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Societal Dysfunction: The Floundering Policies of Rehabilitation and Incarceration for non-violent alcohol and drug offenders in the United States of America

By

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A thesis submitted to the faculty of The University of Mississippi in partial fulfillment of the requirements of the Sally McDonnell Barksdale Honors College

Oxford

2015

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Acknowledgements

I would particularly like to thank Jody Owens at the SPLC and Will Harrell at the ACLU for helping me find some of the statistics and figures through the judicial system and state legislature. I would like to thank my professors and advisors in and out of the Honors College for their guidance and support. There is no way I could have done this without the help of so many great and talented individuals from Fulton, to Tupelo, to Oxford. This thesis is dedicated to the memory of John Botkins III and Ronald Verlander Jr.

Abstract

This thesis is an investigation of the current problems of mass incarceration of non-violent alcohol and drug offenders. I will introduce the material and discuss some personal history with the topic. In the first chapter I discuss the history and progression of how society views and deals with the issue of substance abuse. In the second chapter, I will apply concepts from the patriarchs of sociological theory. In the third and final chapter, I will investigate the effects of mass incarceration of non-violent alcohol and drug offenders on society in the state of Mississippi. I will conclude by piecing together these chapters and offering several alternatives to the current policies.

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Introduction

There is an ongoing epidemic of mass incarceration in the United States, particularly in the South. The state of Mississippi ranks 2nd in incarceration rates per capita, following Louisiana. However, Mississippi and Louisiana continually trade off on the top spot regarding who locks up more people. Besides being an ineffective approach, incarceration is extremely expensive, and in many ways, actually perpetuates the high rates of recidivism with non-violent alcohol and drug offenders. The fact that this societal issue, labeled as a disease by the medical community, is even considered a crime is somewhat outrageous. There is no real rehabilitation within the Department of "Corrections." In this thesis, I will be exploring many different angles of the ineffectiveness of the current policies in place dealing with this issue. This thesis is the beginning of what I consider will be my life's work. This thesis will take two diametric approaches. One will be a subjective, experiential approach from the inside of a facility, to the outside, the process of recovery, and the potential for real change and real success against the disease of alcoholism and drug addiction. The other approach will involve a macrosociological objective look at how current policies regarding nonviolent alcohol and drug offenders impact our society, communities, families, and children. There has been an experiment going on in this country for the last forty years. Punitive policies and prisons have become a racial, business, political, and social weapon aimed at the less fortunate.

My personal experience with this subject far exceeds my academic experience on the matter. I was raised around alcoholism and began using drugs and alcohol around the age of thirteen and within three years had several run-ins with the law and had dropped out of high school. Twelve years of agony - including health, legal, personal, and professional issues - culminated in the gift of desperation. I consider myself fortunate to be able to write this Honors Thesis as a free man as opposed to an inmate. It is of none of my own doing. I feel I have been placed in this position to try to be of maximum service to my fellows who suffer from the same disease as I do, many of whom will not see a sunset in the free world for many years. Others will die never knowing that there is a better way. People cannot do better until they know better. Education has quite literally saved my life. Education about the disease of alcoholism/substance abuse, higher education, and the compassion of those along the way, some in the classroom and others with no formal education at all, have helped place me in the position I am in today. I will not address metaphysical, but the substantive opportunities in this thesis. I have recently been accepted into several law schools, and anticipate graduating Cum Laude and with nearly a full scholarship from Ole Miss in May of this year, was inducted into Phi Beta Kappa, and won the Julien Tatum award in the Sociology Department of the university. The tools I acquired to perform at this level were not derived from a jail cell, but from books, instructors, and friends who have tread similar paths to mine. There is much work to be done, and although I have come a long way from where I had to begin this journey, and I am only just beginning. My record is long and extensive. I consider myself

extremely fortunate to be where I am today. Most do not make it out. I buried one of my best friends a couple years ago, and I cannot help but ask myself, would he still be alive for his daughters had he been presented with the same knowledge and opportunities as I have? I am a realist and do not fool myself into believing that all can be saved. However, there is only room for improvement for the broken system that we find ourselves in today. The prison system has undergone an experiment over the last forty years that has failed utterly, destroyed potential success, created greedy corporate entities, fueled a new type of racial discrimination, and created an astronomical drain on the American economy. There is an old saying that if something isn't broke, don't fix it. That is what many of those involved in the prison industry would have the American public believe. However, this system is broken, and to continue business as usual will be devastating to our country and its citizens.

Over the last forty years in this country, prison populations have quadrupled (Rosenthal). This has many causes but one important factor is the mandatory minimum sentence for drug possession charges. Lawmakers have enacted other punitive statutes such as the three strikes and you're out statute, whereupon the third offense, the defendant receives a life sentence regardless of what the charges may be. Someone could actually do life for shoplifting a pair of socks in the dead of winter. In a recent New York *Times* editorial, the columnist Thomas Friedman describes this problem as a societal and economic crisis in this country. He says that there has been a cross discipline study of the explosion of incarceration and the results of denying its existence as destructive would be

similar to the climate change debate (Rosenthal). The results are obvious. The United States imprisons anywhere from five to ten times the amount of any other democracy on the planet (Travis 14). The prison population of this country is now about 2.2 million, also making it the world's largest. We lock up about twice as many people as China, with a fraction of its population. The problem only compounds from there. About half of our prison population has been incarcerated for nonviolent crimes, and ten to fifteen percent of these individuals, about 159,000 inmates, are serving life sentences with a third of them ineligible for parole. What is more is that over the last forty years, violent crime has actually declined while the prison population has skyrocketed. Politicians have leaned on the tough on crime position for votes for fear of appearing "soft on crime" while the evidence shows almost no reduction in substance abuse crime by locking these individuals up.

Mass Incarceration of non-violent offenders has damaging effects on the children of this nation as well. From 1980 to 2000, the number of children with fathers in prison has grown from 350,000 to over 2.1 million (Travis 14). This only furthers the problem by isolating children from their fathers, which come mostly from impoverished areas. Since incarceration, poverty, and race seem to overlap, incarceration has hit young black men the hardest. Most of these men, if they are lucky enough to come home, do so with many of their rights and potential for economic gains taken away. They have lost the right to vote in many cases, are unable to get jobs with criminal records, and are refused government assistance like subsidized housing. These individuals literally have the deck

stacked against them with very little chance of success. Incarceration of non-violent substance offenders leads to enormous rates of recidivism, by which they end up violating terms of release or committing other crimes out of desperation. They have not had the proper rehabilitation while incarcerated to assist them upon release (Kupers 1999). Although the medical profession regards alcoholism and substance abuse as a chronic disease, society still has antiquated views that equate it to criminal activity and moral defectiveness. It is estimated that over two thirds of offenders eventually reoffend and wind up incarcerated once more. It can be compared to having a headache and bashing one's head with a hammer to alleviate the pain.

The insanity pushes on to a larger scale with some of the economic repercussions. It has been estimated that taxpayers spend over eighty billion dollars a year on direct incarceration expenses alone, while spending over a two hundred and fifty billion dollars a year when you factor in the costs of police, judges, and legal services needed to carry the weight of this fruitless endeavor (Travis 120). This has led to what we hold so dear in this country, the free market capitalist pursuing profit in this catastrophe and creating corporate conglomerations out of it. Most of the large prisons in the United States are held by private corporations who have devised methods of profiting handsomely on the increased rates of incarceration. Mass incarceration of substance abuse offenders in turn fuels their interests in lobbying for legislation to keep the status quo or even increase the rates of incarceration. It is widely agreed by many politicians from Attorney General Eric Holder to Former Speaker of the House Newt Gingrich that the current policies have

been a legal, moral, societal, and economic disaster. However, where there is money, there is power. The voices of those incarcerated are drowned out by the large donations and fund raising events that are quite often held by private prison owners for those who hold political office.

Alcoholism is not a new problem that is just now occurring. Nor is drug abuse and addiction just now becoming rampant among civilization. These are problems that date back thousands of years, presumably since man first crushed grapes. Stories go back and include discussions through religious and philosophical materials from Solomon to Socrates. The problem has been largely misunderstood for most of human history (Leibowitz 1967). Solomon describes the alcoholic as "one who spends long hours in the tavern" in the 23rd chapter of the book of Proverbs in the Old Testament of the Christian Bible. Solomon is regarded as one of the wisest men who ever lived, and maybe this is true but it seems his conceptions of the alcoholic focus mainly on a decision of will, rather than a biological disposition. Philosophers associate alcoholism with a lack of virtue and view it in much the same light. There is recorded Chinese history regarding drug addiction associated with opium dens in the United States. These dens were targeted specifically, similar to the targeting of crack cocaine by the federal government in recent decades. The problem is socially constructed and quite often used to scare the public and oppress minorities (Reinarman 1994). The time, geographic area, race, and many other mitigating factors do not seem to matter very much. This has been a global issue plaguing societies regardless of these factors mentioned above.

