

The Criminal Justice System

(part 2)

The Path to Student Awareness

Restoring Votes

- It has been common practice in the United States **to make felons ineligible to vote**, in some cases permanently.
- In all cases, "automatic restoration" does not mean that voter registration is automatic. Typically prison officials automatically inform election officials that an individual's rights have been restored. The person is then responsible for re-registering through normal processes.
 - In 16 states, felons lose their voting rights only while incarcerated, and receive automatic restoration upon release.
 - Go through-
 - Restoration of Voting Rights After Felony Convictions



Different Prisons in America

Prisons vs. jails

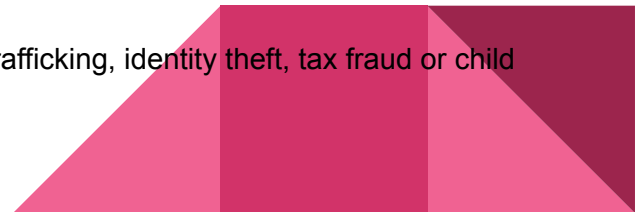
- Many people think the terms “prison” and “jail” mean the same thing, but they actually refer to two very different aspects of the criminal justice system.
- jails are only used to hold inmates for a relatively short period of time, usually while they await their trial or sentencing.¹ Some inmates who have committed a misdemeanor and been given a short sentence of one year or less may also serve their time in jail.
- Prisons are long-term facilities designed to hold inmates serving sentences of more than a year. They also house inmates who have committed more serious crimes, like felonies. One more key difference: jails are operated by local governments, such as cities or counties. Prisons, on the other hand, are run by the state or federal government.

State prisons

- State prisons house offenders who have committed state crimes, such as assault, arson, robbery or homicide. Each state has its own unique legislation regarding the prison system, and the differences from state to state can be vast.

Federal prisons

- Inmates held in federal prisons have been charged with federal crimes, such as drug trafficking, identity theft, tax fraud or child pornography.



Types Of Federal Prison

Minimum security

- These prisons, sometimes called Federal Prison Camps (FPCs), have the lowest level of security and are used to house non-violent offenders with a relatively clean record. (Resemble college campuses)

Low security

- Low-security facilities still have a strong orientation toward inmate work programs, but they also have perimeter fencing and a higher staff-to-inmate ratio than FPCs. Some of these prisoners may have a history of violence, but they must have less than 20 years left on their sentence to be placed in a low-security facility.

Medium security

- Medium-security federal correctional institutions (FCIs) are much more likely to have violent offenders as inmates. This is the security level that moves to cell-based housing, more rigorous treatment programs and perimeter fencing that often includes razor wire with electronic detection systems.

High security

- High-security prisons are also called United States Penitentiaries (USPs). They provide the highest level of security, where inmates are closely monitored by guards and cameras. USPs are surrounded by razor-wire fencing or walls, and most also have watch towers.

Administrative

- This special class of prison encompasses other types of institutions designed to house inmates with special considerations, such as those who are chronically ill, extremely dangerous or a high-escape risk. The administrative level includes the Administrative Maximum Security Penitentiary (ADX), which is the nation's only "supermax" prison.

Different Prisons


Private correctional institutions

Sometimes more prison capacity is needed than what the government can offer. In these cases, local, state and federal governments will contract with a private, for-profit firm to operate a prison on their behalf. The BOP reports that about 11 percent of inmates are currently held in private correctional institutions.

Juvenile detention centers

These “youth prisons” are operated by states and are used to house and rehabilitate offenders under the age of 18. Inmates can be sentenced to juvenile detention for a variety of reasons, including truancy, property crimes, drug-related offenses and violence.

Juvenile detention centers have the primary goal of educating and rehabilitating offenders so they can go on to rejoin society.



Racial Disparities

American Indian youth are **THREE TIMES** as likely as white youth to be held in a **JUVENILE DETENTION** facility

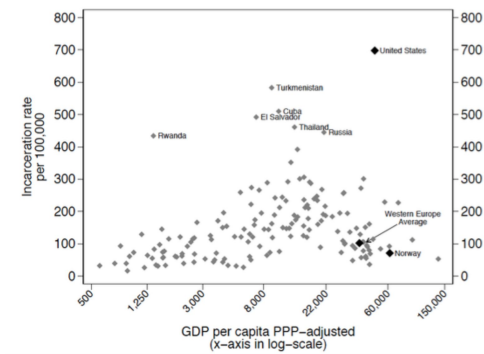


1 in every **10** black men in his thirties is in **prison** or **jail** on any given day



