

NO COUNTRY FOR OLD MEN

An Economic Analysis of Incarcerating the Elderly

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PRISON SENTENCES HAVE LONG BEEN A SOURCE OF CONTENTION AMONGST POLICYMAKERS AND THE GENERAL PUBLIC. THIS PAPER EXAMINES THE MULTIFOLD ISSUES OF ELDERLY INCARCERATION ON A FISCAL, POLITICAL, AND SOCIAL LEVEL. THE AUTHOR CONDUCTS A COMPREHENSIVE COST-BENEFIT ANALYSIS, TAKING INTO CONSIDERATION ARGUMENTS BOTH FOR AND AGAINST ELDERLY INCARCERATION. GIVEN THE DISPROPORTIONATELY HIGH ECONOMIC AND OPPORTUNITY COSTS OF ELDERLY INCARCERATION AS OPPOSED TO GENERAL INCARCERATION, THE AUTHOR ARGUES THAT POLICY REVISIONS SHOULD ENSUE TO ALLOW FOR EARLY RELEASE PROGRAMS AS WELL AS MORE TRANSPARENT PAROLE PRACTICES. ELDERLY INCARCERATION IS A DERIVATIVE OF THE PROBLEM OF MASS INCARCERATION. ALTHOUGH THE TOPIC HAS GOTTEN MORE ATTENTION IN RECENT YEARS, THE GRAVITY OF THE PROBLEM IS OFTEN OVERLOOKED OR UNBEKNOWNST TO THE GENERAL PUBLIC.

BACKGROUND

The United States is widely recognized as “the land of the free, home of the brave,” but are we really the land that we say we are? What many may not recognize is that the US incarcerates a greater percentage of our population than any other nation in the world — with just 5% of the global population, we incarcerate one quarter of the total global prison population,¹ and our booming prison populations are not dwindling any time soon. In fact, overall incarceration rates have increased fivefold between 1975 and 2005.² Figure 1 demonstrates the drastic increase in prison populations on a federal level. The US is struggling to deal with this rapidly growing prison population, and incarceration is consuming a growing percentage of both federal and state budgets. Collectively, the national government spends roughly \$77 billion each year to run our penal system, while state spending on corrections has grown 674% over the last 25 years.³ The issue of mass incarceration has called into question some of our current incarceration policies, specifically, the controversial issue of whether it is sensible to keep elderly populations that pose little threat to society behind bars. The question of incarcerating the elderly tests has become a contentious issue, testing the boundary between cost effectiveness and legal stringency in our justice system.

As the general inmate population continues to skyrocket, the growth rate in the number of inmates that can be categorized as elderly has increased at a disproportionately rapid rate. Figure 2 below⁴ demonstrates the growth rate in the number of prisoners aged 50 and older, in comparison with to a general prison population growth rate of roughly 40% in the US (and an average of 34% in the Southern states). The rising population of incarcerated people

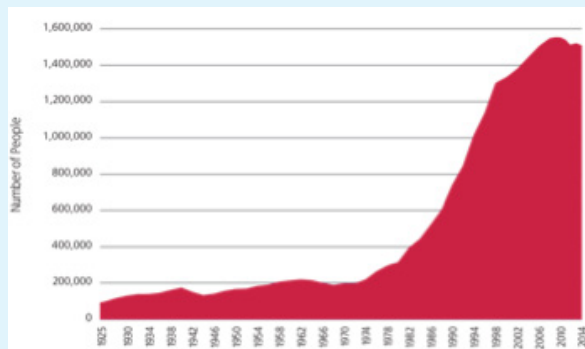


FIGURE 1: US AND STATE FEDERAL PRISON POPULATION, 1925-2014 (COURTESY OF BUREAU OF JUSTICE STATISTIC)

age 50 and older has resulted in a noticeable presence, comprising over 17% of the total prison population.⁵ It is also important to note that this growth rate does not lessen when tighter parameters are imposed; according to a study done by Harrison & Beck, the inmate population over the age of 55 nearly doubled in size between 1995 and 2003.⁶ The economic burden of caring for this ever-growing elderly inmate population has sparked petitions for changes in public policy, namely, the implementation of early release programs. In examining the economic and social implications of such a public policy adjustment, it is important to examine all the conceivable effects and externalities, including the monetary costs of incarcerating the elderly, the likelihood of recidivism or repeated crime, the moral implications of early release versus sustained imprisonment, and the tangible and intangible costs of crime to society.

