Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

https://www.vera.org/blog/addressing-the-overuse-of-segregation-in-u-s-prisons-and-jails/corrections-at-a-crossroads

Public Facing Advocacy Writing

Halden Prison, universally considered the worlds most humane correctional institution, is located in a Norwegian town of the same name. For a casual observer from the United States, Halden may as well be on another planet.

Here, incarcerated people are called by their names. They wear their own clothes and live in dorm-like settings, complete with communal kitchens. They spend most of their time in structured activities that teach skills and provide purpose. And, most importantly, they enjoy frequent and unobstructed opportunities to visit with family and friends. In Halden, people do not surrender their dignity at the prison door.

I visited Halden with a team of observers from the United States, including many corrections officials, at the invitation of the Vera Institute of Justices Safe Prisons, Safe Communities initiative, which works to end the use of solitary confinement (or restrictive housing) in U.S. prisons and jails. We also visited Ila Prison, a high-security institution that has innovated more humane approaches in the use of restrictive housing.

Vera is working to make human dignity the bedrock of the correctional experiencefrom interactions with staff to the architecture of jails and prisonsacross a number of projects. The Restoring Promise initiative, in partnership with the MILPA Collective, works with correctional institutions to transform units for young adults into spaces of connection, healing, and personal growth. Young adult mentees form relationships with older mentors who are themselves incarcerated men and women. The initiative has successfully launched units in Connecticut, Massachusetts, and South Carolina; with support from Arnold Ventures, it will soon expand to Colorado, Idaho, and North Dakota.

In our current moment, Americans across the political spectrum have come to accept that we have a mass incarceration problem that especially impacts people of color. One recent poll found that three-quarters of registered voters believe the current system needs significant improvements, and for good reason: America incarcerates more of its people than any other nation on Earth, both per capita and in absolute numbers.

But if our system is terrifying in its scope, it is all the more terrifying in its stifling, regimented realities and casual cruelties. In Norway, I learned that nothing that happens within a prison is the way things are they are the way that we have made them.

American correctional institutions are places where violence and sexual abuse are endemic; where suicide is a leading cause of death for incarcerated people and prison guards alike; and where men and women can languish in isolation for years. Each year, this system costs our society $80 billion. The return on our investment is profound brokenness and a 36 percent reconviction rate within two years of releasecompared to 20 percent in Norway.

Solitary confinement is a prime example of the failures of our correctional system. In Norway, the use of restrictive housing is rare, subject to independent oversight, and used only in cases where a person poses an imminent danger to their self or others. In the United States, solitary confinement is prolonged, abusive, and implemented as routine punishment. At least 61,000 people are held in isolation on any given day, and they are disproportionately Black and brown. A recent Yale study found that more than 4,000 people with serious mental illness are held in solitary confinement, despite well-established evidence that such isolation makes mental health worse.

Ironically, prisons began as 19th century reformsa movement away from the barbarism of public humiliation, corporal punishment, and executions. Practices like solitary confinementpioneered at Eastern State Penitentiary and in Auburn Prisons regime of silent, forced laborwere meant to rehabilitate incarcerated people. They reflected moralistic attitudes toward criminality, which held that incarcerated people needed to pay penance for their crimes and lose their sense of self before redemption was attainable.

At the same time, other Americans were perfecting practices of captivity meant to extract labor and exert social control. On southern plantations, slave owners used brutal methods to uphold the existing racial hierarchy and generate profits; after emancipation, convict leasing and other forms of penal labor replaced outright bondage. Racial subjugation is threaded throughout our nations history of incarcerationfor Black Americans, but also for indigenous communities forced into boarding schools and Spanish missions, and Japanese Americans subjected to internment, for example.

These twin experiencesof the misguided schemes of previous generations of reformers, and of persistent, endemic racismform the backdrop of todays criminal justice debate. A growing movement for prison abolition assesses our history and asks, rightly, if institutions suffused with white supremacy, paternalism and exploitation can be meaningfully reformed.

Abolitionists, like the influential scholar Ruth Wilson Gilmore, argue that divestment from incarceration and law enforcement is a necessary precursor to true community safety, and that efforts to reform these systemswhile well intentionedreify existing power structures and economic incentives. Similarly, scholar Bruce Western argues for a thick conception of public safety that prioritizes healthy family and community life over the provision of justice through systems of control.

MILPA and Vera incorporate abolitionist perspectives into the work of Restoring Promise, particularly in their emphasis on indigenous tradition, relationships, and courageous conversations about race and social networks. Restoring Promise units aim to disrupt the traditional roles of inmate and guard by entrusting older mentors with structuring and delivering programming. This shift, in turn, lets staff see both mentors and mentees in a new light. Accountability for wrongdoing is handled within the circle of trust established among mentors and mentees instead of through negative interactions with staff, allowing staff to focus on developing relationships instead of enforcement. Work in the units encompasses personal transformation and healing, and incarcerated people are encouraged to deepen and restore relationships with family on the outside that will support their success upon eventual release.

MILPA and Vera have also emphasized cultural healing as a base for truth telling and reconciliation, requiring correctional staff to confront the ways that our current system is implicated by our nations past. In November, I joined correctional leaders and staff from Restoring Promise sites in New Orleans, Louisiana, where we visited the Whitney Plantationone of the few plantations presented from the perspective of the enslaved. While there, I thought of the staff at Ila Prison, who frequently acknowledged its history as a Nazi concentration camp during World War II, and who root their practice of human dignity within this context. What would it mean for prisons like Angola and Parchman, sited on former plantations, to make similar amends?

The work of reimagining prisons is not sufficient; reimagined prisons remain prisons. The deeper mission is envisioning a society where incarceration is obsolete. However, that vision cannot happen without a more profound understanding of human dignity and deservingness that transcends prisons and includes every member of our society. In this regard, the work of Restoring Promise and of Safe Prisons, Safe Communities is a critical bridgefrom broken systems to communities that make us whole.

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