

"... and Justice for All."

a commentary on why recidivism runs rampant in America

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Only one-fifth of those incarcerated successfully rehabilitate. Recidivism runs rampant in America and despite the billions of dollars poured into our Correctional system, our Justice system and our Welfare system legislators, government officials and concerned citizens are all scratching their heads. Is prison working? Why does it feel like we are wasting our efforts? The answer is complex but conveniently simple — American citizens are unfamiliar with American culture.

The implications of this simple truth are far-reaching, but what is of immediate interest is the fact that our legislators, government officials and concerned citizens speak from a position of American culture.

Whether it be the governor, senator, mayors or city council persons, religious leaders, pundits, law enforcement officers or correctional officers, the fundamental right to participate in American politics is understood by these persons through the perspective of American culture.

For those incarcerated, that lens is often absent.

Broken lives, missing guidance, priorities wildly out-of-focus with reality; American culture is not merely a dream to those vulnerable to recidivism, it is a mystery.

How do we teach American culture to others? The answer is through a carefully-structured union of regulatory law and corrective (rehabilitative) education. Does prison work? Absolutely. Is prison working in America? Not for everyone, but it does keep Americans safe.

This brief essay will focus on three components of the American prison system: 1. the roots, causes and effects of cultural division in America; 2. why prison works; and, 3. why recidivism runs rampant in the United States. Understanding that there is a very serious push to re-define American culture beyond merely extending our concept of rights to the underprivileged might be difficult, but it is essential for appropriate discussion about modern America and our failure to reform criminals.

Whether you support traditional American values, radically defining a new America, or fall somewhere in-between, the fact that we need an efficient prison system and that we need to rehabilitate offenders from criminal lifestyles should become obvious with any serious investigation. We need law, and we need order. What we have is a society of citizens whom obey the law volun-

larly, a society of citizens whom effectively maintain the status quo, and the incarcerated persons whom are criminally disruptive.

Historically, American culture is defined by the harmony of law and order. Obedience to the law, especially voluntary obedience, is axiomatic to our way of life.

You must follow the law of the land. For some that is made natural by a variety of factors, for others a learned exercise. For criminals, it remains unlearned — either purposefully or through unconsumable social neglect. It is to cure the latter that the prison system has evolved from punishment and execution to corrections and rehabilitation.

The commission of crime from a sheer lack of guidance is correctable. Welcome to the prison system. Where this process breaks down is knowing and willful disobedience. That can not be forcibly corrected or rehabilitated.

The criminal must reform voluntarily to benefit from the prison system. Four out of five persons incarcerated within the American prison system will commit more crime.

The numbers are quite plain. Criminals do not want to reform.

The existential question for society is what part of

prison works? Prison, in modern America, is the only safe refuge for citizens who are willing to reform to disengage from harmful influences and correct unlawful habits without the fear of legal backlash. Everything a person needs to successfully habitate is provided to the prisoner. All that is asked and required is that in return for safe room and board the prisoner obey the law.

That is no easy task. Gangs run as rampant in prison as recidivism runs rampant in the streets. In order to successfully navigate the prison environment it will take more than innocent intentions. This is the part of prison that most people can't talk about. In order to correct and rehabilitate successfully within the American prison system, the prisoner must learn how to enforce social distancing through nonviolent means.

Nonviolent means is synonymous with literacy, for in the regard there are only two nonviolent legal means to navigate the prison system safely: 1. verbally; and, 2. in writing. Verbal and written communication skills are a requirement for successful development in prison. Unfortunately, due to cultural divides and a variety of other socioeconomic factors, many prisoners are simply unwilling to participate in practicing literacy with prison

employees.

That describes the major obstacle for American prisons. Uncorrectable disobedience has opposed every measure of civic law and order presented to it. Employees are abused in a cycle of violence that has very little to do with their perceived conduct but instead their endowed authority. Training and work incentives are routinely pilfered by felons whom have little interest in the system, and theft is commonplace. Clearly defining the line of order is complicated.

Making matters worse, prison employees are largely (by the numbers) entry-level employees with very little latitude to speculate on how to better manage the custody of prisoners. The system must become automatic, in order to create a substantive buffer between state employees and convicted felons. This divide based upon class is what often fuels prisoner outrage. But it is this class divide that enables the prison system to successfully re-educate our citizens.

Today's modern prisons must be highly structured. This benefits today's modern prisoner by guaranteeing an orderly environment for them to rehabilitate within once they arrest their disorderly habits. The American

system of prisons specifically focuses on the concepts of position, title and privilege. Social order based upon rank and station is effectively taught on a daily basis by each person in uniform. With very little exception do employees deviate from this standard.

When the prisoners are orderly, they are generally treated as compliant detainees. That should usually be described by normal programming activities and unobstructed liberty within the prison (as authorized). Once orderly prisoners can also demonstrate that they are law-abiding, they can expect to earn the added benefit of successfully becoming their own advocate. This union of learned order and elective lawfulness is what's desirable to prison officials.