There are a variety of reasons for the booming elderly prison populations that the United States faces. The “tough on crime” mentality coupled with the “war on drugs” policies of the 1980s and 1990s resulted in stricter incarceration policies, such as the “three strikes you’re out” rule, sentencing many to a life behind bars. These reforms were largely successful, and crime plunged as more criminals were removed from society. According to *WSJ* author Jason Riley, the 1990s saw declines of between 23% and 44% for homicide, rape, robbery-aggravated assault, burglary, auto theft, and larceny. However, as

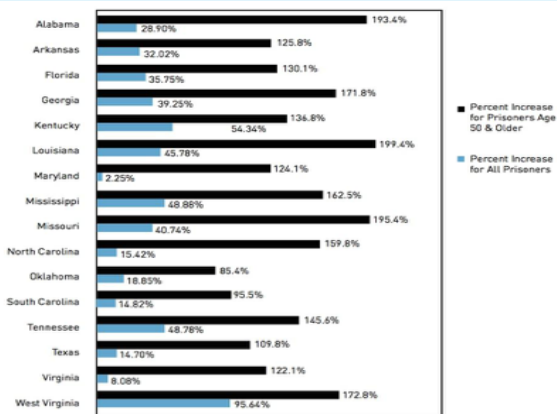


FIGURE 2: GROWTH OF PRISONERS IN SOUTHERN STATES BY AGE (1997-2006). TOP: PERCENT INCREASE FOR PRISONERS AGE 50 & OLDER; BOTTOM: PERCENT INCREASE FOR ALL PRISONERS (COURTESY OF THE US DEPARTMENT OF JUSTICE)

criminals were swept off the street, it was penal systems of the United States that absorbed the blow.⁷

Additionally, the creation of mandatory minimum sentencing guidelines resulted in thousands of prolonged and uncompromising sentences. These umbrella sentences were primarily implemented for drug offenses, although Congress has enacted them for a variety of other reasons such as economic and arms-related offenses. Mandatory minimum sentences have undermined the ability of judges to fit the punishment to the circumstances of the crime and the offender, resulting in overcrowding and longer sentences. Specifically, the number of prisoners serving life sentences has steadily increased over the last few decades, as shown Figure 3.

Just as the first wave of baby boomers born in 1946 (now approaching 70 years of age) once crowded public institutions such as school systems, they continue to present fiscal and overcrowding problems for prisons. According to the American Civil Liberties Union, the tally of prisoners age 55 or older throughout the country has reached approximately 125,000. This number has grown precipitously, as there were fewer than 8,900 prisoners age 55 and older in 1981. By 2030, estimates predict this elderly prison population to increase to over 400,000, a 4,400% increase over a mere 50 year timespan.⁸

In this paper, I will outline the high economic and opportunity costs of incarceration for the elderly as well as the roots of these high costs. I will then outline the low risks of recidivism for elderly ex-convict populations and compare this to the perceived societal costs of crime, taking into account a variety of tangible and intangible factors. Next, I will consider some of the ethical arguments, incorporating an analysis of some of the current parole practices. Lastly, I will conclude with an examination into some of the recent policy revisions in light of the discussed issues, and culminate my research with personal insight into potentially beneficial revisionary practices.

