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Managing Overcrowding

**Introduction**

America began convicting and incarcerating above normal numbers of offenders beginning in the late 1980’s and early 1990’s “as state and local governments passed “tough-on-crime” legislation. For example, California’s “three strikes” law called for mandatory sentencing of repeat offenders, and New York adopted the “Broken Windows” strategy that called for the arrest and prosecution of all crimes large and small.” (“Prison Overcrowding -”) Witold Rybczynski states that, “As towns became cities and as cities grew in size, social control would have to become explicit.” (Rybczynski, Witold) Prison systems are an important way for governments to keep control of citizens in such a busy place as a city. They must enforce their rules and keep control. The problem that began to arise in jails across the country was an overcrowding. Jails started to run out of space to hold incoming prisoners and did not know what to do. Still to this day American cities such as Detroit struggle with overcrowding of jails.

How can we as a country, state, and mostly a city solve the problem of overcrowding in jails and prisons alike? A few solutions that could help end the crisis of prison overcrowding are rehabilitation for drug addicted criminals and early release programs based on behavior. In this paper, I will be explaining how each solution could be carried out, how it has been enforced in other places, and how they would be effective in solving the issue of overcrowding and expenditures of local jail systems.

**Background**

The Michigan state government spends two billion dollars of taxpayer’s money annually on prisons and their inmates. ("Special Report: Maxed out...") By solving the epidemic of overcrowding in jails and reducing the number of inmates through early release programs and rehabilitation rather than jail time for first time drug abusers, less money would be spent on these inmates, and could be repurposed. Overcrowding would be the main issue being resolved however. This is a problem that began in the 1980’s when state governments tripled their expenditures on correctional services. (Cox, George H., and Susan L. Rhodes.) Jails incarcerate offenders of the law until they reach their limit and are then forced to release prisoners who are thought to pose less of a threat. There are three main jails in the metro Detroit area: Wayne County, Macomb County, and Oakland County. In the last eleven years, Macomb County’s jail has had to release inmates 15 times, and Wayne County is constantly releasing more and more inmates with tethers as they run out of room. The Macomb County Sheriff, Anthony Wickersham, agreed, “this is not a good way to do business.” ("Prisoners Freed…”) Both of my solutions would help to decrease these numbers and would eventually help to end overcrowding.

Detroit has a specifically high drug-related crime rate, as even Martelle inconspicuously comments on in *Detroit: A Biography* by saying “The bar quickly became a watering hole for journalists, lawyers, judges, and cops, including a few from the narcotics division— a connection that likely was not lost on the neighborhood drug dealers…” (Martelle, Scott) This problem has led to a social problem of people being uncomfortable and feeling unsafe in the city, and is a leading cause to the overcrowding issues in prisons locally. By getting these individuals and groups treatment for their issues, this social problem will also find a solution. The people who return from rehab will be much better people for the citizens of the city to associate with and make the city a safer place.

**Solution One**

One solution to the crisis of overcrowding in jails is the use of rehabilitation programs rather than jail time for first time drug-related offenses. Although drug abuse is definitely a serious problem, incarceration is not a good solution. Drug addiction is a problem among over twenty-three million Americans. ("Treatment Guarantee\*.") A sustainable recovery is not possible for addicts without treatment. In jail, they may be forced to detox, but are never taught the important skills to avoid a relapse after release. “Research by the US Justice Department shows that two-thirds of drug offenders leaving state prison will be re-arrested within three years” without proper treatment. By allowing these convicts to complete a rehab treatment program rather than spending the money on housing and feeding them for years, patients may lead better lives afterward. Not all addicts have a positive outcome after rehabilitation programs, but most do. In a recent study done by the Pew Research Center, it was discovered that sixty-seven percent of the Americans they surveyed believed that treatment is a better solution than punishment for individuals convicted for drug abuse. (Lim, Jillian Rose)

In addition, Using rehab programs rather than jail time would be very cost effective. The average rehab program involves a thirty-day stay in an inpatient treatment facility accompanied by a twelve-step program of group meetings, and systematic drug testing. According to the U.S Department of Health and Human Services, “treatment appears to be cost effective, particularly when compared to incarceration, which is often the alternative. Treatment costs ranged from a low of $1,800 per client to a high of approximately $6,800 per client.” The cost for one inmate being jailed for the average ten years for drug crimes in Michigan is $281,170 not counting the initial cost for the trial. In Michigan, 33.5% of prisoners are imprisoned due to drug-related crimes. (Snyder, Rick) Forcing offenders to go through rehabilitation treatment programs could drastically decrease this number in Michigan and help Detroit and other cities end overcrowding in jails.

Maryland has begun to experiment with the use of alternatives to incarceration for drug-addicted offenders. A program called “Break the Cycle” was implemented in Maryland as part of a federal pilot program. The program is basically an “intensive probation focusing on drug treatment, drug testing, and sanctions.” (McVay, Doug, Vincent Schiraldi, and Jason Ziedenberg) The plan makes completion of rehabilitation or treatment more likely by using constant drug testing as a motivation. After four years of testing the programs effectiveness, researchers agreed that patients showed reduced substance abuse and re-arrest. The alternative proved to be very cost effective when tested there, shown in photos 1 and 2. Photo 3 shows how the alternative worked in California where they have also been implementing rehabilitation rather than prison. Maryland and California represent solutions to the problem of prison overcrowding and give a good knowledge for Detroit to follow.



