

Prison History & Theory 2

Context into Prison in America

The United States has the highest rate of incarceration in the world.

In 1972 300,000 people were incarcerated in the U.S.
Now there are over 2.3 million.

What accounts for this increase?

Notes from: Prisons in America, McShane: Review

What makes punishment effective?

How we react to crime tells us a great deal about ourselves and our society.

Rationales for Punishment:

1. Vengeance
2. Retribution
3. Incapacitation
 - a. collective
 - b. selective
4. Deterrence
 - a. specific
 - b. general
5. Rehabilitation

Every year more than 600,000 persons are released from state and federal prisons. Without some form of rehabilitation, either psychological, occupational, educational, behavioral, or otherwise, many (at least between 38-58%) are reincarcerated.

Incarceration from Jacksonian Era to Drug Wars: Review

Jacksonian Era 1825-1850

Large fortress-like institutions.

Solitary confinement offset by need to establish factory-like enterprises

Plantations in the south

Oppressive conditions

Progressive Era 1850-1900

Medical model led to experiments with treatment facilities, self-governance and parole.

Bureaucratic or Business Era 1900-1940

Leasing, farm work and road building crews used to fund prisons.

Modern Era 1940-1980

Emphasis on efficient operations

Installation of technology to enhance security.

Professionalizing officers

Drug War Era

1980s-

political emphasis on combating sale and use of narcotics.

Waves of prison construction

Tougher sentencing laws

Overcrowding and under funding led to alternatives and cost-cutting measures to sustain.

