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Changing Crime Rates: Ineffective Law Enforcement Grants and the Prison Buildup

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Recently, the Federal Bureau of Investigation (FBI) reported that crime rates increased slightly in 2005 over those of 2004.¹ Another FBI report suggests that crime rates increased during the first six months of 2006, compared to the first half of 2005.² These two reports have led commentators and public officials to speculate about what factors are to blame for the rise in crime. Some have suggested that unruly youth and criminal gangs are to blame, while others say that recent budget cuts to federal law enforcement grants are responsible.³

Social scientists need time to collect and adequately analyze the recent crime data to develop explanations for the rise. Social critics, however, are not right to claim that the Bush Administration's reduction of subsidies to local law enforcement for their routine responsibilities, through such programs as the Office of Community Oriented Policing Services (COPS), is to blame. A better explanation is that the U.S. may not be relying heavily enough on criminal penalties, especially incarceration, to discourage criminal activity.

Ineffective Federal Grants Do Not Decrease Crime. Eliminating ineffective and wasteful local law enforcement grants will not cause crime rates to increase. Research by the Heritage Foundation has consistently demonstrated that COPS has done little to reduce crime.⁴ Nor has COPS placed 100,000 additional police officers on America's streets or effectively promoted the adoption of community policing.⁵ Further, grant programs like COPS that subsidize the routine operations of local

law enforcement are not the responsibility of the federal government.

Explaining Changing Crime Rates. If reduced funding for ineffective and wasteful local law enforcement grants did not cause the recent rise in crime, then what did? To understand how crime rates fluctuate, one must understand that there is no single cause that entirely explains changing crime rates. Crime rates are determined by numerous factors, including, but not limited to, demographics, socioeconomic factors, and the effectiveness of the criminal justice system. In terms of public policy, a major factor contributing to falling crime rates in recent years has been the increased use of incarceration. After controlling for socioeconomic factors that may influence crime rates, research based on trends in multiple jurisdictions over several years indicates that incarceration reduces crime significantly.⁶

The Prison Buildup Decreased Crime. Professor William Spelman of the University of Texas at Austin estimates that the drop in crime during the 1990s would have been 27 to 34 percent smaller without the prison buildup.⁷ In another study, Professor Spelman analyzed the impact of incarceration in Texas counties from 1990 to 2000.⁸ The most

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significant factor responsible for the drop in crime in Texas was the state's prison expansion.

Professor Joanna M. Shepherd of Clemson University found that truth-in-sentencing laws, which require violent felons to serve up to 85 percent of their sentences, reduced violent crime rates.⁹ These laws reduced county murder rates per 100,000 residents by 1.2 incidents. Assaults and robberies were reduced by 44.8 and 39.6 incidents per 100,000 residents, respectively. Rapes and larcenies were reduced by 4.2 and 89.5 incidents per 100,000 residents.¹⁰ Professor Steven Levitt of the University of

Chicago found that for each prisoner released from prison, there was an increase of almost 15 reported and unreported crimes per year.¹¹

Two studies by Thomas B. Marvell of Justec Research in Williamsburg, Virginia, and Carlisle E. Moody of the College of William and Mary support these findings of the effects of incarceration. In a 1994 study of 49 states' incarceration rates from 1971 to 1989, Marvell and Moody found that about 17 crimes (mainly property crimes) were averted for each additional prisoner put behind bars.¹² In a study using national data from 1930 to 1994, Mar-

