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Humanization of non-violent inmates critical to prison reform

Kim Crowley

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The United States prison system is in desperate need of reform. We are the world's leading jailer, creating trends of mass incarceration, racial disparity and widespread prison overpopulation. The statistics surrounding U.S. criminal justice, specifically our national prison system, are dismal at best. Over 2 million U.S. citizens are currently in prison. State prisons, as a group, exceed their maximum nominal inmate capacity by 15 percent. Federal prisons exceed their capacity even more so by 36 percent.

Why, in a country with about 4.4 percent of the world's population, do we house 22 percent of the world's prisoners? Multiple explanations exist, but I believe mandatory minimums and prison privatization are the primary drivers of our nation's abnormally high incarceration rates.

Mandatory minimums are minimum sentences set in place for a wide range of crimes. The Anti-Drug Abuse Act of 1986, signed into law by President Ronald Reagan, created mandatory minimums for drug-related offenses (including trafficking, distribution and possession). Though it is obviously important to impose laws upon drug offenses in order to discourage possession and distribution, the practice of mandatory minimums fail as a "one-size-fits-all" solution to a much more complex problem. The general rule of sticking a repeat drug offender in prison for 5 to 10 years will not fix their drug problems. It instead creates an almost cyclical judicial system and ignores the fact that, regardless of charge or history, drug abusers are still people. I believe the intricacies of each and every case call for more personalized sentencing, with a stronger emphasis on rehabilitation for possession charges. This would lessen the number of non-violent offenders within the prison system and help would-be inmates reform their lifestyles.

A subsequent issue within the prison system is its turn to privatization. After the Anti-Drug Abuse Act of 1986 passed, incarceration rates skyrocketed (quadrupling between then and the mid-2000s) and the demand for further prison space led to the development of government contracted, for-profit prisons. While not inherently bad, and not the sole cause of our high rates of incarceration, many have theorized that privatization has led to a sort of prison-industrial complex.

It's simple: for-profit prisons need a consistent influx of inmates in order to maintain their population and thus their financial stability. This incentivizes law enforcement to maintain or increase incarceration rates, rather than lower them. Private prison industry lobbyists have successfully lobbied against measures that would shorten prison terms. They practically fear lower crime rates, as it would affect their financial bottom line. Furthermore, in 2013, the American Civil Liberties Union released a report on collected studies that showed private prisons were "filthier, more violent, less accountable, and possibly more costly than their public counterparts." Overall, prison privatization is a twisted way for business to infect what should be publicly-run institutions.
It’s almost paradoxical: while imprisonment rates remain relatively steady, national violence and property-related crime rates continue to drop. Due to circumstances (such as media sensationalization of crime) many citizens are unaware of this downward trend and do not see the need to reform our prison system. I urge people to do their research. We must understand the cyclical problem and take a second look at evidence and statistics.

However, we also must not dehumanize the people that form said statistics. Prisoners, especially non-violent ones, are not evil beings deserving of cruel treatment. They are more than just numbers in a study. They are human, and legislation involving the adjustment or removal of mandatory minimums and the elimination of private prisons would bring the necessary human element back to our prison system.