Failure of the Rockefeller Drug Laws

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Failure of the Rockefeller Drug Laws

CRJ 481 Thesis Paper

12/13/2015
“I have one goal and one objective, and that is to stop the pushing of drugs and to protect the innocent victim” (Mann, 2013). Nelson Rockefeller, then the governor of New York, released that statement in January 1973, the same month he put into law the infamous Rockefeller drug laws. This legislature was a milestone in the “war on drugs” and put into place what were at the time the harshest drug laws in the country. The laws called for mandatory minimum sentences of 15 years to life for possession of four ounces of narcotics, about the same as a sentence for second-degree murder. The laws marked an unprecedented shift towards addressing drug use and abuse through the criminal justice system instead of through the medical and public health systems. New York’s Rockefeller Drug Laws became the national policy model for the drug war: throughout the 1970s other states enacted their own versions of the Rockefeller Drug Laws, as did the US Congress in the 1980s. These laws led to a dramatic increase in New York’s prison population, which brought about tremendous financial and human costs.

Governor Rockefeller did not initially intend to create the harshest drug laws the nation had ever seen. In the late 1960s and early 1970s, New York legislators faced a drug problem they feared was growing out of control. Federal statistics showed as many as 559,000 users nationwide and state police saw a 31 percent increase in drug arrests by 1972 (Gray, 2009). In 1962, he proposed a program of voluntary rehabilitation for addicted convicts rather than prison time. This was approved by the legislature, but by 1966 it was evident that this program was not working, as most addicts chose short prison terms rather than three years of treatment. In response Gov. Nelson Rockefeller, a liberal-leaning Republican who was said to have had presidential aspirations, created the Narcotic Addiction and Control Commission in 1967, aimed at helping addicts get clean. After the program proved too costly and ineffective, New York
launched the Methadone Maintenance Program, which similarly caused little reduction in drug use ("Background on New York's Draconian Rockefeller Drug Laws", 2012). But by 1973, calls for stricter penalties had grown too loud to ignore, prompting Rockefeller to enact new drug laws included mandatory life sentences without the possibility of plea-bargaining or parole for all drug users, dealers, and those convicted of drug-related violent crimes; a $1,000 reward for information leading to the conviction of drug pushers; and removing less harsh penalties for youthful offenders ("Background on New York's Draconian Rockefeller Drug Laws", 2012).

The passing of these laws marked the point when the United States criminal justice system abandoned rehabilitation as a crime control strategy. Deterrence was regarded as the most efficient way to control crime, and the Rockefeller drug laws certainly followed the deterrence philosophy. The concept of deterrence has two key assumptions: the first is that specific punishments imposed on offenders will "deter" or prevent them from committing further crimes; the second is that fear of punishment will prevent others from committing similar crimes. It assumes people are rational beings who attempt to maximize pleasure and minimize pain. According to the deterrence philosophy, in order for a punishment to be effective, it must be severe, swift, and certain. The Rockefeller drug laws are the perfect test for the deterrence theory, and it appears to be a failure. In their research Langan and Levin found no specific deterrent effect of prison, the same result that Todd Clear found (Cameron, 1988). Nagin and Pogarsky found that the deterrent effect of prison is weak since incarceration has become so commonplace. They argue that mass incarceration undermines the legitimacy of the law and reduces any deterrent effect it would have (Cameron, 1988).

Over the past few decades deterrence theory has been the theoretical foundation upon which many criminal justice policy decisions were based on. Despite it being the basis for many
of the harsh drug laws, there is little evidence that supports the effectiveness of deterrence. “The Consequences of Escalating the Use of Imprisonment: The Case Study of Florida” by James Austin examines the impact that deterrence based policies have on the prison system. At the time of his study, Florida had in place harsh mandatory prison sentences that were very similar to those in place in NY. His analysis showed that mandatory prison sentences, especially for drug crimes, have increased dramatically and will continue to have an impact on prison population growth in the future unless adjustments are made to sentencing policies. He also found that increasing the use of imprisonment in Florida has not reduced the crime rate as promised. His data clearly shows that the “war on drugs” had a clear impact on prison populations. From 1974 to 1983 the proportion of prison admissions for drug offenses averaged 8 percent. However, since 1984, when the laws were enacted, the number has doubled to 16 percent (Austin, 1991). At the time of his analysis, Florida had spent nearly half a billion dollars on prison construction programs, and yet it still had the highest rate of prison admissions and the shortest length of stay of any prison system in the country (Austin, 1991). Not to mention the fact that the crime rate actually increased slightly during this time, which is in direct contrast to what deterrence theory would have expected. In “The Economics of Crime Deterrence: A Survey of Theory and Evidence”, Samuel Cameron reviewed the empirical work of economists on the deterrent effects of punishment for criminal activity. They find the reoccurring combination of a negative arrest rate effect on crime with a zero or negative effect of crime on the police (Cameron, 1998).

