

The Reality of the Prison System in the United States

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Are criminals people too? Do they deserve rights? Should they be allowed to set their life on the right track? Many people will see these questions and their answers will usually be 'yes'. Most people believe that criminals are people, that all people in America have rights, and that people should be given the opportunity to set their life on the right track. However, if that is what most of us believe then why is the reality of the situation so far away from the way we feel about these topics. A lot of people talk about how people can change, but then view prisons as being for the sole purpose of punishing people instead of helping them be better members of society. Many people in America think that individuals and their rights should be protected, but then don't think prisoners should receive any or much protection both inside and outside of prisons. Many people believe that people should be given the opportunity to set their life on the right track, but don't realize how difficult integrating into society after being imprisoned is and how easy it is to be put back for things outside of your control. Many people believe that corporal punishments and torture are cruel and don't work, but justify these punishments being used on prisoners because they are criminals. It seems that while we have many beliefs about how people should be treated and often view them as being universal this doesn't extend to prisons and criminals despite them being the ones who are having these rights and freedoms violated the most.

Before talking about the problem with the current prison system we have to talk about what the purpose of imprisoning people is. The three most common views I have

encountered on what the purpose of imprisonment is: punishment, rehabilitation, and a mixture of both punishment and rehabilitation. The purpose of a punishment is often to make a person more adverse to an action or behavior through negative reinforcement; however, the way criminals are punished is by isolating them from the rest of society and then putting them together with other criminals. In the article “What Influences Criminal Behavior?” published by *Walden University* (n.d.) it is stated that “Who we’re around can influence who we are. Just being in a high-crime neighborhood can increase our chances of turning to crime ourselves.” So, if just being in the vicinity of people who are committing crimes increase our chance at committing crimes as well how much proper reflection on their actions and positive change of character are people likely to have when the only people they can regularly interact with are other criminals. Additionally, there are many other factors that push people to commit crimes like: disorders/genetics, how they were raised, drug abuse, lack of emotional control, poverty, and again the people/environment they are in. The lack of address given to these issues if punishments is the only thing relied on to change prisoner’s behaviors makes it clear that it is an ineffective method to effectively stop or lessen crimes being committed as by not properly addressing the root cause of the issue, the problems that result from it will continue to exist.

Now if we look at prison as being for rehabilitation, we could at least address some of the issues or the problems that they have created through therapy and programs meant to help inmates; however, the number of prisons that have such programs is very

low and the availability is even lower. In “Updating the Prison System: Rehabilitation Reform”, Sophia Lam (2020) states “Empirically, CBT [Cognitive behavioral therapy] can reduce recidivism rates by 10–30 percent. [...] Unfortunately, only 20 percent of American prisons used CBT programs and only 5 percent of individuals had access to these programs.” This shows that there are changes that could be made within the prison system with evidence that proves its effectiveness at reducing crime, but they aren’t being applied en masse as of now.

Next, many people don't think prisoners should receive any or much protection. Within prisons physical and emotional abuse are all too common. This leads to negative effects on prisoners' mental health and makes it far more difficult for them to integrate back into society if they can even get out of prison alive. Due to the harsh environment of prisons, prisoners often experience high amounts of “Potentially Traumatic Events” which have a high correlation with PTSD. Prisoners could also develop “Post-Incarceration Syndrome” which is closely related to PTSD but with added symptoms caused by prison environment including: social and temporal alienation, social-sensory disorientation, institutionalized personality traits, and as previously mentioned PTSD symptoms (Quandt and Jones, 2021). The lack of protection and care given to prisoners isn't only leading to negative mental and physical effects but even death. In 2018 there were 4,135 reported deaths in state prisons with 935 of those deaths being people who were imprisoned for nonviolent property, drug, or public order offense crimes. Approximately 17% or about 703 of the deaths being considered preventable.

Additionally, the homicide rate in state prisons being 2.5 times that of an age, sex, and race/ethnicity adjusted statistic for the US national average (Wang and Sawyer, 2021). When you look at all the problems prison environments have, it can seem like they are meant to make more crime instead of diminishing it with how much it is ruining the lives of inmates instead of helping to fix them, thereby increasing the likelihood of crime.

Some of the effects of the lack of protection is that prisoners have difficulty integrating into society after being imprisoned. The environment within prisons is a hostile one and prisoners must adapt to such an environment just to survive. Once prisoners are released, they are expected to be able to immediately adapt to society and act in ways that fit this new unfamiliar environment after being forced to adapt to a completely different and far harsher environment for years to decades. This is where transition programs can come into play. One example of a successful prison transition program would be the Danish prison system where the prisons are made to emulate life in regular society. In Danish prisons prisoners are often put in open prisons where they work standard work hours (37 hours) and do their own shopping and cooking. Prisoners in open prisons are allowed to meet with their families and even go to school if they return by a set curfew. As a result, the recidivism rate in Denmark is 27% as compared to the United States which has a recidivism rate of 76.6% after 5 years of being out of prison (Birnberg, 2022). I am not saying that using the same exact methods as Denmark would work in America as we have a very different culture then they do, but I think that we could take some inspiration from them to improve our own prison system.