HIGH COSTS OF INCARCERATION

While incarceration is expensive in itself, incarceration of the elderly is disproportionately so. The cost of incarcerating someone aged 50 or older is two to five times the cost of incarcerating someone 49 and younger.⁹ A study from the National Institute of Corrections estimated that the United States spends a minimum of \$16 billion annually on incarcerating the upwards of 250,000 inmates

age 50 and older.¹⁰ This lofty price tag exceeds the majority of other federal expenditures by category, including that of the Federal Department of Education.¹¹

According to a report by the American Civil Liberties Union (ii), it costs an average of \$34,135 annually to house the average prisoner, compared to an average of \$68,270 to house a prisoner age 50 or older. One of the main reasons for such a difference in cost is the prevalence of medical ailments amongst the elderly population, which is only exacerbated by the often stressful and unpleasant prison environment. Such high levels of stress can lead to a variety of negative physiological reactions, including nervousness, anxiety and hypertension.¹² According to one study, in 1997, age was directly related to the percentage of all state prisoners who reported any type of medical condition. Whereas only 24% of prisoners age 24 and younger reported a medical ailment, that number rose to 48% in prisoners age 45 and older.¹³ The lack of personnel with extensive medical knowledge staffed in these prisons often exacerbates these ailments which could otherwise have been easily treated with specialized care. Although incarceration facilities could hire personnel trained in geriatric care, it is unlikely that they would be able to do so without simultaneously having to increase wages. Because disease and illness (Alzheimer's, diabetes, heart conditions, etc.) runs rampant in elderly communities, many prisons have no choice but to send these elderly inmates to receive off-site treatment on account of the lack of adequate care at the prisons, adding an array of expenses including transportation, specialized treatment, and staff supervision costs.

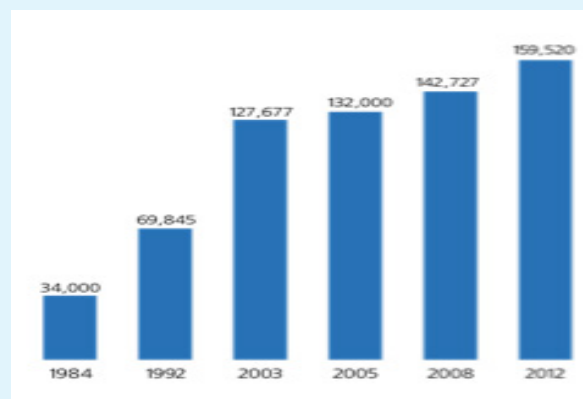


FIGURE 3: NUMBER OF PEOPLE SERVING LIFE SENTENCES, 1984-2012. (COURTESY OF THE SENTENCING PROJECT)

Perhaps one of the largest costs incurred by prison facilities in caring for these ill inmates is the rapidly increasing price of drugs and medication. In their *WSJ* article, Loftus and Fields outline the pressing issue of the hyper-expensive Hepatitis C medications. According to their survey of the Department of Corrections in 50 states, only 34 states had data a total of over 100,000 inmates with the condition. Treating Hepatitis C costs thousands of dollars per patient, and with such a large prison population with this ailment, costs for prisons run very high. As a result, most prisons have implemented a rationing system, in which only the sickest populations receive the treatment. According to the same survey from the Department of Corrections, only 3.4% of inmates received treatment with a new, more than 90% effective drug for Hepatitis C. The treatment can range from \$54,000-\$94,000 per person for the typical 12 week course of treatment. . Consequently, the cost for treating even the most ill prisoners is incredibly high; if only 10% of the 100,000 inmates with the condition received treatment, it would still cost prisons, at minimum, \$540,000,000.¹⁴

Despite the arguments that early release of these elderly inmates would slash the costs incurred by our nation's penal systems, many argue that implementing such early release programs would merely deduct from one expense and add to another. That is, many propose that such elderly populations who have ostensibly been out of the workforce for quite some time will have little savings or income to rely on, and consequently will turn to federal aid programs such as Medicaid and subsidized housing. However, a report from the ACLU estimates from a statistical analysis of current data that each elderly prisoner released will save states more than \$66,000 per year, including in their analysis healthcare, parole, and other public benefits.¹⁵ Part of their reasoning is based upon the statistic that anywhere from 63% to 88% of elderly released prisoners live with a family member or friend, thereby reducing their need for government assistance and lessening the economic burden on the government.¹⁶ It is likely, however, that those inmates who do not have family or friends to rely on will turn to the government for aid.

