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U.S. Prison Populations Decline, Reflecting New Approach to Crime

By ERICA GOODE

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The prison population in the United States dropped in 2012 for the third consecutive year, according to federal statistics released on Thursday, in what criminal justice experts said was the biggest decline in the nation's recent history, signaling a shift away from an almost four-decade policy of mass imprisonment.

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The number of inmates in state and federal prisons decreased by 1.7 percent, to an estimated 1,571,013 in 2012 from 1,598,783 in 2011, according to figures released by the Bureau of Justice Statistics, an arm of the Justice Department. Although the percentage decline appeared small, the fact that it followed decreases in 2011 and 2010 offers persuasive evidence of what some experts say is a "sea change" in America's approach to criminal punishment.

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"This is the beginning of the end of mass incarceration,"

said Natasha Frost, associate dean of Northeastern University's school of criminology and criminal justice.

About half the 2012 decline — 15,035 prisoners — occurred in California, which has decreased its prison population in response to a Supreme Court order to relieve prison overcrowding. But eight other states, including New York, Florida, Virginia and North Carolina, showed substantial decreases, of more than 1,000 inmates, and more than half the states reported some drop in the number of prisoners. (Figures for three states were estimated because they had not submitted data in time for the report.) The population of federal prisons increased slightly, but at a slower rate than in previous years, the report found.

Imprisonment rates in the United States have been on an upward march since the early 1970s. From 1978, when there were 307,276 inmates in state and federal prisons, the population increased annually, reaching a peak of 1,615,487 inmates in 2009.

But in recent years, tightened state budgets, plummeting crime rates, changes in sentencing laws and shifts in public opinion have combined to reverse the trend. Experts on prison policy said that the continuing decline appears to be more than a random fluctuation.

"A year or even two years is a blip and we shouldn't jump to conclusions, but three years

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starts to look like a trend,” said Marc Mauer, executive director of the [Sentencing Project](#), a nonprofit research group based in Washington. But he said that the rate of inmates incarcerated in the United States continued to be “dramatically higher” than in other countries and that the changes so far were “relatively modest compared to the scale of the problem.”

Most observers agree that the recession has played a role in shrinking prison populations. In 2011 and 2012, at least 17 states closed or were considering closing prisons partly for budgetary reasons, representing a reduction of 28,525 beds, according to a report by the Sentencing Project published last year.

But Adam Gelb, director of the Pew Charitable Trusts’ [public safety performance project](#), said that while fiscal concerns might have led to the turnaround in some states, the need to cut budgets had not been the deciding factor.

“They’re not simply pinching pennies,” Mr. Gelb said. “Policy makers are not holding their noses and saying we have to scale back prisons to save money. The states that are showing drops are states that are thinking about how they can apply research-based alternatives that work better and cost less.”

Changes in state and federal sentencing laws for lower-level offenses like those involving drugs have played a central role in the shift, he and others said, with many states setting up diversion programs for offenders as an alternative to prison. And some states have softened their policies on parole, no longer automatically sending people back to prison for parole violations.

But changing public attitudes are also a major driver behind the declining prison numbers. Dropping crime rates over the last 20 years have reduced public fears and diminished the interest of politicians in running tough-on-crime campaigns. And public polls consistently show that Americans are now more interested in spending money on education and health care than on building more prisons.

“People don’t care so much about crime, and it’s less of a political focus,” said Professor Frost, who is a co-author of a forthcoming book, “The Punishment Imperative.”

The result has been an unusual bipartisan effort to reduce the nation’s reliance on prisons, with groups like [Right on Crime](#), devoted to what it calls the “conservative case for reform,” pushing for lower-cost and less punitive solutions than incarceration for nonviolent offenders.

Marc Levin, senior policy adviser for Right on Crime, described the change in conservatives’ position on parole violators: It used to be “Trail ’em, nail ’em and jail ’em,” he said, “but there’s been a move to say, ‘Yes, there’s a surveillance function, but we also want them to succeed.’”

Some of the most substantial prison reductions have taken place in conservative states like Texas, which reduced the number of inmates in its prisons by more than 5,000 in 2012. In 2007, when the state faced a lack of 17,000 beds for inmates, the State Legislature decided to change its approach to parole violations and provide drug treatment for nonviolent offenders instead of building more prisons.

In Arkansas, which reduced its prison population by just over 1,400 inmates in 2012, legislators in 2011 also passed a package of laws softening sentencing guidelines for low-level offenders and steering them to diversion programs.

“It’s a great example of a state that made some deliberate policy choices to say we can actually reduce recidivism and cut our prison group at the same time,” Mr. Gelb said.

Joan Petersilia, a law professor at Stanford and a co-director of the Stanford Criminal Justice Center, said in an interview last year that she thought Americans had “gotten the message that locking up a lot of people doesn’t necessarily bring public safety.” California’s example, she said, has also spurred other states to consider downsizing for fear of facing

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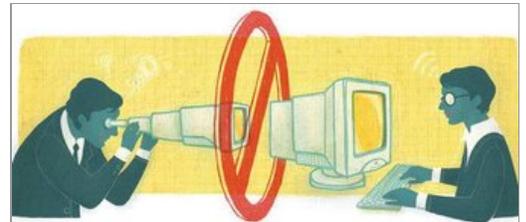
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But Professor Petersilia added that though the trend may have begun out of a need for belt-tightening, it had grown into a national effort to rethink who should go to prison and for how long.

“I don’t think in modern history we’ve seen anything like this,” she said.

This article has been revised to reflect the following correction:

Correction: July 29, 2013

An article on Friday about the declining prison population in the United States, signaling a new approach to crime, misstated the decrease in the number of inmates in Arkansas in 2012. It was just over 1,400, not 14,000.

A version of this article appeared in print on July 26, 2013, on page A11 of the New York edition with the headline: U.S. Prison Populations Decline, Reflecting New Approach to Crime.

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