Drunkards have been social outcasts for most of recorded history, and still to this day remain largely misunderstood. In the times of antiquity, a drunk would likely be ostracized from his community, and would most likely meet a very gruesome and lonely death. Admittedly, alcoholics are usually a drain on society as a whole and must be cared for and looked after, much like little children. My grandmother used to tell me that "God looks after drunks and little children." These words become wiser the older I grow. As we move forward through civilization, the views of what exactly should be done with alcoholics and drug addicts seem to become more conflicted. It is not really until the scientific revolution and especially the evolution of the study of the mind that some of these mysteries begin to be investigated. Psychological minds such as Sigmund Freud and Carl Jung have made massive contributions to this area. Dr. Carl Jung became quite fascinated with the mind of the chronic alcoholic at the early part of the twentieth century. He played an integral role in helping Bill Wilson, the founder of Alcoholics Anonymous develop the first theory on alcoholism with a treatment that shows significant results. This was proven to be a revolution in the way some members of society view alcoholism. It affected the views of the medical community as well. There begins to be talk of alcoholism and addiction as a biological condition, as well as a behavioral disorder. There are also claims that addiction is socially constructed in various ways and used as a tool of oppression for the masses (Adler 2012). With all this being said, it seems as though society has actually regressed in the way it addresses the alcoholic and the addict. The capitalistic prison community has found a way through

legislation to criminalize substance abuse. Even if an individual is locked up for drugs, they may return for alcohol sanctions within the probation and parole system. The tax payers foot the bill to lock up these "criminals," and the private prison owners gain wealth through what they would have the public believe, through fear mongering. For many years, alcoholics and addicts were left to die in the streets. With the contributions of modern medicine, sanitariums and hospitals for those suffering from substance have come into existence. Unfortunately, other for profit institutions have also evolved through the criminalization of substance abuse, and the so-called "war on drugs."

The problem of mass incarceration has been a plague across our nation for the last half century. Although the problem has been national, the impact has hit especially hard here in the south. The statistics on who is affected by mass incarceration speak loudly to minorities and to the economically disadvantaged. The south has a larger proportion of both poverty and minorities, especially in Mississippi and Louisiana. These two consistently compete for first place in the per capita incarceration rate. In a recent turn of events, a reform act was passed in 2014 in Mississippi that called for a lot of reformation within the prison system. This victory was short lived because the man who had helped improve the decrepit Mississippi prison system over the last twenty years was indicted for corruption charges and could be facing over three centuries in prison. Chris Epps started out as a guard in the Mississippi Corrections system and through hard work and intelligence moved his way up through the ranks fairly quickly. Mississippi is not unlike the rest of the nation, and in many ways has exceeded the rest of the country in private

prison growth. In 1982, there were 5,000 inmates, and by 2002 there were over 20,000 (Samaha). The state budgets were swelling, so Mississippi also turned to the private prison industry for assistance. In 1982, there was one state prison and zero private institutions. By 2002, there were five private prisons and three state prisons with inmate population ever increasing. The private prison industry is able to operate more cheaply in part because they are not held to the same regulations that the state is. They also are not bound by the freedom of information act, so a lot of the things that go on inside the walls are undisclosed to the public. This led to deplorable conditions, death, and what Judge Carlton Reeves, referring to life at Walnut Grove a "horror that should be unrealized anywhere in the civilized world" (Samaha 2014). Epps was a pioneer in making changes to a very broken system and led the charge in trying to eliminate solitary confinement in Parchman Prison and also very involved in private prison contracts. He went on record with the NY *Times* and stated, "If you treat people like animals, that's exactly the way they'll behave." Clearly, if we are treating these individuals as animals, there is no wonder that the rates of recidivism are so high. In an attempt to stretch profits, prisons cut costs as much as possible. This leads to poorly trained staff, broken facilities, and dangerous conditions. We have to remember that we are still dealing with human lives, and not just housing cattle, and even cattle housing may be a step up from the conditions of some of these prisons. When asked why the private contractors could not be done away with, Epps replied, "because of all the money they throw around Jackson" (Samaha 2014). This is a recipe for corruption. It seems that the honorable Chris Epps was not

above reproach either. He established new corporations for many of the private prisons here, some without even taking bids. Allegedly, Epps received over a million dollars illegally from 2006-2013. He now faces over 3 centuries in the same institutions that he valiantly tried to improve for so many years. Half a century before, prisoners had made money for the state. Now, they make money for the private sector. This is a prime example of what occurs in almost every prison system across the country where capitalism meets imprisonment. Corruption is rampant. Some of the major prison corporations are part of the stock exchange, and actually hedge their bets on how many people they will have incarcerated. They guarantee certain numbers for their stockholders, and it becomes imperative for these corporations to keep high levels of incarceration. Many times it is accomplished by any means necessary, and at the expense of the inmate, the majority of which are non-violent alcohol and drug offenders.

In this introduction I have tried to use a variety of examples to illustrate some of the points that I will be attempting to make within this thesis. I started out by using personal experience within the system. It remains a passion of mine and recently being accepted into Law School, I hope to make this subject and some peripheral subjects around it a major focus in my career. I am attempting to show that our current system of incarceration is inadequate and inefficient. Beyond this, mass incarceration of nonviolent offenders creates other societal problems while worsening the problem that it has been designed to attack. The ramifications of continuing the situation as it is will prove to be disastrous for those in and out of prison.

The first chapter of this thesis will be an in depth look at the history of incarceration and substance rehabilitation up to the present day. I will be investigating some of the successes and failures of both throughout time. It is important to observe what has happened in the past regarding these issues. It is said that those who cannot remember the past are doomed to repeat it. There have been victories and strides forward in the field of substance abuse treatment. I feel that it is important to point out where right decisions have been made, as well as the poor decisions. In the next chapter of the thesis, I will take an in depth look at how some of the founders of sociological theory may apply to the subject being researched. Among these will be Karl Marx, Max Weber, and C. Wright Mills. I will also look at the opinion of some contemporary scholars such as Michele Alexandre and Angela Davis. The two most important factors I will be exploring the effects of capitalism on the current system and how this system has been used as a tool of oppression for minorities and those in poverty.

In the 3rd and final chapter of research, I will try and bring this subject home. Mississippi and the south hold a very dear place to me. Mississippi in particular holds a very special place in my heart for more than one reason. The first is that the state of Mississippi and its educational system have given me an opportunity of a lifetime. They took a chance on a down and out man with a rough history while never looking down their noses at him. The teachers of this state pushed and prodded me to become a better man and a better citizen. I feel a deep sense of gratitude and affection for this state. There is no way that I could ever reciprocate what this place, its schools, and people have

given me. I wish to pay back a society and this state in particular for giving me my life. The second reason I am so grateful is that this is the state where I met the individuals who loved me until I could learn to love myself and helped me get sober in Tupelo, Mississippi. Not only am I from this region, but my family and roots come from the state of Mississippi. I feel a special indebtedness to this state, and hopefully this thesis will be the first formal form of restitution that I may forward for all the gifts that it has given to me. I will investigate the effects of mass incarceration and private prisons on the state of Mississippi. There will be focal points on alternatives to prison and some of the successes we have had right here at home.

Chapter 1: History and Progression of Substance Abuse & Incarceration

Antiquity

Substance abuse is not a new social problem. In fact, it has been around for millennia. This has been a problem for current civilizations, reaching as far back as one can go in recorded history, and spanning the entire globe. According to Leibowitz, "Descriptions of acute alcoholic psychosis go back to Hippocrates, Galen, and Cassius Felix"(83). What these men try to describe in ancient terminology is actually what we know of today as delirium tremens. Delirium tremens is a very dangerous state in which the individual is actually in danger of death due to seizure from the withdrawal of alcohol from the body. Alcohol and benzodiazepines (Xanax) are the most dangerous substances to detox from because individuals risk death going through withdrawal. This is significant because jails are unequipped to deal with most of these individuals. They lack the medical resources, and staff has little education about these types of symptoms. Medical treatment is usually required for detoxification of many drugs, with alcohol and benzodiazepines being the most dangerous. Galen, the ancient Greek physician, viewed alcoholism as a mental disorder and not as a crime. This is important because this view is more in line with what modern science's findings show regarding alcoholism.

Temperance and the Washingtonians

There is a movement of sobriety that came into effect during the early to mid-nineteenth century. This movement involved individuals who came to be known as the Washingtonians. This movement sprung up out of the Temperance movement, which was largely religious and politically based. The temperance movement viewed alcohol as the problem to the alcoholic, not as a disease centered in the mind. This sentiment is greatly reflected by a statement made by Justin Edwards in 1822. He said, "Keep the temperate people temperate; the drunkards will soon die, and the land be free" (Maxwell 2). The Washingtonian movement began in Baltimore in a tavern when six individuals made a pact to abstain from alcohol. The movement quickly grew and became quite successful. The men began to try to figure out how they would continue to keep their weekly meetings interesting. The president had an idea to talk about his struggles with alcohol, and then discussed with others in the group, the success and freedom he had acquired from being sober. He then encouraged others to do the same. At their first anniversary, the recovered drunkards numbered about 1,000, with another 5,000 claiming membership. In 1860, there were claimed to be 70,000 signatures on their pledge sheet for the Boston area after spreading widely. The movement would not hold up for very much longer. By 1877, it seemed to be on the decline. There are several different

theories as to why it began to fall apart. One individual remarked, this effort to divorce temperance from religion was the chief weakness of the Washingtonian movement" (Maxwell 19). Many of the churches closed their doors on what could be called "class snobbishness," while some Christians professed that Jesus Christ was the only source to relieve alcoholism. Another reason cited for the decline is the lack of organization. There seemed to be a real lack of connection between groups. What seemed to be the ultimate decline of the Washingtonian movement seemed to be the political involvement it shared with the Temperance Movement. Many of the groups were sponsored financially by temperance organizations. Many members publicly became involved in the Prohibition movement. The organization became more and more about furthering the temperance movement, and less and less about helping the drunkard.

