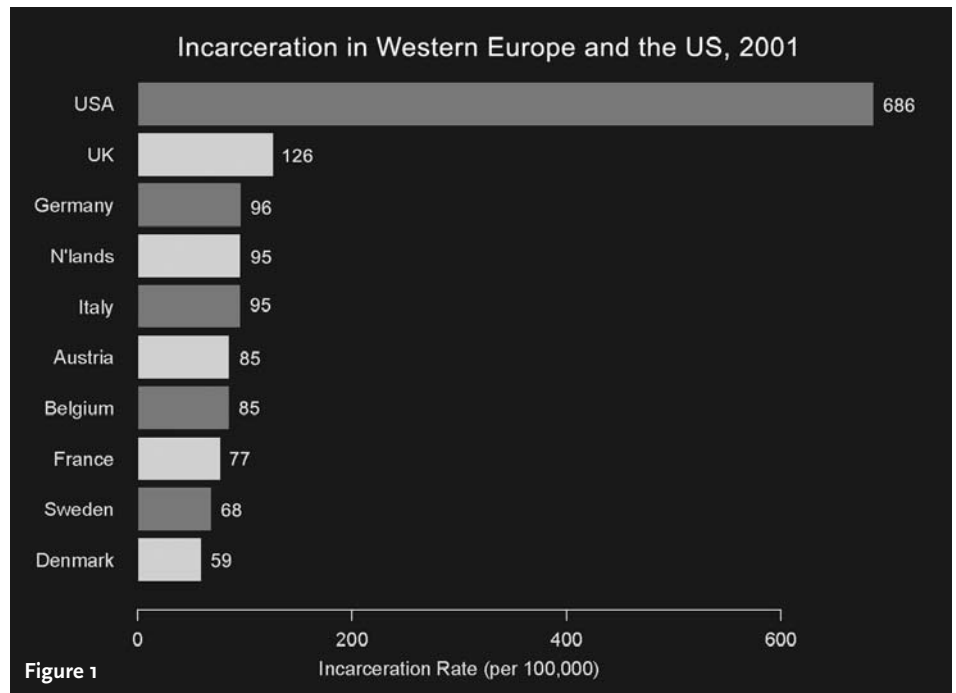


Figure 1

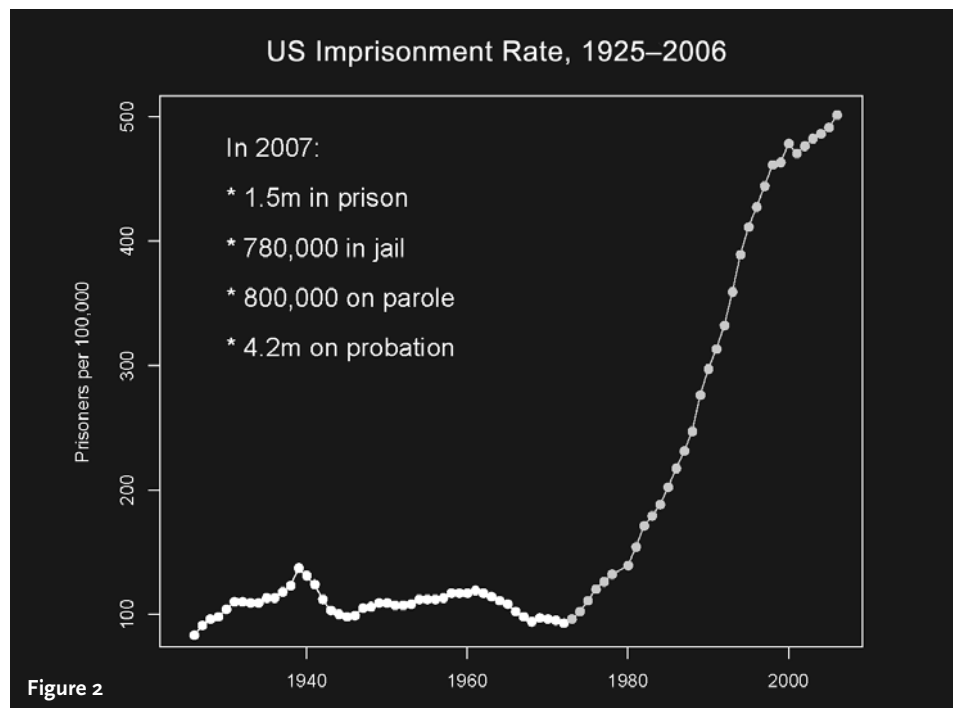


Figure 2

American men under the age of 35 who have dropped out of high school are behind bars, under lock and key, in prison or jail. Their incarceration rate is 50 times the national average.

