Ending mass incarceration

Two cheers

IOWA CITY

The best way to reduce the prison population

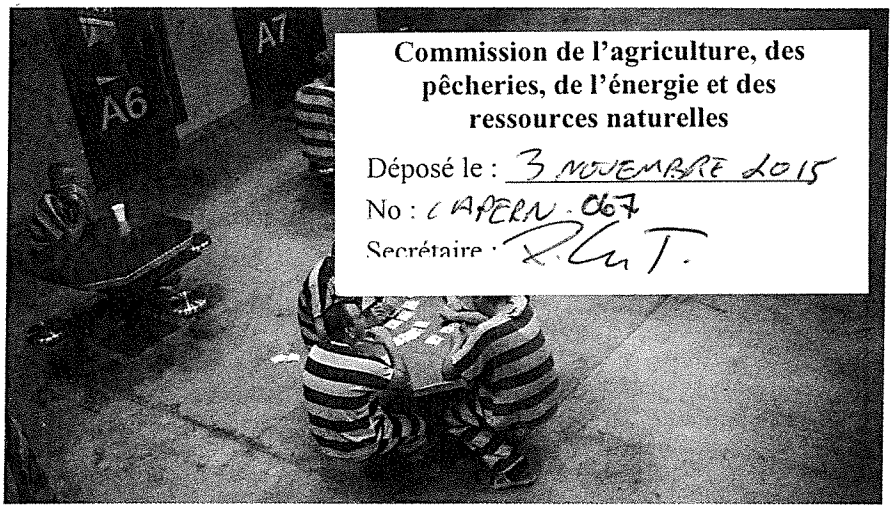
IN 2013 Charles Hynes, Brooklyn's district attorney, was voted out of office after 24 years on the job. The ousting of an elected local prosecutor is rare in America. Incumbents who run for re-election win 95% of the time. Until Mr Hynes got the boot, no incumbent DA had lost a vote in Brooklyn since 1911. Mr Hynes's fate needs to be more common, however, if America is to cease to be the world's leading jailer. At present, it accounts for 5% of the world's population and nearly 25% of its prisoners. Elected public prosecutors, such as Brooklyn's Mr Hynes, are largely to blame.

The incarceration rate is like the water level in a bathtub. If the tap runs faster than the water drains, the level rises. The mandatory minimum sentences and truth-in-sentencing laws passed in the 1980s and 1990s blocked the outflow from America's prison system. Proposals for sentencing reform, such as the bipartisan bill introduced by Chuck Grassley, a Republican senator from Iowa who chairs the Senate Judiciary Committee, would clear it a bit, by returning some discretion to judges and parole boards. But it would be even better to turn down the gushing tap.

Although the crime rate began to decline in the 1990s, the rate of admissions to prisons continued to climb for two decades, until it peaked in 2006. The criminal-justice system managed to put more and more people behind bars for 15 years, even though fewer and fewer people were committing crimes. The admissions rate has now reverted to the level in the late-1990s, but remains three times greater than it was 30 years ago when the crime rate was higher than it is today.

In a study published in 2013, "Why are so many Americans in prison?", Steven Raphael at Berkeley and Michael Stoll at UCLA found the answer was mostly that prosecutors liked to send them there. Longer sentences, they say, played a smaller role. John Pfaff, a law professor at Fordham University, confirmed the finding: analysing the available data on how prosecutors behave, he found that the probability of a DA filing felony charges against an arrested person rose from about one in three in 1994 to about two in three by 2008.

DAs can decide whether charges will be filed against arrested persons and, if so, what they will be charged with. Less than 5% of criminal cases go to trial: most end in plea bargains. And it is DAs who decide which plea deals to offer and accept, in effect determining whether offenders will be sent to prison and, if so, for how long. By and large, they are not a merciful lot.



