



Improving the Use of Incarceration



Incarceration serves an important public safety purpose. Imposing some prison time can improve safety through incapacitation (preventing that person from committing crimes in the community) and deterrence (discouraging that person and others from committing crimes in the future). However, incarceration comes with substantial costs for individuals, families, communities, and state budgets (often approximately \$100 per person per day or more in state budget costs alone). While most correctional facilities aim to support rehabilitation through initiatives such as group therapy, drug treatment, job training, and education, many are now dangerously understaffed and overcrowded, limiting their ability to effectively deliver these programs. Policymakers can make more efficient use of incarceration by adopting policies to deliver the same or better public safety outcomes at less cost.

WHAT WE KNOW ABOUT IMPROVING THE USE OF INCARCERATION

- **Incentives:** Research shows that the opportunity to earn release through self-betterment encourages people in prison to engage with rehabilitative programs and activities and improves safety within facilities.¹
- **Truth-in-sentencing (TIS):** Policies that limit the possibility of sentence reductions and parole, such as truth-in-sentencing (TIS) laws, fail to change people's behavior or deter crime. Research shows that TIS policies instead increase prison-based infractions and recidivism.²
- **Long sentences:** Decades' worth of evidence shows people age out of crime relatively quickly, and thus the incapacitation benefits of prison sentences diminish rapidly for most people.³ Lengthy prison sentences are extremely resource-intensive and often keep people in prison long past the point that they present a threat to public safety. As such, they rarely pass a cost-benefit test. Public resources could be more effectively spent on other interventions proven to reduce crime, like hiring more police officers.⁴
- **Community-based alternatives:** Non-carceral forms of punishment can work better than prison for some people, at less cost. One option is to use electronic monitoring for early release or in lieu of short prison sentences for low-risk individuals. Studies in Australia, the UK, France, and Sweden find that electronic monitoring reduces recidivism, relative to prison, and it is also much cheaper.⁵ The federal Coronavirus Aid, Relief, and Economic Security (CARES) Act, signed into law under President Trump, expanded the use of electronic monitoring to move low-risk people to home confinement.

WHAT POLICYMAKERS SHOULD FOCUS ON

- Eliminating truth-in-sentencing policies, as these can increase prison-based violence and recidivism.
- Expanding incentives for rehabilitation during incarceration and opportunities for release consideration through mechanisms such as discretionary parole, compassionate release, elder or medical parole, and second look reforms.
- Avoiding statutorily required long sentences (such as mandatory minimum laws) and redirecting resources to cost-effective strategies to prevent crime and recidivism, such as hiring police, expanding DNA databases, and improving access to mental health care.
- Partnering with researchers to test the impact of electronic monitoring as an alternative to incarceration, either in lieu of short prison sentences or as a means of early release from prison.



ENDNOTES

- 1 Kuziemko, I. (2013). *How should inmates be released from prison? An assessment of parole versus fixed-sentence regimes*. *The Quarterly Journal of Economics*, 128(1), 371–424. <https://doi.org/10.1093/qje/qjs052>.
- 2 Macdonald, D. C. (2024). *Truth in sentencing incentives and recidivism*. *Review of Economics and Statistics*, 1–46. https://doi.org/10.1162/rest_a_01538.
- 3 Doleac, J. L. (2023). *Encouraging desistance from crime*. *Journal of Economic Literature*, 61(2), 383–427. <https://doi.org/10.1257/jel.20211536>.
- 4 Mello, S. (2019). *More COPS, less crime*. *Journal of Public Economics*, 172, 174–200. <https://doi.org/10.1016/j.jpubeco.2018.12.003>.
- 5 Australia: Williams, J., & Weatherburn, D. (2022). *Can electronic monitoring reduce reoffending?* *Review of Economics and Statistics*, 104(2), 232–245. https://doi.org/10.1162/rest_a_00954; UK: Marie, O., Moreton, K., & Gonçalves, M. (2011). *The effect of early release of prisoners on Home Detention Curfew (HDC) on recidivism* (Research Summary No. 1/11). UK Ministry of Justice. <https://assets.publishing.service.gov.uk/media/5a7cb84540f0b65b3de0abfc/effect-early-release-hdc-recidivism.pdf>; France: Hennequelle, A., Monnery, B., & Kensey, A. (2016). *Better at home than in prison? The effects of electronic monitoring on recidivism in France*. *Journal of Law and Economics*, 59(3), 629–667. <https://doi.org/10.1086/690005>; Sweden: Grenet, J., Grönqvist, H., & Niknami, S. (2024). *The effects of electronic monitoring on offenders and their families*. *Journal of Public Economics*, 230, 105051. <https://doi.org/10.1016/j.jpubeco.2023.105051>.

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