OPPORTUNITY COST OF INCARCERATION

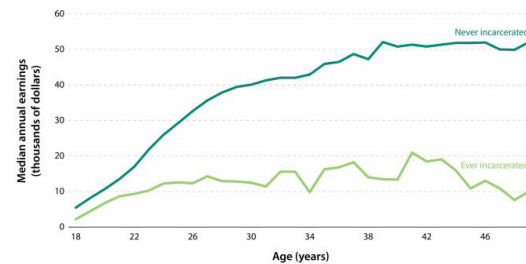
Opportunity cost is a key principle of economics, and it would be remiss not to incorporate this perhaps non-obvious consideration into the analysis. When civilians are incarcerated for years and decades at a time, they

are withdrawn from society; any skills, talents, and working productivity that they could have contributed to the workforce, had they not been incarcerated, are void. Consequently, there is an inherent opportunity cost when potential labor force contributors are removed from society and locked behind bars.

However, the opportunity costs of incarceration are not only relevant to society, but also pertinent to the individual incarcerated person as well. For incarcerated individuals, the years spent behind bars represent thousands of dollars not only in lost earnings, but also lost future earning potential. By age 45, individuals who have not been incarcerated are expected to make \$41,000 more on an annual basis than individuals who have been incarcerated at some point in their lives. The discrepancy in earnings only widens as individuals age, as demonstrated in the Figure 4. The loss in earnings as a result of being incarcerated can be attributed to a variety of factors. According to the Bureau of Labor Statistics, those who have never been incarcerated obtain on average 2.3 more years of education than those who have. Additionally, the opportunity cost of missed work experience as well as the gravity of a criminal history severely impacts the ability of ex-convicts to obtain a job. According to a recent study amongst black job candidates, only 5% of applicants with a criminal record were called back for an interview, as opposed to 14% with no criminal record. Amongst white candidates, 17% of applicants with a criminal record were called back, whereas 34% with no criminal record were called back, also highlighting the inequitable impact that race has on employment.¹⁷

Median Annual Earnings by Age, Ever Incarcerated versus Never Incarcerated

By age 45 individuals who have never been incarcerated can expect to make \$41,000 more annually than individuals who have been incarcerated at some point during their lives.



Source: BLS n.d.; authors' calculations.
Note: Sample restricted to men between ages 18 and 49.

FIGURE 4: MEDIAN ANNUAL EARNINGS FOR THOSE INCARCERATED VS THOSE NOT INCARCERATED (COURTESY OF THE HAMILTON PROJECT)

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RISK OF RECIDIVISM AND OVERALL SOCIETAL COSTS AND EFFECTS

Perhaps one of the principal sources of contention amongst the public is the fear that these aging inmates will commit crimes upon release. However, statistical analysis illustrates the drastic drop-off in crime rates as former offenders age. In his study, Samuel Roberts says that only 6.4% of inmates released at age 50 or over returned to prison with new convictions – this number drops even lower to 4% for those released at age 65 or older.¹⁸ Additionally, many of these recidivisms stem from marginal missteps, such as missing meetings with a parole officer, as parole officers have discretion over the punishment received and may choose to turn the case over to a judge for review. This number is exceedingly low compared to a recidivism rate of 40-60% amongst the general prison population.¹⁹

Furthermore, the elderly pose little risk for disruptive behavior amongst inmate populations. The following table demonstrates the significantly lower instances of disruptive behavior among elderly inmates as opposed to various other categories of inmates.²⁰ Although this elderly population has the lowest likelihood of exhibiting destructive behavior (to themselves or to others), this group is at a high risk for victimization within prison systems, second only to inmates with mental illnesses.

Despite this empirical evidence, many deem the costs of crime too great to risk repeat offenses, thus deeming it more beneficial to fund the government’s incarceration efforts through their taxpayer dollars. The over 23 million criminal offenses that were committed in 2007 in the US resulted in nearly \$15 billion in tangible economic losses to the victims, plus an additional \$179 billion in government expenditures for corrections, police protection, and judicial and legal activities, funded by taxpayer dollars.²¹