It seems that alcoholism is prevalent in many countries, if not all. However, in the United States, where we have more people locked up per capita, it seems especially important to look at what the history has been here. In her book, *Alcoholism in America: From Reconstruction to Prohibition*, Sarah Tracy studies in depth the evolution of alcoholism from vice to disease. She wrote the book over a period of ten years from Johns Hopkins University and says she may have been able to finish the book faster had she not suffered personally from alcoholism. She states this to stress the complexity of the disease of addiction. She describes the "Foxborough Experiment" (Tracy 147). Although the names change throughout history, the symptoms and social problems stay the same. Alcoholics are known as habitual drinkers, dipsomaniacs, and inebriates.

Alcoholism is almost an enigma, confusing pastors, doctors, scientists, and police alike. During the Progressive era, and the Gilded age, many officials tried to blame the high rates of alcoholism on the fast pace of life in an ever growing industrialized society. Tracy, quoting Joseph Parrish, states that, "the struggle for wealth, power, and social position; unhealthy rivalries for the sake of display; and all the commotion of city life depleted people's nervous energy and prompted them to search for stimulants, and they routinely turned to alcohol" (Tracy 2007. 64). Parrish was a community leader around this time whose opinion was highly valued. Substance abuse has always been a social problem as well as an individual health problem. Anyone who thinks that their drinking or drug use is only affecting themselves is delusional. On February 6 1893, the Commonwealth of Massachusetts opened a hospital for dispomaniacs and inebriates in Foxborough. The farm was located on eighty six acres of land that was twenty five miles southwest of Boston. This was a progressive attempt to begin to try to use an alternative method for treating addiction other than jails for habitual drunkards. The institution started out a little rough, with many of the staff being investigated for abuse. This became known as the "Foxborough Scandal." The campus was moved and renamed The Norfolk Center in 1914 by a more trustworthy board of directors. It actually showed some promise at being a success, but within five years, the Prohibition Act had once again made the drunkard a criminal, and not a sick person (Tracy 148). The state of Massachusetts began to realize what we are still struggling with today. The fact is that jail does not necessarily decrease the amount of alcohol that the person drinks. It merely

dries him up until he is released because the root issue of the mind has not been addressed; he or she has merely been temporarily removed from society.

Prohibition would last only a few years and in the process create a billion dollar black market overnight. This officially made drinking a crime, but not only did it criminalize the actual drinking, it created violent crime rings with leaders such as Al Capone. Prohibition created new business and the government quickly reversed the Prohibition Act. Within a few decades, the government found newer substances with a broader range to target. The similarities between Prohibition and the War on Drugs are staggering. Instead of decreasing the amount of drugs in the United States, the war on drugs has made the U.S. the largest importer of illegal drugs on the planet. The funds made off the drug industry fund terrorist organizations and drug cartels worldwide.

Closely following the end of the prohibition era came the emergence of another movement for recovery in the 1930's. An alcoholic named Bill Wilson would launch the largest recovery movement that the world has ever seen. Alcoholics Anonymous would begin in 1935, and the actual text of the book was published in 1939 by the first 100 members of Alcoholics Anonymous, although the official credit goes to Bill Wilson. John D. Rockefeller also assisted in the funding for the publication. It seems as if the Washingtonians had stumbled onto a key foundational aspect of alcoholism that had never before been recognized. Wilson also had the same realization, which is that almost no alcoholic ever recovered on their own. The disease of alcoholism has been regarded

as biopsychosocial by some rehabilitation professionals I have had the pleasure of working for. There are social, psychological, and biological aspects that leave many professionals confounded at the complexity of the disease (Zucker 1986). The social aspect of the disease is among the most confounding. The alcoholic through his own destructive behavior drives away almost all of his social networks, then drinks at the loss of connection both spiritually and socially. This becomes a vicious cycle that almost always ends in jails, institutions, and death. Wilson discovered that one alcoholic helping another to stay sober was an essential element of recovery from alcoholism. Although Alcoholics Anonymous is not the only recorded way people have managed to stay sober, it seems to be the most successful statistically. It has revolutionized the mental health industry, and also the way therapists approach compulsive disorders. It has inspired the 12 step movement, which addresses everything from gambling to overeating.

There are many similarities between the Washingtonians and Alcoholics Anonymous. More importantly, there are some key differences which I would like to address. The founders of Alcoholics Anonymous knew that the survival of the group was more important than any one individual. According to Maxwell, they tried to address many of the issues that seemed to be the demise of the Washingtonians. First, the Washingtonians admitted non-alcoholics into their groups and it became more difficult for those who suffer from alcoholism to stay sober than those who do not have the disease. The Washingtonians approached alcoholism in a moralistic manner, whereas Alcoholics Anonymous approaches it through psychological and therapeutic methods.

There was no anonymity to keep the public from being aware of broken pledges, or to keep the pledges from exploiting the movement for their own prestige and fame. Alcoholics Anonymous developed traditions that call for the un-involvement in politics, religion, and other social issues that may create strife for the group and ultimately the alcoholic. There are defined organizational structures in place but no governing authorities in Alcoholics Anonymous, unlike the Washingtonians who had no solid organization but had a president (Maxwell). The article used in the preceding paragraph was written by an influential sociologist named Milton Maxwell from the University of Washington. The most interesting part of this article is that it begs the question, will Alcoholics Anonymous fizzle out in much the same way that the Washingtonians did? This article was written in 1950.

Alcoholics Anonymous will hold an International Convention in Atlanta, Georgia, in July of 2015. This will mark the eightieth anniversary of the formation of this recovery organization. 'Today, A.A. has a presence in over 170 countries, with an estimated total of 114,070 groups and more than 2 million members worldwide. Alcoholics Anonymous, now in its fourth edition, has sold over 30 million copies and has been translated into 67 languages. Said A.A. co-founder Bill W. in 1960: From the beginning, communication in A.A. has been no ordinary transmission of helpful ideas and attitudes. Because of our kinship in suffering, and because our common means of deliverance are effective for ourselves only when constantly carried to others, our channels of contact have always been charged with the language of the heart' (aa.org).

The reason I mention this in such great detail is that Alcoholics Anonymous seems to have created a much better solution than mass incarceration. In many instances, the courts send offenders to meetings upon release. The impact of Alcoholics Anonymous as a global movement seems to be extremely beneficial, and the judicial system of the United States may try to learn from organizations that have had some prolonged periods of success instead of insisting on continuing to drive down the road with several flat tires, creating more damage. Although many inmates are convicted of drug offenses, they return on alcohol violations implemented by probation or parole. Also, 12 step programs inspired by Alcoholics Anonymous has proven to be highly effective, regardless of the substance.

The Social Implication of the War on Drugs

This section will directly deal with the social implications of capitalism, class oppression, and racism as a result of the criminalization of alcohol and drug offenses, and has been used as a type of control mechanism. Societies have always used government and laws as a structural system of oppression. The United States is no different, although we have been a little more blatant and direct in many instances. Slavery was the most horrific form of oppression ever used in this society. Minorities were treated as chattel. As we move forward through American history, Jim Crow laws began to be utilized in order to keep minorities, and African Americans in particular, from voting, along with other restrictions. When you control the person's right to vote, you have absolute power

on your side because the government can be the strongest "gang" in the country. Racism has always existed and been a driving factor in oppression. Coupled with poverty, racism can be a force of oppression used with carefully applied laws to keep the elites in power (Feagin 2013). With Jim Crow being exposed for the injustices it was creating, and prohibition being repealed, we see the emergence of what will later be called the "War on Drugs."

The Harrison Act of 1914 was the first piece of legislation to actually restrict the sale of heroin, and it was later used to restrict the sale of cocaine as well. The Federal Bureau of Narcotics was formed in 1930, followed by the Marihuana Tax Act of 1937 which was an attempt to impose such heavy taxes on marijuana that it would become nonexistent. Propaganda films such as "Reefer Madness," produced by George A. Hirliman – which intimated that using marijuana could transform the smoker into a homicidal maniac - were used to instill fear in Americans and stigmatize illegal drugs. Law makers insisted that marijuana was a Mexican problem. In fact, the term "marijuana" is a slang term from Mexico. U.S. law makers sought to stigmatize Mexican-American immigrants by stating that marijuana was a gateway drug to heroin. The Boggs Act of 1951 was the first piece of legislation to set mandatory minimums for drug offenses and Dwight Eisenhower was the first U.S. President to declare a War on Drugs from the Oval Office. What easier way to control minorities than to take a social and psychological disease, criminalize and stigmatize it, then build an army to enforce laws that will ultimately remove the individual's right to vote after a conviction. "Before

the 1970s, drug abuse was seen by policymakers primarily as a social disease that could be addressed with treatment" (Head 2).