Mandatory sentencing policies impact more than just the offenders; they also impact the various other criminal justice actors, such as judges and prosecutors. More specifically, mandatory sentencing removes the discretion that judges and prosecutors regard as an invaluable tool in completing their jobs. Such laws remove any ability to take into account the
circumstances of the offender, a fundamental flaw. Advocates of mandatory sentencing laws are operating under the assumption that mandatory sentences have a deterrent effect. However, current research on deterrence does not support that assumption. In "The Mostly Unintended Effects of Mandatory Penalties: Two Centuries of Consistent Findings" by Michael Tonry, the author summarizes research on the implementation, operation, and deterrent effects of mandatory sentencing laws. He found no credible evidence that the enactment or implementation of such sentences has significant deterrent effects, but there is massive evidence, which has accumulated for two centuries, that mandatory minimums foster circumvention by judges, juries, and prosecutors; reduce accountability and transparency; produce injustices in many cases; and result in wide unwarranted disparities in the handling of similar cases (Tonry, 2009). The United States is one of the few countries in the world to exercise mandatory minimums, which directly correlates with the fact that the US leads the world in incarceration rates.

"I don't remember thinking or believing, nor did my colleague DAs at the time, that this was going to somehow revolutionize and change everything," said former New York prosecutor Albert Rosenblatt (Mann, 2013). The laws almost immediately led to an increase in drug convictions, but no measurable decrease in overall crime. Rosenblatt says prosecutors in New York realized that the laws were doing unexpected and troubling things. White people were using a lot of drugs in the 1970s and committing a lot of crimes, yet the people being arrested and sent to prison under the Rockefeller laws came almost entirely from poor black and Hispanic neighborhoods. "We were aware of it. I mean, it's hard not to be aware of it when you see a courtroom and when you see a cadre of defendants — many of whom or most of whom were people of color," Rosenblatt says (Mann, 2013).
During his State of the State address, New York Gov. David Paterson told his audience: "I can't think of a criminal justice strategy that has been more unsuccessful than the Rockefeller Drug Laws" (Gray, 2009). The effect of the new sentencing guidelines has been dramatic. Drug offenders as a percentage of New York's prison population surged from 11% in 1973 to a peak of 35% in 1994, according to the state's Corrections Department. The surge was mostly a result of convictions for "nonviolent, low-level drug possession and drug sales" Paterson said, "people who were addicted and were selling to try to maintain their habits." According to Paterson, just 16% had a history of violence. "And so really," he says, "you're shipping off a generation" (Gray, 2009). Due in part to Rockefeller-style laws, the nation's prison population exploded from 330,000 in 1973 to a peak of 2.3 million (Drucker, 2002). There was no way that Rockefeller and the other legislators could have foreseen the impact that these laws would have.

The Rockefeller drug laws cost the state of New York a tremendous amount of money. Approximately 11,000 people remain incarcerated for drug offenses in New York, representing nearly 20% of the prison population (at their height, more than 23,000 people were incarcerated under the laws). Nearly 66% have previously never been to prison, and 80% have never been convicted of a violent felony. The state spends nearly $500 million per year to incarcerate people for drug offenses, approximately $45,000 per person per year ("Background on New York's Draconian Rockefeller Drug Laws", 2012). Studies put the price tag of America's vast prison system at between $63 billion and $75 billion a year. It is certainly not cheap to imprison people, as New York has found out.

