U.S - End to Private Prisons

Why in news?

- US President Joe Biden signed executive orders addressing racial injustice.
- Significantly, it included ordering the Justice Department to end its dependence on private prisons.

Why is this significant?

- The move signals a major departure from the policies of former President Donald Trump.
- U.S., just before the recent elections, witnessed months of protests against systemic racism, sparked by the killing of George Floyd.
- Biden has said that the US government had to change "its whole approach" on the topic of racial equality.
- Biden has thus described the move on private prisons as "a first step to stop corporations from profiting off of incarceration".

What is the issue of mass incarceration in the US?

- The US imprisons more people than any other country in the world.
    - This is both in terms of incarceration per capita as well as the total number of people put in prison.
    - Of the roughly 1 crore people imprisoned worldwide, more than 20 lakh are in the US.
- The country incarcerates 655 people per 1 lakh residents, which is higher than El Salvador (590), Turkmenistan (552) and Thailand (541).

What is the racial angle to this?

- The US first began to see its prison population soar in the 1980s at the height of the "war on drugs."
    - "War on drugs" is the so-called US government initiative aimed at tackling the illicit narcotics trade.
- The drug policies were continued by both Democratic and Republican administrations in the following years.
- This resulted in significantly harsher sentences for drug offences, and disproportionately targeted African American communities.
- The country's prison population, which had remained below 5 lakh for

decades until the 1980s, shot up to over 20 lakh in the 2000s.
    - Reportedly, more than 60% of people in the US prisons today are people of colour.
    - Black men are six times more likely to be imprisoned as white men, with Hispanic men being 2.7 times as likely.

How did private prisons come in?

- The rate of incarceration skyrocketed in the 1980s.
- So, the state, local and federal governments were unable to manage the burden on their prison facilities.
- These governments thus roped in the private sector to meet the new demands.
- This led to the expansion of what is today known as the "prison-industrial complex".
- Among the major beneficiaries of this phenomenon were private companies that came to own or manage prisons.
- Private companies argued that compared to the government, they could use newer construction designs and surveillance technologies.
- They could operate larger prisons with lesser employees, thus saving taxpayer money.

What are the concerns with private prisons?

- In 2018, reportedly, private prisons went to become a $5 billion industry in the U.S.
- They incarcerated about 9% of all US prisoners combined.
- Two companies today dominate the market – CoreCivic and Geo Group.
    - Notably, both of them have provided monetary support to former President Trump.
- It is felt that the motive of these companies was not to rehabilitate their prisoners, but to ensure higher profits.
- They are answerable to shareholders and not the public.
- So, such companies have a greater incentive at keeping more people locked up in order to get future contracts from the government.
- It was found that private prisons at the federal level had more security violations per inmate compared to public prisons.
    - There were twice as many inmate-on-inmate assaults and 28% more inmate-on-staff assaults.

What are the reforms in this regard?

- The findings led the Obama administration to announce that the federal

government would be phasing out private prisons.
- This came in line with sentencing-reform policies that enjoyed support from both Democrats and Republicans.
- However, this changed after the election of Trump as the U.S. President.
- After taking office, his administration reversed the Obama-era policies.

What change has Biden brought?

- In his recent executive order, Biden has directed the attorney general to not renew contracts between the Justice Department and privately-run criminal detention facilities.
- This returns the Department to the same position it had in 2016 at the end of the Obama administration.
- Biden's executive order will apply to the federal inmates, and not to those in state and local privately-run prisons.
    - Currently, the US has 1.52 lakh people serving federal sentences (as opposed to those in state and local prisons).
    - Of them, 14,000 (around 9%) are placed in privately managed facilities.
- The order also applies only to prisons, and not to privately-run federal detention centres.
    - The detention centres are used to hold up thousands of undocumented immigrants.
- Biden is now under pressure to put an end to these for-profit immigrant detention facilities too.
- This could be a tougher decision to enforce as these facilities make up the majority of the Immigration and Customs Enforcement's (ICE) detention system.

Source: The Indian Express

SHANKAR IAS PARLIAMENT
Information is Empowering