

Chapter 1 : 4 Causes of Creosote Buildup

Prison Buildup Over the past thirty years, the United States' prison population has increased by percent. 10 The incarcerated population is a function of the number of offenders admitted to.

Courts, Ports, and Prisons. If this happens all along the border, years from now U. Oscar-winning movies will portray the victims and their pain. This is the opposite of an effective approach. Rather than split up families and lock people up, a better strategy would build up the U. It would invest in faster adjudication of asylum claims with due process, and in addressing the root causes of the violence. It would also recognize that, minus Central American children and families, the number of undocumented people trying to cross the border today is the fewest in 48 years. That calls for modest, smart adjustments to border security, not radical proposals like building walls or tearing apart families. The administration intends to send to federal courts—and maybe to federal prisons—percent of people caught crossing the U. Under Section of Title 8, U. It is already increasing these prosecutions. Between October 1 and April 19, the Homeland Security Department referred about 30, apprehended migrants for prosecution under Section, up from 18, in all of fiscal. But even the current level is about one-fifth of all apprehended adult border-crossers, so reaching the new stated goal of percent would mean Operation Streamline on steroids: Code, a law that has been on the books since Breaking the Prison System This would mean locking up hundreds of thousands more people each year. Today, the entire federal prison population is, inmates. Of that population, 12, are incarcerated for immigration offenses. Marshals Service holds about 80, more each year for immigration offenses, normally for 90 days or less, often in privately run facilities. Now imagine if that number were loaded up with all border crossers. Perhaps, were adults. Criminally prosecuting and incarcerating them would nearly double the entire federal prison population plus the number in U. This would be a historic increase and a shock to the federal criminal justice system. Marshals custody, not counting all of the facilities that would have to be built and people who would have to be hired to deal with the increase. That would cost billions of additional dollars, and break the U. Attorney-General Jeff Sessions said it on May 7. And the Department of Justice will take up those cases. If you cross this border unlawfully, then we will prosecute you. Breaking Land Ports of Entry That last part is important. This is a stark change. Between October and December, the Washington Post reported, 20, of the 30, migrants who sought asylum did so by entering without inspection. ICE paroles most families into the United States to await their eventual asylum hearings, often with a monitoring device. The proposed change would instead arrest and criminally prosecute parents while taking their kids away. Families could continue with their asylum processes, but only while parents concurrently pay criminal penalties—including possible imprisonment—for violating Section. This would not happen, though, to asylum-seeking families who present themselves at one of the 45 official land ports of entry along the U. Some are steered away from the ports by drug trafficking organizations on the Mexican side of the border, who force their smugglers to cross them elsewhere in order to tie up Border Patrol personnel. And some are discouraged by interactions at the ports of entry themselves, where officers for a time were illegally turning people away. The land ports of entry along the border are easily overwhelmed by asylum-seekers. This agency is badly understaffed, and grew much more slowly than Border Patrol over the past 15 years. A recent CBP analysis found a shortfall of over 2, officers, about 10 percent of the nationwide force; their union says it is 3, Charged with interviewing or inspecting every person, vehicle, and cargo conveyance that crosses the border, and with trying to detect smuggled drugs, port of entry personnel struggle to process individuals and families who show up requesting asylum. In fiscal year, ports of entry at the U. Many of these, were asking for asylum or other humanitarian protection, and CBP officers at the ports of entry had to process each and refer them for credible fear interviews. The pace has been similar during the first seven months of fiscal year, with 63, people arriving at the ports without proper documentation, many requesting asylum. This is at the edge of what port of entry personnel are able to process. At San Ysidro between Tijuana and San Diego, the busiest land port of entry in the Western Hemisphere, CBP could only process 75 to people per day in late, when the port received a surge of Haitians seeking humanitarian parole in the United States. Here is what this workload looks like at the ports

of entry: Once the new Trump policy goes into effect, word will spread quickly among asylum-seeking migrants and their smugglers that it is no longer safe to cross the border anywhere and ask Border Patrol agents for protection: Instead, they will all likely go to the already stretched ports of entry. What would that look like? This is an inexact measure for instance, Mexican kids and families tend to get sent back immediately, but it gives a general idea of the protection demand that the ports of entry might have to deal with: If personnel at the land ports of entry are struggling to process 100,000, largely protection-seeking people per year, imagine what will happen if that number rises to 200,000. The ports could collapse under the demand. In particular, CBP officers would be left with far fewer person-hours with which to detect heroin, synthetic opioids, methamphetamine, and cocaine, the majority of which pass through the official crossings. The strain on social services in Mexico would be huge. Tijuana is the border city with the most capacity to offer migrants temporary shelter, as it has several mostly church-run shelters. But these fill up quickly, and other border towns have far less infrastructure. Mexican border towns like Tijuana, Nuevo Laredo, and Reynosa, meanwhile, are experiencing some of the highest levels of violence in the country. Concentrating Central American families and other asylum seekers there poses a risk to their safety. Routing protection-seeking families to the ports of entry will cause chaos, both at the ports and inside Mexico. Breaking the Federal Courts Hundreds of thousands of new prosecutions would also overwhelm the federal court system, especially in border states. Already, more than half of prosecutions in the federal system are for immigration-related offenses. Immigration cases totaled about 7, in March, out of a total docket of 13, new prosecutions. That month, if the Homeland Security Department had referred for prosecution every adult migrant caught between the ports of entry, it would have increased prosecutions by about 22, more individuals, ballooning the federal docket by about percent. We are hearing that something like that may be happening. But there is no similar increase in judges or public defenders. As dockets lengthen, detained migrants may spend months awaiting trial, increasing their suffering and incurring great cost to U. A slowed-down federal court system would mean longer waits for trial for everyone, including U. They will have to pull back from this untenable goal. That would take pressure off overburdened U. But it would be small consolation to the thousands of families who may be separated in the coming months.