Indeed, there are many direct and indirect costs associated with crime. Direct costs include victim costs, opportunity

costs of lost earning potential and overall contribution to the economy, and criminal justice system costs, which have been previously outlined. There are also indirect costs, or intangible costs. Such intangible costs accounted for in the data below include indirect losses suffered by the victims, such as pain and suffering, psychological distress, as well as decreased quality of life. Although tangible costs (i.e. direct economic expenses incurred by victims) may be more straightforward to calculate, McCollister (et al.) describes a methodology he uses to calculate the intangible, or indirect, costs of crimes, known as the compensation method. This method uses jury award data from personal injury trials to measure the corresponding dollar value of pain, suffering, and psychological distress that may be incurred by the victim of a criminal offense. Essentially, the intangible costs are calculated by subtracting the victim’s direct economic loss (medical expenses, lost earnings, etc.) from the jury’s total award. Multivariate regression models are then used to predict the proportion of these costs that can be attributed to pain and suffering in a jury award. Figure 5 depicts the exorbitantly high costs of various offenses, taking into consideration both tangible and intangible costs to victims

Many critics of early release policies argue that prison can reduce the cost of crime to society in more ways than just keeping criminals off the streets. Leading criminologists argue that prison, a severe repercussion for committing crimes, creates a general deterrence that keeps some people from committing crimes that otherwise might have. Criminologists also refer to a concept known as specific deterrence, in which the experience of prison makes previous offenders want to avoid recidivism at all costs, and thus refrain from engaging in crimes.

The high societal costs associated with crimes as well as strong moral objections to releasing criminals early on account of sympathy, fiscal constraints, or overcrowding has sparked controversy and social unrest in many communities. Various states (including Michigan, Colorado, Illinois, and California) have attempted to

reduce their prison populations through enacting early release programs, and have been welcomed by a wave of resistance. Many of these programs have been met with backlash, forcing some states to reduce or even suspend their programs. For example, in California, a non-profit group entitled “Crime Victims United of California” (often referred to as CVUC) went so far so as to sue the state on account of their early release law (Senate Bill X3 18), which they claim violates California’s Victim’s Bill of Rights Act. Specifically, the advocate group contends that SBX3 18 undermines their right “to prevent the early release of felons,” which appears in the California constitution, and violates the clause that prohibits the legislature from releasing prisoners early on account of overcrowding and fiscal problems – which are ostensibly the impetuses behind the early release program.

Despite this opposition, changes in policy have occurred on a national level. For example, President Obama released hundreds of inmates and pressed for less austere sentencing guidelines. As of October 2016, Obama had individually commuted the sentences of nearly 800 federal inmates, which is more than the previous 11 presidents combined.²² Obama expressed his negative view on the issue of mass incarceration, stating in a 2015 address, “Our nation is being robbed of men and women who could be workers and taxpayers, could be more actively involved in their children’s lives, could be role models, could be com-

Type of Offense	Tangible Cost	Intangible Cost	Total Cost ^a
Murder	\$1,285,146	\$8,442,000	\$8,982,907
Rape/Sexual Assault	\$41,252	\$199,642	\$240,776
Aggravated Assault	\$19,472	\$95,023	\$107,020
Robbery	\$21,373	\$22,575	\$42,310
Arson	\$16,429	\$5,133	\$21,103
Motor Vehicle Theft	\$10,534	\$262	\$10,772
Stolen Property	\$7,974	N/A	\$7,974
Household Burglary	\$6,169	\$321	\$6,462
Embezzlement	\$5,480	N/A	\$5,480
Forgery and Counterfeiting	\$5,265	N/A	\$5,265
Fraud	\$5,032	N/A	\$5,032
Vandalism	\$4,860	N/A	\$4,860
Larceny/Theft	\$3,523	\$10	\$3,532

FIGURE 5: TOTAL (TANGIBLE PLUS INTANGIBLE) PER OFFENSE COST FOR DIFFERENT CRIMES IN 2008 DOLLARS. (COURTESY OF MCCOLLISTER ET AL.)

