

Petitioning Prisons: Reforming Pennsylvania's Jail System

For centuries imprisonment has been seen as a horrifying form of punishment; prisoners are punished with terrible conditions of confinement, isolation and seclusion from society. Instead of correcting criminal behavior, jails provide criminals with what seems to be eternal boredom, worse than even the loss of liberty and sexual deprivation (Orwell, p. 55). There is no doubt that violent offenders should be kept separate from society, but it is difficult to distinguish if the same is true of non-violent offenders. Criminals involved in drug crimes are seen as dangerous, although most have never committed any violent offenses (“Who Goes to Prison,” par. 4). Are prisons, especially those in Pennsylvania, suitable forms of punishment for criminals who have committed non-violent drug offenses? Research signifies that imprisonment is not an effective form of punishment for drug offenders in Pennsylvania, and new reforms need to be made to deal with drug offenders.

Pennsylvania law follows strict guidelines to punish drug violators. The law equates drug distribution and aggravated assault with a deadly weapon- both crimes are first level felonies and can result in up to a twenty-year sentence in prison (“Pennsylvania Criminal Laws,” par. 2). Third level felonies such as drug offenses, firearm offenses and major theft can result in up to seven-years in prison (par. 2), while even third level misdemeanors, such as possession of marijuana, can result in up to one-year in prison (par. 2). The laws get even more specific, when drug violators get caught with intent to deliver or manufacture. Intent to sell schedule I or II drugs, such as narcotics, can result in up to fifteen-years of imprisonment (“Pennsylvania Drug Laws,” par. 2) and the same violation involving PCP, meth, cocaine or a thousand pounds or more of marijuana, can result in up to ten-years in prison (par. 2). Additionally, the state has the

ability to double or triple penalties if the criminal is charged with distributing controlled substances in a school zone or to a minor, or if the criminal is a repeat offender (par. 2).

Due to minimum sentencing, drug crimes in Pennsylvania almost always result in significant prison sentences. In 1986, police implemented minimum sentences for violators of drug crimes in an attempt to target the managers of drug rings (“Facts About PA,” par. 3). Minimum sentencing resulted in overcrowding in prisons and more spending of taxpayer’s money (par. 3). “Over 80% of the increase in the federal prison population is from drug convictions” (par.3). It may seem that minimum sentencing is an effective way to control those who violate drug laws, but “only about 11% of federal drug defendants are high-level drug dealers (par. 3). Regardless of the severity of the crime committed, minimum sentencing guarantees all drug offenders prison time, meaning that some criminals in jail could have committed crimes that do not necessarily deserve jail time. This means that a non-violent citizen who has been arrested for possession of a small amount (30 grams or less) of marijuana could spend up to an entire year in jail. The severity of the crime of possession of marijuana certainly does not match the punishment. Overall, minimum sentencing increases the amount of unnecessary prisoners in Pennsylvania jails, only costing the state more money and overcrowding the prisons with criminals who do not necessarily belong there.

The conditions in jails can only depress inmates, instead of inspiring them to get out and lead successful lives. The entry of prisoners into jails has been described as “pass[ing] through the gates of hell, [where] an immediate assault to the senses [attacks]. So many bodies crammed into the concrete block create an overwhelming noise and stench. [...] Bodies sprawl all over the floors and tiers of the block in no discernible pattern. Walking into a large jail is like being sent to the rough part of town to set up house on the sidewalk of a crowded street” (Santos, p.

11). Extended exposure to these types of conditions can only depress inmates, ruining their morale and desire to prevail in the world. Drug violators convicted of possession of small amounts of marijuana should not have to be subjected to these horrific conditions for up to a yearlong sentence. “Swelling population levels in large jails may so overwhelm administrators that implementing and monitoring merit systems or other quality-of-life and rehabilitation programs is simply impossible” (p. 12). The overpopulations in jails due to the improper sentencing of drug criminals prevents any types of rehabilitation or reform programs from functioning efficiently, or functioning at all.

