

# California's three-strikes law not successful as crime deterrent, study finds

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Criminologist finds that three-strikes law fails to reduce crime.

(Phys.org)—Contrary to what police, politicians and the public believe about the effectiveness of California's three-strikes law, research by a University of California, Riverside criminologist has found that the get-tough-on-criminals policy voters approved in 1994 has done nothing to reduce the crime rate.

In a [rigorous analysis](#) of [crime](#) in California and the nation, sociology professor Robert Nash Parker determined that crime has been decreasing at about the same rate in every state for 20 years, regardless of whether three-strikes policies are in place or not.

Parker's findings appear in the paper "Why California's 'Three Strikes' Fails as Crime and Economic Policy, and What to Do," published recently in the *California Journal of Politics and Policy*. The online journal publishes cutting-edge research on national, state and local government, [electoral politics](#), and public policy formation and implementation.

California's three-strikes law imposes a minimum sentence of 25 years to life on the third felony conviction for offenders with prior serious or violent felony convictions. Approximately 23,000 individuals have been incarcerated under three strikes. Proposition 36, on the Nov. 6 ballot, would impose the life sentence only when the new felony conviction is serious or violent.

"There is not a single shred of scientific evidence, research or data to show that three strikes caused a 100 percent decline in violence in California or elsewhere in the last 20 years," Parker said, adding that the [downward trend](#) began two years before the California law was enacted.

Violent crime decreased by about the same rate in California and other three-strikes states as well as those without similar legislation, Parker found. Other researchers who have examined crime in California cities and counties since the legislation took effect have reached similar conclusions, he noted.

"Three-strikes is not driving the trend in violent crime," Parker said.

Nor is threat of a life sentence for repeat offenders a deterrent, he added, citing the work of other researchers on offender behavior which found that neither prior arrests nor prior convictions had any impact on an individual offender's perception of being caught, suggesting that three-strikes laws are not the deterrent that law enforcement officials, politicians and the public would like to believe.

If three-strikes laws do not account for the significant decline in violent crime, what does?

Alcohol consumption and unemployment, Parker believes.

Citing earlier research, analyses of 60 years of national crime data investigated alcohol consumption, unemployment, poverty, proportion of young people in the population, average earnings, welfare payments, and U.S. involvement in war as possible influences on crime.

Parker and Wisconsin researcher Randi Cartmill determined that when alcohol consumption increases, violent crime follows one or two years later, and that when alcohol consumption decreases, the crime rate drops one to two years later.

"Alcohol consumption peaked nationally in 1982 and has declined significantly and steadily ever since," Parker said. "Beer and spirits consumption are the two most consistent predictors of homicide."

Unemployment is a lesser, but influential factor, in the rise and fall of crime rates, they found.

"These findings are consistent with a growing body of research that demonstrates the important relationship between alcohol and violence in the U.S.," Parker said. "There is no justification for continuing three strikes from a violence prevention point of view. In fact, this analysis suggests that alcohol policy designed to reduce overall consumption in California may be more effective at reducing violence than three strikes and/or other criminal justice policy initiatives."

While three strikes has been ineffective in reducing the crime rate, Parker says, the law has contributed significantly to California's serious budget woes, which now also impacts county jails as inmates are

transferred from state prisons to local jurisdictions to comply with court orders to reduce overcrowding—a policy known as "realignment."

Incarcerating so many Californians has shifted state spending priorities, he points out. In 1985, spending on higher education in the state accounted for about 11 percent of the budget; prisons consumed 4 percent of state spending. By 1993, spending for each accounted for about 6 percent of the budget. By 2010, higher education spending accounted for less than 6 percent of the state budget while prison spending consumed nearly 10 percent. K-12 budgets and spending on health and welfare programs have eroded substantially since the implementation of three strikes as well.

The state spends approximately \$57,500 to house one inmate for one year, according to the California State Auditor.

Leaving three strikes intact while pursuing the policy of realignment could result in significant financial problems in the near future for both state and local governments, Parker cautioned.

"California should give up its addiction to the all-you-can-eat buffet of imprisonment, the result of which has been to undermine the financial health of the state, weaken the quality of education at all levels, and force the state to make draconian cuts in programs that enhance and benefit the lives of its residents in exchange for the mistaken idea that public safety was the result," Parker concluded. "The bottom-line result of three strikes has been an almost unbearable financial burden that looms in the future despite current efforts, and which will only be resolved when the pipeline of over-punishment is finally shut down."

Provided by University of California - Riverside

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