munity leaders.” Additionally, in April 2014, the United States Sentencing Commission voted unanimously to reduce the penalties for many nonviolent drug crimes, also adding that these guidelines could be applied retroactively to many inmates serving long drug sentences. These new guidelines allow prisoners to ask federal judges to reassess their sentences. An analysis of their behavior in prison as well as their likelihood to act out violently if released are all factors that are assessed before any inmate is deemed eligible for early release. According to the United States Sentencing Commission, this amendment will reduce penalties by an average of 11 months for 70% of drug trafficking offenders. Additionally, over 40,000 incarcerated offenders could be eligible to retroactively reduce their sentences by an average of 25 months.²³

Furthermore, action has been taken on a federal level against mandatory minimum sentences. The Justice Department has ordered prosecutors to refrain from charging low-level, nonviolent drug offenders without connection to gangs or drug organizations with offenses carrying severe mandatory minimum sentences.²⁴ Such policy revisions have been implemented with the hope of curtailing the pervasiveness of chronic incarceration as well as decreasing the number of elderly that are incarcerated.

ETHICAL CONSIDERATIONS

These policy revisions have been sparked for more than just fiscal reasons, however. Many claim that while it makes little sense economically to keep elderly populations in prison, it is also unethical to keep them behind bars for a crime that they committed decades ago. The executive director of the Correctional Association of New York comments on this very notion, saying, “The continued imprisonment of a group of people who have significantly aged out of crime, who pose little public safety risk and could in fact contribute to our communities, expresses clearly the revenge principle. It tells us that for some people - especially people of color - growth and change do not entitle you to a second chance.” Some criticize our nation’s federal prison system as a punishment paradigm of sorts, which “criminalizes social vulnerability such as poverty and mental illness, and tells people that despite your best efforts at making amends, you are no better than your very worst moment.”²⁵

Additionally, the fact that many inmates are denied parole with no explanation adds to the moral culpability of this

“Even inmates with exemplary behavior in prison who wait years for the opportunity to be granted parole can be denied—and with no transparency into the board’s decision making, they are never given a reason.”

seemingly retributive system. Currently, more than 10% of inmates are serving a life sentence, and thus have little to no hope of ever reintegrating into the outside world.²⁶ However, it is not just inmates serving life sentences who are being denied parole. Even inmates with exemplary behavior in prison who wait years for the opportunity to be granted parole can be denied — and with no transparency into the board’s decision making, they are never given a reason. According to a recent report, the average daily cost of a former prisoner on parole is only about \$750, yet thousands of inmates are being turned away from early release despite faultless behavior in prison.²⁷ According to the Correctional Association of New York, only 20% of people who appear before the Parole Board for a general assessment of eligibility for parole are released from prison, despite having served the minimum sentence for their respective crimes. In New York alone, over 10,000 inmates are denied parole each year.²⁸

CURRENT POLICY REVISIONS & CONCLUSION

Despite the policy changes that have begun to unfold in various parts of the country, the United States as a nation is far from reaching a solution to the problem of elderly incarceration. For example, the Attorneys General’s “Smart on Crime” initiative, which strives to release eligible inmates early, has largely proved too restrictive to affect any type of noteworthy change in early release policy. The Department imposed strict eligibility requirements (which included that inmates be age 65 or older), leading to only a handful of inmates being granted early release. Even with the advent of some of these early release programs, there are thousands of elderly inmates with no hopes of seeing freedom in the limited time on earth that they have left. Although the risk of repeated crime and recidivism plummets as individuals age, the relative cost of incarcerating them skyrockets, as age-related expenses accrue. Consequently, a simple cost-benefit analysis demonstrates that as inmates age, incarceration becomes more and more costly and less and less beneficial.

Looking beyond the emotional aspects of the issue, the empirical evidence shows that by releasing some of these elderly inmates who pose little threat to society, both state and federal government could save billions on their prison expenditures. Rather than funneling money into a system that favors retribution over restoration, the United States has the power to redirect taxpayer dollars into efforts that are capable of affecting positive change in our society — rather than ‘teaching a lesson’ to an inmate who committed a petty crime fifty years ago and was caught in the tough on crime environment of the ‘80s.

