

Mass Incarceration – Public Enemy # 1

Written by Carl ToersBijns, 08/16/2016

I read an interesting view on the myths of ‘mass incarceration’ by Pima County Attorney Barbara LaWall, in the Arizona Star opinion page, that prompted me to write this opinion on her most eloquently and accurate statement on these ‘significantly increased incarceration rates’ and the facts behind them. She articulates the situation well enough for most to understand but she left out one big portion of the national debate on ‘mass incarceration’ - the solution to the problem.

Mass incarceration was part of a policy making by a group of DC based ‘think tanks’ that favored jail, detention and prison time for those who violated the law. Shortly after the end of the Vietnam War, these think-tanks promulgated penal policies for federal and state governments to impose ‘stiff drug-sentencing laws’ that carried over to repeat and habitual offenses that carried a three strikes and you’re out kind of consequence. Unfortunately, these policies have failed us badly and has taken a large amount of funding from other important element of federal and state budgets to finance and support our expanding prison systems.

There has been a major shift in Arizona law since 2006-07 that has impacted our state’s funding for prisons in the order of competing with our educational and infra-structure systems. I don’t blame the laws for committing more people into jails or prisons, that burden falls on the people who committed these violations.

County Attorney LaWall states that “Violent and repetitive crimes are the main drivers of incarceration-rate increases in Arizona.” This is true but she failed to show what drives these violent and repetitive crimes in our state. As a prosecutor, she enforces the law and does not recommend them but she has a public obligation to be part of the solution to the problem when she can articulate the reasons for our prison growth so well and clearly understands the dynamics of the criminal justice system process.

Her referral to read and understand the “complete and accurate analysis of the offenses” listed in this report titled “Prisoners in Arizona: A Profile of the Inmate Population” (azsentencing.org) to uncover the truth” is not the answer to the problem. An analysis says nothing about those incarcerated and the incarceration business is about people, not numbers. Her defense of people not being locked up for drug offenses takes away the attention why people are being locked up in the first place.

County Attorney LaWall states those inmates serving time are basically people who have “histories of felony violence, their prior criminal records and other material factors. The report shows that relatively few prisoners are locked up for drug offenses.” She then articulates who is really in our prisons but fails to state why they are in there locked up. She identifies “murderers, rapists, armed robbers, child molesters, kidnappers, prohibited possessors, gang-bangers, drive-by-shooters, repeat career burglars, auto thieves, arsonists and narco-traffickers”

Again, an accurate statement and relevant to who is being locked up. She failed again to explain, why they are locked up and instead delves into statistics that eliminate the human factor entirely.

When discussing crime and incarceration we must remember the root causes of such failures. The fact is that since the mid-90's our schools have failed our children badly. It has in essence become a pipeline for prisons by design and operational methodologies.

Social and political policies have abandoned all of us in the rural and urban areas, as we see our children struggle with finishing their schooling and lacking in academia or vocational training; impacting graduating and finding a decent job. Most children drop out and end up being incarcerated as they barely reach an 8th grade educational level. Although some get their GED inside prison, their abilities to find a good job has been hindered by the fact they are ex-cons looking for work.

Drugs are a problem and so is idleness due to unemployment rates. Gangs have grown over the last few decades as families suffer and endure stress and anxiety that are mentally related to the lack of care for those who need medical and mental health care. Mental hospitals have closed due to lack of funding and those who suffer serious psychotic disabilities, find themselves homeless or seek other means to cope and deal with their illnesses by self-medicating themselves with drugs. These all fit the profile given by the county attorney.

We haven't even begun to address the victimization and criminalization of mental illness and the fact that this group of people make up close to a quarter of our prison population. These people, when they come in contact with the law are at a gross disadvantage for several reasons. Most will experience a shock that makes them unable or capable to deal with the court process and comprehend every defense or prosecution tactic. From the very beginning, they are at the mercy of eager prosecutors earning conviction rates and impressive statistics on their incarceration agenda.

More importantly, they are almost always unable to gain a legitimate defense attorney due to abandonment of family ashamed of them or being loners themselves. Lastly, they have no other place to go to get medical and mental health help and sign guilty plea bargains to charges trumped up by county attorneys to improve their prosecution rates. Yet, all in all, people are being funneled into the prison system because the entire system is geared for such a movement.

Finally, if the state would have spent more money on our children's future, our educational systems and our social and economic growth for a sustained level of consistency and dependability, our mass incarceration rates would be reduced and the money spent would be a better investment in our children and their future.

http://tucson.com/news/opinion/column/guest/barbara-lawall-myths-about-crime-and-justice-in-arizona/article_75fa2ff6-43a7-511b-92bb-fff492d032c6.html