

Free essay on elderly offenders and healthcare

[Law](#), [Criminal Justice](#)



Introduction: Is there a problem in the Corrections system when it comes to imprisonment of the elderly?

The problem of mass incarceration of elderly citizens has become a growing problem for the U. S. Corrections System in recent years. This problem has been attributed to the financial deficiency and the after-effects of recidivism by offenders who spent over 15 to 20 years in prison. The social security and pensions allowed by the U. S. State and Federal Governments has provided for the needs of the elderly until the years of recession that took the nation by storm in the last decade. The cost of commodities has increased astronomically and with no stable medical facilities, the elderly in our nation are forced to take up a late career in crime (American Civil Liberties Union, 2012). This section of the paper provides the background of the problem that is faced by the U. S. Corrections Department over the incarceration of elderly offenders.

What is the primary reason why elderly offenders are languishing in prisons close to their death?

Are there adequate facilities in correctional facilities to deal with the healthcare of older convicts?

What are the options that are available to the Department of Justice?

What are the main factors that threaten to throw a spanner in the works when it comes to the care of elderly offenders?

What is the primary reason why elderly offenders are languishing in prisons close to their death?

The United States has the largest prison population in the world with over 3.2 million prisoners. Among this population, inmates with life-without-parole,

multiple life sentences, 15 to 20 year sentences and life-with-parole constitute to 25% of the overall population. The inmates who were arrested in their early twenties and thirties for violent crimes or drug charges in the 1970s spend their entire or most of their lives in prisons. The other reason why the number of elderly inmate increase is crimes committed by elderly people. In fact the number of elderly people incarcerated annually is higher than that of the younger generation. Moreover the programs aimed at recidivism for the younger offenders are not meant for elderly offenders (Comp, 2009). When a long term offender is released after twenty years, the skills that the individual possessed along with all the familiarity in their environment. For example a person convicted in the early 1960s or 1970s who is released in the present time will find the gadgets such as the mobile phone as a gizmo out of a sci-fi thriller. Moreover, these inmates do not have the intellect or learning capabilities to adapt to the strange new world that greets them outside the prison doors. The inability to find legitimate work for younger inmates when they are released is high at the present time. The scope of finding employment, boarding and paying for medical needs is a herculean task for the elderly. Hence, most of those released find ways of getting back to prison where their needs are met (Crary, 2012).

Are there adequate facilities in correctional facilities to deal with the healthcare of older convicts?

Most of the state penitentiary services in the United States have hospice facilities that are dedicated to the care of elderly inmates. The prison however, is no place for caring for the elderly. The inmate population keeps increasing significantly with every new law that brings with it a harsher jail

sentence. Prison guards are ill-equipped to handle elderly inmates especially the ones with mental ailments. The mentality of the elderly offenders is also very different from that of young offenders and they will find it exceedingly difficult to adapt to living in a prison environment. Although the government spends close to four hundred million dollars to re-fit prison facilities every year to suit the requirement of elderly offenders, the facility is for punishing criminals. It is not an old age home (Doron and Love, 2013).

What are the options that are available to the Department of Justice?

There are very few options available to the department of Justice in the matter of elderly offenders. The primary problem is the ever shrinking prison reform budgets. In addition the huge turnover in prison guards result in incompetent personnel handling the elderly. Running hospices is the best option that the Department of Justice has in this matter. There are several issues pertaining to the provision of healthcare facilities that are better than what is available for regular citizens. Despite all the requirement of humanely treating the elderly, one cannot forget that these elderly people made it into prison on account of crime committed. Hence, policy making for the welfare of incarcerated elderly is difficult.

What are the main factors that threaten to throw a spanner in the works when it comes to the healthcare of elderly offenders?

The primary problem with healthcare for the elderly offenders is the lack of specialized treatment. The hospices are usually run with the assistance of younger prisoners and basic facilities. The budgets for these hospices is extremely thin in most states. In addition, victimization of the elderly

becomes common when they cannot defend themselves on account of frailty. The lack of psychological training for the prison staff in dealing with elderly prisoners also result in untoward incidents. Elderly prisoners are selective and intolerant to change. Furthermore, the cost of housing an elderly offender is at least three times higher than that of a younger offender (Gaseau, 2001).

The background information of the problem has been explored in detail. The solutions are hardly adequate and any additional spending on healthcare for the elderly prisoners will draw flank from the rest of society who do not have access to the type of facilities that prison hospices are offering. Hence, policy makers are looking for cost effective solutions that will help overcome this problem without volatile responses from the taxpayers. The following section explores the possibility of some solutions that have actually worked with the younger prison population.

Are there ways to avoid the incarceration of elderly offenders for prolonged periods of time?

There are no concrete plans for the avoiding of prison sentences for the elderly since the crimes off late by this section of the society have even surpassed the magnitude of their younger counterparts. Older offenders tend to run bigger scams that drastically affect the society and make it very difficult for law enforcement and the Justice Department to opt for lenient sentences. This section of the paper explores the correctional facilities' problems in incorporating reduced sentences or to alternate forms of incarceration for the elderly.

Is there a possibility to reduce sentences?

Are there sufficient support structures outside the prison facilities that cater to the needs of elderly ex-cons?

What is the best possible solution to avoid correctional facilities turning into old age homes?