It is almost guaranteed that policymakers will face criticism whether or not they choose to implement early release programs. Crime is undoubtedly a sensitive topic amongst the general public, and society is risk averse. However, when continued imprisonment means billions of taxpayer dollars directed towards elderly inmates with a low likelihood of repeat crime, more harm than good is created. Although incarceration facilities should not release inmates solely based on their age, policymakers can create successful early release programs centered on an analysis of the individual offender to create a more equitable and economically efficient world.

ENDNOTES

1. William Center for Justice at Columbia University, *Aging in Prison: Reducing Elder Incarceration and Promoting Public Safety*, ed. Samuel K. Roberts, November 2015, http://centerforjustice.columbia.edu/files/2015/10/AgingInPrison_FINAL_web.pdf, X.
2. Robynn Kuhlmann and Rick Ruddell, "Elderly Jail Inmates: Problems, Prevalance, and Public Health," *Californian Journal of Health Promotion* 3 (2005): 49-60.
3. American Civil Liberties Union, *At America's Expense: The Mass Incarceration of the Elderly*. June 2012, https://www.aclu.org/files/assets/elderlyprisonreport_20120613_1.pdf, ii.
4. *Ibid.*, 6.
5. Center for Justice, *Aging in Prison*, VIII.
6. Kuhlmann and Ruddell, "Elderly Jail Inmates," 49-60.
7. Jason L. Riley, "The High Cost of Letting Criminals Go," *The Wall Street Journal*, July 21, 2015, <http://www.wsj.com/articles/the-high-cost-of-letting-criminals-go-1437523819>.
8. ACLU, i.
9. Center for Justice, *Aging in Prison*, IX.
10. ACLU, 28.
11. Center for Justice, *Aging in Prison*, XV.
12. Kuhlmann and Ruddell, "Elderly Jail Inmates," 52.
13. ACLU, 28.
14. Gary Fields and Peter Loftus, "High Cost of New Hepatitis C Drugs Strains Prison Budgets, Locks Many Out of Cure," *The Wall Street Journal*, September 13, 2016, <https://www.wsj.com/articles/high-cost-of-new-hepatitis-c-drugs-strains-prison-budgets-locks-many-out-of-cure-1473701644>.
15. ACLU, ii.
16. *Ibid.*, vii.
17. Diane Whitmore Schazenbach et al., "Twelve Facts about Incarceration and Prisoner Reentry," *The Hamilton Project*, October 2016, 11-12.
18. Center for Justice, *Aging in Prison*, IX.
19. *Ibid.*, 8.
20. Kuhlmann and Ruddell, "Elderly Jail Inmates," 56.
21. Kathryn E. McCollister, Michael T. French, and Hai Fang, "The Cost of Crime to Society: New Crime-Specific Estimates for Policy and Program Evaluation," *Drug and Alcohol Dependence* 108 (2010): 98-109, doi: 10.1016/j.drugalcdep.2009.12.002.
22. Sari Horwitz, "President Obama just commuted sentences of more than 100 people. Here are their names," *The Washington Post*, October 6, 2016, https://www.washingtonpost.com/news/post-nation/wp/2016/10/06/president-obama-just-commuted-the-sentences-of-more-than-100-people-here-are-their-names/?utm_term=.ca14928101a.
23. "Materials on 2014 Drug Guidelines Amendment," United States Sentencing Commission, 2014, <http://www.ussc.gov/policymaking/amendments/materials-2014-drug-guidelines-amendment>.
24. Sari Horwitz, "Justice Department set to free 6,000 prisoners, largest one-time release," *The Washington Post*, October 6, 2015, https://www.washingtonpost.com/world/national-security/justice-department-about-to-free-6000-prisoners-largest-one-time-release/2015/10/06/961f4c9a-6ba2-11e5-aa5b-f78a98956699_story.html.
25. Center for Justice, *Aging in Prison*, XX.
26. *Ibid.*, 16.
27. ACLU, 31.
28. Scott Paltrowitz, "Parole Review Process Has Serious Shortcomings," *Correctional Association of New York*, December 6, 2013, <http://www.correctionalassociation.org/news/parole-review-process-has-serious-shortcomings>.

