

# PRISON OVERCROWDING; A NEGLECTED PROBLEM, A NEGLECTED PEOPLE

PRE-LAW SOCIETY AT VCU



One of the key contributing factors to appalling prison conditions is prison overcrowding. Prison overcrowding is when the rates of the inmate population are so high they interfere with the prison's ability to function and provide necessary services. You know, things like medical care and basic nutrition. In some prisons, especially in high-security sections, there literally aren't enough beds, and prisoners are forced to sleep on the floor.

Make no mistake, prison overcrowding is not just affecting an inmate's day-to-day livelihood, this affects the rest of their lives. According to the [American Psychological Association](#), "overcrowded prisons also can produce worsened health outcomes, decreased psychological well-being and increased risk of suicide, the report found. Such situations are still common today due to mandated sentences and lack of money to build more prisons, resulting in states using prisons over their rated capacities."

The tough-on-crime laws implemented in the 1980s and 1990s have contributed immensely to the problem, growing the U.S. prison population significantly. Here are some numbers for you to understand better; in the late 1970s, the prison population was proportionately low, with about 130 to 260 prisoners per 100,000 people in most states. President Richard Nixon declared a War on Drugs in June 1971, and that legislation started to take effect. Nixon had increased federal funding for drug-control agencies and proposed severe measures, including mandatory prison sentencing for drug crimes. By the late 1990s, incarceration rates had risen to more than 600 prisoners per 100,000 people in some states. As of 2016, the rate had risen to 698. This has proven counterproductive to the problem and many, including myself, believe that addiction should be treated not penalized. Prison overcrowding is not an effect of rising crime rates but a consequence of criminal justice policy and diminishes the ability of prison systems to meet basic human needs.

There are two main options the legislature has to consider. The Prison Expansion Model (PEM) and the Community Corrections Model (CCM). With PEM new beds will be added whenever the inmate population exceeds existing capacity. There are obvious problems with this model. A disproportionate amount of criminal justice resources are focused on prisons, the most punitive sanction. I support the CCM which focuses on community-based sentencing, as does the research. It focuses on reducing crime and recidivism. CCM focuses on trying to be proactive rather than reactive, while also including a well-funded system of prisons and jails.

In Virginia's 2020 General Assembly's special session on April 22, lawmakers approved a proposal from Governor Ralph Northam to allow limited inmate releases to cut down the population of people in jails vulnerable to COVID-19. It effectively gave the Virginia Department of Corrections the authority to release non-violent inmates who have one year or less remaining in their sentences early. This authority lasted until July 2021. As of April 2020, Virginia's jail population has decreased by 17%, thereby also impacting the soon-to-be prison population. This is due to new state guidelines adopted as COVID-19 began impacting this state. "We are facing an unprecedented public health emergency, which has required us to work collaboratively to develop unique solutions," said Governor Northam. This begs the question, why did it take a worldwide pandemic to bring knowledge of the problem of prison overcrowding to so many people?



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