

OPINION

The cost of incarceration

Beyond protecting the public safety

By Gretchen Burns Bergman

Prisons were designed for violent inmates, murderers and molesters. Did you know that 59 percent of Third Strike cases in California get 25 years to life for petty crimes such as marijuana possession, receiving stolen property and petty theft?

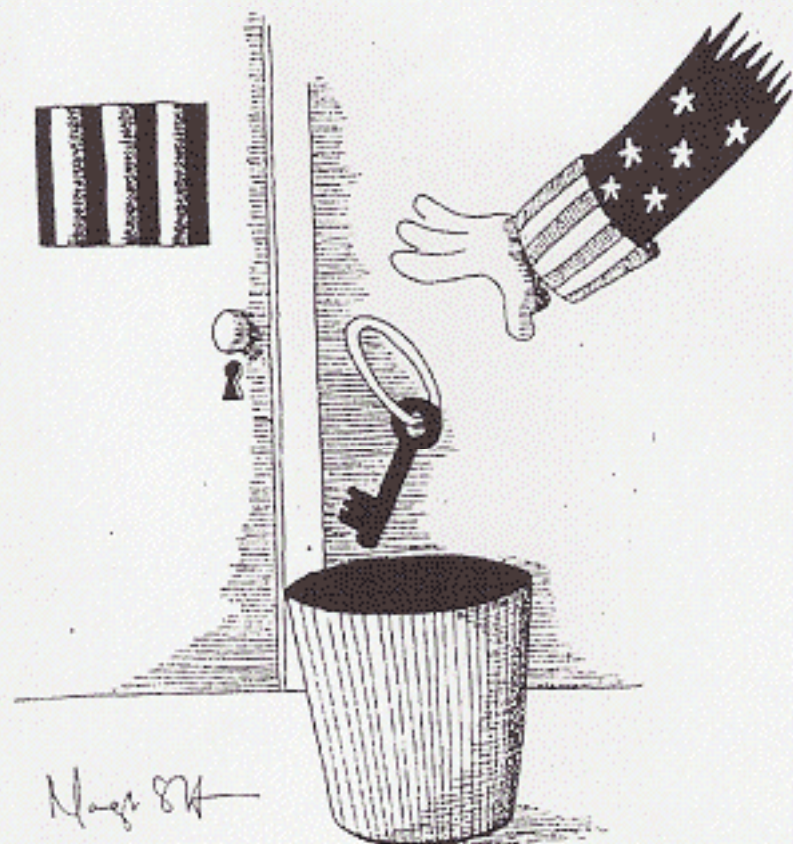
The facts of prison life are shocking. What we don't hear about are the illicit drugs and overdoses, jailhouse rapes, race wars and beatings. I understand that many inmates have access to makeshift "shanks" and other weapons for their self-protection. Nonviolent, first-time offenders are often victims of hardened predators.

I recently took a group tour of Donovan State Prison and was able to see inside the fenced cement facility that had warehoused my son for so many months when he was incarcerated there for drug offenses. The experience I had as a professional visitor was markedly different than the experience I had as a parent.

Always, when I visited before, I felt a sense of shame, nervous anticipation, sorrow and anger. Many times I was treated as if I, too, had committed a crime.

Each time I left, I felt guilty that I couldn't wait to feel my freedom again, and yet so many people who had no business being there were left behind to years of lockup.

Even after experiencing the prison on this occasion as a community leader, and having it presented to me with all its best programs and in the best possible light, I came away with more conviction than ever that nonviolent



Margaret Scott

drug addicts should not be sentenced to this cold, hard, dangerous and potentially violent atmosphere.

The current capacity of Donovan State Prison is 4,500 inmates, and despite the passage of Proposition 36 in November 2000, which mandates treatment instead of incarceration for first and second time nonviolent drug offenders, the overcrowding remains greater than 160 percent. Approximately 85 percent of people behind bars are there for alcohol- and drug-related crimes.

The most difficult moment during the tour was going into a tiny cell and experiencing the overwhelming feeling of oppression, especially with the knowledge of

how many hours a prisoner spends confined to these quarters. One of the inmates described it to me this way when I asked him why the racial hatred and violence had to be a part of the prison culture: "If you treat people like dogs, they act like dogs."

In contrast, I was told by one of the guards that it is actually so nice at this facility that many inmates want to stay. I found it especially frustrating and sad that becoming "institutionalized" was regarded positively by some.

While Proposition 36 was a giant step forward, Californians now have another opportunity to save millions of dollars and countless lives by supporting an initiative to amend the three strikes law for

the November 2002 ballot. The initiative would change current law to apply only to violent felonies, thus removing nonviolent drug offenders from this angry and destructive environment and reserving lockup space for the violent criminals for which it was intended.

California, with the largest prison system in the world, is the only state where a person can serve a life sentence for a nonviolent crime. Public support for this change is overwhelming. A recent poll by Citizens Against Violent Crime, a political action committee dedicated to amending the three strikes law, found that 77 percent of likely voters support this amendment. Currently we are seeing people serving longer sentences behind bars for drug "crimes" than for murder.

Our prisons are overcrowded with nonviolent offenders who continue to recycle through our criminal justice system at a tremendous cost to society, financially, emotionally and morally. We must dispel the theory that "punitive justice" for drug addicts is any kind of "justice" at all.

The people are, once again, ahead of the politicians in recognizing the need for change. Maybe they are simply outraged by the high costs of incarceration, or perhaps they have witnessed the destruction of the prison experience on members of their own extended families. In either case, the citizens of California are ready for sane solutions that will benefit the great majority of our population.

Short-term savings of as much as \$250 million from reduced prison operations are estimated, but the real savings will be in the lives and futures of those who have fallen under the vengeful art of this Draconian law.

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