Besides the financial cost, there is a human cost to the Rockefeller drug laws. These laws led to astonishing racial disparities and inequities in New York’s criminal justice system, further
marginalizing communities of color. Studies show that rates of addiction, illicit drug use and sales are approximately equal between racial groups. But while Black and Latino people make up only 33% of New York State’s population, they comprise nearly 90% of those currently incarcerated for drug felonies ("Background on New York's Draconian Rockefeller Drug Laws", 2012). This is one of the highest levels of racial disparities anywhere in the nation. The data gathered by Drucker suggest that thirty years of forced removal to prison of 150,000 young males from particular communities of New York represents collective losses similar in scale to the losses due to 8 epidemics, wars, and terrorist attacks - with the potential for comparable effects on the survivors and the social structure of their families and communities (Drucker, 2002). Once incarcerated, these young men will have a very difficult time finding a job that allows them to provide for themselves and their family. While in prison, the families of inmates suffer in numerous ways. Children are often raised in single parent households, many times lacking a male role model. Bonnie Carlson and Neil Cervera studied the impact of incarceration on the inmates’ family in their article “Inmates and their Families”. In this study, the impact of incarceration on the family was studied in 63 inmates and 39 wives. The authors talk about how a life transition such as going to prison can have demoralizing effects on an inmate’s family. They cite research that shows that imprisonment is stressful, disruptive experience for all family members and often times sends the family into a state of crisis. They conclude that parental incarceration has been found to be associated with children’s behavioral problems, academic difficulties, anxiety, immaturity, and unhappiness (Carlson, 1991).

In his speech before the New York State Assembly Committees on Codes, Judiciary, Correction, Health, Alcoholism and Drug Abuse, and Social Services regarding The Rockefeller Drug Laws, Robert Perry advocated for the change of said laws. At the time Perry was the
legislative director of the New York Civil Liberties Union. In his speech he provides a telling quote by John Dunne, the former Republican senator and original sponsor of the Rockefeller Drug Laws, who said, “The Rockefeller Drug Laws have failed to achieve their goals. Instead they have handcuffed our judges, filled our prisons to dangerously overcrowded conditions, and denied sufficient drug treatment alternatives to nonviolent addicted offenders who need help” (Perry). Perry also provided the following statistics: There were 886 persons incarcerated for drug offenses in 1980. Of these individuals, 32 percent were Caucasian; 38 percent were African American; and 29 percent were Latino. In 1992, the year in which the state reported the highest number of commitments for drug offenses, 5 percent of those incarcerated were Caucasian; 50 percent were African American; and 44 percent were Latino (Perry, 2008). He talked about how the Rockefeller drug laws have caused widespread harm to New York State. A recent study of fifty typical ex-offenders, whose average age was forty-one, found they had spent, on average, of one-third of their lives in prison for non-violent, small-scale drug offenses (Perry, 2008). This speaks to a policy of failure, not one of success. The Rockefeller drug laws also had unmeasurable impacts on the social and economic features of the community.

While the Rockefeller drug laws led to such an immediate increase in New York’s prison population, the laws human impact would not be understood until years later. The main objective of imprisonment is deterrence through punishment. While it may be hard to evaluate the effectiveness of this deterrent, it is clear to see the unintended impact that imprisonment has on both the inmates and their families. Imprisonment significantly reduces future employment and incomes of former inmates. Once someone is sentenced to jail or prison, they are instantly labeled and regarded as criminals. Even if it is subconscious, former inmates will always be regarded as criminals, which make it nearly impossible for them to find a good job, yet alone one
that will allow them to provide for their families. Stable employment eludes those who were never even sent to prison, so expecting former inmates to find jobs and provide for their families on their own seems lunacy. Even the most educated man will be labeled a criminal once he leaves prison, due to the fact that the label of criminal carries such a negative stigma. Inmates are locked in a cage and stripped of their rights, only to be later released and expected to return as functioning members of society, yet they are not provided with the tools to do so. There is such an emphasis on punishment and deterrence in the immediate future that the long term results are often ignored.