The Federal Prison Population Buildup: Options for Congress Congressional Research Service 1 he Bureau of Prisons (BOP) is the largest correctional agency in the country in terms of.

Dan Berger This article was downloaded by: A Critical Journal of Black Politics, Culture, and Society Publication details, including instructions for authors and subscription information: To cite this article: The accuracy of the Content should not be relied upon and should be independently verified with primary sources of information. Taylor and Francis shall not be liable for any losses, actions, claims, proceedings, demands, costs, expenses, damages, and other liabilities whatsoever or howsoever caused arising directly or indirectly in connection with, in relation to or arising out of the use of the Content. This article may be used for research, teaching, and private study purposes. Any substantial or systematic reproduction, redistribution, reselling, loan, sub-licensing, systematic supply, or distribution in any form to anyone is expressly forbidden. First, rather than see mass incarceration as emanating only from the war on drugs, I locate it within a broader framework of political repression of radical movements. Second, I argue that there is a new social movement against imprisonment on the rise. This burgeoning movement pursues what I call a strategy of decarceration that combines radical critique, direct action, and tangible goals for reducing the reach of the carceral state. For more than 40 years, the country has devoted an ever-larger amount of money and resources into policing and imprisoning its population. On any given day, the U. One in adults in the United States is now incarcerated. These numbers are shocking in their own right, but even more frightening when we consider who gets locked up. Almost everyone in prison is poor or working class. One in nine black men between the ages of 20 and 34 is incarcerated. Black men are imprisoned at a rate 6. Black women are imprisoned almost three times the rate of white women. Latinos, especially Latinas, are a fast growing group within the American prison system. It Souls 15 1â€”2: What is now increasingly dubbed the crisis of mass incarceration has its roots in a longer term problem: This article adds to that discussion by reading social justice organizing into the story. The Carceral State As the number of prisoners has exponentially grown, the conditions inside have worsened. The United States barred the death penalty in and then reinstated it in It is now the only Western power to allow such state-sponsored killings of people convicted of a crime. It is also the only Western power to incarcerate juveniles in adult prisons and to sentence juveniles to life without the possibility of paroleâ€”although a recent Supreme Court ruling may end that practice. Further, the United States makes widespread use of solitary confinement and other forms of long-term isolation. There are more than 80, people across the country confined in their cells for 22 to 24 hours a day in special units devoted to isolation. But the purpose is the same: There are an additional five million people on probation, parole, or some form of supervised release. That means that one in 30 adults in the United States is under some form of correctional control. It is the story of constant police violence and governmental intrusion in the lives of poor and oppressed communities around the country. It is the story of part- ners, parents and grandparentsâ€”almost exclusively womenâ€”having to work harder to keep families together despite the fracture forced by state violence. It is the story of social movements being scattered through a combination of imprisonment, austerity, and the fear such conditions instill in people who might otherwise join radical move- ments. This can be seen both through the long-term imprisonment of people such as Mumia Abu-Jamal and Leonard Peltier but also through the shorter-term imprisonment of anarchists, environmen- talists, Muslims, antiwar and international solidarity activists, independent journalists, and others for refusing to testify in secret Downloaded by [Dan Berger] at My argument is not that everyone in prison is a revolutionary. Rather, I wish to point out that the prison system and the wider state functions of which it is a part is ordered and orga- nized against those in power find most threatening. Some of those threats are in the form of actually existing politicsâ€”as seen in the ongoing incarceration of former Black Panthers and young anar- chists, among others. The prison is but the most concentrated place where its impacts are felt, for the entire country lives within this carceral state. Yet these earlier periods of mass incarceration have been relatively short-lived and more directly targeted at movement parti- cipants; the ratio of the number of people in prison to the rest of society has remained relatively stable