Is there a possibility to reduce sentences?

Reduction in prison sentences for the elderly is not the solution to the problem. Earlier in the paper we explored why the elderly people commit crimes. These needs do not change when they are released early. The early release will trigger criminal instincts that would influence the elderly to commit crimes ranging from shoplifting to murder. The demographics of this nation is also quickly changing. Nowadays, we have a higher life expectancy in our nation and our elderly can live well into their 80s and 90s quite commonly. However, with age comes the inability to sustain on regular food or lifestyles. This means that the social security of pension that they receive from the government will be insufficient (Laura, 2014). There have been cases where the elderly have been charged for running drug rings, prostitution houses, attempting to rob banks and indulging in sexual abuse. The early release will only influence them to offend again. There are a few reasons why the elderly choose to stay in prison. The lack of medical facilities, food three times a day and a reasonable shelter are some of the key reasons. The option to only release the elderly inmates early without any follow-up or support will only increase recidivism.

Are there sufficient support structures outside the prison facilities that cater to the needs of elderly ex-cons?

There are no support structures for the elderly in particular for prison residents in the society today. The elderly offender is usually the recipient of a lengthy jail sentence for a drug charge or a violent crime. The support homes that are operated by non-profit organization for the care of the elderly choose to distance themselves from elderly prisoners. They are perceived as a threat to the general population. In addition, there are no medical facilities that the elderly can avail outside the prison walls. Several of the elderly inmates suffer from severe drug addiction related illnesses or mental disorders. In addition, many of them are HIV positive patients. The chances of their recovery is practically none. This is the situation inside the prison community. In addition, policy makers have frowned upon the idea of providing quality healthcare to criminals irrespective of their age.

What is the best possible solution to avoid correctional facilities turning into old age homes?

The future of the present population of elderly offenders is a foregone conclusion; there might not be any restitution possible. However, the correctional system should try out community incarcerations for all non-violent crimes. The main reason for elderly offenders sitting in penitentiaries are long and unrealistic jail sentences. If the practice of rehabilitation is enhanced and support is provided to find legitimate employment, the recidivism rates can be cut down drastically. This will directly impact the number of elderly prisoners in correctional facilities. The existing populations

should be provided with a separate compound where they can spend their last days and pass on humanely.

Are the elderly capable of committing heinous crimes that prevent their sentences to be served in the community?

Contrary to general belief, the elderly are capable of committing heinous crimes and often against themselves. The criminal justice system can amend some laws to ensure the elderly do not spend too much time in prison.

However, the idea of incarcerating the elderly for nonviolent crimes is a mistake in itself. Prison is not a place of rehabilitation, instead it is a place that breeds criminal behavior. The transference of criminal behavior from one person to another in a prison environment is higher than anywhere else. Hence incarcerating first time elderly offenders is never in the state's favor.

This section explores the past and present for clues that will allow us to comprehend why some elderly offenders should be locked up.

Is history against the elderly?

What crimes are usually booked against the elderly?

Can the U. S. Government provide any support for the elderly to help them avoid crime?

Is history against the elderly?

The criminal history of the elderly offenders is usually long. They start out as early as nine or ten and spend most of their adult life in and out of prison.

There have been violent criminals such as Nannie Doss, Dorothea Puente, and Albert Fish whose memories haunt us. The lack of mental stability and long term social disorders can result in violent responses from the elderly.

The 2013 case of a New York elderly man who killed his roommate while being confined to a wheelchair is a testament to the violence that the elderly are actually capable of (Paddock, 2014). They are often victims of abuse or assault outside prison as well as inside.

What crimes are usually booked against the elderly?

The crimes that are usually booked against the elderly are drug distribution, shoplifting, food adulteration, sexual abuse, and document fraud. The elderly are usually by themselves with no one to look after their needs. The requirements for elderly are usually higher than that of average aged people. This need is not provided by the government and hence, they resort to criminal actions such as shoplifting. Drunk driving is also another common criminal charge that is relevant for elderly offenders (Ruane, 2015).

Can the U. S. Government provide any support for the elderly to help them avoid crime?

The Federal Government should increase the staples that it has allotted to the elderly people in this nation. The cost of this provision would be significantly less than the cost of looking after the healthcare and incarceration. In addition, the government should provide at least basic medical checkups for the elderly. A bag of standard groceries for elderly households wouldn't hurt either. These measures will significantly decrease the need for reasonable minded elderly people to shy away from crime.

Conclusion: Should the Department of Justice create a separate legal system for the elderly?

There is no requirement to have a separate legal or correctional system like the juveniles in the case of elderly offenders. The juvenile detention program

is used to discourage young offenders from a life of crime along with the opportunity to start fresh. However, elderly offenders are those individuals who did not make use of the juvenile system when they were young. In addition, they are career criminals or recipients of a three strike law that sentences habitual criminal offender for prolonged jail terms. The solution for the elderly offenders is to start with the abolition of unrealistic jail terms. There is no point in incarcerating an individual for fifty years for a crime the individual committed in his or her twenties. This will allow offenders to be released while their time is still relevant and allow them to start fresh. Long jail terms steal this opportunity and the nation ends up paying an enormous bill to incarcerate someone they could have rehabilitated for half the cost.

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