Now that we have sufficiently covered the normal environment in prisons and their effects let's move on to the punishments used. There are many people that believe the punishments used on prisoners are justified because they are criminals. However, the use of punishments like solitary confinement can and does have permanent negative physiological effects on prisoners. In section 5 of "Prisons and Health Shalev" (2014) states the following about the effects that solitary confinement can have on inmates:

Psychological symptoms occur in the following areas and range from acute to chronic:

- anxiety, ranging from feelings of tension to full-blown panic attacks:
 - persistent low level of stress;
 - irritability or anxiety;
 - fear of impending death;
 - panic attacks;
- depression, varying from low mood to clinical depression:
 - emotional flatness/blunting;
 - emotional lability (mood swings);
 - hopelessness;
 - social withdrawal, loss of initiation of activity or ideas, apathy, lethargy;
 - major depression;
- anger, ranging from irritability to rage:
 - irritability and hostility;
 - poor impulse control;
 - outbursts of physical and verbal violence against others, self and objects;
 - unprovoked anger, sometimes manifesting as rage;
- cognitive disturbances, ranging from lack of concentration to confused states:
 - short attention span;
 - poor concentration;
 - poor memory;
 - confused thought processes, disorientation;
- perceptual distortions, ranging from hypersensitivity to hallucinations:
 - hypersensitivity to noises and smells;
 - distortions in time and space;
 - depersonalization, detachment from reality;

- hallucinations affecting all five senses (for example, hallucinations of objects people appearing in the cell, or hearing voices);
- paranoia and psychosis, ranging from obsessional thoughts to full-blown psychosis:
 - recurrent and persistent thoughts (ruminations) often of a violent and vengeful character (for example, directed against prison staff);
 - paranoid ideas, often persecutory;
 - psychotic episodes or states: psychotic depression, schizophrenia;
- self-harm and suicide. (p. 28)

Now that is a long enough list of the potential negative effects of solitary confinement that I am expecting most people to have read a bit of it and then skipped or skimmed through the rest. Some of you might think this is exaggerated; however, the issue with solitary confinement is that it cuts people off from almost all social interaction which has very negative effects on people's minds especially if they are already dealing with mental health issues (which many prisoners are). We all should have some experience with prolong isolation due to the stay-at-home orders during Covid-19 and if you thought that the isolation experienced that was bad, then you might be able to understand a fraction of a percent of how horrible solitary confinement is. These are conditions no human is meant to go through and can be considered a form of torture by many.

Lastly, if you thought that prisoners only had to deal with the lingering mental and physical issues left by prison then you would be wrong, as many people do not seem to realize the number of rights that are taken away from prisoners both in prison and after imprisonment. As citizens of the United States of America we all have rights that are given to us and supposed to be protected. However, many of these rights are taken away

from people who are imprisoned, and many more laws are made that only cause difficulty and hardships to those that have been imprisoned. In his TED talk “How radical hospitality can change the lives of the formerly incarcerated” Jonathan Miller (2022) states, “In the supervised society [referring to the 19.6 million people who have a felony on record], 44,000 laws, policies and administrative sanctions dictate where they may go, with whom they might live and how they spend their time.” These people are expected to get their life together, meanwhile they are met with nothing but resistance at every step they try and take towards progress. With so many laws and restrictions pushing against them when they try and move in the right direction it should come as no surprise that many don’t, many return to breaking laws because they aren’t given the opportunity to make it through life any other way. The list of things they can’t do is so large and yet we never hear about most of them, do we? The most we usually hear about is how they can’t own guns, vote, or maybe rarely about how they can’t have alcohol or marijuana (in states it’s legal). Former inmates are expected and required to follow this astronomical number of laws that only apply exclusively to them when most people don’t even know all the laws that apply to them within their own state.

While researching this essay I had a hard time reading about the situations that prisoners go through because most of them were so painful it’s hard to imagine. As I read, I would get so angry at times looking at the cruelty they have to endure and so sad at others at the sacrifices they had to make for those they care about. Some of them would cut off contact with their families not because they didn’t love them or want to talk to

them but because they didn't want to burden or harm them. The fact that a system we have in place forces people to make such sacrifices just so they don't harm those around them unintendedly is infuriating to me. I chose this topic because I knew that there were issues with our prison system, but I didn't realize just how many issues there were nor the severity of these issues when I first started researching. One of the biggest things I have learned about while researching this paper was how much restrictions are put on prisoners both during and after their sentences. Another significant thing I learned about while researching was how the environment within prisons works. One example is how Joining a 'gang' and fighting with others is almost mandatory if you want to survive in prison. Another is how even if services are provided to inmates, they often can't make use of them as some other inmates will target them if they do since they see the act of using services provided by the prison staff as them being on the side of the prison staff and conversely against them. Now let me ask you, is this the kind of justice system you want or is it about time some changes were made?

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