Jails and Prisons

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Jails and Prisons: Literature Review

The number of offenders finding their way to jails is rising at a high rate, which affects taxpayers indirectly. As of 2012, a survey was carried out by Vera Institute of Justice; they noticed that taxpayers will pay more tax since the figures spent in the correctional facilities were found to be greater than what the American taxpayer is contributing (Perrone & Pratt, 2003). Apart from the corrections departments paying most of the cost incurred in the correctional facilities, there are other stakeholders involved in the payment services. The cost covers educational services, medical expenses, capital, and employee benefits. Costs due to underfunded contributions for the employees, their pension, and retirement medical care plans that are catered for by the facility (Henrichson & Delaney, 2012). Consequently, the extra expenses outside boundaries of correctional departments have a great impact in the tax increments (Wu & Spohn, 2009).

According to the Institution, since 1970, incarceration levels have increased rapidly with the total population of the inmates growing at an excessive rate of 700 percent (Stone, 2000). On the same note, it is estimated that one in one hundred adults are in jails and prisons all over the country. Therefore, the research was carried out concerning the cost of all these offenders whose expenses are a burden to the taxpayer. The findings of the survey depicted that the total taxpayer cost of the correctional facilities was 13.9 percent more than the sum of the expenses allocated to the each correctional facility (Orrick & Lynne, 2015). The average amount of cost per inmate was $31,286 with New York State having the highest cost per inmate (Henrichson & Delaney, 2012). It clearly depicts that cost per inmate differs in different States. Various factors lead to the difference in the cost per inmate. Overcrowding of offenders in correctional facilities means that the cost is likely to be lower. Another reason for low cost includes a huge number of incarcerations of low-level offenders such as drug abuse. However, even though the overcrowded prisons may cost less per inmate as compared to the opposite, it is deemed necessary to reduce the number of detainees in the correctional facilities as a means to lessen the expenditure on the facilities to trim the State budgets. According to the spokesman for Criminal Justice in Texas, Michelle Lyons, the average cost per inmate on a daily basis is $47.50. The high rates perpetuate expenditure in the state considering a large number of low-level offenders (Orrick & Lynne, 2015). Therefore, policies are being made to ensure that the number of the inmates reduces. Many of the States have now started to fight back recidivism as much as possible to ensure that there is a reduction in some offenders who require a significant number of prison admissions by breaking their rules of probation or parole. Among the policies used include changing the sentencing policies since the low –level crimes do not require incarceration. Furthermore, release policies of inmates across other States have been modified with time. In addition, recidivism reduction is also being implemented to counter the number of offenders in jails and prisons (Leipold , 2005). Additionally, States are trying to cut on the operational costs.

**The link between private, state and federal correctional facilities**

Incarceration occurs as a result of an offense committed that is approved by the criminal justice department. There is a clear distinction between jails and prisons. The fundamental difference between the two manifest during the incarceration period (Leipold , 2005). The local government enforcements and agencies operate jails where the crime that is committed is awarded an incarceration of up to 2-3 years (Perrone & Pratt, 2003). Individuals that are convicted are those who committed low-level offenses. On the other hand, prisons are for those offenders who serve a long-term jail for more serious crimes or a felony.

Offenders of low-level crimes are taken to jail whereas those who have committed serious offenses against the State and federal laws fall under the jurisdiction of the federal prisons. The State corrections involve crimes that are committed in one State, but a connection lacks to tie them to the Federal government. Federal prisons, on the other hand, handle Federal crimes such acts of terrorism that involve murder, crimes involving government agencies or those that pose threats to people. Such offenders are taken to federal prisons to serve their punishment. The federal correctional facilities cooperate with the state in housing juvenile inmates and other low-risk offenders. Private corrections are profit prisons that are privatized and under a contract with the government through government agencies. According to Schmalleger and Symkla (2007), privatization of correctional facilities has grown over the past year since private prisons were allowed to handle prisoners. However, different surveys have proven that the privatization of the State and federal prisons increase the taxes exponentially (Perrone & Pratt, 2003). Many factors are affecting the admission of offenders in prisons as advanced below. The sentencing process is influenced by variables that dictate which prison to go to whether Federal prisons, State prisons, or jails in the local jurisdiction.

**Age**

Age is a consideration when one is convicted of an offense, whether low-level or severe crime. Young people who are not considered adults under the Constitution are taken to juvenile prisons. Furthermore, it is due to age that the elderly can be said to be favored during the sentencing process (Wu & Spohn, 2009). A study was carried on mock judges decision-making concerning the age of the offenders, and the results were as expected. According to the study, it was found that the elderly individuals who went against the federal laws were pardoned or had their sentence reduced (Perrone & Pratt, 2003). According to a New York Times article by Eligon and Weiser, a judge forgave an 85-year old who committed a federal crime. However, the old man was exonerated by the judge arguing that if the man served his sentence in prison would make any difference (Wu & Spohn, 2009).

**Gender**

According to Fernando and Cury (2006), gender is a variable that affects sentencing. Wu and Spohn (2009) also discuss that judges showed mercy on gender in different situations. Typically women were less likely to be sentenced to prison due to crimes such as drug offenses. However, when convicted, the women would receive a shorter sentence compared to men committing the sane offense. However, the same survey observed there was no lesser punishment for serial offenders such as terrorists (Fernando Rodriguez & Curry, 2006).

**Ethnicity**

A survey carried out depicts that African-Americans are convicted of crimes more than any other race in most of the jails and prisons all over the country (Henrichson & Delaney, 2012). Latinos come second whereas the white people have comparatively small numbers.

**Different States**

Each State is governed by its rules, but some of the laws are universal across the country. A law in one State can differ with that of another State. An example is the legalization of marijuana or rather medical marijuana in States such as Washington. However, the same drug is illegalized in Texas (Orrick & Lynne, 2015). From the scenario, it is apparent that the laws operate differently in various States, which may affect the sentencing of offenders. The years of sentencing also differs with the States regarding the policy laws of each region.

**Type of crime**

The crime committed is a major factor to consider during incarceration. The sentences awarded to offenders depend on the kind of offenses. Low-level ones such as drug usage lead to a small sentence (MacKenzie, 2001). On the hand, a crime such as illegal selling of hard drugs like cocaine, heroin, and other substances can make one serve a long-term jail. Other crimes that may lead to long years in prison include murder, sexual assault, robbery, and burglary. The offense is not necessarily practicing these crimes, but anything against the State or Federal laws.

# References

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