throughout the first half of the 20th century. These punitive ideologies accelerated to a level of collective and enduring punishment in response to the revolutionary challenges. Downloaded by [Dan Berger] at The black liberation movement was at the heart of the American upsurge, and it is no mistake that the carceral state has most systematically targeted black communities through incarceration, policing, surveillance, and other forms of control. For it was the black insurgency that most threatened American power. It was the most threatening not simply because of its militancy but because it offered the most universal and abiding image of freedom. Black radicalism nurtured the seeds of a wide range of militant efforts. The challenge to white supremacy cut to the heart of the inequalities of American capitalism and power. It sparked vital challenges to patriarchy and heteronormativity as well. The strategic action and mass militancy of the black liberation struggle inspired other movements and communities. Puerto Ricans, Chicanos and other Latinos; Native Americans, white youth, and multiracial communities of women and lesbian, gay, bisexual, and transgender LGBT activists, along with new movements for ecological sustainability and disability justice, took to the streets with greater intensity and success as a result of the political space opened up by the Civil Rights and Black Power movements. Inspired by the example of revolutionary black workers and the wider counterculture of the era, by the early 1970s many young white workers also became involved in a wave of wildcat strikes, defying the bureaucratic union leaders. Millions of people became activists, with a strong revolutionary tendency. From 1966 through 1970, some 40 Panthers were killed—some directly by police forces, some as the result of internal frictions fanned to deadly flames by police infiltrators. Over 1,000 Panthers were jailed, almost all of them on trumped up charges. So the government ramped up policing and turned more than ever to prisons, the ultimate institution of separation, to fracture the ability of movements to succeed. The key is to devise a system that recognizes this while appearing not to. Today that number is 20%, human beings, the majority black and Latino about one-third of the state and federal prison population is white. In the short-term, however, even that strategy seemed to fail as the black liberation movement tried to turn prisons into liberation schools. They saw prison as more than a place of repression. It could be a meeting ground as well as a launching off point. It was a place. Downloaded by [Dan Berger] at Black activists routinely found themselves in prison for their insurgent challenges to white supremacy. Their actions inspired other black women and men who were already in prison, and together they tried to organize in prisons around the country. Shaped by Third World national liberation movements, prisoners emerged as thinkers and organizers as part of broader social movements for revolutionary change. Prisoners and former prisoners such as Malcolm X and George Jackson, Joan also referred to as Joanne or Joann Little and Safiya Bukhari and thousands of others were shaped by and themselves shaped the movements of this era. It produced dozens of rebellions and scores of prisoner writings. Each one was an attempt to expose the system that created such brutal conditions. The voices and ideas of black prisoners were paramount. It was a telling sign that the racial divisions of U.S. That black prisoners played such key roles was all the more significant since they were not yet the majority of the American prison population that they have since become. The prison movement utilized what might be called a strategy of visibility: Such an idea motivated the dozens of rebellions and scores of prisoner writings that flourished during this time. Indeed, the state normalized the widespread use of solitary confinement as a way to crush this organizing inside prisons. The first prison to do so was the federal penitentiary at Marion. Beginning in 1962, Marion developed a form of long-term lockdown that has since become a norm of American prisons. A collection of political and politicized prisoners were housed there. The men had all been organizing at other facilities, and the state hoped to that confining them together under long-term isolation would eliminate their organizing. At Marion, they were placed in solitary confinement and subject to a range of behavior modification programs. The Marion model consisted of indefinite lockdown and limited access to the outside, brutal segregation and random attacks. It has become the dominant model of prison in America. Rather, it is an underlying logic of incarceration itself, and a critical way in which imprisonment impacts whole communities. The war on crime was created to turn back the advances of power to the people and self-determination for the oppressed, and it functions to keep those communities in a perpetual state of chaos and agony. An anti-prison movement is not solely for the 21st century. Discussions of the criminal justice system often omit or neglect women because they constitute less than 10 percent of prisoners in the country—although,

is still a formidable number, almost one-third greater than the number of people imprisoned in all of England and Wales—but the impact on women is dire. The number of women in prison, not including jails, jumped percent between and , with black women imprisoned three times more than white women. The wholesale lock-up of Black men leaves gaping holes in families and neighborhoods, with needed co-parents, wage-earners, brothers, uncles, sons, friends missing. Mainly it is women who assume the major labor of keeping familial and social ties together, often within an economically devastated community. Then there is the additional time, energy, and expense to make the arduous journeys to visit loved ones in prison, Downloaded by [Dan Berger] at As rough as it is to be in prison, the difficulties for those on the outside left to keep families together can be in many ways even more challenging. Imprisonment exacerbates the burdens of economic injustice and sexual assault that women already face through punitive practices that entangle survivors with the police and legal system, where they are often treated with suspicion and where family ties are further strained or severed. At the same time, the injustices and stark conditions have led many prisoners who were not politically conscious when they were first incarcerated to go on to become insightful and committed activists. George Jackson was the most outstanding example; and hundreds, probably thousands, are involved in struggles for prisoner justice today. It is no accident that those who came in as political prisoners often led in struggles for better conditions. Rejecting the prevailing homophobia that led to terrible criminal neglect throughout the United States, these political prisoners saw the urgent need to act and were able to propose programs based on the leading campaigns in the gay community. And, as crucial, what is already happening? Many humane and thoughtful people recognize that mass incarceration is not an effective strategy for fighting crime: The challenge for activists, though, has been to come up with effective community-based alternatives. To address this need we must recognize that the current system is not misguided; it is fundamentally wrong. These government attacks, which inextricably link political repression and mass incarceration, were designed to destroy the very kind of popular cohesion, vision, and initiative needed to develop safer and healthier communities. The Black Panthers and other revolutionary groups such as the Young Lords and Women of All Red Nations were building programs such as free breakfasts for school children, neighborhood health clinics, clothing give-aways, and free schools.

Chapter 3 : Prison reform - Wikipedia

Prison buildup and disorder BERT USEEM AND ANNE M. PIEHL University of New Mexico, USA and Rutgers University, USA Abstract In contrast to the predictions of many, the prison buildup in the USA did not lead to.