The Civil Rights movement had its peak during the 1960's, and it is rather peculiar that the absolute criminalization of substance abuse came about shortly thereafter in the 1970's. Those in poverty and lacking education have always shown higher rates of substance abuse. The rates of poverty among the African American community have always been among the highest in the United States. This country has a history of targeting minorities through drug laws. Chinese opium dens were the target of some of the first real anti-drug laws passed. More than the actual opium, it was the Chinese that were targeted. Craig Reinarman says that African Americans were accused of luring white women into the dens for sexual slavery (Reinarman 94). Marijuana, cocaine, and opium had been used for years, but when the transition of use to other minorities, especially African-Americans began to develop, there was a new need for criminalization. Cocaine was said to induce African-Americans into raping white women (Reinarman 95). Reinarman also describes this as a form of social control. Those in power create a type of moral panic by issuing these fictitious risks, which scares the public into believing that stricter laws are necessary to control the potential dangers at hand. Drug problems (scares) are created to oppress those groups viewed as a threat by the more powerful groups (Reinarman 97).

In her groundbreaking book, The New Jim Crow, Michelle Alexandre reveals the structural racism targeted at the African American community through the War on Drugs. "The number of annual drug arrests more than tripled between 1980 and 2005, as drug sweeps and suspicion-less stops and searches proceeded in record numbers" (Alexander 72) Most of these are targeted at African Americans. The term Driving While Black is a term understood very well in the black community. Because of the racism in policing here in the United States, African Americans must be much more conscious of police officers. Parents may actually give special instructions to their children when dealing with law enforcement, as not to endanger their lives. Drugs that are used more by African Americans have been disproportionately criminalized, making it even easier for them to be targeted for racial profiling. With the invention of crack cocaine in the late 70's and early 80's, new laws emerged. Crack cocaine became an epidemic in urban areas that are referred to as ghettos. "Prior to the Drug Reform Act in 1986, the longest sentence Congress ever imposed for possession of any drug, in any amount was one year" (Alexander 90). Following this Act, mandatory minimums skyrocketed, and it became common for individuals to serve life sentences for nonviolent drug convictions. An individual may lose his family, freedom, and every last day of his life will be spent in a concrete box for ingesting a substance. Statistically, whites and blacks have about the same rates of addiction but inmates within the penal system are disproportionately black. If he does manage to get out of prison, one charge of felony drug possession for a young black male will statistically stack the deck against him for the rest of his life. Not only

will the sentence imposed be significantly longer, he will have a hard time finding a decent job, going to school, voting, and obtaining a mortgages. Even applications for home rentals have denial clauses for convicted drug offenders. In some states, food stamps may even be taken away.

It is very easy for politicians to blame the addict and the drug dealer for their behavior, and what becomes even easier is to begin to neglect their responsibilities in the community by saying that the addict and the drug dealer are the causes for many of the other social problems in the community. While trying to position himself for the White House, former New York Governor Nelson Rockefeller passed some of the toughest laws on substance abuse that were in place at that time. He imposed harsh mandatory minimums for cocaine and heroin in particular. This only escalated when Ronald Reagan took office. Public opinion surveys in 1986 indicated that only 2% of Americans thought substance abuse was a pressing problem. Surveys conducted two years later showed that the majority of the population now considered this a problem. That is quite a turnaround (Travis 118). The Reagan administration as well as others used the CIA and the drug trade to try to topple governments during the Cold War and were surprised that the business of a billion dollar industry infiltrated the country. In a very real sense, the government created the drug trade in the United States, and then the same government authorized privatized prisons for profit in order to lock up more people than any other country on the planet. "The U.S. population in general, is less than 5% of the world's total, whereas more than 20% of the world's combined prison population can be claimed

by the United States" (Davis 11). By 1997, two thirds of all federal inmates and one fifth of all state prisoners would be locked up for drug offenses (Travis 120).

The current system is far removed from real rehabilitation. The prison system is largely focused on "incapacitation," which means that the drug offender is incapacitated from committing anymore crime by being removed from society for a period of time. While the offender is incarcerated, he may still have access to drugs even though he is not in society. The mental health programs are inadequate at best for an institution that has the term "corrections" in its name. What exactly is the correction taking place? It seems much more punitive and incapacity oriented. Most programs are offered by volunteers who provide church services or bring 12 step programs into the facility. The inmates are then released, in many cases with payments to a parole or probation officer that they cannot afford. Individuals with a criminal history will also find it difficult to secure employment. Unsurprisingly, there is a 70% recidivism rate, which means that 7 out of 10 offenders will be incarcerated again within a very short time of being released, usually within three years (Travis 151). I know from experience that jail can be a sort of "Crime College," as I served a stint of 6 months for public drunkenness and learned over 100 recipes for the manufacture of methamphetamine while incarcerated. The National Academy of Sciences states that, "Researchers and policy makers often have claimed that prison is a 'school for criminals,' immersing those with little criminal history with others who are heavily involved in serious crime" (Travis 152).

Alternatives to Incarceration

There has been a new trend in the last few years that has led to the exploration and implementation of a new system which has become known as the Drug Court system. This model is an attempt to get the offender involved in substance abuse treatment while the threat of jail time looms over their head. For example, the police arrest an offender for possession of heroin. The individual has the choice to enroll in the program, which usually progresses in stages. It is more intense in the beginning phase and becomes less intense as time goes on. The program usually lasts eighteen months to three years and upon successful completion, the criminal charges are dropped from the offender's record. A recent study found a drop in recidivism from 50% to 38% nationally (Mitchell 60). That is a significant statistic. Not only is drug court a less expensive national alternative to extended periods of incarceration, it is also a much more effective tool for helping to combat the real problem, which is the treatment of a disease and mental disorder. It is important to keep moving forward with this problem of mass incarceration instead of backwards. It is easy to see the enormous step up from simple incarceration to drug court. These new implementations are not at all enough to fix the broken system that we call the prison industrial complex, but it is a step in the right direction.

After reviewing how societies have historically dealt with substance abuse, particularly here in the U.S., we can see the evolution towards incarceration being molded into a tool of social oppression rather than protecting and serving. I address the

capitalistic dilemma a bit more in the theory chapter, but this may be one of the major reasons that this problem is largely an American one. We are innovators of business and industry. Unfortunately, we have used this talent to our own social detriment and at the expense of minorities and those in poverty.

Chapter 2: Investigating Mass Incarceration Using Sociological Theorists

The prison systems and the rehabilitation systems are susceptible to critique from both classical theorists and contemporary theorists alike. In this chapter I will explore the ways in which these systems and institutions are a detriment to society by applying concepts employed by several theorists. I will use the theories of Karl Marx to show how there is conflict going on between those in poverty and those who have more affluence, or the proletariat and the bourgeoisie. The second of the classical theorists I will analyze the prison/rehabilitation system with is Max Weber, particularly his ideas of the iron cage, disenchantment, and rationality. The third sociologist I will apply concepts from is C. Wright Mills and his theories involving the power elite.

Marx, Class Conflict, and the Corporatization of Prisons

Karl Marx has been named by many scholars as one of the fathers of sociology, and most likely the founder of conflict theory. Marx would be appalled at the prison system in the United States today and the way the capitalist has profited from the suffering of the less fortunate. The prison systems in the United States are for the most part privatized and have come under the control of large corporations and venture capitalists. The largest corporation in the United States is the CCA, Corrections Corporation of America, based in Nashville, Tennessee. It was founded in 1983, and now owns over sixty-seven facilities and controls over 92,500 beds. This large corporation has political affiliations with the Department of Justice and other

governmental organizations. At the end of 2011, their revenue was estimated at over 1.7 billion dollars (Sheets 2). This is a scary concept when the commodity (thing bearing value) is a human life and the ability of a corporation to influence decisions on who has the right to freedom. Marx refers to modes of production. These are the dominant way a society produces its means of subsistence. The dominant mode of production here is capitalism and there is no doubt that the prison system has been converted into a well-oiled capitalist machine tuned to generating profit.

