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Mass Incarceration

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Ouachita Baptist University

Topical Paper

Mass Incarceration

Fall 2019

Crime & Deviance

Professor Hughes

By: Jaime D. Bunting

Abstract:

This paper takes a brief look into Mass Incarceration: a phenomenon in the United States that accounts for the imprisonment of 2.3 million people (25% of the world's imprisoned population). It includes the synthesis of ideas by notable scholars within the realm of social justice studies, such as Bryan Stevenson and Ibram X. Kendi, in order to display how mass incarceration discriminates against minorities, upholds systemic injustice, and has effects on individuals who are incarcerated, as well as their families and the communities they live in. In order to set the context, this paper also mentions the “boom” of incarceration in the 1970s and the importance of rhetoric and policy in its continuation. To conclude, it mentions the framework in which mass incarceration should be viewed in order to address the issue effectively and in a redemptive manner. (word count: 138).

What is Mass Incarceration & Why We Should Care:

Mass incarceration: mass, meaning a large number of people, and incarceration, meaning imprisonment. It is important to expand upon this simple definition, however, and display that it is a phenomenon specific to the United States, incarcerating the largest number of people in the world; a rate at which far outgrows population and crime rates (Cullen, 2018). The number of people in United States prisons has grown from 300,00 in the 1970s, to 2.3 million today; a rate of imprisonment that is significantly higher compared to other countries in the world (Stevenson, 15). Despite the United States making up only five percent of the global population, the U.S. accounts for twenty-five percent of the global *prison* population, displaying a disparity that raises the question, “why is this?” (“Mass”, 2019).

It is essential to begin by mentioning when this boom in incarceration began, the surrounding context, and how this is important to the reality of who mass incarceration affects

most. The rate of incarceration began to grow at an unprecedented rate in the 1970's as a "crack-down" on crime was called for by political leaders in the United States. Most notably, the rhetoric, "war on drugs", followed by "tough on crime", was widely used, and policies such as "three strikes" were introduced (Ava, 2016). Rhetoric that focuses on being "tough-on-crime" to deal with the "war on drugs", shapes the way that criminality is viewed within society and acts as a social explanation, or excuse, used to uphold changes in policy that dramatically increase the rate of incarceration. Paradoxically, rhetoric normalizes the unprecedented rate of incarceration.

It is important to turn now to who mass incarceration affects most directly: people of color and minorities. According to research conducted by the Pew Center on States, in 2008, 1 in 106 white men, 18 and older, were expected to go to jail, while 1 in 15 black men were expected to go to jail (Soltis, 121). In this century, 1 in 15 white males, 1 in 6 Latinos, and 1 in 3 black males are expected to be incarcerated (Stevenson, 15). These ratios display that not only has the overall rate of incarceration increased, but the continuation of racial disparities alongside this has occurred, as well. Furthermore, from 2001 to 2013, people of color, above the age of 16, accounted for 51% of the U.S. population, however, they accounted for 82% of people arrested for various "misdemeanors" (some of which are non-violent, minor offenses) ("Report", 2018). This disparity exists despite non-minorities having similar charges and backgrounds to minorities (Cullen, 2018). Such statistics have led scholars to turn their attention to mass incarceration, which Michelle Alexander asserts is *the new Jim Crow*.

The role played by political policy in mass incarceration is of particular importance in the context of racial discrimination. In his work, *Stamped from the Beginning: The Definite History of Racist Ideas in America*, Ibram X. Kendi makes the argument that historically, racist policies produce racist ideas, displaying that racist ideas continue to exist as way to justify discriminatory

policies and systemic injustice (Kendi, 9). As society has progressed, forms of discrimination and racist ideas and language become “encoded” in policy, and more socially implicit (Welch, 2018). This “encoding” of racism is of great significance regarding mass incarceration. Much systemic injustice, stemming from discriminatory policies, have economic motives. Regarding private prisons in the United States, many are owned by the Corrections Cooperation of America, who is a member of the cooperate lobbying group, The American Legislative Exchange Society (ALEC). In order for these prisons to “stay-afloat”, and produce profit, they need to be of capacity with prisoners. ALEC, in turn, influences and drafts legislation that has been introduced, and even passed, in the American Congress (displaying a clear economic motive for policy that is harsh on crime and increases the rate of incarceration and number of people in prisons) (Ava, 2016).

Furthermore, racist policies have real-life social consequences for people of color. This is true of Walter McMillian, who Bryan Stevenson writes of in *Just Mercy*. McMillian, a black man from Alabama wrongfully convicted for the murder of a white women in the 1880s, despite having no criminal history and no evidence implicating him in the crime, was brought to trial by the claims of a white man (with a criminal history and bad reputation), and put on death row for six years. This discrimination likely took place due to McMillian being implicated in an affair with a white woman (having no bearing in a murder case), which was greatly frowned upon in his home-town. This societal, racist view of anti-interracial marriage is largely perpetuated by Anti-Miscegenation laws that were upheld by the Alabama constitution until 2000, further displaying the social implications of systemic injustice and how individual stories are greatly affected (Stevenson, 20-34).

Mass incarceration does not only have direct impacts on the individuals incarcerated, such as recidivism, limited opportunity in housing and jobs, and the denial of the right to vote, it also has what Kathryn Soltis deems “collateral consequences” on the family and community. Collateral consequences of incarceration in families create a “chain-reaction” that affects the development of children who experience a parent being incarcerated and continues the cycle of imprisonment. It also further marginalizes families in their communities, having a “cumulative” effect because incarceration disproportionality affects minorities already marginalized in society in other ways (Soltis, 119-122).

What Can We Do?

Jonathon Simons, in collaboration with the Vera Institute of Justice, argues that to significantly address mass incarceration, it must be thought of as a moral imperative, and the eradication of it as a protection of human dignity (Simons, 271-274). To push-back on the normalization of mass incarceration in American society, and to see this as a moral imperative, we must educate ourselves on the issue, recognize encoded biases in society and in policy, and furthermore raise awareness.

(word count: 989).

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