History[edit] Following the War on Drugs and the passing of harsher sentencing legislation, private sector prisons began to emerge to keep up with the rapidly expanding prison population. For private prisons, labor is the biggest expense at 70 percent of overall costs, and as a result, CCA and other private prisons have become motivated to cut labor costs by understaffing its prisons. Corrections and Detention division manages 70 correctional and detention facilities. To develop innovative public-private partnerships with government agencies around the globe that deliver high quality, cost-efficient correctional, detention, community reentry, and electronic monitoring services while providing industry leading rehabilitation and community reintegration programs to the men and women entrusted to our care. Nationwide, this is 7 percent and 13 percent of inmates, respectively. The Trump Administration has so far increased immigration enforcement and instituted harsher criminal sentences. Whitehead , constitutional attorney and founder of the Rutherford Institute asserts "Prison privatization simply encourages incarceration for the sake of profits, while causing millions of Americans, most of them minor, nonviolent criminals, to be handed over to corporations for lengthy prison sentences which do nothing to protect society or prevent recidivism" [7] and argues that it characterizes an increasingly inverted justice system dependent upon an advancement in power and wealth of the corporate state. Injury and illness as a result were not reported to appropriate authorities. When investigated, they found that UNICOR , a prison labor program for inmates within the Federal Bureau of Prisons , had attempted to conceal evidence of working conditions from inspectors by cleaning up the production lines before they arrived. Please improve it by verifying the claims made and adding inline citations. Statements consisting only of original research should be removed. January Learn how and when to remove this template message The War on Drugs has significantly influenced the development of the prison-industrial complex. The policy measures taken to categorize drug abuse as a criminal issue rather than a health issue as many experts advocate have directly sustained the existence of the prison-industrial complex. For any illegal-drug dealer, even a juvenile, he advocated a life-sentence in prison exempt from parole and plea-bargaining. These laws led to overcrowding in New York prisons. The mayor succeeding Rockefeller was Mario Cuomo ; he was forced to support prison expansion because he was unable to generate enough support to dismantle the drug laws. In order to receive funding for these prisons, Cuomo financed this project to the Urban Development Corporation a public state agency which, to the benefit of the state government, could issue state bonds without voter support. Even if a drug seller is prosecuted , the drug industry still exists and other sellers take the place of the imprisoned seller. This is described as the "replacement effect". The War on Drugs has initiated a perpetual cycle of drug dealing and imprisonment. As a result of these events, in many ways, a domino effect has occurred: Collected data illustrates that "Although the prevalence of illegal drug use among white men is approximately the same as that among black men, black men are five times as likely to be arrested for a drug offense. Effects[edit] Eric Schlosser wrote an article published in Atlantic Monthly in December stating that: Schlosser also defined the prison industrial complex as "a set of bureaucratic, political, and economic interests that encourage increased spending on imprisonment, regardless of the actual need". While Aviram shares their concerns that "private enterprises designed to directly benefit from human confinement and misery is profoundly unethical and problematic", she claims that "the profit incentives that brought private incarceration into existence, rather than private incarceration itself, are to blame for the PIC and its evils". The use of prisoners for cheap labor while they are serving time ensures that some corporations benefit economically. Prison activists who dispute the existence of a prison industrial complex have argued that these parties have a great interest in the expansion of the prison system since their development and prosperity directly depends on the number of inmates. Reflections on the Prison Industrial Complex by Angela Davis that "For private business, prison labor is like a pot of gold. No language barriers, as in foreign countries. New leviathan prisons are being built on thousands of eerie acres of factories inside the

walls. The prison system is easily manipulated and geared toward help support the most economically advantageous situation. When having larger privatized prisons makes it cheaper to incarcerate each individual and the only side effect is having more free labor, it is extremely beneficial for companies to essentially rent out their facilities to the state and the government. One method for this is using prison inmates as a labor force to perform production work. The transition in the last five years has been away from producing a product to producing a successful offender as our product. He states that inmates are kept in inhumane conditions and that the need to preserve the economic advantage of a full prison leads prison leaders to thwart any effort or reforms that might reduce recidivism and incarcerations. Because the privatized prisons are so much larger than the public-run prisons, they were subject to economies of scale. Their reports showed that most states had additional costs ranging from one percent to thirty-four percent outside of what their original budget was for that year. For some small communities in the Southwestern United States, these facilities serve as an integral part of the economy. The male incarceration rate top line is 15 times the female rate bottom line. In , UN Special Rapporteur on Violence Against Women was released which stated that "Among many other abuses women prisoners have identified, are pat searches male guards pat searching and groping women , illegal strip searches male guards observing strip searches of women , constant lewd comments and gestures, violations of their right to privacy male guards watching women in showers and toilets , and in some instances, sexual assault and rape. Considering the fact that as many as half of all women are assaulted by their husbands or partners combined with dramatically rising numbers of women sentenced to prison, it may be argued that women in general are subjected to a far greater magnitude of punishment than men. Women prisoners represent one of the most disenfranchised and invisible adult populations in our society. The absolute power and control the state exercises over their lives both stems from and perpetuates the patriarchal and racist structures that, for centuries, have resulted in the social domination of women. Many women report that when requesting counseling, they are offered psychotropic medications instead. As technologies of imprisonment become increasingly repressive and practices of isolation become increasingly routine, mentally ill women often are placed in solitary confinement, which can only exacerbate their condition. In terms of percentage of ethnic populations, in descending order, the U. Heitzeg and activist Kay Whitlock claim that contemporary bipartisan reforms being proposed "are predicated on privatization schemes, dominated by the anti-government right and neoliberal interests that more completely merge for-profit medical treatment and other human needs supports with the prison-industrial complex". However Bernard Harcourt , Professor of Law at Columbia University , considers the term useful insofar as "it highlights the profitability of prison building and the employment boom associated with prison guard labor. There is no question that the prison expansion served the financial interests of large sectors of the economy. Prisons in the U. The institutionalization of mentally ill people, historically, has been used more often against women than against men. They propose increasing funding of social programs in order to lower the rate of crimes, and therefore eventually end the need for police and prisons. Alternatives to detention[edit] Due to the overcrowding in prisons and detention centers by for-profit corporations, organizations such as Amnesty International, propose using alternatives such as reporting requirements, bonds, or the use of monitoring technologies. This argument lies in the fact that major corporations such as the GEO Group and Corrections Corporations of America will still be profiting by simply re-branding and moving towards rehabilitation services and monitoring technologies. According to Ezzat Fattah, opposition towards prison alternatives and correctional facilities is due to the public fearing having that having these facilities in their neighborhoods will threaten the security and integrity of their communities and children. The conference, Critical Resistance to the prison-industrial complex, was held in September at the University of California, Berkeley and was attended by over 3, people of diverse academic, socioeconomic and ethnic backgrounds. Two years after the conference, a political grassroots organization was founded bearing the same name with the mission to challenge and dismantle the prison-industrial complex. Social Forum , committed activists joined together to discuss prison justice and stated that "Because we share a vision of justice and solidarity against confinement, control, and all forms of political repression, the prison industrial complex must be abolished. Suspension, expulsion, and being held back during middle school years are the largest predictors of arrest for adolescent women. Blasio also

