

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/give-progress-a-chance>

### Public Facing Advocacy Writing

Less than one year ago, Louisiana passed a historic [Justice Reinvestment Package](#) (JRI), with the goal of finally shedding its infamous title of incarceration capital of the world. With help from the analysis conducted by [The Pew Charitable Trusts](#) (Pew), the bi-partisan supported legislative package focused on decreasing prison admissions for nonviolent crimes, expanding parole eligibility while strengthening community supervision, and decreasing barriers to successful reentry including extreme criminal justice debts.

The success of such legislation can be seen in [Louisianas 5.4 percent reduction](#) in its prison population from 2016 to 2017. This progress, however, is now just 11 months later at risk of being incredibly short lived. [Several pieces of legislation](#) that would either delay or completely undermine the reforms put into place by the JRI package. The bills in consideration include bills that delays capping fines and fees for people coming out of prison for another two years, and delays relieving incarcerated people from paying child support while in prison for another eight months. The criminalization of poverty is a fundamental driver of mass incarceration. Research shows that allowing unchecked fines and fees is unwise if the ultimate goal is getting people back on their feet after a period of incarceration. As noted in Veras 2017 [Past Due](#) report, fines and fees can produce insurmountable barriers for people trying to move past their convictions and can even result in more jail time if left unpaid. In New Orleans alone, 8,331 residents were charged fines and fees totaling \$3.8 million in just one year. These findings were echoed by Pew, which found that fees from court funds, district attorney fees, indigent defense funds, restitution, supervision fees, and victim funds [far exceed what the average probationer could afford](#).

In addition to the bills delaying the progress toward decriminalizing poverty, several other bills that would add barriers to early release from probation for good behavior, make it incredibly difficult for people serving life in prison to be granted parole, and no longer allow people with a first degree murder conviction to participate in the medical treatment furlough program. Such amendments stand to hamper Louisianas ultimate goal: shrinking the overflowing carceral system.

In a state with the highest incarceration rate in the country, and thus the world, the bipartisan support of the historic legislative package was meaningful. Further, while Louisiana was passing the JRI legislative package in 2017, the Department of Corrections was also working with Vera through the [Safe Alternatives to Segregation Initiative](#) (SAS) to reduce its use of solitary confinement throughout the system. While the focus of the SAS Initiative is the highly restrictive nature of segregation and its overuse, many of the reforms Vera will recommend it in its upcoming report require a reduction in the number of people incarcerated in the state. The Department of Corrections has already made incredible strides in reducing its use of solitary confinement with [the closure of its notorious Camp J](#), which held over 400 people in highly isolated settings. Closing Camp J is real and commendable progress, and gives us a glimpse of what can be done more broadly. Vera, in our forthcoming report to the Department, will focus on the closure of Camp J as an opportunity to develop a model for repurposing solitary confinement spaces into something completely different spaces that support rehabilitation, learning, and healing.

However, what is often left out of conversations around sentencing reform is that a smaller system is essential to the success of programs aimed at rehabilitation and reintegration for men and women in custody. Reducing the prison population goes hand-in-hand with addressing other systemic issues, including reducing the use of solitary confinement and ensuring the health and safety of the people who live and work in these settings. With [720 per 100,000 Louisiana residents in prison](#), the reality is that Louisianas prisons are overcrowded. Systemic overcrowding means that there are simply not enough general population beds for people in prison, even if Louisiana passed a law tomorrow that would end solitary confinement.

The recent flurry of bills explicitly reverses the efforts made by the JRI taskforce to decrease Louisianas prison population and to reserve prison beds for those who pose the greatest risk to public safety. Additionally, they reverse reform efforts that are working in other states before implemented properly or the impacts measured. Instead of retreating from change, Louisiana must embrace the opportunity to give people second chances, to minimize undue burden on poor and low income people reentering their communities, and to rid itself of its title as the global capital for mass incarceration.

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