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Global Comparison of Incarceration: Punitive Versus Rehabilitative Frameworks

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GLOBAL COMPARISON OF INCARCERATION: PUNITIVE V REHABILITATIVE FRAMEWORKS

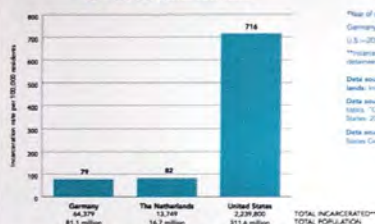
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Punitive Frameworks

The United States prison system's purpose is to punish those who break the law. However, because the US is focusing so much on punishing and dehumanizing their offenders, when people are no longer institutionalized, they are not prepared to transition back into society.

Incarceration Rate

Figure 1. Comparison of German, Dutch, and American incarceration rates*

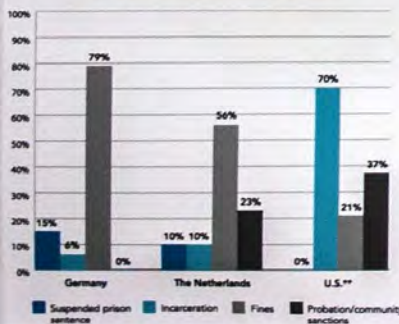


*Year of data varies by country: Germany—2013, The Netherlands—2012, and U.S.—2011
 **Incarcerated population includes pretrial detainees
 Data source for Germany and the Netherlands: International Centre for Prison Studies
 Data source for U.S.: Bureau of Census for topic, "Correctional Populations in the United States: 2011"
 Data source for total populations: United States Census Bureau

- Last 40 years: Prison population has increased by 800% in the United States
- The United States makes up 5% of the world's population, but holds 25% of the world's prisoners
- 4 in 10 formerly incarcerated people in the United States become incarcerated again in 3 years

Sentencing Practices

Figure 2. Comparison of German, Dutch, and American sanctioning practices*



*Year of data varies by country: Germany—2010, The Netherlands—2004, and U.S.—2004
 **U.S. data does not add up to 100 percent because combinations of sentences are possible
 Data source for Germany: Dünkel, 2013 ("Not Suspended Prison Sentence" included in "Incarceration" category)
 Data source for the Netherlands: van Kamhout and Hofstee-van der Meulen, 2007 ("Non-conditional Prison Sentence" included in "Incarceration" category; "Transactions" included in "Fines" category; "Task Penalties" and "Penal Measures" included in "Probation/Community Sanctions" category)
 Data source for U.S.: Pretzer and Fensler, 2011 ("Control of Freedom" included in "Probation" category; "Community Service" included in "Probation/Community Sanctions" category)

Abstract

Mass incarceration in the United States is an outrageous issue that tends to be overlooked. One must wonder, why? Why is it that the United States has the highest prison population in the world? With the population of prisoners continuing to skyrocket throughout the nation, and a deadly opiate epidemic on the rise, one would think that the United States must be one of the most dangerous places in the world. However, this is not the case, yet we still hold almost a quarter of the world's population in our prisons. Our government, nevertheless, our society as a whole has reinforced our idea of the stereotypical criminal. Punitive measures are used to prevent further criminal behavior, but they are continuing to fail us. Countries across the globe have not only decriminalized drugs, but have changed their entire concept of prisons. Instead of shaming and degrading people into not breaking the law, other countries are taking the funding they once used to enforce law and order, and instead, fund treatment programs to rehabilitate those who struggle with abusing substances. With such success, are we willing to try and change our approach to healing, or allow fear to continue to dehumanize a quarter of the world? Is it too late?

U.S. Federal Policy

- Smart on Crime Initiative (2013): Created to enforce reforms in the criminal justice system
- Obama administration began phasing out the use of privatized prisons
- Result:** Drop from 220,000 inmates in private prisons to 195,000 inmates, allowing safer facilities with better quality rehabilitative services
- Goal:** Decrease the use of private prisons by 50%
- UPDATE:** The Trump Administration ordered the federal Bureau of Prisons to return to their original approach, and resume dependency on private prisons
- CoreCivic: Shares have climbed 120%
- GeoGroup: Shares have risen 80%
- **Each business contributes to the operation of private prisons and immigrant detention centers

References

- Phasing Out Our Use of Private Prisons. (2016, August 18). Retrieved March 20, 2017, from <https://www.justice.gov/archives/opa/blog/phasing-out-our-use-private-prisons>
- Ram Subramanian and Alison Shames. Sentencing and Prison Practices in Germany and the Netherlands: Implications for the United States. New York, NY: Vera Institute of Justice, 2013.
- Sommer, J. (2017, March 10). Trump Immigration Crackdown Is Great for Private Prison Stocks. Retrieved March 20, 2017, from <https://www.nytimes.com/2017/03/10/your-money/immigrants-prison-stocks.html>

Rehabilitative Frameworks

- The Netherlands and Germany have a rehabilitative prison system which centralizes around treating their offenders, and preparing them for when they reintegrate into society. Their punishment is simply losing their freedom.
- Normalization: making life in prison as similar as possible to life in the community.
- Rely on fines and suspended sentences (similar to probation)

MECKLENBURG-WESTERN POMERANIA, GERMANY
 Waldack Prison (Pop: 354): Male prison for offenders with longer sentences (above two years); includes closed and open departments, a diagnostic center, social therapy, and workshops.
 Neustadt Prison (Pop: 190): Co-educational prison for young adults (ages 18-25); includes closed and open departments, social therapy, workshops, vocational training, treatment programs, unit for female inmates and their children.

THE NETHERLANDS
 Penitentiary Institution Haaglanden (Pop: 240): Male institution; includes a closed department, workshops, and an isolation unit.
 De Kijvelanden Forensic Care Institution (Pop: 185): Institution for mentally ill offenders and offenders with addiction problems; treatment aims to reduce the causes of criminal behavior and to reduce the risk of recidivism once offenders return to the community.

*A closed department resembles a secure prison in the U.S., while an open department is akin to a work release center or other similar community correctional program, but is housed on the same grounds as a prison.

Mental Health Treatment

United States

- 55% of male prisoners in state prisons have a mental health diagnosis
- 73% of female prisoners in state prisons have a mental health diagnosis

Germany

- Convicted offenders with a mental health diagnosis are not imprisoned, but admitted to a psychiatric hospital

The Netherlands

- Convicted offenders that are deemed either partially or entirely unaccountable due to a mental health diagnosis serve their time in Forensic Psychiatric Care Units