This is just a snapshot at a point in time. We might also ask, what is the likelihood you've ever been to prison at some point in your life? We might be interested in this

question because we think incarceration confers an enduring life status that affects a whole array of life chances even after you have been released. So we want to know the size of the group that is exposed to this risk of diminished life chances. Among African American men who never went to college, one in eight will go to prison at some point in their lives if they were born in the late

1940s, just after World War II. If they were born in the late 1970s and thus grew up in the period of the prison boom, their lifetime risk of serving time in a state or federal facility for a felony conviction is 70 percent if they dropped out of high school (see Figure 3). For the recent birth cohorts of African American men with low education, serving time in prison is utterly normal.

In fact, if we compare the risk of imprisonment to other events that we think characterize the pathway through adulthood (marriage, completing college, and serving in the military), imprisonment for African American men today is much more com-

mon than completing college with a four-year degree or serving in the military (see Figure 4). The opposite is true for whites, who are more likely to marry, complete college, or serve in the military than go to prison. Whites are also more likely than African Americans to experience these life events. The lone life event that African Americans will experience more commonly than whites is incarceration, and the racial disparity for this one event (i.e., the gap between the percentage of whites who will experience it and the percentage of African Americans who will) is larger than for any of the others.

Nothing distinguishes the life experience of blacks and whites in America like contact with the criminal justice system. We could look at any number of other social indicators – the wage gap, infant mortality rates, gaps in unemployment – and not find one in which the racial disparity is greater. This tells us something profound about the state of American race relations. As we consider the issues associated with mass incarceration in the United States, we must consider how our extraordinary present-day rates of incarceration are a significant source of social inequality in America.

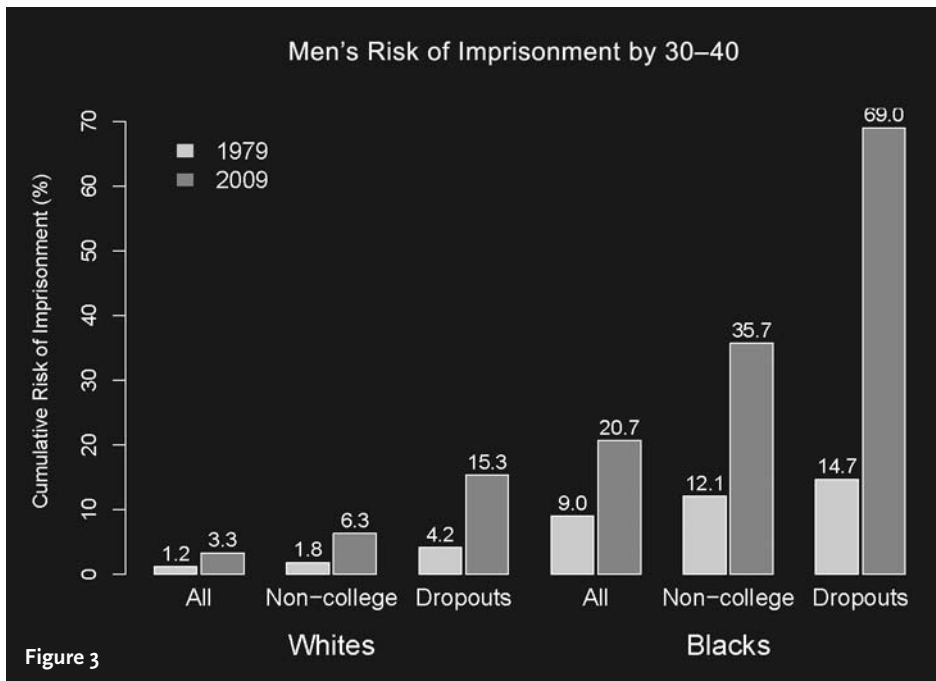


Figure 3

Imprisonment and the Life Course

White and black men, born 1975–1979 experiencing a life event by 2009 (percent).