REFERENCES

- Abrams, David S., "The Prisoner's Dilemma: A Cost-Benefit Approach to Incarceration." *Faculty Scholarship* (2013): 553. <http://scholarship.law.upenn.edu/faculty-scholarship/553>
- American Civil Liberties Union. *At America's Expense: The Mass Incarceration of the Elderly*. June 2012. https://www.aclu.org/files/assets/elderlyprisonreport_20120613-1.pdf.
- Fields, Gary, and Peter Loftus. "High Cost of New Hepatitis C Drugs Strains Prison Budgets, Locks Many Out of Cure." *The Wall Street Journal*, September 12, 2016. <https://www.wsj.com/articles/high-cost-of-new-hepatitis-c-drugs-strains-prison-budgets-locks-many-out-of-cure-1473701644>.
- Horwitz, Sari. "Justice Department set to free 6,000 prisoners, largest one-time release." *The Washington Post*, October 6, 2015. https://www.washingtonpost.com/world/national-security/justice-department-about-to-free-6000-prisoners-largest-one-time-release/2015/10/06/961f4c9a-6ba2-11e5-aa5b-f78a98956699_story.html
- Horwitz, Sari. "President Obama just commuted sentences of more than 100 people. Here are their names." *The Washington Post*, October 6, 2016. https://www.washingtonpost.com/news/post-nation/wp/2016/10/06/president-obama-just-commuted-the-sentences-of-more-than-100-people-here-are-their-names/?utm_term=.ca14928101a
- Kuhlmann, Robynn and Rick Ruddell. "Elderly Jail Inmates: Problems, Prevalence, and Public Health." *Californian Journal of Health Promotion* 3 (2005): 49-60. http://cjhp.fullerton.edu/Volume3_2005/Issue2/49-60-kuhlmann.pdf
- Center for Justice at Columbia University. *Aging in Prison: Reducing Elder Incarceration and Promoting Public Safety*. Edited by Samuel K. Roberts. November 2015. http://centerforjustice.columbia.edu/files/2015/10/AgingInPrison_FINAL_web.pdf.
- The Law Offices of Kerry L. Armstrong. "Backlash Against Releasing Prisoners Early." <http://kerryarmstronglaw.lawoffice.com/Articles/Backlash-Against-Releasing-Prisoners-Early.shtml>
- McCollister, Kathryn E., French, Michael T., and Hai Fang. "The Cost of Crime to Society: New Crime-Specific Estimates for Policy and Program Evaluation." *Drug and Alcohol Dependence* 108 (2010): 98-109. doi: 10.1016/j.drugalcdep.2009.12.002.
- Office of the Inspector General, U.S. Department of Justice. "The Impact of an Aging Inmate Population on the Federal Bureau of Prisons." February 2016. <https://oig.justice.gov/reports/2015/e1505.pdf>
- Paltrowitz, Scott. "Parole Review Process Has Serious Shortcomings." *Correctional Association of New York*, December 6, 2013. <http://www.correctionalassociation.org/news/parole-review-process-has-serious-shortcomings>
- Riley, Jason L. "The High Cost of Letting Criminals Go." *The Wall Street Journal*, July 21, 2015. <http://www.wsj.com/articles/the-high-cost-of-letting-criminals-go-1437523819>
- Schazenbach, Diane Whitmore, Ryan Nunn, Lauren Bauer, Audrey Breitwieser, Megan Mumford, and Greg Nantz. "Twelve Facts about Incarceration and Prisoner Reentry." *The Hamilton Project*. October 2016.
- Schmidt, Michael. "U.S. to Release 6,000 Inmates From Prisons." *The New York Times*, October 6, 2015. http://www.nytimes.com/2015/10/07/us/us-to-release-6000-inmates-under-new-sentencing-guidelines.html?_r=0
- Samuels, Alana. "Lowering the Cost of Crime and Punishment: An Economist's Vision." *The Atlantic*, December 10, 2014. <http://www.theatlantic.com/business/archive/2014/12/lowering-the-cost-of-crime-and-punishment-an-economists-perspective/383583/>
- United States Sentencing Commission. "Materials on 2014 Drug Guidelines Amendment." 2014. <http://www.uscc.gov/policymaking/amendments/materials-2014-drug-guidelines-amendment>