




# Mass Incarceration

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*Describe the phenomenon into which your  
group is providing insight.*

# Mass Incarceration


- Mass Incarceration is a term that was created to show how the United States of America has imprisoned an exceeding amount of the population throughout the years.
- According to the Prison Policy Initiative, “The American criminal justice system holds almost 2.3 million people in 1,833 state prisons, 110 federal prisons, 1,772 juvenile correctional facilities, 3,134 local jails, 218 immigration detention facilities, and 80 Indian Country jails as well as in military prisons, civil commitment centers, state psychiatric hospitals, and prisons in the U.S. territories.”
- The majority of the individuals that are in jail or prisons are people of color, many have been detained before trial.
- Mass Incarceration has been looked at as the new Jim Crow Laws in efforts to control people of color in the United States of America.

# COVID-19 in Prisons

- Not only has Covid-19 affected both the United States' Economic and social circumstances, but it has definitely shaken up the prison system.
- According to *Social Problems in the Age of COVID-19 Vol 1: Volume 1: US Perspectives*, "As COVID-19 started to spread throughout the United States, organizations like Human Rights Watch warned that custodial settings, such as federal and state prisons and immigration detention centers, would be particularly vulnerable to outbreaks. The number of people criminally incarcerated or civilly detained in the US, who are disproportionately racial and ethnic minorities, has grown exponentially in recent decades."

# COVID-19 in Prisons (cont.)

- Being that it was predicted that this nationwide pandemic would directly affect prisons and little to no effort has been and currently is not being taken to keep prison populations safe, there is a correlation to race. It's almost as if minorities are being targeted once again, except now through different means.
- “The nation’s thousands of jails originate in White supremacy and oppression—a role that has continued with the rise of mass incarceration. The spread of COVID-19 behind bars has magnified both the public health and social consequences of jails, and also the lack of timely, transparent data about who is behind bars and what they are enduring.”



*What can we learn about social or cultural aspects of life in New York City and Brooklyn in particular from studying this phenomenon?*

*What sociological lens did you use when you conducted your analysis?*

# Tough-On-Crime Policies

- America entering the 1970s, after Civil Rights and the assassination of both Martin Luther King Jr and John F. Kennedy, gave rise to fears of urban crime
- Politicians have taken advantage of this public fear, enacting policies that seek to “keep crime off the streets” and “keep the public safe”
- “Tough-on-crime policies” gave the impression that the government was keeping it’s (typically white) citizens safe.

# Examples of Tough on Crime Policies

During the 1970s, President Nixon used people's fear of race-riots in order to crack down on crime.

- Blamed the sudden uptick of violent crimes on the criminals themselves rather than society. Drug users were not victims of addiction, but instead violent criminals who need to be put away for the “moral good” of society
- Was perceived as a way to cast both the “anti-war left” as well as Black people who benefited from the recent civil rights movement as criminals.
- “The Southern Strategy”
  - Nixon's plans to win white voters by using “crime” and “Law and Order” as a way to appeal to people's racism without coming off as “racist.”



# Policies cont.

- President Ronald Reagan expanded on Nixon's "War on Crime," by specifically going after drug users during the 80s (The War On Drugs)
  - 100 : 1 ratio
  - Following the death of Len Bias, a college basketball player who was thought to have overdose on crack cocaine, created a media frenzy surrounding the crack epidemic.
  - At the time, it was believed that crack was much dangerous than its powder cocaine counterpart.
    - Because crack was cheaper, it was easier accessible to poorer, typically Black, consumers
    - Regan's policies targeted drug users rather than drug traffickers
      - Gave long sentences for having a limited amount of crack on person
        - Min 5 years for being found with 2 grams of crack.

# Violent Crime Control and Law Enforcement Act of 1994

- Crime policy drafted by President Bill Clinton's administration
  - Also known as "The Biden Law" (for Joe Biden's inputs on the policy)
- Put 100,000 new Police Officers in community, and funded police efforts with billions of dollars in federal funding.
- Created financial incentives to increase arrest numbers
- Authorized the death penalty for various federal crimes
- "Three strikes and your out"
  - Mandated life imprisonment for a third violent felony.
- The policy was thought to have lead to a prison boom in which was a new prison was created "every 15 days on average."


(<https://www.brennancenter.org/our-work/analysis-opinion/1994-crime-bill-and-beyond-how-federal-funding-shapes-criminal-justice>)

# Labor Exploitation in U.S. Prisons

- If slavery existed hundreds of years ago and was abolished, mass incarceration is the modern day version of slavery with a mask with the words “justice” written all over it. There’s a direct link between slavery and incarceration. After slavery was abolished, Black people were arrested for minor offenses and essentially black labor was exploited.
- After the Civil War, inmates became an inexpensive source of labor during the reconstruction , particularly in the Southern States.
- “Criminal justice policies, such as Mississippi's "Pig Law," contributed to an infamous history of **states** enacting harsh **prison** sentences to acquire a plentiful and cheap **labor** pool” (INFORMATION ASYMMETRY IN PRIVATE PRISON MANAGEMENT: MONITORING AND OVERSIGHT AS THE BASIS FOR PRIVATE PRISON LEGITIMACY- Marcos Gonzalez).

