

## OpEdNews

Original Content at <http://www.opednews.com/articles/Prisons--Past-Present-F-by-Kenneth-E-Hartman-100521-218.html>

---

**May 22, 2010**

### **Prisons: Past, Present, Future**

*By Kenneth E. Hartman*

When I came to prison in 1980, it was at the beginning of the mass lock-up of Californians that only crested when the economy crested and broke on bad loans and deflated bubbles. The coming decade must surely overturn the terrible decisions made in the previous three.

At the start of my term, prisons were apolitical backwaters. This was well before the creation of the hard conservative movement that swept the country backward to punishment for the sake of inflicting pain.

I was at old Folsom Prison just outside of Sacramento in the foothills of the Sierra Nevada. California had been governed by a series of administrations that left the management of the prison system up to professionals. What went on in these places never mattered much unless there was an uprising that left too many convicts dead to ignore.

Social changes that had upended the old order, spearheaded by federal court interventions, were still being adjusted to when I arrived. The older cons told me about the way it was back in the '50s and '60s.

Back then, the guards could exact brutal punishments without fear of penalty. Books were mostly barred, as were visits and televisions; even radios were forbidden. Prisoners lived lives of isolated desperation, part of a hidden society of outcasts.

Of course, very few people went to prison, which was a penalty saved for the most violent and recalcitrant of criminals. By the time you reached old Folsom your prospects were essentially dead anyhow.

Then came the 1970s, the magic years of prison reform. The civil rights struggles of the '60s took a decade to scale the walls into these places. But before it was over, before the forces of repression regained control of the agenda, we had college courses, televisions, virtually unlimited access to books and newspapers, and greatly expanded



visiting opportunities, even conjugal visiting for some married prisoners.

This was the state of prison when I arrived at the start of the 1980s.

That decade saw the rise of revanchist conservatism and the election of George Deukmejian, the law-and-order state attorney general, as governor. It was also the time of two nascent movements that ultimately joined forces to destroy the gains made in the '70s: the first, the organization of prison guards into a potent union and the second, the organization of crime victims into very effective pressure groups.

Throughout the '80s, these two groups parlayed their growing political strength to effect a takeover of the prison system. The progressive laws passed in the '70s were picked off, one by one. New laws were passed to criminalize a broader spectrum of behavior and make a prison sentence the first option for too many offenses.

The '90s saw the mass construction of new prisons to support the now-suspect criminology of "lock 'em up for as long as possible." Other special interest groups that profit from mass incarceration joined in the feeding frenzy while the guards' union purchased greater control of their putative politician employers. Legislation like the Prisoners' Bill of Rights, passed at the height of progressive thinking, were repealed in a heap of scorn and campaign donations.

At the start of the new millennium, crime victims sat on parole boards and prison wardens had to be former guards. The population of prisoners had exploded to its now world-leading levels along with the salaries of prison employees. The share of the state budget consumed by prisons had doubled and doubled again.

The studies documenting the massive failure of this behemoth system had also multiplied, and all came to the same basic conclusion: too many people doing too much time for too many petty offenses. The ex-governor who started the prison-industrial complex on its current course now chaired a panel that concluded it had been a huge, costly mistake.

But the prison system had become too big to kill off. The prison employee unions, which now included teachers, nurses, cooks and other ancillary staff, had amassed gigantic war chests that they freely passed out to defeat their opponents. On those rare occasions that reason appeared ready to trump money, out came the crime victims to demand that everyone else pay for their



unquenchable revenge. Plus, the system provided too many jobs that paid too much money to downsize.

Then came the Great Recession. All of a sudden, those studies that had sat on shelves in warehouses collecting dust became relevant. Even as the pressure groups cried bloody murder, the realignment began. The big gravy train ran out of coal.

The coming decade will see a nationwide downsizing of prison systems and a return to some sanity in rehabilitative programming. California will lead the way, like it or not. The next couple of years will be rough on prisoners, no doubt, but at the end of it, as the country and the state come to grips with a new, diminished economy, the laws that sentence petty thieves to life in prison will have been done away with, finally.

I'm optimistic about the near future. It feels like I've just about weathered the worst of it, and the pendulum is about to swing back toward a more rational prison policy.

My only gripe is things only began to turn around when the money ran out. It's hard not to wonder what further horrors would have awaited me otherwise.

Author's Bio: Kenneth E. Hartman has served 30 continuous years in the California Department of Corrections and Rehabilitation on a life without the possibility of parole (LWOP) sentence. He is the author of "Mother California: A Story of Redemption Behind Bars," a memoir of life in prison, published by Atlas & Co. (New York, 2009), and is an award winning writer and prison reform activist. Ken was instrumental in the founding of the Honor Program at the California State Prison-Los Angeles County, and is currently leading a grassroots organizing campaign, conducted by LWOP prisoners, with the goal of abolishing the other death penalty.

[Back](#)