spearheaded a leadership team on school climate and discipline to take recommendations and craft the foundations for more substantive policy.

The largest impact of the prison buildup has been on poor, minority men. This equation must consider as well the harms caused by those sent to prison. These harms.

BOX Causes and Consequences of High Rates of Incarceration Statement of Task An ad hoc panel will conduct a study and prepare a report that will focus on the scientific evidence that exists on the use of incarceration in the United States and will propose a research agenda on the use of incarceration and alternatives to incarceration for the future. Recognizing that research evidence will vary in its strength and consistency, the panel will undertake the following tasks: Describe and assess the existing research on the causes, drivers, and social context of incarceration in the United States over the past years. To what extent does existing research suggest that incarceration rates were influenced by historical and contemporary changes in: Commentators on both the left and the right are now reacting critically to the incarceration boom, partly out of concern for growing correctional budgets, partly because of questions about the effectiveness of incarceration in reducing crime, and partly out of misgivings about the values that have come to dominate penal policy e. Reform, it appears, is under way. At the state level and in the federal government, many elected officials are supporting initiatives aimed at reducing prison populations and are turning to the research evidence for guidance. In this context, the committee hopes to inform a critical conversation about the significance of high incarceration rates for U. Page 17 Share Cite Suggested Citation: The Growth of Incarceration in the United States: Exploring Causes and Consequences. The National Academies Press. Describe and assess the existing research on the consequences of current U. To what extent does the research suggest that incarceration rates have effects on: Explore the public policy implications of the analysis of causes and consequences, including evidence for the effectiveness and costs of alternative policies affecting incarceration rates. What does the research tell us about: To address the study charge, the National Research Council assembled a committee of 20 scholars and practitioners to review and assess the research evidence. The committee members include not only criminologists and sociologists who have conducted original research on these issues but also representatives of other academic disciplines, including economics, political science, psychology, law, medicine, and history, who brought to bear different methods and perspectives. The members include those whose professional experience gives them practical insights into the workings of the judicial and corrections systems and the policy debates in the legislative and executive branches of government. To aid in this study, the committee also enlisted several other scholars with specialized expertise to review Page 18 Share Cite Suggested Citation: A central question for public policy is whether increasing the incarceration rates affect public safety and, conversely, whether crime rates contributed to the growth of imprisonment in America. The historical relationship between crime and incarceration is complex. On the one hand, the decades-long rise in incarceration rates began following a substantial rise in crime rates in the United States. Yet the growth of the prison population continued through and after a major decline in crime rates in the s. In reviewing the evidence, the committee paid attention to the effects of changes in state and federal policy and practice over the period of the rise in incarceration rates, including the relationship of policy changes to crime rates. Understanding the impact of high rates of incarceration on crime is challenging. Incarceration can reduce crime by incapacitating those who would otherwise be committing crimes in free society. Incarceration may also deter or rehabilitate those who are punished from committing future crimes. Fear of such punishment may deter others from committing crimes. On the other hand, the prison experience and its aftermath may in some cases contribute to future criminal activity. The net effect of incarceration on crime will vary depending, for example, on who is sent to prison, the type of crime, the length of sentences, and how people are treated while in prison and after release. Despite a large and growing body of studies exploring the complex relationship between crime and incarceration rates over recent decades, then, a precise quantification of the impact of high rates of incarceration on U. In this report, we are not simply concerned with explaining changes in the rates of incarceration. Nor are we limited to analyzing the effects of imprisonment on individuals who serve prison sentences during the era of high incarceration. Over time, high