Not only does incarceration impact the inmates themselves, it has a tremendous effect on their families and communities. The imprisonment of a parent in many cases is a traumatic event that can significantly alter the life course and future social capital of the inmate’s family. Losing a parent to incarceration has a crucial impact on that child’s future social capital. Hagan and Dinovitzer define social capital as “the ability of actors to secure benefits by virtue of membership in social networks or other social structures” (Hagan, 1999). The loss of social capital can be understood in the ways in which disruptions in families are dysfunctional for children. Hagan and Dinovitzer discuss three ways in which parental imprisonment impacts the social capital of children. These involve the strains of economic deprivation, the loss of parental socialization through role modeling, support, and supervision, and the stigma and shame of societal labeling (Hagan, 1999). Incarceration of a parent leads to the removal of income-related opportunities that the parent would have provided. This affects the child’s social capital since the remaining parent now lacks the same financial resources and as a result will lose time to spend with their children. This leads to older siblings or other family members taking on new role responsibilities and expectations. Older siblings could be forced to care for their siblings, which
would take time away from their schoolwork and could lead them to join the labor force early. On the other hand, overwhelming responsibilities and financial struggles may push the youth into the world of illegal activities to make ends meet. Imprisonment deprives children of the socialization and role support that would have been provided by the parent in prison. Sociological and criminological theories commonly emphasize the importance of parental supervision, role models, and support in the childhood socialization process. The children may turn to delinquent peers or gangs to fill the role left vacant by the incarcerated parent. This would be made easier by the fact that both parents together are usually influencing factors against delinquency, but this task becomes much harder for a single parent. The incredibly negative social stigma of prison does not just attach itself to the inmate, but also their family. For the rest of their lives these children are labeled as the son/daughter of a criminal, which can lead to differential treatment by their peers and teachers. The stigma of criminalization is another source of the depletion of the social capital of children (Hagan, 1999). The emotions following a traumatic experience such as the imprisonment of a parent can be linked into sequential analyses of stressful life events and turning points and transitions in the life course (Hagan and McCarthy 1997a, 1997b). From this perspective, the imprisonment of a parent represents one kind of event that can combine with other adverse life experiences in influencing longer-term life outcomes. Rutter discusses chains of adversity in the life cycle and suggests that "the impact of some factor in childhood may lie less in the immediate behavioral change it brings about than in the fact that it sets in motion a chain reaction in which one 'bad' thing leads to another" (Rutter 1989, p. 27). A Human Rights Watch report in 2002 concluded that disproportionately harsh drug sentences have not only led to the unnecessary incarceration of tens of thousands of low-level drug offenders, but also deprived thousands of children of their parents. An estimated 23,537 children
currently have parents in New York prisons convicted of drug charges. An estimated 11,113
currently incarcerated New York drug offenders are parents of children. Since 1980, an
estimated 124,496 children have had at least one parent imprisoned in New York on drug
charges. Some 50 percent of mothers and fathers in New York prisons for drug convictions do
not receive visits from their children (Human Rights Watch, 1997).

The Rockefeller drug laws had a clear, measurable impact on the number of people
incarcerated and the rate at which they were incarcerated. There are also unintended collateral
consequences that are often not evident until years later. The high incarceration rates that were a
direct result of the Rockefeller drug laws had devastating impacts on local community, and
therefore impact the community’s level of social capital. Depleted social capital has been
correlated with increased crime and homicide. “Social Capital and Homicide”, written by
Richard Rosenfeld, Steven Messner, and Eric Baumer is a perfect example of a study that
examines the impacts of depleted social capital. The authors propose that social capital can be
linked with criminal violence through an application of three dominant theoretical perspectives
in criminology: social disorganization, anomie, and strain theory. The results of their study
indicate that social capital exerts a significant effect on homicide rate. Adding social capital to
the homicide equation significantly increases the variance explained in homicide rates
(Rosenfeld, 2001). The nature of this effect is consistent with theoretical expectations:
geographic areas with higher levels of social capital exhibit lower homicide rates. This is helpful
because it allows you to argue that Rockefeller laws led to decreased social capital in
communities, which in turn led to higher homicide rates.
The Rockefeller drug laws led to mass incarceration in New York. The removal of so many young males from their local communities had tremendous social costs. “Population Impact of Mass Incarceration under New York’s Rockefeller Drug Laws: an Analysis of Years of Life Lost”, by Ernest Drucker is a study that examines the social costs of mass incarceration in NY. This article looks at the Rockefeller drug laws and how they lead to increased prison populations.

In the period between 1974 and 2002, the NY State prison population rose by almost 500%, from 14,400 to 70,700 inmates, reaching a rate of 375 / 100,000 population, the highest incarceration rate in the state’s history (Drucker, 2002). To describe Rockefeller drug law incarcerations in a way that allows comparison, this analysis employs a metric commonly used for determining the population impact of large-scale adverse events that affect entire populations, “Years of life lost” (YLL), also known as “Years of Potential” Life Lost or YPLL (Drucker, 2002). This analysis estimates the scale and potential collective impact of Rockefeller drug law incarcerations viewed in the same terms as disastrous events such as AIDS or the WTC attack. Drucker’s data led to some very interesting conclusions.