	Whites	Blacks
Marriage	68%	47%
Bachelor's Degree	34	17
Military Service	10	9
Imprisonment	5	27

Figure 4



Glenn Loury

Glenn Loury is Merton P. Stoltz Professor of the Social Sciences and Professor of Economics at Brown University. He has been a Fellow of the American Academy of Arts and Sciences since 2000.

We are a nation of jailers. We have 2.25 million people under lock and key on a given day and another 5 million under supervision. This level of incarceration would be one thing if it were a random draw on the population or if we somehow had a meter of the evilness of the soul and had used it to lock up the people who were the most evil among us. But in fact the incidence of this practice is highly selective by class and by race. This is justice, but of a strange kind. And the legitimacy and the morality of our practice are in question. We have armies marching around the world under a figurative banner that reads Freedom, and yet we are home to institutions unmatched in human history in their scope and scale for the custodial supervision and detention of persons.

We might argue that we are simply meting out to individuals their just desserts. The rules have been clearly stated, they violated the rules, and it is the obligation of institutions of criminal justice to deliver penalties for the violation of rules. I see that as a very, very thin reed on which to rest this structure that we have built. I don't think we can get past the legitimacy question on a one-off argument that each and every one of America's 2.25 million prisoners did this or that and we are meting out to them what they earned.

I think we are doing social policy here. I think we are managing deep social problems in our society, failures of other institutions, of education, the economy, and so forth, and failures of human development. I think we are reaping what we have sown in the way in which we have partitioned ourselves, whether it's the physical space of our cities or the relational space of how we are connected to one another. People are isolated, they are deprived, they are disadvantaged, they don't have the opportunity to realize their full human potential. We have fifteen- and sixteen-year-olds walking around in some of our cities with pistols. Sometimes they use them. And we treat them as if this were entirely their problem, not acknowledging that we, collectively through our institutions and our social organization, might have any responsibility for their wrongdoing.

If my words betray some emotion and a sense of outrage, they do so because our American practice of incarceration is a societal practice, the workings out of our democratic institutions.

Clearly, I am not giving a social scientist's lecture. I haven't presented any data or made any kind of scientific claim. I am making statements that might be regarded as my opinion. When I was in graduate school I was taught that as an economist my job was to work out the implications of the assumptions we make about human behavior and the ways that markets work. The question of evaluating those outcomes was somebody else's job. That story worked for me for a few decades, but it doesn't work anymore. Since being invited to deliver one of Stanford's Tanner Lectures on human values a few years ago, I have pursued a new tack, one less concerned with technical economics than with moral philosophy. My subject then as now, America's system of mass incarceration, is one I will not let go.

If my words betray some emotion and a sense of outrage, they do so because our American practice of incarceration is a societal practice, the workings out of our democratic institutions. The American system of justice and incarceration acts on our behalf, in our name, with our endorsement, seeking our votes. And its practice is scandalous. Placed in an international comparative context, we are off the charts. Viewed against the backdrop of our own history, when we look at the inner-city communities where a lot of this activity is taking place, when we think about these populations and how they have come to be where they are, when we think about all of the practices, the generations leading up to where we are now that have helped to make the situation the way it is, I find it scandalous that we would manage the consequences of this history through coercion, force, stigmatization, isolation, and confinement.

The pain in the lives of the people who are the subjects of our institutions of mass incarceration is unimaginable. Yes, there are victims. However, the political calculus that simply asserts we have victims, we have perpetrators, and we are going to vindicate the victims and punish the perpetrators is a superficial moral calculus.

We are scholars – dispassionate, objective, clearheaded. But we are also citizens and human beings. And most of us have megaphones held up to our mouths. We can influence the public debate; we can frame the discussion. If we have the courage to step out and call wrong what we see as wrong and if we try to bring our intellectual resources to bear on these problems, we can make a difference.



Joan Petersilia

Joan Petersilia is Adelbert H. Sweet Professor of Law at Stanford Law School and Codirector of the Stanford Criminal Justice Center.