incarceration rates may increase or decrease public safety, alter the functioning of labor markets and the economy, strengthen or weaken the fabric of communities, and skew the distribution of income and opportunity. Higher rates of incarceration also affect U. At the most basic level, more incarceration uses resources that could be spent for other purposes. Finally, we also assess the evidence on how high incarceration rates and their consequences affect the quality of American democracy. Prison terms usually are reserved for those found guilty of more serious crimes, defined as felonies by state and federal legislatures. The scale of incarceration can be measured in a variety of ways. The incarceration rates can be calculated for specific demographic groups in the population—by race or age, for example—and for small geographic areas, such as neighborhoods or blocks. The incarceration rate describes the footprint of the penal system in society. The magnitude of incarceration also might be measured by scaling prison admissions by crimes or arrests rather than by population. Such measures reflect the impact of prosecution and sentencing policies on the overall punitiveness of the criminal justice system. Both kinds of statistics are reported in Chapter 2. How one views the increasingly frequent resort to prison in the United States also depends in part on how one understands the purposes served by imprisonment for society and for the sentenced individual. Page 20 Share Cite Suggested Citation: Their nature and meanings change over time and differ from one society and one person to another. In American jurisprudence, a prison sentence serves three possible purposes. Second, a prison sentence may be justified as a way of preventing crime, either through deterrence of the individual sentenced specific deterrence, deterrence of others in society at large who may be inclined to offend general deterrence, or avoidance of crimes that might otherwise have been committed by that individual absent incarceration incapacitation. Finally, a prison sentence may be deemed justified as a means of preventing future crimes through the rehabilitation of the individual incarcerated. Of course, these rationales are not mutually exclusive. As a consequence, the conditions of confinement and the experience of returning to society also have changed. To understand the effects of the rise in incarceration, one must examine how prison environments have changed as the numbers of prisoners have increased and how this changed environment may lead to different outcomes for the individuals incarcerated. Whereas the jurisprudence of incarceration emphasizes the purposes of retribution, deterrence, incapacitation, and rehabilitation, criminal punishment also provides a vivid moral symbol, publicly condemning criminal conduct. Thus the French sociologist Emile Durkheim argued that penal law affirms basic values and helps build social solidarity. From this perspective, prisons and jails reflect and perhaps exacerbate social inequalities rather than promote social solidarity. Rules of constraint were developed to restrict the unbridled and arbitrary application of punishment. Other scholars have stressed the utilitarian value of prison for achieving socially desired ends. From this societal viewpoint, the use of incarceration is assessed according to whether its social benefits exceed its social costs. By this instrumental view, imprisonment can be used, for example, to contain and discourage crime—directly by confining those prone to commit further crimes or by deterring them or, by example, others from committing future crimes. Assessments of the effectiveness of policies favoring incarceration would therefore depend on an empirical understanding of its purported benefit of crime prevention or other social benefits, weighed against the direct costs of the prisons themselves and the indirect social costs incurred by removing incarcerated individuals from society. Prisons also can support the rehabilitation of those incarcerated so that after release, they are more likely to live in a law-abiding way and reintegrate successfully into the rhythms of work, family, and civic engagement. In this narrower view of the instrumental value of incarceration policies, the effectiveness of prisons is measured by such outcomes as lower rates of recidivism and higher rates of employment, supportive family connections, improved health outcomes, and the standing of the formerly incarcerated as citizens in the community. The relevant scholarly literature focuses on issues of the availability and effectiveness of programs; the impact of the prison environment on the self-concept, behavior, and human capital of those incarcerated; and the experience of leaving prison and returning home. Yet another stream of scholarly inquiry examines the role of the criminal justice system, and in particular the role of prisons, in controlling entire categories or communities of people. In this view, the laws of society and the instruments of punishment have been used throughout history to sustain those in power by suppressing active opposition to entrenched interests and deterring challenges to the status quo. This scholarly literature has examined the role

of the justice systemâ€”including the definition of crimes by legislatures, enforcement of laws by the police, and uses of incarcerationâ€”in dealing with new immigrant groups, the labor and civil rights movements, the behavior of the mentally ill, and the use of alcohol and illegal drugs, to cite some examples. In recent years, scholars in this tradition have focused on the impact of the justice system on racial minorities in the United States and specifically on the impact of recent high rates of incarceration on the aspiration for racial equality. Researchers who study the power relations of society reflected in the criminal justice system often observe that the poor, minorities, and the marginal are seen as dangerous or undeserving. In these cases, the majority will support harsh punishments entailing long sentences and the use of imprisonment for lesser offenses. Because incarceration imposes pain and loss on both those sentenced and, frequently, their families and others, these costs also must be weighed against its social benefits in determining when or whether the deprivation of liberty is justified. This equation must consider as well the harms caused by those sent to prison. These harms include those experienced by individual victims and the broader negative social effects emanating from the criminal act. By punishing breaches of the social compact, vindicating the victims of crime often is viewed as an important purpose of the criminal sanction. Such an analysis of costs and benefits must be both normative and empirical. While there are no scientific solutions to normative problems, evidence on the effects of incarceration can inform that analysis. Moreover, given the pain imposed by imprisonment and other harsh punishments, it may be reasonable to minimize their use when alternatives can achieve the same social benefits at lower cost to society. High incarceration rates may signal that in many instances, prison is being used when alternatives would achieve equal or better outcomes for society. Because incarceration encompasses a range of experiences that vary widely across individuals and from one era or place to another, its effects are difficult to assess. This variation arises not only from differences in the legal terms of sentences, such as length and conditions for release, but also from differences in the conditions of confinement and after release. Harsh or abusive prison environments can cause damage to those subjected to them, just as environments that offer treatment and opportunities to learn and work can provide them with hope, skills, and other assets. So while we talk about incarceration as a single phenomenon, it in fact describes a wide range of experiences that may have very different effects.

STUDY APPROACH For each set of questions posed in its statement of task, the committee reviewed and weighed the published research and, where the evidence permitted, summarized what is known about the phenomenon of high rates of incarceration, its causes, its effects, and the implications of that knowledge for public policy. In many respects, the body of published research on these topics is now substantial and continues to grow quickly. On some questions, the weight of evidence from empirical studies is compelling. For others, it is suggestive but not definitive. In still other cases, it is thin or conflicting. An important part of our work involved identifying the limits of current knowledge and therefore of its usefulness as a guide to the public and policy makers. In light of the challenges to empirical research in this area, our Page 23 Share Cite Suggested Citation: Although policies on criminal punishment necessarily embody ideas about justice, fairness, and desert, the recent policy discourse often has been characterized by overheated rhetoric or cost-benefit calculations that mask strong but hidden normative assumptions. Basic principles for penal reform should be transparent and open to debate. In the period of rising incarceration rates and public concerns about safety, elected officials and other policy makers have argued that those committing crimes should be held accountable and punished severely. These values of offender accountability and crime control have become paramount, and older principles that balance the tendency to harsh punishment have receded from the policy debate. In undertaking this study, the committee reviewed the scholarly literature on the role of prison in society and the principles governing correctional policy generally. Based on this review, the committee articulated a set of guiding normative principles that, if observed, would restore balance to the discussion of criminal justice values. The following four normative principles helped the committee interpret the scientific evidence and guided the committee in carrying out its charge to recommend new policy alternatives: Criminal offenses should be sentenced in proportion to their seriousness. The period of confinement should be sufficient but not greater than necessary to achieve the goals of sentencing policy.