Over the last twenty years, private prison systems have increased their rates of incarceration by 700% (Shapiro 11). This is an increase Wal-Mart may envy. The largest of the corporations, CCA and the GEO group, have actual guarantees on how many prisoners will be incarcerated. They hold their guarantees between 80 and 90 percent capacity (Sheets 2010). Alcohol and drug offenders have some of the highest rates of recidivism, which makes them great targets for repeat business. The means of production are the resources owned by the capitalist that are used to produce goods and services. The goods and services in the case of the prison owners are the buildings, land, transportation, and labor used to keep these individuals incarcerated. The labor force is paid very little in comparison to the profits being generated as is consistent with most capitalistic structures, and it leads to exploitation of the workers, which leads to under staffing and inferior conditions. It also leads to the exploitation of the inmates. Exploitation is the theft of the surplus value, meaning the capitalist takes a profit above and beyond what she or he pays in labor and material costs. The exploitation of the

employees has led to deplorable conditions within the prisons. Staff is cut back to minimum requirements which leads to safety concerns for the inmates and corrections officers. The theft of surplus value has even been stolen from the healthcare of the inmates. Florida Governor Rick Scott guaranteed the deliverance of privatized healthcare for prison inmates and that is exactly what he delivered (Cohen 1). How are people with no income going to be required to pay for their own healthcare? There are clear constitutional violations here, which include cruel and unusual punishment. The cuts in costs in providing healthcare are having deadly effects. One woman in Florida was complaining with pain in lumps in her arm. She was given a warm compress and sent back to her cell. Within six weeks, the cancerous tumors had spread all over her body and she ultimately paid the price with her life (Cohen 1). Animals receive better treatment. This clearly shows the commodification of human lives in the pursuit of profit

Marx separates society into two classes. The first are the Bourgeoisie, which are the elite, property owners. Everyone else constitutes the Proletariat, those who sell their labor to the Bourgeoisie for a marginal return on the wealth and profit that they create. The Bourgeoisie class, (prison owners) are not concerned with the health of the prisoners, but are willing to sacrifice life in order to maintain larger profits. The proletariat class are the workers, and in the case of prisons, also the inmates because of the tax dollars that are paid by the government to the prisons for the housing of the inmates.

Alienation is a central concept in Marx's theory of capitalism. He outlines four central aspects of alienation. The first is the concept of alienation from our labor. The corrections officer must sell his labor to the prison owners, who control every aspect of how this labor is performed. The labor is usually not well paid, and is definitely a fraction of the profit that the Bourgeoisie is reaping from the labor. The second is alienation from the products of our labor. What the prison owner claims to be providing is rehabilitation for human beings so that they can be reintegrated into society. Many corrections officers may get into the business for the right reasons. They may actually be interested in contributing to the greater good. However, because they are controlled in what they produce, they are forced to obey the rules and protocol of the facility, and ultimately may be creating more harm than good while performing their assigned tasks. The third form of alienation is alienation from other people. Not only are the prisons understaffed, which results in there only being one guard for each dorm, or one guard monitoring cameras over several dorms to try and provide security during normal operations. There may be help called in the event of a fight or a riot.

This results in very little communication and interaction with other co-workers and this is done to maximize profits while ultimately reducing safety for inmates and corrections officers. The officers may also feel a sense of competition with other officers. Most are not well educated and may feel that they must keep this job just to provide food and shelter for their families. Those that show compassion for prisoners may be reprimanded for allowing emotions to come into play with their job, whether this

be having conversations, allowing extra food or phone time. The more strict an officer is, the better for the cost of operating expenses, such as writing up more code infractions may result in denial of parole. This ultimately leads to more money for the prison owners. Those that do not write as many violations may be replaced by officers who can write those numbers.

The fourth and final form of alienation is the alienation from the species being. This is what can be thought of as the essence of what makes us human. Prison workers are human beings with dreams, lives, and aspirations. Most work twelve hour shifts in which they are separated from their families, interests, and dreams. Even if their interests involve helping humanity through their work, this is usually crushed by the strict rules and bureaucracy (which I will talk about later) enforced by prison officials. In the end, the corrections officers themselves are prisoners for twelve hours a day, and a slave to the corporation in which they find themselves spending a large portion of their life. In many ways, they are very similar to the inmates in which they guard.

Weber and "McPrisons"

Max Weber was a German sociologist also known as another patriarch of sociology. Weber discusses the idea of an iron cage and capitalism, which I find highly ironic because the literal iron cage that these alcoholics and drug addicts are being confined in is based solely on the principles of capitalism. Capitalism ultimately transforms what may have been a calling into an instrumentally rational job. He

famously said, ‘The Puritan wanted to work in a calling; we are forced to do so. For when asceticism was carried out of monastic cells into everyday life, and began to dominate worldly morality, it did its part in building the tremendous cosmos of the modern economic order. This order is now bound to the technical and economic conditions of machine production which today determine the lives of all the individuals who are born into this mechanism, not only those directly concerned with economic acquisition, with irresistible force. Perhaps it will so determine them until the last ton of fossilized coal is burnt. In Baxter’s view the care for external goods should only lie on the shoulders of the 'saint like a light cloak, which can be thrown aside at any moment.' But fate decreed that the cloak should become an iron cage’ (Weber 1904).

Weber also discusses the idea of disenchantment. Many people before the industrialization of the prison system in the late 60’s and early 70’s had a “calling” to help those who suffer from alcoholism and drug addiction. Prior to the capitalist renovation of the prison industrial complex and the War on Drugs, there was much more of an emphasis on rehabilitation. People were focused on bettering the lives of the individuals who were suffering from substance abuse instead of de-capacitating their movements by removing their freedom. This can be thought of as what Weber refers to as the calling. Most places that dealt with the afflicted were places of worship, non-profit organizations, hospitals, asylums, and small recovery communities. These later disappeared when a few wealthy individuals, along with the government decided to criminalize substance abuse. These “entrepreneurs” - who I really believe to be predators

- who prey on the misfortune of others saw an opportunity to cash in on what has been a pandemic ever since man first crushed grapes. This pursuit of profit leads to what we look at today as "McDonaldization." McDonaldization is the term coined by sociologist George Ritzer and is the process of making any capitalistic industry more efficient and maximizing the profits at all moral costs. Major corporations such as McDonalds and Wal-Mart have done just this. This brings about the irrationality of rationality. What was supposed to be a calling of one person helping another and potentially rehabilitating them has been transformed into a system of profit and exploitation of the impoverished and under privileged. The majority of those incarcerated come from low income families. There are far less wealthy alcoholics and drug addicts incarcerated because they have the means to buy their freedom.

McDonaldization refers to the predictability, calculability, efficiency, and control of the industry. As we have seen, the prison predicts how many people will be incarcerated, calculates it into percentage guarantees, makes the prison machine as efficient as possible, and exercises complete control over the prison industry. Even the Supreme Court has given deference of civil rights over to prison officials. Weber might suggest that the value rationality or Substantive Rationality is tossed aside and replaced with Instrumental Rationality. Substantive Rationality refers to the "ultimate value," which involve ethical standards such as justice, duty, and loyalty that one could argue are supposed to be the values that shape our decisions. The Instrumental Rationality or formal rationality that replaces it can be described as using calculation and pursuit of

profit by using practical ends to shape the actions of the leadership, rather than the ultimate values. What occurs during this transition is the loss of the more moralistic values towards some of these individuals, and they become a mere variable in an equation to produce profits.

Leadership has crafted a way to lock up as many individuals as possible, declaring a crime against society has been committed, to be recompensed by heavy fines or incarceration that is funded by the government. This is sold to the American public by a legitimate authority, of which there are several types. The first is the Traditional authority, whose authority is based on age old rules, or tradition. This is not generally applicable here, although some traditional leaders may pick up on the ideas of the other types of authority, or be coerced and use their power to influence their followers. The next type of authority is Legal/rational authority. These leaders have power based upon a system of rational law. They are supposed to enact laws by Due Process, but unfortunately for the alcoholic/addict, prison officials have many more lobbyists at their disposal to sway the laws that are being enacted to the favor of those who support the oligarchic prison industry. This in turn passes on to the third and final type of legitimate authority. The Charismatic leader, who possesses exceptional qualities, and what can be thought of as Divine gifts, and uses these abilities to influence others. In this situation, I consider these to be the politicians. Politicians are extremely gifted at delivering, and selling the public on what they think the prison policies should be. They too, are heavily influenced by corporate prison campaign donors. They frequently hold fundraising

events for Senators, Congressmen, Governors, and the like. These politicians, then in turn, present the public with facts that support the prison official's positions. These politicians may use fear, by saying how we must lock up these menaces to society. This message reached the White House with the War on Drugs, and leaders such as Ron and Nancy Reagan using the Just say No policy, along with the War on Drugs to try to sell the fact that we need to incarcerate those with drug sanctions of decades in prison for simple possession. The War on Drugs has actually increased the profits for black market narcotics, much like prohibition created a billion dollar black market industry overnight in the 20's. This increase in profits for the drug dealers then increases the amount of illegal drugs being funneled into America, which benefits the prison owners by giving them more individuals to incarcerate. It is a very vicious cycle.

Weber goes into greater detail than Marx does with just his two classes, however. He established the ideas of Class, Status, and Party. He believed that coercion is used by those with power to those without it. I cannot think of a more perfect example than how the prison system is influenced by these three in regard to non-violent alcohol and drug offenders. Social class plays an integral role in determining who gets incarcerated and who does not. It starts on the street. Those who appear to be in the upper classes are less targeted than those who are in the lower classes. This especially targets minorities which I investigate much more thoroughly using Michelle Alexander's work in "The New Jim Crow." If someone from the upper class is arrested, they have a much greater chance of not being incarcerated due to financial and social capital. Status and party is of equal

importance when weighing your chances on whether or not you will end up in the machine due to substance abuse. Those with a high social status are frequently let out of trouble. Finally, party which is an affiliation of political power, has a lot to do with determining whether or not one will be incarcerated for substance abuse. One who is arrested for drunken driving or drug possession as a politician has become almost a cliché. These officials may know judges, or in many instances are attorneys their selves. Their political affiliations are used and once again, it is very rare to see one of these officials do serious jail time. Often it does not even impede their political careers. There was a Congressman in Florida arrested for cocaine possession in 2013. Trey Radel bought 3.5 grams of cocaine from an undercover agent in Washington, D.C. He was required to pay probation fees, complete a 28 day treatment program, and has since had his record expunged. Many inmates in the Florida Correctional system are serving years in prison for possession of less cocaine and no option to attend a treatment program or have their record expunged. They are now convicted felons, who have lost their rights and perhaps their chance to ever have a bright future with that stain on their record. Hardly seems like justice.