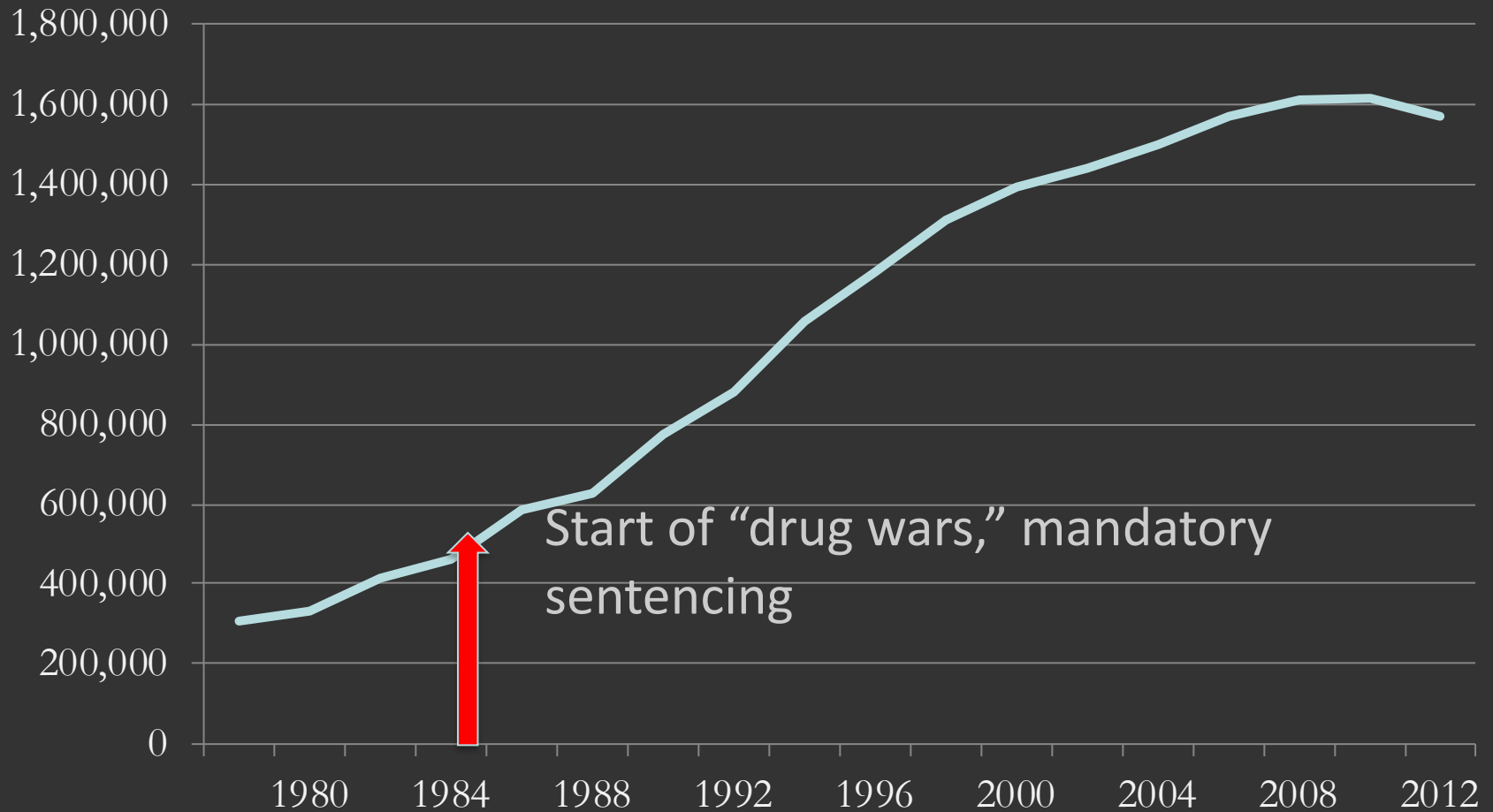
Private prisons

The “hyper-incarceration” since the 1980s, coincides with the “war on drugs” and increasing punitiveness with 2.3 million sentenced in prisons and jails (1.6 in prisons).

95% return to society with little to no rehabilitation (1800 per day).

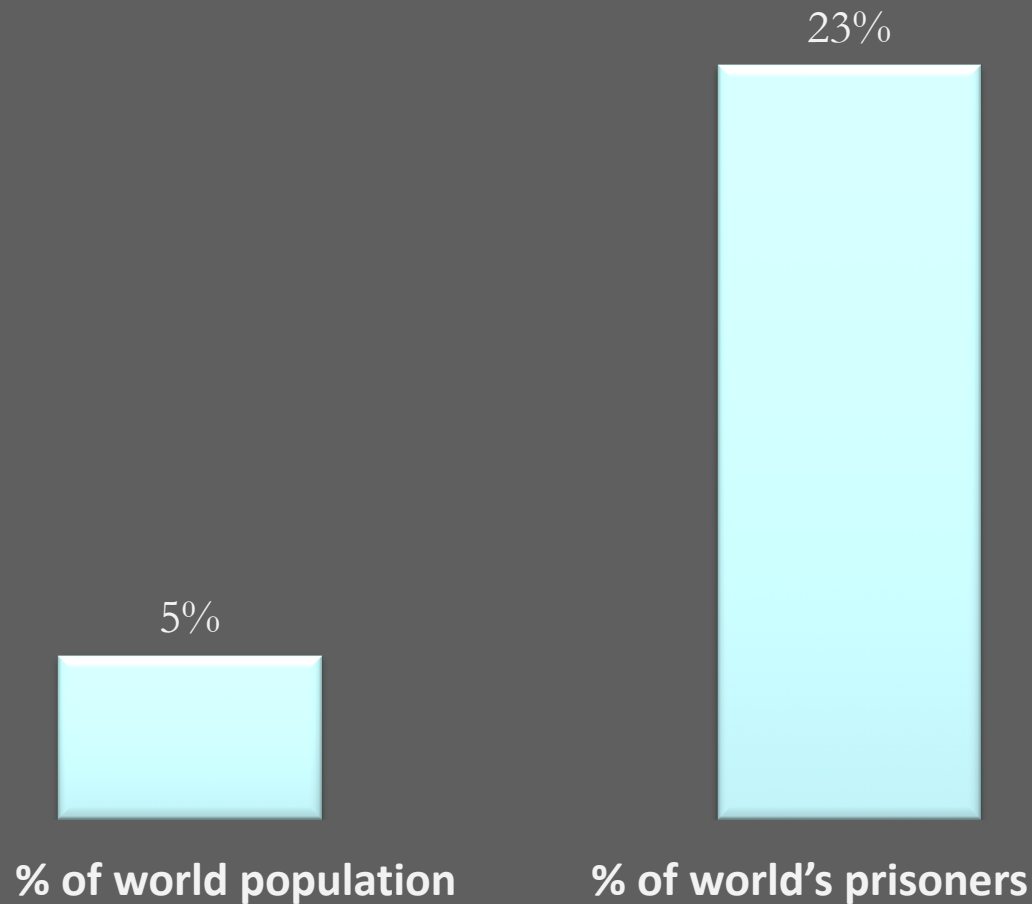
Hyper-incarceration and increased punitiveness-- HISTORY

