

Monday, November 26, 2007

Editorial: Too many of us in prisons

Prison overcrowding reflects tougher sentencing, often for victimless offenses, not more crime

An Orange County Register editorial

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It was more than a year ago that Gov. Arnold Schwarzenegger looked at the 175,000 prisoners crammed into a state prison system built for half as many and proclaimed a state of emergency.

So far, this emergency has been addressed largely in terms of prison "supply" – more beds. As we have argued before in these pages, a truly comprehensive solution for California's prison overcrowding must focus also on reducing prison "demand": reducing the number of criminals by reforming sentences for those lawbreakers who don't threaten public safety. But lest our readers think these suggestions are unique, a research institute that works closely with corrections departments around the country conducted an analysis of the nation as a whole, and it found both the same problem and the same necessary solution.

California's jails hold one of every 200 Californians, at an annual cost to taxpayers that rivals that of the state's university system. But as the report issued last week by the JFA Institute demonstrates, this follows the pattern of the nation as a whole, which now warehouses 2.2 million prisoners at a cost of \$100 billion a year: a tenfold increase from three decades ago. JFA Institute, based in Washington, D.C., works with various levels of government and philanthropic agencies to evaluate criminal-justice policies and design research-based policy solutions (www.JFA-associates.com).

Who are these 2.2 million people? Among them are Elisa Kelly and George Robinson, sentenced to 27 months in prison for hosting a drinking party for their son's nine friends in their own home. There's Jessica Hall, sentenced to 24 months for throwing a cup of McDonald's coffee at a car that cut her off. And then there are the hundreds of thousands of people imprisoned for nonviolent drug crimes.

As these examples suggest, and the JFA report demonstrates with statistical evidence, the primary reason for overcrowded prisons is not an explosion of crime, but an explosion of prison sentences. Not only are these sentences many times the length of those for equivalent crimes in other industrialized nations, they are "significantly longer than they were in earlier periods in our penal history." The result is greater expense for less effect, as is testified by rates of recidivism and crime alike.

The JFA Institute argues that its recommendations would save the U.S. taxpayer \$20 billion a year and, eventually, reduce prison rolls by half. Certainly, they represent the real reforms that California and America as a whole need: reducing sentences, eliminating the use of prison for parole violators, reducing parole and probation supervision periods and, most importantly, decriminalizing victimless crimes, particularly those related to drug use and abuse.

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annzebulun wrote:

I am the proponent of two prison reform initiatives that would solve the problems addressed in the editorial. Please reference our recent press release, and note that all statistics come directly from the Legislative Analyst's Office and the California Department of Corrections. Please contact us if you want to make substantive changes to a completely broken system. Thank you...Annie Smith

Moreno Valley, California, November 8, 2007 - Signature collectors have hit the streets in California to qualify the Sentencing and Parole Reform Statute for the November 2008 General Election. By enacting straightforward sentencing and parole guidelines, this initiative will save California taxpayers in the low billions of dollars and will eliminate the need to build new prisons or to send California prisoners out of state to serve their sentences.

Sponsored by Families United for Prison Reform, the Sentencing and Parole Reform Statute continues the trend established by the U.S. District Courts to put a cap on the overcrowding of the California prisons. Currently, California prisons are operating at 198.7% capacity, with nearly a one-to-one inmate to staff ratio. The State of California has been unable resolve this dilemma over the last decade, and watched the prison population grow 84% while the Department of Corrections and Rehabilitation budget has nearly tripled, rivaling state spending for Higher Education.

These alarming statistics, coupled with previous Federal Court findings that California prison healthcare system is responsible for numerous preventable deaths due to lack of appropriate medical care and is not in compliance with the United States Constitution in its care of the mentally ill, caused the U.S. District Court in July of this year to convene a Federal Three Judge Panel to review and rule on this crisis.

In an emergency response to the pressure created by the Federal Courts, Governor Arnold Schwarzenegger and the California Legislature passed AB 900, with a price tag projected in excess of \$7 billion dollars. Unfortunately, the Federal judges found that this legislation, which primarily promotes prison expansion, either will not, or likely will not, alleviate the problems at hand.

The Sentencing and Parole Reform Statute, however, looks to solve the same problems and save billions of taxpayer dollars by reducing the current and future prison population by approximately 35% through streamlining California's current sentencing and parole laws. The proponent has until February 25, 2008 to collect the 433,971 signatures needed to qualify the initiative for the ballot.

ABOUT: Families United for Prison Reform - is a California public benefit nonprofit corporation 501(c)4 with the specific purpose to increase public safety and reduce crime and violence both within the State's prison system and outside in society by informing, educating, and uniting families and friends of prisoners, and seeks to promote legislation which focuses primarily upon prison reform and rehabilitation programs which will, in turn, further the common good and general welfare of the people of the community.

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morris1 wrote:

The only ones that can't figure this out are our legislators. They continue to try to punish us to perfection. Guess what? People are not perfect and they never will be. How many reports can they get that say the same thing over and over, yet they totally ignore the facts. Sentencing needs to be taken from State Legislators and the public. They come up with nothing but revenge type sentences and punish the masses for the ills of the small percentage of truly evil people that their laws are intended for. No one is for NO punishment, but give us break. Let the punishment acutally fit the crimes. We are completely out of control in this country on incarceration and legislators are totally to blame. They love the "tough on crime" soap box that is breaking this countries back. The unforeseen consequences of these crazy sentencing laws are coming home to roost. There are thousands of unintended victims and unforeseen consequences of bad laws. Congratulation legislators! Let the professional criminologists fix this mess you have created. Legislators and the public are not educated enough to come up with sentencing guidelines. They rule with emotion rather than common sense. They have no idea who is being incarcerated. They believe everyone in prison is a mass murderer and should be treated as such. You can go to prison in this country for almost everything. We have buried ourselves in laws. Swearing at someone is a felony punishable by prison. Most citizens just don't know what goes on in courts across the country. People need to wake up and realize that we all commit crimes everyday according to the laws. You don't see it until you are confronted with it and you are shocked by what you find out.

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