Something missing from our public discussion of the profound and troubling issue of mass incarceration in the United States is any consideration of what happens when all these prisoners come home. We spent the last decade thinking about who should go to prison. We passed three strikes laws,

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mandatory drug laws, and on and on and on, but we gave little thought to what would happen after the people at whom these laws were aimed completed their sentences. If you quadruple the prison population, as we have done since 1960, you quadruple the number of people coming home. The public is very much unaware of this reality. They somehow think that people sent to prison will be there for a very, very long time. In fact, the average prison term is two years, and probation and parole violators do much less time.

Forty-five percent of everybody sitting in a prison cell today will be released within the year. Almost half of our current prisoners will soon be returning home. Most of those people are uneducated, illiterate, and unemployable. Increasingly they will lack the kinds of supports we think would help in their reintegration. When prisoners are released in California they are given \$200. In most other states they are given less. Most former prisoners return to inner-city communities. The data show that fewer and fewer areas are willing to accept prisoners who are released, so we are concentrating them in a smaller and smaller number of neighborhoods. Those neighborhoods often lack jobs and housing and are the least able to deal with the particular needs of former prisoners.

It turns out that getting out of prison is a lot easier than staying out of prison: 70 percent of everybody released from prison will be back in custody within three years. We also know that about three-quarters of all prisoners enter prison with a substance abuse problem and about one in five is diagnosed mentally ill. They, too, are coming out. The average newly released prisoner has a sixth-grade education, is about twenty-nine years of age, has nine prior arrests, and has served two prior jail terms. The churning just goes on and on.

For the last several years my work has focused on the moment of release. That moment represents a great opportunity. After all, we have invested on average \$100,000 on each person we release (adding court and corrections costs). We spend \$65 billion a year on corrections in the United States. For more than a decade the growth in spending on corrections at the state level has been exceeded only by the growth in Medicaid costs. The costs are tremendous, and states can no longer afford them. They are closing prisons and instituting early-release programs. But at a time of widespread budget crisis, these measures are a catch-22. When we release prisoners, they are pretty much on their own. They now have the stigma of being an ex-con, and they are about to require community services that are being reduced or cut thanks to the current fiscal crisis. They are going to stand behind very, very long lines of nonconvicts who need the same

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health care and job retraining services. This is the aspect of mass incarceration that the public does not understand. Those of us who have advocated for less incarceration should now be worried about what communities will offer prisoners when they are released.

When we start thinking about mass incarceration and prisoner reentry, we must also think about sentencing, about how we want prisoners to use their time when they are in prison, and about release decisions. Who should be getting out and under what kinds of conditions? Who should be going back when they violate the law, and who should be sentenced to community-based alternatives? What is the role of government in retraining people whom we have placed in prison? Do we have any role? How much are we willing to spend on it? And what are the public safety consequences if we say we are not willing to spend very much?

A recent study shows that about 20 percent of all arrests are of parolees, and that is with our current support system. When prisoners are released and we start pulling back services, they end up in our local jails, which are less expensive but also less able than prisons to handle long-term sentences.

The Academy's concern with mass incarceration struggles with a set of incredibly complicated issues. My hope is that someday, maybe in our lifetime, the need for such a focus will not be quite as urgent because more offenders who leave prison will be going home to stay.



Nicola Lacey

Nicola Lacey is Professor of Criminal Law and Legal Theory at the London School of Economics.

My interest in comparative criminal justice began nearly twenty years ago when I was a guest at Stanford borrowing the office of an absent faculty member, James Whitman, who later became famous for a marvelous book on the historical and comparative origins of America's harsh justice system. Despite this history, I feel I am the outsider in this conversation because I'm not an expert on the American prison system in the way my colleagues on this panel are. What I am able to offer are three brief points from the perspective of somebody who is a comparativist and an interested and concerned observer.

First, I agree with Joan Petersilia that the U.S. public is broadly aware of the fact of mass imprisonment and to some extent the costs and scale of it. My impression, however, is that the extent to which this system is exceptional in international comparative terms – the United States is an outlier to a quite extraordinary extent – is less widely debated and thus less well known. Not long ago I was at a lecture that Bruce Western gave at a top American university before a highly educated audience. When he put up a simple chart graphically showing the scale of American imprisonment in relation to that of countries at similar levels of economic and social development, the level of real surprise shown by this highly educated audience was astounding.