Formula: send more in, do more time



Number of adults in state and federal prisons 1978-2012, not including sentences to local jails (Source: Carson & Golnelli, 2013)

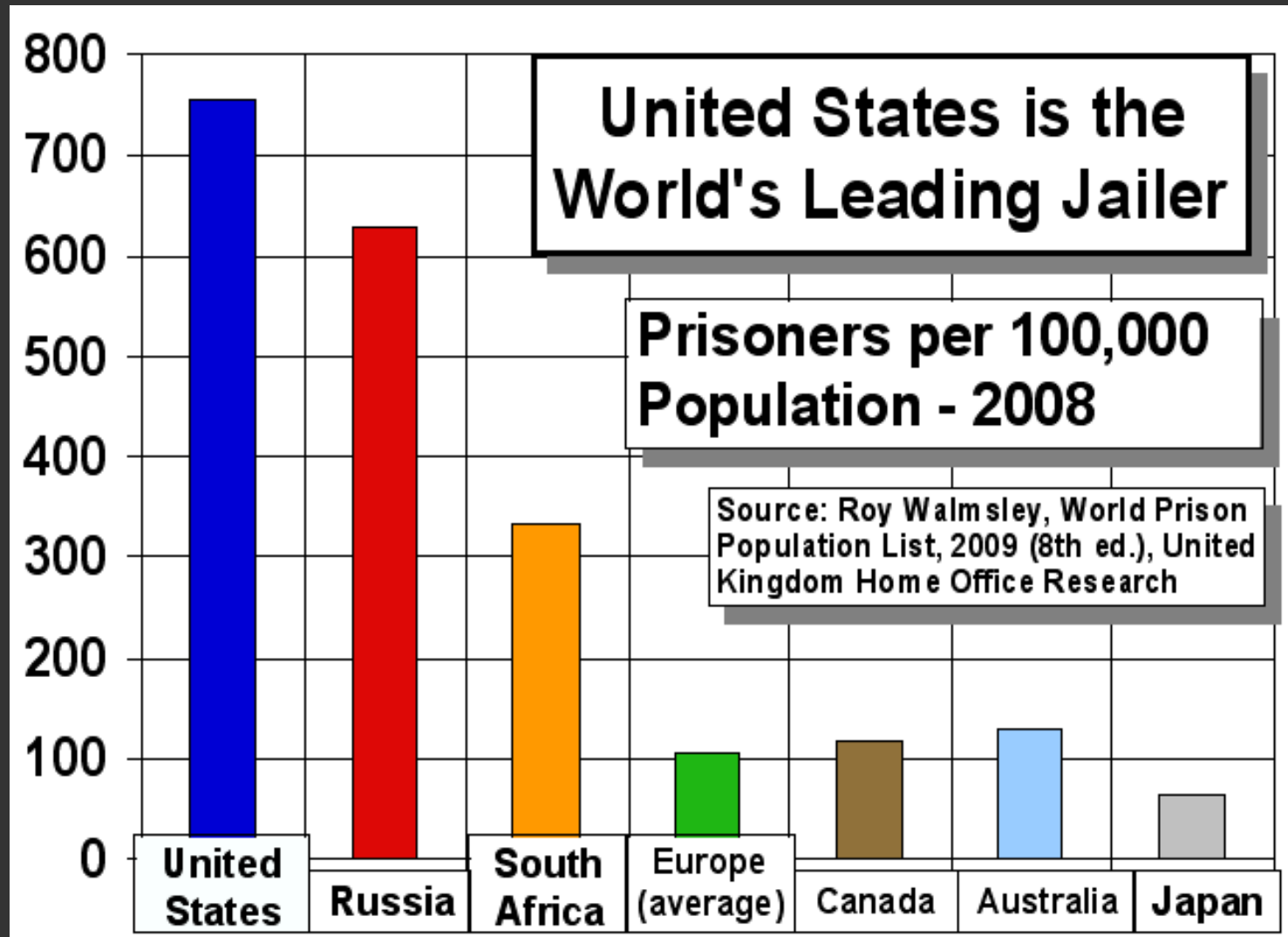
In 2011, The United States had approximately:



What we can see here is the global disproportionality of prison as punishment in the United States compared to other countries.

