

Chandler Buzzell

Professor Babb

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### Mass Incarceration In The United States: Reforming The Criminal Justice System

Mass incarceration in the United States represents a significant crisis, revealing a penal justice system that places more emphasis on punishment than on rehabilitation. The United The United States is the nation with the largest prison population in the world, with an estimated 2 million inmates. This issue impacts not just those behind bars, but their communities and families. One of the numerous reasons for the shocking number of prisoners is the intensification of the War on Drugs in the second part of the 20th century, the introduction of mandatory minimum sentencing laws, and entrenched systemic racism. These policies have transformed the American landscape, deepening socio-economic disparities and perpetuating cycles of poverty and disenfranchisement. "We have not ended racial caste in America; we have merely redesigned

it" (Alexan). The effects of these policies extend well beyond the confines of

prisons, impacting the very core of our communities. Therefore, the call for comprehensive

reform of the criminal justice system is not just urgent; it is vital for restoring justice, equity, and opportunity in American society. ~~This essay will argue that to effectively tackle mass~~

incarceration, we must adopt restorative justice practices, amend punitive laws, and focus on

community support systems, fostering a transition toward a more humane and equitable criminal justice approach.

According to the Sentencing Project, from an estimated 200,000 in 1970 to 2020, the number of individuals incarcerated in the United States rose by an astounding 1,500%. A major change in the way society views crime and punishment is reflected in the sharp increase in incarceration rates.

The effects of the War on Drugs have been profound and long-lasting, that is hard to ignore. In the 1980s, the emphasis on harsh penalties led to a dramatic rise in drug-related arrests, which disproportionately affected marginalized communities. These communities, often caught in a cycle of poverty and disenfranchisement, frequently lacked the political power to contest harsh sentencing laws. The introduction of mandatory minimum sentences further limited judges' ability to use their discretion in cases involving nonviolent offenders, resulting in a notable increase in the prison population. The 1986 Anti-Drug Abuse Act imposed harsh punishments.

African American communities in metropolitan areas have been impacted by mandatory minimum terms for drug charges, particularly those involving crack cocaine. The

penalties outlined in this law reveal clear racial biases. According to the American Civil Liberties Union, “Black people were 3.6 times more likely than white people to be arrested for drug offenses, even though their drug use rates were equal.” (ACLU). These disparities highlight a broader trend of racially motivated practices. The statistics not only reflect shortcomings in the criminal justice system but also reveal deep-seated racial inequalities in society. Communities significantly impacted by these policies experienced profound declines in social and economic cohesion. In examining the effects of mass incarceration, author and policy analyst Loïc Wacquant states, “The incarceration regime has become a new form of social control that devastates poor communities” Families started to face severe instability as a whole generation grew up without a parent. Families started to face severe instability as a whole generation grew up without a parent due to incarceration.

The effects of parental absence are significant and complex, resulting in heightened mental health issues, financial difficulties, and educational challenges for children.

Research indicates that incarceration negatively impacts employment opportunities, not just for those who are incarcerated but also for their families. The stigma of having incarcerated family members can hinder job searches, affect relationships, and disrupt community integration. This social stigma is further exacerbated by systemic barriers that make

it especially hard for formerly incarcerated individuals to find work. Those trying to reintegrate into society encounter numerous challenges, making successful transitions extremely difficult. Additionally, studies show that communities with high incarceration rates often see rising crime levels, not necessarily because of increased criminal activity, but due to the lack of community members who usually provide stability. This absence leads to a decline in education and job opportunities, as communities suffer from a loss of human capital and social networks essential for economic advancement.

The effects of mass incarceration on society are profound and intricate, affecting not just the inmates but also their families and communities outside the prison gates. The negative effects on families are intensified by the added responsibilities that fall on those who remain, leading to caregiving challenges, financial difficulties, and emotional distress. Families experience emotional pain, financial hardship, and trauma from being separated from their loved ones, with children facing particularly tricky situations. One study indicates that “the absence of a father figure due to incarceration is associated with higher rates of behavioral problems, cognitive delays, and mental health issues” (Murray).

The lack of access to quality education for children in these situations makes the problem even

worse. Educational achievement is often viewed as escaping poverty, but children from families impacted by incarceration tend to face greater academic challenges and are more likely to drop out of school. A report by the Urban Institute points out that “Children with incarcerated parents face multiple educational challenges, including increased rates of school dropout and behavioral issues.” Additionally, the economic effects of mass incarceration are severe for communities with high incarceration rates. The economic landscape shifts dramatically when a large portion of the population is behind bars. With many people taken out of the workforce, local economies suffer, resulting in fewer opportunities for community members. Research shows that incarceration leads to a loss of productivity not just for individuals, but for entire communities, impacting entrepreneurial efforts and revenue for local businesses.

The cycle of poverty is perpetuated as formerly incarcerated individuals often struggle to find employment due to the stigma associated with their incarceration, compounded by systemic barriers like not having access to employment training and education. As noted in a study by Devah Pager and Bruce Western, “The consequences of a criminal conviction are felt most severely by the young, especially those already facing significant disadvantages in the labor market” (Murray). The report notes that people with felony records are often

automatically disqualified from many job opportunities, further limiting their ability to contribute positively to society.

