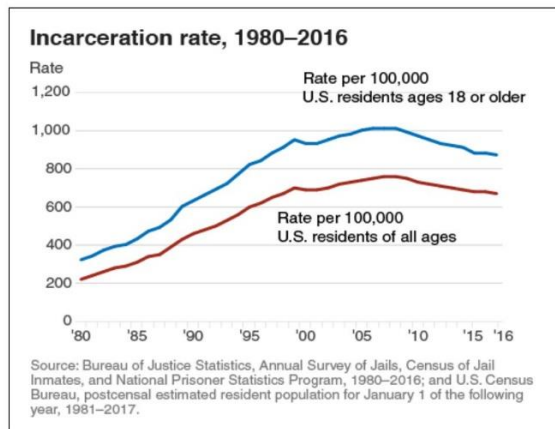


# Mass Incarceration: Consequences and Solutions

## Introduction

Incarceration rates have been steadily growing, increasing by 500 percent over the last 40 years (Figure 1). A major catalyst for this growth originated during Richard Nixon's presidency when he declared a "War on Drugs" and pushed for minimum sentencing. During the Reagan administration, The Anti-Drug Abuse Act of 1988 enacted the mandatory minimum sentences for drugs. Rather than lower rates of drug usage, this practice led to psychological and economic damage to lower-income and minority communities whose families had been incarcerated (Nesmith, 2015). Later many states enacted some form of three-strikes laws as part of the 1994 Anti-Violence Strategy, which proved to be ineffective in deterring crime according to the 2004 study *The Effect of Three- Strikes Legislation on Serious Crime in California*. The sharp increase in prison population may sound like a win for public safety, however, it has massively damaging effects on lower-income neighborhoods and individual incarcerated.

Figure



## Mass Incarceration's Destructive Effects on Communities and Families

Often an offender has friends or family who rely on them for emotional or economic stability. Households lose 22% of their annual income when a parent is removed. Families will also be indirectly punished by having to expend personal and work time and expenses on behalf of the incarcerated individual for various legal fees, care packages, and other needs. The instability within a community caused by mass incarceration trickles down to affect the children within the community. Studies have found increased risk of homelessness and poor health care coverage (Foster, Hagan 2007). The children of incarcerated parents exhibit higher levels of anxiety, depression, aggression, and other emotional and behavioral problems. This contributes to higher amounts of issues in school in regards to academic performance, dropout rates, and peer relationships (Muschert, Klocke, Perrucci, Shef'ner 2016).

## on The Individual

The United States' punitive attitude towards convicts tends to dehumanize people once they encounter the justice system. Some sociologists view convictions as the "new civil death" which refers to the mass amount of obstacles inmates face once released back into society. Prison life socializes inmates to prison culture, which translates poorly to regular society. Released prisoners lose the right to hold public office, vote, hold certain driver's licenses, adopt children, and often cannot gain custody of their own children (Muschert 2016). Almost all prisons are over capacity, and spread of infectious diseases is common.

## on Society

The political effect is that approximately 6 million adults in the United States are prohibited from voting due to their criminal record (Uggen, Shannon, and Manza 2012). Because of the disproportionate amount of black and Latino prisoners, disenfranchisement affects the voting power of these minority groups. In 2002, a third of the disenfranchised population were black men (Uggen 2012). A significant voice in democracy is lost in the process of people failing to reregister after losing their voting rights.

Mass incarceration also encourages gang activity. Prison gangs continue to grow and develop into highly organized enterprises. More street gangs are imprisoned, then assimilated into prison gangs due to the stability and protection they provide. A good example of this happening are the California Chicano gangs, who unified into two main prison groups – La Familia and the Mexican Mafia (Sanchez-Jankowski,

2003). These mergers unify the drug market and only

serve to worsen gang activity.

### Suggested courses of action to reduce prison population:

#### **Decriminalizing possession of 10 days worth of illicit drugs and enacting policies and programs that frame substance abuse as a mental health issue rather than a criminal act.**

The Uniform Crime Report in 2016 showed roughly a fifth of arrests were made due to possession of illegal substances, and according to the Bureau of Justice Statistics 15% of inmates were convicted for drug usage or drug dealing. Taking a punitive approach to addiction and drug usage fails to diminish crime, and rather feeds nonviolent individuals into the prison system and increases their likelihood of gang involvement and reoffending. By decriminalizing possession and focusing on rehabilitation of drug users, the prison population would decrease significantly and the effects of interacting with the justice system would be less harshly felt. People would no longer be separated from their families for drug-related infractions, furthering the cohesiveness of their community. In 2001, Portugal employed a less radical decriminalization of drugs, forgiving those carrying less than ten days' worth of drug. Per the European Monitoring Centre for Drugs and Drug Addiction, drug induced deaths are rare in Portugal, suggesting that similar movements in the United States will not cause extreme consequences (Laqueur, 2015).

Another more lucrative suggestion would be to legalize all drugs considered less or equally addicting and dangerous than alcohol – including but not limited to LSD, marijuana, rohypnol, and ephedra. Doing so will

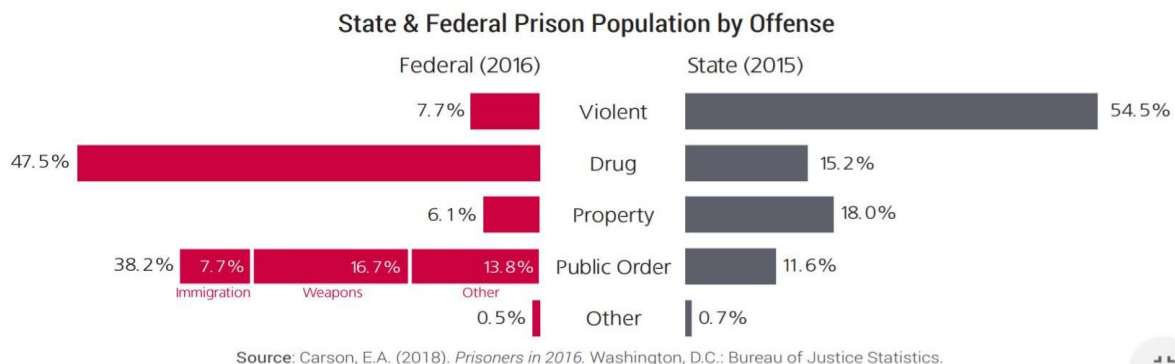
#### **Making efforts to release inmates imprisoned for activity that is no longer criminal, especially with the current trend legalizing marijuana.**

Many individuals convicted for marijuana-related offense still serve time in states where usage and selling is legalized.

#### **Repealing mandatory minimums, three-strikes laws, and similar policies that reduce judge discretion and force individuals in the prison system longer.**

Such laws funnel youths into the prison system for longer periods of time, increasing the amount of time individuals are associating with gangs rather than discouraging association. The amount of time inmates spend in prison for nonviolent petty crime will decrease and account for almost half of the prison population, as seen in the chart below. (Figure 2).

Figure 2



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