Sources: Walmsely; www.census.gov

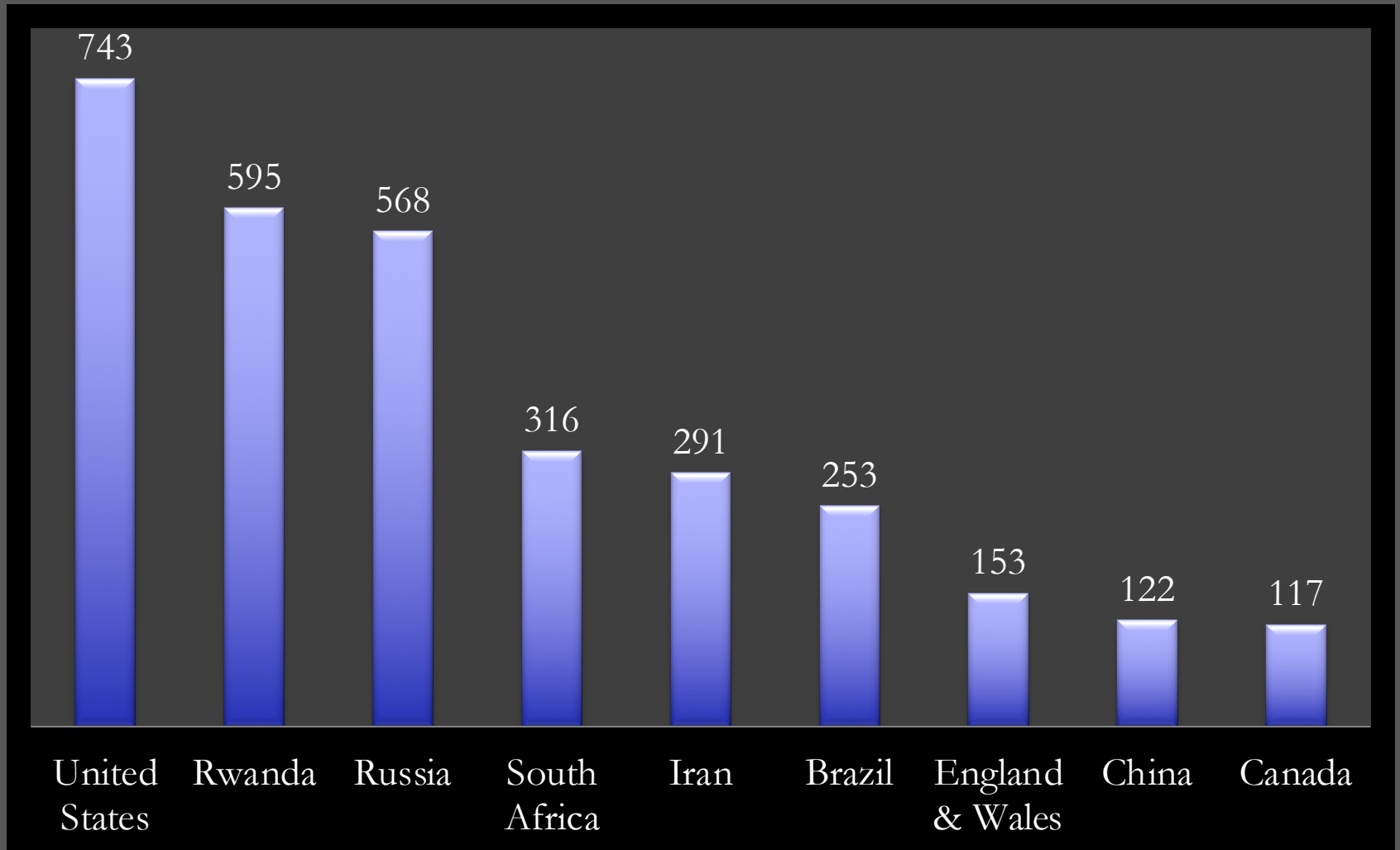
The U.S. compared to the world in 2008. Things are not better now.



The stats source is the World Prison Population List. 8th edition.
Prisoners per 100,000 population

Incarceration rate per 100,000 residents in 2011

(source: Walmsley, World Population List, 9th edition, ICPS)



The United States is the world's incarceration leader. In addition, the countries with numbers closest to ours are Rwanda and Russia.