Chapter 5 : Prisonâ€™ industrial complex - Wikipedia

Several reasons for prison violence contribute to the problem in state and federal institutions. Overcrowding The Bureau of Justice Statistics indicate that the Federal Bureau of Prisons and 19 states are over capacity, with 20 additional states also close to maximum prison capacity.

History[edit] Prison populations of various countries in Prisons have only been used as the primary punishment for criminal acts in the last few centuries. Far more common earlier were various types of corporal punishment , public humiliation , penal bondage , and banishment for more severe offences, as well as capital punishment. Prisons contained both felons and debtors â€™ the latter were allowed to bring in wives and children. The jailer made his money by charging the inmates for food and drink and legal services and the whole system was rife with corruption. This was the only place any medical services were provided. United Kingdom[edit] During the eighteenth century, British justice used a wide variety of measures to punish crime, including fines, the pillory and whipping. Transportation to The United States of America was often offered, until , as an alternative to the death penalty, which could be imposed for many offenses including pilfering. When they ran out of prisons in they used old sailing vessels which came to be called hulks as places of temporary confinement. The most notable reformer was John Howard who, having visited several hundred prisons across England and Europe, beginning when he was high sheriff of Bedfordshire, published The State of the Prisons in He proposed that each prisoner should be in a separate cell with separate sections for women felons, men felons, young offenders and debtors. The Penitentiary Act which passed in following his agitation introduced solitary confinement, religious instruction and a labor regime and proposed two state penitentiaries, one for men and one for women. These were never built due to disagreements in the committee and pressures from wars with France and jails remained a local responsibility. But other measures passed in the next few years provided magistrates with the powers to implement many of these reforms and eventually in jail fees were abolished. Quakers such as Elizabeth Fry continued to publicize the dire state of prisons as did Charles Dickens in his novels David Copperfield and Little Dorrit about the Marshalsea. Samuel Romilly managed to repeal the death penalty for theft in , but repealing it for other similar offences brought in a political element that had previously been absent. The Society for the Improvement of Prison Discipline , founded in , supported both the Panopticon for the design of prisons and the use of the treadmill as a means of hard labor. By , 54 prisons had adopted this means of discipline. The American separate system attracted the attention of some reformers and led to the creation of Millbank Prison in and Pentonville prison in By now the end of transportation to Australia and the use of hulks was in sight and Joshua Jebb set an ambitious program of prison building with one large prison opening per year. The main principles were separation and hard labour for serious crimes, using treadwheels and cranks. He also established a tradition of secrecy which lasted till the s so that even magistrates and investigators were unable to see the insides of prisons. He took the view that central government should break the cycle of offending and imprisonment by establishing a new type of reformatory, that was called Borstal after the village in Kent which housed the first one. The movement reached its peak after the first world war when Alexander Paterson became commissioner, delegating authority and encouraging personal responsibility in the fashion of the English Public school: Cross-country walks were encouraged, and no one ran away. Prison populations remained at a low level until after the second world war when Paterson died and the movement was unable to update itself. But in general the prison system in the twentieth century remained in Victorian buildings which steadily became more and more overcrowded with inevitable results. United States[edit] In colonial America, punishments were severe. The Massachusetts assembly in ordered that a thief, on first conviction, be fined or whipped. The second time he was to pay treble damages , sit for an hour upon the gallows platform with a noose around his neck and then be carted to the whipping post for thirty stripes. For the third offense he was to be hanged. The local jails mainly held men awaiting trial or punishment and those in debt. In the aftermath of independence most states amended their criminal punishment statutes. Pennsylvania eliminated the death penalty for robbery and burglary in , and in retained it only for first degree murder. Other states followed and in all cases the answer to what alternative

