

Incarceration- What Do You Really Know About It?

Three hots and a cot, free health care, free cable, fully equipped weight rooms, and free education. Yep, life behind bars sounds like good living. That is, if you can survive it. With suicide and assault rates five times higher than in the free world, incarcerated people face a reality that differs significantly from the above misconceptions. Although some people think that prisoners deserve poor living conditions, such treatment actually increases criminal behavior. To prevent this from occurring, we need to examine the system's flaws and motivate the public to demand more accountability from prison officials.

Unlike many countries, America guarantees its citizens and even its prisoners a variety of rights, including freedom of speech, protection against cruel and unusual punishment, etc. However, it's very easy for a bureaucratic machine to make such rights vanish. Perhaps you have experienced the frustration of dealing with indifferent or petty bureaucrats at the DMV, IRS, etc. Now, imagine if these same individuals had control over every aspect of your life: there are lines for everything and they sometimes deny you life's essentials for the most trite reasons, especially if they have a reason to dislike you. In the prison context, the retributive mind set encourages such bureaucrats to go out of their way harm prisoners, rather than attempting to build them up. We can discern these consequences retributive mind set by examining Michigan Department of Correction's (MDOC) food service and health care systems.

Although most correctional facilities in America serve three hot meals a day, they often commit a variety of public health violations while preparing and serving food, mostly through sheer indifference. For instance, many correctional supervisors simply watch inmate workers drop things on the floor and immediately reuse them. Although I have only seen this happen a few times, inmate workers often fail to use hair nets, change their gloves, use clean pans/utensils, and cook the food all of the way. As a result, I have often found hair in my food, and I have experienced food poisoning several times. Even if prison food was properly prepared, it would still involve low quality and small portions, as the MDOC food budget costs less than \$2 a day per prisoner. Incarcerated people accept this when most of the food is edible; however, the primary complaint behind most prison riots involves food service.

Aside from a nutritional, balanced diet, prisoners are also supposed to be guaranteed health care. However, just about any person who has been incarcerated for a significant period of time will affirm that many health care visits result in no treatment, unless the problem is communicable or potentially lethal. Even then, the private insurance company in charge of approving medical procedures regularly denies treatment until months or years after a problem is revealed. For instance, a person at my facility almost died recently because prison officials treated his staph infection with compression socks and water pills. Likewise, I have known several people who had hernias pressing on their intestines, threatening to burst, but health care refused to treat them for months. Instead, the only aid health care offered was, "Take some ibuprofen and drink more water."

The horror stories go on and on. For instance, one person at Kinross Correctional Facility tore most of the ligaments in his knee. However, the health care provider refused to approve surgery until he filed numerous complaints. Even so, the doctor stopped in the middle of the operation, repairing only one of the ligaments. If this sounds unbelievable, research any database that displays court rulings on such matters. Instead of considering the merits of prisoner complaints, federal courts deny most solely for technical reasons (e.g. petitioner failed to exhaust the prison's grievance procedure). This allows the judiciary to ignore clear violations of human dignity while maintaining a shroud of legitimacy.

Congress is largely responsible for the judiciary's transgressions in this matter, as the Prison Litigation Reform Act (PLRA, a part of the 1996 Crime Bill) prevents prisoners from suing doctors based on medical malpractice. Instead, prisoners must prove that officials were deliberately indifferent, a legal standard that is nearly impossible to meet. To subvert such complaints, officials only need to show that they attempted to do something to alleviate a prisoner's condition, even if all the doctor does is tell the "patient" to take some aspirin for his cancer. Any failure to order the appropriate tests or treatment will be written off as a mistake, and not deliberate indifference. In other words, the federal courts refuse to hold state prison officials accountable, state judiciaries are even less likely to do so because of conflicting interests. For instance, Michigan judges retain their prestigious position through election. Like all politicians, their actions involve political calculations. This means that

ruling in an inmates' favor can give the judge a reputation for being "soft on crime," and nothing will ruin a career faster.

Some might not consider the above problems significant enough to demand their attention, but these issues are only symptoms of the entire criminal justice system. When the people with the most power are not held accountable for violating the rules, they stop caring about the rules and do whatever they think is right or what is in their best interests. A retributive mind set often fulfills both criteria. As shown above, this philosophy creates a toxic living environment for prisoners, which leads to more crime in society overall. Contrary to what many think, treating prisoners poorly does not teach them to treat others with dignity. People often commit crime, particularly violent ones, because they are emotionally disturbed and antisocial. However, foul living conditions do not improve such people's mental health. Research also attests that America's infatuation with tough on crime penalties does not work, as it produces 2-3 times higher recidivism rates than Europe's, despite the fact that American prisoners serve twice as long for similar crimes. Even so, 95% of felons eventually return to society. How do we ensure that these individuals do not commit new crimes? If retribution, deterrence and incapacitation does not work, what does? Other than swift and sure justice, rehabilitation seems to be the only option, and poor living conditions undermine said rehabilitation. People rebel when they feel they are being treated unfairly, and treating any human like a caged animal is sure to garner such an attitude.

This article shows that there is a large difference between stereotypes and reality. While listening to stories about prison, crime rates, etc., we must understand that people often push inflammatory examples as a way to draw ratings and denigrate political opponents. Even when people do not misuse facts, most discussions about the criminal justice system are one sided, often including only lawyers, law enforcement officers, and other experts. However, such individuals often have not experienced what it is like to be a prisoner themselves or how prisoners would respond to certain policies, and they have actually led America to its current failed state of affairs. In contrast, prisoners and formerly incarcerated individuals are rarely consulted before stories are produced, as prisoners have little power or platform. Without this perspective, public rarely attains a true sense of the problem of the massive prison industrial complex. Until the media takes

a greater interest in the various prisoner perspectives on corrections, the public will never understand appropriate strategies for the criminal justice system. Instead, they will continue to push politicians to embrace failed policies.