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It's Time To Change The Prisons

By Kenneth E. Hartman

There comes a point in every failed social experiment when nothing more can be accomplished. The sad truths of the nation's vast, extraordinarily expensive and spectacularly ineffective prison systems must be acknowledged. It's time to change the prisons.

For the past quarter of a century, all 50 states and the federal government have wholly adopted the "tough on prisoners" model. No one can argue that the lives of prisoners aren't orders of magnitude harder now than at the beginning of this movement to a purely punitive form of incarceration.

Visitation is more restrictive and overnight family visiting programs are virtually gone. Basic education programs are drastically reduced. Higher education is long over. The ability to possess personal property is severely restricted. Almost all prisoners in this country are now forced to wear humiliating clothing that stamps them with the modern, sickening-orange, badge of shame.

On top of all that, the culture of prisons and those who guard prisoners has shifted to outright hostility. Correctional officers see their role as one of exacting societal revenge on a daily basis, a role they have embraced with gusto.

Working behind the seemingly insatiable grief and rage of some crime victims, politicians have constructed whole careers out of ever-increasing punishments and ever more out front ostracism of prisoners. There are now tens of thousands of men and women serving long life sentences for nonviolent, petty offenses, and hundreds of thousands more cycling in and out of the criminal justice system for simple drug possession.

Nationwide, prisons and jails consume upwards of 110 billion dollars. The incarceration rate of 509 per 100,000 population is many times that of any other industrialized democracy. Young black men are imprisoned at rates higher than in South Africa at the depth of apartheid. We

are about 4% of the world's population, but we lock up about 25% of the world's prisoners.

But all those billions of dollars and the mass incarceration of our citizens has resulted in crime rates pretty much the same as the other industrialized democracies. Except for gun violence, which we continue to experience at much higher rates, regardless of the proliferation of prisoners.

Now, in this era of belt-tightening and reevaluation of fiscal priorities, it's time to stop the flow of money pouring down the prison drain.

And it's definitely time to end the war on prisoners, an assault on commonsense, which never resulted in lower recidivism rates as promised. Management of the prisons must be freed from partisan politics and the grip of crime victim activists.

I, unfortunately, have a somewhat unique perspective on the prison crisis. I've been incarcerated, in the nation's largest and most dysfunctional prison system, for 30 continuous years for killing a man in a drunken, drugged-up fistfight when I was 19 years old.

When I arrived in 1980, the California Department of Corrections was at the forefront of well-managed and successful prison systems. A wide range of rehabilitative programs awaited the motivated prisoner, from college education to vocational training and drug counseling. Overnight visits were available to all prisoners, and regular visiting was relatively welcoming and family-friendly. Prisoners enjoyed statutorily enforced rights that bound the conduct of prison officials.

Most important, the recidivism rate, the measure of failure for released prisoners, was much, much lower -- around 25% compared to over 70% now.

Twenty-five years of caving in to the unreasonable and self-serving demands of guards' unions, serving as a mute whipping post for demagogic politicians, and forever kowtowing to an angry, vocal minority of crime victims' demands for barely disguised revenge, has driven the justice out of the prison systems.

It's well past time to abandon the bankrupt ideas of the punishment-for-the-sake-of-inflicting-pain crowd before they drive justice out of the rest of society too.

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Author's Bio: Kenneth E. Hartman has served 30 continuous years of a life without the possibility of parole sentence. He is the author of the memoir *Mother California: A Story of Redemption Behind Bars*, published by Atlas & Co. (New York, 2009). He has been published widely, including in the *New York Times*, the *Long Beach Press-Telegram*, the *San Diego Union-Tribune* and the *Bakersfield Californian*, writing about prison reform. His magazine articles have appeared in *Topic Magazine*, the *East Bay Monthly*, *Whole Life Times* and *Prison Life*. His piece "Harder Time," which appeared in *California Lawyer*, won a Maggie Award in 2005 for best signed editorial. His essay "A Prisoner's Purpose," was a prize-winning finalist in the Templeton Foundation's worldwide Power of Purpose contest in 2004. His piece in the respected academic publication *The Prison Journal's* first quarter 2008 edition about the effect of supermax prisons on the consciousness of prisoners is now a part of the curricula of criminology programs. "The Absent Voice of Prisoners," appeared in the inaugural edition of *J*, the journal of the John Jay College of Criminal Justice, City University of New York, addressing the need for the inclusion of prisoner's voices in the process of prison reform. "The Other Death Penalty," an essay that discusses the broader ramifications of the sentence of life without the possibility of parole, appeared in the *Journal of Prisoners on Prisons* (volume 18:1 & 2; 2009), published by the University of Ottawa Press, served as the founding document of a grassroots effort by prisoners to abolish this form of the death penalty. Ken's work has also appeared on several influential websites, including *The Huffington Post*, *CounterPunch.org*, and the *L.A. Times.com*.

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