



Thomas L. Hill Iowa State Conference on Race and Ethnicity

2019 ISCORE

**From Fields to Cells: A Discussion on
How the U.S. Prison System is
Today's Slavery**

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Outline

- The Roots
- Effects
- Current State
- Possible Solutions

Pre-Discussion Question

- How do whites and African Americans experience being labeled a criminal differently? Give examples.

The Roots

- Slavery
- Post-Slavery
 - Peonage
- War on drugs



Slavery

- Began in 1619 - 1865
- Embedded horrible treatment towards African Americans



Post-Slavery

- 1865: 13th amendment introduced
 - Created loophole
- New ridiculous laws created
- Exaggerated criminalization

Amendment XIII
Neither slavery nor involuntary servitude,
except as a **punishment for crime** whereof
the party shall have been duly convicted,
shall exist within the United States,
or any place subject to their jurisdiction.



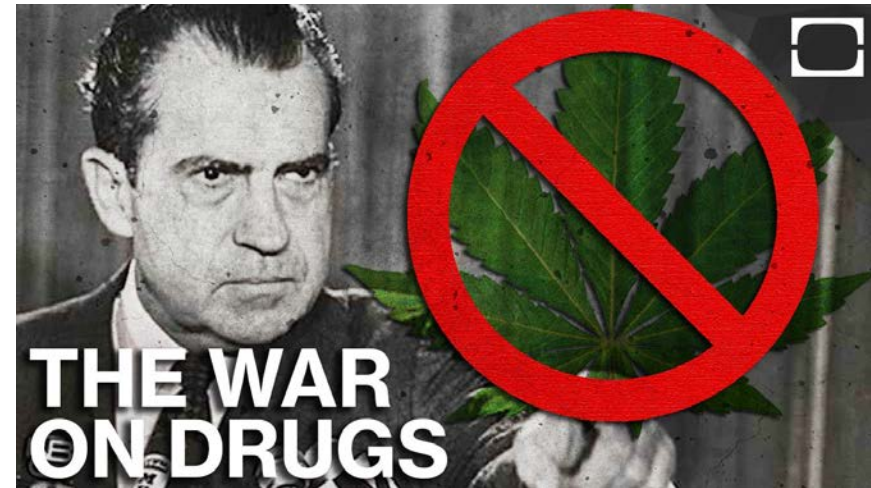
Peonage

- Proof of having a job or arrest
 - Rented out to serve out sentences
 - Data at some prisons: prisoners dying at rates of 30-40%
- Peonage is the use of laborers bound in servitude because of debt
 - Made illegal in 1867
 - People were still got away with it for over 50 years in states like Alabama, Florida, and Georgia
- John S. Williams - 1921



War On Drugs

- Introduction in 1970 by President Nixon
- Modern Mass Incarceration beginning
- More crime fabrication
- Time spent in prison for 1 oz of crack cocaine was equivalent to the time spent in prison for 100 oz of powdered cocaine
- There was a Fabrication AGAIN on how black people are seen as criminals



Effects of Incarceration

What happens after release?

- Released to society in a worse mental and physical state than when they entered - increasing their probability of being institutionalized again (Penal Reform International, 2018)
- Risk of death: 3.5 times higher than average
- Leading causes: Drug overdose, homicide, and suicide
- Suicide risk is 18 times higher than general population



Kalief Browder

- 16 years old- Held at Rikers Island jail for three years without trial after being arrested for allegedly stealing a backpack
- Spent 2 years in solitary confinement
- Committed suicide at age 22 as a result of mental and physical abuse sustained in prison



Psychological Effects

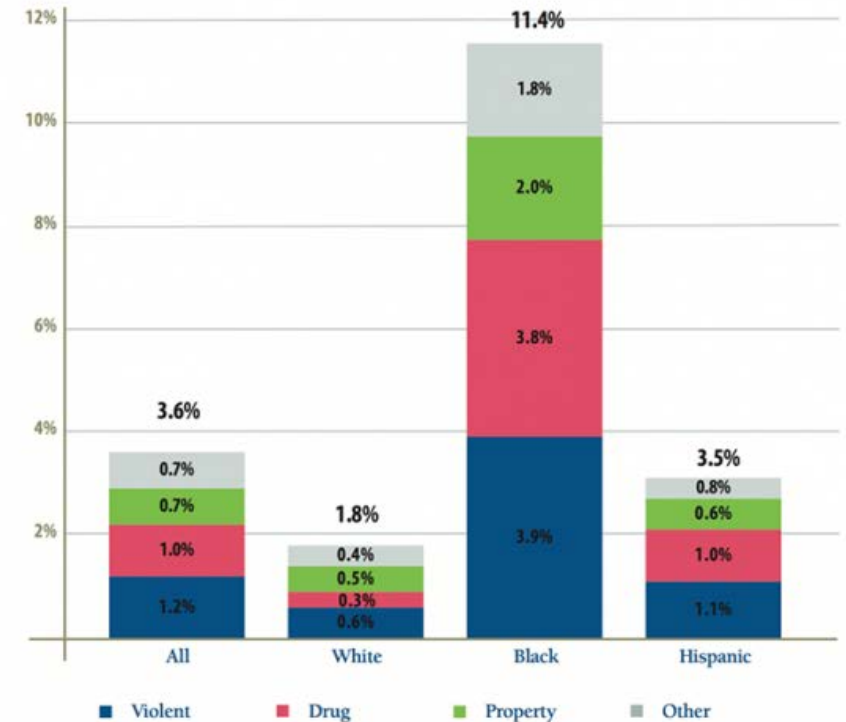
- Most common: anxiety, paranoia, perceptual disturbances, and deep depression
- Overcrowding = key contributing factor to poor prison conditions
- Stress rises 20 to 30 percent above the brain's baseline for individuals who go into jail with no pre-existing conditions



