

Critical Issues To Correctional Institutions in the U.S.

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There are many contemporary issues that are found within the American penal system. Perhaps we are not fully aware of these issues and just how much they affect the American penal system. Though we are aware that there are issues, we may not be completely aware of just how much they affect the everyday functioning of the correctional systems. We are not fully aware of the funding problems, or the overcrowding problems, or just how much violence takes place in prisons. These three issues seem to be the worst of all the issues that these facilities face.

Funding

Correctional facilities, just like any other business, do not operate for free. Total state expenditures on prisons and related activities were about \$9.6 billion in the mid-1980's, where about 40 percent of all state prison construction was financed by a pay-as-you-go method, and 50 percent was paid by general obligation bonds, and the remaining 10 percent was financed using lease revenue bonds and other revenue streams. By 1996, total state expenditures for prisons were estimated to be \$22 billion, and more than half of all the debt issued to finance prisons was carried out through a specific variant of lease-revenue bonds which were called certificates of participation (Public Bonds, 2004). According to the staff at Vera's Center on Sentencing and Corrections and Cost-Benefit Analysis Unit, after surveying 40 states in an effort to calculate the taxpayer's cost of prisons, the cost of prisons was \$39 billion in 2010, which was \$5.4 billion more than what their corrections budgets reflected (VERA Institute of Justice, 2013). Over the past 40 years, the U.S. has seen a dramatic increase in prison population, and as a result, the country's state prison population has grown by more than 700 percent since the 1970's. This has come at great cost to taxpayers (VERA Institute of Justice, 2013). At the end of 2012, the United States prison population was 1,571,013, which is actually a decline for the third straight

consecutive year. More plans are under way in an effort to lower the number of people who are incarcerated in the U.S., which will help lower the cost of running these facilities as well.

America exceeds every other country in prison inmate population. Attorney General Eric Holder announced sweeping plans that will be designed to address the issue through drug sentencing reform and this means that low level drug offenders could be subjected to some type of treatment or community service programs rather than prison time. There are also plans of implementing and expanding prison programs that would allow for the release of some of the elderly, non-violent offenders (Huffington Post, 2013).

These numbers and statistics are very alarming, yet it is widely understood that in some cases, expenditures at corrections facilities account only for a portion of the financial costs a state commits to when an individual is sentenced to prison. Other costs include, but are not limited to, employee health insurance, pension contributions, and inmate medical care (Vera Institute of Justice, 2013). Medical coverage for inmates is mandatory, and at no cost to them, when thousands of hard working Americans cannot afford medical coverage and do without the medicines and treatment that they need, yet they are the ones who help fund an offender's stay in prison. With the number of incarcerated people, these costs ultimately add up to astounding amounts.

Overcrowding

Although the number of U.S. prison inmates has seen a decline for the third consecutive year, the numbers are still high, in fact, higher than any other country in the world. United States' prisons are overcrowded. Efforts are underway to help solve the problem of overcrowding. Attorney General Eric Holder stated that incarceration needs to be used as punishment, as a means to deter and rehabilitate, and not to convict, warehouse and forget. He

also stated that widespread incarceration at the federal, state and local levels is both ineffective and unsustainable and imposes a significant economic burden which totaled \$80 billion in 2010 alone (Huffington Post, 2013).

Among the first buildings to be built in the New World were prisons. Boston felt a need for detention houses due to the crimes that were taking place, but in early America, prisons were not seen as a place for punishment. With the turn of the 18th century came the uprising of prison facilities and their function, and among the most common of prisoners were political prisoners and high ranking prisoners of war, where few common criminals were locked up unless they were awaiting trial, and once a verdict was found, they were either punished on the spot or released (Lynch, 2013). The only offense which led to a long term sentence back then was debt. This punishment was used as a way to persuade the wealthy who refused to pay their debts to pay them or be locked up. Misdemeanors, much like today, were punished by fines, public shame, physical chastisement, or death (Lynch, 2013). Today, as we all know, anything that is considered to be a felony will land a person jail time. Things were a lot different in the beginning of the New World compared to what they are today.

Today, overcrowding in U.S. federal prisons is so severe that the problem will not easily be solved. A report from the nonprofit Urban Institute said that lawmakers have many options available to start making dents in a prison population. In 2011, America incarcerated 2.2 million people in state and federal institutions (Ingram, 2013). A large part of the overcrowding is due to mandatory prison terms which were enacted in the 1980's and 1990's when crime was on the rise, but those policies are not as favorable as once before due to the expense and the social effects of locking up people who are disproportionately members of racial minorities (Ingram, 2013). Lawmakers and conservatives are pushing legislation to reduce federal prison terms or

give judges more flexibility when sentencing offenders (Ingram, 2013). According to the Urban Institute, a research group with roots in President Johnson's Great Society anti-poverty program, the task of reducing prison population is going to be no easy task. Their findings show that even if mandatory minimum sentences for drug crimes were cut in half, federal prisons would still be 20 percent over capacity after ten years (Ingram, 2013). The truth is that there are many alternatives that can be used in place of incarceration. While not all offenders will be entitled to these alternatives, a lot of them who commit lesser crimes should be rather than using mandatory sentencing which is only aiding in the overcrowding problem within the prisons. Alternatives such as electronic monitoring, community service, and drug courts could be used in place of incarceration. Drug courts are a program that helps drug abusers get clean or face more severe penalties. A lot of people become violators of the law due to drug abuse and this is well worth sentencing many drug offenders to. Not only can one alternative be used, but they can be grouped together or used in sequence which means that the punishment that offenders receive is more severe than what it would be with only one alternative sentence used, but less severe than incarceration.