So how does culture fit in to our examination of the prison system? At its roots, very little has changed over the centuries. Most convicts object to incarceration. What is unique to the American prison system is the parallel drawn between black emancipation and civic rehabilitation. While there are vociferous cultural opinions on the racial nature of prison, emancipation and rehabilitation will never be proportionate. They plainly are not the same; but on this subject American culture is divided.

This cultural disagreement on who is imprisoned and why overshadows the traditional roots of reactivism. We are not appropriately addressing our needs as a society because we cannot agree on the obvious truth: prisoners are incarcerated for behaving criminally. Any person immersed in the American prison system, from the innocent to the state employees to the reformed convict or the hardened con, should immediately understand that prisoners are incarcerated for behaving criminally.

Yet our society seems to be divided on this. In fact, the dissatisfaction by citizens exposed to prison has grown far beyond political control. Community groups have mobilized to protest prison management; activists publically and with international support decry the number of criminals we incarcerate, and we now see open demands to defend not only the prison system but law enforcement organizations. We are being asked to advocate lawlessness because culture influences crime.

With such serious calls for reform, is anything working? The answer is yes, the American prison system is working very well for the people who've invested into it. That includes prisoners willing to be obedient. Employment options are satisfactory, the appropriate

tools and supplies are available or provided, medical care is ubiquitous, professional therapists are employed to insure a stable and healthy social environment, and each person is made self-sufficient and treated with dignity.

What isn't working is willful disobedience and the effect that has on the principles of law and order. Remember that law is intended to be followed voluntarily. Order signifies our ability to embody learned principles and values. American society synthesizes the two. It is this synthesis of intent and action that has become central to our present-day cultural divide. A significant portion of the American people defend and support social unrest as a way to foment change.

That belief is incompatible with the prison system. "Social unrest" is not the way to achieve the correction and rehabilitation of criminals lacking guidance, and social unrest is certainly illegal when given to the intentions of the willfully disobedient. There simply is nothing prison can do for citizens whom yield to the power of social unrest other than to allow them to serve the remainder of their time. Prison is not designed to rescue failure, it is designed to rescue hope.

Four out of five persons incarcerated in the American prison system fail to rehabilitate. That statistic is discouraging, until we acknowledge that one in five prisoners are successfully rescued. This rescue of the citizen from a lawless life is our pursuit. The rescue of the citizen, regardless of protected status, is why we need prison today. The successful re-education of our nation's people is possible with the prison system, and offers some important social benefits.

Prisoners whom are obedient and whom also achieve literacy within prison are taught valuable life lessons on how to behave, how to seek help, how to apply for assistance, how to communicate with employers, how to be hygienic, and how to be self-reliant. Prison teaches those willing to reform the basic skills they will need to live a law-abiding life. This re-education is more structured than the military, and serves a different purpose.

Prison places no expectations upon the person with regard to status. All prisoners are equal, and expected to observe the chain of command. Once orderly and lawful behavior is achieved the prisoner is essentially left to their own devices. The only expectation is orderly and lawful behavior. Achieving that expectation often becomes

difficult for the minority of prisoners willing to reform because they are confined to co-habitate with criminals until their time is served.

Often the willfully obedient are faced with a dilemma: the willfully disobedient are organized, outnumber you, and may become violent. More importantly, genuine attempts to reform are frequently met with resistance by those gangs of criminals since successful reform tends to encourage other forms of lawful conduct like reporting criminal behavior and supporting law enforcement. Clearly reformation becomes an adversary for these criminals.

Recidivism is a symptom of this conflict, and the end-result of the individual's failure to successfully conform to expectations. Would you risk being stabbed in order to tell someone No? That is a reality behind the prison walls. Many prisoners become overwhelmed by the complexity of social demands placed upon them by other prisoners and dilute their re-education with bad habits. Others actively contribute to the harassment and abuse of those seeking to safely reform.

But, in spite of these real hardships, prison symbolizes our society's hope for rehabilitation and puts into effect the compassion that we want to be able to freely

extend in order to rescue the disenfranchised. This hope for a better and mutual future is contingent upon the willingness of each prisoner to brave the tough environment and to make the right choices even when they appear to be disadvantageous. That tough brand of self-sufficiency is achievable in America.

Yet our culture, beyond the walls of prison, is filled with unrest. These learned behaviors of civil rebellion and bucking authority do not simply evaporate when a citizen is arrested. Far from it, and what was once a hallmark of healthy culture now divides the citizen from the state they were seeking to change. These opinions on the deficiencies within the American political system and our collective response to them are slow to change, and no longer relevant.

So how might we express the truth that political revolution has no life in the American prison system? Like most lessons, the individual must arrive at the truth by their own reasoning. What hasn't changed and what works are the state's expectations for lawful and orderly conduct; and it is this unflinching demand that prisoners satisfy these unchanging demands which counterbalances recidivism in the United States. The need to conform under the law is no longer a subject of debate.

Since much of our youth and popular culture today concerns shattering the last vestiges of colonialism, the idea that we should willingly conform to a system that rudely resembles a slave plantation regularly sees rejection. Many people flatly refuse to comport with the purpose of prison. Some intend to serve their limited time in a state of protest, while others intend to serve a lengthy sentence in a state of denial. Failure by these circumstances affects others, too.