Effects on Families

- More than two thirds of incarcerated men had been employed before serving their sentence, and nearly half lived with their children before going to prison
- More than half of imprisoned parents were the principal earners supporting their children
- Burden falls on remaining parent to provide, pressuring them economically

FIGURE 11 LIKELIHOOD OF PARENTAL INCARCERATION
Percent of children with incarcerated parent by race and offense type



Source: Original analysis for The Pew Charitable Trusts by Bruce Western and Becky Pettit, 2009.

Effects on Families cont.

Consequences of parental incarceration on children:

- Depression
- Anxiety
- Aggression
- Greater risk of ADHD
- Delinquency (depending on circumstances such as the child's age, poverty level, the length of a parent's incarceration, etc)



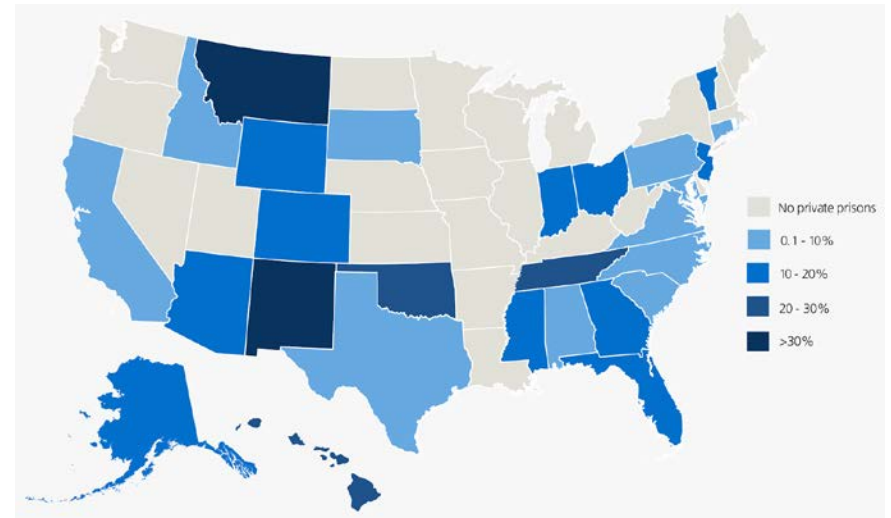
Current Examples

- Current incarceration rates by demographic per capita
- White: 0.38%
- Latino: 0.966%
- Black: 2.207%



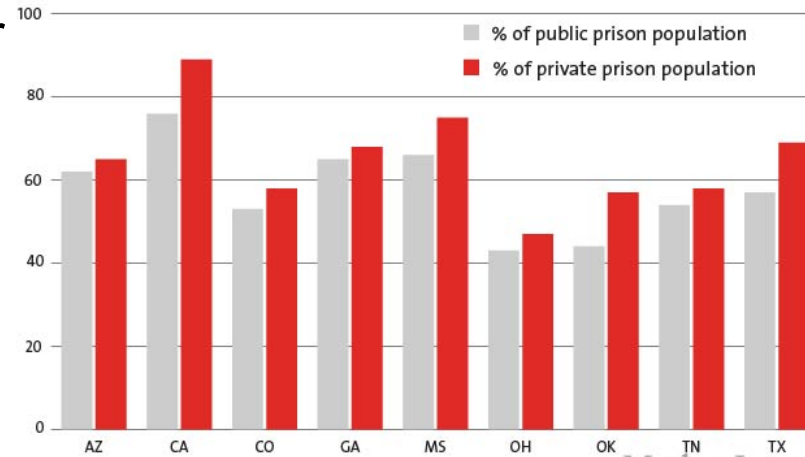
Current Examples cont.