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2. U.S. Department of Justice, Federal Bureau of Investigation, "Preliminary Semiannual Crime Report: January through June," December 18, 2006, www.fbi.gov/ucr/prelim06/index.html.
3. Fred Grimm, "Murder Rates Soaring, with No End in Sight," *Miami Herald*, January 9, 2007, and Kelley Beaucar Vlahos, "Critics Blame Drop in Law Enforcement Funding for Spike in Crime," *Foxnews.com*, January 9, 2007, at www.foxnews.com/story/0,2933,242454,00.html.
4. David B. Muhlhausen, "Do Community Oriented Policing Services Grants Affect Violent Crime Rates?" Heritage Foundation *Center for Data Analysis Report* No. 01-05, May 25, 2001, at www.heritage.org/Research/Crime/CDA01-05.cfm and David B. Muhlhausen, Ph.D., "Impact Evaluation of COPS Grants in Large Cities," Heritage Foundation *Center for Data Analysis Report* No. 06-03, May 26, 2006, at www.heritage.org/Research/Crime/cda06-03.cfm.
5. Gareth Davis, David B. Muhlhausen, Dexter Ingram, and Ralph Rector, "The Facts About COPS: A Performance Overview of the Community Oriented Policing Services Program," Heritage Foundation *Center for Data Analysis Report* No. CDA00-10, September 25, 2000, at www.heritage.org/library/cda/cda00-10.html; Christopher S. Koper, Jeffrey A. Roth, and Edward Maguire, "Putting 100,000 Officers on the Street: Progress as of 1998 and Preliminary Projections Through 2003," in *National Evaluation of the COPS Program: Title I of the 1994 Crime Act*, eds. Jeffrey A. Roth, Joseph F. Ryan, Stephen J. Gaffigan, Christopher S. Koper, Mark H. Moore, Janice A. Roehl, Calvin C. Johnson, Gretchen E. Moore, Ruth M. White, Michael E. Buerger, Elizabeth A. Langston, and David Thatcher (Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, National Institute of Justice, 2000), p. 163; U.S. Department of Justice, Office of Inspector General, *Special Report: Police Hiring and Redeployment Grants, Summary of Audit Findings and Recommendations*, Report No. 99-14, April 1999; Janice A. Roehl, Calvin C. Johnson, Michael E. Buerger, Stephen J. Gaffigan, Elizabeth A. Langston, and Jeffrey A. Roth, "COPS and the Nature of Policing," in *National Evaluation of the COPS Program: Title I of the 1994 Crime Act*, pp. 179-245; and Jeremy M. Wilson, *Community Policing In America*, (New York: Routledge, 2006).
6. Steven D. Levitt, "The Effect of Prison Population Size on Crime Rates: Evidence from Prison Overcrowding Litigation," *The Quarterly Journal of Economics*, May 1996, pp. 319-351; Thomas B. Marvell and Carlisle E. Moody, Jr., "Prison Population Growth and Crime Reduction," *Journal of Quantitative Criminology*, Vol. 10, No. 2 (1994), pp. 109-140; Thomas B. Marvell and Carlisle E. Moody, Jr., "The Impact of Prison Growth on Homicide," *Homicide Studies*, Vol. 1, No. 3 (1997), pp. 205-233; Joanna M. Shepherd, "Police, Prosecutors, Criminals, and Determinate Sentencing: The Truth About Truth-In-Sentencing Laws," *Journal of Law and Economics*, Vol. 45 (October 2001), pp. 509-534; William Spelman, "The Limited Importance of Prison Expansion" in *The Crime Drop in America*, eds. Alfred Blumstein and Joel Wallman, (Cambridge: Cambridge University Press, 2000), pp. 97-129; William Spelman, "Jobs or Jails?: The Crime Drop in Texas," *Journal of Policy Analysis and Management*, Vol. 24, No. 1 (2005), pp. 133-165.
7. Spelman, "The Limited Importance of Prison Expansion," pp. 123 and 125 (footnote 8).
8. Spelman, "Jobs or Jails?: The Crime Drop in Texas."
9. Shepherd, "Police, Prosecutors, Criminals, and Determinate Sentencing: The Truth About Truth-In-Sentencing Laws."
10. *Ibid.*
11. Levitt, "The Effect of Prison Population Size on Crime Rates: Evidence from Prison Overcrowding Litigation."

vell and Moody found that a 10 percent increase in the total prison population was associated with a 13 percent decrease in homicide, after controlling for socioeconomic factors.¹³

More Ex-Prisoners on the Street, More Crime. And now the prison buildup may be partially responsible for the recent increase in crime. Just as putting criminals behind bars decreases crime, releasing criminals back into society increases crime. The Department of Justice estimates that over 600,000 prisoners have been released from federal and state prison in each of the last several years.¹⁴ Former prisoners have high arrest rates after returning to society.

A Justice Department study of 272,111 state prisoners released in 1994 found that two-thirds of prisoners are rearrested within three years.¹⁵ After release, these offenders generated:

- Over 744,000 total arrests,
- 2,871 arrests for murder,
- 2,362 arrests for kidnapping,
- 2,444 arrests for rape,
- 3,151 arrests for other sexual assaults,
- 21,245 arrests for robbery, and
- 54,604 arrests for assault.¹⁶

The highest rearrest rates were for robbers (70.2 percent), burglars (74.0 percent), larcenists (74.6

percent), and motor vehicle thieves (78.8 percent).¹⁷ Prior to their re-imprisonment, these prisoners accounted for 4.1 million arrests, including 550,004 violent crime arrests.¹⁸

The high cost that released prisoners impose on society has been empirically demonstrated by Professor Steven Raphael of the University of California—Berkeley and Professor Michael A. Stoll of the University of California, Los Angeles.¹⁹ Professors Raphael and Stoll analyzed the relationship between prisoner releases and state crime rates from 1977 to 1999. Increased prisoner releases were associated with increased murder, rape, robbery, burglary, and larceny rates.

Conclusion. America faced a real problem when the prison-building and sentence-strengthening movements began—a wave of violent crime that left much of the nation gripped in fear. The situation improved in the 1990s and 2000s, but the problem has not gone away. Americans do not love prisons. But some clearly need to be in prison for the safety of the rest. As long as that is the case, authorities must do what it takes to incarcerate those people who commit serious and violent crimes.

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12. Marvell and Moody, “Prison Population Growth and Crime Reduction.”

13. Marvell and Moody, “The Impact of Prison Growth on Homicide.”

14. Paige M. Harrison and Allen J. Beck, “Prison and Jail Inmates at Midyear 2005,” *Bulletin*, Bureau of Justice Statistics, U.S. Department of Justice, Office of Justice Programs, NCJ-213133, May 2006.

15. Patrick A. Langan and David J. Levin, “Recidivism of Prisoners Released in 1994,” Bureau of Justice Statistics *Special Report*, U.S. Department of Justice, Office of Justice Programs, NCJ-193427, June 2002.

16. *Ibid.*

17. *Ibid.*

18. *Ibid.*

19. Steven Raphael and Michael A. Stoll, “The Effect of Prison Releases on Regional Crime Rates,” in *Brookings-Wharton Papers on Urban Affairs*, eds. William G. Gales and Janet Rothenberg Pack, (Washington, D.C.; Brookings Institution Press, 2004), pp. 207–243.