Orders from the DA

They are also usually elected at county level, whereas prisons are run at state level. Short sentences—less than a year in most jurisdictions—are often served in county jails, putting county taxpayers on the hook. Punitive DAs can take the fiscal burden off the people who elect them by foisting the cost of imprisonment onto states.

If legislators cannot rein in DAs, that job must fall to voters. Because unseating an incumbent is so unusual, and because there are more than 3,000 county and state district attorneys, this may seem an unpromising path to a lower incarceration rate. But more than half of state prisoners, who make up the vast majority of the incarcerated, are housed in just ten states. Within those states, most prisoners come from a few large metropolitan jurisdictions. Moreover, these areas tend to contain lots of rehabilitation-minded liberals as well as minority voters, who are more likely to have family members in prison. Prosecutors in California and New York have already changed tack, and incarceration rates in those states have fallen.

Kenneth Thompson, Brooklyn's first black DA, managed to knock Mr Hynes off his perch by highlighting a couple of dodgy murder convictions and speaking out against aggressive police tactics. And though sentencing reform is obviously needed too, the election of just a handful of "smart-on-crime" DAs in and around big cities like Houston, Chicago, Miami and Los Angeles could cut America's incarceration rate even more dramatically. ■

Slaughterhouses

A jungle no more

FORT MORGAN, COLORADO

How Temple Grandin's designs have reformed the meat industry

"THERE would be meat that had tumbled out on the floor, in the dirt and sawdust, where the workers had tramped and spit uncounted billions of consumption germs. There would be meat stored in great piles in rooms; and the water from leaky roofs would drip over it, and thousands of rats would race about on it." Thankfully, much has changed since Upton Sinclair published "The Jungle", a best-selling novel exposing the unsanitary conditions, labour practices and animal handling in the Chicago stockyards at the start of the last century. Sinclair's book helped bring into existence, in 1906, the Pure Food and Drug Act and the Federal Meat Inspection Act, the first in a series of sanitary and consumer-protection laws. Chicago continued to be America's slaughter capital until the 1950s, when slaughterhouses moved away because it was cheaper and more efficient to put them close to ranches and then to ship the meat around the country in refrigerated lorries.

As the industry evolved, animal welfare remained a secondary concern. As recently as the 1990s, conditions in beef slaughterhouses were pretty bad, says Temple Grandin of Colorado State University. In 1996 the United States Department of Agriculture found that only three in ten were able to stun 95% of their cattle with a ▸

single shot. Things started to change in 1999 when, under pressure from activists and the general public, McDonald's, then the world's biggest restaurant chain, started to monitor the animal welfare at its meat suppliers. Wendy's and Burger King, two other fast-food chains, followed suit.

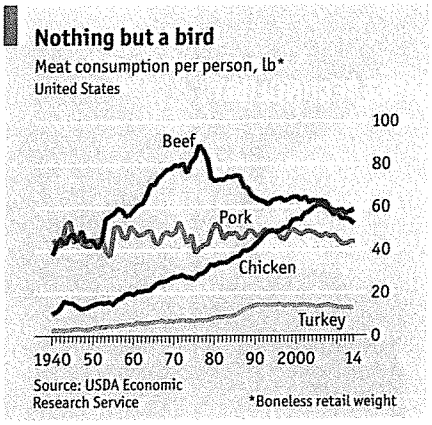
Ms Grandin has played a big part in the change. She is a star in two seemingly separate firmaments: animal welfare and the understanding of autism. Half the cattle in America and Canada today are slaughtered in equipment for restraining cattle designed by Ms Grandin, and around 35% of all cattle in America are handled in her curved chute and stockyard design. She has trained workers in more than 200 slaughterhouses all over the world. Meanwhile, she has become a sought-after speaker and writer on autism, a condition she has herself. "I was severely autistic as a child," says Ms Grandin, who credits her mother for pushing her to lead a life as normal as possible and make use of her talents, which include an unusual facility for reading drawings in three dimensions.