# Labor Exploitation (cont.)

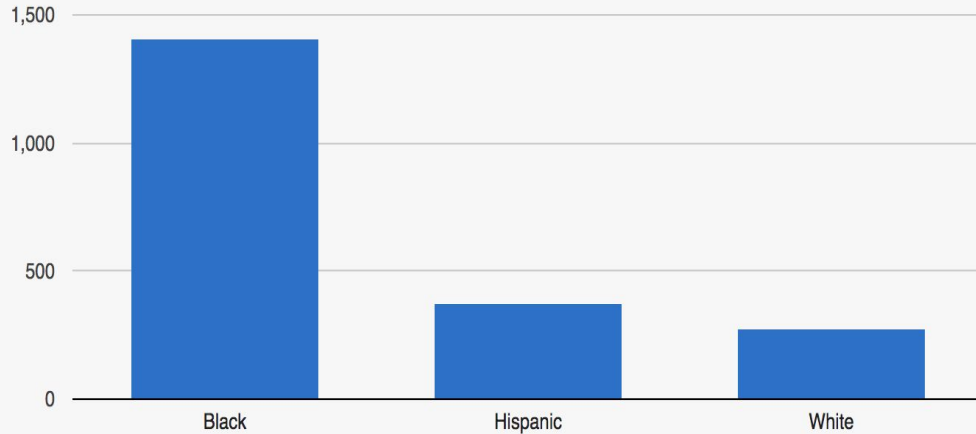
- Prison crowding emerged with means of contracting with private businesses.
- Governments painted private prisons as a way to cover budget shortfalls while simultaneously seeing eye to eye with public demand for tough- on- crime policies.
- In “Leasing Immigrants” by Lisa Sharon Harper, there’s an emphasis on the exploitation of immigrant labor... There’s a focus on asylum- seekers and undocumented immigrants being detained and leased to work for pittance, over the last few years under Donald Trump’s presidency.
- Possible Solution: “Agency theory -- used in sound contract planning, formation, and administration -- describes how to align these interests in a way that incentivizes good outcomes and disincentivizes bad outcomes.” (INFORMATION ASYMMETRY IN PRIVATE **PRISON** MANAGEMENT: MONITORING AND OVERSIGHT AS THE BASIS FOR PRIVATE **PRISON** LEGITIMACY)



*What sociological lens did you use when you conducted your analysis?*

# Mass Incarceration on Social Ties

**Figure 1. Average rate of incarceration by race and ethnicity, per 100,000 population**



*Data source: United States Department of Justice. Office of Justice Programs. Bureau of Justice Statistics. National Prisoner Statistics, 1978-2014. Bibliographic Citation: ICPSR36281-v1. Ann Arbor, MI: Inter-university Consortium for Political and Social Research [distributor], 2015-10-09; U.S. Census Bureau (2013). 2013 Population Estimates. Annual estimates of resident population by sex, race, and Hispanic origin for the United States, states and counties: April 1, 2010 to July 1, 2013. Washington, DC: U.S. Census Bureau.*

- Individuals who are incarcerated from single neighborhoods, negatively impact that specific community as a whole.
- Social networks are the most impacted, starting with family ties.
- Incarceration of a loved one puts a tremendous strain on the financial and social well-being of the family.

# Most Impacted: Black Community

- Black male incarceration leads to “loss of income, loss of assistance with child care, expenses related to supporting and maintaining contact with incarcerated family members” (13).
- The burden falls mainly on women caregivers. These women have to take of the family’s financial and social well-being which leads to other issues such as drug addictions, the stigma of mass incarceration, preventing their children from being put in foster care.

# Race and Poverty

- Mass incarceration is associated with many negative consequences for individuals, families, communities, and society. Poverty and race both play a center role in mass incarceration.
- The criminal justice system targets people from poor communities by setting high cash bails and arresting people for petty crimes. Cash bail being too high for people to pay and are getting higher regardless of the evidence showing that people aren't able to pay for them.
- The median felony bail bond amount (\$10,000) is the equivalent of 8 months' income for the typical detained defendant.
- People are detained because they cannot meet bail. Awaiting for their trial, they are offered deals to plead guilty and receive reduced sentences. Being from poor communities the fear of receiving maxed sentences or increase of cash bail drives many individuals take the deals.