U.S. is the world's leading jailer about 5% of the world's population and 23% of its prisoners. We have the world's highest incarceration rate, surpassing "more punitive" countries (South Africa, Rwanda, Russia, Iran)

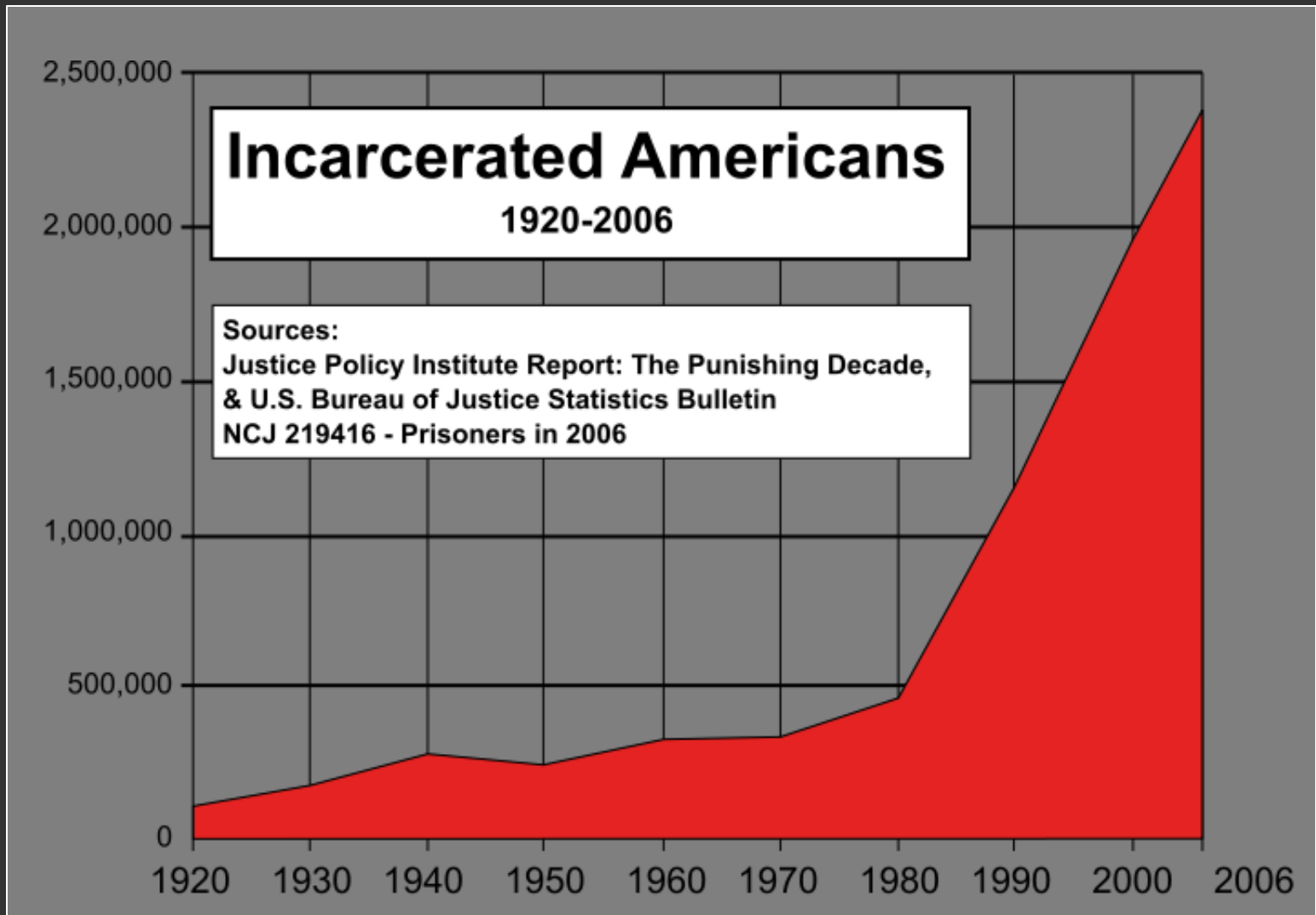
IMPORTANT

Prisons are big business: states spend about \$53 billion in 2012; nearly \$60 billion with federal.

Even then, Pew (2014) states with decrease in prison population they saw crime decrease.

Evidence shows that prison incapacitation does not lower crime as well as education and living wage jobs.

Increase in Prison Populations over time.



Number of inmates. 1920 to 2006. (*absolute numbers*) General US population grew 2.8 times in the same period. The number of inmates increased more than 20 times.