Violent offenders such as murderers, rapists, or big time drug dealers will not be allowed these alternative sentences due to public safety. Incarceration should be used to protect society, and not just as punishment. Punishment can come in different forms. Alternative sentences are also a form of punishment, because it does take away from the freedom that one once had before they committed their crime. If used right, these alternative sentences can deter criminals just as good as incarceration. As stated before if they are used in sequence or coupled together then they come as a more severe form of punishment, and it will deter future criminals.

Overcrowding of prisons not only leads to more financial needs, but it also leads to more health risks, and violence. According to a report from the Department of Justice, offenders entering prisons bring with them infectious diseases from impoverished home environments that are breeding grounds for HIV/AIDS, hepatitis C, and tuberculosis, which are the three most prevalent communicable diseases found in America's prisons today (Zulficar, 2005). When living in crowded conditions, prisoners can pass on their infections to other inmates, staff, or people who may come to visit them. If inmates contract diseases while inside correctional facilities, they risk spreading these diseases even further into the communities in which they came from upon release from incarceration. Statistics show that in the year of 2000, the U.S. incarcerated a staggering number of people totaling 2,071,686 individuals. Eighty four percent of these new prison admissions were for nonviolent crimes such as drug abuse. According to the Bureau of Justice Statistics, in 1996, approximately 24,000 inmates world-wide were infected with HIV, but more recent studies show that the numbers are continuously increasing. Statistics also show that 1 in 4 inmates are affected with tuberculosis, and that hepatitis C infects more than 41% of California inmates alone (Zulficar, 2005). These diseases pose serious public health problems. Several factors such as overcrowded conditions, poor health education in prisons, and weak community based public health programs for infected people help exacerbate the problem (Zulficar, 2005). Other contributing factors to the spread of these diseases among prisons are the fact that items such as condoms and bleach are not allowed in prisons. Victims of rape, or those who engage in consensual sex in prison, are at risk for spreading these diseases throughout communities upon release. Tuberculosis is an airborne disease, which means that it thrives within people who live in close quarters with poor ventilation (Zulficar, 2005). Other than diseases, inmates face a variety of risks that come from violence within prisons.

Prison Violence

There is so much violence within prisons that just the thought of going alone should be enough to keep people from committing criminal acts, yet it is not. Despite what we think, not all inmates are violent offenders, but sometimes they enter prison as nonviolent offenders, and learn violence as a way of life in prison, which further endangers the public upon release (Zulficar, 2005). Many different types of violent acts occur in prison which include, but are by no means limited to, murder, rape, gang activities, and cultural diversity. Gangs are common within prison systems, and as on the streets, they tend to take care of one another by any means necessary. Even people who are released from prison still stay loyal to their prison gangs. Gang members often have unique markings on their bodies in order to help identify each other or to show loyalty, and they also tend to stay within their own race within a gang, meaning that whites usually stay with whites, blacks with blacks, etc. Gang affiliation and the violence that comes along with it can be a major safety issue in prisons. The most common reasons for the evolving of gangs are protection and control.

The goal of prisons is to identify gang affiliated offenders, track them, monitor their conduct, take interdiction action, and apply sanctions when they are found to be involved in illicit or unlawful gang activities. Though there is no one known strategy that has been proven to be effective at managing every gang found within prisons, some strategies do work in one jurisdiction, whereas they may not be effective in another jurisdiction. Reports show that over three quarters of prisons has established gang management strategies that include monitoring inmate communication, collecting and compiling information from searches and in most cases sharing this information with local, state and federal law enforcement agencies (Ruddell, 2010).

Cultural diversity within prisons can be a result of differences among groups of people and individuals based on ethnicity, race, socioeconomic status, gender, exceptionalities, language, religion, sexual orientation, or geographical area. This not only affects the inmates, but the staff as well. Diversity towards staff members can come from inmates or co-workers as well. Women and minorities were previously viewed as threats to the cohesiveness of the correctional workforce, and those officers were often victims of discrimination or abuse. It was reported by many staff members, including African American, Hispanic, and women, that Caucasian, male coworkers were slow to accept the idea of them working alongside them, but the fact is that minorities and women are an integral part of the correction process (Carlson, & Simon, 2008). People of all different races and backgrounds are within prison facilities, and cultural diversity will always be a problem due to the fact that so many people are reluctant to accept others for who they are even though they are different. We cannot control how someone feels about others who are of a different race, yet we can teach them, and hope for a good outcome by helping them learn about people who are different from them and how they live, they may, in turn, be able to accept and respect, or at least keep the peace with others who are different than what they are, but this is probably a long shot. Staff members who use diversity will be punished in the proper manner, whether it be suspensions, or termination of their job. Due to the nature of their jobs, and the fact that they come into contact with so many people of different cultures and such, training is provided for some officers on how to avoid cultural diversity.

There are so many different issues that correctional facilities face in this modern day. Not all of these problems will be fixed within a small amount of time, but they are something that need to be looked into in order to keep the correctional facilities up and running and in order to maintain a safe environment for our families to live in. The need for funding is extreme, but

there seem to be no ways of coming up with additional funding in order to maintain a safe environment within these facilities, so the only other option is to stop incarcerating so many people when other types of sentences can be used in order to punish criminals who commit the lesser crimes. Overcrowding is already a major issue within prisons, which makes for unsafe environments due to the inability to keep diseases from spreading, and the inability to control violence within the prisons as well, so the best option would be for intermediate sanctions to be implemented upon those who are non-violent criminals and don't really pose a threat to society due to them not being incarcerated. Prisons were made to be used as a means to protect society from other people who were a danger to them. The fact is that the United States of America has incarcerated more of its population than any other country, and not all of these people really deserve incarceration as a fair punishment.

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