

# The problem with overcrowded prisons



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At the turn of the 21st century the problem with the United States penitentiary system could no longer be ignored. There is no need to be incarcerated to understand the suffering of both inmates and personnel managing the prison. Just imagining constricted spaces and forced interaction with an increased number of criminals and or psychologically challenged people can be counterproductive to the supposed rehabilitation purpose of jail time. But reducing the number of inmates or making bigger facilities is not going to be the simple solution for this problem. There are many factors to consider and the dilemma is building up each year. A solution has to be reached before the problem can develop into a full-blown crisis that could result in total breakdown of the system.

This study takes a closer look into the problem of overcrowded prisons. This includes finding out why overcrowding has become a riddle for many officials. The research would also tackle the effects of overcrowding. Moreover, the proponent would find out what are the challenges faced by those who tried to formulate an acceptable solution.

In a nation where slavery is outlawed and where everyone has the opportunity to make something out of life, it is a puzzle why many still go to prison. In the Information age where a person has access to more knowledge, it is a mystery why many are none the wiser since they commit deeds that would put them behind bars.

In the book about U. S. prisons, authors Clear, Cole, and Reisig found out that, “ In 2003, 22 states and the federal prison system reported operating at or above capacity. The federal system was estimated to be operating at

39 percent, and overall the state systems were operating at 14 percent above capacity” (2005, p. 467).

Michael Jacobson the former Commissioner of the New York City Department of Correction, the largest city jail system in the U. S. provides additional figures that helps to clearly illustrate the crisis. And he remarked, “ The United States now locks up a higher percentage of its population than any country in the world. The more than 2 million people who are incarcerated today make up roughly eight times the number in 1975” (Jacobson, 2005, p. 8).

Overcrowding is due to tougher laws that were ratified due to the belief that habitual offenders must be punished longer. These laws also aimed to put these types of criminals locked up for good – that they may feel the full force of the law. Joycelyn M. Pollock in her book assessing the current state of American prisons remarked why there will be an increasing number of men and women who will be under lock and key for the rest of their lives:

Even as recently as 1968, 23 states had statutes that authorized life imprisonment for habitual offenders who had previously been convicted of certain specified offenses [...] these “ new” sentencing laws have the potential to exacerbate already severely overcrowded prison conditions while simultaneously creating more problems for state and federal governments, criminal justice agencies, and prison administrators (1997, p. 62).

What is the big deal with overcrowding? Others may even dare speculate that it could add another dimension to the punishing of criminals and therefore why make their stay more comfortable?

It is therefore helpful to see prison overcrowding from another perspective. And that is to understand the real purpose of incarceration. Mark Colvin in his study of the infamous New Mexico prison riot of 1980 asserted that squeezing more and more inmates like sardines into a tin can was the result of a change in philosophy.

It is therefore easy to argue that riots can be expected in prisons where the needs of inmates are not met or when the prisoners feel that basic human rights are not respected due to the lack of resources. It is also not hard to imagine the stress levels experienced by shorthanded staff. When riots ensue, the safety of the prisoners and at the same time the staff responsible in managing said facility will be in extreme jeopardy. Freeman elaborates on this issue when he wrote that, “ It is difficult to maintain a close watch on ‘ problem’ inmates when overcrowding exists. This problem is especially acute when those problem inmates are prone to violence” (1999).

Colvin argued that policy makers should be reminded that the main purpose of prison is to rehabilitate offenders and not just function as a place to lock them up. Colvin realized that this situation did not happen overnight and he wrote, “ This current crisis emerged in the 1970s when the ideological commitment to rehabilitation declined sharply, along with our nation’s optimism about alleviating poverty and a host of other social ills” (1992, p. 1).

A good start would be to again revisit the original aim of prison systems. As discussed earlier policies must be altered to minimize the punitive intent of incarceration and rather transform regulations so that it will focus more on helping prisoners deal with the root cause of their crime.

Overcrowding reduces the efficacy of whatever rehabilitative impact prison can offer. This was highlighted by Clear, Cole and Reisig when they asserted that, “ Prison overcrowding directly affects the ability of correctional officials to do their work, because it decreases the proportion of offenders in programs, increases the potential for violence, and greatly strains staff morale” (2005, p. 469).