How do we deal with this issue of non-conformance in a prison? Frankly, there is very little the state is permitted to do for the prisoner. The state provides the facility, and the employees, food and utilities, the clothing, even the academic programming; but it is left to the individual prisoner to conform within the prison system. We can't force people to change their lives for the better, any more than we can legislate morality. Only one in five prisoners successfully rehabilitate.

Is this truly justice for all? Or is it justice for some? Justice for the privileged? Justice for the wealthy? Justice for the state? How can rampant recidivism be described as anything other than an abject failure of the American prison system? The plain answer is this:

for the few who successfully rehabilitate, their lives change forever. That is justice for all, even if we all cannot attain it. And it is also the justice pursued by the state at every level of government within our Department of Justice.

We want our streets to be safe, and we need our citizens to obey the law in an orderly way. That is the singular thread of common purpose uniting American society, and this thread is not unique to America alone. The concept of restorative justice, of salvaging the future of those people willing to try, is international. The universal drive to establish justice within our city-states is indelibly human. We want to see crime reformed, not punished.

Yet our nation stands culturally divided. Politics have become bitterly partisan, social reform is contested between state and federal governments, the rift between progressive ideas and heartland tradition is impassably wide, and the cause of the disenfranchised has shifted away from personal empowerment toward overdue entitlement. With these evolving struggles comes the call for prison reform.

What is ignored by those public cries for prison

reform is the undeniable fact that our nation's prison population is not participating. Overwhelmingly and year after year the rudimentary truth is that very few of our citizens take an active and responsible role in self-governing their rehabilitation for successful reintegration with the American public. And what's worse, those cries for reform seek comforts instead of accountability.

What we stand to lose via this cultural divide is our preservation of the American spirit: that immutable desire to become self-reliant and socially conscious. For prisoners, this divide might only become obvious after the responsible decision to correct and rehabilitate. That willful choice to knowingly depart from unlawful conduct can be an eye-opener, showing the prisoner just how heavily the odds are stacked against them.

In order to successfully manage recidivism in America, prisoners must have realistic options made available in order to appropriately handle the stress of civic reform. Written complaint forms are available, as are trained counselors, making literacy in prison an indispensable skill. Prisoners learn how to seek appropriate medical care and maintain living arrangements, in addition to providing for their meek interests.

This re-education is already made available to prisoners. The problem we face is a lack of participation by convicts. Can this cultural divide be bridged? And if so, should it be? Is it within the scope of our justice system's interest to reconcile rehabilitative investments with belligerent recipients? Are we paving the way toward a safer America, or are we bulldozing the expectations imposed by our prison system?

For the present, the facts simply are what they are. One in five prisoners successfully rehabilitates for a law-abiding life. Until the American people can reconcile with the harsh realities of prison reform, we should expect that figure to remain relatively constant. While our justice system is burdened with the weight of re-incarcerating eighty percent of our prison population, we can rest assured that the prison system does work for those who participate.

Writing as a prisoner presently confined within the State of California's Department of Corrections and Rehabilitation, my perspective is hopeful. I am informed as to what the law states, I have done my due diligence to protect my innocence, and I am committed to participating with the state to make the best use of the time I have been given to separate from bad influences

and re-establish healthy connections within the community.

My hardship is not learning how to be literate, or how to obey the law, but learning how to meaningfully confront the cruel demands of people who do not value civic obligation. That task is difficult, and presents many opportunities to make errors in judgement. Thankfully prison works, and I have been provided a printed copy of the regulatory laws that make prison safe. I am blessed to be able to read and understand those laws.

I cannot control the conduct of those around me. I can only control myself. I cannot expect others to make exceptions for me, but I can make myself exceptional. I cannot demand that the law be obeyed, but I can obey the law. I cannot alter the fact that crime occurs. I can learn to appropriately report dangerous behavior though, and I can understand the impact and injury that crime imposes upon society.

These choices and realizations cannot be taught to me in a classroom. They must be learned through my own initiative and by my own resources. What the State of California is providing for me is a reasonably safe environment to practice being a better citizen. Speaking honestly from the station of a prisoner, that's the most productive

use of my time. Practicing daily how to become a better citizen, for the state and with my peers.

When pressed with the question "What can prison do better?", I find myself guessing. Staff is courteous, when I am courteous, professional nearly always, and takes my few complaints seriously. I am provided a licensed counselor whom I can meet with weekly, and the room and board is complimentary. I believe the question really ought not to be "What can prison do better?" but instead "What can the prisoner do better?"

We can do better. So how do we address the very real problems of reintegrating with society through the prison system without becoming distracted by cultural rhetoric? How do we insure that prison keeps working? My suggestion, from the inside, is to leave it alone. My suggestion, as a citizen, is to continue funding the American prison system. Because from my estimation there is very little we can do by way of reform to improve equal access to rehabilitation.

Submitted to the American Prison Writing Archive (APWA)
May, 2022.