Comparatively, some jails in Pennsylvania are corrupt, where prisoners can easily access illegal substances such as drugs. For example, Pennsylvania’s Allegheny County Jail was publicized as a den of perversion and sexual predation, where guards sell drugs to inmates for personal profits (“Guards Fornicate,” p. 23). If inmates can easily access the substances they are being punished for using in jails, then jails are ineffective in reforming against drug use. These types of jails create worse individuals in our society. Jail sentencing is not necessarily a successful method of rehabilitating inmates, so new methods need to be executed.

Additionally, sentencing drug offenders to imprisonment sets these criminals back for employment, and can force them to repeat crimes. Those who have served jail time have more difficulty getting hired, since they are seen as less desirable to companies. Difficulty finding employment leads many criminals to repeat offenses; “an unemployed ex-offender is three times more likely to go back to jail than an employed offender” (“Facts About PA,” par. 1). It seems unfair to subject the criminals who are being punished for possession of small amounts of marijuana to these economic setbacks. Forcing drug offenders to serve jail time also connects them with other criminals who can potentially influence their behavior, and encourage them to

join gangs that only hurt them. Sentencing drug offenders to jailing negatively impacts them, since no action is taken against helping them manage their addictions and behavior. Drug offenders who may have committed minor offenses are exposed to dangerous criminals in jail who can encourage them to adapt their unlawful lifestyles.

The implementation of minimum sentencing is detrimental to the prisoners being convicted as well as their families. Many drug offenders happen to be parents who are battling drug addictions. Approximately two million children between the ages of five years old and eighteen years old have an incarcerated parent (“Facts About PA,” par. 5). Parents who are serving jail time due to minimum sentencing are kept away from properly raising their children. 70% of children with incarcerated parents will find themselves incarcerated at some point in their lives; children with incarcerated parents are five to six times more likely to go to prison than other children (par. 5). Therefore, some parents who may not need to be in jail for the crimes they have committed are kept away from their families, and contribute to the vicious cycle of criminals in America. If minimum sentences were removed, Americans would have a greater chance of preventing corruption of the youth.

New prisons are currently being built to accommodate more criminals, even though drug offenders may not need to be kept in jails. In Pennsylvania, four new prisons are being built that will be at capacity upon completion (Deyo, par. 8). Auditor General Jack Wagner declares, “While most economic sectors in the commonwealth remain mired in recession, prisons remain Pennsylvania’s largest growth industry. It’s time to stop building new prisons. [...] That should not be one of our growth industries. It should be one in decline” (par. 12). Wagner recognizes that focusing on the withdrawal of prisons in Pennsylvania could save \$50 million a year (par. 1), and help the state through the difficult economic times. Non-violent prisoners do not need to be

secluded from the general population, and therefore, Pennsylvania may be wasting taxpayer's money on the costs of supporting drug offenders in prison.

Many argue for minimum sentences believe that not only that all drug criminals are dangerous, but also that there are already sufficient programs to reform drug offenders. Contrary to popular belief, "most drug offenders are non-violent" ("Who Goes to Prison," par. 4). This means that drug offenders cannot automatically be categorized with all criminals. Additionally, the current programs designed to reform drug offenders without imprisonment are ineffective. Pennsylvania's Accelerated Rehabilitative Disposition Program was created to "rehabilitate offenders" who struggle with controlled substances ("A.R.D.," par. 2). To participate in the program the criminal needs to have limited or no previous criminal record (par. 1), so many drug offenders are immediately prevented from this opportunity. Additionally, the program does not accommodate to most drug offenders, since 90% of the people in the program were arrested for drunk driving under the influence of alcohol or other controlled substances (par. 1). The program offers community service possibilities, and after completion the offender may have charges dismissed and the case expunged (par. 2). All of these opportunities are appropriate to help reform drug offenders, but they are prevented from these chances because it is difficult for drug offenders to participate in the program.