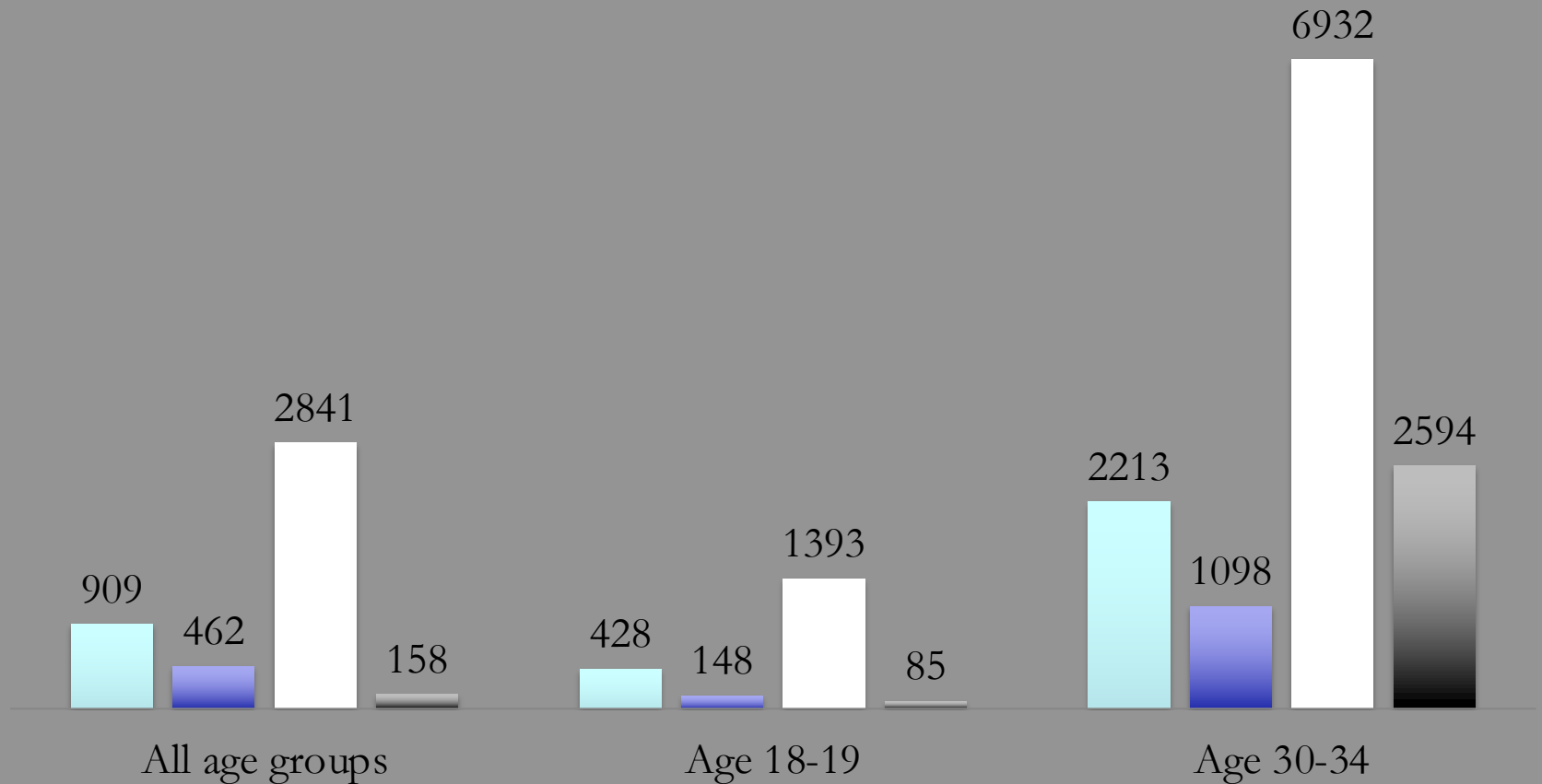
RACE AND INCARCERATION

There is a significant disproportions in who we incarcerate – black men are penalized far more heavily than whites, creating lifetime consequences for opportunities, health of communities of color (overlap) and stigma.

Racialization of prison is caused by – drug war and tough sentencing policies that exacerbated existing structural inequalities of race and class. And, racism--race-based punishment has lasting impacts.

