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EDUCATION NOT INCARCERATION

Michael McCormack

I would like to shine some light on an issue that, unfortunately, is becoming increasingly prominent in the land of the free. It is an issue of which many of you may be aware, for it has grown to unprecedented proportions here in the United States. It is one which all Americans should be concerned with, if they value such things as freedom, equality, and justice for all. A state of freedom exists only if all individuals are free.

The issue in question is the major expansion of the U.S. prison population and prison system, otherwise known as the Prison Industrial Complex. The Prison Industrial Complex is giving rise to policies such as those in California, where more money is currently being spent on incarcerating young people than on educating them. California spends nearly 30,000 dollars to jail a juvenile, while devoting only 8,000 dollars to that youth's education. In addition, it is important to understand how the policies of states like California have been responsible for criminalizing a generation of young people. Moreover, we must realize how this criminalization, not only of a generation but of poor people as well, has played a significant part in the recent doubling of the U.S. prison population—in just 10 short years from one million in 1990 to two million in the year 2000. Currently the U.S., with 280 million people, has the largest prison population in the entire world, even higher than China, whose population is 1.2 billion. You have got to admire America for living up to its motto of wanting to remain #1.

The existence of the Prison Industrial Complex drastically restricts the possibilities of establishing a society which can call itself just, free, or democratic. If what I have been led to believe is true, two things are necessary to obtain a just, democratic society. First, a knowledgeable and informed citizenry, which can practice self-determination by participating in the political process and the decisions that affect their lives. Second, a society that is deeply rooted in and based upon equality. It is safe to say that without equality for all from cradle to grave, it becomes impossible to obtain a just, democratic society. My worldview leads me to believe that equality, justice, and freedom are being reserved for the few and denied to the many, and that this is the essence of America. This is what the nation's foundation is built upon: injustice and inequality. This fact needs to be established before we talk about our American-made atrocity, the Prison Industrial Complex.

What are the dynamics of this new feature of U.S. democracy? The number of men, women, and young people being incarcerated, especially people of color and the poor, has risen drastically in the past ten years. Laws such as mandatory minimum sentencing for non-violent first time drug offenders (who currently make up 60% of the prison population) have been enacted. There is a racist discrepancy in sentencing those convicted for crack cocaine versus powder cocaine offenses. Sports slogans have become the basis for criminal justice policies, for example, three strikes you're out. We witness the largest gap between rich and poor in U.S. history. Homeless populations in cities across America are criminalized. For example, thanks to Mayor Willie Brown in San Francisco, pushing a grocery cart can now be a jailable offense. Mayor Rudolph Giuliani in New York City has helped raise homelessness to

levels that have not been seen since the Reagan administration. Our public education system is being devastated, Kansas City being a case in point. Its schools would be a joke, except that their abuse of students is very sad. Harsher so-called "juvenile justice" laws, such as Proposition 21 in California (to which I will return in a moment) have been passed, preparing for the proposed new federal version of the same law, titled the "the violent youth predator act". Bear in mind that all this is occurring in a nation where juvenile and adult crime is at record lows.

Furthermore, the incarceration rate of women in America is skyrocketing. Although imprisonment rates for women are relatively low, they are rising rapidly. According to government statistics, the number of women prisoners has increased 244 percent since 1992, as compared with an increase of 188 percent for men during the same period. The mass imprisonment of women has a major effect on families, quite devastating in families headed by a single mother.

The poor and people of color are disproportionately targeted, criminalized, and imprisoned at much higher rates than the rest of the population. Such a policy exacerbates existing inequalities in today's criminal justice system, or, as it should be called, the criminal injustice system. The kind of so-called justice you will receive depends on the color of your skin or the size of your bank account. Statistics released by the U.S. Bureau of Prisons provide glaring examples of these blatant racial and class disparities.

Out of two million prisoners currently being held in U.S. penitentiaries 65% to 70 % are people of color. Of these 50% are African Americans. Keep in mind that African Americans in this country only comprise 12% of the U.S. population. At the current rate of incarceration the majority of African American males between the ages of 18 to 39 will be in prison by the year 2009.