The imprisonment rate in the United States is almost six times higher than that in Canada, five times higher than in the United Kingdom, about eight times higher than in Germany, and about ten times higher than in most of the Nordic countries. The phrase "American exceptionalism" is perhaps overused and often underanalyzed, but its use is more than justified when discussing America's unprecedented experiment in mass internal exile.

The imprisonment rate in the United States is almost six times higher than that in Canada, five times higher than in the United Kingdom, about eight times higher than in Germany, and about ten times higher than in most of the Nordic countries.

The sheer numbers of the incarcerated are not the only relevant issue, though. Equally deserving of attention and exploration are the qualitative aspects of imprisonment in this country – the quality of prison regimes and rehabilitation programs, for example – as well as the long-term treatment of prisoners who have completed their sentences.

The second point that I would like to make is that the American criminal justice system has not always been so. The United States has a worthy and respectable history in penal reform. But an extraordinary mismatch has emerged between the present facts of imprisonment and America's distinguished history of penal reform and the conception of itself as a land committed to freedom and dignity. As recently as the early 1970s the U.S. imprisonment rate was one-and-a-half times that in the United Kingdom. Today the U.S. rate is five times the U.K. rate, despite the fact that the United Kingdom's imprisonment rate has doubled over the same period.

Finally, a note of caution about the implications of these comparative facts and the much more detailed comparative research that has been produced. One of the temptations of comparative research is to think that we can simply study countries that have managed to keep their imprisonment rate stable during an era in which they, too, have suffered the shocks of social, economic, and political change that appear to have been involved in producing the steep increase in America's mass imprisonment. To simply go to Sweden or Denmark or Germany and see how they do it and then export their institutions back to the United States is a tempting idea; indeed, it's one of the reasons we're interested in comparative research. But, of course, it doesn't work like that for the simple reason that the criminal justice system is not an autonomous social institution, but rather operates in a complex cultural, political, and institutional environment. What's more, those features of this environment interact with one another so that each criminal process is part of an interlocking institutional social system. We can and should try to improve the situation through changes of the kind that Joan Petersilia has already alluded to, but we have to think about the broader picture as well. We have to think about welfare states, for example, something that has featured in Bruce Western's work. We have to think about how social inequality is produced and how it became so extreme in the United States. We even have to think about less obvious things such as the way in which the American electoral system works and the extent to which elections are directly relevant to the delivery of criminal justice.

I don't wish to cast a damper on the idea that we should be seriously and immediately concerned with policy development, nor do I think that comparative research is irrelevant to that. Comparative research helps us to understand how these extraordinary differences have been produced and in doing so to understand a lot more about how the criminal process interacts with other political, economic, and social institutions. Only if we begin to understand these things better will we be in a good position to think sensibly about those broader policy questions that must also be on our mind.



Robert Weisberg

Robert Weisberg is Edwin E. Huddleson, Jr. Professor of Law at Stanford Law School and Director of the Stanford Criminal Justice Center.

If the United States is the great international anomaly when it comes to mass incarceration, then California is to the United States as the United States is to the world. The Golden State is exceptional within the United States but in complicated ways. For example, in terms of the ratio of prisoners to population, California is about average; its incarceration rate is nothing to be proud of, but it's not anomalous. (Traditionally, the states with the highest imprisonment rates have been in the Deep South, and by and large they still are.) So in what sense is California exceptional?

First, it has the worst overcrowding problem, the causes of which are extremely interesting and have nothing to do with a lack of space or a lack of resources (in a broad sense). Instead the dysfunctionality of the state's political economy during good and bad economic times has produced an incredible mismatch of needs and resources. Second, and related to the first point, California has an incredibly weird political system. (Comparativists interested in the political anthropology of alien cultures would do well to come to California.) The state has received a lot of attention because of the strange constitutional restrictions that inhibit the possibility of holding sensible revenue discussions. In the context of the imprisonment problem, California's bizarre nature becomes an interesting academic subject in a way that also makes it an important practical policy subject. California

doesn't know what to do with political and economic accountability. One illustration of this is the debate, really a sub-debate of California's recent general prison debate, about whether the state should have a sentencing commission.

