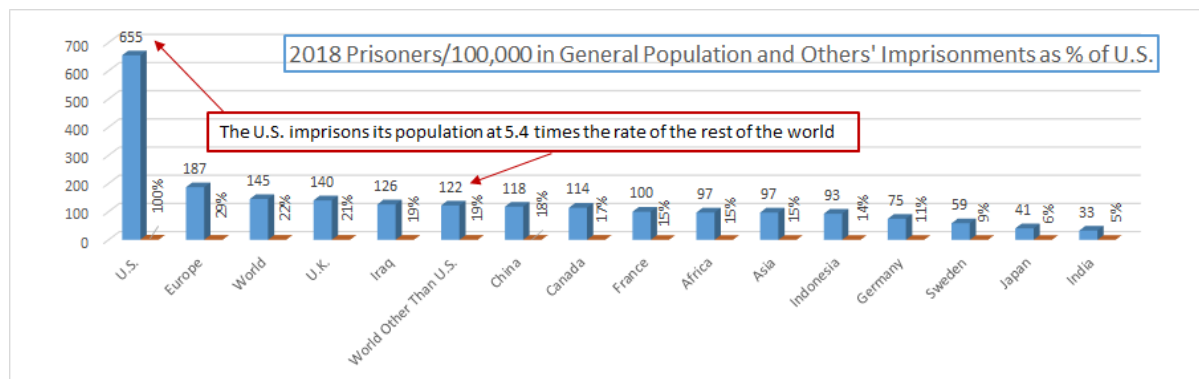


## Prisons and Incarceration

The U.S. imprisons huge numbers of its people in its failing War on Drugs,<sup>720</sup> half a million every year. Add 950,000 on probation and 870,000 on parole, that's 1.7 million, 1 in 150 adults in prison for drugs. That's really a lot of people, but it is still a fraction of all of the people in the U.S. criminal justice system. (Best ensure bowels are evacuated before going further. These facts can be hard to process.)

In 2018, the U.S. incarcerated 2.3 million people, 1 in 110 adult residents. Another 4.5 million were on probation or parole (1 in 56). Altogether, 7 million adults in the correctional system (probation, parole, jail, or prison), 1 in 35 adults.<sup>721</sup> The U.S. had the world's longest prison sentences,<sup>722</sup> 4% of the world's population, but 21% of the world's 10.7 million prisoners, the world's largest prison population and highest imprisonment rate, 5.4 times the global average, and 2,700 people with death sentences.<sup>723</sup>



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The U.S. imprisons a higher percentage of its adult black population than South Africa did at the very peak of apartheid.<sup>725 726</sup> The world mobilized to stop that. Some U.S. states still jail people for debt.<sup>727</sup> Local governments take \$10s of billions in parking, traffic and other violation fines and forfeitures, annually, and imprison the poor unable to pay.<sup>728</sup> People go to jail 11 million times a year in the U.S.<sup>729</sup>

It's not just adults. The U.S. has 54,000 youth in juvenile detention,<sup>730</sup> incarcerating far more of its youth than any other country.<sup>731</sup> In 2014, the U.N. Human Rights Committee criticized the U.S. for judicial abuses, including mistreatment of juvenile inmates.<sup>732</sup> A 2015 U.N. report criticized the U.S. for being the only nation in the world to sentence juveniles to life imprisonment without parole.<sup>733</sup>

This prison industrial complex costs \$200 billion a year in direct judicial, police, and corrections costs<sup>734</sup> (17% of FADS).<sup>735</sup> It directly costs more than \$30,000 a year to keep someone in prison in the U.S.,<sup>736</sup> \$75,000 a year in California, more than it costs for a year as a student at Harvard.<sup>737</sup> In 2009, 4% of all spending and 7% of general fund spending across all U.S. States was for corrections, excluding some costs in some states.<sup>738</sup> 1 in 9 state government employees works in corrections.<sup>739</sup> Medical care costs for inmates grow as much as 10% annually.<sup>740</sup> State and local spending on incarceration grew three times as much as spending on public education, from 1980 to 2016.<sup>741</sup> We spend lots of money on this.

U.S. prison populations quadrupled since 1980, largely because of the failed "War on Drugs," which has imprisoned huge numbers of marijuana users, themselves the only victims suffering the only harms of this "crime," primarily from predatory legal enforcement.<sup>742</sup> 1 in 5 caged people are there for drugs.<sup>743</sup> Violent crime rates are unchanged.<sup>744</sup> Federal law mandates 5 year sentences for first-time, non-violent drug offenses, and 60% of federal drug offenders are subject to mandatory minimum sentences.<sup>745</sup>

U.S. prisoners are treated horribly, with punishment and removal as the goals, rather than correction or rehabilitation. Violence is common, between prisoners, and on prisoners by prison guards. 5% of prisoners (about 70,000) are raped in U.S. prisons annually.<sup>746</sup> Gangs and gang violence are prevalent. Solitary confinement, condemned by the U.N. as torture, is widely used, if unreported or underreported by many states. At over 80,000 at any given time, the U.S. has more prisoners confined in isolation than any other country. In Louisiana, some have been held as long as 40 years in isolation.<sup>747</sup> Is that OK?

