

Bernard E. Harcourt

## PREFACE

The turn of the twenty-first century witnessed significant shifts in punishment and penalty, not only in the United States, but also abroad, in France, Great Britain, Italy, Canada, and across the globe. The most shocking and graphic trend, in the United States at least, has been mass incarceration—the exponential rise in the number and rate of prisoners in state and federal penitentiaries and in county jails. After fifty years of relative stability in this country, the rate of incarceration began climbing exponentially in 1973 to the point where, today, one out of a hundred adults is behind bars in the United States. Though more attenuated, there have been significant increases in incarceration observed in France and Italy, and one recent study also has identified positive and statistically significant increases in imprisonment over the period 1992 to 2001 in Belgium, Germany, Great Britain, Ireland, and the Netherlands.<sup>1</sup>

Another stunning shift in the United States is the turn to actuarial methods and instruments—to risk assessment tools to predict the success or failure of inmates on parole, to assess the potential for future dangerousness, and to identify violent sexual offenders.<sup>2</sup> Canada too began experimenting with actuarial instruments and the logic of actuarial prediction—though not necessarily the instruments themselves—penetrated a number of European countries, such as France, which warmly embraced preventative detention (*rétenion de sûreté*) in 2007.<sup>3</sup>

The United States, France, Canada, and other European countries also experienced—at different times and to different extents—the increased use of order-maintenance policing strategies, such as *zéro tolérance* and broken windows policing; harsher treatment of juvenile offenders; increased use of video surveillance, biometric data collection, data mining, and information gathering through initiatives such as the “total awareness program” in the United States, CCTV video surveillance in the United Kingdom, and DNA database collection in England and in France; and harsher sentencing practices, including the adoption of mandatory minimum sentences, “three-strikes laws,” drug and gun enhancements, and lengthier fixed sentencing guidelines.

In many of these developments, the United States has been a net exporter of ideas and technologies, such as mass incarceration, broken windows policing and mandatory minimum sentencing. But not in all. France has been a leader, with the United Kingdom, in the collection of DNA and an early innovator in the field of paramilitary anti-riot security forces; England has been at the forefront of the use of CCTV video surveillance; and Italy has been a pioneer in the development of bunker-style judicial proceedings. The leading actuarial instrument used in the United States—the “Level of Services Inventory-Revised” (LSI-R)—was actually invented and developed by Canadian researchers, and the same is true of the Hare Psychopathy Checklist-Revised (PCL-R).

Innovation, new ideas and new practices in punishment and policing, it seems, are a two-way street. This makes it vitally important, in order to better understand our experiences here in the United States, to collect and assemble the best social sci-

*Bernard E. Harcourt*

ence evidence on peer countries. Hence this volume, dedicated to the penal situation in France. The articles collected here represent the highest-caliber research being done on security issues in France today. The collection is unique. Edited by Laurent Mucchielli and published first as *La frénésie sécuritaire: Retour à l'ordre et nouveau contrôle social* by the Éditions La Découverte in 2008, the articles have been updated and translated to English for the *Carceral Notebooks*. These essays provide the most accurate picture of the carceral and security situation in France today. It is a great honor to share them with you.