Mills and the Power Elite

The next sociologist whose concepts apply to this social problem are those of C. Wright Mills. Mills was an American sociologist who really delved into the distribution of power and the power elite. He theorized a three part "triangle" of power elite,

composed of business, military, and political leaders. He claimed that these three structures hold a monopoly on all the power in the United States. He also claimed that anyone outside the power elite is put at a serious disadvantage. These elite groups use the media as well to manipulate the masses towards the causes that will help them the most. They shape policy and make most of the crucial decisions for the country.

Various elites realized that they could in fact turn the judicial system into a cash cow in the 1960's, when many of the laws on illegal drugs became stricter. This was the result of the publicity regarding heroin being brought back from Vietnam during that war. These individuals began to exploit the system under the Reagan administration in the 1980s by claiming they wanted to declare a war on drugs. These economic developers began to use their political connections to influence policy on the sentencing guidelines for substance possession and abuse. They used the media to create a sort of moral panic within the nation by stating that crime is astronomical and that the public is in danger. The only solution is to lock up these individuals and throw away the key.

They enforced these laws with militaristic type weaponry that is largely produced by the manufacturing companies of warlord corporations. Most police forces now carry SWAT teams, high powered weapons, tactical assault vehicles, and other instruments which would be more characteristic of handling a rebellion in Iraq, than an illegal narcotics pusher in the suburbs. It is all about the mighty dollar in capitalism and this concentration of wealth and power leads to the undermining of equality and democracy.

This becomes the "higher immorality," which is when greed and self-interest become the primary virtues, replacing the moral values of old, and reflecting the shift from substantive to instrumental rationality I previously discussed. Instead of trying to help those with substance abuse issues, we lock them up in order to profit off their incarceration, creating more determined criminals while behind bars, which leads to a high rate of recidivism and ultimately more money in the elite's pockets.

Mills also states that these elites tend to intermingle and be interdependent. It is not uncommon for a prison executive to host fundraising events for high ranking officials in their states. These officials often use the media as a PR campaign to assist these elites with their goals. The media diverts the attention away from the real problems and gets the American public to focus on scapegoats. The media portrays crime to be on the rise, but in reality, violent crime has been steadily on the decline, yet incarceration rates have gone up exponentially since the 1980's (Travis). The US now houses over 2.2 million inmates (Travis). This would make it the fourth largest city in the United States. These elites are in a structural position and while the membership in the elite may change slightly, there are always elites and these elites strive to hold on to their power. These elites will use every means at their disposal to remain in power, using the media to manipulate facts to keep their revenues high. They create a false consciousness, which Lukacs discusses in his Neo Marxist theory whereby creating the idea that the working class believe that their interests align with those in the power elite. The public believes

that locking these individuals up for a long time is the only solution to keep them and their families safe from the bad people.

Conclusion

The theories of these individuals apply in many of the current situations being investigated. These issues are not new to society and the evolution of them began with the transformation of the modern economy over the last several hundred years. We must pay careful attention to the mistakes and observations of the past, or they are doomed to appear again. In the next chapter, I will focus on these problems as they apply to our local government and institutions in the state of Mississippi, and bring it from an abstract global level of theorists to something very close to us all.

Chapter 3: Magnolia State Incarceration

In this final chapter of my thesis, I will narrow the focus of the investigation to the effects of incarceration on the state of Mississippi. The third and final reason that this subject is so significant is that Mississippi consistently leads the nation in poverty and incarceration. The state of Mississippi is also on the bottom of the list of leaders in education. I do not believe that these figures are a coincidence. They go hand in hand and one of the reasons I chose this as my thesis topic is because I hope to make more Mississippians aware of the dilemma that threatens our great state. The system is broken on the national level, but the figures are especially staggering in the state of Mississippi.

The state of Mississippi is no different than most of the rest of the country regarding mass incarceration, but as with most things in this great state, the punches are usually not pulled when being blatant about southern ideology and oppression against minority groups, especially African Americans. Prison has especially been used as a tool of oppression in the state of Mississippi. The state's oldest prison is called "Parchman." Parchman farm was a product of the Reconstructionist era movement in the South. It was first opened by Governor James Vardaman. It opened its doors in 1903 on 20,000 acres of land in the Mississippi Delta, and Governor Vardaman referred to it as 'an efficient slave plantation which provided black men with the proper discipline, strong work habits, and respect for white authority' (Winter 1). The land was owned by the Parchman family, and had once been a plantation. Jim Parchman was named Warden and that is

how Mississippi State Penitentiary acquired its pet name. It was run like a slave plantation for most of the 20th century until federal charges were brought against the facility in 1971. Among the violations deemed unconstitutional were punishment by putting inmates naked in a dark hole without a toilet, beating, shooting, administering milk of magnesia, or stripping inmates of their clothes, turning fans on inmates while they are naked and wet, depriving inmates of mattresses, hygienic materials and/or adequate food, handcuffing or otherwise binding inmates to fences, bars, or other fixtures, using a cattle prod to keep inmates standing or moving, or forcing inmates to stand, sit or lie on crates, stumps or otherwise maintain awkward positions for prolonged periods (Winter 6). This was called an "affront to modern standards of decency" by Judge Keady in Gates vs. Collier in 1972 (Winter 7). These types of conditions hardly seem appropriate for any human being, let alone a non-violent offender accused of a substance abuse charge. Parchman provided cheap labor for the state, and despite the proposed changes in Gates vs. Collier, Parchman was found to still be violating many human rights into the late parts of the 1990's. "Most were young. Most were in prison for nonviolent and relatively trivial offenses, often drug-related" (Winter 1).

The privatization have prisons has grown exponentially in Mississippi over the last few decades. There was only one state prison and zero private facilities up until 1982. Today, Mississippi locks up more people per capita than Russia and China combined (Urley 81). Mississippi reports locking up 686 people per every 10,000 while China reports only 121. Russia reports locking up 475 people per every 10,000.

Mississippi leads the nation consistently in per capita incarceration rates along with Louisiana. Over the past couple of years we have trailed only our neighbor. As of 2002, there were five private prisons and three state prisons with a steadily increasing inmate population. In 2013, there was a Task Force put together to try to combat this issue in our state. I was able to obtain the final report done by this joint Task Force and the numbers are staggering. As of 2013, Mississippi's prison population has grown by 17% over the last decade, and in July of 2013 Mississippi housed more than 22,600 inmates. It states that absent policy change, 1,990 more inmates will be housed by 2024. That's another increase of almost eight percent. This growth is estimated to cost the state $266 million dollars in corrections spending over the next ten years (T.F. Report 3). This hardly seems like appropriate spending for a state that consistently trails the rest of the nation in education and healthcare. If more money were invested on the front end with education and healthcare, maybe we would not waste so many tax dollars on housing inmates (Resig 1998). However, the individuals behind bars can hardly take all the blame for the current situation. Since the privatization of the prison system, we now see dangerous trends. In 2013, Governor Phil Bryant signed House Bill 1231 to establish a bi-partisan task force to develop policies to improve public safety, ensure clarity in sentencing, and control corrections costs. The task force found "almost three-quarters of offenders entering prison in 2012 were sentenced for a non-violent offense; more offenders are now entering prison for violations of supervision than for new crimes; uncertainty about how long inmates will serve behind bars has helped push up sentence

lengths by 28 percent over the past decade; and nearly one in three non-violent offenders return to prison within 3 years of release" (T.F. Report 3). This has also come as an enormous burden that has been placed on tax payers. In 2003, Mississippi tax payers spent $276 million dollars on corrections. In 2013, Mississippi tax payers spent $339 million dollars on corrections. Even with inflation factored in, costs have not gone down. To call this expensive, underestimates the actual size of this bill. To add insult to injury, the cost of corrections is not correcting anything, but actually making the problem worse, while allowing private prison corporations to enter our state and fill their bank accounts off the backs of Mississippi taxpayers.

Most of the state's money is spent on incapacitation costs, such as housing and food instead of actual rehabilitation. The state spends 93% of that $339 million on actual prison costs, while only $23 million, which is miniscule in comparison, is spent on supervision of the nearly 40,000 felony offenders on probation, parole, and house arrest. This is an incredibly large amount of money being spent on a system that has such enormous rates of recidivism and low rates of releasing rehabilitated individuals back into society. The spending on corrections was the largest on the budget behind Medicaid. There are two factors to consider when trying determining the size of a state's prison population: the number of offenders entering prison and the length of time those offenders remain behind bars. In the Task Force's assessment, Mississippi has grown in both of these categories. Over the last decade, annual admissions into prison have grown by 35%, while admission into college has dropped. The length of stay for newly

convicted offenders has increased by 17%. If this state would only apply the same amount (or even a fraction) of resources into actually trying to rehabilitate and educate these offenders, not only would we save a fortune in tax payers dollars and we would also improve our communities exponentially (Resig 1998).