Prisoners, 6 times more likely to get foodborne illnesses than outside prison, riot over poor quality food, often from for-profit contractors.<sup>748</sup> In 1999, Norway's Supreme Court refused to extradite a U.S. hashish-smuggler to the U.S., because U.S. prisons do not meet minimum humanitarian standards.<sup>749</sup> Human Rights Watch reports U.S. prisons are "in many respects unsafe and inhumane".<sup>750</sup> In 2014, 1,050 people died while being held in local jails,<sup>751</sup> 3,900 died in state prisons (7% were suicides), and 450 died in federal prisons (4% were suicides).<sup>752</sup> 17% of deaths in jails and prisons are unnatural.<sup>753</sup>

Many prisons are overcrowded.<sup>754</sup> In 2011, California's prisons had a capacity of 78,000, but held 140,000 inmates, after prison populations doubled in 20 years, in part because a 3 Strikes law produced a quarter of the prisoners. (California spent about 12% of its budget on its prison system at that time.)<sup>755</sup> Some prisons turned old gyms into inmate bunkhouses, with hundreds of beds next to each another and no barriers separating inmates. Inadequate security, staffing and healthcare caused a death a week, and a court ordered release of 27% of California's prison population, citing the 8<sup>th</sup> Amendment prohibition of cruel and unusual punishment.<sup>756</sup> Correction officers have gone on strike at other prisons over safety concerns related to overcrowding.<sup>757</sup> This is not safe, effective or humane?

Since the 1980s, with massive imprisonment increases, the U.S. has let a profitable \$5 billion<sup>758</sup> private prison industry develop, which has attracted major investors, like Wells Fargo, Bank of America, Fidelity Investments, General Electric and The Vanguard Group.<sup>759</sup> Many abuse prison monopolies, like outsourced medical and phone services, with minimized services and high prices to increase profits).<sup>760</sup> In 2011, 40% of juvenile inmates were in private facilities, despite shocking abuse records.<sup>761</sup>

Base profiteering and corruption behaviors surround these, like contracts requiring states to fill private prison beds or pay for them anyway<sup>762</sup> and U.S. judges convicted for getting kickbacks to send juveniles to for-profit facilities.<sup>763</sup> A 2016 U.S. Department of Justice report showing privately operated federal prisons are less safe, less secure and more punitive than other federal prisons led the U.S. government to announce it would stop using private prisons.<sup>764</sup> In 2017, the new President reversed that decision, in 2018 offering many some of the \$2.5 billion spent to hold 47,000 immigrants in detention centers.<sup>765 766</sup>

These for profit industries, along with powerful prison guard unions and others profiting from the prison industrial complex system, have successfully lobbied for policies and laws that increase incarceration, such as "truth-in-sentencing," which called for all violent offenders to serve 85% of their sentences before being eligible for release, and "three-strikes-you're-out" laws, which call for mandatory life imprisonment for a 3<sup>rd</sup> felony conviction.<sup>767</sup> Their pipeline for profits is new prisoners and longer terms.

Prison labor is prevalent in the U.S. Some 18% of eligible prisoners in federal prisons work and are paid \$1.25 an hour or less, providing low-wage labor for profitable corporations, including Walmart, Costco, Microsoft, Starbucks, McDonald's, Nintendo, Chevron, Bank of America, Koch Industries, and Boeing.<sup>768</sup> In 2016, the largest prison strike in U.S. history took place in 11 U.S. states, with inmates claiming to be subjected to poor sanitary conditions and jobs that are essentially forced labor and modern slavery.<sup>769</sup>

Prison sentences are so long in the U.S. now that most Departments of Correction report spending more than 10% of their annual budgets on elderly care. In 2012, the American Civil Liberties Union reported the elderly prison population had climbed 1,300% since the 1980s, with 125,000 inmates 55 or older, costing \$16 billion a year to keep in prison (1% of FADS).<sup>770</sup>

The proportion of U.S. inmates with mental illness has been steadily increasing, with rates quadrupling from 1998 to 2006.<sup>771</sup> In 2005, 64% of jail inmates, 56% of state prisoners, and 45% of federal prisoners had mental health problems. 8% of crimes are directly related to mental illness; a quarter of state prisoners have a history of mental illness; and 30% of prisoners with no recent history of mental illness develop mental illness after being imprisoned.<sup>772</sup> It would far cheaper and more effective to treat mental illnesses outside prisons, and not make prisoners mentally ill and release them back into society?