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**Solution Two**

Another option to solve the overcrowding issue in jails is allowing an inmate’s good behavior to reduce his or her sentence more. Right now, the Bureau of Prisoners allows prisoners to earn 54 days each year of “good time”, meaning they can be released that much earlier. “In reality, the BOP gives your client 47 days per year after the first year’s credit. So while the statute calls for an inmate to serve 85% of the sentence imposed, the BOP credit’s the amount of time actually served. So, the BOP makes the inmate serve approximately 87.5% of their time.” ("Time Computation.") By allowing inmates to show that they are willing to better themselves through community service work and good behavior, not only can the state save money, but it would also be enforcing the want to rehabilitate inmates along with solving the main problem of overcrowding. Inmates who had been arrested for nonviolent crimes would be allowed to earn as much time as the judge believed they deserved based on their behavior in the jail and while completing any service.

 Wisconsin has implemented an Early Release Program, allowing inmates “convicted of nonviolent crimes to leave prison early if they complete a substance abuse program.” They have had results of release about ten months earlier than planned for inmates. This leaves a bed for any new inmates and helps the jails to stay un-crowded. Wisconsin officials report this to have saved them about $521,000 with just the first 18 inmates who collectively cut 5,723 days from their sentences. (Knapp, Aaron) This represents a solution that could benefit Detroit also. By allowing inmates this opportunity, the turnover in jails would become quicker and more efficient in releasing well-mannered citizens into the community.

**Evaluation**

After my research, I believe that although both of these programs would be beneficial to Detroit and Michigan as a whole, enforcing rehabilitation in drug-addicted offenders would be the most helpful. This is due to the large amount of drug offenders cataloged in Michigan. This solution would reroute about 33.5 percent of our prison population to get professional help. By helping these individuals understand the problem that they have and how to solve it, there would be a reduced number of repeat offenders. These people could also help the community learn the problems of drug addiction and how it hurt them. When parents raise their children, they base some of their parenting off of the mistakes that they made during their own childhood. Parents who can talk to their children about going through rehabilitation and getting a second chance may be able to convince their children not to make the decisions that lead there.

 However, those opposed to this solution argue that by allowing people who are committing a crime an alternative to going to jail, more people will commit these offenses. They argue that rehab is easier than prison. Although it may seem this way, for a drug addict, rehab is a very hard and even painful process. After an addiction, the patient must put hard work into making a life-long dedication to staying sober. (“The Addiction…”) Furthermore, without rehab, addicts are much more likely to return to using drugs and have an even harder time cleaning up again. These are the people we see becoming repeating offenders.

**Conclusion**

In conclusion, both rehabilitation for drug addicted criminals and early release programs for well-behaved inmates can be very helpful in the issue of overcrowded prisons. Each has been proven in other states and both express very good outcomes. These successes imply that Michigan can benefit from these changes as well. Detroit specifically would greatly profit from a faster turnover rate in its prisons along with other large cities. This research proves that Detroit and Michigan in general should participate in these programs to help the issues here. They are programs, which have already begun to help cities, and are a very important improvement for America. Overcrowding can be solved in prisons everywhere as soon as city and state government recognize these possibilities for solutions!

Works Cited

"Prison Overcrowding - American Legislative Exchange Council." *ALEC American Legislative Exchange Council*. N.p., n.d. Web. 29 Nov. 2014.

"Treatment Guarantee\*." *Drug Rehab*. N.p., n.d. Web. 30 Nov. 2014.

McVay, Doug, Vincent Schiraldi, and Jason Ziedenberg. "Developments in the Law: Alternatives to Incarceration." *Harvard Law Review* 111.7 (1998): 1863-990. *Justice Policy*. Jan. 2004. Web. 24 Nov. 2014.

Lim, Jillian Rose. "Most Americans Prefer Rehab To Jail For Drug Offenders." *Medical Daily*. N.p., 04 Apr. 2014. Web. 29 Nov. 2014.

"Time Computation." *Federal Bureau of Prisons*. N.p., 13 July 2013. Web. 30 Nov. 2014.

Snyder, Rick, and Daniel Heyns. "2012 STATISTICAL REPORT." *MICHIGAN DEPARTMENT OF CORRECTIONS*. N.p., 30 May 2014. Web. 30 Nov. 2014.

"Special Report: Maxed out on Prison Spending." *The Detroit News*. N.p., 30 Nov. 2014. Web. 30 Nov. 2014.

Cox, George H., and Susan L. Rhodes. "Criminal Justice Policy Review." *Wayne State University Libraries*. N.p., n.d. Web. 01 Dec. 2014.

"Prisoners Freed to Ease Macomb County Jail Overcrowding." *Prisoners Freed to Ease Macomb County Jail Overcrowding*. N.p., 12 Nov. 2014. Web. 01 Dec. 2014.

"Frequently Asked Questions about Addiction Rehabilitation." *Frequently Asked Questions about Addiction Rehabilitation*. N.p., n.d. Web. 28 Nov. 2014.

Knapp, Aaron. "Program Allowing Early Release from Prison Getting Results." *Journal Times*. N.p., 31 Dec. 2013. Web. 30 Nov. 2014.

 "The Addiction Rehabilitation Process." *The Addiction Rehabilitation Process*. N.p., n.d. Web. 01 Dec. 2014.

Martelle, Scott (2014-03-01). Detroit: A Biography (p. 219). Chicago Review Press. Kindle Edition.

Rybczynski, Witold. "A Frenchman in New York." *City Life*. New York: Simon & Schuster, 1996. 108. Print.