

Thursday, February 28, 2008

One percent of adults are behind bars in America.

Â Bill of Rights.Â (From the public domain.)Â One percent of adults are behind bars in the United States (see the 2008 Pew Charitable Trust report hereÂ and a related news article here). Imagine the financial, psychological, and social drainÂ illustrated by such a statistic.Â Â As I have repeatedly said, I do not think we will achieve a fair and just criminal justice system -- including policing, prosecuting, judging, imprisoning, and releasing and supervising on probation and parole -- until people insist on and achieves a radical and positive overhaul of policing andÂ police hiring, training, supervision, and discipline; and of the rest of the criminal justice system, including heavily decriminalizing drugs (and legalizing marijuana), eliminating mandatory minimum sentences, and eliminating criminal penalties for activities as minor as prostitution.Â Certainly, if marijuana were legalized and other drugs heavily decriminalized, much less than one percent of the adult population would be behind bars in this country.Â One obstacle to achieving such needed drug law reform is the expected resistance from so many people who profit very handsomely from the nation's overgrown criminal justice system, including government contractors who build jails, prisons and courthouses; police prosecutors, judges, probation officers, and government-paid indigent defense counsel; and the many companies that operate privately- run jails.Â Meanwhile, talk about the level of hyper-control the United States government and state governments are able to exert by having one percent of the adult population locked up. So much for the land of the free and the home of the brave.Â Jon Katz.

Posted by Jon Katz in Constitutional Law at 19:00