Factors contributing to high rates of mental illness in prisons and jails include the lack of adequate mental health services outside of prisons, frequent use of torturous solitary confinements,<sup>773</sup> abuse and violence, like being raped, beaten, shocked, shackled and pepper sprayed,<sup>774</sup> and lack of inmate rehabilitation, education or support services while imprisoned. Prisons don't provide a full range of mental health services, and guards routinely use excessive violence against mentally ill inmates.<sup>775</sup>

The U.S. punitive attitude toward crime, in which crime's punished hard and there's little rehabilitation, extends throughout the culture, even after people are released from prison. Prisoners are often released to the streets with no rehabilitation or support, wearing only the clothes they had on and carrying only the money they had in their pockets when arrested. In most places, they're not eligible for welfare or housing assistance to get back on their feet. There's no help to get a job, and employers often won't hire people with a criminal record. There is little support for social anxiety, distrust, fear, post-traumatic stress disorders and other psychological issues developed in inhumane prison settings.<sup>776</sup> 80% of those in U.S. jails and prisons are high school dropouts, but they are not educated in prisons.<sup>777</sup>

Prisons treat inmates as criminals, in mean environments, where they survive by banding together as criminals, so they acculturate to being criminal in prison. The culture of society is to alienate criminals, so it's very difficult to reintegrate them into society. More than two-thirds of released criminals are arrested for another crime, often because it's too hard to live in any other way.<sup>778</sup> There are too few legitimate alternatives. As much as 2% of the U.S. unemployment rate is related to ex-criminals being unable to get work, and that costs the U.S. economy \$55 to \$65 billion a year (6% of FADS).<sup>779</sup>

Imprisonment affects many more people than just those imprisoned: spouses, children, grandchildren, siblings, uncles, aunts, friends, community members. Families of prisoners suffer greatly. Spouses struggle to support and raise children. 54% of jailed parents are the breadwinners of their families.<sup>780</sup> Three-fourths of children with a parent in prison have depression, sleeping, concentration and other psychological and emotional problems that negatively affect their lives and prospects.<sup>781</sup> More than 1 in 50 U.S. children has an incarcerated parent, and 42% of incarcerated mothers are single parents.<sup>782</sup>

113 million, half of U.S. adults have had a close family member jailed; 1 in 7 U.S. adults have had an immediate family incarcerated for over a year; 7 million (3% of) U.S. adults have an immediate family member currently in jail or prison; 1 in 7 adults have had a spouse incarcerated; 1 in 8 have had a child locked up; and only 1 in 4 are ever able to visit an incarcerated family member.<sup>783</sup> The U.S. is jailing 50,000 immigrants,<sup>784</sup> and illegally separates children from asylum seekers and jails them.<sup>785</sup> The U.S. criminal justice system population is greater than the populations of 55% of the world's nations.<sup>786</sup>

One study estimates the true cost of incarceration at more than \$1 trillion, including direct system costs, lost productivity, and impacts on families, children and communities (86% of FADS).<sup>787</sup> Kids with a family member in prison are more likely to have to work to support families, and to be in prison later.<sup>788</sup>

At any moment, half a million people are in jail in the U.S. waiting for trial, sometimes for years, because they can't afford bail, though they're supposed to be presumed innocent until proven guilty and most are charged with non-violent petty crimes, not considered a threat to society, or likely to flee. Many are killed or injured there. 60%-70% of local jail inmates are awaiting trial.<sup>789</sup> That alone costs taxpayers about \$9 billion a year (0.8% of FADS).<sup>790</sup> Bail requirements are usually unfair, because they mean the poor stay in jail and the rich do not, for the same thing. The U.S. has a huge, largely predatory, for-profit bail bond industry earning about \$2 billion a year.<sup>791</sup>

Racism is clearly evident in U.S. criminal justice systems. In 2010, the U.S. imprisoned 450 white, 830 Hispanic, and 2,300 black people per 100,000 people of all ages.<sup>792</sup> By age 23 in 2013, 49% of black, 44% of Hispanic, and 38% of white males had been arrested.<sup>793</sup> There are more black men imprisoned in the U.S. than the total prison populations of India, Argentina, Canada, Lebanon, Japan, Germany, Finland, Israel and England combined, though there are only 19 million black males in the United States, while collectively these countries represent over 1.6 billion people.<sup>794</sup> More blacks are in prison or jail, on probation or parole, than were enslaved in the U.S. in 1850, 10 years before the Civil War started.<sup>795</sup>

Black adults are 50% more likely than white adults to have had a family member jailed, three times more likely to have family jailed for 10 years or more; and Latino adults are 70% more likely than whites to have a loved one incarcerated for over a year. Low income families are disproportionately impacted, with adults making less than \$25,000 a year 61% more likely to have family incarcerated than those earning over \$100,000 a year. This is a criminal justice system systematically conducting social injustice.