Alternative forms of punishment for drug offenders will reduce the amount of criminals in jail in Pennsylvania, and therefore the costs of supporting the Pennsylvania jail systems. Tougher sentencing guidelines for drug related offenses have helped to increase Pennsylvania's prison population by five times over the last thirty years (par. 1). (See Appendix). While the amount of prisoners in Pennsylvania's jail system increased, the cost of housing prisoners tripled over the last thirty years because the aging population of prisoners increased (par. 4). The

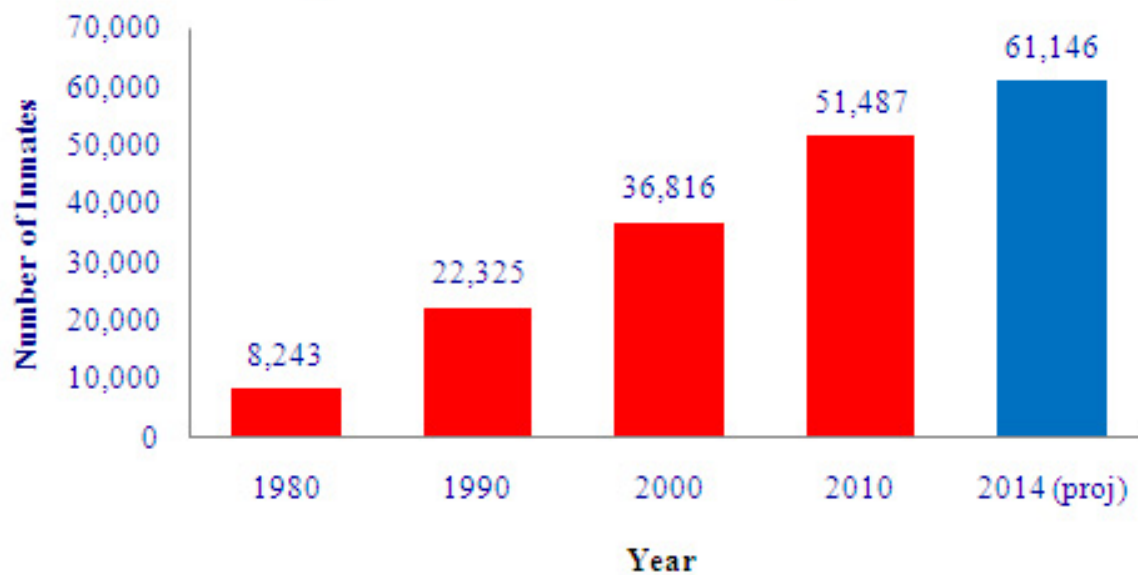
population of prisoners as a whole are living to older ages, meaning that Pennsylvania has to be able to sustain the older prisoners as well as the new ones. “Each prisoner costs the state about \$33,000 annually for a total yearly cost of nearly \$1.7 billion” (par. 5). If minimum sentencing continues it can be predicted that the amount of prisoners in Pennsylvania will continue to increase at the current rates, meaning that the costs of supporting Pennsylvania jails will only rise. If the guidelines for drug offenders in Pennsylvania were altered so that all drug offenders did not have to serve jail time, these costs could be significantly lowered.

The creation of new rehabilitation programs could help reform the actions of drug offenders. The instilment of new programs could help drug offenders carry-on successful futures despite their past actions. “Businesses are more willing to hire ex-offenders who are involved in reentry programs conducted by community and faith-based organizations” (“Facts About PA,” par. 2). Therefore, creating new rehabilitative programs designed specifically for drug offenders could not only save money by lowering the amount of criminals in jails, but could also help guide these criminals towards a more stable future.

Evidently, the jail system in Pennsylvania is not appropriate for low-level drug offenders. Most of these offenders are non-violent, and therefore do not need to be secluded from society. The prison systems in Pennsylvania do not improve drug offenders, and in some cases make these people more involved in crime than before they entered the system. New methods of rehabilitation could help to save the state money on supporting criminals, and could also help to ensure the proper treatment of drug offenders.

Appendix

Pennsylvania Inmate Population



(Deyo, par. 12)

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