It is also very important to realize that about 65% of inmates were at the time of their arrest unemployed, poor, and did not have a high school diploma. Individuals are not being given access to the means to compete in the job market, such as an education that does not seriously limit opportunities to gain employment. Most people depend on their wages for the necessities of life. In a system that puts price tags on essentials such as food, clothing, and shelter and then denies access to them by paying substandard wages, crime becomes by and large the occupation of the poor. A recent Hip-Hop artist stated, "Some steal for fun, but most steal to eat." At the same time, the dominant culture educates or indoctrinates individuals into the supreme value of greed as the symbol of "making it" or "success".

Another aspect of the prison industry is the emergence of privatized for-profit prisons. Corporations such as Wackenhut and the Corrections Corporation of America are just two of the market pioneers tapping into the fourth largest industry in America, the construction and maintenance of prison facilities. Not to mention a corporation directly linked both to privatized prisons and this very University, Sodexo Marriott, which runs the cafeteria here at UMKC. I would like to thank the UMKC Tea Society for exposing these links in the one week boycott of the cafeteria they have called, starting this Monday.

The world of privatized prisons creates a number of problems. For example, privatized prison corporations have a vested interest in seeing the incarceration rate rise, in order to see their stock prices rise. In addition, in order to maximize profits by reducing costs, some privatized prisons cut services. These measures include restricting inmates' access to medical treatment, adequate clothing, education, decent food, or even electricity.

A growing component of the Prison Industrial Complex is the use of forced and/or slave labor. Contrary to what most Americans may believe, slavery was not abolished under the 13th amendment, it was legalized. It states that the use of slave labor can be justified in the case of incarceration. "Neither

slavery nor involuntary servitude, *except as a punishment for a crime* [emphasis MM], shall exist within the United States." Typically, if prisoners refuse to work, they are punished with a loss of privileges, denied access to the phone or mail, placed in solitary confinement, etc. The captive labor force of low-wage, non-unionized workers without healthcare or retirement benefits, the absence of safety and health standards, e.g. for handling hazardous materials, an unlimited workday, no strikes, actions, or pressure for better wages or working conditions, and a workforce that is never late is a dream come true for Corporate America. TWA, McDonald's, Starbucks, IBM, Motorola, Victoria's Secret, and Toys 'R Us are just a few of the corporations exploiting prison labor. As an example of the size and range of prison industries, in the year 2000 alone prison labor made over 9 billion dollars in shareholder profits.

Most crimes committed in the U.S. are economic. Corporate crime feeds profits, while poor people have to feed themselves and their families. For example, the San Francisco Hilton contributed 50,000 dollars to a campaign to pass harsher juvenile laws in California.

The Juvenile Justice System

The policy of "Incarceration instead of Education" is best understood when we look at the California model. Since 1984 California has built 21 prisons but only one university campus. It is also the state with the largest prison population in the country. Proposition 21, a recent state initiative that passed in March 2000, gives us a clear view of how government officials, school boards, and lawmakers prefer to deal with the so-called "epidemic" of youth and school violence. The new law, called the "Juvenile Crime Initiative," with its 43 pages of text effectively sought to divert additional funds from educational facilities and other social programs to build more new prisons. Here are some of its provisions:

It creates a new system of "prosecutorial judgement," a power now taken from judges and given to prosecuting attorneys to decide if a juvenile should be sentenced as an adult. A prosecuting attorney may not be the most unbiased person to decide the fate of a juvenile, since his or her job is to gain convictions. He may bar testimony from parents, school officials, psychologists, and others when arguing for a conviction. Especially if the case is high profile and has received much media attention, the prosecutor will not want to "appear soft on crime" and will usually seek the harshest sentence.

