

## **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**