

# American prisons



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As far as memory could recall, man has continually developed laws to keep resolute civilization along with criminal sanctions to discourage the infringement of those laws. Accordingly, the number of inmates in federal and state penal colonies in the United States has soared to about 200, 000 since the 1940s, and at the start of 1997, about 645 out of every 100, 000 American citizens lived behind bars (Dakrat 1). However, alternative sanctions during the last decade have become prevalent in the United States, as well as in other western nations.

The introduction of alternative sanctions has turned into one of the most significant developments in punishment principles in the country, in view of the fact that it reflects on the victims, offenders, community, as well as sentencing as a whole, in an absolutely different outlook. In a country with the world's largest prison population, adding up to more than 2. 2 million, and where a number of States allocates more funds to the maintenance of criminals than on education, alternative punishments are at this time a matter of necessity.

#### Problems Faced By American Prisons

It is not easy for most people to offer compassion for the millions of convicts incarcerated in the overcrowded prisons of America. A good number of the country's population even believes that what takes place inside every prison establishments do not affect them. On the contrary, what occurs in prisons comes back to the society with a vengeance. Approximately 13. 5 million people in the country have served their own time in prisons and jails over the course of the year, and in the long run 95 percent of them are discharged back into the society (" Rising prison problems begin to trickle into society").

Because too many prisons are inhumane, unhealthy or unsafe, several of the released inmates return to the society as more hardened criminals eager to perpetrate new transgressions as well as to blame for spreading communicable diseases, such as tuberculosis, hepatitis, HIV, etc. , that were not taken cared of during the time that they were locked up. Currently, prison problems involve: Corrections officers and inmates alike are constantly in fear of being assaulted. Even so, numerous prisons still do not report or collect information concerning the assaults, and when they do, the information is generally untrustworthy.

Education lessens rule-breaking and is proven to cut the rate of recidivisms by almost half (“ Rising prison problems begin to trickle into society”). However, despite the fact that the prison population has doubled since the 1990s, the pace of funding for prison vocational training and education has not persisted. In excess of 1. 5 million prisoners carrying severe communicable diseases are discharged every year (“ Rising prison problems begin to trickle into society”).

In fact, a number of penal complex with as many as 5, 000 prisoners have no more than two resident doctors. Incarceration can no longer be viewed as the main form of criminal punishment given the growing expenses of both management and construction of prisons as well as the crisis of prison overcrowding (Junger-Tas 9). At this time, America is contending with the menacing economic recession that is acting as a powerful brake on advancing the country’s utilization of large funding in support to resolve the foregoing problems.

The development of alternative punishments is therefore the result of the justice system's exploration for new sentencing strategies to rise above these intertwining problems. Effects of Traditional Prison Sentence Anchored in the findings of the Center for Criminal Justice Studies at the University of New Brunswick and the Criminal Justice at the University of Cincinnati, unwarranted use of imprisonment has enormous expenditure implications. On the average, each American spends \$50, 000 annually to keep criminals in prison (Dakrat 2).

In addition, prisons should not be employed with anticipations of reducing illicit behavior. The soaring recidivism rate signifies that the risk of getting arrested and returned to prison does not deter criminals. Moreover, a research points out higher rates of recidivism among incarcerated youthful delinquents than those granted alternative sanctions (Dakrat 2). Incarceration devoid of appropriate treatment, criminals with severe infectious disease, criminal behavior or with mental health disorders are generally expected to leave prison in substandard health as well as character than when they initially went in.

The problem can have an enormous impact on communities, since 97 percent of all incarcerated criminals are in time released from prison and live along with the entire population (Webb). Alternatives to Prison Opponents of long-established imprisonment have disputed the destructive potentiality of the punishment because it falls short of addressing the fundamental economic and psychological reasons that lead individuals to perpetrate crimes (Rierden 2).

Alternative sanctions, on the other hand attempt to transform behavior of criminals in addition to giving the necessary tools that will help them in not making the same mistakes again when released. Moreover, because of prison overcrowding, this modern sanction will give the country the opportunity to appropriately incarcerate and rehabilitate more serious criminals for extended portions of their prison term. There are basically an enormous number of useful alternative programs.

Compensation, restitution, community service, intensive probation supervision, electronic monitoring, and regular house searches, for instance, still endure a sense of redress for the injured party and a sense of atonement to the legal order violated. In addition, there are several new and unconventional alternative programs that as well do not involve imprisonment. The most practical and astounding programs among them are the " drug treatment, and classes and fees: for the rich program" (David). Drug treatment program are aimed for nonviolent drug dependents with prior convictions.