Prisons in Norway

- Incarceration rate: 72 per 100,000
- One of the lowest recidivism rate: 20%
- Average time spent in prisons: 6 to 7 months
- No death penalty or life imprisonment
 - Maximum custodial sentence: 21 years
- Focus on restorative justice and rehabilitating prisoners- uses alternative penalties
- Penalties in society
 - Offender can serve their time out of jail if there is no burden/ threat to victims, their families, or society
 - Community service most common penalty in society(30-70 hours)
- Penalties in Prison
 - Driven by “import model”- services given to inmates just as they are given to those not incarcerated (health services, education, access to library, drug treatment etc) - even allowed to vote
 - An individual will proceed towards release starting from high security prisons, then moving to a lower security prison, then through a halfway house, and eventually released into the community.
 - High Security Level (closed prisons), Lower Security Level (open prisons) and Transitional Housing.
 - Forbids the use of torture and other cruel and inhuman punishments
 - Policy of one prisoner per cell



Decriminalized Drugs

Since the 1970s, the War on Drugs has led to unprecedented levels of incarceration and the marginalization of tens of millions of Black and Brown individuals all the while the gov't utterly fails to reduce this problematic drug use and drug-related harms. More than 1.5 million arrests are made every year in the U.S, the overwhelming number belonging to possession only.

Benefits of Decriminalization:

1. reduces # of people arrested & incarcerated
2. increasing uptake of drug treatment
3. reducing criminal justice costs and directing them to health systems
4. minimizing the social exclusion of people who use drugs and creating a climate in which they are less fearful of seeking and accessing treatment

Oregon has been the first state in the country to decriminalize the personal possession of all drugs, including heroin and cocaine, passing Ballot Measure 110, also known as the Drug Decriminalization and Addiction Treatment Initiative with 59 percent of the vote.

There has been the legalization of recreational marijuana in New Jersey (bill not passed yet), Arizona, Montana, and South Dakota.

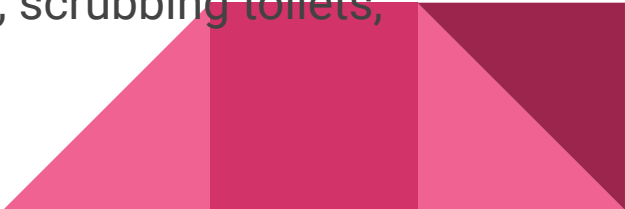
Decriminalization Does Not Affect Drug Use Rates: Countries that have adopted less punitive policies toward drug possession have not experienced any significant increases in drug use, drug-related harm, or crime relative to more punitive countries!!

Structure of Prison/Jail

- “Kill or Get Killed” mentality
 - Leads to many fighting or killing in order to stay alive which increases sentences
- Seniority prey on new inmates to do their dirty work
- In order to earn “credit” you have to make people scared of you
 - This may result in innocent inmates claiming to be guilty
 - Ex: If they say they killed someone, other inmates will back off



Stanford Prison Experiment

- A stimulation study on the psychology of imprisonment.
 - Random assignment based on a coin flip: Prisoners and Guards.
 - 24 College students
 - The mistreatment of prisoners escalated, so investigator Philip G. Zimbardo terminated the experiment after only six days.
 - The experiment showed how people will conform to the social roles that are expected to play, especially if the roles are as strongly stereotyped as those of the prison guards.
 - Some punishments were: shooting fire extinguishers, scrubbing toilets, push-ups, etc.
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Equal Justice Initiative & NYU Prison Edu Program

- ❖ EJI: founded by Bryan Stevenson (1989), this non-profit organization “is committed to ending mass incarceration and excessive punishment in the U.S., challenging racial and economic injustice and protecting basic human rights for the most vulnerable people in American society” They publish reports, discussion guides, and other educational materials, and their staff conducts educational tours and presentations for thousands of students.
 - <https://eji.org/bryan-stevenson/>
- ❖ NYU Prison Education Program: founded in 2015, it is a “college-in-prison program that aims to expand access to higher education within communities impacted by the criminal justice system, to address inequities within our NYU community, and to model how a research university can advance solutions to real world problems.”
 - <https://prisoneducation.nyu.edu>



Discussion Questions!!

1. How do you think people with mental illnesses should be treated in the prison system?
2. Should those who are on parole for a convicted felon be restored their right to vote (ex California Prop 17) ?
3. Should the death penalty be abolished? / Is life imprisonment a worse or better?
4. What kind of reparations should people who have been wrongly convicted have?/ Is money enough?
5. What steps should be taken to reform our prison systems in America?

