

Overcrowded Prisons

Andrew Edwards, Lisa Hosier, and Brooke Rentschler

Indiana Wesleyan University

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### **Overcrowded Prisons**

Last year congress took a vote to lower sentencing for people convicted of trafficking or possession of crack cocaine. When congress passed this new law, it applied only to those that were sentenced from then on. This last week, a sentencing commission took a vote to expand that decision to everyone in prison convicted of trafficking or possession of crack cocaine. The reasoning behind this is to have crack cocaine carry a closer sentencing to that of powder cocaine crimes. Even though anyone convicted under state law will not have the chance to have a lower sentence, it is estimated that 12,000 people out of the 200,000 in prisons will have the advantage of getting a lower sentence. Early release for these 12,000 people will average out to be three years each. This will save around \$200 million dollars in the first five years it is implemented.

Fifteen Republican lawmakers were not happy with the vote the sentencing commission took. They wrote the sentencing commission that the Fair Sentencing Act was not meant to include current prisoners for lower sentencing. Also, "U.S. Attorney General Eric Holder took the position that prisoners who used weapons during their crimes or who have significant criminal histories should not be eligible for reduced sentences." (Gresko, 2011) If these prisoners were excluded, it would cut the number of eligible prisoners for lower sentencing down to 6,000.

These lower sentences would still need to be approved by a Judge and prisoners cannot start applying for them before November. Congress could intervene with the sentencing commission's decisions and overrule it, but they would have to do this before the end of October. I do not know if Congress would intervene on this or not, but I think with the overcrowding of prisons and the fact that everyone is trying to save money in this economic time, I don't think this ruling will change. I think it is a sad thing for our world that prisons are releasing people put

behind bars early and that State Hospitals are trying to “mainstream” their population into the community.

### **References**

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