penalties should be imposed was incarceration. Pennsylvania turned its old jail at Walnut Street into a state prison. New York built Newgate state prison in Greenwich Village and other states followed. But by faith in the efficacy of legal reform had declined as statutory changes had no discernible effect on the level of crime and the prisons, where prisoners shared large rooms and booty including alcohol, had become riotous and prone to escapes. In response, New York developed the Auburn system in which prisoners were confined in separate cells and prohibited from talking when eating and working together, implementing it at Auburn State Prison and Sing Sing at Ossining. The aim of this was rehabilitative: However, by the s, overcrowding became the rule of the day, partly because of the long sentences given for violent crimes, despite increasing severity inside the prison and often cruel methods of gagging and restraining prisoners. An increasing proportion of prisoners were new immigrants. As a result of a tour of prisons in 18 states, Enoch Wines and Theodore Dwight produced a monumental report describing the flaws in the existing system and proposing remedies. At the core of the design was an educational program which included general subjects and vocational training for the less capable. Instead of fixed sentences, prisoners who did well could be released early. But by the s, Elmira had twice as many inmates as it was designed for and they were not only the first offenders between 16 and 31 for which the program was intended. By the s drug use in prisons was also becoming a problem. At the beginning of the twentieth century, psychiatric interpretations of social deviance were gaining a central role in criminology and policy making. By , 67 prisons employed psychiatrists and 45 had psychologists. The language of medicine was applied in an attempt to "cure" offenders of their criminality. In fact, little was known about the causes of their behaviour and prescriptions were not much different from the earlier reform methods. At the same time they could revoke the probation status without going through another trial or other proper process. He also removed the striped dress uniform at Sing Sing and introduced recreation and movies. Progressive reform resulted in the "Big House" by the late twenties "prisons averaging 2, men with professional management designed to eliminate the abusive forms of corporal punishment and prison labor prevailing at the time. The American prison system was shaken by a series of riots in the early s triggered by deficiencies of prison facilities, lack of hygiene or medical care, poor food quality, and guard brutality. In the next decade all these demands were recognized as rights by the courts. Since the s the prison population in the US has risen steadily, even during periods where the crime rate has fallen. As a consequence sentencing commissions started to establish minimum as well as maximum sentencing guidelines , which have reduced the discretion of parole authorities and also reduced parole supervision of released prisoners. This War increased money spent on lowering the number of illegal drugs in the United States. As a result, drug arrests increased and prisons became increasingly more crowded. Recidivism remained high, and useful programs were often cut during the recession of " In , the U. Supreme Court in *Brown v. In* addition they have a goal in ending Asset forfeiture practices since law enforcement often deprives individuals of the majority of their private property. The more modern use grew from the prison workhouse known as the *Rasphuis* from in Holland. The inmates, or journeymen , often spent their time on spinning, weaving and fabricating cloths and their output was measured and those who exceeded the minimum received a small sum of money with which they could buy extras from the indoor father. From the later 17th century private institutions for the insane, called the *beterhuis*, developed to meet this need. In Hamburg a different pattern occurred with the *spinhaus* in , to which only infamous criminals were admitted. This was paid by the public treasury and the pattern spread in eighteenth-century Germany. In France the use of galley servitude was most common until galleys were abolished in After this the condemned were put to work in naval arsenals doing heavy work. The use of capital punishment and judicial torture declined during the eighteenth century and imprisonment came to dominate the system, although reform movements started almost immediately. Many countries were committed to the goal as a financially self-sustaining institution and the organization was often subcontracted to entrepreneurs, though this created its own tensions and abuse. By the mid nineteenth century several countries initiated experiments in allowing the prisoners to choose the trades in which they were to be apprenticed. The growing amount of recidivism in the latter half of the nineteenth century led a number of criminologists to argue that "imprisonment did not, and could not fulfill its original ideal of treatment aimed at reintegrating the offender into the community". Parole had been introduced on an experimental basis in France

in the s, with laws for juveniles introduced in , and Portugal began to use it for adult criminals from . The parole system introduced in France in made use of a strong private patronage network. Parole was approved throughout Europe at the International Prison Congress of . As a result of these reforms the prison populations of many European countries halved in the first half of the twentieth century. Exceptions to this trend included France and Italy between the world wars, when there was a huge increase in the use of imprisonment. The National Socialist state in Germany used it as an important tool to rid itself of its enemies as crime rates rocketed as a consequence of new categories of criminal behavior. Russia, which had only started to reform its penal and judicial system in by abolishing corporal punishment, continued the use of exile with hard labor as a punishment and this was increased to a new level of brutality under Joseph Stalin , despite early reforms by the Bolsheviks. Postwar reforms stressed the need for the state to tailor punishment to the individual convicted criminal. In , Sweden enacted a new criminal code emphasizing non-institutional alternatives to punishment including conditional sentences, probation for first-time offenders and the more extensive use of fines. The use of probation caused a dramatic decline in the number women serving long-term sentences: Probation spread to most European countries though the level of surveillance varies. In the Netherlands, religious and philanthropic groups are responsible for much of the probationary care. The Dutch government invests heavily in correctional personnel, having 3, for 4, prisoners in .

Theories[edit] Retribution, vengeance and retaliation[edit] This is founded on the " eye for an eye , tooth for a tooth" incarceration philosophy, which essentially states that if one person harms another, then an equivalent harm should be done to them. One goal here is to prevent vigilantism , gang or clan warfare, and other actions by those who have an unsatisfied need to "get even" for a crime against them, their family, or their group. It is, however, difficult to determine how to equate different types of "harm". A literal case is where a murderer is punished with the death penalty, the argument being "justice demands a life for a life". One criticism of long term prison sentences and other methods for achieving justice is that such "warehousing" of criminals is rather expensive, this argument notwithstanding the fact that the multiple incarceration appeals of a death penalty case often exceed the price of the "warehousing" of the criminal in question. Yet another facet of this debate disregards the financial cost for the most part. The argument regarding warehousing rests, in this case, upon the theory that any punishment considered respectful of human rights should not include caging humans for life without chance of release—that even death is morally and ethically a higher road than no-parole prison sentences. Deterrence[edit] The criminal is used as a "threat to themselves and others". By subjecting prisoners to harsh conditions, authorities hope to convince them to avoid future criminal behavior and to exemplify for others the rewards for avoiding such behavior; that is, the fear of punishment will win over whatever benefit or pleasure the illegal activity might bring. The deterrence model frequently goes far beyond "an eye for an eye", exacting a more severe punishment than would seem to be indicated by the crime. Torture has been used in the past as a deterrent, as has the public embarrassment and discomfort of stocks , and, in religious communities, excommunication. Executions , particularly gruesome ones such as hanging or beheading , often for petty offenses, are further examples of attempts at deterrence.