Criminals who qualify are required to join in a residential drug-treatment program. Those who graduate were found to be 87 percent less expected to re-offend than others (David). Conversely, while not yet put into practice, the whole idea of classes and fees program is to require corporate offenders to teach in low-income academes (David). Since a number of these offenders have been educated at first-rate schools, they are more valuable if allowed to teach in classrooms rather than be placed behind bars throughout their sentence at the taxpayers' expense.

The imposition of prison sentence should only be selective depending on each circumstances, such as: to protect the public from violent crime; when all other sanctions are incompatible taking into consideration the gravity of the crime; when the criminal is a habitual delinquent; to safeguard the morality of the criminal justice administration; and if the entire sanctions have not effected to conformity with the arrangements set forth in the punishment (Junger-Tas 7). In other words, imprisonment shall only be employed if the gravity of the offense is such that all other punishment is totally unsatisfactory.

The Best Alternative The best alternative to imprisonment is one that is less restraining than incarceration yet more confining than conventional probation. Community service intends criminals to work for the advantage of the community, to make amends to the community, as well as to be penalized. Community service is expected to lessen the undesirable effects induced by imprisonment, decrease prison overcrowding, as well as offer a constructive experience for criminals for working in a typical community (Junger-Tas 11).

The essential feature of the punishment lies in the supervision and control of the implementation of compulsory orders in the community, instead of confining the criminal's movement within a penal complex. In the early 1990s, developing countries regarded community service as an official alternative to prison, although it was already practiced in several communities. Community service is designed to punish criminals who are worthy of intermediate punishments.

The program is applied to criminals that deserve to endure more than average probationers but not as much as criminals in prisons and jails (Samaha 428). Community service necessitates offender complete within a given time frame a particular number of hours of voluntary community work. In particular, criminals are required to wash automobiles in an agency motor pool, rake leaves or cut grass in parks, sweep up around housing projects or public structures, and clear garbage from playgrounds. Community service in the Federal courts is a special condition of supervised release or probation.

However, community service is a commendable alternative for non-habitual criminals who perpetrated minor offenses or requires a prison term of one year or less. Criminals sentenced to community service must be expansively screened to get rid of those with histories of violent behavior. Because of community service, there might be a slight possibility of additional nonviolent transgressions; nevertheless, the degree the program manages to keep nonviolent offenders outside penal complex creates opportunity for the government to imprison and rehabilitate the more violent ones.

Community service positively embraces the treatment factor as well on account of cautious matching of offenders to projects and services that constructively relates with their issues (Harding 78). In imposing the program, judges must consider the offenders' availability and skills, and then match them with works available at nonprofit agencies and government. In the course of performing the community service, offenders are expected to learn how to take responsibilities as well as remunerate the communities they once damaged.

However, failure to abide with the community service program results to the re-sentencing of the criminal. Many observers believe that offenders who previously benefited from community services gained confidence, self-respect, and a sense of accomplishment from their community work (Tonry and Hamilton 82). The rate of recurrence of conviction is lower among criminals who had found their experience in community service to be meaningful (Tonry and Hamilton 83). Moreover, rates of recidivism among those who completed the program are not higher than for criminals sent to prison.

Not only is community service more effective and compassionate, they are as well less expensive. When both indirect and direct expenses are taken into consideration, an average-sized community service sentence is less expensive than incarceration. Imprisonment costs range from \$30,000 to \$59,000 annually, while community service generally costs only \$2,000 annually and up to \$20,000 in other alternative programs (Agosin 217). Conclusion The high cost of imprisonment and overcrowded prisons are among the most multifaceted concerns surrounding the criminal justice system.

Unfortunately, because of these, prisons make uncertain the successful reintegration of criminals in the community. They transform the imprisoned offender, but the transformation is likely to be more depressing than encouraging. Alternative programs, on the other hand, particularly community service encourage a sense of social responsibility among criminals and permit them to enhance their character in the course of serving the



community. Prison alone will never get to the bottom of the crime problems in America.

Leaders and citizens alike must be more unconventional and tolerant to alternative programs. Alternative sentencing gives defense lawyers, prosecutors and judges a better range of sentencing options. It is not easy to resolve how much community service serves as a substitute for incarceration; nevertheless, one thing is for sure, that sentencing a non-habitual and less violent offender with community service works out the dilemma of prison overcrowding and saves the country an enormous amount of money.