The PEW Research Trusts found that lower-level courts had few options when addressing low level non-violent offenders (PEW 2014). This means that in many cases, the judge's hands are tied with repeat alcohol and drug offenders, and prison is the only alternative for these individuals. While incarcerated, these individuals acquire no tools to stay sober, and attain liabilities that stack the deck against them when they return to society. In most cases, they are undereducated and now have a criminal record that limits their employment opportunities. Is there any surprise that these men and women turn back to substance abuse and start the vicious cycle all over again? There should be punishments for breaking the law. In most cases, it takes a hard blow to wake an individual up to what is going on in their life. These individuals need to be educated, and given tools and opportunities that they can carry with them into their future. No one wakes up and says, "I think I want to be a multiple substance abuse offender." In many instances, it happens one compromise and bad choice at a time, leaving us bewildered at how we got to where we are, and with no idea how to get out. Taking initiative to provide real rehabilitation may not just save individual lives, it will create a better society for all, instead of creating a social cancer by locking these individuals up, and then returning them to society worse off than how they were before they left.

I discussed the Capitalist infiltration of the prison industrial complex in earlier chapters, and Mississippi serves as a prime example. The task force was comprised of many members who helped to put together a wonderful reform plan that was actually signed into law on March 31, 2014, by Governor Phil Bryant. There were nineteen recommendations that were codified by House Bill 585 which will save the State of Mississippi $266 million over the next ten years (PEW 1).

The Chair of this Commission was Christopher Epps. Epps worked his way up the prison ranks where he started as a guard over four decades ago. He was a pioneer for reforming the abuse in Mississippi's prisons. Epps was held in very high esteem and elected president of two national prison administrator professional associations: the American Prison Association and the Association of State Correctional Administrators. In 1993, the state legislature passed a bill allowing a host of facilities to be built by private prison corporations. Between 1993 and 2002, the ACLU filed federal charges of human rights violations which culminated in the termination of the prison commissioner. Chris Epps was appointed Prison Commissioner for the state. He was able to decrease violence in the Parchman Solitary unit, by up to 70% (Samaha 2014). Parchman saved millions of dollars by dismantling their solitary unit which costs exponentially more than the general population of prisoners. Politicians and defense attorneys alike thought well of Chris Epps; some of his ideas became national models for doing away with solitary confinement. Some actually credit Epps with the quick enactment of the Task Force reforms signed into effect by the Governor in House Bill 585. One of the ways Epps was

able to cut so many costs was by outsourcing to private prisons, which in turn cut costs to return a profit for their executives and shareholders (Samaha 2014).

Executives want to see their investments rise, so it is in their best interests to incarcerate more people. In 2012, Epps kicked out the group running Walnut Grove, GEO, and brought in MTC Inc., one of the larger private prison corporations. Over three years, MTC acquired over $60 million a year in prison contracts. Epps actually made the statement that it was hard to get rid of private prisons because, "they threw around so much money in Jackson" (Samaha 3). This would turn out to be an eerie foreshadowing. There were some sexual assault charges on a sheriff by a female inmate in a district where Epps had given a private prison contract, which led to an FBI investigation in Mississippi, and the FBI will still not comment on why they began investigating Epps. On November 5th, 2014, Epps abruptly quit his job. The next day an indictment was filed on federal charges including bribery. Epps is accused of allegedly receiving kickbacks of more than $1 million dollars from 2007-2013 for facilitating $1 billion dollars in private prison contracts. Since 1982, Epps has spearheaded much wonderful advancement for the prison industry and done a wonderful job in many instances for the state of Mississippi, with the best in my opinion being the reforms enacted in House Bill 585. Unfortunately, with corporate business, comes greed. This is a perfect example of how the privatization of the prison industry leads to corruption and the focus being taken off the rehabilitation of inmates, and centered on profits for corporate executives. Epps knew prisons extremely well, and now he faces over 360 years in one. If Epps would

have designed a plan for the increase of the prison population over the next ten years, there may have never been a federal investigation, which led to Epps being named the recipient of all these private prison contract kickbacks.

The state of Mississippi has made some strides in the right direction with the formation of drug courts. The crack epidemic of the 1980's hit minorities and lower income individuals harder than any other section of the population, and the port of Miami has long been a prime destination for cocaine traffickers to smuggle their product into the United States. It comes as no surprise that the first drug was established in 1989 in Miami Dade County, Florida. In 2007, it was estimated that there 2,147 drug courts nationwide (Huddleston 1). The explosion of these programs was due to the enormous amounts of sentences being handed out by the judicial system. Mandatory minimum sentences and privatization of prisons led to an unprecedented amount of people being incarcerated. Theses governments knew there had to be changes made, and slowly it began to reduce mandatory minimum sentences and implement the new idea of drug courts into the American judicial system. Drug courts intercept the offender after being arrested and present the individual with a list of options. These options vary from jurisdiction to jurisdiction, but the basic concept is the same. Once the individual is charged with an offense, they have the right to choose to enter the program or continue on to the criminal court system where they will likely face intense fines, probation, and ultimately incarceration. If they choose to enter the drug court program, they will be mandated to participate in substance abuse treatment, random drug and alcohol testing,

and other activities deemed important by the judge or drug court officials. Upon successful completion of the program, the individual may have the charges reduced or suspended entirely. Although there are high rates of recidivism within drug courts, the overall trend is much lower than incarceration alone (Huddleston 2008). There are also DUI courts springing up because of the extremely high amounts of drunken driving cases that are being added to the dockets every day (Robertson 2009).

Mississippi has recently started to heavily adopt some of the drug court models, especially after the Task Force had bills passed over the last several years. Out of this have come organizations such as MASEP (Mississippi Alcohol Safety Education Program). Research shows that individuals who completed the MASEP program were at lower risk to re-offend than individuals who did not participate in the program (Roberts 1080). Although this is progress, thirty percent of all participants did re-offend within three years. This is consistent with the national averages (Roberts 1085). Nationally, the drugs of choice change depending on the location of the courts. In urban areas, the most used drug is crack cocaine. In suburban areas, it is marijuana, and in rural areas it is methamphetamine. All areas show significant alcohol use (Huddleston 10-12). The real issue is not the substance; it is the underlying effects that need to be addressed through treatment. The only thing that makes the substance use differ is the availability; therefore, targeting certain drugs more than others has a negative impact on whatever demographic chooses to use that drug. These types of courts are known as problem solving courts and they range as to what specific problems they may target. Certain

courts focus on domestic violence, gambling, drugs, and DUI's. (Huddleston 21). All of these inadvertently affect public safety and many are commissioned with involvement from the Department of Public Safety. With incarceration, the public safety issues are resolved temporarily by removal of the individual from society. Once these individuals return to society, many are worse off than before they went into prison. These problems range from financial, emotional, mental, and physical problems accrued during incarceration. Releasing these individuals in a more detrimental state decreases public safety and increases risk to civilians because prisons have not addressed the issues leading to their incarceration. Problem solving courts aim to increase public safety by trying to get at the root causes of crime. Many crimes such as burglary and petty theft are eradicated when the substance abuse issues are addressed. Mississippi has begun to realize this and started offering the drug court option to offenders who have offenses other than possession or intoxication charges.

The theft charge that resulted from the desperate attempt to attain more drugs or alcohol is among the cases now being considered for drug court. Offenders that may have spent years in a penitentiary are now being afforded another opportunity to rejoin society. The typical program in Mississippi lasts three years. These three years are broken up into different phases. Initially, the offender is on a high level of supervision and violation of the agreed upon terms results in a sanction. A sanction can vary depending on what the infraction is, and punishment may range from extra therapy to incarceration. If an individual seems to be unable to comply with the terms of the

program, they will be removed completely and the original charge will be reinstated along with the punishments that accompany it. This serves as a great motivation to stay involved in the program, but it may result in an insincere participation in the program. I have never been involved in the drug court program, but I have had the chance to work alongside those who are involved in and around it. I am able to witness firsthand the improvements in these individuals' lives by the time I am able to spend at the Haven House, which is owned by Communicare. Judge Andrew Howorth is a third circuit judge here in Mississippi and a strong advocate for the program. He says, 'it is not a hug-a-thug program,' they are not soft on crime but look for hard-core addict (Hotikain 2013). Judge Howorth says that, 'it may be more difficult to turn them around, but society receives the largest benefit from the worst addicts' (Hotikain 2013). For the most part, it seems to be an extremely beneficial program for the participants. Although not all those who participate seem to put in a sincere effort, they are being exposed to those who actually do. This results in minor exposure to some real opportunities for growth. Although drug court is by no means a cure for the epidemic of substance abuse in the state of Mississippi, it is a giant leap forward from the long term incarceration of those less fortunate in this society.