Additionally, as family members are incarcerated, the economic burden does not merely affect the individual but leads to increased reliance on state welfare systems. Incarcerated individuals tend to hail from marginalized communities that already experience higher rates of poverty. This degradation of wealth within these areas initiates a cycle of events that results in further deterioration of social and economic conditions. Children left behind by incarcerated parents often end up in foster care systems, or they may struggle to maintain stable housing, leading to increased government expenditures on social services.

As a result of mass incarceration, communities see significant declines in social cohesion, trust, and the overall well-being of residents. This erosion of community stability creates more fractious environments where violence and crime rates can potentially increase, creating a self-perpetuating cycle of incarceration and poverty. The criminal justice system's racial inequities reveal the ingrained prejudices that result in mass incarceration.

Data shows that law enforcement and sentencing practices are more severe for racial minorities, especially African Americans and Hispanics. According to the Sentencing

The project, "Black Americans are incarcerated at more than five times the rate of white Americans," demonstrates the existence of systemic racism in criminal justice policy. This figure highlights

the profound consequences of structural gaps that are ingrained in the way the criminal justice system operates.

The impact of systemic racism is intensified by specific policing strategies, like stop-and-frisk and the excessive policing of communities of color, which results in higher arrest rates for minorities. For example, studies have indicated that during the height of the War on Drugs, police in urban settings tended to focus their patrols on neighborhoods primarily inhabited by people of color, which raised the chances of arrests. Michael Tonry, a well-known legal scholar, points out, "Racial bias in the application of drug laws and sentencing disproportionately affects minorities across the United States" (Sherman).

Public policy also mirrors these inequalities. The "War on Drugs" established laws that disproportionately affect substances commonly found in minority communities, resulting in unequal arrest rates for drug-related offenses. The Center for American Progress points out that "Despite similar rates of drug use, the disparities in incarceration rates reflect a failure of the criminal justice system to treat all citizens equally under the law. "This illustrates how public

policy choices can sustain systemic inequalities, shaping public views on crime and reinforcing damaging stereotypes. The overlap of race and poverty adds complexity to the issue, as marginalized communities often do not have the resources needed to build strong legal defenses. As a result, public defenders are often overwhelmed and lack adequate resources, which leads to unfair outcomes in court. Racial biases in trial processes and sentencing frequently result in marginalized defendants receiving harsher prison sentences for comparable offenses.

In response to the pressing crisis of mass incarceration, numerous reform initiatives have emerged aimed at addressing systemic inequalities and promoting rehabilitative approaches. A variety of these initiatives emphasize restoring relationships and fostering community connections to mitigate the damage wrought by punitive incarceration policies, victims and offenders. Research demonstrates that “Restorative justice initiatives significantly reduce recidivism rates and enhance victim satisfaction” (Sherman and Strang 32), indicating the potential effectiveness of this approach in fostering healing rather than perpetuating cycles of punishment.

Many districts are beginning to embrace alternative sentencing models that prioritize rehabilitation over incarceration. For instance, the establishment of diversion programs allows individuals to undergo treatment for substance abuse or mental health challenges instead of facing formal charges. al Institute of Justice).

Recent years have seen an increase in legislation. As noted by the White House, “The First Step Act is an important step towards reducing incarceration rates while also enhancing public safety” (White House).



Prominent organizations advocating for these reforms, such as the NAACP and the American Civil Liberties Union (ACLU), have led grassroots campaigns pushing for legislative changes including the decriminalization of certain drug offenses and the abolition of cash bail that disproportionately impacts low-income individuals. These movements highlight the need for expansive community support systems that assist individuals in re-entering society post-incarceration while addressing the systemic biases entrenched in the current legal framework. As the ACLU has argued, “Ending the cash bail system would significantly reduce the number of individuals incarcerated before trial, particularly in marginalized communities” (ACLU). Networking between former offenders, community organizations, and policymakers is also crucial for the success of reform initiatives. The group's combined efforts can promote evidence-based policies that focus on rehabilitation and assist disadvantaged populations in rebuilding their lives. Recognizing these relationships is essential, as personal stories from individuals directly affected by incarceration often serve as powerful advocates for reform impact.

Despite the clear need for reform, various challenges and opposition persist. Critics often stem from the prevailing belief that reforming the criminal justice system may lead to increased crime rates. Some political and public factions equate tough-on-crime policies with effective deterrence. The Brennan Center for Justice points out, “Public fear surrounding crime often translates into political pushback against reform attempts that seek to reduce incarceration” (National Research Council). This fear can be exploited by politicians to rally support for punitive measures rather than progressive alternatives, hindering meaningful discussions on effective coverage and policy changes.

In summary, the crisis the points made in this essay highlights the harmful effects on individuals, families, and communities, particularly in the context of systemic racism and economic inequality. As one commentator has pointed out, "The prison system is not just a reflection of crime; it is a symptom of much deeper societal issues" (Alexander), underscoring the interconnectedness of the justice system with problems like poverty, education, and health disparities.

Ongoing research and open dialogues are crucial for creating a fairer and more compassionate criminal justice system, which aims to tackle the societal harm caused by mass incarceration.

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