



The Honorable Jim Jordan
Chairman
House Judiciary Committee
2138 Rayburn House Building
Washington, DC 20515

The Honorable Jerrald Nadler
Ranking Member
House Judiciary Committee
2142 Rayburn House Office Building
Washington, D.C. 20515

September 10, 2024

Letter for the Record: House Judiciary Committee, Subcommittee on Crime and Federal Government Surveillance, Hearing on “The Consequences of Soft-on-Crime Policies”

Dear Chairman Jordan and Ranking Member Nadler:

The Sentencing Project advocates for effective, humane responses to crime and punishment by promoting racial, economic, and gender justice. We submit this letter and our attached brief, [“Incarceration and Crime: A Weak Relationship,”](#) for the record and urge the Committee to pursue evidence-based community safety solutions while unwinding over 50 years of mass incarceration.

All Americans deserve safety. Parents should not fear for their children’s lives at school, while playing in the streets, or when they encounter the police. All Americans also deserve justice – including freedom from biased and extreme sentences.

Between 1972 and 2009, the U.S. prison population increased seven-fold,¹ earning America the dubious distinction of having one of the world’s highest rates of incarceration.² That explosive growth came at a profound human cost, which has been disproportionately borne by people living in poverty and communities of color.³ Families and communities were torn apart and

¹ Carson, E. A., & Kluckow, R. (2023). [Prisoners in 2022 – Statistical tables](#). Bureau of Justice Statistics; Bureau of Justice Statistics. (1982). [Prisoners 1925-81](#).

² The U.S. incarceration rate of 541 per 100,000 residents compares to a rate of 67 in Germany, 115 in France, and 146 in England and Wales. World Prison Brief. (2024, September 10). [Highest to Lowest - Prison Population Rate](#).

³ Clear, T. (2008). [The Effects of High Imprisonment Rates on Communities](#). *Crime and Justice* 37 (1), 97- 99..
“Imprisonment affects the children of people who are locked up and their families; it affects community infrastructure—the relations among people in communities and the capacity of a community to be a good place to live, work, and raise children—and it affects how safe a community is to live in.” Sered, D. (2014), [Young Men of Color and the Other Side of Harm: Addressing Disparities in our Response to Violence](#). Vera Institute of Justice.

plunged into cycles of harm, trauma, and disinvestment.⁴ The United States' carceral excess also imposes a heavy financial burden on taxpayers and the economy, monopolizing scarce funds that could be used to prevent crime to instead incarcerate many people who could have safely returned to providing for their families years ago.⁵

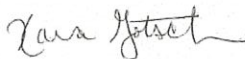
In recent decades, however, the United States has taken significant strides toward ending mass incarceration. Following a nearly 700% buildup in imprisonment since 1972, the U.S. prison population downsized by 25% between 2009 and 2021, though still tallying 1.2 million people.⁶ Racial disparities in imprisonment have also declined, though a still alarmingly high rate of one in five young Black men can expect to be imprisoned within their lifetime.⁷

Today, violent crime is nearing historic lows across the country, with mid-year 2024 data indicating that most communities have returned to or improved upon pre-pandemic levels of safety.⁸ But some communities are still struggling to reduce crime levels. This fact, and misperceptions about broader crime trends and false narratives regarding reforms have prompted many to revert to the failed playbook of the 1990s. This approach dramatically increased incarceration, particularly among Black Americans, with limited benefits to community safety.

The currently growing punitive shift threatens to reverse the success of recent decarceration. Instead of reverting to a failed political playbook, we urge policymakers to embrace evidence-based safety interventions⁹ while correcting the counterproductive, costly, and cruel response of mass incarceration.

I urge you to review The Sentencing Project's report, "Incarceration and Crime: A Weak Relationship," and I look forward to connecting with you to discuss its findings.

Respectfully,



Kara Gotsch
Executive Director
The Sentencing Project

⁴ Kids Count. (2016). A Shared Sentence: The Devastating Toll of Parental Incarceration on Kids, Families and Communities. The Annie E. Casey Foundation.

⁵ Ghandnoosh, N. (2021). A Second Look at Injustice. The Sentencing Project.

⁶ Carson, E. A., & Kluckow, R. (2023). Prisoners in 2022 – Statistical tables. Bureau of Justice Statistics; Bureau of Justice Statistics. (1982). Prisoners 1925-81.

⁷ Ghandnoosh, N. (2023). One in Five: Ending Racial Inequity in Incarceration. The Sentencing Project.

⁸ Lopez, E. & Boxerman, B. (2024). Crime Trends in U.S. Cities: Mid-Year 2024 Update. Council on Criminal Justice.

⁹ See, e.g., Komar, L., & Porter, N. (2023). Ending Mass Incarceration: Safety Beyond Sentencing. The Sentencing Project; John Jay College Research Advisory Group on Preventing and Reducing Community Violence. (2020). Reducing violence without police: A review of the research evidence. John Jay College of Criminal Justice; Sebastian, T., et al. (2022). A new community safety blueprint: How the federal government can address violence and harm through a public health approach. Brookings; Doleac, J. (2018).