

Prison violence is rising under new 'tough on crime' laws

by Edward Spannaus

The populist "tough on crime" fads which have been sweeping the United States in recent years are producing an entirely predictable result: a sharp increase in prison violence, including assaults on prison guards. The mindless "lock 'em up and throw away the key" philosophy is now producing its grim toll in slain and injured prison staff personnel, and victimized inmates as well.

Such results should have been expected. Any prison administrator knows that an important element of minimizing such incidents is to provide a system of incentives and rewards for good behavior. If the prison system brutalizes its inmate population by taking away all incentives and, indeed, all hope, the inevitable result will be an increase in assaults on staff, as well as a sharp increase in costs of operating prisons.

According to figures provided to *EIR* by a spokesman for the federal Bureau of Prisons, assaults in federal prisons have risen sharply. In four high-security federal penitentiaries, total reported assaults on staff personnel by inmates rose 265% over two years, from 102 incidents in fiscal year 1992, to 239 incidents in fiscal year 1994. With a fifth penitentiary (Terre Haute, Ind.) added in, which was in a different status in 1992, the number of assaults by inmates on guards and staff was 293 in 1994. Thirty of these incidents involved weapons.

Assaults by inmates on other inmates also rose during this time period. Inmate-on-inmate assaults in which a weapon was involved rose 44% over two years, and by 64% for such assaults where no weapon was involved.

These figures do not even include the two highest-security federal prisons—in Marion, Illinois and Florence, Colorado—where inmates considered to be the most dangerous are confined, nor do they include the new federal penitentiary at Allenwood, Pennsylvania. At Marion and Florence, inmates are locked in their cells 23 hours a day, and can only move when shackled and accompanied by at least two guards. (Needless to say, the cost per inmate is highest at these institutions.)

Homicides in the federal system have also risen. Last December, a guard was killed in the Atlanta federal penitentiary, the first to be killed since 1987. Eleven inmates were killed in 1994, up from six in 1993 and three in 1992. There has also been an increase in incidents of violence at the lower-security federal institutions.

Abolishing parole

The abolition of parole, and similar measures like "three strikes and you're out," have become the rallying cry of the Conservative Revolution and opportunistic politicians who, for the most part, have not thought through the consequences of their actions. Part of the GOP's "Contract with America" includes a so-called "truth-in-sentencing" plank, requiring that prisoners serve at least 85% of their sentences. This was a requirement imposed on the states by the crime bill "reforms" passed by the U.S. House of Representatives in February; in order to be eligible for federal funds to build more prisons, states would have to abolish parole.

The congressmen who voted for these provisions would be well advised to look before they leap. In the federal system, parole has already been abolished; the results can be seen in rapidly rising costs of the federal system and the statistics on violence cited above.

Under legislation passed in 1984, parole was eliminated for all post-1987 federal offenses. Under the old law, an inmate could become eligible for parole after serving one-third of his sentence—although release at the one-third date was highly unusual. A prisoner with a clean disciplinary record was required to be paroled after serving two-thirds of his sentence; thus, the area of discretion for parole was between one-third and two-thirds of the total sentence. This was combined with a system of "good time," under which an inmate could earn from 8 to 11 days a month with a combination of a clean record and work in a prison facility.

Under the new system, even the best-behaved and most responsible inmates are not eligible for parole until they have served 85% of their sentences. "Good time" is limited to 54 days a year. Almost 85% of the inmates now in the federal system are in under the new, no-parole law.

This same pattern has been replicated in many states, which are likewise experiencing a sharp rise in both prison population and prison violence, including riots.

Is the increase in violence any surprise? It shouldn't be. Take away virtually all hope that an inmate has, create an inmate population which believes it has "nothing to lose," and the results are predictable.

The bad joke is that these illusory "tough on crime" measures have no effect on reducing crime. Crime rates are still rising, even though the United States has almost doubled its prison population over the past 10 years, so that the total prison and jail population is now about 1.5 million. States with the highest rates of incarceration are those which still have the highest crime rates; and the states with the lowest crime rates have the lowest rates of incarceration.

Crime is not reduced; costs are not reduced. All that has been done is to create a growing pool of brutalized, increasingly violent inmates, some of whom will constitute a source of cheap labor and a source of income for "privatized" jails and prisons.