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Photo - David Karonidis

*Ernest Drucker*

Dr Ernest Drucker is the Professor of Epidemiology and Social Medicine and Professor of Psychiatry Montefiore Medical Centre in New York as well as Director, Division of Community Health at the Montefiore Medical Center, New York. His work on the trends in drug use worldwide and the links between incarceration and drug use, drug policy, and mental illness and brain injury has led him to study the growing seriousness of mass incarceration, especially of minority groups, in the US. During a visit to Sydney in 2006 Ernest Drucker addressed The Sydney Institute, on Wednesday 27 September 2006.

# **A PLAGUE OF PRISONS:**

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## ***THE EPIDEMIC OF MASS INCARCERATION IN AMERICA***

**Ernest Drucker**

*Epidemic* – from the Greek: *Epi* (upon) *Demos* (the people)

America is now in the thirtieth year of a great epidemic – one of the most devastating in this nations history. It has already stolen more years of life from American citizens than Yellow Fever or Cholera did in the nineteenth century, or AIDS in the twentieth. But unlike these other terrible afflictions, this epidemic is not caused by a deadly new virus or mutated bacteria. It is self inflicted – the result of deliberate social policies. Hundreds of federal and state laws mandate it and the expenditure of a great fortune has financed it with more than \$1 trillion in public funds over its 30-year course. This great American epidemic is mass incarceration – a plague of prisons.

Today there are now millions of Americans behind bars – over ten times the number we had 30 years ago. This epidemic has been fueled by the millions of arrests of the war on drugs, long mandatory prison sentences, and high rates of recidivism – the famous revolving door of the system that puts 67 per cent of prisoners back inside within three years of their release. But even a decade after drug use and crime declined sharply (reaching historic lows in 2005) the progression of epidemic incarceration is relentless – each week in 2006 there were over 1000 additional inmates put in prison, reaching 2,700,000 by 1 Jan 2007.

Yet, despite its vast scale and profound effects on the lives of tens of millions of American families, this epidemic goes largely unrecognised. Indeed, for most Americans, massive imprisonment is not seen as a problem at all. Despite constant exploitation in the media, with hundreds of TV shows weekly, the “story” is almost always about the epidemic of crime, not the epidemic of punishment. In the US, where epidemic incarceration is at its worst in the entire world, we hardly recognise it or the damage it causes. Like high blood pressure or diabetes, it is a silent epidemic – taking a toll that is largely invisible for all those people and families who are not directly affected.

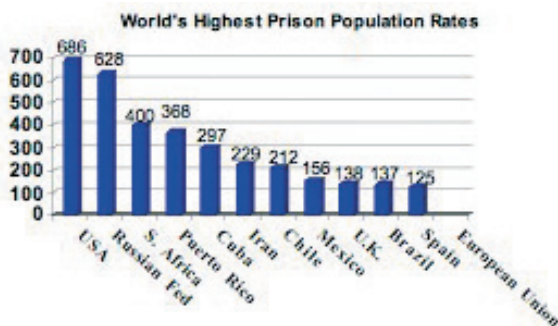
Nonetheless this modern American plague is one of the most destructive public health disasters we have faced in the last 100 years – a slow motion train wreck, spread out across the entire country, one that has been affecting tens of millions of Americans for three decades. With over 2.7 million in prison today, our country's use of long imprisonment terms for more and more offences is virtually unprecedented in this country's history: for the hundred years before 1975, US incarceration rates averaged about 100 per 100,000 population – today that figure is over 770. With an additional 5 million on parole or probation, over 7.5 million are now under the control of the US criminal justice system. Over 600,000 enter state and federal prisons each year and another 600,000 leave them, but over 60 per cent of these will be re-arrested within three years and imprisoned again – the famous revolving door of the penitentiary. And the numbers affected by long-term incarceration (in state and federal prisons) are dwarfed by those arrested and held in local jails – another 10 million each year. In total since 1975 about 25 million Americans have been imprisoned, more than all Americans incarcerated for all offences in the previous 100 years. These huge numbers are the most basic expression of the fact of mass incarceration in America.

Mass incarceration in America? The term conjures up images of foreign tyrannies and totalitarian despots – the domination of individual life under regimes of state power built upon fear, terror, and the absence of legal protection. When we think of mass incarceration we think of vast networks of prisons, concentration camps, the gulag archipelagoes of Stalin. We protest – not here, not now, not us. Yet the facts are stark: in the past 30 years, the United States has increased its incarcerated population tenfold, making the United States the nation with the highest rate of incarceration in the world, with rates that are unprecedented in our nation's 230-year history. For almost 100 years, from 1880 to 1975, the figure averaged 100-150/100,000 – one fifth of today's rate.

The long term prisoners of the state and federal prison systems account for 75 per cent of those behind bars on any given day, but imprisonment accounts for only a small portion of the population's exposure to CJS involvement: the throughput is huge – 10 million a year pass through the local jails system each year. And the concentration of CJS involvement within minorities is well known but still shocking in its implications of just how widespread this exposure is – 36 per cent lifetime risk of incarceration for all young black men.

The US now has the world's highest rate of imprisonment of any nation in the world – possibly the highest rate in the history of any nation. By comparison, European countries average less than one-fifth that rate, and many average only one-tenth of it.

Table 1: US Incarceration Rates in Comparison to other countries



Some have called this vast system the “new American Gulag”. With its millions of inmates and more than 5000 federal, state, and local prisons and jails, its scale approaches that of Stalin’s infamous network of prison work camps that imprisoned 18 million between 1923-1939. And like Stalin’s system it penetrates every corner of our society and its’ relentlessness and lack of public accountability seem the work of some malevolent power, beyond our citizens reach.

