

Review

The impact of increasing the severity of sentences

Background and objectives:

- At the beginning of this century, a great number of law amendments were introduced in Denmark aiming to increase the severity of sentences.
- The aim of this study is to determine whether these amendments have had a deterrent effect and to measure the size of the effect on incapacitation. Furthermore, the costs of the amendments are estimated.

Research design:

- Estimating the causal effect of the length of imprisonment on reoffending is challenging. This study eliminates the selection bias as the various amendments came into force at a specific date and thus introduced an exogenous variation in the length of sentences.
- The study has a natural experimental design. Offenders convicted after the reform form a treatment group while offenders convicted before the reform are included in a control group.
- The study employs Danish official data and measures reconvictions in a follow-up period of two years after release in case of a prison sentence or else after conviction.
- To make sure that the groups are balanced on relevant observables, such as criminal history, gender and age, propensity score matching is applied.

Findings:

- The study clearly reveals an increase in the length of prison sentences after the reform for the offences included in the study: violence, rape and negligent manslaughter.
- Regarding the theft of motor vehicles, the reform aimed at increasing the severity of the type of sanctions imposed. The study reveals that imprisonment became a more common sanction after the reform, while fines became a less common sanction.
- The findings suggest that neither longer sentences nor more severe sanctions affect the risk of recidivism.
- As for the effect on incapacitation, the reform had a very limited impact – an impact, which has to be balanced against the increasing costs for the correctional system.
- The punitive level in Denmark is relatively low. Accordingly, increasing the length of sentences typically results in an increase in sentences of less than one month, which was the case for the amendment regarding violent offences. The question is whether it is reasonable to expect an impact of such a small increase. As for the other amendments, the increase in the length of prison sentences was more pronounced.
- The samples studied are rather small making the results less robust. Nevertheless, the results of the Danish study are in line with most international studies.

