

Punitive sentencing led to higher incarceration rates throughout adulthood for certain birth cohorts in North Carolina

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Although U.S. crime rates have dropped significantly since the mid-1990s, rates of incarceration peaked in 2008, and still remain high. The standard explanation for this pattern is that all people exposed to the criminal justice system today are treated more harshly than before. A new study using 45 years of incarceration data from North Carolina suggests an alternative explanation: this pattern is driven by the prolonged involvement in the criminal justice system by members of Generation X, who came of age during the 1980s and early 1990s.

The study, by researchers at the University at Albany SUNY, RAND Corporation, and the University of Pennsylvania, appears in *Criminology*, a publication of the American Society of Criminology.

"Birth cohorts who were [young adults](#) during the crime and punishment boom that occurred in the 1980s and 1990s have higher rates of incarceration throughout their lives, even after the crime-punishment wave ended," explains Shawn Bushway, a senior policy researcher at the RAND Corporation on leave from the University at Albany, who coauthored the study. "We believe that this occurs because these individuals accumulated an extended [criminal history](#) under a determinate sentencing regime—implemented in 1994 and still in effect today—that systematically increases punishment for individuals with prior convictions."

When members of this [generation](#) were convicted again in their 30's and 40's, they were much more likely to receive a [prison sentence](#) because of their prior records. One additional consequence is that the median age of people in prison has increased substantially during this time period, even for newly admitted prisoners.

The study examined individual-level data from public administrative records in North Carolina from 1972 to 2016, which included the sentencing and corrections records of 450,000 current and former state prison inmates, probationers, and parolees. The study found that the crime-punishment wave of the late 1980s and early 1990s increased rates of incarceration for all age groups during this time period. However, this shock was particularly big for Generation X who were in their peak crime years. This short-term shock became a long-term effect for Generation X, who faced increased levels of incarceration when they were convicted at later ages, because of their longer prior records. These effects existed for both Black people and White people, despite disproportionate increases in incarceration rates among Black people in the 1980s and 1990s.

"The criminal justice policies when an individual came of age as well as criminal behavior itself played a role in determining levels of criminal justice involvement in young adulthood, which generated further disadvantages in one's interaction with the [criminal justice system](#) later in life," notes Yinzhi Shen, Ph.D. candidate at the University at Albany SUNY, who is the lead author on the study. "Policies to reduce the number of people imprisoned should pay attention to the ways in which current policies weigh prior criminal involvement."

Birth cohorts who are now in their peak years of criminal involvement—Generation Z/Zoomers—have dramatically lower incarceration rates than members of Generation X. In fact, their rates of incarceration resemble those of people who came of age in the early

1970's. These low rates of involvement should continue as they age into their late 20's and 30's, and aggregate [incarceration](#) rates should begin to drop even faster as Generation X exits the prison system, even without additional policy changes.

Among the study's limitations, the authors acknowledge, are that the researchers were unable to investigate the behavioral mechanisms behind the differences in cohorts. In addition, United States does not operate under a single criminal justice system, more study is needed to determine whether similar patterns exist in other states.

More information: Yinzhi Shen et al, Locking up my generation: Cohort differences in prison spells over the life course, *Criminology* (2020). [DOI: 10.1111/1745-9125.12256](https://doi.org/10.1111/1745-9125.12256)

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