He found that between 1974 and 2002, there were more than 286,000 person-years of incarceration that were a result of the Rockefeller drug laws. With a median age of 35 years and life expectancy of 68 years, this translates to a YLL equivalent to 8,667 deaths in a population with this age and racial/ethnic composition (Drucker, 2002). In comparison, the attack on the World Trade Center was the cause of 2,617 deaths, with a similar age distribution as the Rockefeller drug laws, yielding a total of 102,806 YLL (Drucker, 2002). The disturbing thing about this data is the fact that the YLLs of drug incarcerations are almost triple (275%) those of
the World Trade Center attacks suggests the relative magnitude and population impact of these incarcerations. Further, while blacks and Hispanics represent only two-thirds of the New York State population, over 94% of the inmates sentences under the Rockefeller drug laws are minorities, and more than 70% come from a few inner-city communities of New York City (Drucker, 2002). Overall, Drucker’s study shows the substantial, and unforeseen, social costs of the Rockefeller drug laws.

The rapid increase in prison population that resulted from the Rockefeller drug laws had a tremendous financial impact that is still being felt today. The Rockefeller drug laws were put into place at a time when crime was rampant and the solution was not evident. They were passed in the frenzy of Nixon’s war on drugs and were the benchmark for other states making similar laws. States began spending putting tremendous amounts of money towards corrections, diverting money that could have been spent on education or social services. The number of beds in state and federal penitentiaries increased 41 percent to 976,000 in the first half of this decade, while the number of correctional employees jumped 31 percent to 347,320 (Bureau of Justice Statistics 1997). This investment in corrections is so extensive that several large states now spend as much or more money to incarcerate young adults than to educate their college-age citizens (Ambrosio and Schiraldi, 1997). From the 1980s through the late 1990s, corrections spending has grown at a faster rate than any other state spending category, with state corrections budgets almost tripling, increasing from $7 billion in 1986 to more than $20 billion in 1996. California built about a prison a year, every year, for the past two decades, while in the same period it added only one new university (Ambrosio and Schiraldi 1997). The chancellor of the California State University System recently noted that his state is spending about $6,000 a year per college student, compared to about $34,000 a year per prison inmate. Similar trends are noted in other states,
with the budget for Florida's department of corrections increasing $450 million between 1992 and 1994, an increase greater than Florida's university system received in the ten previous years (Ambrosio and Schiraldi, 1997). Overall, state corrections spending increased 1,200 percent between 1973 and 1993, while spending on higher education increased only 419 percent (Ambrosio and Schiraldi, 1997).

Over the past several years, criminal justice reform has come to the forefront of political issues as both the politicians and the general population realizes that America has a broken criminal justice system that needs reform. In the most recent democratic debate, several candidates stressed that America’s criminal justice system is flawed and needs improvement. For a nation that considers itself in the top tier of the world’s nations, it is shocking to see how many of our own citizens are imprisoned each year. Since 2002, the United States has had the highest incarceration rate in the world. Although prison populations are increasing elsewhere in the world, the natural rate of incarceration for countries comparable to the United States tends to stay around 100 prisoners per 100,000 population (Guerino, 2011). The U.S. rate is 500 prisoners per 100,000 residents, or about 1.6 million prisoners in 2010, according to the latest available data from the Bureau of Justice Statistics (Guerino, 2011). For one of the most advanced nations in the world, these numbers are staggering.

The passing of the Rockefeller drug laws coincided with the beginning of America’s “War on Drugs”, which was a response to the growing crime rate and drug use. The law’s supporters assumed that mandatory minimums and extremely harsh sentences would have an immediate deterrent effect. The Rockefeller laws soon became a model for other states to follow, and similar laws were enacted across the country. What resulted was one of the largest failed
criminal justice programs in American history. The arrest and imprisonment rates for drug crimes skyrocketed, putting a tremendous burden on the entire criminal justice system. The United States has less than 5 percent of the world's population, but it has almost a quarter of the world's prisoners. China, which is four times more populous than the United States, is a distant second, with 1.6 million people in prison (Liptak, 2008). The United States comes in first, too, on a more meaningful list from the prison studies center, the one ranked in order of the incarceration rates. It has 751 people in prison or jail for every 100,000 in population (Liptak, 2008).