The US prison budgets are also unprecedented in American history, representing the diversion of public treasure from other great needs – education, health care, social security for the aged. Averaging over \$25,000 per inmate or about \$50 billion annually – most of it comes from state budgets. With another \$100 billion to build all these prisons, some speak of the “prison industrial complex”, a privatised “correctional industry”, and new investment opportunities on Wall Street. Despite studies showing few long-term economic benefits of this “industry”, for the localities that host them, prisons are often seen as an economic lifeline – especially in poor rural communities that have lost many industries to globalisation over the last two decades. Many states are hard pressed to sustain school budgets (in California there are now more prison guards than college teachers) and health care, retirement benefits, housing and community development programs are all suffering from the loss of public revenues.

Prison budgets are hard to touch because many powerful local political arrangements are built on them. In NYS 50 per cent of the prison beds are located in the upstate home districts of three powerful Republican state senators. In the last five years some states’ need to conserve funds has produced the first decline in new incarcerations in 30 years ( NY among them) , via the early release of some nonviolent offenders and a drop in arrests as crime has come down. But many of the sentencing policies that built and filled these prisons continue unabated, and in 2005 the size of the incarcerated population of the US still grew by 1000 inmates each week – 52,000 in the year.

Mass incarceration in America disproportionately affects minorities. Only 1 per cent of the country's white adult male population is in the criminal justice system; but for blacks and Hispanics the figure is 13 per cent. In most big cities, 50 per cent of all the African American males have been incarcerated in their lifetimes – in Washington DC the figure is over 80 per cent. For the hundred years from the end of slavery to the 1970s, blacks were incarcerated at 3-4 times the rate of whites. Today that ratio is 12 to 1; for drug offenses it is 40 to 1 – despite evidence that blacks use illegal drugs at the same rate as whites.

And this epidemic has another “hidden” face – an even larger population, none of whom are in prison, but who are powerfully affected – the “collateral damage” of mass incarceration. This group numbers as many as 20-25 million – all the children, wives, parents, siblings and other family members of those incarcerated over the course of the 30 year epidemic of incarceration. They are concentrated in the mostly urban communities targeted for mass arrests. These victims of mass incarceration are innocent of any crime but are also punished by the effects of incarceration, just as surely as if they were convicted.

In this 30 year epidemic over 25 million American children have been directly exposed to parental incarceration. They are the “innocent” victims of the war on drugs – the children of the “feeder communities” whose parents, siblings, uncles, aunts, cousins, close friends and neighbors. In these communities the epidemic of incarceration affects everyone – more damaging even than the drugs and other crimes that are the rationale for the arrests. In these communities incarceration has become the norm, spawning successive generations of prison orphans and gang members. Over 90 per cent of all the extended black and Hispanic families in the US must by now have had a member incarcerated in the last 30 years.

For over 100 years – through periods of war, civil unrest, violent social disorder, crime waves and the great depression – the US was able to grow and prosper with only one per thousand behind prison bars – about one tenth of one percent of its population. Today that figure is over 7 per thousand, and has been at this level for 15 years. This may not sound like a high rate in and of itself – after all 993 per 1000 are not in prison, but because of the concentration of imprisonment in specific populations and communities it looks like we have passed some tipping point that results in a cascade of effects that we are just beginning to comprehend.

Like the problem of global warming, epidemic incarceration is a complex ecology, with multiple interacting causes and delayed effects that may not be immediately visible to us – especially if we choose not to see them. These effects interact to re-enforce each other and play



out over generations – e.g. as increased risk of juvenile crime among the children of incarcerated parents. From the earth sciences and the study of climate and natural ecologies we now realise that seemingly small changes can multiply and produce very large effects over time. But for want of accurate and timely data about the scale and effects of mass imprisonment, data that captures its true impacts on health and makes them readily visible to us, we remain blind to incarcerations many harms- most of which occur outside prison walls. This blindness can cost us dearly.

Although almost everyone involved in criminal justice now says they'd like to do something about it, unprecedented rates of incarceration continue – i.e. the epidemic sustains itself and the prison industrial complex that we have created. Our attention must shift from defining everything as a crime to finding the chinks in the well developed armor of the carceral state – much as a new medication or vaccine fights a virus in an epidemic of a biological disease, we must find new ways to fight the epidemic of mass incarceration. If instead we continue to focus exclusively on crimes, transgressions, violations, and deviations as the problem, we will never get out of the increasingly destructive contagious cycle in which we are now stuck.

In my own research, I have examined the so called “collateral” damage of mass incarceration – its effects on the children and families of prisoners, on employment and housing for re-entering prisoners, on their voting and participation in civic life, and the impact of so many imprisonments on the social and economic life of the communities most heavily affected. And while the meaning and uses of imprisonment are very old, what is new and unprecedented is its current massive role- often to the exclusion of other approaches like reconciliation or restorative justice. We are beginning to understand how mass incarceration operates to sustain itself as an industry and, based on modern theories of social networks, how the carceral state operates as an epidemiological force, propagating on an unprecedented and massive scale, with rapid growth, and great concentration of the prison populations in America's poorest minorities.

But it is not enough to merely document a great plague. The epidemiological approach must help us find ways to fight it. That is the real challenge and ultimate test of the value of this new paradigm and its application to mass incarceration in America. We will need many people and programs – social and public health activists, community pioneers, and political and legal visionaries. I see these as the plague fighters: Individuals and organisations that are fighting mass imprisonment as the disease it is. They are our best hope of conquering the plague of prisons in America.