- Privately owned and operated prisons house ~133,000 inmates
- Pros: lower cost than building new facilities
- Cons: inmate safety may be compr



People of Color in Public vs. Private Prisons

In every state studied, the rate of black and Hispanic inmates is higher within private prisons



Source: Radical Criminology

Current Examples cont.

- Prison Industries
- “Non-industrial jobs” \$0.14 - \$0.63 / day
- “Industrial jobs” \$0.33 - \$1.41 / day
- Government facilities by law must go with lowest bidder

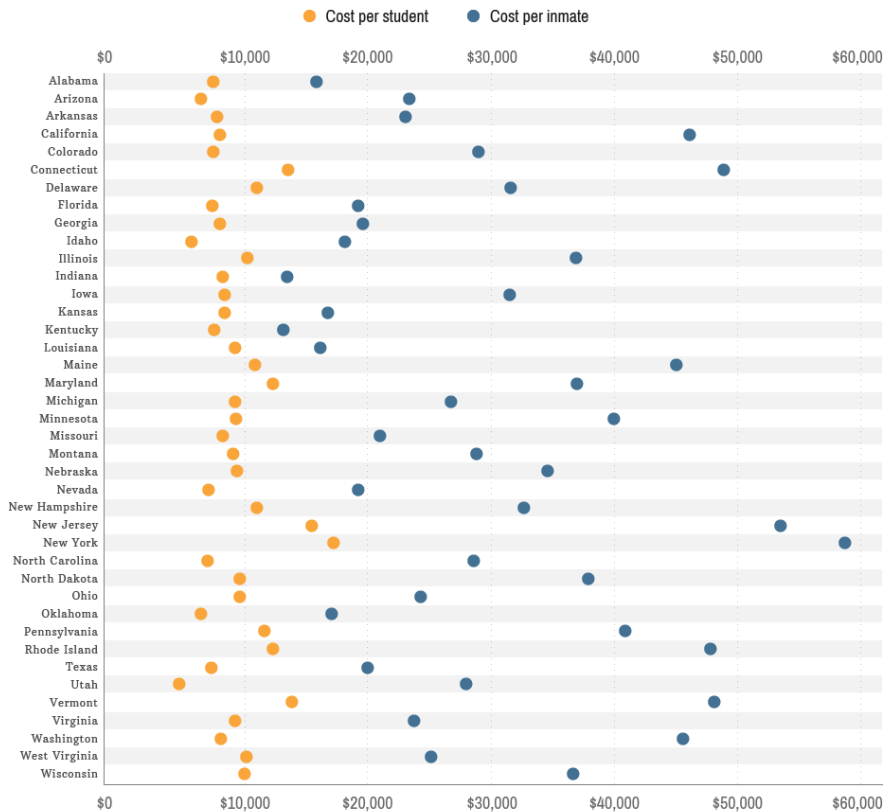


Current Examples cont.

- Louisiana uses 3rd grade reading scores to predict number of future inmates
- Prisons are built based on the information obtained



Current Examples cont.



Education Funding Left Behind

According to an analysis by the Center on Budget and Policy Priorities:

- ↓ At least **31** states provided **less state funding per student** in 2014 than in 2008
- ↓ In **15** states, the cuts exceeded **10%**
- ↓ **Title I federal funding** has fallen **11%** since 2010
- ↓ Spending to **build and renovate new schools** has been cut by **37%**
- ↓ There are still **297,000 less education jobs** nationwide compared to 2008

Current Examples cont.

Current Criminal Justice Reform:

- “First Step” bill, introduced Nov 14
- Allows inmates to reduce their sentences through work programs
- Does not offer the option for multi-offenders



Current Examples cont.

- Brennan Center for Justice
- Outline a possible federal agenda to reduce mass incarceration
- Legislation:
 - End federal subsidization of mass incarceration
 - End federal incarceration for lower level crimes
- Executive:
 - Redirect federal grants away from mass incarceration
 - Institute new goals for federal prosecutors
 - Enforce the Fair Sentencing Act (2010)