A major problem with the laws was that despite that fact that whites were using crack cocaine and other drugs at the same amount if not more than Blacks and Hispanics, incarceration rates are significantly higher for blacks and Latinos than for whites. In 2010, black men were incarcerated at a rate of 3,074 per 100,000 residents; Latinos were incarcerated at 1,258 per 100,000, and white men were incarcerated at 459 per 100,000 ("Pettit, 2012). These laws disproportionately impacted minority communities, both financially and socially. Together, African American and Hispanics comprised 58% of all prisoners in 2008, even though African Americans and Hispanics make up approximately one quarter of the US population. If African American and Hispanics were incarcerated at the same rates of whites, today's prison and jail populations would decline by approximately 50%. Nationwide, African-Americans represent 26% of juvenile arrests, 44% of youth who are detained, 46% of the youth who are judicially waived to criminal court, and 58% of the youth admitted to state prisons (Pettit, 2012).

A large majority of the men sentenced to decades in prison under the Rockefeller drug laws are set to be released within the next few years. This will create a problem since many of
these men will have nowhere to go and have little chance of finding a job. Many social services are already overburdened, and will be most likely less inclined to help someone find a job who is over 50 as opposed to someone in their 20’s. The release of so many prisoners within the same timeframe could cause a shift in the population structure of a local community, which would have far reaching social and economic consequences. There are also those that are still in prison for the drug crimes they committed decades ago. The majority of those imprisoned under the Rockefeller laws are now older than 50, which means they are significantly more expensive to imprison. The prison has no choice but to pay for any extra medical attention that these elderly inmates might need, costing the state hundreds of thousands. It would be much easier to start a program of early release for those convicted under the harsh Rockefeller drug laws. These offenders have been in jail for decades and majorities are elderly. They can no longer be considered major threats to society and therefore continuing to imprison them at such a high cost is ludicrous.

It took decades, but eventually New York, along with other states, began changing their draconian drug laws. New York’s sentencing rules were partially reformed in 2009, contributing to the closure of nine state prisons so far (Mann, 2013). At that time, major changes included the elimination of mandatory prison sentences for some drug offenses, and the reduction of minimum sentence lengths for others. In October 2009, Article 216 of the Criminal Procedure Law (CPL) became effective, expanding judicial discretion to offer drug court alternatives to certain addicted non-violent offenders (“Drug Law Changes”, 2010). Earlier this month, the US Sentencing Commission voted to retroactively extend lighter sentencing guidelines to about 46,000 prisoners currently serving time for federal drug crimes, a move that was endorsed by the Department of Justice. Efforts to implement criminal justice and federal sentencing reforms that
would have been unthinkable just a few years ago have been gaining traction from both parties in Congress. At the state level, tight budgets have forced governors and lawmakers to ease drug laws and relax harsh incarceration policies, and to look for more cost-effective criminal justice solutions, including investing in better drug treatment and parole programs. Even in Louisiana, the world’s prison capital, Republican Governor Bobby Jindal has passed modest measures, setting up an early release program for some nonviolent drug offenders (Wyler, 2014).

Despite these changes, New York, along with the rest of the country, is still sending people away to prison at an incredibly high rate. New York has the same incarceration rate as Rwanda and there has not been a massive genocide in New York State (Wyler, 2014). The irony is that New York used to have a much higher rate of incarceration. It's actually one of the grand exceptions in the country, of a state that has been reducing its prison population. The future is not all bleak however. Criminal justice reform is a hot political topic currently, since candidates can no longer ignore the problem that we currently face. An advanced nation such as the United States should not be the global leader in incarcerating its citizens. It is important to take a step back and try and understand the true causes of crime and drug use, rather than simply incarcerating anyone that uses or sells drugs. The deterrence philosophy has had its test in the Rockefeller drug laws, and all current evidence points to its failure. It is time that the US criminal justice system embraces a new philosophy, one that does not imprison nearly half of minority youth. Researchers found that in states that have substantially reduced their prison population in recent years, like California, New York, and New Jersey, the crime rate has actually fallen faster than the national average (Mauer, 2014). New York and New Jersey led the nation by reducing their prison populations by 26% between 1999 and 2012, a period in which the nationwide state prison population rose by 10% (Mauer, 2014). While downsizing their
prisons, violent crime rates fell at a greater rate in these three states than they did nationwide. Property crime rates also decreased in New York and New Jersey more than they did nationwide; while California’s reduction was slightly lower than the national average (Mauer, 2014). Overall it is evident that the Rockefeller drug laws did not produce the expected reduction in crime. Rather, they led to mass incarcerations, which ultimately cost the state a tremendous amount, not just monetarily. Over the years they have been subject to reform, and the government must continue to adapt to the current political climate and adjust the laws accordingly.
Sources


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