



# Long Sentences Drive Oklahoma's High Imprisonment Rate

## Background

While Oklahoma has passed significant criminal justice reforms in recent years, the state remains the top imprisoning state in the nation and its prison population is only projected to grow. Oklahoma's prison population is expected to increase 14 percent by 2028 to top 31,000 people, furthering its status as America's top incarcerating state.

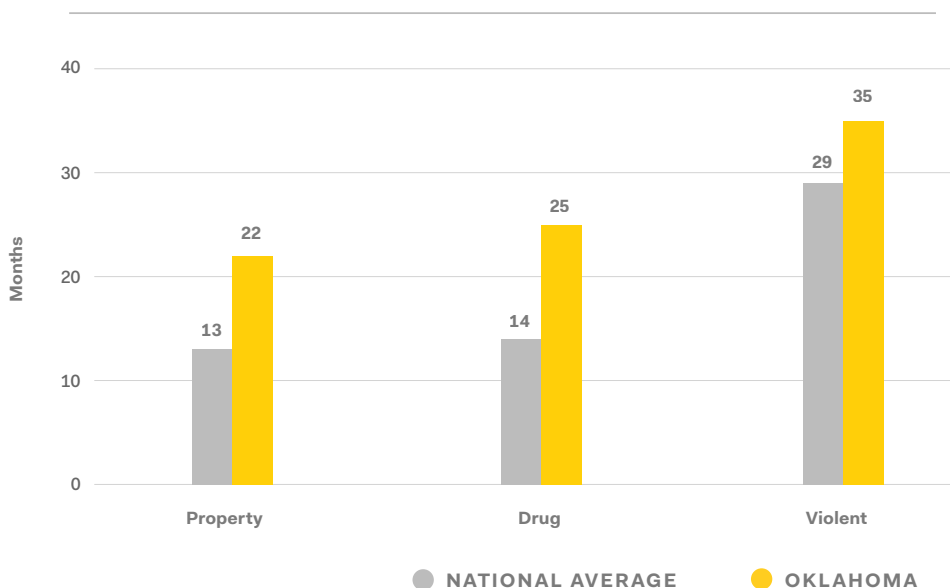
## Long Sentences for Low-Level Crimes

A key factor in Oklahoma's rising prison population is the unusually long sentences handed down for low-level crimes. Despite research showing long sentences are ineffective as a crime control measure, people sent to prison in Oklahoma spend long periods behind bars, particularly for non-violent crimes. In Oklahoma, individuals serve, on average, nearly 70 percent longer for property crimes and 79 percent longer for drug crimes than the national average compared to only 20 percent longer for violent crimes.<sup>1</sup>

Figure 1

### PEOPLE IN OKLAHOMA STAY IN PRISON FAR LONGER THAN THE NATIONAL AVERAGE FOR DRUG AND PROPERTY CRIMES

Median Length of Stay, Oklahoma Department of Corrections, FY 2018 vs National Average, 2016



This is particularly true for non-violent property crimes. Oklahomans, for example, spend 92 percent longer in prison for motor vehicle theft than the national average, or an additional 11 months, and 118 percent, or more than a year, longer for fraud. Research has shown these extra weeks and months in prison have little or no effect on recidivism when people come home.<sup>2</sup> At the same time, these long terms place emotional and financial burdens on the families of those incarcerated. For children in particular, having a parent incarcerated has been shown to cause emotional stress and financial hardship, which leads to a wide range of problems and may limit their future success.<sup>3</sup>

Oklahoma's disproportionate sentencing practices extend to low-level commercial drug crimes. In Oklahoma, individuals spend nearly 60 percent longer in prison for drug distribution or possession with intent to distribute than the national average for drug trafficking, or at least 10 months more.<sup>4</sup>

Research shows that locking people up for long sentences for distribution crimes does not reduce drug use or the availability of drugs in the community. Most people sent to prison for distribution charges are easily replaced in drug markets, and many are users themselves who sell to support their own addiction.<sup>5</sup>

***As Oklahoma state legislators look to build on past criminal justice reforms, unnecessarily long prison sentences are an important place to start.***

Figure 2

**OKLAHOMANS CONVICTED OF COMMON PROPERTY CRIMES SPEND NEARLY 100 PERCENT LONGER IN PRISON THAN THE NATIONAL AVERAGE**

Median Length of Stay, Oklahoma Department of Corrections, FY 2018 vs National Average