Police racial profiling is a big part of it. Black and brown men are far more likely to be stopped by cops, and to be searched,<sup>796</sup> and more likely to experience violence from increasingly militarized police. Compared to whites, blacks are: 2 times as likely to be arrested in a traffic stop, 3 times more likely to be searched, and 4 times more likely to be shot by police while unarmed.<sup>797</sup> The issue is so frustrating and unfair that a national "Black Lives Matter" movement exists to try to confront it.<sup>798</sup>

The U.S. prison system removes citizens from voting rolls. Many with records aren't allowed to vote.<sup>799</sup> U.S. prison culture is a political tool to affect voting, strategically and perhaps deliberately removing from voting rolls many of the 7 million (1 in 35 adults) under correctional system supervision (parole, probation, jail or prison). That's enough to affect many U.S. elections, a major corruption of democracy.

It also effectively repeals the 13<sup>th</sup> Amendment right of black citizens to vote to the extent it targets and unfairly imprisons black and brown skinned citizens and eliminates their voting rights. Similarly, the "War on Drugs" can be viewed as a war to imprison peaceful people who use pot, or other illegal drugs, so they can't vote and are too beleaguered to participate in political action to oppose power in the U.S. These were deliberate reasons the Nixon administration launched the War on Drugs in 1971.<sup>800</sup>

Many books could be written on this. Criminal justice and prison systems are badly broken in the U.S. That feels bad. Common sense says we need to stop and change this? Change! Tell others about this! Work to end this! Help people and families who have been caught in the criminal justice system! Record police encounters with citizens and use those records to help protect people against abuses!

It is difficult confronting the facts with these wicked problems of ours, isn't it? Many of us cringe and struggle to stay focused and get through the material. It seems worse than previously acknowledged? We experience things in our bodies, minds and emotions, and for many it is uncomfortable stuff, like: resistance, pain, embarrassment, regret, shock, stupor, denial, anger, fear, regret, shame or despair. Many feel like putting it down and numbing ourselves with substances, media, escape or forgetting. Most shake our heads, say something like "Yeah, it's messed up" and proceed to do what we always do, hustling, hurrying and trying desperately to make something work for ourselves and our loved ones, with all the responsibility for that on us, fearing what might happen if we're not good enough.

However, isn't it better to open our eyes, minds, hearts and souls to what's really going on around us? With knowledge of the shared realities we are actually creating for ourselves, loved ones and futures, we can consciously decide if that is really what we want. We can be, create and do anything we want. Is this what we really want? Or, shall we wake up to what we are really being, creating and doing, and proactively change, creating something better than what we are doing now? We can change!

We are living in an increasingly militarized police and surveillance state approaching what many of us grew up fearing in portrayals of fascist and totalitarian states, like what was portrayed in Orwell's *1984*.

Seriously, using common sense, as a human being, forgetting what we are told by politicians and media, is this really the way we want to live our lives, and are these values we want to spend our resources on? Do we really want to be part of an increasingly militarized police and surveillance state that nets 1 in 35 of us to create a culture of fear, anger, resentment, destruction, despair and harms done to all of us, directly or indirectly, and consolidates political power and control for people who want to do this to us?

Are we best served by trying to solve our problems by brutally blaming and punishing people who don't follow uncommunicated and unexplained rules, ruining lives and prospects for us and our loved ones, rather than proactively helping us live good lives as healthy members of our communities and society? Do we want some to profit and get wealth and power from imprisoning and punishing our own people? Do we really value punishing people and our loved ones in the criminal justice system more than educating and helping people be successful and contributing members of our communities and society?

If not, this requires big change, change affecting most of us. We cannot just keep going along with it, or passively allowing it to happen, or it will not change. It does not work to do nothing. We can't just ignore it to death. It doesn't work to just wish somebody with power would fix it and make it better. Making this better requires taking back power we have given away to government and institutions.

Get up and do something about it! Write letters to government, media and others about this wicked problem, even if you imagine it will not do any good! It is doing something, and it gives you integrity. Raise this issue in political systems, elections and debates! Don't cooperate with police and say why! Refuse plea bargain agreements and insist on jury trials! Explain this problem during your day in court! Serve on juries, and refuse to find people guilty, unless the case is egregious, and explain why!

Organize and participate in protests! Boycott organizations profiting from the criminal justice system, and write and explain to them and others what you are doing! Talk to those working in criminal justice, and explain these problems, and the need for big change! Anything you do empowers you!

Understand human beings in the criminal justice system need help, and help them get it! Hire them! Help others understand this problem! Advise people of the dangers of our predatory justice system!

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