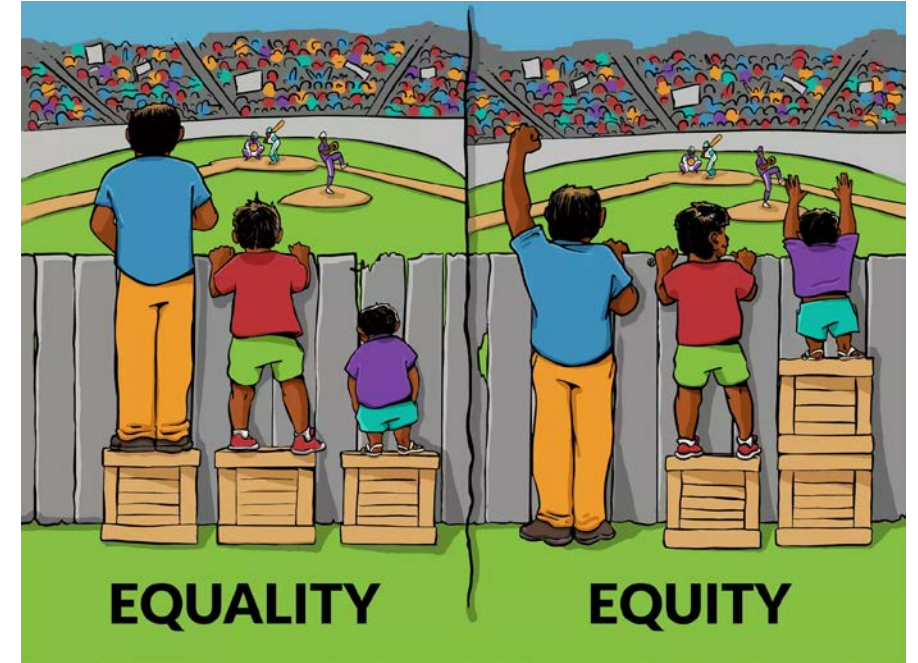
BRENNAN
CENTER
FOR JUSTICE
at New York University School of Law

Possible Solutions



Leveling the Playing Field

- Lack of access to resources is a significant contributor to disproportionate rates of incarceration
- By providing credible sentencing options for the courts, greater numbers of defendants could be sentenced to community supervision



Invest In High School Completion

- 68% of African American male high school dropouts had served time in prison by the age of 34 (Western & Pettit, 2010)
- Promoting high school completion can help reduce disproportionate rates of imprisonment



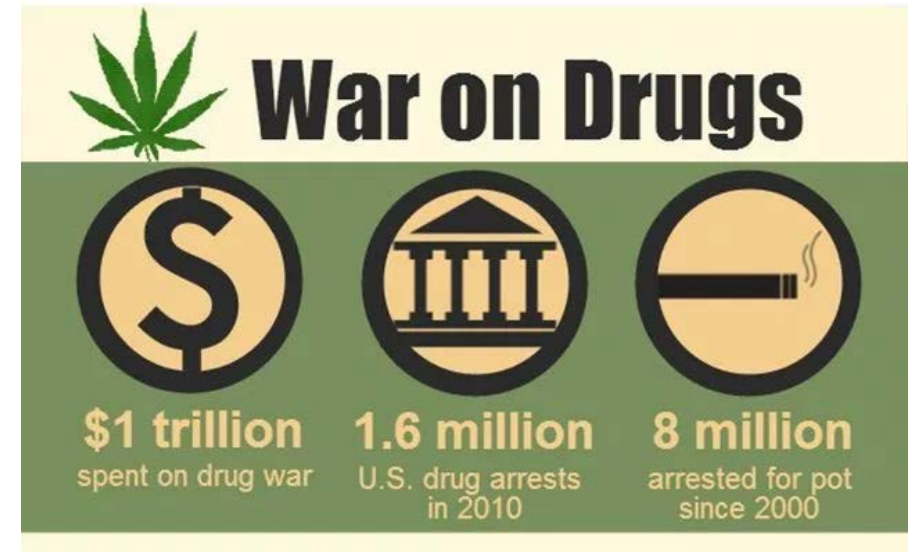
Adopt Racial Impact Statement Legislation

- Connecticut and Iowa Examples.
- If the analysis indicates that the policy would produce a disproportionate effect, policy makers have the opportunity to consider alternative means of achieving public safety goals without exacerbating racial disparities in imprisonment.



Reorient the War On Drugs

- Although there has been a expansion of drug courts the number of drug offenders in prison has not declined
- Due to several factors
- Reversing these policies and adopting harm reduction models would produce more compassionate, and less costly, outcomes



Adopt and Implement Racial Fairness Policy Goals and Commissions

- Several states have adopted racial equity goals and structures
- Examples:
 - Wisconsin
 - Delaware
- Such practices convey high-level support for constructive change at the state and local level



Examine Policy and Practice Decisions for Undue Racial Impact

- The Annie E. Casey Foundation
 - Incorporates a requirement that participating jurisdictions strive to not only reduce their detained population but to do so in a way that reduces racial disparity as well.
- Multnomah County (Portland), Oregon and Hennepin County, Minnesota Examples
- Scoring system was revised.



Post-Discussion Questions

- How have your notions of how white people and African Americans are labeled as a criminal changed after the information presented?
- How can you see any of the discussed solutions be implemented in your local community and/or ISU?

Sources

- Mauer, M. (2011). Addressing Racial Disparities in Incarceration. *The Prison Journal*, 91(3_suppl), 87S-101S.
- <http://theconversation.com/what-it-means-to-be-black-in-the-american-educational-system-63576>
- <https://www.newamerica.org/weekly/edition-155/continued-mis-education-black-americans/>



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