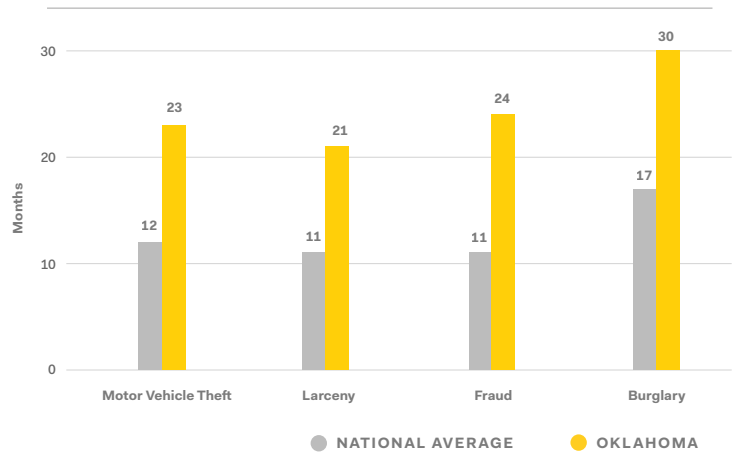
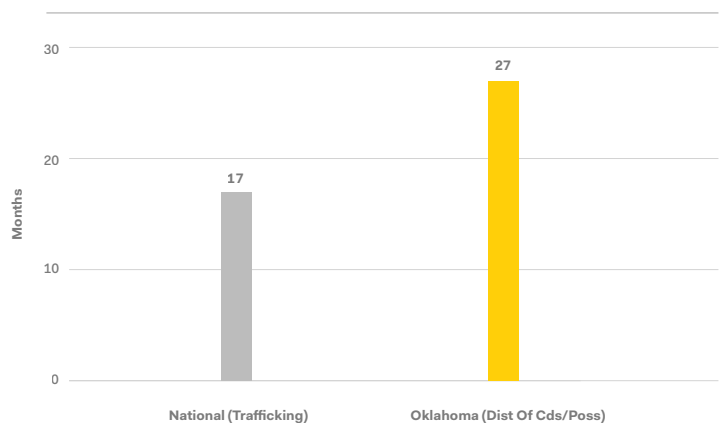


Figure 3

**FOR DISTRIBUTION OF CONTROLLED SUBSTANCE CRIMES, PEOPLE IN OKLAHOMA SPEND ALMOST 60 PERCENT LONGER IN PRISON THAN THE NATIONAL AVERAGE**

Median Length of Stay, Oklahoma Department of Corrections, FY 2018 vs National Average, 2018



**FWD.us** is a bipartisan political organization that believes America's families, communities, and economy thrive when more individuals are able to achieve their full potential. For too long, our broken immigration and criminal justice systems have locked too many people out of the American dream. Founded by leaders in the technology and business communities, FWD.us seeks to grow and galvanize political support to break through partisan gridlock and achieve meaningful reforms.

**Oklahomans for Criminal Justice Reform** advances safety, restoration and freedom in Oklahoma. We are a coalition of business and community leaders, law enforcement experts, service providers and advocates committed to justice reforms that improve public safety by reducing Oklahoma's bloated prison population, saving taxpayer dollars, reinvesting in alternatives, and keeping families together.

1. Unless otherwise noted, all Oklahoma prison figures cited in this report use data from the Oklahoma Department of Correction; and the Bureau of Justice Statistics, Time Served in State Prison, 2016, (2018), <https://www.bjs.gov/content/pub/pdf/tssp16.pdf>.

2. Jennifer L. Doleac, "Strategies to Productively Reincorporate the Formerly-Incarcerated into Communities: A Review of the Literature" (June 2018), [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3198112](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3198112); National Research Council; Growth of Incarceration in the United States: Exploring Causes and Consequences (Washington, D.C.: 2014), <https://www.nap.edu/catalog/18613/the-growth-of-incarceration-in-the-united-states-exploring-causes>.

3. FWD.us and Cornell University, Every Second: The Impact of the Incarceration Crisis on America's Families, 2018, <https://everysecond.fwd.us/downloads/EverySecond.fwd.us.pdf>.

4. Figure 3 compares the length of sentence for Oklahoma's possession with intent to distribute and distribution offenses with the national median sentence length for drug trafficking, a category that includes, but is not limited to, possession with intent to distribute.

5. The Pew Charitable Trusts, More Imprisonment Does Not Reduce State Drug Problems (Washington, D.C.: March 2018) [http://www.pewtrusts.org/-/media/assets/2018/03/pspp\\_more\\_imprisonment\\_does\\_not\\_reduce\\_state\\_drug\\_problems.pdf](http://www.pewtrusts.org/-/media/assets/2018/03/pspp_more_imprisonment_does_not_reduce_state_drug_problems.pdf).