Racial Disproportions in U.S. Incarceration Rate

■ All males ■ White males ■ Black Males ■ Hispanic Males

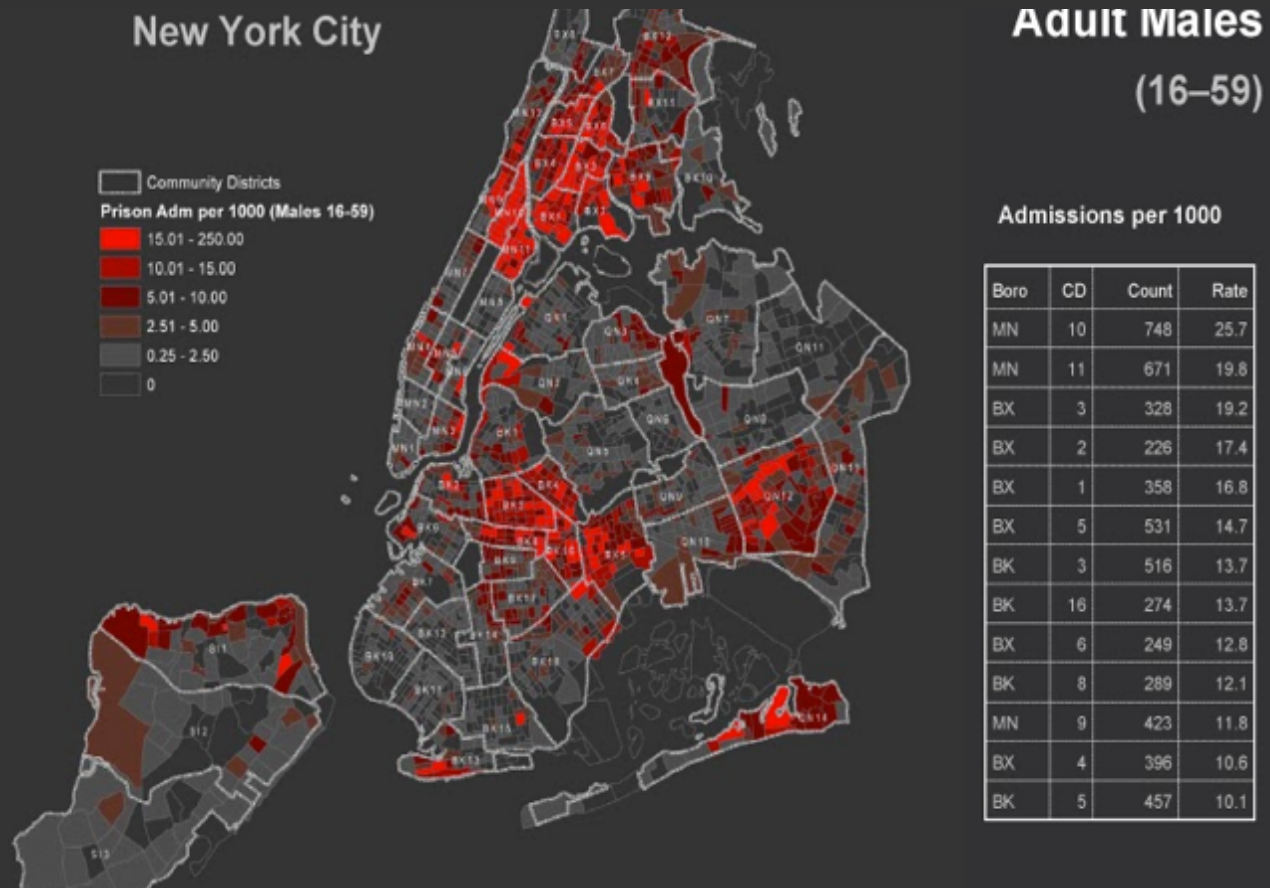


Incarceration rate per 100,000 residents of each race and age group

12/31/12 Source: Carson & Golnelli, 2013

Concentration of Disadvantage: Inmates come from Few Neighborhoods

Source: Justice Mapping Center 2006



Certain neighborhoods send disproportionately large numbers of young males to prison – costing millions of dollars per year –these same neighborhoods have many dependent on social welfare (TANF) and kids in foster care. This means there may be extenuating social issues related to crime.

Visit: <http://www.justicemapping.org/expertise/>



Image from Oz, HBO

By constructing views of punishment in representations of prison and prisoners, cultural industries (like TV, movies, etc.) construct policy and influence our compassion, the way we treat prisoners and releasees.

This is important to counter: we need to rethink who commits crime, who we punish and how we punish them.

Cultural representations, stereotypes of prisons and prisoners shape public views and influence policy and practice involving the incarcerated and those released.

