

ENG 180: Third Place

The Negative Effects of Mass Incarceration

by Judson Henry

Mass incarceration in the prison complex system has maintained its presence in American society since the abolition of slavery. It is one of the major problems to social justice and democratic inequality in the United States because the government and the private prison system use prisons as a solution to social, political, and economic problems. It includes the death penalty, slave labor, political prisoners, courts, the media, policing, and human rights violations. When one considers the horrible ultimate driving force behind such a system, one can only conclude that mass incarceration makes itself a large presence in the national justice system, which in turn creates racial bias and disparities towards minorities. As a result, minorities are being labeled as innately savage, destructive, and animalistic criminals that deserve punishment. In order to resolve the issue of mass incarceration, policy makers need to reduce the minimum and maximum sentencing guidelines and create a non-biased and a non-corrupt justice system that will help eliminate private prison companies.

The racial disparity amongst individuals affected by mass incarceration is extreme, because it is an issue that negatively alters the lives of Latinos and people of color. For instance, Victor M. Rios from *Taylor & Francis Online* agrees when he writes, “As of 2003 12% of all Black males in their 20s were in prison or jail; almost 4% of Latinos and only 1.5% of whites in their 20s were incarcerated. One in three African American youth ages 20–29 are incarcerated or on probation or parole.” As this quote clearly states, in black and Latino communities, mass incarceration has become a youth phenomenon. Black and Latino youth are systematically

constructed as criminals and are constantly facing the rage of penal state and criminalization at an early age. Prior to creating racial disparity, mass incarceration traps many African American and Hispanic men and women in a life of endeavor, violence, poverty, and restricted life opportunities. Matt Ferner, a prominent author from *The Huffington Post*, also pointed out, “Blacks and Hispanics make up about 30 percent of the U.S. population, but they compose over 50 percent of those incarcerated.” Clearly, this evidence further enforces the notion that mass incarceration is negatively shaping the lives of African Americans and Hispanics. Mass incarceration is not only affecting society, but it is also creating injustice and racism in a nation where everyone is supposed to be viewed equally. Incarcerating countless American citizens does not only ruin their lives, it might have created some new issue itself. Truthfully, mass incarceration turns African American and Hispanic citizens into career criminals because being a convicted felon takes away opportunities such as voting, housing, and certain jobs; it affects American citizens, especially blacks and Latinos, mentally and physically.

If prosecutors, policy makers, or federal legislatures reduce the minimum and maximum sentencing guidelines by making them more corresponding to the crimes committed, the number of individuals that are incarcerated would decrease at a faster rate. Barack Obama, an American politician and former president, put it best when he told *National Review*, “The real reason our prison population is so high” is that “over the last few decades, we’ve also locked up more and more nonviolent drug offenders than ever before ... which has disproportionately harmed minorities” (qtd. in Bibas). In other words, American’s prison population is overcrowded due to the fact that federal prosecutors charge low-level and non-violent drug offenders with crimes that trigger excessively harsh and severe sentences. Moreover, as an article published by *Newsweek*

mentions, “This sharp increase in mass incarceration was driven in part by the implementation of mandatory minimums for drug offenses, starting in the 1980s. These laws demand strict penalties for all offenders in federal courts, no matter the extenuating circumstances” (Boza). By writing out these statements, both authors are saying that mandatory maximum and minimum sentencing plays a major role in the number of people that are incarcerated each year. People who pose no real threats, especially non-violent drug offenders, are often thrown in prison without the possibility of parole. We need a justice system that promotes fairness, not one that is looking to lock up people behind bars for a long time for misdemeanors such as having traces of cocaine on their clothes, selling a single crack rock, shoplifting, and stealing. To accomplish that and end the circle of mass incarceration, prosecutors, lawmakers, and states need to be less aggressive on prison sentences by punishing lawbreakers accordingly; then there will be a possibility that the amount of people that get locked up or incarcerated for minuscule crimes would decrease.

Due to their overreliance on mass incarceration, policy makers need to decrease the mandatory maximum and minimum sentences, which in turn will help outlaw/eradicate the use of private prison companies. As Alex Henderson notes in *The AlterNet*, the United States has the highest rates of incarceration which results in huge profits not only for private prison companies, but also for all businesses affiliated with the prisons, such as food companies and telecoms that are using prison labor to cut their manufacturing costs (“Industries Profiting from America’s Insane Prison System”). By imprisoning anyone they suspect as criminals, private companies such as food industries, healthcare industries, telecommunications, and other manufacturing companies have the opportunity to increase their wealth enormously. As a result, it became easier for them to lock up more people because when it comes to for-profit industries, mass

incarceration is their source of income. A study found in *Global Research* written by Vicky Paláez indicates, “Ten years ago there were only five private prisons in the US, with a population of 2,000 inmates; now, there are 100, with 62,000 inmates. It is expected that by the coming decade, the number will hit 360,000, according to reports.” Even though these statistics are shocking and terrifying, some states like Vermont, Florida, and Kentucky are working to stop the use of private prison industries. It is noted in *The Solutions Journal*, “Vermont has no private prison on its soils... Last year, Florida succeeded in rejecting the privatization of two dozen of its prisons, thanks to a strong activist movement. Even the state of Kentucky recently ended its contracts with Correction Corporation of America” (Wizowaty). Despite some states working toward solutions to prevent the fast-growing rates of private prison companies, they failed miserably due to the simple fact that for-profit companies have negatively altered the justice system. Thus, the prison systems have turned into large-scale businesses, and as a result of that it has led to a more aggressive incarceration rate. In the long run, inmates have to rot in overcrowded, unsafe, and understaffed places waiting for their day in court which might never happen because the prison system has become more about making profits. Government agencies need to come to the realization that private prison companies deserve to be abolished in order to solve the issue of mass incarceration.

In conclusion, we need a just and reasonable system, not one that promotes discrimination and unfairness to our nation while disproportionately affecting people of color. To see a change where mass incarceration does not pose as a threat to our future youth generation, law makers, prosecutors, and federal legislators need to install better regulation laws toward the mandatory sentencing and exterminate the use of private prisons.

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