

From The New York Times

Punishment Fails. Rehabilitation Works.

[James Gilligan](#), a clinical professor of psychiatry and an adjunct professor of law at New York University, is the author of, among other books, "[Preventing Violence](#)" and "[Why Some Politicians Are More Dangerous Than Others](#)."

Updated December 19, 2012, 11:43 AM

If any other institutions in America were as unsuccessful in achieving their ostensible purpose as our prisons are, we would shut them down tomorrow. Two-thirds of prisoners reoffend within three years of leaving prison, often with a more serious and violent offense. More than 90 percent of prisoners return to the community within a few years (otherwise our prisons would be even more overcrowded than they already are). That is why it is vitally important how we treat them while they are incarcerated.

How could we change our prison system to make it both more effective and less expensive?

The only rational purpose for a prison is to restrain those who are violent, while we help them to change their behavior and return to the community.

We would need to begin by recognizing the difference between punishment and restraint. When people are dangerous to themselves or others, we restrain them – whether they are children or adults. But that is altogether different from gratuitously inflicting pain on them for the sake of revenge or to “teach them a lesson” – for the only lesson learned is to inflict pain on others. People learn by example: Generations of research has shown that the more severely children are punished, the more violent they become, as children and as adults. The same is true of adults, especially those in prison. So the only rational purpose for a prison is to restrain those who are violent from inflicting harm on themselves or others, while we help them to change their behavior from that pattern to one that is nonviolent and even constructive, so that they can return to the community.

It would be beneficial to every man, woman and child in America, and harmful to no one, if we were to demolish every prison in this country and replace them with locked, safe and secure home-like residential communities – what we might call [an anti-prison](#). Such a community would be devoted to providing every form of therapy its residents needed (substance abuse treatment, psychotherapy, medical and dental care) and every form of education for which the residents were motivated and capable (from elementary school to college and graduate school). Getting a college degree while in prison is the only program that has ever been shown to be 100 percent effective for years or decades at a time in preventing recidivism. Prisoners should be treated with exactly the same degree of respect and kindness as we would hope they would show to others after they return to the community. As I said, people learn by example.

My colleague Bandy Lee and I have shown that an intensive re-educational program with violent male offenders in the San Francisco jails [reduced the level](#) of violence [in the jail](#) to zero for a year at a time. Even more important, participation in this program for as little as four months reduced the frequency of violent reoffending after leaving the jail by 83 percent, compared with a matched control group in a conventional jail. In addition to enhancing public safety, this program saved the taxpayers \$4 for every \$1 spent on it, since the lower reincarceration rate saved roughly \$30,000 a year per person. The only mystery is: Why is this program not being adopted by every jail and prison in the country? Why are taxpayers not demanding that this be done?