Most beliefs shaped by media representations – Oz, Prison Break, Shawshank.

Some reason for increase Incarceration-- review

This increase in prison population is not because of an explosion in crime but because of:

- “The War on Drugs”
- Three strikes sentencing
- Mandatory Minimums

IMPORTANT

According to a study by The Sentencing Project, a **black male** born in 2001 has a **32% chance** of spending time in prison at some point in his life, compared to 17% for Hispanic males and **6% for white males**.

Prison Industrial Complex

Many prison reformers use this term, The Prison Industrial Complex, to highlight the complex situation that not only allows, but in fact, encourages prison populations to expand.

The prison industrial complex (PIC) is a term we use to describe the overlapping interests of government and industry that use surveillance, policing, and imprisonment as solutions to economic, social and political problems.

from the Critical Resistance Website

The problem with this reality is that a somewhat 'invisible' social structure supports industries that service and make money off of incarceration.

Prison Industrial Complex

Through its reach and impact, the PIC helps and maintains the authority of people who get their power through racial, economic and other privileges.

There are many ways this power is collected and maintained through the PIC, including creating mass media images that keep alive stereotypes of people of color, poor people, queer people, immigrants, youth, and other oppressed communities as criminal, delinquent, or deviant.

IMPORTANT

This power is also maintained by earning huge profits for private companies that deal with prisons and police forces; helping earn political gains for “tough on crime” politicians; increasing the influence of prison guard and police unions; and eliminating social and political dissent by oppressed communities that make demands for self-determination and reorganization of power in the US.

from the Critical Resistance Website

Race and Class-- Abolition

African Americans make up 13% of the US population and 38% of the population in US prisons and jails.

A black man in California has a higher chance of going to prison than to a state college.

States such as Pennsylvania and Arizona decide on how many prisons to build based on how many black children are in the 2nd grade. The expectation that a large percent will be in prison as they become adults.

Our system treats you better if your rich and guilty than if you are poor and innocent.

There are many reasons some social theorists are advocating for **abolition of the prison system**. For the most part, the argument maintains that social systems like, education, mental health care, drug rehabilitation programs, etc. would make the need for them obsolete. We will look at this more later on.

The Death Penalty

Capital Punishment, or the Death Penalty is currently legal in 29 of 50 states in the U.S. New York is one of the states that doesn't allow it. Tennessee does.

Lethal Injection is the primary method of execution but 16 states have a secondary method, like the electric chair, gas, hanging or firing squad.

It is important to realize that there are no rich people on Death Row. What this tells us is that if someone can afford to hire a good lawyer, they are able to avoid the death penalty.

At the same time, the error rate for death row: for every 9 people on death row, one has been exonerated. This reality is followed by the Death Penalty Information Center.

See their fact sheet. It includes many statistics including the cost of capital punishment.

<https://files.deathpenaltyinfo.org/documents/pdf/FactSheet.f1569505379.pdf>

U.S. vs the world

1. We are the only Western democratic country in the world to still practice capital punishment.
2. Other countries with the death penalty –Syria, Iran, Somalia, Pakistan, North Korea, China
3. The states with the death penalty have 35% more murder per capita than ones that do not. New York State outlawed the death penalty in 2004. The last person executed in New York was in 1963 at Sing Sing.
4. The US has the highest rate of incarceration in the world
 - 1972 300,000 people were incarcerated in the US
 - 2006 over 2.3 million

There are varied views on incarceration in the US.

With a commitment to social justice through awareness and exposure we looked at the current Penal System:

How Prison is used as punishment

Prisons are big business

Prisoners are stereotyped

Race and Class play a factor in Judicial System

Criminal justice professionals believe it is critical to confer credentials upon ex-inmates so they can work and become productive citizens. Not return to crime. We look later at the Prison Education programs and the one at Sullivan Correctional recently developed at STAC by a small group of us.

While Prisons are designed for many reasons and through the history of the Penal system we can witness changes and similarities over time, our concern is with how to rethink our preexisting ideas regarding all.

How can we protect society from dangerous individuals and at the same time advocate for Social Justice?

In this class we are using Art as an excuse to examine complex social, political and economic situations that affect our justice system. And ways Art can become a vehicle for change.

Next class we will look at how Helguera discusses viewer participation as a way of identifying different levels of Social Practice Art. In that, we look at more artworks.

Your first longer Analysis paper is due next week as well. Please make sure to understand Helguera's argument before answering the questions.