Thesis Conclusion

As we look over the course of this thesis we can see several patterns that have occurred and continue to occur today. First, that alcoholism and addiction is not a new phenomenon. It has been around for millennia and still wreaks havoc in most areas of the world. It is no respecter of persons and does not care what your color is, your income, or your ethnicity. These factors may play a part in how society treats an addict, however. Secondly, it is more than a personal psychological problem. It affects families, communities, and ultimately society as a whole. The way society views alcoholism and addiction, plus the way substance abusers are treated, plays a vital role in the success or failure of the individual. There is no metric to determine exactly what must be done because the disease is so complex, involving biological, psychological and social influences. It must be addressed as such.

This country in particular has made quite a mess of substance abuse offenders, particularly through capitalistic targeting. We allow alcohol and pharmaceutical companies to target the population with hardly any restrictions. "The relatively small segment of the population which drinks very heavily will greatly affect the total volume; one person drinking 10 drinks a day will contribute as much to the total volume as 70 persons having a single drink once a week" (Statistics 1992). It is not the moderate drinkers who are making the largest profits for these corporations. Maybe these corporations should pay percentages of their profits to remedy all the social problems

created in their wake. It seems corporations only speak in dollars. Doctors are given incentives to prescribe certain drugs with little real regulation. On the end of this profit campaign, we see private prison corporations setting quotas for how many people they will have behind bars and lobbying officials to keep the laws strict on non-violent offenders. I have tried to demonstrate the progression of the privatization of prisons and the impact it has on our country and our economy. We lock up more people than any other country on the planet with a fraction of the population. Once released, these offenders are placed in a position to make no real progress with their lives in most instances. The impact on our economy is apparent on two fronts. First, excessive incarceration costs taxpayers an enormous amount and, once released, these same individuals become a burden on the economy because they have not acquired the tools to enable them to be able to contribute to society, and have actually had the deck stacked against them in many respects.

We must get corporations out of the prison business. The privatization of prisons and astronomical incarceration rates only lead to the violation of human rights through cost cutting to maximize profits. Society must begin to listen to the professionals, and treat substance abuse as a disease, not a crime. It may start with the termination of incarceration of non-violent offenders with violent criminals. States may initiate facilities to deal specifically with repeat substance abuse offenders. Begin by treating these individuals as one would treat someone suffering from diabetes, not someone convicted of aggravated assault. The economic downfall of 2008 has given rise to new

strategies to address the ever increasing amount of money that is being spent by taxpayers on the penal system. Give these individuals an opportunity to get an education about addiction, as well as educational opportunities following treatment. Give them an opportunity to have a future. This country must change the way it stigmatizes substance abusers, and the only time someone should look down on one of these offenders is if they are helping them up.

This approach may lead to the decriminalization of substance abuse all together. Perhaps the courts are the wrong arena to be dealing with this problem entirely. In Delaware, a study was done that found eighty percent of state prisoners needed substance abuse treatment, and it was also found that if the individuals received treatment, they were less likely to commit other crimes as well. The researchers also found that compelled treatment was as effective as voluntary treatment (Gebelein 3). This means that even those who choose drug court to avoid jail would receive benefit. Decriminalization would also reduce the stigma associated with those who have criminal records, making it easier for them to re-enter society and become productive citizens. As Americans, we want quick results, and would like to see this problem handled the same way many of Americans like their food; through the drive thru. "We wage a 'War on Drugs.' Yet as General Barry McCaffrey, head of the Office of National Drug Control Policy, has noted, the problem cannot be solved this way" (Gebelein 6). This situation is going to require digging in and those involved to become motivated instead of trying to shuffle the problem upon the shoulders of someone else. It takes time, and the way our

healthcare system is set up, works against the rehabilitation model. The health care industry wants problems solved as quickly as possible as well. Studies have shown that for the substance abuser, the more prolonged the treatment means higher levels of success (Gebelein 4).

I am not saying that punishment should not exist. Many times consequences are the only way a substance abuser can see with clarity the destruction that she or he has created. However, decades in prison with no treatment or no hope for attaining a brighter future upon release must be abandoned. Drug court is a wonderful step forward, but it is not enough. Perhaps we should create an entirely separate branch of the health care system, or the health department with some ability of enforcement. The problem is large enough to require drastic changes. The statistics and numbers are staggering. Investing in a form of compelled treatment, where the sole purpose of being in the facility is education about addiction, practice of recovery tools and behavior management techniques may be an alternative. Engage these individuals in academics and vocational training while in treatment alongside the substance abuse treatment so that they are acquiring real tools for success upon re-integration. It is obvious that locking these individuals up and hoping they figure it out in a cage is ineffective and regressive. Upon the intense treatment, individuals are released into a staggered program for a length of time with possible sanctions much like drug court and eventually rejoin society with a real chance of moving forward without the stigma of the current policies.

Some of the biggest game changers I know have gone through some of the deepest bottoms. In the end it was teaching, learning, and loving that turned these individuals into not only contributing members of society, but pillars of the community. We must make an investment in these individuals if we would see a return on our investments. That is something a capitalist economy should understand. However, the investments should be made in human lives, and not in bank accounts. Only then will we see a real return.

Bibliography

"Alcoholics Anonymous." Alcoholics Anonymous. N.p., n.d. Web. 21 Apr. 2015.

Alexander, Michelle. “The New Jim Crow.” Mass Incarceration in the Age of Colorblindness. The New Press, 2012. Print.

Cohen, Donald. "Captive Customers: Outsourcing Prison Services Is Ruining Lives and Billing Taxpayers." The Huffington Post. TheHuffingtonPost.com, 20 Oct. 2014. Web. 13 Dec. 2014.

Davis, Angela Y. “Are Prisons Obsolete.” Ed. Greg Ruggiero. Seven Stories Press, New York. 2003. Print.

Gebelein, Richard S. The rebirth of rehabilitation: Promise and perils of drug courts. National Institute of Justice, 2000.

Hotikain, Jessi. "Third Circuit Court Helps Rehabilitate Drug Offenders." The DM Online. Daily Mississippian, 12 Nov. 2013. Web. 26 Mar. 2015.

Huddleston III, C. West, Douglas B. Marlowe, and Rachel Casebolt. "ANational REPORT CARD ON DRUG COURTS AND OTHER PROBLEM-SOLVING COURT PROGRAMS IN THE UNITED STATES." (2008).

Kupers, Terry Allen, and Hans Toch. Prison madness: The mental health crisis behind bars and what we must do about it. San Francisco: Jossey-Bass, 1999.

Leibowitz, J O. "Studies In The History Of Alcoholism. II. Acute Alcoholism In Ancient Greek And Roman Medicine." The British Journal Of Addiction To Alcohol And Other Drugs 62.1 (1967): 83-86. MEDLINE. Web. 27 Jan. 2015.

Maxwell, Milton A. "The Washingtonian Movement." Quarterly Journal of Studies on Alcohol 2 (1950): 410-451.

Mitchell, Ojmarrh, et al. "Assessing The Effectiveness Of Drug Courts On Recidivism: A Meta-Analytic Review Of Traditional And Non-Traditional Drug Courts." Journal Of Criminal Justice 40.(2012): 60-71. ScienceDirect. Web. 2 Feb. 2015.

Reinarman, Craig. "The social construction of drug scares." Constructions of deviance: Social power, context, and interaction (1994): 92-105.

Reisig, Martin I. "Rediscovering rehabilitation: Drug courts, community corrections and restorative justice." Michigan Bar Journal 77 (1998): 172-177.

Robertson, Angela A., et al. "The impact of remedial intervention on 3-year recidivism among first-time DUI offenders in Mississippi." Accident Analysis & Prevention 41.5 (2009): 1080-1086.

Samaha, Albert. "Mississippi's Top Prison Reformer Is Facing 368 Years Behind Bars." BuzzFeed. Buzzfeed, 5 Dec. 2014. Web. 26 Mar. 2015.

Sheets, Condensed Consolidated Balance. "UNITED STATES SECURITIES AND EXCHANGE COMMISSION WASHINGTON, DC 20549 (Mark One) FORM 10-Q." Balance 3.38 (2010): 1-012.

State of Mississippi, Department of Corrections and Criminal Justice Task Force, “The Final Report.” December 2013. Print.

STATISTICS, ALCOHOL CONSUMPTION. "Epidemiology of alcohol consumption." Alcohol Health and Research World 16 (1992): 183-190.

Tracy, Sarah W. Alcoholism In America. [Electronic Resource] : From Reconstruction To Prohibition. n.p.: Baltimore, Md. ; London : Johns Hopkins University Press, 2007., 2007. University of Mississippi Libraries Catalog. Web. 27 Jan. 2015.

Travis, Jeremy, Bruce Western, and Steve Redburn, eds. The Growth of Incarceration in the United States:: Exploring Causes and Consequences. National Academies Press, 2014.

URLEY, JONATHAN. "Mississippi Incarceration Rate." Socialist View Point 14.6 (2014): 81. Supplemental Index. Web. 10 Feb. 2015.

Winter, Margaret, and Stephen F. Hanlon. "Parchman Farm Blues: Pushing for Prison Reforms at Mississippi State Penitentiary." Litigation (2008): 6-14.