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New Report: Better by Half: The New York City Story of Winning Large-Scale Decarceration while Increasing Public Safety

Report Details How New York City Cut Incarceration by 50% While Becoming the Nation's Safest Large City

Includes Key Lessons for Other Cities and States to Substantially Reduce Imprisonment While Improving Public Safety

New York: New York City's sustained and dramatic reductions in incarceration and crime rates point to strategies to safely and significantly cut imprisoned populations in other cities and states, according to a new publication by Judith Greene and Vincent Schiraldi, entitled *Better by Half: The New York City Story of Winning Large-Scale Decarceration While Increasing Public Safety*. Although the city once struggled with overflowing jail populations and high rates of violent crime, **New York City cut its combined jail and prison incarceration rate by 55 percent between 1996-2014, while serious (index) crime fell by 58 percent.** By contrast, the national incarceration rate grew by 12 percent during the same time period, and was accompanied by a more modest decrease in serious crime of 42 percent. By 2014, New York City earned the distinction of having the lowest crime rate of the nation's 20 largest cities, and the second lowest jail incarceration rate. And New York State had become one of three states (along with New Jersey and California) leading the nation in terms of prison population reductions.

"Not only does the New York story show that substantial reductions in incarceration are realistic and attainable, but also that safety can be improved at the same time," said report co-author and former New York City Probation Commissioner **Vincent Schiraldi**. "While prison and jail populations grew across the nation and even within the state of New York, New York City actually made an about-face on incarceration and crime. Cities can actually be more safe with substantial decreases in incarceration, and states should follow the lead of urban reforms."

Reductions in the incarcerated population allowed entire prisons to be closed and annexes to be shuttered, saving millions of dollars and making prisons safer for staff and the people imprisoned. The New York State Department of Corrections and Community Supervision estimates that closing facilities saved the state approximately \$52 million in the two years after the enactment of legislative changes to Rockefeller Drug laws in 2009. By 2014, 13 state prison facilities had been closed and \$24 million in economic development money had been allocated to assist local communities affected by prison closures. All of the decline in New York State prison population was attributable to New York City, as the number of individuals incarcerated in the rest of New York State rose over the last two decades.

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The publication, released in the midst of a growing national discussion about ending mass incarceration, highlights New York’s reversal on incarceration and offers lessons on how other cities and states can substantially reduce incarceration while promoting safety. Notably, research suggests that New York City’s dramatic transformation was driven by vigorous advocacy and organizing campaigns calling for repealing and reversing the laws and policies that were generated during the tough on crime era and the War on Drugs. Advocates educated police officials, local and state policy makers, judges, prosecutors, corrections staff, and the general public about the effective use of more humane policies and programs. Responding to “grassroots” pressure, both state and city officials made strategic investments in a wide array of “alternative to incarceration” (ATI) programs.

New York City was able to cut its incarcerated population by half through a host of decentralized changes. The New York Police Department reduced felony drug arrests by 66 percent between 1998 and 2015. New York’s judges, prosecutors, and probation officials made less use of prison, jail, and probation, while increasing the use of pretrial release, dismissals, fines, and conditional and unconditional discharges. The number of people sentenced to probation declined by two-thirds from 1996-2014, and probation violations fell 45 percent between 2009-2013. The hard-won legislation finally passed in 2009 rolled back the impact of the Rockefeller Drug Laws, increasing judicial discretion, and use of targeted diversion efforts.

Two other states—New Jersey, and California— have joined New York in producing the nation’s largest percentage declines in prison populations. Each engaged a variety of diverse decarceration strategies such as litigation, legislative and parole reform, drug policy changes, and more. The large reductions in prison populations in all three states – as is also true with the large reduction in New York City’s jail population – have been driven by vigorous grassroots advocacy and public education efforts. They stand in marked contrast to other states where more “top-down” technocratic, elite-consensus reform approaches have produced much more limited results.

“Based on the accomplishments in states with the largest decreases in incarceration, we know that a successful decarceration recipe includes bold reform agendas, organizational moxie, and powerful public engagement,” said report co-author **Judith A. Greene**. “New York’s unprecedented reduction in reliance on incarceration has been a “bottom-up,” advocacy-driven, community-focused strategy. When these ingredients include robust and sustained advocacy, we see that it is possible and realistic to reduce reliance on incarceration by half.”

The report offers a handful of lessons from the New York experience, including:

1. **A 50 percent reduction in incarceration is a realistic goal (and advocates can help to get us there).** New York City’s experience points out that advocacy-driven decarceration efforts are more likely to seek and win audacious goals—like 50 percent reduction in incarceration—than are technocratically driven approaches.
2. **Less is more when it comes to incarceration and supervision.** During this period of sharply declining crime and incarceration in New York City, New York’s judges, prosecutors, and probation officials made less use of prison, jail, and probation, while increasing their use of pretrial release, dismissals, adjournments in contemplation of dismissal, conditional and unconditional discharges, and fines.

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"Communities across the country are working for an end to the drug war, mass incarceration, and broader systemic change," said **Lorenzo Jones**, co-executive director of the Katal Center for Health, Equity, and Justice. "This report, *Better By Half*, shows that with an informed, powerful base of directly impacted people, community organizers, and policy reformers, we can win real reform, change systems, and secure both safety and justice."

"The paper by Schiraldi and Greene shows that very large cuts in incarceration need not pose any threat to public safety," said **Bruce Western**, Faculty Chair of the Harvard Kennedy School Program in Criminal Justice Policy and Management and former Vice-Chair of the National Research Council Panel on the Causes and Consequences of High Incarceration Rates. "In fact, New York City may now be in a virtuous circle where low incarceration rates and low rates of crime are mutually reinforcing."

"We are at a critical moment in time for criminal justice of ensuring that all of us are safe, improving relations between communities of color and law enforcement and finding more ways to reduce the prison population while increasing economic opportunities for New Yorkers," said **Michael Blake**, NYS Assembly member representing the Bronx. "We congratulate Vincent Schiraldi, Judy Greene, and colleagues on their report as we determine ways to amplify best practices while also determining how people aren't incarcerated in the first place and have a smoother transition to return home."

"This report, *Better by Half*, reinforces the critically important role of advocacy and grassroots organizing in cutting incarceration by over 50 percent while reducing crime in New York City," said **Glenn E. Martin**, Founder and President of JustLeadershipUSA. "It proves that we have to be audacious in our thinking and actions to end mass incarceration, and invest in the ideas and leadership of those directly impacted in order to make big victories possible. In New York City, the next bold step is to close Rikers Island Jail Complex and invest in communities. The NYC story has inspired JustLeadershipUSA's mission, to reduce the US correctional population by half by the year 2030."

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Vincent Schiraldi is a Senior Research Fellow at the Harvard Kennedy School Program in Criminal Justice and former Probation Commissioner for New York City. **Judith A. Greene** is Executive Director of Justice Strategies.

Better by Half: The New York City Story of Winning Large-Scale Decarceration while Increasing Public Safety is published in the Federal Sentencing Reporter, Vol. 29, No. 1. You can find it at www.hks.harvard.edu/criminaljustice and www.justicestrategies.net.