As autism has become diagnosed more frequently in the developed world, Ms Grandin is in more demand than ever at conferences and symposiums. "It would take over if I let it," she says. She tries to carve out as much time as possible for the welfare of animals, about which she cares deeply. Cargill's Fort Morgan plant, one of America's biggest slaughterhouses, uses equipment she designed. She took *The Economist* on a tour.

"I used to believe that there was an engineering solution to all of the animal-handling and stunning problems," she says. But she quickly learned that the best equipment in the world is useless unless it is operated correctly. A stunbolt gun, for instance, has to be handled "like the finest hunting rifle" and cleaned every day; otherwise its pressure can slip, and it may fail to kill an animal instantly.

The Fort Morgan plant employs 2,100 people and slaughters 4,600 cows every day. It produces 2.5m pounds of finished beef daily, enough to feed one burger to everyone in New Jersey, says Allen Boelter, the manager of the plant. The tour starts backwards, where the beef is vacuum-sealed, put into boxes and loaded into enormous refrigerated lorries. Hygiene is a constant worry: the plant has two eight-hour shifts for slaughtering and one five-hour shift at the end of the day when the entire place is cleaned and disinfected.

Whereas sophisticated machinery takes care of many of the tasks in the packing and boxing part of the plant, workers in hard hats and overalls (with warm clothes underneath as the temperature is close to freezing) do most of the tasks in the slaughter area. They remove the animal's hide, take out its internal organs, and tie off its rectum and oesophagus. The removal of



the stomach and intestines is an especially important job, as one wrong cut can result in the contents of the intestines spilling on the carcass, which spoils the meat. As a last step the entire carcass is cleaned and hung in the misleadingly named "hot box" (which is even colder than the slaughter hall), where it is chilled for three days before it is cut into bits and pieces. All this is hard and bloody physical work that involves the handling of knives which are continually sharpened. Some employees wear coats made of chain mail to protect themselves from the blades.

After a tour of the "disassembly line" comes the part of the slaughterhouse that was improved by Ms Grandin's designs. A gently curving, high-walled ramp, where cattle walk in single-file, leads into the restraining box. When they emerge from the restrainer they are killed, instantly, as a bolt powered by compressed air shoots through the brain. They flop onto a conveyor belt, a chain is looped around one leg, and the huge animal is lifted to hang upside-down, still kicking reflexively.

The curved chute with the high walls, Ms Grandin explains, prevents animals from seeing what is around them or glimpsing what lies at the end of their walk. Moreover it plays to their natural tendency to circle and return where they came from. A light is installed in the restraining box because cattle don't like to walk into the dark. Non-slip flooring is provided inside and on the entrance ramp, as animals panic when they lose their footing. Most important, Ms Grandin says, is that there should be no distractions, in particular no high-pitched voices or shouting or unfamiliar items which could unsettle the cattle. Apart from causing unnecessary fear and anxiety in the animals, an increase in adrenalin just before slaughter will make their meat tough.

During the visit several of the cows are agitated and "vocalise", jargon for mooing or bellowing. One even tries to jump out of the box just before it is stunned. This bothers Ms Grandin. After visiting the pens, where cattle gather for several hours after they arrive by lorry to calm them before they are slaughtered, she stops to listen for a while in front of the building with the curved chute. No sound emerges.

Do cattle know they are walking to their deaths? Ms Grandin thinks they do not. They behave in exactly the same way when they walk up the curved chute to get vaccinated. Some get agitated, but most just trot through. In her view, properly performed slaughter is less cruel than a more natural death at the jaws of wolves.

The tour ends in the control room, an innovation also advocated by Ms Grandin, where an employee monitors a real-time video feed of what is going on at the plant. A company unconnected to Cargill watches the footage. The professor is pleased to see that the stunning of the cattle proceeds calmly on screen, seemingly without the animal feeling any fear or premonition—just as it should be. ■

Ms Grandin and her charges