With regards to dealing with the main cause of crime, the discussion will then shift to preventive measures such as elevating poverty and providing for opportunities for marginalized members of society to have access to education and other training to improve skills.

Finally, a solution is right down under the noses of policymakers; but they are so preoccupied by other more sensational and controversial issues that they miss it. An example of a simple adjustment in the system can mean hundreds of millions of dollars in savings each year and a significant reduction in the number of incarcerated delinquent. The solution calls for a serious assessment of the role of parole officers within the criminal justice system.

To better understand the structure altering role of parole officers, Jacobson made a case for the consequence of neglecting the needs of said officers:

Virtually no one in government can spend money like a parole officer [...] who has no budget to control and may work in a cramped and overcrowded office in a rundown building in a rundown part of town. He or she may have little or no access to programs or treatment for parolees and may earn much less than a correction or police officer (2005, p. 132).

Looking at the insight of Jacobson it takes little to understand the domino effect of neglecting this country's parole officers. Fortunately for those suffering in an inefficient criminal justice system, there is an insider in the person of Jacobson who truly understand how the system works.

It is a wonder that only a few realized that when a parole officer gets overworked and when their morale are dangerously low they would not have the patience to help offenders walk the more difficult path of an ex-convict. A parole officer is like a volunteer counselor who has to work from the heart, giving more than expert advice. And to walk the extra mile to help those who do not deserve help. But according to Jacobson the system is not helping them and he wrote, "...parole officers have no ability to compel parole agencies to spend additional fund on less expensive parole services such as drug treatment, job training programs, or additional officers to lower caseloads" (2005, p. 132).

If all else fails then a suggestion is to improve infrastructure and to add cutting-edge equipment to solve the problem of increasing number of prisoners which significantly affect the inmate to staff ratio. In other wordstechnologywill be used to make prisons more safe and more manageable. The positive impact as well as the drawbacks were succinctly explained by who remarked:

In the USA, new generation design has even been used to reduce staff-inmate contact [...] Too much reliance on technology to eliminate danger and reinforce control can be perilous; in the event of equipmentfailure, staff can feel virtually helpless. Technology should not be an end in itself, but an

aid to officers' personal control and supervision...(Fairweather & McConville, 2000, p. 32).

Another plausible solution is the privatization of prisons. Pollock argued that with privatization comes efficiency managers and controls that will help shape up the current penal system. There are others who object to privatization citing possible obstruction to due process since privatization means control not by the government but by certain people. But in the end Logan was right in saying that, "...in no area have I found any potential problem with private prisons that is not at least matched by an identical or a closely corresponding problem among prisons that are run by the government" (as cited in Pollock, 1997, p. 382).

Those who are knowledgeable about budget deficits and the need for more money to finance other programs; plus those who are wise enough to understand the ill effects of mass incarceration are clamoring for reduction of the overcrowding in U. S. prison systems.

Convincing a large part of the population will not going to be an easy task. The first challenge is changing the perception of the majority, which was heavily influenced by the media and the exposure to controversial crimes. Yet even without high profile crimes many are aware of the problem of repeat offenders and even committing crimes while still being on trial or on bail or on parole. This was elaborated by Karti Sieberg who studied the said criminal dilemma, and she remarked, " According to the report made by the Council on Crime in America, in 1990, among those accused of violent crimes, 12% were awaiting trial for earlier offenses when they allegedly committed rape, murder, assault, or robbery" (2001, p. 16).

The solutions discussed above aim to reduce the number of people held behind bars. The proposed methods and policy changes that advocates of reducing overcrowding are increasingly leaning towards a more lenient system. Being lenient can mean different things to many people but in the limited discussion made earlier, those espousing for leniency wished not to be misunderstood.

Criminals must serve time but there are many that do not need to spend more time in prison. It will be for their benefit and the society also. Moreover, a focus on preventive measures can significantly reduce this problem. But most importantly giving importance to the role of parole officers can effectively change the direction of overcrowded prisons.

Jacobson was right when he said that, "...parole officers' decisions have had the effect of fueling U. S. incarceration boom by sending many parolees back to prison..." (2005, p. 132). If policymakers can start here they could make a lot of headway.