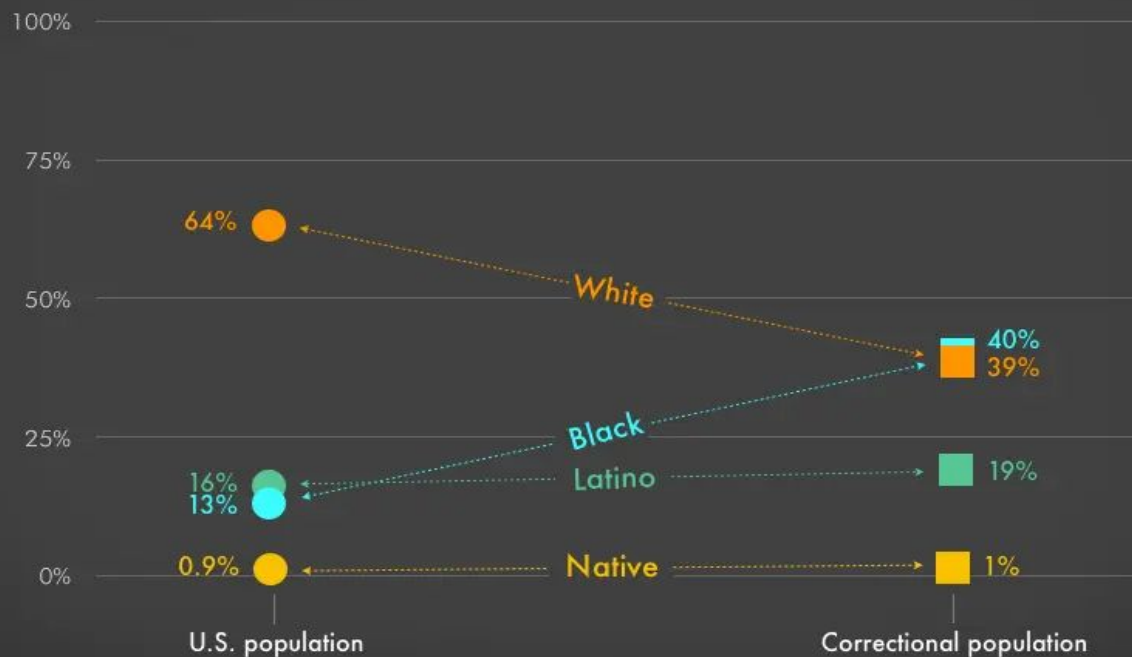


# Race and Poverty (cont.)

- People of color are overrepresented in the prison population. Black Americans, who make up 40% of the incarcerated population despite representing only 13% of U.S residents.
- The criminal justice system targets the poor and the black community. Simple misdemeanors made by the black community sent them to jail. They are constantly blamed for any negativity in society. In the crack cocaine era, the whole country focused on the black community with crack and ignored the possession of cocaine from the white community.
- Black and Latinx communities are suffering the most at the hands of an oppressive country that profits off of their labor. An example of this is the famous Central Park Five case, a group of young African American and Latino boys were wrongfully convicted of raping a woman. These boys came from poor communities and were brainwashed to plead guilty. America wanted to blame someone for the crime and instead of looking into it they chose to pick on the easiest target.

# Racial and ethnic disparities in correctional facilities

Whites are underrepresented in the incarcerated population while Blacks are overrepresented.



# Impact on the Future

- A criminal record destroys an individual's wealth, puts someone in debt decreasing their chances to receive loans, lessening their chances of acquiring jobs, hardships in financing anything and etc.
- Having a criminal record regardless of the crime whether it is small, non-violent and even a misdemeanor labels someone as a criminal in society.
- Not only does having a record impacts someone financially it affects them mentally. People believe the label they are given by society and start to living up to that title. Youths are affected by this the most. This theory is called the Labeling theory, the identity and behavior of people are influenced by how society has classified them.

# Sources

- Ava Duvernay & Jason Moran. (2016) **13TH** . USA.
- Wagner, W. (n.d.). Mass Incarceration: The Whole Pie 2020. Retrieved December 04, 2020, from <https://www.prisonpolicy.org/reports/pie2020.html>
- Gonzalez, Marcos. “Information Asymmetry in Private Prison Management: Monitoring and Oversight as the Basis for Private Prison Legitimacy.” *Public Contract Law Journal*, vol. 47, no. 3, Spring 2018, pp. 377–398. EBSCOhost, search.ebscohost.com/login.aspx?direct=true&db=a9h&AN=129653735&site=ehost-live.
- Muschert, Glenn W., et al., editors. *Social Problems in the Age of COVID-19 Vol 1: Volume 1: US Perspectives*. 1st ed., Bristol University Press, 2020. JSTOR, www.jstor.org/stable/j.ctv15d81tx. Accessed 4 Dec. 2020.
- <https://www.oxfordbibliographies.com/view/document/obo-9780195396607/obo-9780195396607-0033.xml#:~:text=Whether%20called%20mass%20incarceration%2C%20mass,the%20concentration%20of%20imprisonment%20among>