It allows juveniles as young as 14 years old to be sentenced as adults and sent to adult facilities, where they will be put into the general population. Studies show that juveniles housed in adult prisons are five times as likely to commit suicide and are much more likely to be raped and physically assaulted. These two policies, enacted earlier in Florida, have resulted in 117 kids being placed in adult facilities, some as young as 12 and 13 years old (Florida has lower age minimums).

It defines a "gang" member as an informal group of three or more people wearing a certain kind of clothing, and sentences juveniles as young as 14 to death for certain "gang related" crimes. Police on the beat, not exactly an impartial authority, decide who is and is not a "gang" member. A young person deemed a "gang" member will be sentenced much more harshly than others. There is no probation system for anyone who commits a crime while being a so-called "gang member." Now even a misdemeanor results in automatic prison time.

It expands the three strikes law for juveniles. For example, a juvenile convicted a third time while a minor will receive a minimum sentence of 25 years to life.

It lowers the dollar amount triggering felony vandalism charges, like graffiti, from over \$50,000 to \$400, and sets a minimum penalty of one year in jail or thousands of dollars in fines.

It mandates six months of prison time for truancy offenses (skipping school).

It destroys the privacy and confidentiality of juvenile criminal records. Now schools, the media, and employers have access to their records, making it very difficult for young people who are labeled criminals to go back to school or get a job.

Is it possible that California forgot to look at the facts before passing this new law? The facts are that in California and across the nation youth crime is down, even violent youth crime. Juvenile homicide is down 56%, and fewer than one half of 1% of youth are charged with violent crimes. But two-thirds of the public believes that juvenile crime is increasing. The chances of being killed in one of today's schools is 1 in 2 million. But opinion polls show that 7 out of 10 people think a shooting is likely to happen in their school. Perhaps it was of no importance that Proposition 21 would cost the taxpayers one billion dollars in prison construction and another 330 million just to get it off the ground. That money is being taken away from schools.

The fact that incarceration has been substituted for education depends on how perceptions have been shaped, the perceptions of legislators, judges, attorneys, school board members, and the public as a whole. One of the core issues is the media's portrayal of youth, and how these depictions determine how youth are treated and viewed in our schools, society, and in the courts. The sad truth is that the media are more concerned with sensationalism, to boost their readership and gain larger profits from advertisers, than with reporting the facts. Sensationalism easily swamps the facts associated with youth, violence, crime, and prison issues. Media-hyped public perceptions fuel harmful policymaking, and support politicians who proclaim the ever increasing need "to get tough on crime," at the expense of young people in ghettos or rural areas, where most politicians will never go. The politicians' children generally have class privilege and the right skin color to protect them from confronting the juvenile injustice system.

A Process of Alleviation

How can this system be changed and what might an alternative look like? Ultimately, we are talking about a process of alleviation: to end these acts of barbarism that we see committed every day of every week in America. Acts of legalized barbarism are occurring not only in the courts, or in the forgotten urban schools of America, or in the dungeons of American correctional facilities, or in some far off ghetto of poor oppressed people across town, which exists only in one's mind, or in books, statistics, and pie charts. Legalized barbarism is also evident in the raping and pillaging of the Third World, supposedly done for our benefit, or in the destruction of millions of jobs and pensions and the mental health of the victims of downsizing. Our inability thus far to unite and to truly act as one people for self-determination and equality is good only for the American status quo. We must get off the treadmill of indoctrination in our schools, get out of our monotonous alienating routines, including marches and rallies, and get out into our communities, to put an end once and for all to the oppressive exploitative nature of America. For I know that our hope for tomorrow depends upon our actions today.

It is traditional to end a speech with a quote, and the one I am about to read is fairly famous. It comes from a man about whom I know little but still admire. The man is Mario Savio and the quote is as follows:

There comes a time when the operation of the machine becomes so odious, makes you so sick at heart that you can't take part, you can't even tacitly take part. And you've got to put your bodies on the gears, and upon the wheels, upon the levers, upon all the apparatus. And you've got to stop the machine.

This is the challenge before us, and I believe we can live up to it.

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