Many states have sentencing commissions. Most are at worst uncontroversial and at best extremely successful public agencies. They are extremely heterogeneous but do have one common denominator: They help the real branches of government, the executive and the legislature and the judiciary to some extent, think about criminal justice policy in the same rational, cost-benefit terms government is prone to do with policies in other regulatory areas. Legislatures and other branches of government can choose to cede as much of their authority to sentencing commissions as they wish or to hold back authority or reverse decisions in any way they want. The commissions work pretty well in most states.

Conventional discussions within the world of criminal jurisprudence often turn on the question of what is the real purpose of punishment. Is it incapacitation, retribution, deterrence, or something else?

The most infamous sentencing commission in the United States in modern history is actually the federal sentencing commission, which has had its share of problems but is nonetheless associated with harsh, rigidly applied punishments and a humongous increase in the federal prison population. Despite the successes of sentencing commissions elsewhere in the country, in California if you propose one you're told, "Oh, so you want the legislature to hand over the prison keys to . . ." The object of the proposition varies to some extent. Sometimes it's socialists, sometimes it's sentimentalists, sometimes it's lily-livered San Franciscans. And sometimes it's "those people who

do numbers, and you know what they are always going to tell you: release people."

That outcome has simply not been the experience with other states' sentencing commissions. They've been successful because they've proven to be moderate and rational. But there's something about the political dysfunctionality of California whereby it seems only logical that the legislature, which has proved unbelievably unaccountable in every relevant way, would say, "We won't give up our accountability to this unaccountable body; we just won't take that risk even though, frankly, we could create a commission in any way we wanted."

The irony here is that because of its dysfunctionality California's regular branches of government have already ceded authority over the prison system – only not to a sentencing commission but to this other body called the United States District Court for the Northern District of California. So what we have is a war, a ballet, an unhappy neurotic marriage (choose your own metaphor!). This is a fascinating political science and legal problem about how we deflect and go about rearranging accountability in our system.

Conventional discussions within the world of criminal jurisprudence often turn on the question of what is the real purpose of punishment. Is it incapacitation, retribution, deterrence, or something else? Unfortunately, these debates usually occur at such an abstract level that even when, for example, they involve criticizing the retribution argument for failing to take account of the real world, they leave out that very issue (i.e., the real world) in the prosecution of their argument. We academics need to do a better job of accounting for "shock effect" facts, those data points that the public finds most salient but that we tend to give no more importance to than any of the other data points we might consider in our analyses. When these facts are brought into the academic discussion, the results can be illuminating. Take, for instance, a book called *Marked* by Princeton sociologist Devah Pager.¹ *Marked* is based on an inter-

¹Devah Pager, *Marked* (Chicago: University of Chicago Press, 2007).

esting sociological simulation experiment in which people were randomly assigned a fictitious criminal record and then asked to try to get a job. Despite controlling for the fact that many ex-convicts have educational, career, and/or personal deficits prior to serving time in prison, the study still found that a criminal record is the most significant obstacle to gaining or regaining employment.

Pager's work is related to that of Bruce Western, who coined the term *aggregate earnings penalty* to describe the metastatic effect imprisonment has on a person's economic, social, and personal life course. Our abstractions suggest that we should be able to control the effects of the penalties we inflict on people. The research being

conducted by academics like Pager and Western, however, shows that the penalties we inflict on people have ever-widening, self-generating, self-reinforcing effects. In the abstract, a term like *stigma* plays an important role in philosophical discussions of how deterrence should work. In the real world, Pager's research shows, there's certainly a stigma, but it goes well beyond any simple philosophical notion. We need to redefine terms such as this so that in our academic debates we achieve some measure of accordance with the real world.

Finally, a word on rehabilitation. We all know that certain things do work if they're tried: drug rehabilitation programs, employment counseling, and so on. Bruce Western writes about reentry programs,

whose development he lauds and encourages. But he points out they are not exactly rehabilitation programs in the traditional sense. Rather, they are rehabilitation programs for the era of mass incarceration. In effect, we've redefined rehabilitation. No longer is it intended to make you better than you were before you went to prison. Now rehabilitation is an important thing we do to mitigate the bad effects prison has on you. ■

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