

A Response to A Response to The Common Story Re: Incarceration Rates

Noah Hornbeak

Culinary Academy of Michigan

Course Code: Name of Course

Dr. Natasha Jones

October 7th, 2024

A rebuttal to a response regarding the prison system

This paper is going to be my rebuttal to an academic writing that discusses the issues with the modern incarceration rate and believes it found the issues, I think the work has merit but I will be explaining why I think the author has a mal-informed opinion

A response to A response

An acknowledgement of the facts and the history

John Pfaf begins the book by acknowledging the disturbing nature of the statistics, listing the fact that we only have 5% of the population, we have 25% of the prison population and I think everyone would agree that is a horrendous stat. Then stating we are four to eight times higher than comparative democratic countries. I find this paragraph to be a perfect hook, it starts by telling the reader that the facts are scary (and they are) and it sets the tone for the reader to look at the facts through, it doesn't necessarily mean the author is trying to rope the reader into a bias but rather gives the angle at which the author is approaching the facts. After we are looking at the facts through this lens he looks at a graph made by the department of justice that tracks the incarceration rates since the 1920's, and it increases sharply to the point it quintuples over 50 years. He then continues to talk about the historical context around the unexpected nature of the huge increase in incarceration rates and there's a note of bitter irony. The next page seeks to link a rise in crime with the rate of increasing violent crime rising over 250% by 1980. **However** the rate of convictions rose by an equivalent if not higher amount at times, so overall the increase may have made a higher percent but it would not lead to an equivalent increase in crime. Here is a basic math example of what I mean $250\% \times 10\% = 35\%$ of crime, per capita 100 crimes, $250\% \times 100 = 2500$ 875 violent crimes after the rise vs 10 violent crimes before the rise. There are still

1525 more non violent crimes than before. He does also mention a sharp increase of property crime rates however once again these are percentages of a larger amount of crime overall.

The next point I am going to respond to is the suggestion that Michelle Alexander's *The New Jim Crow: Mass Incarceration In The Age of Colour-Blindness* is wrong to suggest that the war on drugs targeting low level drug offenders is not the main increase in crime because *only* 16% of state prisoners is serving time on drug charges. This displays a staggering lack of understanding on the basic theory of intersectionality that is sociology 101, I would expect that anybody with a degree in criminal justice would understand looking at drugs and crime is not so simple as are the crimes because they had drugs or dealt them, there have been numerous studies and analysis of how drugs affect low income groups and drive up crime. Drugs lead to violence, poverty that leads to thefts, poor decisions and other reasons that may get someone locked up on a non-drug charge without being tried for possession. It also ignores the fact that the war on drugs increased police spending significantly going after drugs which leads to more police arresting more people. Also the suggestion that 16% is not a significant amount. This also ties into the fact that they claim of that only 5 or 6% of that are low level and nonviolent, I will detail in the next session that Professor Pfaff wants less people charged rather than the amount of time reduced however ignores the idea that we could reduce the population by 5 or 6 percent saying it would be disappointing to many by focusing on drug related crime by bringing in the 50% of violent criminals, which is rather reductionist to suggest that because the violent criminals are a larger issue we shouldn't focus on the drug related offenses.

He then makes a point out of attacking prosecutors and says a quote so profoundly pointless I will quote it verbatim. "The primary driver of incarceration is increased prosecutorial toughness when it comes to charging people, not longer sentences. Stopping prosecutors from

sending people to prison to start with would be far more effective in cutting incarceration rates then reducing the amount of time prisoners spend in prison once they get there-and this fact points to a very different set of reforms than those generally proposed” (Pfaf, John) *A Response to the “Standard Story” about US Incarceration Rates as referenced by they say I say* page 368. I do not think I can fairly do justice in pointing out the flaws in this argument, I will admit it is a fair argument to say if someone never enters prison then they never spend time there, bringing the rates down. But it is a self fulfilling argument and is a rather infeasible argument. It is well and all to want to put less people into prison but that requires a much harder change into the system.

His Suggestion

His suggestion is to analyze the situation and look at what we need to do to reduce it because the “common story” suggests it will be much easier then it is, and paints the ending of mass incarceration as many want it to as a fairy tale, and unachievable. I think this is a nihilistic view that ignores the suffering currently undergoing because of it. I would go so far as to suggest if I were to be so bold that he does not know a single person affected by it to be so callous and blatant in having no haste. I would also suggest that he is admitting he is criticizing someone else’s answer to the problem without one of his own, because if lawmakers won’t end it who will?

Conclusion

Wrapping up my response I reach the conclusion and I would say in conclusion I think that John Pfaf has a few good points about reforming the system, however I think that he lacks perspective

References

They Say I Say (A Response... Incarceration Rates, John Pfaf 2017, page 362)